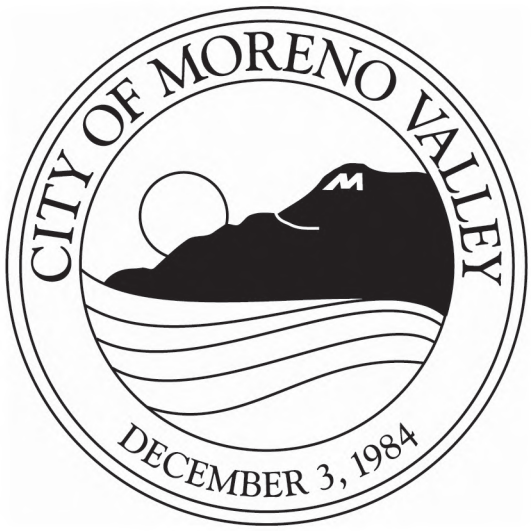

AGENDA

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

August 25, 2009

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

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

City Hall Council Chamber - 14177 Frederick Street

Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, in compliance with the Americans with Disabilities Act of 1990. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to the City Clerk's office at 951.413.3001 at least 48 hours before the meeting. The 48-hour notification will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Richard A. Stewart, Mayor

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

AGENDA
CITY COUNCIL OF THE CITY OF MORENO VALLEY
August 25, 2009

CALL TO ORDER

SPECIAL PRESENTATIONS

1. Officer of the Quarter Presentation to Officer William Davis and K-9, Max

2. Employee of the Quarter - Dori Lienhard

3. Recognition of Parks & Community Service Volunteer Groups
   Soka Gakkai International
   Calvary Chapel Christian School National Honor Society
   Oasis Community Church
   Lowe's of Moreno Valley

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

REGULAR MEETING - 6:30 PM
AUGUST 25, 2009

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

INVOCATION- Bishop KD Mercer, Sr., Bethesda Int'l Ministries

ROLL CALL

INTRODUCTIONS

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

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

JOINT CONSENT CALENDARS (SECTIONS A-D)

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

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

A. CONSENT CALENDAR-CITY COUNCIL

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

A.2 TELECOMMUNICATIONS LICENSE AGREEMENT WITH T-MOBILE WEST CORPORATION, A DELAWARE CORPORATION (Report of: Parks and Community Services)

Recommendation:
Authorize the Mayor to execute a Telecommunications License Agreement with T-Mobile West Corporation, a Delaware corporation for approximately 644 square feet of ground space on the property known as John F. Kennedy Veterans Memorial Park.

A.3 PARCEL MAP 35386 – APPROVE FINAL MAP - OVERLOOK CIRCLE, EAST SIDE OF KITCHING STREET AND NORTH OF IRONWOOD AVENUE - DEVELOPER: STEVEN AND DEBRA COLEMAN, MORENO VALLEY, CA 92557 (Continued from May 12, 2009) (Report of: Public Works Department)

Recommendation:
1. Approve Parcel Map 35386; and

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

A.4 AWARD OF ANNUAL FUEL PURCHASE AGREEMENT (Report of: Financial & Administrative Services)

Recommendation:
1. Award the annual fuel purchase agreement to The SoCo Group, Inc. in an amount not-to-exceed $300,000 and authorize the Mayor to execute the Agreement; and

2. Authorize the Purchasing & Facilities Division Manager to issue a purchase order to The SoCo Group in the amount of $300,000 to cover estimated fuel purchases during Fiscal Year 2009-10.

A.5 APPROVAL OF CHECK REGISTER FOR JUNE, 2009 (Report of: Financial & Administrative Services)

Recommendation:

Adopt Resolution No. 2009-76, approving the Check Register for the month of June, 2009 in the amount of $36,797,608.02.

Resolution No. 2009-76

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Check Register for the Month of June, 2009

A.6 MINUTES - REGULAR MEETING OF JULY 14, 2009 (Report of: City Clerk's Department)

Recommendation:
Approve as submitted.

A.7 PA05-0169 - REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING THE PORTION OF CACTUS AVENUE AND MORENO BEACH DRIVE ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM - DEVELOPER: MORENO MARKETPLACE, LLC, ONTARIO, CA 91761 (Report of: Public Works Department)

Recommendation:

1. Adopt Resolution No. 2009-77 authorizing the acceptance of the public improvements for PA05-0169 as complete and accepting the portion of Cactus Avenue and Moreno Beach Drive associated with the project into the City's maintained street system; and

   Resolution No. 2009-77

   A Resolution of the City Council of the City Of Moreno Valley, California, Authorizing the Acceptance of the Public Improvements as Complete Within PA05-0169 and Accepting the Portion of Cactus Avenue and Moreno Beach Drive Associated with the Project into the City's Maintained Street System

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

A.8 TRANSFER OF REAL PROPERTY LOCATED AT THE SOUTHEAST CORNER OF PERRIS BOULEVARD AND FILAREE AVENUE (APN 486-

084-001) FROM THE CITY OF MORENO VALLEY TO THE MORENO VALLEY COMMUNITY SERVICES DISTRICT AND DEDICATION OF RIGHT OF WAY FROM THE MORENO VALLEY COMMUNITY SERVICES DISTRICT TO THE CITY OF MORENO VALLEY (Report of: Public Works Department) **(This item is also listed as Item B2)**

Recommendation:

1. Approve the transfer of real property known as Assessor's Parcel Number (APN) 486-084-001 from the City of Moreno Valley, a Municipal Corporation to the Moreno Valley Community Services District (CSD); and

2. Authorize the City Manager to execute quitclaim deed and all related documents as may be necessary to convey title to said property.

A.9 APPROVE AGREEMENT FOR EXCHANGE OF REAL PROPERTY WITH RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT (RCFC&WCD) FOR PIGEON PASS ROAD STREET IMPROVEMENTS FROM IRONWOOD AVENUE TO NORTH CITY LIMITS - PROJECT NO. 06-41570324 (Report of: Public Works Department)

Recommendation:

1. Approve the "Agreement for Exchange of Real Property" with Riverside County Flood Control and Water Conservation District (RCFC&WCD) for the Pigeon Pass Road Street Improvements (Ironwood Avenue to North City Limits); and

2. Authorize the City Manager to execute the "Agreement for Exchange of Real Property" upon concurrence by RCFC&WCD and authorize the City Manager to approve any minor changes that may be requested by RCFC&WCD subject to the approval of the City Attorney.

A.10 ADOPT A MITIGATED NEGATIVE DECLARATION FOR THE IRONWOOD AVENUE WIDENING FROM PERRIS BOULEVARD TO NASON STREET - PROJECT NO. 07-41572727 (Report of: Public Works Department)

Recommendation:

Adopt a Mitigated Negative Declaration (MND) for the Ironwood Avenue Widening from Perris Boulevard to Nason Street, Project No. 07-41572727, in that mitigation measures included in the Initial Study and ultimately incorporated into the project specifications will reduce all potential environmental impacts to an acceptable level.

A.11 SECOND AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES FOR PHASE II AND PHASE III DESIGN OF

THE STREET IMPROVEMENTS FOR HEACOCK STREET FROM HEMLOCK AVENUE TO IRONWOOD AVENUE PROJECT NO. 08-41678827 (Report of: Public Works Department)

Recommendation:

1. Approve the "Second Amendment to Agreement for Professional Consultant Services" for Phase II and Phase III design with PB Americas, Inc., 685 East Carnegie Drive, Suite 210, San Bernardino, CA 92408 to provide professional consultant services, extend the agreement from December 31, 2009 to December 31, 2010, and increase the agreement amount by the "not-to-exceed" fee of $83,420;

2. Authorize the City Manager to execute the "Second Amendment to Agreement for Professional Consultant Services" with PB Americas, Inc.;

3. Authorize an increase to the Purchase Order with PB Americas, Inc. in the amount of $91,762 ($83,420 amount plus 10% contingency) when the Second Amendment has been signed by all parties (Account No. 416.78827); and

4. Authorize the Public Works Director/City Engineer to execute any subsequent Amendments to the Agreement for Professional Consultant Services with PB Americas, Inc. up to but not to exceed the Purchase Order contingency in the amount of $8,342, subject to the approval of the City Attorney.

A.12 NOTICE OF COMPLETION AND ACCEPTANCE OF IRIS AVENUE IMPROVEMENTS FROM 650 FEET EAST OF INDIAN STREET TO 660 FEET WEST OF PERRIS BOULEVARD - PROJECT NO. 08-12272225 (Report of: Public Works Department)

Recommendation:

1. Accept the work as complete for Iris Avenue Improvements from 650 feet east of Indian Street to 660 feet west of Perris Boulevard, which was constructed by Tyner Paving Company, 2005 North San Fernando Road, Los Angeles, CA 90065;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the Office of the County Recorder of Riverside County as required by Section 3093 of the California Civil Code;

3. Authorize the Financial & Administrative Services Director to release the retention to Tyner Paving Company thirty-five (35) calendar days after the date of recordation of the Notice of Completion if no claims

are filed against the project; and

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

A.13 POSITION CONTROL ROSTER FOR FISCAL YEAR 2009-10 (Report of: Financial & Administrative Services)

Recommendation:
Receive and file the Position Control Roster for Fiscal Year 2009-10.

A.14 NOTICE OF COMPLETION AND ACCEPTANCE OF SHEILA STREET SIDEWALK IMPROVEMENTS - PROJECT NO. 08-28268627 (Report of: Public Works Department)

Recommendation:
1. Accept the work as complete for Sheila Street Sidewalk Improvements, which was constructed by Contreras Construction Company, P. O. Box 1808, Indio, CA 92202;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the Office of the County Recorder of Riverside County as required by Section 3093 of the California Civil Code;

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

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

A.15 AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR STRUCTURES AND CONDUITS IMPROVEMENTS AND ELECTRICAL CABLE INSTALLATION IMPROVEMENTS FOR THE INDIAN 12KV TO GLOBE 12KV CIRCUIT TIE, PROJECT MVU-0004 (Report of: Public Works Department)

Recommendation:
1. Award the construction contract for Structures and Conduits Improvements and Electrical Cable Installation Improvements for the Indian 12kV to Globe 12kV Circuit Tie, Project No. MVU-0004, to Richard Lopez Construction, the lowest responsible bidder;

2. Authorize the Mayor to execute a contract with Richard Lopez Construction;

3. Authorize the Financial and Administrative Services Director to issue

a Purchase Order to Richard Lopez Construction, in the amount of $222,631.37 (the base bid amount plus 10% contingency) for Structures and Conduits Improvements and Electrical Cable Installation Improvements for the Indian 12kV to Globe 12kV Circuit Tie, Project No. MVU-0004, when the contract has been signed by all parties. (Account No. 602.61830); and

4. Authorize the Director of Public Works/City Engineer to execute any subsequent change orders to the contract with Richard Lopez Construction up to, but not to exceed the Purchase Order Contingency authorized for the base bid amount of $202,392.15.

A.16 APPROVE TRANSFERRED AND NEW MUNICIPAL DEPARTING LOAD NONBYPASSABLE CHARGES AND COST RESPONSIBILITY SURCHARGE AGREEMENT BETWEEN SOUTHERN CALIFORNIA EDISON COMPANY AND THE CITY OF MORENO VALLEY (Report of: Public Works Department)

Recommendation:

1. Approve the Transferred and New Municipal Departing Load Nonbypassable Charges and Cost Responsibility Surcharge Agreement between Southern California Edison and the City of Moreno Valley;

2. Authorize the Mayor to execute the Transferred and New Municipal Departing Load Nonbypassable Charges and Cost Responsibility Surcharge Agreement between Southern California Edison and the City of Moreno Valley; and

3. Appropriate $1,671,000 from Electric Utility restricted reserves for payment under the Transferred and New Municipal Departing Load Nonbypassable Charges and Cost Responsibility Surcharge Agreement between Southern California Edison and the City of Moreno Valley.

A.17 RECEIPT OF QUARTERLY INVESTMENT REPORT - QUARTER ENDED JUNE 30, 2009 (Report of: Financial & Administrative Services Department)

Recommendation:

Receive and file the Quarterly Investment Report, in compliance with the City's Investment Policy.

A.18 JOINT RESOLUTION WITH THE SCHOOL DISTRICTS AND RIVERSIDE COMMUNITY COLLEGE DISTRICT (Report of: City Manager's Office)

Recommendation:

Adopt Resolution No. 2009-78, a joint resolution with the School Districts and Riverside Community College District supporting a commitment to better address the needs of our community's youth.

Resolution No. 2009-78

A Joint Resolution of the City Council of the City of Moreno Valley, the Riverside Community College District Board of Trustees, the Board of Education of the Moreno Valley Unified School District and the Board of Education of the Val Verde Unified School District Supporting a Commitment to Better Address the Needs of Our Community's Youth

A.19 AUTHORIZATION TO ENTER INTO AN EASEMENT AGREEMENT WITH ROSS DRESS FOR LESS, INC., AND A MAINTENANCE AGREEMENT WITH INDUSTRIAL DEVELOPMENTS INTERNATIONAL (IDI) FOR THE INSTALLATION AND MAINTENANCE OF A CITY ENTRY MONUMENT SIGN ON PRIVATE PROPERTY LOCATED AT 17800 PERRIS BOULEVARD (Report of: Economic Development Department)

Recommendation:

1. Authorize the City Manager to execute an Easement Agreement with Ross Dress For Less, Inc., accepting ownership and liability for a City entry monument sign to be installed on private property located at 17800 Perris Boulevard; and

2. Authorize the City Manager to execute a Maintenance Agreement with Industrial Developments International (IDI) accepting maintenance responsibility for a City entry monument sign to be installed on private property located at 17800 Perris Boulevard and accepting a one-time gift of $5,000 from Industrial Developments International (IDI) to be deposited into a Trust account to offset future maintenance costs.

A.20 RESOLUTION RELATED TO CALPERS EMPLOYER PAID MEMBER CONTRIBUTIONS (EPMC) (Report of: Human Resources Department)

Recommendation:

Adopt Resolution No. 2009-79 which eliminates the CalPERS Employer Paid Member Contribution (EPMC) benefit for City employees hired after August 31, 2009.

Resolution No. 2009-79

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing Employer Paid Member Contributions

A.21 UPDATE ON ORDINANCE NO. 741 AS AMENDED AND ORDINANCE NO. CSD 52 AS AMENDED RELATING TO THE PROHIBITION OF SMOKING IN PARKS AND RECREATION FACILITIES (Report of: Parks and Community Services) **(This item is also listed as Item B5)**

Recommendation:
Receive and file.

A.22 APPOINTMENT OF INTERIM CITY ATTORNEY ROBERT L. HANSEN AS THE CITY'S VOTING DELEGATE TO THE LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE BUSINESS MEETING TO BE HELD FRIDAY, SEPTEMBER 18, 2009 (Report of: City Clerk's Department)

Recommendation:
Appoint Interim City Attorney Robert L. Hansen as the City's Voting Delegate to the League of California Cities 2009 Annual Conference Business Meeting.

A.23 CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES (Report of: City Clerk's Department)

Recommendation:
Receive and file the Reports on Reimbursable Activities for the period of July 8 – August 18, 2009.

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

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

B.2 TRANSFER OF REAL PROPERTY LOCATED AT THE SOUTHEAST CORNER OF PERRIS BOULEVARD AND FILAREE AVENUE (APN 486-084-001) FROM THE CITY OF MORENO VALLEY TO THE MORENO VALLEY COMMUNITY SERVICES DISTRICT AND DEDICATION OF RIGHT OF WAY FROM THE MORENO VALLEY COMMUNITY SERVICES DISTRICT TO THE CITY OF MORENO VALLEY (Report of: Public Works Department) **(This item is also listed as Item A8)**

Recommendation:
1. Accept the transfer of real property known as Assessor's Parcel Number (APN) 486-084-001 from the City of Moreno Valley, a Municipal Corporation to the Moreno Valley Community Services District;

2. Authorize the President of the Board of Directors of the Community

Services District to execute the Certificate of Acceptance (COA) and direct the City Clerk to record the COA with the County Recorder of Riverside County when fully executed;

3. Approve the Offer of Dedication of a portion of APN 486-084-001 as a perpetual easement and right-of-way for public street and highway, public utilities, and public service facilities purposes; and

4. Authorize the President of the Board of Directors of the Community Services District to execute Easement Deed to the City of Moreno Valley, a Municipal Corporation and all related documents as may be necessary to complete said offer of dedication.

B.3 MINUTES - REGULAR MEETING OF JULY 14, 2009 (Report of: City Clerk's Department)

Recommendation:
Approve as submitted.

B.4 RECOMMENDATION TO ENTER INTO AGREEMENT WITH CARNEY EDUCATIONAL SERVICES, LLC (Report of: Parks and Community Services)

Recommendation:

Authorize the City Manager to enter into an agreement with Carney Educational Services, LLC, to purchase customized snacks to be delivered to all 41 after school sites covering the 2009/2010 program year for the After School Education and Safety Program Grant (ASES), and direct the Budget Officer to issue a purchase order in the amount of $394,902.

B.5 UPDATE ON ORDINANCE NO. 741 AS AMENDED AND ORDINANCE NO. CSD 52 AS AMENDED RELATING TO THE PROHIBITION OF SMOKING IN PARKS AND RECREATION FACILITIES (Report of: Parks and Community Services) **(This item is also listed as Item A21)**

Recommendation:
Receive and file.

C. CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

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

C.2 MINUTES - REGULAR MEETING OF JULY 14, 2009 (Report of: City Clerk's Department)

Recommendation:
Approve as submitted.

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

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

D.2 MINUTES - REGULAR MEETING OF JULY 14, 2009 (Report of: City Clerk's Department)

Recommendation:
Approve as submitted.

E. PUBLIC HEARINGS

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

E.1 CONTINUATION OF THE PUBLIC HEARING REGARDING THE MAIL BALLOT PROCEEDING FOR IDENTIFIED PROPERTIES WITHIN TPM 35629 - BALLOTING FOR NPDES AND CSD ZONE M (Report of: Public Works Department)

Recommendation: That the City Council:

1. After conducting the Public Hearing and accepting public testimony:
   a. Direct the City Clerk to tabulate the National Pollutant Discharge Elimination System ("NPDES") ballots for identified properties within Tentative Parcel Map ("TPM") 35629;
   b. Verify and accept the results of the mail ballot proceeding as identified on the Official Tally Sheet and Assessor Parcel Number ("APN") listing;
   c. Receive and file with the City Clerk's office the accepted Official Tally Sheet and APN listing; and
   d. If approved, authorize and impose the NPDES maximum commercial/industrial regulatory rate to the identified properties within TPM 35629.

2. Acting in their capacities as President and Members of the Board of Directors of the CSD ("CSD Board"), after conducting the Public Hearing and accepting public testimony:

   a. Direct the Secretary of the CSD Board (City Clerk) to tabulate

the CSD Zone M ballots for identified properties within TPM 35629;
b. Verify and accept the result of the mail ballot proceeding as identified on the Official Tally Sheet and APN listing;
c. Receive and file with the City Clerk's office the accepted Official Tally Sheet and APN listing; and
d. If approved, authorize and impose the annual CSD Zone M (Commercial, Industrial, and Multifamily Improved Median Maintenance) charge to the identified properties within TPM 35629.

E.2 A PUBLIC HEARING FOR AN INDUSTRIAL COMPLEX (PA07-0152, PA07-0153, PA07-0154, PA07-0155 AND PA07-0156) WITH FOUR BUILDINGS (1,484,407 TOTAL SQ FT) ON 66.9 NET ACRES. THE TENTATIVE PARCEL MAP 35879 (PA07-0151) WILL CREATE FOUR PARCELS. THE GENERAL PLAN (PA08-0057) AND SPECIFIC PLAN (P08-060) AMENDMENTS ARE REQUIRED FOR THE REALIGNMENT OF KRAMERIA STREET AND WILL AMEND THE CIRCULATION ELEMENT OF THE GENERAL PLAN AND IN THE MORENO VALLEY INDUSTRIAL SPECIFIC PLAN (SP 208) (CONTINUED FROM MAY 26, 2009 AND JUNE 23, 2009) (Report of: Community Development Department)

Recommendation: That the City Council:

1. ADOPT a Mitigated Negative Declaration for PA07-0151 (Tentative Parcel Map 35879), PA07-0152 (Master Plot Plan), PA07-0153 (Plot Plan), PA07-0154 (Plot Plan), PA07-0155 (Plot Plan), PA07-0156 (Plot Plan), PA08-0057 (General Plan Amendment) and P08-060 (Specific Plan Amendment). The projects, individually and cumulatively, will not result in a significant effect on the environment;

2. APPROVE Resolution No. 2009-44 approving PA08-0057, for the realignment of Krameria Street and amending the Circulation Element of the General Plan based on the findings in the Resolution and maps attached to the Resolution as Exhibits A, B, C, D and E;

Resolution No. 2009-44

A Resolution of the City Council of the City of Moreno Valley, California, approving an Amendment to the General Plan Circulation Element (PA08-0057) to realign Krameria Avenue between Iris Avenue and Heacock Street and downgrade Krameria Avenue from a Minor Arterial to an Industrial Collector, as described in the Resolution, and the revised General Plan Maps attached to the Resolution as Exhibits A, B, C, D AND E

3. INTRODUCE Ordinance No. 793 approving a Specific Plan Amendment (P08-060) for the Realignment of Krameria Street and

Amending the Circulation Element in the Moreno Valley Industrial Specific Plan (SP 208) based on the findings in the Ordinance; and

Ordinance No. 793

An Ordinance of the City Council of the City of Moreno Valley, California, Approving P08-060 (Specific Plan Amendment) to Realign Krameria Avenue Between Iris Avenue and Heacock Street and Downgrade Krameria Avenue from a Minor Arterial to an Industrial Collector in the Moreno Valley Industrial Specific Plan (Sp 208) as Described in the Resolution, and the Revised Specific Plan Maps Attached to the Resolution as Exhibits A, B, C and D

4. APPROVE Resolution No. 2009-45 approving PA07-0151(Tentative Parcel Map 35879), PA07-0152 (Master Plot Plan), PA07-0153 (Plot Plan), PA07-0154 (Plot Plan), PA07-0155 (Plot Plan), and PA07-0156 (Plot Plan), based on the findings in the Resolution, and the conditions of approval as attached to the resolution as Exhibit A.

Resolution No. 2009-45

A Resolution of the City Council of the City of Moreno Valley, California, Approving Plot Plan Applications PA07-0152, PA07-0153, PA07-0154, PA07-0155 and PA07-0156 and Tentative Parcel Map 35879 (PA07-0151). The Project is Located at the Southeast Corner of Iris Avenue and Heacock Street

E.3 HEARING ON PROPOSED RESOLUTIONS OF NECESSITY, TO MAKE FINDINGS AND DETERMINATIONS AND TO AUTHORIZE EMINENT DOMAIN PROCEEDINGS TO ACQUIRE NECESSARY RIGHT-OF-WAY FOR THE SR-60/NASON STREET INTERCHANGE IMPROVEMENT PROJECT - PROJECT NO. 98-25897 (Report of: Public Works Department)

Recommendation: That the City Council:

1. Conduct hearing, allowing testimony, including property owners who have requested the right to appear and be heard. Close the hearing;

2. Approve and adopt the Planning Division's finding that the project is consistent with the General Plan;

3. Find the adoption of the proposed Resolutions of Necessity and acquisition of the fee and easement interests necessary for the Project are exempt from CEQA in that under §15061 (b) (3) of the CEQA Guidelines, this activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a

significant impact on the environment and it can be seen with certainty that there is no possibility this activity would have a significant effect on the environment and is excluded from NEPA in that this activity cannot individually or cumulatively have a significant effect on the human environment and no environmental assessment is required. Further, it has been determined that the proposed activity is within the scope of and is consistent with the approved Categorical Exclusion/Categorical Exemption (CE/CE) prepared for the SR-60/Nason Street Interchange Improvement Project, respectively by the FHWA and Caltrans, that there have been no changes to the approved project since the approval of the CE/CE, and no changes to the circumstances under which the project is to be undertaken which would alter the determination the project is exempt;

4. Find that the proposed "Factual Summary to Support Findings Required in the Resolutions," is true and correct as to each of the proposed Resolutions of Necessity;

5. Find and determine that each of the statements, findings and facts in each of the proposed Resolutions of Necessity is true and correct;

6. If the City has not approved the "Agreements for Conveyance of Property" for the properties necessary for the project, adopt the following Resolution by a vote of two-thirds of all members of the City Council;

Resolution No. 2009-80

A Resolution of the City Council of the City of Moreno Valley, California, Finding and Determining that the Public Interest and Necessity Require the Acquisition of Property for Public Street and Highway Purposes including Related Improvements and Facilities; that the Acquisition and Taking of the Fee and the Easements in the Herein-Described Property is Necessary for the State Route 60/Nason Street Interchange Improvement Project; that the Project is Planned in a Manner that is Most Compatible with the Greatest Public Good and the Least Private Injury; Authorizing Proceedings to be Commenced in Eminent Domain; and Authorizing the Deposit of Necessary Funds and the Payment of Necessary Expenses and Fees for Acquisition of Said Property; and Authorizing Counsel to Obtain an Order for Prejudgment Possession of the Subject Property [APN: 487-250-004]

7. If the City has not approved the "Agreements for Conveyance of Property" for the properties necessary for the project, adopt the following Resolution by a vote of two-thirds of all members of the City

Council;

Resolution No. 2009-81

A Resolution of the City Council of the City of Moreno Valley, California, Finding and Determining that the Public Interest and Necessity Require the Acquisition of Property for Public Street and Highway Purposes Including Related Improvements and Facilities; that the Acquisition and Taking of the Fee and the Easements in the Herein-Described Property is Necessary for the State Route 60/Nason Street Interchange Improvement Project; that the Project is Planned in a Manner that is Most Compatible with the Greatest Public Good and the Least Private Injury; Authorizing Proceedings to be Commenced in Eminent Domain; and Authorizing the Deposit of Necessary Funds and the Payment of Necessary Expenses and Fees for Acquisition of Said Property; and Authorizing Counsel to Obtain an Order for Prejudgment Possession of the Subject Property [APN: 488-090-031 And 488-090-051]

8. If the City has not approved the "Agreements for Conveyance of Property" for the properties necessary for the project, adopt the following Resolution by a vote of two-thirds of all members of the City Council;

Resolution No. 2009-82

A Resolution of the City Council of the City of Moreno Valley, California, Finding and Determining that the Public Interest and Necessity Require the Acquisition of Property for Public Street and Highway Purposes Including Related Improvements and Facilities; that the Acquisition and Taking of the Fee and the Easements in the Herein-Described Property is Necessary for the State Route 60/Nason Street Interchange Improvement Project; that the Project is Planned in a Manner that is Most Compatible with the Greatest Public Good and the Least Private Injury; Authorizing Proceedings to be Commenced in Eminent Domain; and Authorizing the Deposit of Necessary Funds and the Payment of Necessary Expenses and Fees for Acquisition of Said Property; and Authorizing Counsel to Obtain an Order for Prejudgment Possession of the Subject Property [APN: 488-100-002]

9. If the City has not approved the "Agreements for Conveyance of Property" for the properties necessary for the project, adopt the following Resolution by a vote of two-thirds of all members of the City Council; and

Resolution No. 2009-83

A Resolution of the City Council of the City of Moreno Valley, California, Finding and Determining that the Public Interest and Necessity Require the Acquisition of Property for Public Street and Highway Purposes Including Related Improvements and Facilities; that the Acquisition and Taking of the Fee and the Easements in the Herein-Described Property is Necessary for the State Route 60/Nason Street Interchange Improvement Project; that the Project is Planned in a Manner that is Most Compatible with the Greatest Public Good and the Least Private Injury; Authorizing Proceedings to be Commenced in Eminent Domain; and Authorizing the Deposit of Necessary Funds and the Payment of Necessary Expenses and Fees for Acquisition of Said Property; and Authorizing Counsel to Obtain an Order for Prejudgment Possession of the Subject Property [APN: 488-100-050]

10. Direct the City Attorney or retained counsel for the City to file appropriate actions in Eminent Domain, including Making Deposits of Probable Compensation and for Orders for Prejudgment Possession and for all other appropriate orders.

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

G. REPORTS

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

a) Report by Mayor Richard A. Stewart on Joint Powers Authority (JPA)

b) Report by Council Member Robin N. Hastings on Western Riverside Council of Governments (WRCOG)

c) Report by Council Member Jesse Molina on Riverside County Transportation Commission (RCTC)

G.2 ORDINANCE AMENDING SECTION 12.36.010 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE RELATING TO THE DESIGNATION OF TRUCK ROUTES (Report of: Public Works Department)

Recommendation: That the City Council:

Introduce Ordinance No. 794, amending Section 12.36.010 of Chapter 12.36 of Title 12 of the Municipal Code to remove Ironwood Avenue from

Moreno Beach Drive to Theodore Street, as well as, Moreno Beach Drive from Ironwood Avenue to the SR-60 westbound on/off ramp as designated "Truck Routes." (Roll call required)

Ordinance No. 794

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Section 12.36.010 of Chapter 12.36 of Title 12 of the City Of Moreno Valley Municipal Code, Revising the Designation of Truck Routes

G.3 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

H. LEGISLATIVE ACTIONS

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

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

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

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

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

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

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

CLOSED SESSION

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

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

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

The Closed Session will be held pursuant to Government Code:

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

Number of Cases: 3

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

Number of Cases: 2

3 SECTION 54957 - PERSONNEL MATTER

a) Public Employee Performance Evaluation: City Manager

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

ADJOURNMENT

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Michael McCarty, Director of Parks and Community Services

AGENDA DATE: August 25, 2009

TITLE: Telecommunications License Agreement with T-Mobile West Corporation, a Delaware Corporation

RECOMMENDED ACTION

Staff recommends that the Mayor and City Council authorize the Mayor to execute a Telecommunications License Agreement with T-Mobile West Corporation, a Delaware corporation for approximately 644 square feet of ground space on the property known as John F. Kennedy Veterans Memorial Park.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

On October 22, 2008, the Community Development Department reviewed and approved Resolution No. 2008-41, adopting a Negative Declaration for PA08-0068 (Conditional Use Permit) realizing that this project will not result in significant environmental impacts and approved PA08-0068 (Conditional Use Permit), subject to the Conditions of Approval.

T-Mobile West Corporation, a Delaware corporation, desires to construct a cellular tower and to lease approximately 644 square feet of ground space in John F. Kennedy Veterans Memorial Park to house equipment for the operation of the cellular tower.

T-Mobile representatives met with Parks and Community Services Department staff to review and discuss the requirements for both. T-Mobile designed the installation of a ball field lighting system for the cellular tower to be placed in John F. Kennedy Veterans

Memorial Park. A Telecommunications License Agreement (TLA) was drafted and mailed to T-Mobile West Corporation's representative and negotiations were concluded as to the lease agreement.

DISCUSSION

The proliferation of various personal communication devices makes additional cellular tower facilities necessary to meet consumer demand. Service providers are installing cellular towers in populated areas throughout the Southern California area in order to accommodate the populace. The proposed Telecommunications License Agreement with T-Mobile West Corporation, Delaware corporation is for a term of five (5) years with five (5) additional renewal terms of five (5) years each. For the initial five-year term, the Agreement will provide $24,000 per year in lease revenue to the Parks and Community Services Department. In addition, a $100 per month landscape maintenance and graffiti abatement fee will be paid by the Licensee. Both rent, landscape maintenance fee, and graffiti abatement fee include annual increases of three percent (3%).

ALTERNATIVES

1. Authorize the Mayor to execute a Telecommunications License Agreement with T-Mobile West Corporation, a Delaware corporation, for approximately 644 square feet of ground space on the property known as John F. Kennedy Veterans Memorial Park. *This alternative would result in additional revenue to the City.*

2. Do not authorize the Mayor to execute a Telecommunications License Agreement with T-Mobile West Corporation, a Delaware corporation, for approximately 644 square feet of ground space on the property known as John F. Kennedy Veterans Memorial Park. *This alternative would result in a loss of potential revenue to the City.*

FISCAL IMPACT

The proposed agreement will provide revenue to the Parks and Community Services Department in lease payments of $24,000 for the first year. The Licensee will pay a $100 per month graffiti abatement fee; this revenue will be credited to Parks Maintenance. Both rent and the landscape maintenance and graffiti abatement fee include annual increases of three percent (3%).

Revenue (1st Year)
Rental (Account No. 00161.1610.4563) $24,000
Landscape Maintenance and
Graffiti Abatement (Account No. 00161.1610.4234) $1,200
Total (1st Year) $25,200

CITY COUNCIL GOALS

REVENUE DIVERSIFICATION AND PRESERVATION:
Develop a variety of City revenue sources and policies to create a stable revenue base and fiscal policies to support essential City services, regardless of economic climate.

NOTIFICATION

Post of the agenda.

ATTACHMENTS/EXHIBITS

Attachment A – Telecommunications License Agreement

Prepared By:
Tony Hetherman
Parks Project Coordinator

Department Head Approval:
Michael McCarty
Parks and Community Services Director

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

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CITY OF MORENO VALLEY
TELECOMMUNICATIONS LICENSE AGREEMENT

This Telecommunications License Agreement ("License") is effective as of the date signed by Licensor and is by and between THE CITY OF MORENO VALLEY hereinafter called "Licensor," and T-Mobile West Corporation, a Delaware corporation, a subsidiary of T-Mobile USA, Inc., hereinafter called "Licensee."

The parties agree as follows:

1. Premises.

   Licensor represents that it owns the real property legally described in Exhibit "A" hereinafter called "Property." Subject to the following terms and conditions, Licensor licenses to Licensee that portion of Licensor's Property depicted in Exhibit "B," including all necessary and reasonable access and utility rights for installation, operation, and maintenance of Licensee's equipment, structures, and utilities (collectively the "Premises"). Exhibit "C," Conditional Use Permit and Conditions of Approval, is attached hereto and incorporated by reference into this License Agreement. This License shall be revocable only as specified herein and the access and utility rights shall expire with this License.

2. Use.

   A. The Premises may be used by Licensee for any lawful activity in connection with the provision of mobile/wireless communications services, including without limitation, the transmission, amplification and the reception of radio communication signals on various frequencies and the construction, maintenance and operation of related communications facilities, subject to the terms and conditions of this License.

   B. Licensee shall use the Premises in compliance with all applicable laws, statutes, ordinances, rules, regulations and orders in effect.

   C. Licensor agrees, at no expense to Licensor, to cooperate with Licensee, in making application for and obtaining all licenses, permits and any and all other necessary approvals that may be required for Licensee's intended use of the Premises.

   D. The terms and conditions in this License are offered solely to Licensee as an inducement to execute the License for the Premises. Licensor would not necessarily license the Premises to another licensee on such favorable terms and conditions, it being understood that Licensor is specifically relying on the identity of Licensee in agreeing to the terms and conditions in this License. Licensee acknowledges that the License terms and conditions are for Licensee's benefit only so long as Licensee operates the business allowed by this License. But for the previously stated reasons, Licensor would not enter into this License. Therefore, Licensee shall not

voluntarily, involuntarily, or by operation of laws, sublicense all or any part of the Premises or allow it to be assigned or sublicensed to any person or entity other than Licensee except as otherwise permitted under Section 13.

E. Licensee shall not voluntarily, involuntarily, or by operation of laws, sublicense all or any part of the Premises or allow it to be sublicensed, to any person or entity other than Licensee (except as otherwise permitted under Section 13) without the prior written approval of Licensor, which approval will not be unreasonably withheld, delayed or conditioned. In the event Licensee sublicenses or permits the collocation of equipment or antenna space within the Premises or on Licensee's pole to a communications carrier unaffiliated to Licensee, the Rent (as defined below) due under this License shall increase by an amount equal to Fifty Percent (50%) of the current rent at the time of the sublicensing or collocation for each month the additional carrier's equipment is located within the Premises or on the pole. Notwithstanding anything in this License to the contrary, nothing in this License shall prohibit the shared use of Licensee's Facilities (as defined below) with another party pursuant to a strategic alliance, roaming, or other agreement with Licensee; provided, however, such third party does not install any equipment in or upon the Premises. Additionally, in the event a sublicensee licenses ground space directly from Licensor related to its operations on the pole, Licensee's rent shall not increase as set forth above.

3. Conditions Precedent.

This License is conditioned upon Licensee obtaining all necessary federal, state, or local governmental permits and approvals enabling Licensee to construct and operate mobile/wireless communications facilities on the Premises.

4. Term.

A. This License is binding and in effect upon full execution and delivery by Licensor and Licensee. The term of this License ("Term") shall be five (5) years commencing sixty (60) days after Licensee Agreement has been executed. This date shall be referred to as the "Commencement Date". Construction plans must be approved, prior to execution of the License Agreement. Licensee shall have the right to extend the Term of this License for five (5) additional terms ("Renewal Term") of five (5) years each. The terms and conditions for the Renewal Term shall be the same terms and conditions of this License, except that the Rent shall be increased as set forth in Section 5. This License shall automatically be extended for each successive five (5) year Renewal Term unless notice is provided in writing of Licensee's intention not to extend this License at least thirty (30) days but not more than 180 days prior to the expiration of the first five year Term or any Renewal Term.

B. At the expiration of the final Renewal Term of the License Agreement, Licensor and Licensee, at their option, shall renegotiate the License Agreement.

5. Rent.

A. In consideration of the rights granted by this License, upon the Commencement Date and throughout the initial Term of this License, Licensee shall pay Licensor the sum of Twenty-Four Thousand Dollars ($24,000.00) per year as rent ("Rent"). Rent shall be payable on the Commencement Date, in advance, in monthly installments of Two Thousand Hundred Dollars ($2,000.00)* to Licensor at the address specified in Section 18 below. The Rent shall increase at a rate of 3% each year on the anniversary date of the Commencement Date, for the remaining term of the License Agreement.

B. * Rent is assessed based on a building size (including roofline) not exceeding 400 square feet, and one telecommunication tower (sports field light pole). Buildings exceeding 400 square feet will be assessed at an initial rate of $5.00 a square foot. Buildings less than 400 square feet will be assessed initial Rent of Two Thousand Dollars ($2,000.00).

C. If the Rent is not received by Licensor on or before the fifteenth (15th) day following the due date, it shall be deemed delinquent. If the Rent is not paid before delinquency, then the amount due and unpaid shall be subject to a late charge at the rate of five percent (5%) of the overdue amount, without limitation to Licensor's other rights and remedies under this License.

D. Licensee may request to expand the Premises. Licensee must submit plans showing the proposed use beyond the existing square footage, and if determined to be in Licensor's best interests, Licensor will provide written consent, which consent will not be unreasonably withheld, conditioned, or delayed. Rent shall be increased in proportion to the extra square footage included in the revised premises.

6. Improvements; Access.

A. Licensee shall have the right (but not the obligation) at any time following the full execution and delivery of this License and prior to the Commencement Date, to enter the Premises for the purpose of making necessary inspections and engineering surveys (and soil tests where applicable) and other reasonably necessary tests (collectively "Tests") to determine the suitability of the Premises for Licensee's Facilities (as defined herein) and for the purpose of preparing for the construction of Licensee's Facilities. During any Tests or pre-construction work, Licensee will have in effect the insurance required in Section 12, Insurance. Licensee will notify Licensor of any proposed Tests or pre-construction work and will coordinate the scheduling of same with Licensor. Prior to

the Commencement Date, if Licensee determines that the Premises are unsuitable for Licensee's contemplated use, then Licensee will notify Licensor and this License will terminate without penalty or further obligation accruing thereafter, providing the Licensee restores the site to its original state.

B. Subject to all terms and conditions of this License, Conditional Use Permit, and Approved Plans and Specs, Licensee has the right to construct, maintain, modify, upgrade and operate on the Premises radio communications facilities, including but not limited to, radio frequency transmitting, amplifying and receiving equipment, batteries, utility lines, transmission lines, radio frequency transmitting and receiving antennas and structures, ("Licensee's Facilities") and lighting as specifically identified on the attached Exhibit B. In connection therewith, Licensee has the right to do all work necessary to prepare, add, maintain and alter the Premises for Licensee's communications operations and to install utility lines and transmission lines connecting antennas to transmitters, amplifiers and receivers, except that any change to the Licensee's Facilities adversely and materially affecting the visual appearance of the Premises, any modification of equipment which places an additional load on the Licensor's electrical system requiring an increase in Licensee's 200 amp service panel size and capacity shall be prohibited until approved in writing by Licensor, and such approval will not be unreasonably withheld, unreasonably conditioned or unreasonably delayed. Notwithstanding the forgoing, Licensee shall be entitled to exchange and replace equipment and antennas within the Premises provided that (i) any new equipment is either not physically or materially greater in size or not visible to the public; or (ii) any antennas are not substantially greater in size than those previously installed.

C. Licensee shall submit an application to the City of Moreno Valley for a Conditional Use Permit and pay all applicable fees. Subject to the approval of a Conditional Use Permit, Licensee shall construct, maintain and operate said Facilities in accordance with the Conditions of Approval as set forth by the City's CEDD Planning, Building & Safety, Parks & Recreation Departments, and the Fire Prevention Bureau, et al, during the plan review process.

D. Licensee shall obtain and pay for all building permits and fees as required. City approved temporary fencing shall be placed around the construction site for the duration of construction.

E. As part of the installation of Licensee's Facilities, Licensee shall have the right to install electrical service, at Licensee's expense, including, but not limited to primary power and installation of an emergency back-up power system for Licensee's Facilities. Subject to Licensor's and the servicing utility provider's approval of the location, which approval shall not be unreasonably withheld, Licensee shall have the right to have utilities

placed on (or to bring utilities across) Licensor's Property in order to service the Premises and Licensee's Facilities.

F. Licensee shall commence and diligently pursue all of the construction and installation work described in this Section 6 so as to fully complete said work within 180 days of the Commencement Date subject to reasonable extension of time due to events of force majeure, or otherwise agreed to by Licensor.

G. All of Licensee's construction and installation work shall be performed at Licensee's sole cost and expense, in a good and workmanlike manner as defined by the prevailing industry standard for public works projects.

H. The Licensee shall provide and maintain in effect three (3) good and sufficient Surety Bonds .The first bond shall be a "Faithful Performance Bond' which shall be in an amount of Fifty Thousand Dollars ($50,000) and shall guarantee the faithful performance of all work related to the removal of the Licensee's Facilities as required herein. This Faithful Performance Bond for facility removal shall be required to be kept in place during the entire term of the License.

The second bond shall be a "Faithful Performance Bond' which shall be in an amount of Two Hundred and Ten Thousand Dollars ($210,000) and shall guarantee the faithful performance of all the work related to the construction of the Licensee's Facilities as required herein.

The third bond shall be a "Labor and Materials Payment Bond' which shall be in an amount of Two Hundred and Ten Thousand Dollars ($210,000) and shall secure the payment of the claims of labor, mechanics, or materialmen pursuant to Section 3115 and 3143 of the Civil Code for all work related to the installation of Licensee's Facilities.

The 'construction related' "Faithful Performance Bond' and the "Labor and Materials Bond' shall be kept in place until such time as the City approves in writing the final installation of the Licensee's Facilities, which approval shall not be unreasonably withheld, conditioned or delayed. Upon such approval from the City, the 'construction related' Faithful Performance Bond and the Labor and Materials Payment Bond may be terminated. All bonds shall be City approved, prior to the issuance of building permits, which approval shall not be unreasonably withheld, conditioned or delayed.

I. Title to Licensee's Facilities installed or placed on the Premises by Licensee shall be held by Licensee. Licensee has the right to remove all of Licensee's Facilities at its sole expense on or before the expiration or termination of this License, except those portions of Licensee's Facilities which are full integrated into Licensor owned property and ballfield lighting system. It is the intent of the parties that electrical service and lighting for park facilities, including but not limited to park ballfield lighting, shall be a

permanent Licensor installation and all electrical service components, panels, conduits, conductors, and pole shall remain in place upon termination of this License and title to same shall revert to the City of Moreno Valley. Upon termination of this License the Licensor shall have the option to have Licensee's structures and buildings removed at Licensee's sole expense or to have them remain in place. The Licensee shall remove all antennae from the pole and provide covers of like material for access holes. The Licensor will notify the Licensee thirty (30) days prior to the termination or expiration of this License as to the option of leaving or removing the structure. If said buildings and structures are allowed to remain in place title to same shall revert to the City of Moreno Valley. Licensor shall take title to said facilities in their then existing "AS-IS, WHERE-IS" condition, without representation or warranty from Licensee. All of Licensee's communication equipment shall at all times be and remain Licensee's personal property, not be considered fixtures, and in no event shall any part of Licensee's communications equipment be deemed or considered "integrated into Licensor owned property", and Licensor agrees that Licensee's communications equipment shall be exempt from execution, foreclosure, sale, levy, attachment or distress for any Rent due or to become due. Notwithstanding anything to the contrary contained herein. "In the event Licensee ceases to pay Rent for a period of more than six (6) consecutive months and abandons its communications equipment at the Premises during that six (6) month period, Licensor shall be entitled to remove Licensee's communications equipment from the Premises and dispose of it in any commercially reasonable manner it deems fit."

J. Licensor shall provide continuous access to Licensee, Licensee's employees, agents, contractors and subcontractors a designated access route on Exhibit B to the Premises twenty-four (24) hours a day, seven (7) days a week, at no charge to Licensee. In the event said route is obstructed, Licensor shall provide another suitable route of access to Licensee' equipment. Licensor represents and warrants that it has full rights of ingress to and egress from the Premises, and hereby grants such rights to Licensee to the extent required to construct, maintain, install and operate Licensee's Facilities on the Premises. Licensee's exercise of such rights shall not cause undue inconvenience to the Licensor. Except in the event of an emergency (including equipment failure), Licensee shall provide a minimum of twenty-four (24) hours telephonic notice to the Owner and the City Parks Maintenance Division prior to access of the Premises for scheduled routine maintenance and other major work.

K. For additional access and utility rights beyond those provided to Licensee by Licensor in this License (which Licensor represents it shall provide as shown on Exhibit B), it shall be the responsibility of Licensee to obtain and pay for all additional easements, rights of entry and all incidentals necessary to Licensee's operations upon the Premises.

L. Licensor shall maintain an access pathway from a public roadway to the Premises in a manner sufficient to allow access for Licensee's use of the Premises. Licensor shall be responsible for maintaining and repairing such access pathway, at its sole expense, except for any damage caused by Licensee's use of such access pathway; or replace damaged items. If Licensee causes any such damage, Licensee shall promptly repair all damages within ten (10) working days of Licensee's receipt of written notice from the Licensor. If the Licensee fails to make such repair or replacement within ten (10) working days of Licensee's receipt of written notice, the Licensor may cause the work to be done and the costs incurred thereby shall become the liability of the Licensee, and the Licensor shall be reimbursed said cost.

M. Licensee shall fully and promptly pay for all utilities used by Licensee for the use, operation and maintenance of Licensee's Facilities in the Premises.

N. Licensor shall be entitled to enter the Premises at any time to inspect Licensee's facilities for compliance with the terms of this License, and with all applicable Federal, state and local governmental regulations.

O. Licensor retains the right to access the Premises during the term of this License for any purpose that does not interfere with Licensee's use of the Premises as provided herein.

7. Maintenance; Landscaping

A. Licensee shall be responsible for repairing and maintaining Licensee's Facilities and any other improvements installed by Licensee on the Premises in a proper operating and reasonably safe condition. This shall include the repair of all damage incurred whether natural or man made.

B. Upon acceptance of the site improvements, Licensor shall be responsible for all graffiti removal and abatement at the Premises. Licensee shall pay a graffiti removal and landscape maintenance fee in the amount of One Hundred Dollars ($100.00) per month for said service. The abatement and landscape maintenance fee shall be noted as a separate line item. The graffiti removal and landscape maintenance fee shall increase at a rate of 3% each year, for the remaining term of the License Agreement.

8. Interference with Communications.

A. Licensee agrees to install equipment of types and frequencies which will not cause interference to the currently existing communications equipment (as configured) of Licensor, Licensor's vendors, or other pre-existing licensees or lessees of the Premises. In the event Licensee's equipment causes such interference, Licensee shall cooperate with Licensor in determining the source and will immediately take all steps necessary to correct and eliminate the interference. If said interference cannot be

eliminated within forty-eight (48) hours after receipt of written notice from Licensor to Licensee of the existence of such interference and Licensor has reasonably determined Licensee's equipment to be the source of said interference, Licensee shall discontinue use of the equipment creating said interference. Licensee shall shut down the interfering equipment except for intermittent operation for the purpose of testing after performing any maintenance, repair, modification, replacement or other action for the purpose of correcting such interference. If such interference is not corrected within thirty (30) days after receipt of the aforesaid notice, Licensee shall remove the interfering equipment from the Premises. In the event that the cause of such interference cannot be pinpointed to a particular piece of equipment or system, Licensee shall disconnect the electric power and shut down all of its equipment until such time as the interference problem is corrected. If such interference is not corrected within thirty (30) days after receipt of the aforesaid notice, Licensee shall remove its equipment from the Premises within an additional ten (10) day period. Licensor shall not be liable to Licensee for any interruption of service of Licensee unless caused by Licensor or for interference with the operation of Licensee's equipment unless caused by Licensor.

B. Notwithstanding the foregoing, in the event that said interference interferes with Licensor's own equipment as configured and installed as of the installation of a Licensee's equipment and in Licensor's sole and reasonable judgment, said interference jeopardizes the safe operation of Licensor's operations, Licensee will be responsible for eliminating the interference within twenty-four (24) hours, upon becoming aware of such interference. Licensor reserves the right to disconnect power to the interfering equipment if Licensee is unable to eliminate said interference within twenty-four (24) hours of said notification.

C. Licensee has satisfied itself and hereby represents and warrants to Licensor that, to the best of Licensee's knowledge, no such interference shall result to the currently existing systems (as configured) of Licensor or other pre-existing licensees or lessees at the Premises. Licensee agrees to indemnify, hold harmless and defend Licensor against any claim or damage, including reasonable attorney's fees, arising out of such interference.

D. Licensee shall be responsible for performing and providing documentation to the Licensor for all engineering studies to ensure that the placement of its equipment at the Premises will not cause interference with any existing equipment (as configured) placed there by Licensor and/or any other pre-existing licensees or lessees.

E. It is emphasized that the primary use of the Premises is intended to include future and presently unknown Licensor uses, the integrity and security of which shall not be adversely compromised by the Licensee. If during the Term of the License, Licensor's present or future operations require the installation of additional telecommunications equipment

adjacent to the Premises, Licensor agrees to take all reasonable steps necessary not to affect or interfere with Licensee's rights hereunder. Notwithstanding the foregoing, in the event Licensor desires to install or utilize new equipment or frequencies for non-emergency communication use, Licensor agrees to give Licensee enough prior written notice to reasonably afford Licensee the opportunity to comment on ways in which Licensor and Licensee may avoid or minimize any interference caused thereby. In the event the interference is caused by emergency response communications (fire, police, medical, etc.) Licensee shall promptly cure the interference upon notice thereof from Licensor including but not limited to modifying, powering down and/or remove its interfering equipment as necessary until such time as it has solved the alleged interference to Licensor's reasonable satisfaction. In either event, Licensee shall have the right to utilize temporary communications equipment (including a cell-on-wheels or "COW) on another portion of the Property if necessary to continue providing adequate service during the period in which Licensee's operations are impacted in response to avoiding interference with Licensor. Use of a COW or other equipment shall at all times comply with the terms and conditions of this License (including but not limited to this Subsection (E) and any and all repair or maintenance obligations related to Licensee and its use of the Property), shall be in full compliance with applicable laws, rules, regulations and permits and shall be subject to Licensor's consent to the location of the temporary equipment, which consent shall not be unreasonably withheld, conditioned or delayed. Use of such temporary equipment shall be allowed for no longer than sixty (60) days without Licensor written consent extending such period and shall further be subject to the requirement that Licensee diligently continue to resolve the interference in a permanent manner during that time. If Licensee is ultimately unable to resolve the interference, Licensee shall have the right to terminate this License effective ten (10) days after written notice to Licensor unless such interference is resolved to the mutual satisfaction of both parties during such ten (10) day period. In the event of such termination, Licensee shall be entitled to reimbursement of any prepaid Rent or fee hereunder as of the effective date of such termination. In all cases, if such interference occurs despite the best efforts of both Licensor and Licensee, the Licensor's operational needs shall prevail.

F. Excepting pre-existing equipment located on the Premises prior to the date of this License, Licensor shall not allow any use of the Property which interferes with Licensee's use of the Premises. If such interference occurs, Licensor shall promptly correct such interference within forty-eight (48) hours of Licensor's receipt of written notice from Licensee.

9. Taxes.

Licensee shall pay all taxes assessed against Licensee's Facilities. Pursuant to California Revenue and Taxation Code section 107.6, Licensee is notified that the property interest acquired by Licensee in the Premises under this License may be subject to property taxation as a possessory interest in real

property, and Licensee may be subject to the payments of property taxes levied on that interest.

10. Termination.

This License shall not be revoked or terminated during the Term or any Renewal Term except as expressly stated in this License. This License may be terminated on thirty (30) days prior written notice as follows:

A. by either party upon a default of any covenant, condition, or term hereof by the other party, which default is not cured within sixty (60) days of receipt of written notice of default, provided that if such default is curable, but not curable within such sixty (60) day period, then within such period of time as is reasonably necessary to accomplish such cure (in order to avail itself of this time period in excess of sixty (60) days, the defaulting party must send to the other party, within the sixty (60) day period, a written plan to cure the default, which is reasonably acceptable to the other party, and the defaulting party diligently commences and continues performance of such cure to completion according to the written plan).

B. by Licensee if it does not obtain or maintain licenses, permits or other approvals necessary to the construction or operation of Licensee's Facilities; however, Licensee shall act with due diligence to obtain and maintain such agreements, licenses, permits, and other approvals;

C. by Licensee if Licensee is unable to occupy or utilize the Premises due to ruling or directive of the Federal Communications Commission ("FCC") or other governmental or regulatory agency, including, but not limited to, a take back of channels or change in frequencies;

D. by Licensee if Licensee determines that the Premises are not appropriate for its operations for economic, environmental or technological reasons, including without limitation, signal strength or interference; or

E. by Licensee for any reason or for no reason provided Licensee delivers written notice of termination to Licensor prior to the Commencement Date.

F. In the event of a termination of this License, by Licensee if Licensee determines that the Premises are not appropriate for its operations for economic, environmental or technological reasons, including without limitation, signal strength or interference which occurs at any time within the initial Term of this License, Licensee shall pay to Licensor as consideration of such early termination of fee equal to three (3) months of the then current Rent. Such fee shall be paid within thirty (30) days of the effective date of termination of this License.

G. Unless otherwise specifically set forth herein, in the event of a termination of this License for any cause in any term after the initial five (5) year Term,

except default and failure to cure by Licensor, Licensee shall not receive a refund of any rental amounts paid in advance to Licensor.

11. Condemnation.

If a condemning authority takes all of Licensor's Property, or a portion which in Licensee's opinion is sufficient to render the Premises unsuitable for Licensee's use, then this License shall terminate as of the date when possession is delivered to the condemning authority. In any condemnation proceeding each party shall be entitled to make a claim against the condemning authority for just compensation (which for Licensee shall include the value of Licensee's Facilities, prepaid rent, and any other amounts recoverable under condemnation law). Sale of all or part of the Premises to a purchaser with the power of eminent domain in the face of the exercise of its power of eminent domain shall be treated as a taking by a condemning authority.

12. Insurance

A. Licensee shall maintain in full force and effect, at no expense to Licensor, the following insurance policies:

1. A comprehensive (commercial) general liability insurance policy in the minimum amount of one million ($1,000,000) dollars per occurrence, four million ($4,000,000) dollars aggregate for death, bodily injury, personal injury, or property damage, provided that such amount may be satisfied under Licensee's umbrella policy;

2. An automobile liability (owned, non-owned, and hired vehicles) insurance policy in the minimum amount of one million ($1,000,000) dollars per occurrence;

B. The insurance coverage required of the Licensee by section 12 shall also meet the following requirements:

1. The insurance shall be primary with respect to any insurance or coverage maintained by Licensor and shall not call upon Licensor insurance or coverage for any contribution but only to the extent caused by Licensee, its agents or contractors.

2. The insurance policies shall include contractual liability and personal injury;

3. The insurance policies shall be specifically endorsed to include the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), its officers, agents, employees, and volunteers, as additional insureds under the policies; and shall

bear an endorsement substantially containing the following provisions:

> Solely as respect to work done by or on behalf of Licensee for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), its officers, employees and agents, are added as additional insured under this policy and the coverage provided hereunder shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, California, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, its officers, employees and agents; under any third party liability policy but only to the extent caused by Licensee, its agents or contractors..
>
> It is further agreed that the other insurance provision(s) of the policy are amended to conform to Form CG 201010 93 or approved equal.

4. Licensee shall provide to Licensor's Risk Manager, (a) Certificates of Insurance evidencing the insurance coverage required herein, and (b) specific endorsements naming Licensor, its officers, agents, employees, and volunteers, as additional insureds under the policies;

5. The insurance policies shall provide that the insurance carrier shall not cancel, terminate or otherwise materially modify the terms and conditions of said insurance policies if doing so would result in a reduction of the types of insurance, the coverage amounts or other material insurance requirements to be met by Licensee as set forth herein except upon thirty (30) days written notice to Licensor's Risk Manager;

6. If the insurance is written on a Claims Made Form, then, following termination of this License, said insurance coverage shall survive for a period of not less than five (5) years;

7. The insurance policies shall provide for a retroactive date of the placement of Licensee's Facilities coinciding with the effective date of this License;

8. The insurance shall be approved as to form and sufficiency by the Licensor's Risk Manager and the Licensor Attorney.

C. If it employs any person, Licensee shall maintain worker's compensation and employer's liability insurance, as required by the State Labor Code and other applicable laws and regulations.

13. Successors and assigns.

Licensee may assign this License at any time subject to amending the Conditional Use Permit if required, and upon written notice to and approval of Licensor, which approval shall not be unreasonably withheld, conditioned or delayed, provided, however, Licensee shall have the right to sublease or assign its rights under this License without consent of Licensor, (i) to any of its partners, members, subsidiaries, direct or indirect, affiliates or successor legal entities, (ii) to any entity acquiring substantially all of the assets of Licensee in the geographic region the Premises are located, or (iii) to any entity in connection with any financing, loan, security interest, pledge, or mortgage of Licensee's property. This License shall inure to the benefit of and be binding upon the heirs, successors and assigns of the parties. Upon assignment, Licensee shall be relieved of all liabilities and obligations hereunder and Licensor shall look solely to the assignee for performance under this License and all obligations hereunder, provided such assignee accepts such obligations in writing

14. Environmental Indemnification; Hazardous substances.

A. Licensee hereby represents, warrants, covenants and agrees to and with Licensor that all of Licensee's operations or activities upon, or any use or occupancy of the Property by Licensee, or any portion thereof, by Licensee, shall be in all respects in compliance with all state, federal and local laws and regulations governing or in any way relating to the generation, handling, manufacturing, treatment, storage, use, transportation, spillage, leakage, dumping, discharge, or disposal (whether legal or illegal, accidental or intentional) of any Hazardous Substance (as defined below).

B. If any investigation or monitoring of site conditions or any clean-up, containment, restoration, removal or other remedial work (collectively, the "Remedial Work") is required under any applicable federal, state or local law or regulation, by any judicial order, or by any governmental entity due to any Hazardous Substances brought on to or generated, released or exacerbated on the Property by Licensee, Licensee shall perform or cause to be performed the Remedial Work in compliance with such law, regulation, or order. All costs and expenses of such Remedial Work shall be paid by Licensee including, without limitation, all charges of Licensee's contractors, consultants and engineers and Licensor's reasonable attorney, architect's and/or consultant's fees and costs incurred in connection with monitoring or review of such Remedial Work. In the event Licensee shall fail to timely commence, or cause to be commenced, or fail to diligently prosecute to completion, such Remedial Work, Licensor may, but shall not be required to, cause such Remedial Work to be performed,

and all reasonable costs and expenses thereof, or incurred in connection therewith, shall be reimbursed to Licensor.

C. Licensor represents to the best of its knowledge without duty to investigate that it has no knowledge of any Hazardous Substance (as defined below) on the Property that is identified as hazardous, toxic or dangerous in any applicable federal, state or local law or regulation. Licensor and Licensee shall not introduce or use any Hazardous substance on the Property in violation of any applicable law. Licensor shall be responsible for, and shall promptly conduct any investigation and remediation as required by any applicable environmental laws, all spills or other releases of any Hazardous Substance to the extent not caused by Licensee, that have occurred or which may occur on the Property.

D. "Hazardous Substances" shall include without limitation:

1. Those substances included within the definitions of "hazardous substances," "hazardous materials," toxic substances," or "solid waste" in the Comprehensive Environmental Response Compensation and Liability Act of 1980 (42 U.S.C. § 9601 et seq.) ("CERCLA"), as amended by Superfund Amendments and Reauthorization Act of 1986 (Pub. L. 99-499 100 Stat. 1613) ("SARA"), the Resource Conservation and Recovery Act of 1976 (42 U.S.C. § 6901 et seq.) ("RCRA"), and the Hazardous Materials Transportation Act, 49 U.S.C. § 1801 et seq., and in the regulations promulgated pursuant to said laws, all as may be amended from time to time;

2. Those substances listed in the United States Department of Transportation Table (49 CFR 172.101 and amendments thereto) or by the Environmental Protection Agency (or any successor agency) as hazardous substances (40 CFR Part 30, and as may be amended from time to time);

3. Any material, waste or substance which is petroleum, asbestos, polychlorinated biphenyls, designated as a "hazardous substance" pursuant to Section 311 of the Clean Water Act, 33 U.S.C. 1251 et seq. (33 U.S.C. § 1321) or listed pursuant to Section 307 of the Clean Water Act (33 U.S.C. § 1317); or radioactive materials; and such other substances, materials, and wastes which are or become regulated as hazardous or toxic under applicable local, state, or federal law, or the United States government, or which are classified as hazardous or toxic under federal, state, or local laws or regulations.

15. Indemnity and Mutual Release.

Licensor and Licensee each indemnifies the other against and holds the other harmless from any and all costs (including reasonable attorney's fees) and claims of liability or loss to the extent arising from the ownership, use

and/or occupancy of the Licensor's Property or Premises by the indemnifying party. This indemnity does not apply to any claims arising from the negligence or intentional misconduct of the indemnified party, breach of this License by the indemnified party, or violation of law by the indemnified party. The indemnity obligations under this Section will survive the termination of this License.

16. Attorneys' fees; Litigation costs.

A. If any action at law or in equity is brought to recover any Rent or other sums under this License, or for or on account of any breach of or to enforce or interpret any of the covenants, terms, or conditions of this License, or for the recovery of the possession of the Premises, the prevailing party shall be entitled to reasonable attorneys' fees, costs and other expenses, in addition to any other relief to which such party may be entitled to the extent award by a court of law.

B. Whenever provision is made in this License for the payment of attorney's fees, such fees shall be payable whether the legal services are rendered by a salaried employee for the party or by independent counsel and shall include such fees as are incurred in connection with any pretrial proceeding, trial or appeal of the action.

C. Any award of damages following judicial remedy or arbitration as a result of the breach of this License or any of its provisions shall include an award of prejudgment interest from the date of the breach at the lesser of (i) the maximum amount of interest allowed by law or (ii) Ten Percent (10%).

17. Waiver of Incidental and Consequential Damages.

Neither party will assert any claim whatsoever against the other party for loss of anticipatory profits or any other indirect, special, incidental or consequential damages incurred as a result of the construction, installation, operation, maintenance, or replacement of personal property owned by either party, or Licensor's or Licensee's use of the Premises or Licensor's Property, including any and all losses incurred as a result of Licensor's or Licensee's actions or defaults.

18. Miscellaneous.

A. Severability. If any provision of the License is invalid or unenforceable with respect to any party, the remainder of this License or the application of such provision to persons other than those as to whom it is held invalid or unenforceable, shall not be affected and each provision of this License shall be valid and enforceable to the fullest extend permitted by law.

B. Notices. Any notice or demand required to be given herein shall be made by certified or registered mail, return receipt requested, or reliable overnight mail to the address of the respective parties set forth below:

City:
City Manager
City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92552-0805

Licensee:
T-Mobile West
3 MacArthur Place #1100
Santa Ana, CA 92707
Attn: Lease Adm. Mngr. IE25830

A copy to be sent to:
Director
Parks and Community Services
City of Moreno Valley
14075 Frederick Street
Moreno Valley, CA 92552-0805

T-Mobile West
12920 SE 38th Street
Bellevue, WA 98006
Attn: PCS Lease Adm. IE25830

C. Choice of Law. This License shall be governed under the laws of the State of California and applicable Federal law.

D. Survival of Terms. Terms and conditions of this License which by their sense and context survive the termination, cancellation or expiration of this License will so survive.

E. Entire Agreement. The terms of this License (including the Exhibits, all of which are hereby incorporated by reference) are intended by the parties as the final expression of their agreement with respect to such terms. The parties further intend that this License constitutes the complete and exclusive statement of its terms and no extrinsic evidence whatsoever may be introduced in any proceeding, involving this License. The language in all parts of this License will in all cases be construed as a whole and in accordance with its fair meaning and not construed for or against either party.

F. Amendments and Modifications. No amendments, modification or supplement, including those by custom, usage of trade, or course of dealing, of any provisions of this License shall be binding on any of the parties unless it is in writing and signed by the parties in interest at the time of the modification. No oral order, objection, claim, or notice by either party to the other shall affect or modify any of the terms or obligations contained in the License.

G. Venue. Any action by any party to this License shall be brought in the appropriate court of competent jurisdiction within the County of Riverside, notwithstanding any other provision of law which may provide that such action may be brought in some other location.

H. Waiver. Failure by a party to insist upon the strict performance of any of the provisions of this License by the other party, or the failure by a party to exercise its rights upon the default of the other party shall not constitute a

waiver of such party's right to insist and demand strict compliance by the other party with the terms of this License thereafter.

IN WITNESS WHEREOF, Licensor and Licensee have executed this Telecommunications License Agreement as of the date and year signed by Licensor.

Licensor:	Licensee:
City of Moreno Valley	T-Mobile West Corporation A Delaware Corporation, a Subsidiary of T-Mobile USA, Inc.
BY: _____ Mayor	BY: _____ David Gallacher
DATE: _____	TITLE: V.P. Operations

ATTEST:

_____
City Clerk

APPROVED AS TO LEGAL FORM:

_____
City Attorney

DATE: _____

Enclosures: Exhibit "A"–Legal Description of City's Property
Exhibit "B"–Description of Premises, Licensee's Facilities, Incorporation of Plans by Reference
Exhibit "C"–Conditional Use Permit and Conditions of Approval

EXHIBIT A

LEGAL DESCRIPTION OF CITY'S PROPERTY

Licensor's Property of which Premises are a part is legally described as follows:

The land referred to herein is situated in the State of California, County of Riverside, described as follows:

Assessors Parcel Number: 485-042-028

The land referred to herein is situated in the State of California, County of Riverside, and described as follows:

Lot G of Tract No. 18912-2, in the City of Moreno Valley, County of Riverside State of California, as per map recorded in Book 132, Page(s) 39-41 inclusive of Miscellaneous Maps, in the office of the County Recorder of said County.

Excepting that portion of Lot G as shown on map on file in book 132, pages 39-41, inclusive, of Maps, Records of the Recorder of Riverside, California, lying within a portion o the northwest one-quarter of Section 19, Township 3 south, Range 3 west, San Bernardino Meridian, being more particularly described as follows:

Commencing at the centerline intersection of John F. Kennedy Drive (100.00 feet wide) and Indian Street (88.00 feet wide) as shown on said map; thence south 0°0'08" east, along said centerline of Indian Street, a distance of 220.83 feet; thence south 89°59'52" west, a distance of 44.00 feet to a point in the westerly right-of-way line of Indian Street, said point also being the True Point of Beginning; thence continuing south 89°59'52" west, a distance of 102.74 feet; thence south 54°22'45" west, a distance of 135.90 feet; thence south 0°12'07" east, a distance of 42.85 feet; thence south 35°45'50" east, a distance of 63.83 feet; thence north 89°57'23" east, a distance of 63.73 feet; thence north 0°02'37" west, a distance of 9.79 feet; (1) thence north 89°57'23" east, a distance of 8.46 feet; (2) thence south 0°02'37' east, a distance of 5.34 feet; (3) thence north 89°57'23" east, a distance of 103.58 feet to a point of intersection in said westerly right-of-way line of Indian Street; thence north 0°0'08" west along said westerly right-of-way line a distance of 169.26 feet to the True Point of Beginning.
Those courses referred to as (1), (2) and a portion of (3) are along the northerly walls of one storage room and three restrooms of the John F. Kennedy County Fire Station

EXHIBIT B

1. Description of Premises

See Attached Exhibit "B" Zoning Drawings

2. Licensee's Facilities

The "Facility" to be constructed shall consist of a lease area of 28' x 23', which includes a 19' x 13' concrete masonry unit (CMU) building containing radio cabinets, battery cabinets, supporting equipment, and one new light pole with telecommunications antenna.

See Attached Exhibit "B" Zoning Drawings

3. Incorporation of Plans by Reference

Attached Zoning Drawings Dated 1-13-2009

CITY OF MORENO VALLEY
DECEMBER 3, 1984

EXHIBIT "C"

Conditional Use Permit and Conditions of Approval

T-Mobile®

SITE NUMBER:	**IE25830A**	**CITY:**	**MORENO VALLEY**
SITE NAME:	**JFK PARK**	**COUNTY:**	**RIVERSIDE**
SITE TYPE:	**MONOLIGHTPOLE**	**JURISDICTION:**	**CITY OF MORENO VALLEY**

PROJECT SUMMARY:

SITE ADDRESS:
15115 INDIAN ST.
MORENO VALLEY, CA 92504

PROPERTY OWNER:
CITY OF MORENO VALLEY
14177 FREDERICK ST.
MORENO VALLEY, CA 92552
CONTACT: PARKS AND RECREATION, TONY HETHERMAN
PHONE: (951) 413-3183

APPLICANT:
T-MOBILE USA
3257 E. GUASTI RD., SUITE 200
ONTARIO, CA 91761
PHONE:
T-MOBILE REPRESENTATIVES:
ZONING MANAGER: TIM MILLER (714) 384-7233
CONSTRUCTION MANAGER: SHAD MCFARLAND (714) 717-6113
DEVELOPMENT MANGER:
PRECON. DESIGNER:
A&E MANAGER:

PROJECT DESCRIPTION:
INSTALLATION OF (6) (N) EQUIPMENT CABINETS MOUNTED INSIDE A (N) CMU EQUIPMENT SHELTER. CMU SHALL BE GRCO / MORTAR TO MATCH BLOCK COLOR

INSTALLATION (6) (N) ANTENNAS (2 PER SECTOR) ON (N) MONOLIGHTPOLE, (1) M/W DISH & (1) GPS ANTENNA TO BE MOUNTED ON (N) ROOF FACEBOARD

COAX RUNS FROM EQUIPMENT TO ANTENNAS;
2CDA ELECTRICAL & TELCO SERVICE TO EQUIPMENT

BUILDING SUMMARY:
OCCUPANCY CLASSIFICATION: B
TYPE OF CONSTRUCTION: V-B
ZONING: OS
AREA OF CONSTRUCTION: APPROX. 320 SQ. FT
ASSESSORS PARCEL NUMBER: 485-042-028

CONSULTING TEAM:

SAC/ZONING/PERMITTING:
TRILLIUM TELECOM SERVICES, INC.
5912 BOLSA AVE., SUITE 202
HUNTINGTON BEACH, CA 92648
PHONE: 714-799-2000

SURVEY:
BERY MAZE AND ASSOCIATES, INC.
LAND SURVEYING & MAPPING
3188 AIRWAY AVE., SUITE K1
COSTA MESA, CA 92626
PHONE: (714) 557-1567
FAX: (714) 557-1568

POWER UTILITY CONTACT INFO:
SCE
JERRY CHAMBERLAIN
TECH SPEC II
3RD PARTY WIRELESS TEAM
300 N. PEPPER BLDG. C
RIALTO, CA. 92376
909-820-5681

ARCHITECTURAL & ENGINEERING:
CDG-CONNELL DESIGN GROUP, L.L.C.
4685 MACARTHUR COURT., STE 480
NEWPORT BEACH, CA 92660
CONTACT: DAN CONNELL
PHONE: (949) 306-4650

ELECTRICAL ENGINEER:
CDG-CONNELL DESIGN GROUP, L.L.C.
4685 MACARTHUR COURT., STE 480
NEWPORT BEACH, CA 92660
CONTACT: CHAU TANG
PHONE: (714) 252-8811

TELCO UTILITY CONTACT INFO:
VERIZON
MR. OSCAR ESCABAR
ENGINEER PLANNER
1400 E. PHILLIPS BLVD.
POMONA, CA. 91766
909-469-6340

SHEET INDEX:

SHEET NUMBER:	DESCRIPTION:
T-1	TITLE SHEET
T-2	ABBREVIATIONS, SYMBOLS, GENERAL NOTES & SPECIFICATIONS
T-2.1	GENERAL NOTES & SPECIFICATIONS
T-3	TENANT IMPROVEMENT NOTES
T-4	CONDITIONS OF APPROVAL
T-5	CONDITIONS OF APPROVAL
T-6	CONDITIONS OF APPROVAL
F-1	FIRE DEPT. / BATTERY NOTES
C-1	TOPOGRAPHIC SURVEY
C-2	TOPOGRAPHIC SURVEY
A-1	SITE PLAN
A-2	ENLARGED SITE PLAN, ANTENNA & EQUIPMENT LAYOUT
A-3	SOUTH ELEVATION
A-4	NORTH ELEVATION
A-5	EAST ELEVATION
A-6	WEST ELEVATION
D-1	ARCHITECTURAL DETAILS
D-2	ARCHITECTURAL DETAILS
S-1	ROOF PLAN & DETAILS
S-2	CONCRETE SLAB & WALL DETAILS
EN-1	ELECTRICAL NOTES, ABBREVIATIONS
E-1	ELECTRICAL SITE PLAN, POWER AND RF CONFIGURATION
E-2	DEV. NOTES, PANEL SCHEDULE, AND SINGLE LINE DIAGRAM
E-3	GROUNDING PLAN, GROUNDING NOTES, AND COAX CABLE GROUNDING SCHEMATIC DIAGRAM
E-3.1	LIGHTING PLAN ALARM RELAY AND SURGE ARRESTOR
E-4	ELECTRICAL DETAILS
E-5	ELECTRICAL DETAILS
E-6	ELECTRICAL DETAILS
E-7	LIGHTING (LTG) FORMS
M-1	MECHANICAL PLAN, NOTES & DETAILS
M-2	TITLE 24 FORMS – MECHANICAL
M-3	TITLE 24 FORMS – MECHANICAL
L-1	LANDSCAPE / DETAILS & GENERAL NOTES

APPLICABLE CODES

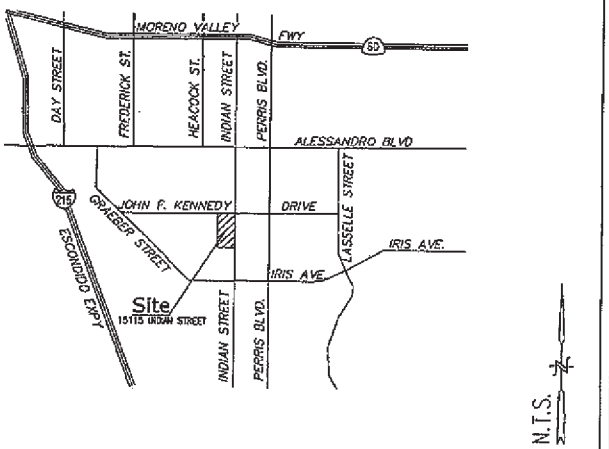
BUILDING CODE: 2007 CALIFORNIA BUILDING CODE

ALL WORK IS TO COMPLY WITH THE 2007 CALIFORNIA BUILDING CODE (CBC).

TIA/EIA-222-1996-F LIFE SAFETY CODE NFPA-101, 807 COMMERCIAL BUILDING GROUNDING AND BONDING REQUIREMENTS FOR TELECOMMUNICATIONS

AISC = CONSTRUCTION MANUAL, 9TH EDITION OR LATER.

VICINITY MAP:



DIRECTIONS FROM T-MOBILE ONTARIO OFFICE:
1. START AT 3257 E GUASTI RD, ONTARIO GOING TOWARD CENTRELAKE DR 2. MAKE A U-TURN AT CENTRELAKE DR ONTO E GUASTI RD – GO 0.4 MI 3. TURN ON N HAVEN AVE 4. TAKE RAMP ONTO I-10 E – GO 1.6 MI 5. TAKE THE SAN DIEGO EXIT ONTO I-15 S – GO 2.7 MI 6. TAKE THE RIVERSIDE/LOS ANGELES EXIT ONTO CA-60 E TOWARD RIVERSIDE – GO 12.8 MI 7. CONTINUE ON I-215 S – GO 6.8 MI 8. TAKE THE CACTUS AVE WEST/ARNOLD 10. TURN ON INDIAN ST – GO 0.6 MI 11. ARRIVE AT 15115 INDIAN ST, MORENO VALLEY, ON THE 15115 INDIAN ST MORENO VALLEY CA 92504

THOMAS GUIDE 2004
REGION: RIVERSIDE CO.
PAGE: 747
GRID #: E2

APPROVALS:

THE FOLLOWING PARTIES HEREBY APPROVE AND ACCEPT THESE DOCUMENTS AND AUTHORIZE THE CONTRACTOR TO PROCEED WITH THE CONSTRUCTION DESCRIBED HEREIN. ALL CONSTRUCTION DOCUMENTS ARE SUBJECT TO REVIEW BY THE LOCAL BUILDING DEPARTMENT AND ANY CHANGES AND MODIFICATIONS THEY MAY IMPOSE.

	PRINT NAME	SIG./DATE
LANDLORD		
PRECON. MGR		
DEVELOP. MGR		
CONST. MGR		
PROJECT MGR		
ZONING MGR		
RF ENGINEER		
OPERATIONS		
SAC REP.		
FAX		

Underground Service Alert
Call TOLL FREE
1-800
227-2600

MORENO VALLEY
WHERE DREAMS SOAR

REVIEW BY CITY STAFF

OFFICE	INITIAL	DATE
ENGINEERING DIVISION MANAGER		
SPECIAL DISTRICTS		
PLANNING		
TRANSPORTATION		
FIRE PREVENTION		
LAND DEVELOPMENT		

NO.	DATE	INITIAL	REVISION	REC.	APPR.	DATE
3	3/23/09	JC	PLAN CHECK CORRECTIONS			
2	11/17/08	RT	REVISED PER COMMENTS			
1	DATE	INITIAL	DESCRIPTION			
		CHK.				

CITY OF MORENO VALLEY APPROVALS

TONY HETHERMAN
PROJECT PROJECTS COORDINATOR — DATE

RICK BERNARDI
DIRECTOR OF PUBLIC AND COMMUNITY SERVICES — DATE

ARCHITECT OF RECORD'S SEAL

CDG
CONNELL DESIGN GROUP, LLC
UNDER THE SUPERVISION OF:
DATE
REG. NO.#543 EXP. 12/31/2009

CITY OF MORENO VALLEY

JFK PARK IE25830A
UNMANNED TELECOMMUNICATION FACILITY
TRACT NO.
TITLE SHEET

ACCT. NO.

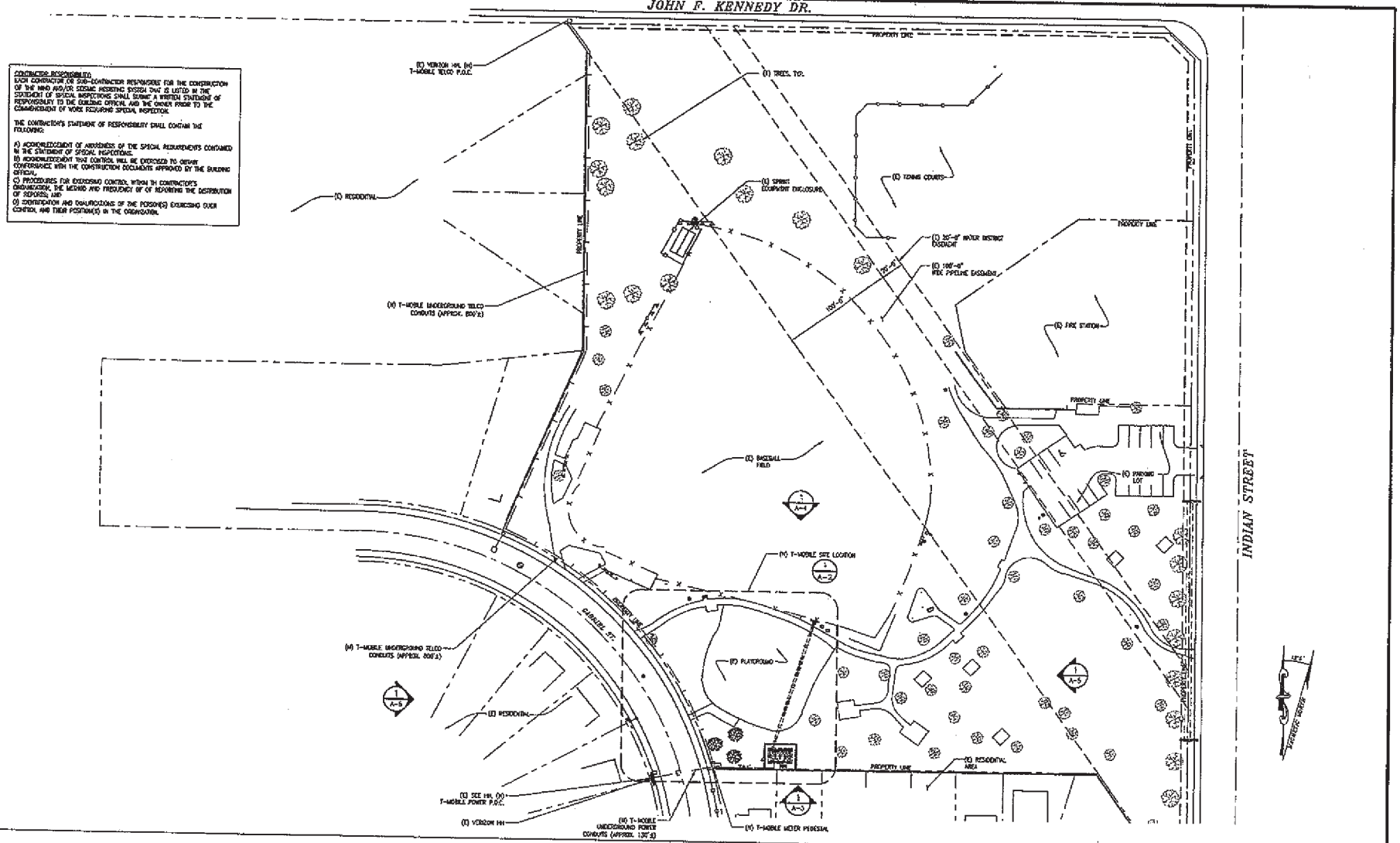
T-1

SHEET ___ NO. ___

CDC 6 88-4581

-25-

Item No. A.2



SITE PLAN

DO NOT WORK SHALL BE DONE ON THESE PLANS UNTIL REVIEW AGENCY IS INFORMED OF INTENTION TO ISSUE OR EXCAVATE.
Underground Service Alert
Call TOLL FREE
1-800
227-2600
TWO WORKING DAYS BEFORE YOU DIG

MORENO VALLEY
WHERE DREAMS SOAR

REVIEW BY CITY STAFF	INITIAL	DATE
OFFICE		
ENGINEERING DIVISION MANAGER		
SPECIAL INSPECTOR		
PLANNING		
TRANSPORTATION		
FIRE PREVENTION		
LAND DEVELOPMENT		

MARK	DATE	INITIAL	DESCRIPTION	REC.	APP'R	DATE
1	5-12-99	BC	PLAN CHECK CORRECTIONS			
0	11-17-98	BF	REVISED PER COMMENTS			
			C.O.R.			

REVISION

CITY OF MORENO VALLEY APPROVALS

[NAME] — DATE
Parks Projects Coordinator

[NAME] — DATE
DIRECTOR OF PARKS AND COMMUNITY SERVICES

ARCHITECT OF RECORD'S SEAL

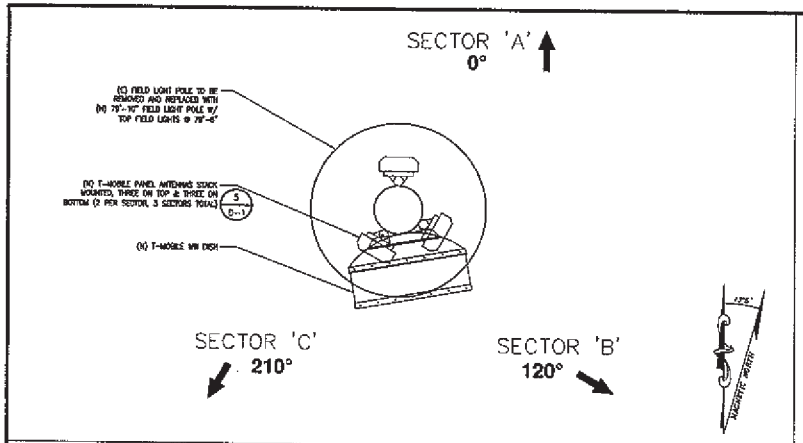
EDG
CORNELL DESIGN GROUP, LLC
UNDER THE SUPERVISION OF:
[NAME] — DATE
R.C.E. 46254 EXP. 12/31/2009

SCALE: 1"=40'-0" | 0 20' 40' | 1

CITY OF MORENO VALLEY
JFK PARK IE25830A
UNMANNED TELECOMMUNICATION FACILITY
TRACT NO.
SITE PLAN

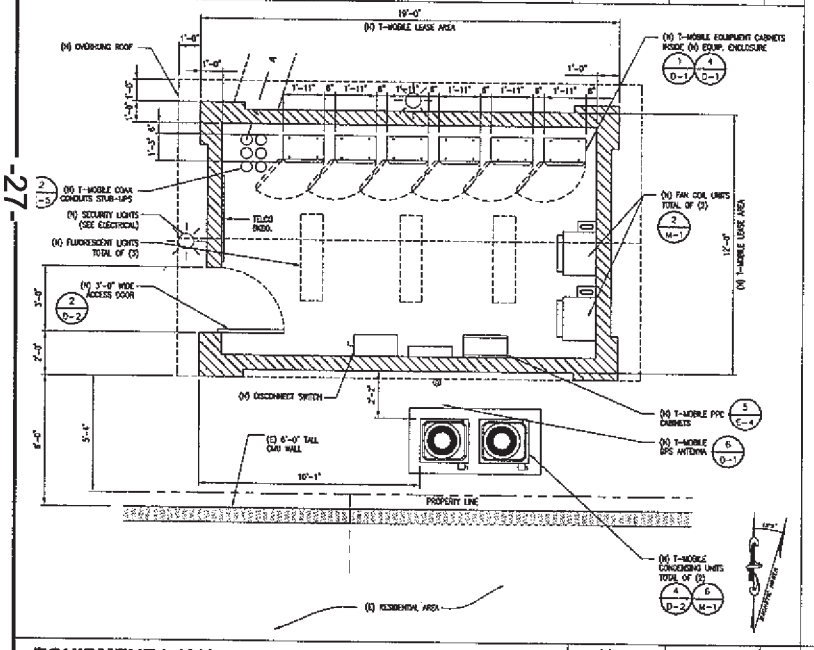
ACCT. NO.
A-1
SHEET ___ NO. ___
CITY E.A. NO.

CDG # 02-031



ANTENNA LAYOUT

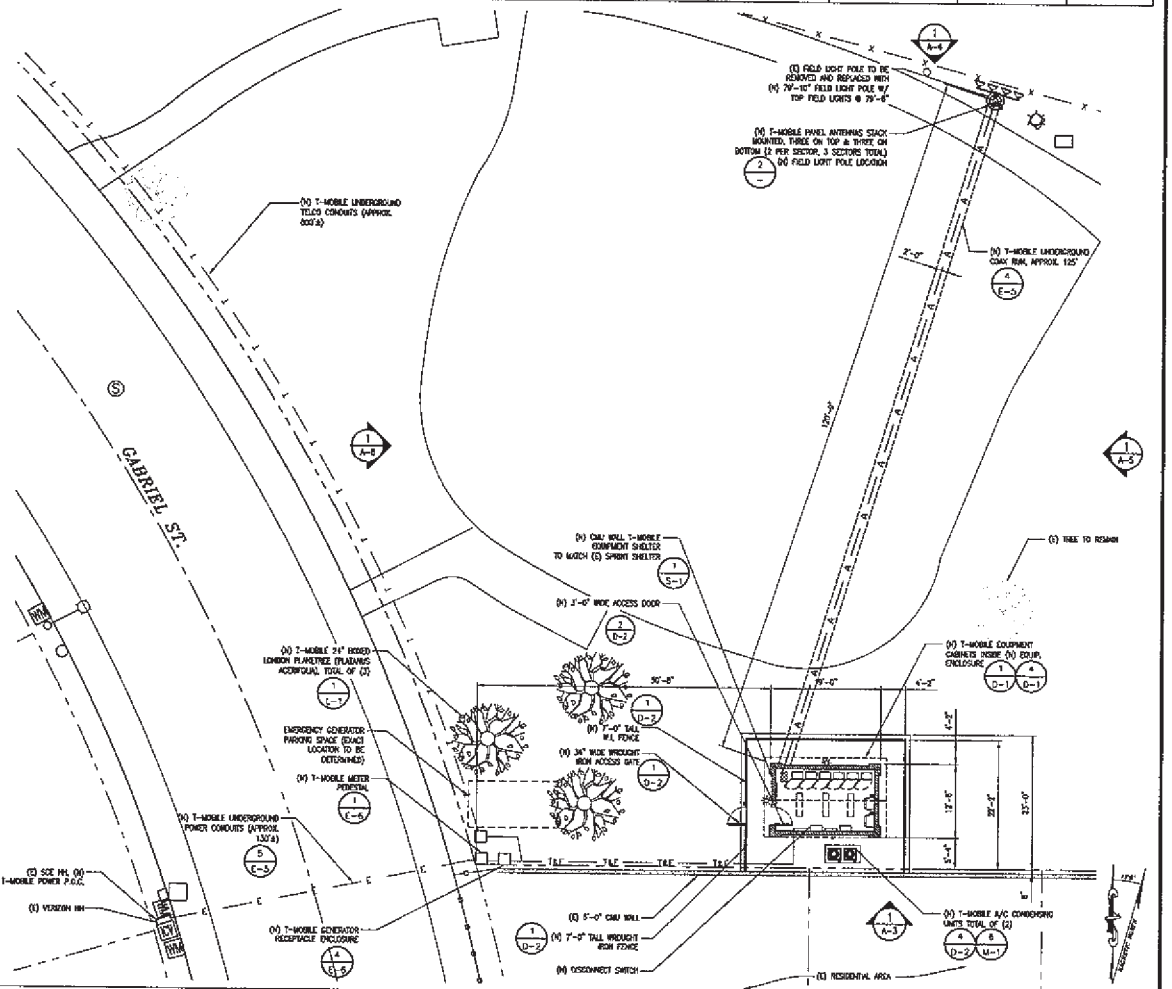
SCALE: 1"=1'-0" | 0 6" 1' | 2



EQUIPMENT LAYOUT

SCALE: 3/8"=1'-0" | 0 1' 2' 3' | 3

SECTOR	AZIMUTH	CENTERLINE	# OF ANTENNAS	ANTENNA MODEL #	# OF COAX LINES	COAX DIAMETER	COAX LENGTH
A	0°	55'-0"/60'-0"	2	TMBXX-6518-R2M	6	1 5/8"	200'-0"±
B	120°	55'-0"/60'-0"	2	TMBXX-6518-R2M	6	1 5/8"	200'-0"±
C	210°	55'-0"/60'-0"	2	TMBXX-6518-R2M	6	1 5/8"	200'-0"±



ENLARGED SITE PLAN

SCALE: 1"=10'-0" | 0 5' 10' | 1

Dig Alert Service Alert — Call TOLL FREE 1-800 227-2600 (TWO WORKING DAYS BEFORE YOU DIG)

MORENO VALLEY

REVIEW BY CITY STAFF		
OFFICE	INITIAL	DATE
ENGINEERING DIVISION MANAGER		
SPECIAL DISTRICTS		
PLANNING		
TRANSPORTATION		
FIRE PREVENTION		
LAND DEVELOPMENT		

MARK	DATE	INITIAL	DESCRIPTION	REC.	APPR	DATE
1	5/15/09	BC	PLAN CHECK CORRECTIONS			
0	3/17/09	BT	REVISED FOR COMMENTS			
		EOR	REVISION			

CITY OF MORENO VALLEY APPROVALS

TONY PETTENGILL, PARCEL PROJECTS COORDINATOR — DATE

JOSE HERNANDEZ, DIRECTOR OF FINANCE AND COMMUNITY SERVICES — DATE

ARCHITECT OF RECORD'S SEAL

EDG — CONNELL DESIGN GROUP, LLC

UNDER THE SUPERVISION OF:

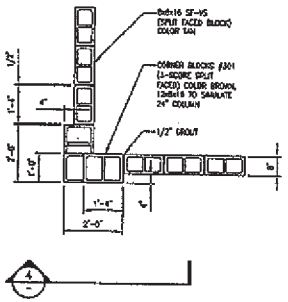
NAME — REG. #25543 EXP. 12/31/2009 — DATE

CITY OF MORENO VALLEY

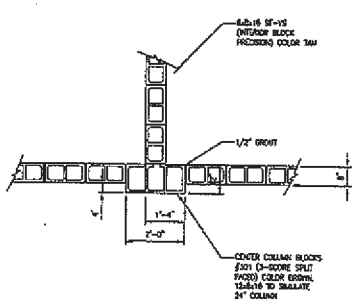
JFK PARK TE25830A
UNMANNED TELECOMMUNICATION FACILITY
TRACT NO.
ENLARGED SITE PLAN, ANTENNA & EQUIPMENT LAYOUT

ACCT. NO.
A-2
SHEET ___ NO. ___
CITY T.S. NO.

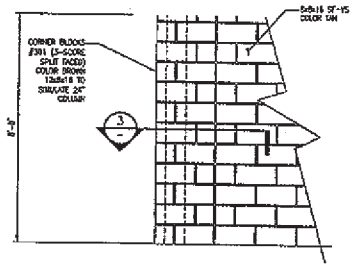
EDG # 09-8511



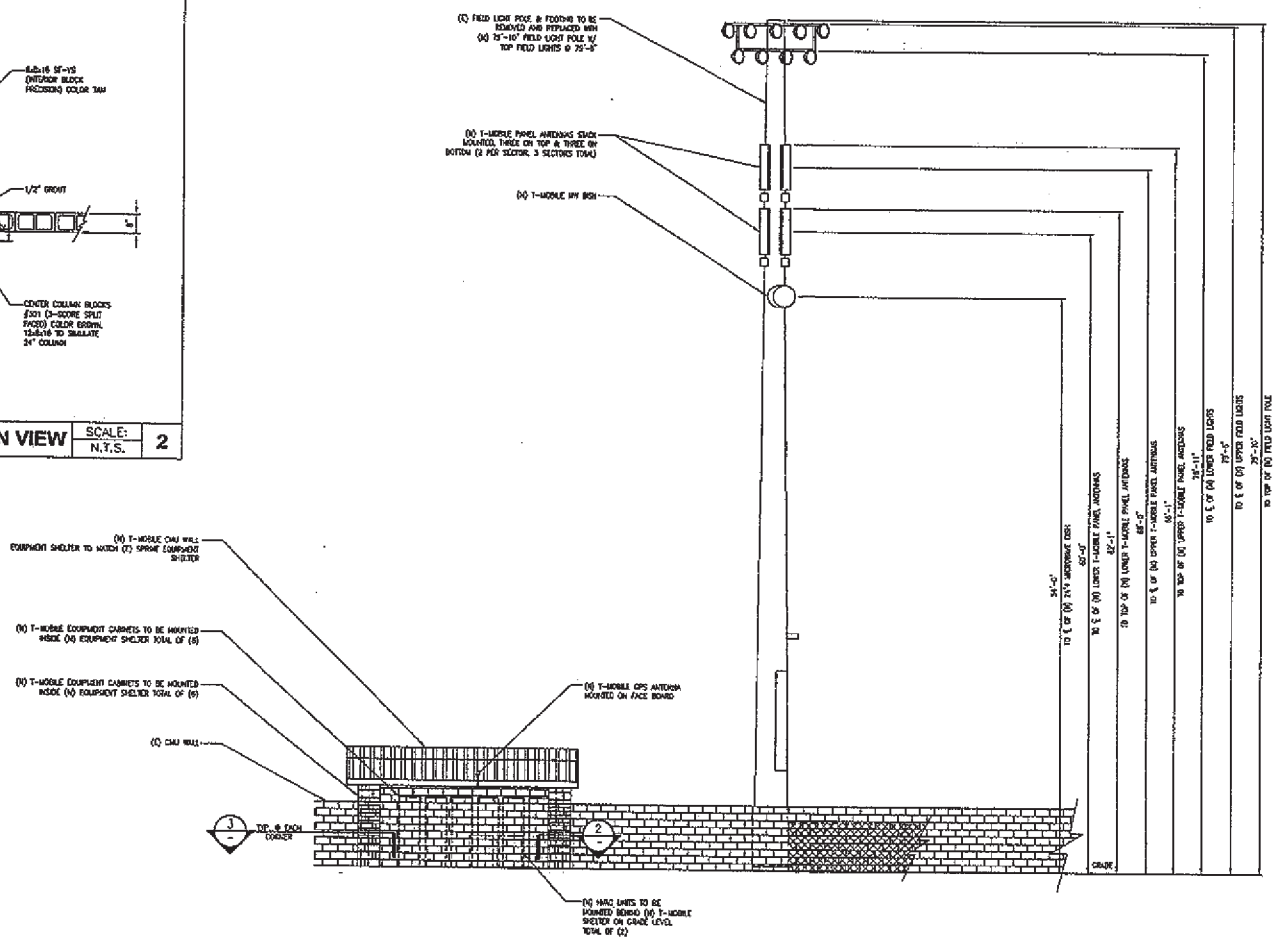
COLUMN DETAIL PLAN VIEW | SCALE: N.T.S. | 3



CENTER COLUMN PLAN VIEW | SCALE: N.T.S. | 2



COLUMN ELEVATION | SCALE: N.T.S. | 4



SOUTH ELEVATION | SCALE: 3/16"=1'-0" | 1

Underground Service Alert
Call: TOLL FREE
1-800
227-2600

MORENO VALLEY
WHERE DREAMS SOAR

REVIEW BY CITY STAFF

OFFICE	INITIAL	DATE
ENGINEERING DIVISION MANAGER		
SPECIAL DISTRICTS		
PLANNING		
TRANSPORTATION		
FIRE PREVENTION		
LAND DEVELOPMENT		

NO.	DATE	INITIAL	DESCRIPTION	REC.	APPR	DATE
1	3/13/09	BC	PLAN CHECK CORRECTIONS			
2	10/27/09	AT	REVISED PER COMMENTS			
MARK	DATE	INITIAL	DESCRIPTION			
		C.O.R.	REVISION			

CITY OF MORENO VALLEY APPROVALS

JOHN SCHMIDT, PUBLIC PROJECTS COORDINATOR — DATE

RICK GIBERSON, DIRECTOR OF PARKS AND COMMUNITY SERVICES — DATE

ARCHITECT OF RECORD'S SEAL

CONNELL DESIGN GROUP, LLC
CONSULTING CIVIL ENGINEERS
AND LAND DEVELOPMENT SERVICES, INCLUDING LAND SURVEYING
UNDER THE SUPERVISION OF:
NAME — DATE
R.C.E. 66343 EXP. 12/31/2009

CITY OF MORENO VALLEY

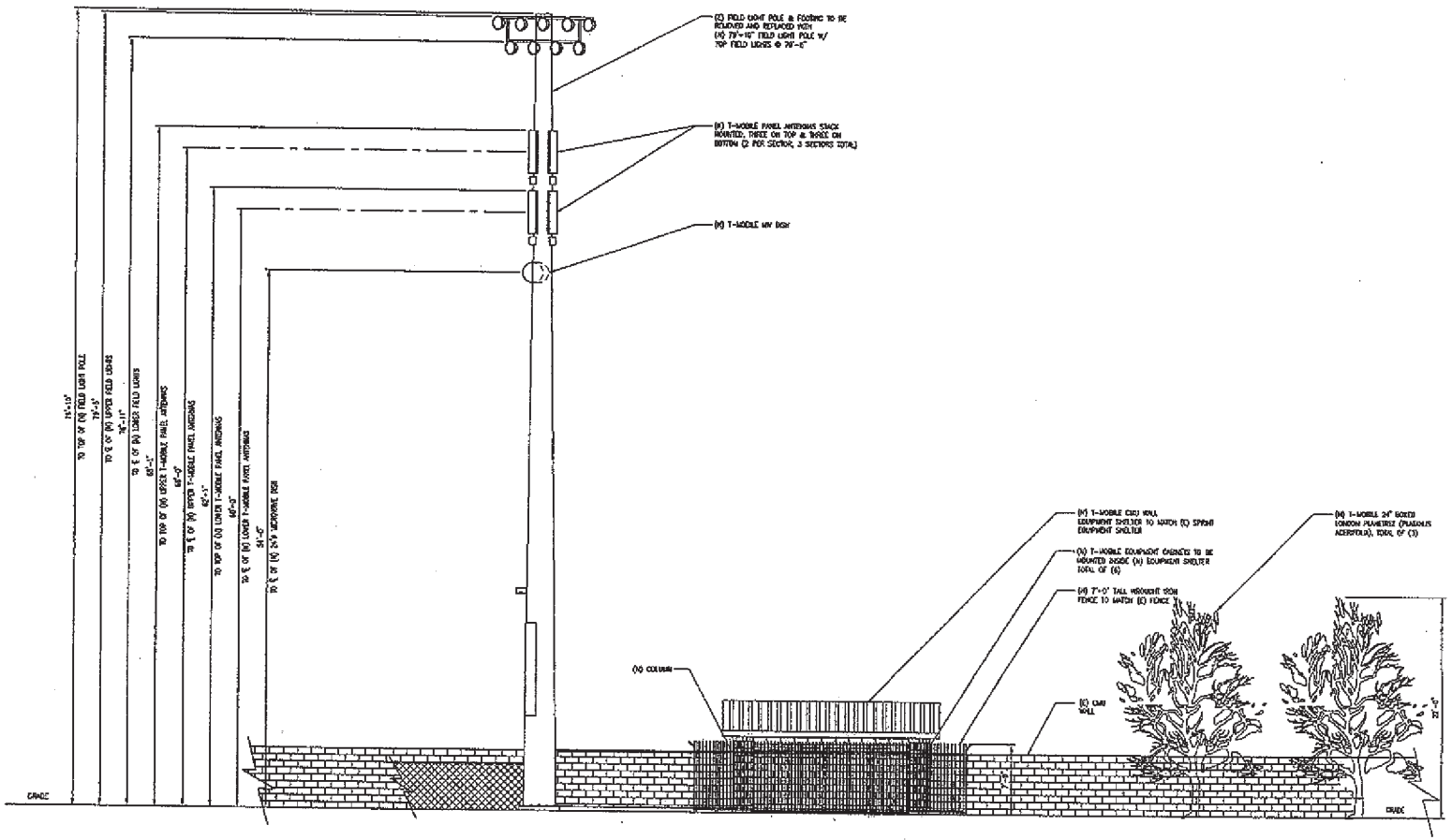
JFK PARK IE25830A
UNMANNED TELECOMMUNICATION FACILITY
TRACT NO.
SOUTH ELEVATION

ACCT. NO.

A-3

SHEET ___ NO.___
CITY I. D. NO.

C20 9 00-2501



NORTH ELEVATION

SCALE: 3/16"=1'-0" | 0 2' 4' 6' | 1

Underground Service Alert Call TOLL FREE 1-800 227-2600

MORENO VALLEY WHERE DREAMS SOAR

REVIEW BY CITY STAFF		
OFFICE	INITIAL	DATE
ENGINEERING DIVISION MANAGER		
SPECIAL DISTRICTS		
PLANNING		
TRANSPORTATION		
FIRE PREVENTION		
LAND DEVELOPMENT		

MARK	DATE	INITIAL	REVISION
A	9/13/05	BC	PLAN CHECK CORRECTIONS
B	11/17/05	GT	REVISED PER COMMENTS
		C.O.R.	

CITY OF MORENO VALLEY APPROVALS

TROY MCCORMICK, PARKS PROJECTS COORDINATOR — DATE

PAUL MCCARTHY, DIRECTOR OF PARKS AND COMMUNITY SERVICES — DATE

ARCHITECT OF RECORD'S SEAL

EDG — CONSTRUCTION MANAGEMENT · DESIGN GROUP, LLC

UNDER THE SUPERVISION OF:

RCE 46243 EXP. 10/31/2007 — DATE

CITY OF MORENO VALLEY

JFK PARK IE25830A
UNMANNED TELECOMMUNICATION FACILITY
TRACT NO.
NORTH ELEVATION

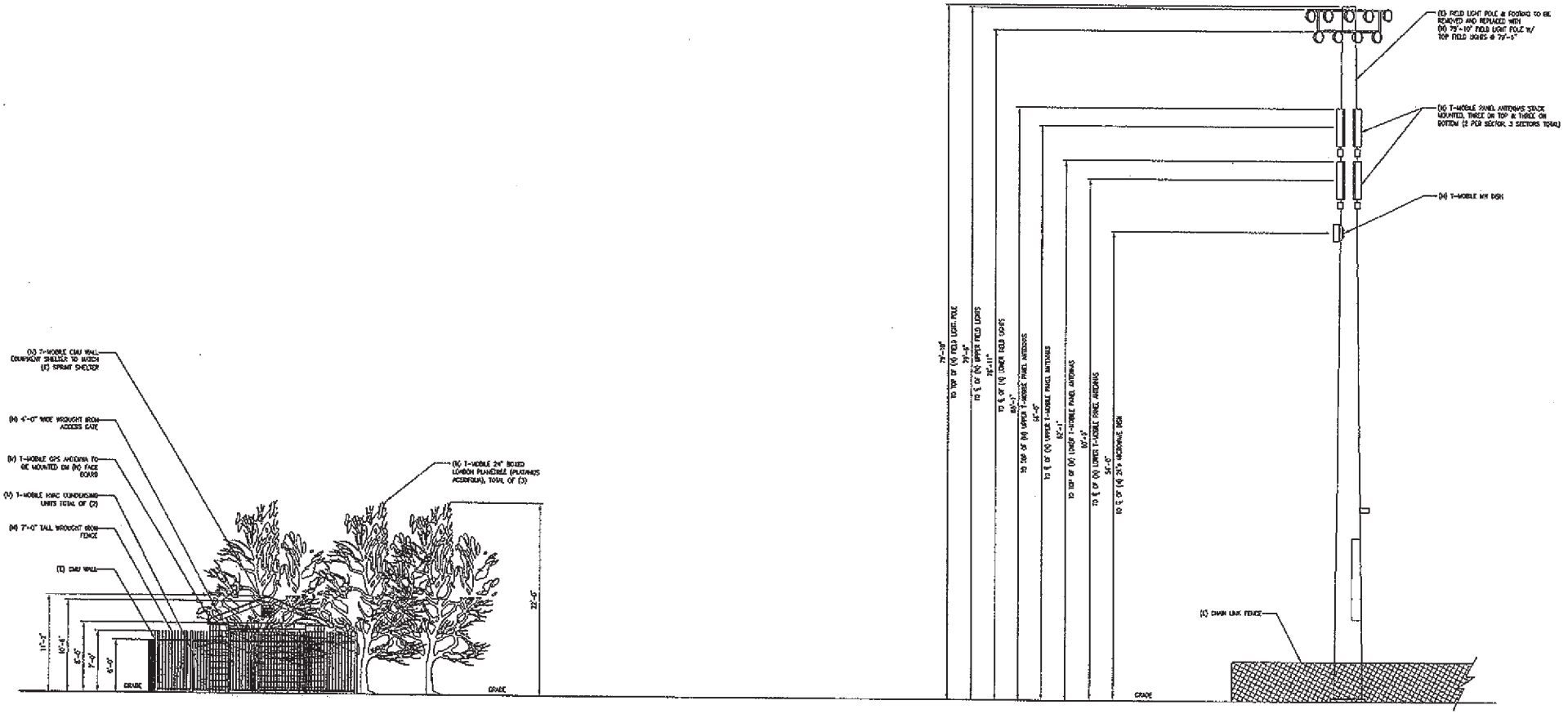
ACCT. NO.

A-4

SHEET ___ NO. ___

CITY I. D. NO.

EDG # 04-2511



EAST ELEVATION

SCALE: 3/16"=1'-0" 0 2 4 6 1

Call TOLL FREE 1-800 227-2600 Underground Service Alert

MORENO VALLEY WHERE DREAMS SOAR

REVIEW BY CITY STAFF

	INITIAL	DATE
OFFICE		
ENGINEERING DIVISION MANAGER		
SPECIAL DISTRICTS		
PLANNING		
TRANSPORTATION		
FIRE PREVENTION		
LAND DEVELOPMENT		

MARK	DATE	INITIAL	REVISION	ACC.	APPR	DATE
1	3/10/09	BC	PLAN CHECK CORRECTIONS			
0	11/17/08	AT	REVISED PER COMMENTS			
		E.D.G.				

CITY OF MORENO VALLEY APPROVALS

KEVIN HENDERSON, PARKS PROJECTS COORDINATOR — DATE

PAUL MCCARTHY, DIRECTOR OF PARKS AND COMMUNITY SERVICES — DATE

ARCHITECT OF RECORD'S SEAL

EDG CONNELL DESIGN GROUP, LLC

UNDER THE SUPERVISION OF: — DATE

REG. 94250 EXP. 12/31/2009

CITY OF MORENO VALLEY

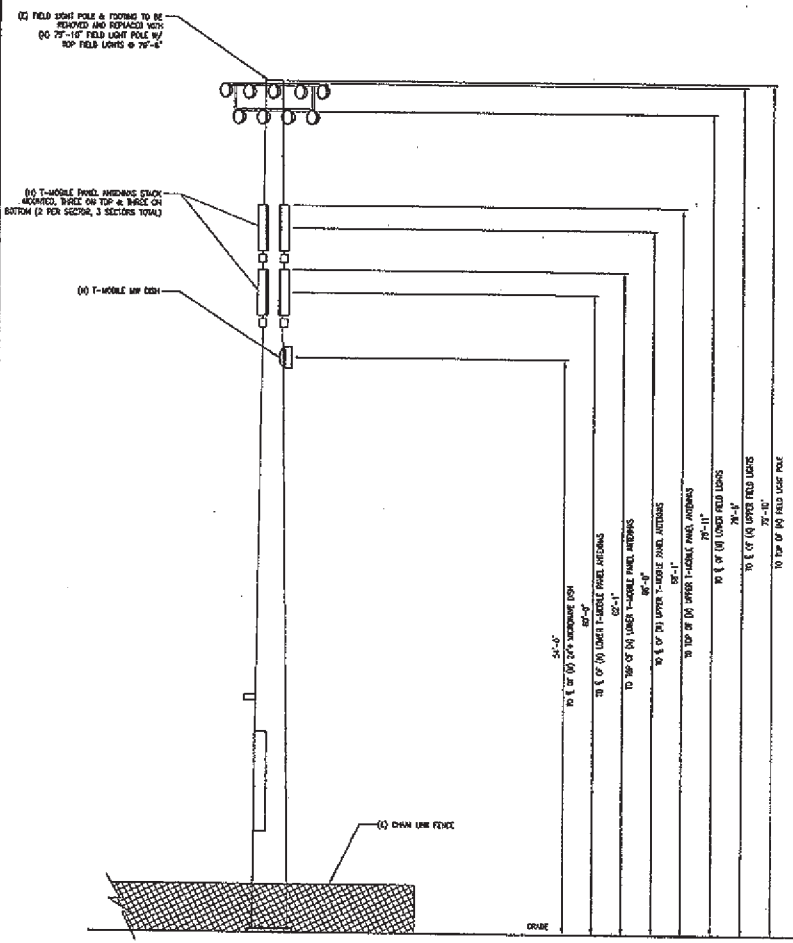
JFK PARK IE25830A
UNMANNED TELECOMMUNICATION FACILITY
TRACT NO.
EAST ELEVATION

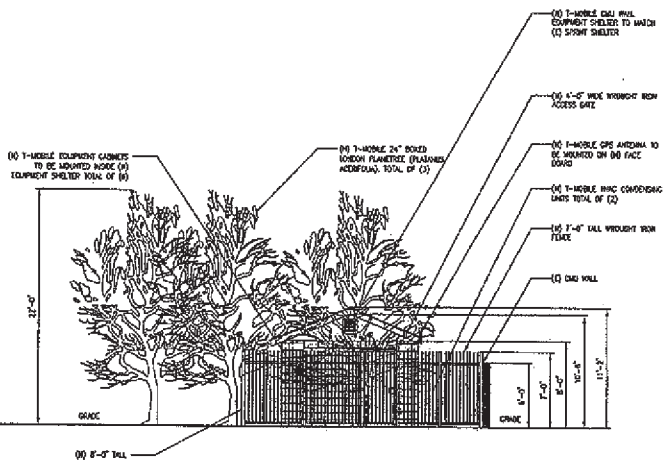
PROJECT NO. A-5

SHEET ___ NO. ___

CITY I. D. NO.

EDG # 08-2011





WEST ELEVATION

SCALE: 3/16"=1'-0" | 0 2' 4' 6' | 1

REVIEW BY CITY STAFF		
OFFICE	INITIAL	DATE
ENGINEERING DIVISION MANAGER		
SPECIAL DISTRICTS		
PLANNING		
TRANSPORTATION		
FIRE PREVENTION		
LAND DEVELOPMENT		

MARK	DATE	INITIAL	REVISION
1	5/15/08	BC	PLAN CHECK CORRECTIONS
0	11/07/07	AS	REVISED PER COMMENTS

CITY OF MORENO VALLEY APPROVALS

TONY TECHERIAN, PARKS PROJECTS COORDINATOR — DATE

MIKE LAMBERT, DIRECTOR OF PARKS AND COMMUNITY SERVICES — DATE

ARCHITECT OF RECORD'S SEAL

CONNELL DESIGN GROUP, LLC

UNDER THE SUPERVISION OF:

NAME — DATE

CITY OF MORENO VALLEY

JFK PARK IE25830A
UNMANNED TELECOMMUNICATION FACILITY
TRACT NO.
WEST ELEVATION

ACCT. NO.

A-6

SHEET ___ NO. ___

CITY I. D. NO.

NO WORK SHALL BE DONE ON THIS SITE UNTIL 811 OR USA NOTICE IS ISSUED BY UNDERGROUND SERVICE ALERT OR EQUIVALENT.
Underground Service Alert
Call TOLL FREE
1-800
227-2600
811
NO WORK CAN BEGIN UNTIL YOU DO.

MORENO VALLEY
WHERE DREAMS SOAR

RESOLUTION NO. 2008-41

A RESOLUTION OF THE COMMUNITY DEVELOPMENT DIRECTOR OF THE CITY OF MORENO VALLEY APPROVING CONDITIONAL USE PERMIT PA08-0068, FOR THE INSTALLATION OF AN UNMANNED WIRELESS TELECOMMUNICATIONS FACILITY WITHIN A CITY PARK, INCLUDING ATTACHMENT OF RELATED CELLULAR ANTENNA TO A NEW, 82' TALL BASEBALL FIELD LIGHT STANDARD, REPLACING AN EXISTING LIGHT STANDARD OF THE SAME HEIGHT AND LOCATION, LOCATED AT 15115 INDIAN STREET. (ASSESSOR'S PARCEL NO. 485-042-028).

WHEREAS, the applicant, Omnipoint Communication, Inc. has filed an application for the approval of Conditional Use Permit PA08-0068. Conditional Use Permit PA08-0068 to allow the installation of a wireless telecommunications facility including the attachment of cellular antenna on a new 82' tall baseball field light standard, replacing an existing 82' tall light standard and all ground related equipment within a defined lease area, located at 15115 Indian Street in the OS Zoning District; and

WHEREAS, on October 22, 2008, the Community Development Director of the City of Moreno Valley held a meeting to consider the application; and

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred; and

WHEREAS, there is hereby imposed on the subject development projects certain fees, dedications, reservations and other exactions pursuant to state law and City ordinances; and

WHEREAS, pursuant to Government Code Section 66020(d)(1), **NOTICE IS HEREBY GIVEN** that this project is subject to certain fees, dedications, reservations and other exactions as provided herein.

NOW, THEREFORE, BE IT RESOLVED, it is hereby found, determined and resolved by the Community Development Director of the City of Moreno Valley as follows:

A. The Community Development Director hereby specifically finds that all of the facts set forth above in this Resolution are true and correct.

B. Based upon substantial evidence presented to this Planning Commission during the above-referenced public hearing on August 28, 2008, including written and oral staff reports, and the record from the public hearing, the Community Development Director hereby specifically finds as follows:

1. **Conformance with General Plan Policies** – The proposed use is consistent with the General Plan, and its goals, objectives, policies and programs;

   FACT: The proposed conditional use is consistent with the goals, objectives, policies and programs of the General Plan. Wireless telecommunications facilities are conditionally permitted uses within the

City and the proposed cellular antenna will be placed on an existing light pole limiting any visual impacts.

2. **Conformance with Zoning Regulations** - The proposed use complies with all applicable zoning and other regulations;

   FACT: As designed and conditioned, the proposed use will comply with all the applicable zoning and other regulations of the Municipal Code. Additionally, the use will comply with all the regulations regarding commercial communication facilities as specified under Section 9.09.040 of the Municipal Code.

3. **Health, Safety and Welfare** – The proposed use will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity;

   FACT: The proposed facility is categorically exempt from CEQA as an infill development projects under section 15332 of the CEQA Guidelines (In-fill Development Projects). The proposed use will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements located in the surrounding area.

4. **Redevelopment Plan** – The project conforms with any applicable provisions of any city redevelopment plan;

   FACT: The location of the proposed project is not within any redevelopment plan area.

5. **Location, Design and Operation** – The location, design and operation of the proposed project will be compatible with existing and planned land uses in the vicinity;

   FACT: The communications system equipment will be located within a new masonry enclosure designed and constructed according to all design criteria for structures and facilities located on City owned property. The proposed antenna will be mounted on an existing baseball field lighting standard. The existing 82' tall light pole will not be increasing in height.

C. DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

The adopted Conditions of Approval for PA08-0068, incorporated herein by reference, may include dedications, reservations, and exactions pursuant to Government Code Section 66020 (d) (1).

The City expressly reserves the right to establish, modify or adjust any fee, dedication, reservation or other exaction to the extent permitted and as authorized by law.

Pursuant to Government Code Section 66020(d)(1), **NOTICE IS FURTHER GIVEN** that the 90 day period to protest the imposition of any impact fee, dedication, reservation, or other exaction described in this resolution begins on the effective date of this resolution and any such protest must be in a manner that complies with Section 66020(a) and failure to timely follow this procedure will bar any subsequent legal action to attack, review, set aside, void or annul imposition.

Your right to protest the fees, dedications, reservations, or other exactions does not apply to planning, zoning, grading, or other similar application processing fees or service fees in connection with this project and it does not apply to any fees, dedication, reservations, or other exactions of which you have been given a notice similar to this nor does it revive challenges to any fees for which the Statute of Limitations has previously expired.

BE IT FURTHER RESOLVED that the Community Development Director **HEREBY APPROVES** PA08-0068 (Conditional Use Permit) based on the findings contained herein and subject to the conditions of approval included as Exhibit A of this resolution.

APPROVED this 22nd day of October, 2008.

John C. Terell, AICP
Planning Official

APPROVED AS TO FORM:

City Attorney

CITY OF MORENO VALLEY
PLANNING DIVISION
FINAL CONDITIONS OF APPROVAL FOR
CONDITIONAL USE PERMIT PA08-0068 AN UN-MANNED TELECOMMUNICATIONS FACILITY FOR TWO SEPARATE CELLULAR CARRIERS INCLUDING CELLULAR ANTENNA ATTACHED TO A NEW 82' TALL BASEBALL FIELD LIGHT STANDARD REPLACING AN EXISTING LIGHT STANDARD OF THE SAME HEIGHT AND LOCATION
15115 INDIAN ST.

APPROVAL DATE: October 22, 2008
EXPIRATION DATE: October 22, 2011

Conditions of approval have been provided by the following Departments:

1. **COMMUNITY DEVELOPMENT DEPARTMENT**
   - **Planning (P)**
   - **Building & Safety (B)**
2. **FIRE PREVENTION BUREAU**
3. **PARKS & COMMUNITY SERVICES**

Note: All Special conditions are in bold lettering. All other conditions are standard to all or most development projects.

COMMUNITY DEVELOPMENT DEPARTMENT

Planning Division

P1. **Conditional Use Permit PA08-0068 will allow the installation of a wireless telecommunications facility including the construction of an equipment shelter large enough for two separate carriers, approximately 12' x 36', the attachment of cellular antenna on a new 82' tall baseball field light standard (replacing an existing pole of the same height in the same location), and all ground related equipment, located at JFK Park, 15115 Indian Street.**

P2. **The site shall be developed according to specifications and conditions as found in the "Parks and Community Services Department" section below. All site development plans and required documents shall be coordinated by and submitted directly to the Parks Project Coordinator.**

A.P.N.: 485-042-028

Timing Mechanisms for Conditions (see abbreviation at beginning of affected condition):

R - Map Recordation	GP - Grading Permits	CO - Certificate of Occupancy or building final
WP - Water Improvement Plans	BP - Building Permits	P - Any permit

Governing Document (see abbreviation at the end of the affected condition):

GP - General Plan	DC - Development Code	CEQA - California Environmental Quality Act
Ord - Ordinance	DG - Design Guidelines	Ldscp - Landscape Development Guidelines and Specs
Res - Resolution	UFC - Uniform Fire Code	UBC - Uniform Building Code
	SBM - Subdivision Map Act	

P3. All new and proposed utility, telecommunications equipment wire runs or any other connections to the telecommunications facility including the proposed power/telco runs shall be underground.

P4. At such time as the facility ceases to operate, all equipment related to this facility including all ground related equipment shall be removed. The removal shall occur within 90-days of the cessation of the use. The Conditional Use Permit may be revoked in accordance with provisions of the Municipal Code. (MC 9.02.260)

P5. This approval shall expire three years after the approval date of the project unless used or extended as provided for by the City of Moreno Valley Municipal Code; otherwise it shall become null and void and of no effect whatsoever. Use means the beginning of substantial construction contemplated by this approval within the three-year period, which is thereafter pursued to completion, or the beginning of substantial utilization contemplated by this approval. (MC 9.02.230)

P6. The site shall be developed in accordance with the approved plans on file in the Community Development Department - Planning Division, the Municipal Code regulations, the General Plan, and the conditions contained herein. Prior to any use of the project site, all Conditions of Approval shall be completed to the satisfaction of the City Planning Official or designee. (MC 9.14.020, Ldscp)

Building and Safety Division

B1. The site shall be developed in compliance with all current model codes to include: Uniform Building Code (UBC), Uniform Plumbing Code (UPC), Uniform Mechanical Code (UMC), National Electrical Code (NEC), as well as Title 24 and ADA and all other applicable State and Federal codes. (Ord, State and Federal codes)

FIRE PREVENTION BUREAU

F1. Anytime after installation, any interruption of Fire, Police or other public emergency Communication System due to the purveyor's system, the purveyor shall cease to operate equipment at site until corrections can be made to purveyor's system.

PARKS & COMMUNITY SERVICES

PCS1. All equipment utilized for telecommunications equipment shall be reviewed and approved by Parks and Community Services, Planning, Land Development, Fire Services, and Building and Safety Division prior to approval and issuance of any permits. Parks and Community Services requires submittals on all materials and shop drawings on all fabrication, prior to obtaining these products. Add materials shall comply with the most recent (at time of construction) Parks and Community Services Park Specifications, Telecommunication Site Specifications, City Standard Plans, applicable building codes, and "Greenbook' for Public Works Projects.

PCS2. At the end of the agreed-upon lease or lease termination from applicant, abandonment, or violation of contract, the Applicant may be required by the City or CSD to restore the site to its original condition or any part thereof. If required, the

Applicant shall remove the items at no cost to the City. Security for equipment and/or structure removal is required.

PCS3. Prior to issuance of any Building Permits the Applicant shall obtain a City Council approved Telecommunications License Agreement.

PCS4. Prior to issuance of any Building Permits all plans must be reviewed and approved by Parks and Community Services.

PCS5. 'Rent' shall commence sixty (60) days after the full execution of the License Agreement. Construction plans for Applicant's Facilities must be approved, prior to execution of the License Agreement. 'Rent' includes maintenance fees associated with license agreement.

PCS6. Any City owned sports field light pole used to support cellular equipment as an added item shall be engineered by the applicant. The applicant's engineer shall work under the direction of the City's lighting contractor, Musco Lighting at (800) 825-6020. Musco Lighting shall be the responsible for all specifications, manufacturing, re-alignment and installation.

PCS7. Upon completion, Musco Lighting shall provide a documented written assessment of the relocation to the satisfaction of the Park Project Coordinator before a 'Certificate of Occupancy' is issued.

PCS8. Easements shall not be issued to the applicant for this project. All right of entry shall be specified and determined in the approved "License Agreement".

PCS9. The applicant shall obtain an encroachment permit from the California Department of Water Resources (DWR).

PCS10. Prior to the approval of the license agreement security for the project shall be posted by the Applicant.

PCS11. All work specified in the Conditions of Approval and any work associated with the project, shall be provided by the applicant, without cost to the City or any City departments.

PCS12. The building shall be constructed according to the approved plans on file in the Community Development Department.

PCS13. The construction site shall be secured with approved construction fencing around all areas of exterior work for this project. .Construction fence plans shall be reviewed and approved by the Parks and Community Services Project Manager. Temporary fencing shall be maintained constantly by the contractor, for the duration of the project. Temporary fence shall not be installed prior to the issuance of building permits and shall be removed immediately after final inspection.

PCS14. Any proposed HVAC units shall be mounted within the building, with the exception of the condensers. AC condensers shall be mounted on the roof of the building and have a vandal-proof enclosure cover. The cover shall be manufactured utilizing a 1/4" stainless steel framing materials and stainless steel 9 gauge, ¾" flattened mesh, and intermediate

supports. All steel for the cover shall be stainless steel #304. Parks and Community Services 'approved' shop drawings are required for the cover.

PCS15. Any proposed step down transformer is to be located in the building and have proper ventilation.

PCS16. All exterior electrical meter and service boxes shall be vandal proof stainless steel #304, approved by Parks and Community Services.

PCS17. Any telephone landline service shall be located within the building. Telephone service to the building shall be accessed from the closest location in the right-of-way. Connection from any other service location will not be permitted.

PCS18. Temporary generator connections shall be installed for the telecommunications equipment for proposed and future telecommunications. The generators shall be of an approved quiet type portable unit, temporally located in the closest parking stall. Wiring to the generator shall be underground, encased in conduit. The generator connection shall be in an approved vandal proof 12-gauge stainless steel #304 cabinet, mounted to a concrete pad. No temporary generator shall be located within the park grounds, with exception of the parking lot.

PCS19. Other than approved pole mounted transmitting/receiving devices, no other equipment shall be located outside of the building.

PCS20. Antenna mounted to the building shall have all exposed pipe, brackets, hardware, and be wire shielded by a full-length 14-gauge stainless steel cover.

PCS21. Special inspections are required on all concrete, masonry, and roofing. These inspections shall be provided by a 'City Approved' inspector, at no cost to the City.

PCS22. The building shall be constructed of solid grouted (3000 PSI) decorative split-faced concrete masonry unit (CMU). If the site has existing structures, the CMU shall match the site structures to the satisfaction of Parks and Community Services. If the site does not have CMU structures on site, the CMU size shall be 8" x 8" x 16" unless specified by Parks and Community Services. Mortar must match block color. Samples shall be provided to the Parks Projects Coordinator for approval, prior to placement.

PCS23. The roof type shall be standing seam manufactured by MBCI (or approved equal), over 5/8" OSB or exterior grade plywood. The color shall be specified by Parks and Community Services. The fascia shall be Douglas fir; the soffit shall be completely sealed with 1/2" exterior grade plywood or OSB. The fascia and soffit shall be completely covered with MBCI metal roofing products with standing seam on the soffit. Roof pitch designs shall be minimum 5 in 12. Powder-coated continuous aluminum gutter shall be installed as requested. The roofing underlayment shall be Versa-Shield from Elk Building Products or approved equal.

PCS24. Entrance doors to the building shall be solid doors. Specifications are as follows:

- Steelcraft steel stiffened 1-3/4" 'B' door, 12-gauge stainless steel skin and 12-gauge stainless steel frame for exterior doors. Frames shall be grouted.
- Steelcraft S.S. mortise type continuous hinge or
- Hager Hinge # BB1168 S.S, security stud, non-removable pin (nrp) (as requested).
- Trimco # 1111C-630 exterior trim pull, ADA.

- Trimco # 1001-3, 4x16, 630 push plate.
- Trimco # 1010-3, 4x16, 630 pull plate.
- Trimco # 5000, lock astragal.
- Door closure: LCN # P4041. Color to match finished door color.
- Threshold and door sweep: Pemco brand. Color to match finished door color.
- Exterior door seal: Pemco # 299. Color to match finished door color.
- Entire door shall be painted per the 'Paint Schedule'. The color for doors and doorframes shall be determined by Parks and Community Services.

PCS25. A warning sign with graffiti overlay coating shall be installed on the door of the building.

PCS26. All buildings shall be coated with an anti-graffiti coating. The specification shall be 'Vitrocem High Build Anti-Graffiti Glazed Coating', manufactured by Bithell, Inc at (626) 331-2292. Pigmented coatings are available for all metalwork and lumber. CMU shall receive a clear Vitrocem® graffiti coating.

PCS27. All ventilation shall be constructed from minimum 12-gauge stainless steel.

PCS28. All exposed lumber shall be #1/select re-sawn Douglas fir with cracks less than 1/32" and no heartwood.

PCS29. All electrical conduit within the building and exterior (where permitted by P&CS) of the building shall be rigid or IMC type (no PVC, no flexible). Conductors shall be a minimum of 12-gauge.

PCS30. Security lighting shall be provided on the building and be an approved type per requirements of Park and Community Services.

PCS31. If a path of access to the building is needed, the applicant shall be required to design and build access if suitable access does not exist at the site. Required travel is typically a six-inch thick steel reinforced (#4 rebar @ 18" OC) concrete (560C-3250 PSI) path. Parks and Community Services retain the right to change this specification depending on the specification application. Access shall comply with Federal and State building/accessibility codes.

PCS32. Irrigation for plant material shall be installed from the main irrigation line. This is to be complete with a Nibco T-585-70-66 isolation ball valve, connection to an existing irrigation controller, Rainbird EFB-CP-PRS-D irrigation control valve, Schedule 40 PVC pipe for lateral lines, Rainbird RWS tree irrigators, and Rainbird spray heads. If it is determined that the park's existing automated irrigation controller can be utilized, it shall. If the existing irrigation controller cannot be utilized, a solar controller per P&CS specifications shall be installed. An approved licensed Landscape Contractor shall perform all landscaping and irrigation.

PCS33. Current irrigation located within and surrounding the project shall be relocated to provide irrigation to the existing turf. The addition of sprinklers is the responsibility of the applicant. All sprinklers and materials shall be to P&CS specifications.

PCS34. The contractor is responsible for any and all damage to turf, concrete, plants, irrigation, electrical, etc. Any and all damaged items shall be reinstalled and paid for

by the contractor before a release is issued. All damaged items shall be replaced according to Parks and Community Services standards. All irrigation modifications shall be the responsibility of the contractor, to the satisfaction of Parks and Community Services. Damaged irrigation shall be repaired within 24-hours in the presence of authorized City staff. City staff time shall be charged to the Applicant/contractor and paid prior to the project Final. Failure to repair within this period may result in penalties, including work stoppage, and the City contracting for such repairs. In the event the City contracts for repairs, the Applicant/contractor shall reimburse the City for repairs and staff time prior to the project Final.

PCS35. Damaged turf shall be replaced with sodded turf by the Applicant. The specific variety to be determined by Parks and Community Services.

PCS36. The Applicant is responsible for All Plan Checking and Inspection Fees. These fees shall be paid prior to approval of any construction drawings and the license agreement.

PCS37. A deposit for review of licensing is required by Capital Projects Division. This shall be paid prior to the first review of licensing documents.

PCS38. A preconstruction meeting for the project is required. The preconstruction meeting shall be scheduled with Parks and Community Services at 951.413.3163, 10-days in advance of mobilization. The general contractor and all subcontractors shall be present at the preconstruction meeting. All product submittals and shop drawings are to be delivered to the P&CS project manager, not later than 30-days from the start of construction.

PCS39. Inspections are required on all phases of the project. Inspections must be scheduled a minimum of two (2) - working days in advance. Call Parks and Community Services at 951.413.3163. Contact Building and Safety for a schedule and notification requirements at 951.413.3350. Failure to schedule inspections or be prepared for scheduled inspections will result in a stop work order and/or penalty/re-inspection fee.

PCS40. All changes/deviations shall be approved in writing from the Director of Parks and Community Services or his designee, prior to construction.

PCS41. Turnover items: Three complete sets of As-Built plans, one As-Built Mylar, the project ACAD and PDF drawing on CD, two revised irrigation charts on laminated 11" x 17" paper, and six sprinklers and nozzles of each type used, prior to issuance of the Certificate of Occupancy. All drawings are to be prepared by the architect of record.

PCS42. Three 24" boxed Platanus Acerifolia shall be planted on the west side of the building. The trees shall be of retail quality and size, selected by the City's project manager.

PCS43. Tubular steel fencing shall surround the building. Fencing specifications shall be per City Standard Plan #606B.

PCS44. Concrete walkway shall surround the building, per Parks and Community Services requirements.

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APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

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

AGENDA DATE: August 25, 2009

TITLE: PARCEL MAP 35386 – APPROVE FINAL MAP

OVERLOOK CIRCLE, EAST SIDE OF KITCHING STREET AND NORTH OF IRONWOOD AVENUE

DEVELOPER: STEVEN AND DEBRA COLEMAN
25580 OVERLOOK CIRCLE
MORENO VALLEY, CA 92557

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Approve Parcel Map 35386
2. Authorize the City Clerk to sign the map and transmit said map to the County Recorder's Office for recordation.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

On July 26, 2007, the Planning Commission of the City of Moreno Valley reviewed and approved Parcel Map 35386, subject to the Conditions of Approval. This application proposes to subdivide one lot into three lots.

DISCUSSION

Parcel Map 35386 is in conformance with the tentative map, and the developer has requested that the map be approved for recordation. The Conditions of Approval for this project require that the developer construct 24-foot wide improvements for an all-weather access to the satisfaction of the Fire Department along Kitching Street and Overlook Circle. The developer has completed all of the required improvements, which include, but are not limited to class 2 base and soil stabilizing agent. No bonds are provided for the street/access road as these improvements are private.

ALTERNATIVES

Not applicable.

FISCAL IMPACT

No fiscal impact is anticipated.

CITY COUNCIL GOALS

Not applicable

NOTIFICATION

Publication of agenda

EXHIBITS

EXHIBIT "A" – Vicinity Map

Prepared By
Liz Plazola
Senior Administrative Assistant

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

Concurred By
Guy Pegan, P.E.
Senior Engineer

Concurred By
Mark W. Sambito, P.E.
Engineering Division Manager

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

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\2009\8-25-09 PM 35386 - Final Map Approval.doc

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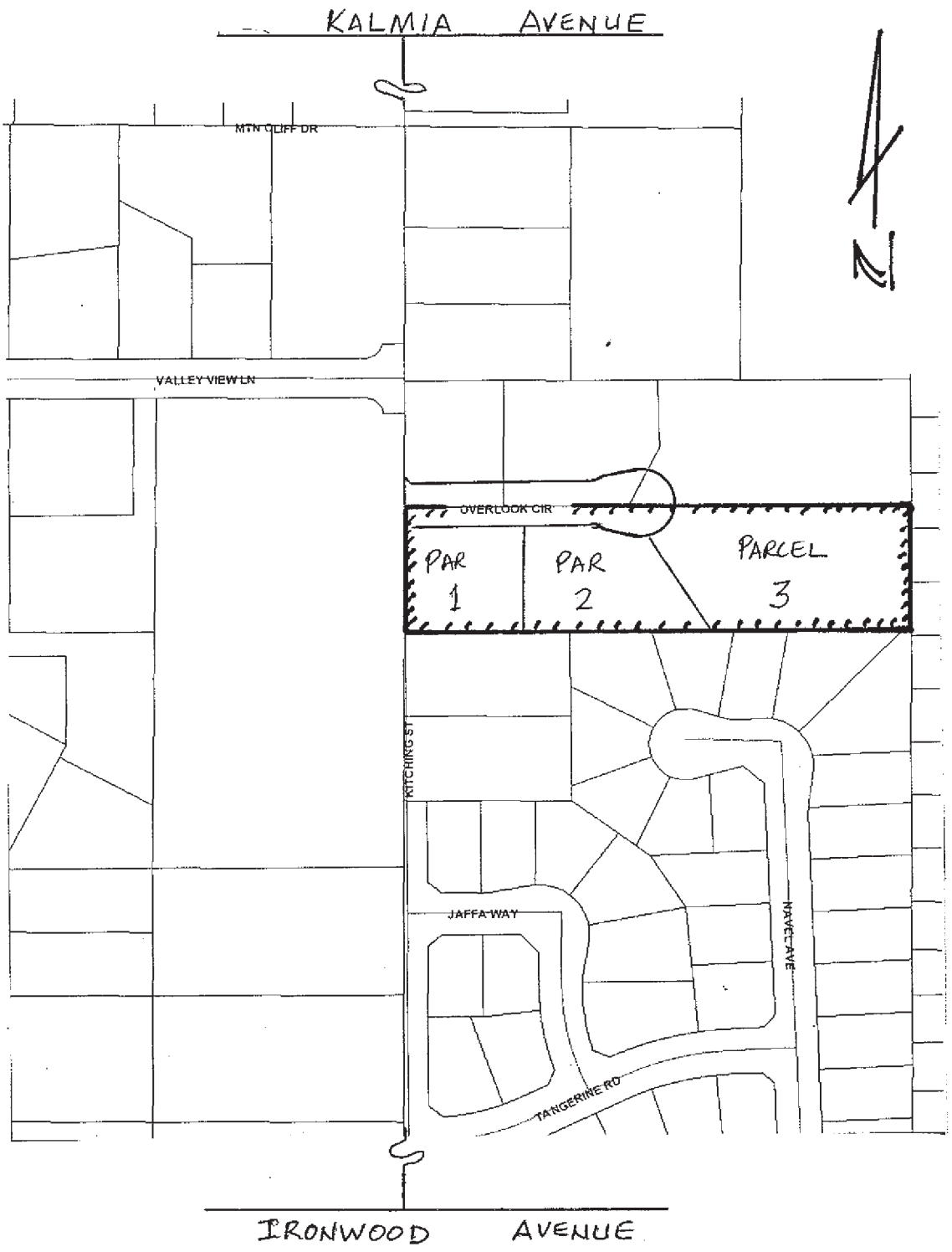

CITY OF MORENO VALLEY PUBLIC WORKS - LAND DEVELOPMENT Exhibit A	PARCEL MAP 35386 VICINITY MAP

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\Vicinity Map format surround - Portrait.doc (01/04)

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APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Steve Elam, Financial & Administrative Services Director

AGENDA DATE: August 25, 2009

TITLE: AWARD OF ANNUAL FUEL PURCHASE AGREEMENT

RECOMMENDED ACTION

Staff recommends that the City Council take the following actions:

1. Award the annual fuel purchase agreement to The SoCo Group, Inc. in an amount not-to-exceed $300,000 and authorize the Mayor to execute the Agreement;

2. Authorize the Purchasing & Facilities Division Manager to issue a purchase order to The SoCo Group in the amount of $300,000 to cover estimated fuel purchases during Fiscal Year 2009-10.

BACKGROUND

Unleaded and diesel fuel used in City vehicles has been purchased for the past five years on a State of California cooperative purchasing agreement from Falcon Fuel of Paramount, California. A review of current fuel awards from the State of California and Riverside County cooperative purchasing agreements indicates that the Riverside County contract with The SoCo Group, Inc. (SoCo) of Perris, California will offer a better value for the City.

DISCUSSION

The City's Procurement Policy, 3.18, XII - Cooperative or "Piggybacking" Agreements, allows the City to piggyback on other agencies competitively awarded bids.

The Riverside County bid and award documents to SoCo have been examined and indicate that a competitive award has been made based on the added mark-up amount to the Oil Price Information Service (OPIS), a widely accepted fuel price benchmark for supply contracts and competitive positioning. SoCo is based in Riverside County (Perris), while Falcon Fuel is located in Los Angeles County; therefore, awarding to SoCo will allow sales tax revenue to flow to Riverside County. SoCo has agreed to the City's terms and conditions and will provide, at no extra charge, automated remote monitoring of City tanks to ensure timely delivery of fuel. This added service eliminates the need for staff to monitor and order fuel, which will be very helpful considering the recent staffing reductions that have been implemented to achieve budget savings. Below is the pricing comparison between the current State contract with Falcon Fuel versus the recommended award to SoCo utilizing the County of Riverside's cooperative purchasing agreement:

Fuel Type	Projected Annual Usage in Gallons	Oil Price Information Service (OPIS) Value	Vendor Amount Added to OPIS		Sub Total Per Gallon		State of CA. Falcon Fuel Annual Spend Estimate	Riverside County SoCo, Inc. Annual Spend Estimate
			Falcon	SoCo	Falcon	SoCo		
Unleaded	78,500	$2.6714	$0.0983	$0.0600	$2.7697	$2.7314	$217,421	$214,415
Diesel	31,300	$2.6364	$0.0983	$0.0710	$2.7347	$2.7074	$85,596	$84,742
TOTAL PROJECTED ANNUAL SPEND:							$303,017	$299,157

ALTERNATIVES

1. Award the annual fuel purchase agreement to The SoCo Group, Inc. in an amount not-to-exceed $300,000 and authorize the Mayor to execute the Agreement;

2. Authorize the Purchasing & Facilities Division Manager to issue a purchase order to The SoCo Group, in the amount of $300,000 to cover estimated fuel purchases during Fiscal Year 2009-10.

3. Elect to not award the agreement and purchase order to The SoCo Group, Inc. and provide staff with further direction.

Staff recommends Alternative Nos. 1 and 2.

FISCAL IMPACT

Approval of staff recommendation will obligate the City to a Fiscal Year 2009-10 expenditure of approximately $300,000 in the Equipment Maintenance Internal Service Fund (account 755.75510.6381). These funds have been included in the Adopted Budget for Fiscal Year 2009-10.

CITY COUNCIL GOALS

Revenue Diversification and Preservation. Develop a variety of City revenue sources and policies to create a stable revenue base and fiscal policies to support essential City services, regardless of economic climate.

SUMMARY

The City has utilized a State of California cooperative purchasing agreement to purchase unleaded and diesel fuel for City vehicles for the past five years. The current government contract awarded to SoCo by the County of Riverside is the best value for the City. The City's Procurement Policy allows for cooperative purchasing ("piggybacking") off of other government agencies' competitive awards. SoCo is based in Riverside County (Perris), while Falcon Fuel is located in Los Angeles County; therefore, awarding the agreement to SoCo will allow sales tax to flow to Riverside County. SoCo will remotely monitor the City's fuel tanks and make appropriate deliveries without the need for City staff to check fuel levels and call in orders, which will save staff time. Funding for the recommended agreement is provided in the Fiscal Year 2009-10 Adopted Budget. Staff recommends that the City Council award the annual fuel purchase agreement to SoCo in an amount not-to-exceed $300,000; authorize the Mayor to execute the agreement; and authorize the Purchasing & Facilities Division Manager to issue a purchase order to SoCo Group in the amount of $300,000 to cover estimated purchases during Fiscal Year 2009-10.

ATTACHMENTS/EXHIBITS

Independent Contractor Agreement with The SoCo Group, Inc.

Prepared by:
Rix Skonberg
Purchasing & Facilities Division Manager

Department Head Approval:
Steve Elam
Financial & Administrative Services Director

Concurred By:
Robert Lemon
Acting Maintenance & Operations Division Manager

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

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City of Moreno Valley

INDEPENDENT CONTRACTOR AGREEMENT

This Agreement is made by and between the City of Moreno Valley, California, a municipal corporation, hereinafter referred to as the "City", and the following named independent contractor, hereinafter referred to as the "Contractor," based upon City policies and the following legal citations:

A. Government Code Section 53060 authorizes the engagement of persons to perform special services as independent contractors; and

B. The public interest, convenience, necessity and general welfare will be served by this Agreement.

This Agreement is made and entered into effective the date the City signs this Agreement.

1. CONTRACTOR INFORMATION:

Contractor's Name: The SoCo Group, Inc
Address: 240 East 1st Street
City: Perris State: CA Zip: 92570
Business Phone: 951-657-2350 Fax No. 951-848-9541
Other Contact Number: 951-830-1105
Social Security Number:
Business License Number:
Federal Tax I.D. Number: 330255199

2. CONTRACTOR SERVICES, FEES, AND RELEVANT DATES:

A. The Contractor's scope of service is described in Exhibit "A" attached hereto and incorporated herein by this reference.

B. Payment terms are provided in Exhibit "B" attached hereto and incorporated herein by this reference.

C. The City of Moreno Valley will piggyback on the contract awarded by The County of Riverside and details are described in Exhibit "C" attached hereto and incorporated herein by this reference.

D. The City of Moreno Valley Starting Date is July 1, 2009 and the Contractor Ending Date is June 30, 2010. The initial Contract shall be in effect through June 30, 2010. The agreement may be automatically renewed at the expiration of its term, by agreement of both parties, in one-year increments at the end of each fiscal year. Renewal of the Agreement shall be accomplished through a City Purchase Order and shall typically extend the agreement for one year. The City acknowledges that it will not unreasonably withhold approval of the Contractor's requests for extensions of time in which to complete the work required. The Contractor shall not be responsible for performance delays caused by others or delays beyond the Contractor's reasonable control (excluding delays caused by non-performance or unjustified delay by Contractor, his/her/its employees, or subcontractors), and such delays shall extend the time for performance of the work by the Contractor.

E. Funding Out Clause: It should be noted that multi-year contracts may be continued each fiscal year only after funding appropriations and program

approvals have been granted by the City Council of the City of Moreno Valley. In the event that the City Council of the City of Moreno Valley does not grant necessary funding appropriation and/or program approval, then the affected multi-year contract becomes null and void, effective July 1st of the fiscal year for which such approvals have been denied.

3. **STANDARD TERMS AND CONDITIONS:**

A. Control of Work. Contractor is solely responsible for the content and sequence of the work, and will not be subject to control and direction as to the details and means for accomplishing the anticipated results of services. The City will not provide any training to Contractor or his/her/its employees.

B. Intent of Parties. Contractor is, and at all times shall be, an independent contractor and nothing contained herein shall be construed as making the Contractor or any individual whose compensation for services is paid by the Contractor, an agent or employee of the City, or authorizing the Contractor to create or assume any obligation or liability for or on behalf of the City, or entitling the Contractor to any right, benefit, or privilege applicable to any officer or employee of the City.

C. Subcontracting. Contractor may retain or subcontract for the services of other necessary contractors with the prior written approval of the City. Payment for such services shall be the responsibility of the Contractor. Any and all subcontractors shall be subject to the terms and conditions of this Agreement, with the exception that the City shall have no obligation to pay for any subcontractor services rendered. Contractor shall be responsible for paying prevailing wages where required by law [See California Labor Code Sections 1770 through 1777.7].

D. Legal Considerations. The Contractor shall comply with applicable federal, state, and local laws in the performance of this Agreement.

E. Contractor Indemnification. Contractor shall indemnify, defend and hold the City, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), their officers, agents and employees harmless from any and all claims, damages, losses, causes of action and demands, including reasonable attorney's fees and costs, incurred in connection with or in any manner arising out of Contractor's performance of the work contemplated by this Agreement. Acceptance of this Agreement signifies that the Contractor is not covered under the City's general liability insurance, employee benefits, or worker's compensation. It further establishes that the Contractor shall be fully responsible for such coverage.

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

G. Insurance Requirements. Where determined applicable by the City, Contractor will comply with the following insurance requirements at its sole expense. Insurance companies shall be rated (A Minus: VII—Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct business in the State of California:

X General Liability Insurance—to protect against loss from liability imposed by law for damages on account of bodily injury, including death, and/or property damage suffered or alleged to be suffered by any person or persons whomever, resulting directly or indirectly from any act or activities of the Contractor, sub-Contractor, or any person acting for the Contractor or under its control or direction. Such insurance shall be maintained in full force and effect throughout the terms of the Agreement and any extension thereof in the minimum amounts provided below:

Bodily Injury	$1,000,000 per occurrence/ $2,000,000 aggregate
Property Damage	$500,000 per occurrence/ $500,000 aggregate

Professional Errors and Omission Insurance—such coverage shall not be less than $1,000,000 per claim and aggregate.

X Workers' Compensation Insurance—in such amounts as will fully comply with the laws of the State of California and which shall indemnify, insure and provide legal defense for both the Contractor and the City, RDA, and CSD against any loss, claim or damage arising from any injuries or occupational diseases happening to any worker employed by the Contractor in the course of carrying out the Agreement. This coverage may be waived if the Contractor is determined to be functioning as a sole proprietor and the city provided form "Exception to Worker's Compensation Coverage" is signed, notarized and attached to this Agreement

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

Insurance requirements waived with Risk Manager's approval.

☐ Insurance requirements modified with Risk Manager's approval and attached hereto as Exhibit "D" and incorporated herein by this reference.

A Certificate of Insurance and appropriate additional insured endorsement evidencing the above applicable insurance coverage shall be submitted to the City Risk Manager prior to the execution of this Agreement. The Certificate of Insurance or an appropriate binder shall bear an endorsement containing the following provisions:

Solely as respect to services done by or on behalf of the named insured for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, their officers, employees and agents are included as additional insured under this policy and the coverage(s)

provided shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, its officers, employees and agents, under any third party liability policy

The terms of the insurance policy or policies issued to provide the above coverage shall neither be amended to reduce the required insurance limits and coverages nor shall such policies be canceled by the carrier without thirty (30) days prior written notice by certified or registered mail of amendment or cancellation to the City, except that cancellation for non-payment of premium shall require ten (10) days prior written notice by certified or registered mail. In the event the insurance is canceled, the Contractor shall, prior to the cancellation date, submit to the Risk Manager new evidence of insurance in the amounts established.

H. Intellectual Property. Any system or documents developed, produced or provided under this Agreement, including any intellectual property discovered or developed by Contractor in the course of performing or otherwise as a result of its work, shall become the sole property of the City unless explicitly stated otherwise in this Agreement. The Contractor may retain copies of any and all material, including drawings, documents, and specifications, produced by the Contractor in performance of this Agreement. The City and the Contractor agree that to the extent permitted by law, until final approval by the City, all data shall be treated as confidential and will not be released to third parties without the prior written consent of both parties.

I. Entire Agreement. This Agreement constitutes the entire agreement between the parties. There are no understandings, agreements, or representations of warranties, expressed or implied, not specified in this Agreement. This Agreement applies only to the current proposal as attached. This Agreement may be modified or amended only by a subsequent written Agreement signed by both parties. Assignment of this Agreement is prohibited without prior written consent.

J. (a) The City may terminate this Agreement without cause by giving at least ten (10) days written notice to the Contractor. The written notice shall specify the date of termination. Upon receipt of such notice, the Contractor may continue work through the date of termination, provided that no work or service(s) shall be commenced or continued after receipt of the notice which is not intended to protect the interest of the City. The City shall pay the Contractor within thirty (30) days after receiving any invoice after the date of termination for all non-objected to services performed by the Contractor in accordance herewith through the date of termination.

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

K. Payment. Payments to the Contractor pursuant to this Agreement will be reported to Federal and State taxing authorities as required. The City will not withhold any sums from compensation payable to Contractor. Contractor is independently responsible for the payment of all applicable taxes. Where the payment terms provide for compensation on a time and materials basis, the Contractor shall maintain adequate records to permit inspection and audit of the Contractors time and materials charges under the Agreement. Upon reasonable notice, such records

must be made available to the City's agent; however, nothing herein shall convert such records into public records. Such records shall be retained by the Contractor for three (3) years following completion of the services under the Agreement.

L. Restrictions on City Employees. The Contractor shall not employ any City employee or official in the work performed pursuant to this Agreement. No officer or employee of the City shall have any financial interest in this Agreement in violation of federal, state, or local law.

M. Choice of Law and Venue. The laws of the State of California shall govern the rights, obligations, duties, and liabilities of the parties to this Agreement, and shall govern the interpretation of this Agreement. Any legal proceeding arising from this Agreement shall be brought in the appropriate court located in Riverside County, State of California.

SIGNATURE PAGE TO FOLLOW

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

City of Moreno Valley

BY: _____
Richard A. Stewart
Mayor

_____
Date

Contractor/~~Consultant~~ Name

BY: _____

TITLE: V.P. North
(President or Vice President)

7-27-09
Date

BY: _____

TITLE: _____
(Corporate Secretary)

_____
Date

INTERNAL USE ONLY

ATTEST:

_____
City Clerk

APPROVED AS TO LEGAL FORM:

_____
City Attorney

7.29.09
Date

RECOMMENDED FOR APPROVAL:

_____
Steve Elam, Financial & Administrative Services Director

7-29-09
Date

Attachments: Exhibit A – Scope of Services
Exhibit B – Terms of Payment
Exhibit C – Piggyback Contract

EXHIBIT A

SCOPE OF SERVICES

The SoCo Group, Inc. Petroleum Distributors

The SoCo Group, Inc (SoCo) will monitor the City of Moreno Valley fuel tanks on a daily basis via the Internet at http://webview2.centeron.net/Alogin.aspx.

SoCo will make appropriate deliveries to top off the City of Moreno Valley fuel tanks by 9:00 am the next business day after the last automated reading (typically 1:00 pm daily). Determination to make a delivery will be that of SoCo based on any tank level that reaches no less that 25%. Normal delivery hours are 7:00 am to 4:30 pm Monday through Friday. No delivery shall be made on City holidays as follows:

New Year's Day	Veteran's Day
Dr. Martin Luther King, Jr. Day	Thanksgiving
President's Day	Day after Thanksgiving
Memorial Day	Christmas Eve
Independence Day	Christmas Day
Labor Day	

SoCo will notify City of Moreno Valley Purchasing Division at 951-413-3190 if the Internet monitoring system becomes inoperable. City of Moreno Valley staff will monitor fuel levels and order fuel from SoCo accordingly when the automated monitoring system is inoperable.

Fuel to be delivered: Low Octane Unleaded & Ultra Low Sulfur Diesel

Current delivery location: 15670 Perris Blvd., Moreno Valley, CA 92551

Current above ground tank capacities: Unleaded = 2,000 Gallons & Diesel = 2,000 Gallons

SoCo will supply fuel, when available at their location or the local rack, in the event of a City of Moreno Valley emergency. In the event of a City emergency SoCo can be contacted at 951-657-2350, 24/7 to order emergency related fuel deliveries as deemed necessary to continue City operations.

EXHIBIT B

TERMS OF PAYMENT

1. The Contractor's compensation shall not exceed Three Hundred Thousand Dollars ($300,000) based on the per gallon price evidenced in the County of Riverside award RIVCO-40500-005-014-12/08.

2. Fuel pricing is based on the County of Riverside fuel bid contract number #RIVCO-40500-005-014-12/08. Pricing is as follows:

   Unleaded: OPIS Daily rate + 0.035
   Diesel: OPIS Daily rate + 0.0711

   Delivery receipts will include that day's OPIS rate report.

3. The Contractor shall submit to the City an original invoice identifying the service and any associated purchase order numbers. Each invoice must reference the appropriate Purchase Order number.

4. The City will review each invoice submitted by the Contractor, along with any accompanying required documentation in order to determine that the Contractor has properly invoiced, documented and executed the required services. Payment is made by the City within 30 days of approval of completed work.

5. Failure to comply with all requirements of this Agreement may result in non-payment for work performed or product delivered.

EXHIBIT C

PIGGYBACKED CONTRACT

1. The City of Moreno Valley will piggyback on the contract awarded by The County of Riverside, to The Soco Group, Inc., and purchase fuel based on the pricing set forth in the agreement.

2. The contract ID number is # RIVCO-40500-005-014-12/08. Item description is for Fuel, Unleaded / Ultra Low Sulfur Diesel.

3. The City of Moreno Valley Starting Date is July 1, 2009 and the Contractor Ending Date is June 30, 2010. The initial Contract shall be in effect through June 30, 2010 and automatically renewed, per agreement by both parties, for the next fiscal year starting July 1st.

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APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Steve Elam, Financial & Administrative Services Director

AGENDA DATE: August 25, 2009

TITLE: APPROVAL OF CHECK REGISTER FOR JUNE, 2009

RECOMMENDED ACTION

Staff recommends that the City Council adopt Resolution No. 2009-76, approving the Check Register for the month of June, 2009 in the amount of $36,797,608.02.

DISCUSSION

To facilitate Council's review, the Check Register lists in alphabetical order all checks in the amount of $25,000 or greater, followed by a listing in alphabetical order of all checks less than $25,000. The Check Register also includes wire transfers, thus eliminating the need for a separate wire transfer register, as well as the fiscal year-to-date (FYTD) amount paid to each vendor.

FISCAL IMPACT

The disbursements itemized in the attached Check Register are reflected in the adopted FY 2008-09 budget. Therefore, there is no fiscal impact other than the expenditure of budgeted funds.

ATTACHMENTS/EXHIBITS

Resolution No. 2009-76
Check Register for Month of June, 2009

Prepared By:
Domilena R. Gonzales
Principal Accountant

Department Head Approval:
Steve Elam
Financial & Administrative Services Director

Concurred By:
Cynthia Fortune
Acting Financial Operations Division Manager

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

RESOLUTION NO. 2009-76

A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF MORENO VALLEY, CALIFORNIA,
APPROVING THE CHECK REGISTER
FOR THE MONTH OF JUNE, 2009

WHEREAS, the Financial & Administrative Services Department has prepared and provided the Check Register for the period June 1, 2009 through June 30, 2009, for review and approval by the City Council of the City of Moreno Valley;

WHEREAS, it is in the best interest of the City that the referenced Check Register be approved;

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, that the Check Register for the period June 1, 2009 through June 30, 2009, in the total amount of $36,797,608.02 is approved.

APPROVED AND ADOPTED this 25th day of August, 2009.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

[Clerk's office will prepare]

[NOTE: Any attachments or exhibits to this resolution should follow this jurat.]

City of Moreno Valley

Check Register

For Period 6/1/2009 through 6/30/2009

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
CHECKS IN THE AMOUNT OF $25,000 OR GREATER				
AFTERSCHOOL STORE.COM				
6/25/2009	195739	145,634.47		
			CURRICULUM/MTRLS FOR STARS	36,799.68
			CURRICULUM/MTRLS FOR STARS	46,739.59
			CURRICULUM/MTRLS FOR STARS	10,349.91
			CURRICULUM/MTRLS FOR STARS	44,799.68
			CURRICULUM/MTRLS FOR STARS	817.95
			SHIPPING & HANDLING	1,500.00
			REBATE-5%	-6,975.34
			SALES TAX	11,603.00
6/30/2009	195911	61,599.74		
			MAY'09 SNACKS FOR STARS	10,908.49
			JUN'09 SNACKS FOR STARS	9,971.60
			INSTANT CLSRM-SHUTTERBUGS	40,719.65
Vendor Total		**207,234.21**		
FYTD for AFTERSCHOOL STORE.COM		**392,855.34**		
BEMUS LANDSCAPE, INC.				
6/25/2009	195752	45,800.36		
			FEB'09 LNDSCP SRVC>E-4	15,482.00
			MAY'09 LNDSCP SRVC>E-4	15,496.00
			FEB'09 LNDSCP SRVC>E-4A	378.00
			MAY'09 LNDSCP SRVC>E-4A	364.00
			MAY'09 LNDSCP SRVC>AQDCT A	850.50
			MAY'09 LNDSCP SRVC>AQDCT B	735.00
			MAY'09 LNDSCP SRVC>N AQDCT	525.00
			MAY'09 LNDSCP SRVC>SR CTR	262.50
			MAY'09 LNDSCP SRVC>EDISON/OLD	1,785.00
			MAY'09 LNDSCP SRVC>PAN AM SECT	600.00
			MAY'09 LNDSCP SRVC>ANML SHLTR	520.00
			MAY'09 LNDSCP MAINT>CRC	1,900.00
			IRRIGATION REPAIR	200.00
			MAY'09 LNDSCP SRVC>FIRESTATION	2,300.00
			MAY'09 LNDSCP SRVC>LIBRARY	520.00
			MAY'09 LNDSCP SRVC>PSB	1,047.58
			MAY'09 LNDSCP SRVC>STARS BLDG	300.00
			MAY'09 LNDSCP SRVC>AQDCT	1,900.00
			MAY'09 LNDSCP SRVC>MVU	480.00
			IRRIGATION REPAIR>E-4	62.09
			IRRIGATION REPAIR>E-4	20.22
			IRRIGATION REPAIR>E-4	72.47
Vendor Total		**45,800.36**		
FYTD for BEMUS LANDSCAPE, INC.		**584,081.37**		

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
BOYLE ENGINEERING CORPORATION					
	6/25/2009	195755	128,494.10		
				PERRIS BLVD WIDENING PRJ SVCS	33,349.70
				PERRIS BLVD WIDENING PRJ SVCS	84,944.40
				PERRIS BLVD WIDENING PRJ SVCS	2,266.02
				PERRIS BLVD WIDENING PRJ SVCS	7,933.98
	Vendor Total		**128,494.10**		
FYTD for BOYLE ENGINEERING CORPORATION			**351,610.62**		
CALPERS					
	6/25/2009	195760	1,580,000.00		
				FY 2008-09 ANNL. REQ. CONTRIB.	1,580,000.00
	Vendor Total		**1,580,000.00**		
FYTD for CALPERS			**1,595,218.82**		
CM SCHOOL SUPPLY					
	6/11/2009	195511	74,697.34		
				CRAFT SUPPLIES-STARS	82,755.67
				SALES TAX	7,241.12
				CREDIT FOR SUPPLIES	-15,299.45
	Vendor Total		**74,697.34**		
FYTD for CM SCHOOL SUPPLY			**90,748.39**		
COLOR TECH					
	6/11/2009	195512	26,058.45		
				CSD ANNUAL BROCHURES	2,122.81
				CSD ANNUAL BROCHURES	2,122.81
				CSD ANNUAL BROCHURES	2,122.81
				CSD ANNUAL BROCHURES	2,122.81
				CSD ANNUAL BROCHURES	2,122.81
				BALLOT MAILING SRVCS	2,600.00
				MAIL BALLOT PRINTING	12,741.00
				MAIL BALLOT PRINTING	139.00
				CREDIT FOR BROCHURES	-7.12
				CREDIT FOR BROCHURES	-7.12
				CREDIT FOR BROCHURES	-7.12
				CREDIT FOR BROCHURES	-7.12
				CREDIT FOR BROCHURES	-7.12
	Vendor Total		**26,058.45**		
FYTD for COLOR TECH			**38,629.14**		
CUSTOM CONCEPTS					
	6/30/2009	195917	33,005.63		
				FLEECE HOODIES FOR STARS	3,371.25
				POLOS FOR STARS	13,457.81
				T-SHIRTS FOR STARS	16,176.57
	Vendor Total		**33,005.63**		
FYTD for CUSTOM CONCEPTS			**33,800.48**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
DATA TICKET, INC.					
	6/4/2009	195363	36,483.53		
				FEB'09 TICKET PROCESSING SRVCS	4,106.90
				FEB'09 TICKET PROCESSING SRVCS	14,909.26
				MAR'09 TICKET PROCESSING SRVCS	17,467.37
		Vendor Total	**36,483.53**		
FYTD for DATA TICKET, INC.			**186,401.60**		

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
EASTERN MUNICIPAL WATER DISTRICT					
	6/11/2009	195520	45,938.46		
				WATER UTILITY	1,813.81
				WATER UTILITY	36.82
				WATER UTILITY	3,688.90
				WATER UTILITY	114.66
				WATER UTILITY	14,980.04
				WATER UTILITY	9,965.56
				WATER UTILITY	2,143.83
				WATER UTILITY	5,057.84
				WATER UTILITY	2,441.43
				WATER UTILITY	2,062.94
				WATER UTILITY	1,152.44
				WATER UTILITY	652.02
				WATER UTILITY	217.45
				WATER UTILITY	380.96
				WATER UTILITY	235.37
				WATER UTILITY	53.44
				WATER UTILITY	267.94
				WATER UTILITY	353.03
				WATER UTILITY	319.98
	6/25/2009	195775	55,197.73		
				WATER UTILITY-SUBSTN. LANDSC.	84.69
				WATER UTILITY	1,481.33
				WATER UTILITY	1,289.58
				WATER UTILITY	655.56
				WATER UTILITY	793.66
				WATER UTILITY	22,110.18
				WATER UTILITY	6,426.86
				WATER UTILITY	1,125.65
				WATER UTILITY	7,957.62
				WATER UTILITY	3,262.04
				WATER UTILITY	4,147.26
				WATER UTILITY	252.22
				WATER UTILITY	47.82
				WATER UTILITY	1,930.28
				WATER UTILITY	1,511.11
				WATER UTILITY	810.82
				WATER UTILITY	390.88
				WATER UTILITY	268.50
				WATER UTILITY	327.25
				WATER UTILITY	43.36
				WATER UTILITY	281.06
	Vendor Total		**101,136.19**		
FYTD for EASTERN MUNICIPAL WATER DISTRICT			**1,229,992.35**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
EMPLOYMENT DEVELOPMENT DEPARTMENT				
6/5/2009	2422	46,460.85		
			STATE INCOME TAX WITHHELD	46,460.85
6/19/2009	2432	50,048.74		
			STATE INCOME TAX WITHHELD	50,048.74
6/28/2009	2435	29,699.36		
			STATE INCOME TAX WITHHELD	29,699.36
Vendor Total		**126,208.95**		
FYTD for EMPLOYMENT DEVELOPMENT DEPARTMENT		**1,347,806.34**		
ENCO UTILITY SERVICES MORENO VALLEY LLC				
6/4/2009	195369	96,609.21		
			DIST. CHRGS>3/9/09	98,483.81
			SPCL CHRGS>3/9/09	5,822.90
			W/O UNCOLLECTABLE ACCTS	-7,697.50
Vendor Total		**96,609.21**		
FYTD for ENCO UTILITY SERVICES MORENO VALLEY LLC		**2,116,842.68**		
FULBRIGHT & JAWORSKI, L.L.P.				
6/11/2009	195533	36,360.69		
			APR'09 LGL SRVCS-UTILITIES	36,360.69
Vendor Total		**36,360.69**		
FYTD for FULBRIGHT & JAWORSKI, L.L.P.		**390,881.60**		
HARRIS & ASSOCIATES, INC.				
6/18/2009	195666	28,270.08		
			SUNNYMD BLVD REVIT. PROJ SVCS	4,570.56
			SUNNYMD BLVD REVIT. PROJ SVCS	6,684.48
			SUNNYMD BLVD REVIT. PROJ SVCS	17,015.04
Vendor Total		**28,270.08**		
FYTD for HARRIS & ASSOCIATES, INC.		**472,771.59**		
IAC ENGINEERING, INC.				
6/30/2009	195918	664,779.74		
			PSB PARKING LOT EXPANSION PROJ	643,145.61
			PSB PARKING LOT EXPANSION PROJ	21,634.13
Vendor Total		**664,779.74**		
FYTD for IAC ENGINEERING, INC.		**1,021,973.18**		
ICMA RETIREMENT CORP 457				
6/28/2009	2437	33,480.00		
			DEFERRED COMP 457	33,480.00
Vendor Total		**33,480.00**		
FYTD for ICMA RETIREMENT CORP 457		**358,281.42**		

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
INTERNAL REVENUE SERVICE					
	6/5/2009	2421	175,470.32		
				FEDERAL INCOME TAX WITHHELD	175,470.32
	6/19/2009	2431	194,320.78		
				FEDERAL INCOME TAX WITHHELD	194,320.78
	6/28/2009	2434	138,504.39		
				FEDERAL INCOME TAX WITHHELD	138,504.39
	Vendor Total		**508,295.49**		
FYTD for INTERNAL REVENUE SERVICE			**5,236,415.30**		
KELLY EQUIPMENT, INC.					
	6/30/2009	195920	399,715.95		
				STORM DRAIN CLEANING TRUCK	359,948.00
				FREIGHT CHARGE	8,255.00
				CALIF. TIRE FEE	17.50
				CA SALES TAX	27,895.97
				CA SALES TAX	3,599.48
	Vendor Total		**399,715.95**		
FYTD for KELLY EQUIPMENT, INC.			**399,715.95**		
LIM & NASCIMENTO ENGINEERING CORP.					
	6/4/2009	195407	128,948.55		
				TEMCO ST. SIDEWALK IMPRV SVCS.	2,962.50
				VOUGHT ST SIDEWALK IMPRV SVCS.	3,537.50
				BOEING/MCDONNEL ST SIDEWLK IMP	4,377.50
				IRONWOOD ST IMPRV-HEACOCK>PERR	25,950.00
				IRONWOOD ST IMPRV-HEACOCK>PERR	92,121.05
	6/11/2009	195549	184,332.76		
				IRONWOOD AVE ST IMPRVS. PROJ	184,332.76
	6/18/2009	195675	41,717.34		
				PERRIS BLVD WIDENING>RAMONA XP	41,717.34
	6/18/2009	195676	46,331.56		
				INDIAN BASIN DRAINAGE IMP PROJ	46,331.56
	Vendor Total		**401,330.21**		
FYTD for LIM & NASCIMENTO ENGINEERING CORP.			**1,041,598.74**		
MATICH CORPORATION					
	6/25/2009	195817	27,310.86		
				ASPHALTIC MATERIAL-PROM PROJ.	9,072.08
				ASPHALTIC MATERIAL-PROM PROJ.	7,513.93
				ASPHALTIC MATERIAL-PROM PROJ.	206.00
				ASPHALTIC MATERIAL-PROM PROJ.	2,607.09
				ASPHALTIC MATERIAL-PROM PROJ.	7,911.76
	Vendor Total		**27,310.86**		
FYTD for MATICH CORPORATION			**108,731.23**		

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MORENO VALLEY UTILITY					
	6/18/2009	195686	52,754.79		
				ELECTRICITY CHRGS	107.80
				ELECTRICITY CHRGS	1,007.61
				ELECTRICITY CHRGS	145.75
				ELECTRICITY CHRGS	1,365.09
				ELECTRICITY CHRGS	12,601.29
				ELECTRICITY CHRGS	10,938.64
				ELECTRICITY CHRGS	3,419.22
				ELECTRICITY CHRGS	6,745.67
				ELECTRICITY CHRGS	929.02
				ELECTRICITY CHRGS	645.16
				ELECTRICITY CHRGS	9,174.24
				ELECTRICITY CHRGS	4,989.96
				ELECTRICITY CHRGS	172.95
				ELECTRICITY CHRGS	105.51
				ELECTRICITY CHRGS	66.12
				ELECTRICITY CHRGS	49.59
				ELECTRICITY CHRGS	50.18
				ELECTRICITY CHRGS	135.68
				ELECTRICITY CHRGS	105.31
	Vendor Total		**52,754.79**		
FYTD for MORENO VALLEY UTILITY			**792,452.48**		
NATIONWIDE RETIREMENT SOLUTIONS					
	6/5/2009	2418	32,719.35		
				DEFERRED COMP 457 & 401(a)	32,719.35
	6/19/2009	2428	91,838.13		
				DEFERRED COMP 457 & 401(a)	91,838.13
	6/28/2009	2436	59,041.08		
				DEFERRED COMP 457 & 401(a)	59,041.08
	Vendor Total		**183,598.56**		
FYTD for NATIONWIDE RETIREMENT SOLUTIONS			**1,267,157.81**		
ONESOURCE DISTRIBUTORS, INC.					
	6/11/2009	195568	184,529.27		
				ELECTR CABLE, SWITCH, MATERIAL	169,472.10
				CA SALES TAX	14,828.79
				ELECTR CABLE, SWITCH, MATERIAL	210.00
				CA SALES TAX	18.38
	Vendor Total		**184,529.27**		
FYTD for ONESOURCE DISTRIBUTORS, INC.			**229,407.37**		

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
PARSONS TRANSPORTATION GROUP, INC.					
	6/25/2009	195842	259,530.44		
				SR-60/MOR. BEACH DR INTERCHG	84,720.70
				SR-60/NASON ST OVRCRSSNG PROJ.	44,186.89
				SR-60/MOR. BEACH DR INTERCHG	130,227.34
				SR-60/MOR. BEACH EB OFF RAMP	395.51
	Vendor Total		**259,530.44**		
FYTD for PARSONS TRANSPORTATION GROUP, INC.			**1,978,359.51**		
PERS HEALTH INSURANCE					
	6/4/2009	80608	177,942.44		
				EMPLOYEE HEALTH INSURANCE	177,942.44
	Vendor Total		**177,942.44**		
FYTD for PERS HEALTH INSURANCE			**2,605,964.85**		
PERS RETIREMENT					
	6/12/2009	2423	256,522.56		
				PERS RETIREMENT	256,522.56
	6/28/2009	2433	258,099.87		
				PERS RETIREMENT	258,099.87
	Vendor Total		**514,622.43**		
FYTD for PERS RETIREMENT			**6,984,512.15**		
PROACTIVE ENGINEERING CONSULTANTS, INC.					
	6/4/2009	195440	139,699.50		
				CACTUS AVE WIDENING STG 2 PROJ	97,026.00
				CACTUS AVE WIDENING STG 1 PROJ	42,673.50
	Vendor Total		**139,699.50**		
FYTD for PROACTIVE ENGINEERING CONSULTANTS, INC.			**886,876.65**		
REDFLEX TRAFFIC SYSTEMS, INC.					
	6/11/2009	195584	62,100.00		
				JAN'09 PHOTO ENF. SRVCS	12,420.00
				FEB'09 PHOTO ENF. SRVCS	12,420.00
				MAR'09 PHOTO ENF. SRVCS	12,420.00
				APR'09 PHOTO ENF. SRVCS	12,420.00
				DEC'08 PHOTO ENF. SRVCS	12,420.00
	Vendor Total		**62,100.00**		
FYTD for REDFLEX TRAFFIC SYSTEMS, INC.			**134,446.17**		
RIALTO CONSTRUCTION, INC.					
	6/25/2009	195855	75,314.96		
				AQUED. BIKEWAY-INDIAN ST.>FAY	75,314.96
	Vendor Total		**75,314.96**		
FYTD for RIALTO CONSTRUCTION, INC.			**133,598.83**		

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RIVERSIDE COUNTY SHERIFF					
	6/2/2009	80602	2,654,233.92		
				CONTRCT LAW ENFORCEMNT BILL#9	2,654,233.92
	6/16/2009	80603	3,055,024.94		
				CONTRCT LAW ENFORCEMNT BILL#10	3,055,024.94
	6/28/2009	80604	769,489.25		
				CONTRCT LAW ENFORCEMNT RATE ADJ	769,489.25
	Vendor Total		**6,478,748.11**		
FYTD for RIVERSIDE COUNTY SHERIFF			**35,523,581.07**		
ROESLING NAKAMURA TERADA ARCHITECTS, INC					
	6/25/2009	195862	72,469.12		
				PUB SAFETY BLDG RENOVATION PRJ	72,469.12
	Vendor Total		**72,469.12**		
FYTD for ROESLING NAKAMURA TERADA ARCHITECTS, INC			**149,655.93**		
SANTA ANA WATERSHED ASSOCIATION					
	6/11/2009	195594	75,000.00		
				WETLAND CREATION FEES-KITCHING	75,000.00
	Vendor Total		**75,000.00**		
FYTD for SANTA ANA WATERSHED ASSOCIATION			**75,000.00**		
SEMPRA ENERGY SOLUTIONS					
	6/25/2009	195868	684,480.77		
				MAY'09 POWER PURCHASE	684,480.77
	Vendor Total		**684,480.77**		
FYTD for SEMPRA ENERGY SOLUTIONS			**7,218,229.29**		

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
SOUTHERN CALIFORNIA EDISON					
	6/11/2009	195599	218,336.31		
				ST. LIGHTS-PIGEON PASS RD PROJ	43,640.66
				ST. LIGHTS-PIGEON PASS RD PROJ	20,132.47
				ST. LIGHTS-PIGEON PASS RD PROJ	72,523.21
				ST. LIGHTS-PIGEON PASS RD PROJ	22,302.32
				ST. LIGHTS-PIGEON PASS RD PROJ	59,737.65
	6/18/2009	195711	147,232.52		
				ELECTRICITY CHRGS	993.48
				ELECTRICITY CHRGS	43.41
				ELECTRICITY CHRGS	430.02
				ELECTRICITY CHRGS	61.83
				ELECTRICITY CHRGS	770.15
				ELECTRICITY CHRGS	129.15
				ELECTRICITY CHRGS	1,033.82
				ELECTRICITY CHRGS	446.60
				ELECTRICITY CHRGS	979.02
				ELECTRICITY CHRGS	742.60
				ELECTRICITY CHRGS	622.76
				ELECTRICITY CHRGS	1,127.20
				ELECTRICITY CHRGS	2,384.83
				ELECTRICITY CHRGS	994.34
				ELECTRICITY CHRGS	1,483.42
				ELECTRICITY CHRGS	94,805.34
				ELECTRICITY CHRGS	35,694.39
				ELECTRICITY CHRGS	4,061.56
				ELECTRICITY CHRGS	121.19
				ELECTRICITY CHRGS	18.56
				ELECTRICITY CHRGS	20.45
				ELECTRICITY CHRGS	60.35
				ELECTRICITY CHRGS	77.23
				ELECTRICITY CHRGS	37.14
				ELECTRICITY CHRGS	93.68
	6/25/2009	195874	31,896.38		
				MAY'09 WDAT>SUBSTATION	11,031.95
				MAY'09 WDAT>FREDERICK	2,457.09
				MAY'09 WDAT>NANDINA	2,647.31
				MAY'09 WDAT>GLOBE	9,407.16
				MAY'09 WDAT>GRAHAM	3,727.65
				MAY'09 WDAT>IRIS	2,625.22
	Vendor Total		**397,465.21**		
FYTD for SOUTHERN CALIFORNIA EDISON			**3,082,369.11**		
STANDARD INSURANCE CO					
	6/11/2009	195605	37,914.60		
				LIFE & DISB. INSURANCE	16,544.36
				LIFE & DISB. INSURANCE	21,637.35
				LIFE & DISB. INSURANCE	-267.11
	Vendor Total		**37,914.60**		
FYTD for STANDARD INSURANCE CO			**500,715.00**		

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STEP BY STEP EXPRESSIONS, INC				
6/30/2009	195927	96,000.00		
			LYRICAL LESSON KITS/STARS	96,000.00
			SALES TAX	8,400.00
			SALES TAX	-8,400.00
Vendor Total		**96,000.00**		
FYTD for STEP BY STEP EXPRESSIONS, INC		**96,000.00**		
TEACHER CREATED MATERIALS, INC.				
6/4/2009	195473	55,099.07		
			10164 READER'S THEATER SET	26,969.66
			11850 THEMED READER'S THEATER	18,204.41
			MS BUNDLE MIDDLE SCHOOL KIT	5,285.08
			SHIPPING CHARGE	4,639.92
Vendor Total		**55,099.07**		
FYTD for TEACHER CREATED MATERIALS, INC.		**55,099.07**		
TYNER PAVING COMPANY				
6/30/2009	195930	29,977.20		
			IRIS AVE IMPRVMNTS PROJ SVCS	29,977.20
Vendor Total		**29,977.20**		
FYTD for TYNER PAVING COMPANY		**29,977.20**		
U.S. BANK/CALCARDS				
6/11/2009	80627	63,263.74		
			CALCARD PYMT CYCLE END 06/08/09	63,263.74
6/1/2009	80617	104,032.49		
			CALCARD PYMT CYCLE END 05/22/09	104,032.49
6/28/2009	80629	107,140.11		
			CALCARD PYMT CYCLE END 06/22/09	107,140.11
Vendor Total		**274,436.34**		
FYTD for U.S. BANK/CALCARDS		**2,218,442.14**		
UNION BANK OF CALIFORNIA				
6/3/2009	80620	49,108.88		
			RETENTION PYMT FOR PROJ. 89280221	49,108.88
Vendor Total		**49,108.88**		
FYTD for UNION BANK OF CALIFORNIA		**498,888.73**		

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
UNION BANK OF CALIFORNIA NA				
6/10/2009	80607	1,000,000.00		
			FNMA 2% STPUP 4% MAT 06/10/14	1,000,000.00
6/18/2009	80628	1,080,737.08		
			FHLB 4.875% MATURING 12/13/13	1,080,737.08
6/11/2009	80609	999,400.00		
			FHLMC 2% MATURING 12/11/12	999,400.00
6/10/2009	80606	1,000,000.00		
			FNMA 2.25% MATURING 12/10/12	1,000,000.00
6/9/2009	80623	1,139,400.00		
			TENN VLLY AUTH 6% MAT 3/15/13	1,139,400.00
6/1/2009	80605	1,000,000.00		
			FNMA1.4% STPUP-2.5% MAT 6/1/12	1,000,000.00
6/15/2009	80625	991,790.00		
			US BNCORP TLGP 1.8%MAT 5/15/12	991,790.00
6/8/2009	80621	1,001,320.14		
			FNMA 2.9% MATURING 04/7/14	1,001,320.14
6/2/2009	80615	1,019,498.89		
			M STANLEY TLGP 2% MAT 9/22/11	1,019,498.89
6/3/2009	80613	1,000,000.00		
			FFCB 2.7% MAT 6/3/13	1,000,000.00
6/1/2009	80611	1,000,000.00		
			FHLB 1.3% MAT 6/1/11	1,000,000.00
6/4/2009	80616	996,990.00		
			CITIBANK TLGP 1.875%MAT 6/4/12	996,990.00
6/18/2009	80612	1,000,000.00		
			FHLB 2.1% MAT 12/18/12	1,000,000.00
6/16/2009	80610	1,000,000.00		
			FHLMC 3.125% MAT 06/16/14	1,000,000.00
6/17/2009	80626	1,000,000.00		
			FFCB 3.75% MATURING 6/17/14	1,000,000.00
6/28/2009	80622	1,000,000.00		
			FNMA 2.25% MATURING 12/24/12	1,000,000.00
6/28/2009	80614	1,000,000.00		
			FHLMC 3.45% MATURING 06/25/14	1,000,000.00
6/28/2009	80618	1,000,000.00		
			FHLB 3% MATURING 12/24/13	1,000,000.00
	Vendor Total	**18,229,136.11**		
FYTD for UNION BANK OF CALIFORNIA NA		**101,378,863.76**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
VA CONSULTING, INC.				
6/30/2009	195932	32,714.27		
			AUTO MALL IMPRVMNTS PROJ SVCS	27,301.89
			AUTO MALL IMPRVMNTS PROJ SVCS	3,804.08
			AUTO MALL IMPRVMNTS PROJ SVCS	1,608.30
Vendor Total		**32,714.27**		
FYTD for VA CONSULTING, INC.		**658,577.06**		
WASTE MANAGEMENT				
6/11/2009	195626	847,840.91		
			MAY'09 DELINQ. CLLCTNS	730,800.85
			MAY'09 DELINQ. CLLCTNS	117,040.06
Vendor Total		**847,840.91**		
FYTD for WASTE MANAGEMENT		**1,874,625.65**		
WELLS FARGO CORPORATE TRUST				
6/28/2009	80624	1,672,447.67		
			DEBT SERVICE - SPECIAL TAXES	1,672,447.67
Vendor Total		**1,672,447.67**		
FYTD for WELLS FARGO CORPORATE TRUST		**9,943,712.33**		
Subtotal		**35,238,201.64**		

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
CHECKS LESS THAN $25,000				
3M LIBRARY SYSTEMS, INC.				
6/4/2009	195333	1,784.00		
			RNWL FOR SELF CK MACH	1,784.00
Vendor Total		**1,784.00**		
FYTD for 3M LIBRARY SYSTEMS, INC.		**1,784.00**		
ABSOLUTE SOUND PRODUCTIONS, INC.				
6/4/2009	195334	4,240.00		
			PROD PKG DEP FOR 7/4/09	2,700.00
			STAGE & CONOPIES	770.00
			STAGE & CONOPIES	770.00
6/18/2009	195635	10,800.00		
			7/4/09 CNTRCT SRVCS	10,800.00
Vendor Total		**15,040.00**		
FYTD for ABSOLUTE SOUND PRODUCTIONS, INC.		**15,040.00**		
ACOSTA, ERNEST				
6/11/2009	195493	70.00		
			RFND-ANML SRVC FEES	30.00
			RFND-ANML SRVC FEES	20.00
			RFND-ANML SRVC FEES	10.00
			RFND-ANML SRVC FEES	10.00
Vendor Total		**70.00**		
FYTD for ACOSTA, ERNEST		**70.00**		
ACTIVE NETWORK, INC., THE				
6/25/2009	195736	500.00		
			CONSULTING HRS-ONLINE REG REV.	500.00
Vendor Total		**500.00**		
FYTD for ACTIVE NETWORK, INC., THE		**17,373.59**		
ADLERHORST INTERNATIONAL INC.				
6/4/2009	195335	98.96		
			MISC K-9 SUPPLIES	98.96
6/25/2009	195737	300.00		
			APR-JUN'09 K-9 TRAINING	300.00
Vendor Total		**398.96**		
FYTD for ADLERHORST INTERNATIONAL INC.		**18,474.44**		
ADVANCED APPLIED ENGINEERING, INC				
6/11/2009	195494	2,255.00		
			TS/ST IMPRV-SR60 WB & REDLANDS	2,255.00
Vendor Total		**2,255.00**		
FYTD for ADVANCED APPLIED ENGINEERING, INC		**80,221.50**		

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ADVANCED ELECTRIC					
	6/4/2009	195336	3,497.00		
				RPLCD BULBS AT SR CTR	264.00
				INSTL BREAKER FOR CRC	490.00
				RPLCD/REWIRED LIGHT @VET MEM	205.00
				SERVICE CALL @CRC	62.00
				ELECT RPRS @CTTNWD GLF CRS	1,198.00
				ELECT CIRCUITS @PSB	1,278.00
	6/11/2009	195495	2,935.00		
				ELECT. RPR @C&RC	411.00
				ELECT. RPR @ANML SRVCS	284.00
				ELECT. RPR @SR. CTR	1,592.00
				ELECT. RPR @SR. CTR	648.00
	Vendor Total		**6,432.00**		
FYTD for ADVANCED ELECTRIC			**73,139.00**		
AFSS - SOUTHERN DIVISION					
	6/25/2009	195738	50.00		
				ACTV MBR-CYNTHIA OWENS	50.00
	Vendor Total		**50.00**		
FYTD for AFSS - SOUTHERN DIVISION			**50.00**		
AHLERS, ROSCEAL					
	6/25/2009	195740	76.00		
				2 DAYS-INSTRUCT. SRVCS	76.00
	Vendor Total		**76.00**		
FYTD for AHLERS, ROSCEAL			**3,572.00**		
ALICEA, RICHARD					
	6/18/2009	195636	177.00		
				AFTER SCHOOL UNIV. MOD 1 TRNG	177.00
	6/25/2009	195741	89.65		
				MILEAGE REIMBURSEMENT	89.65
	Vendor Total		**266.65**		
FYTD for ALICEA, RICHARD			**1,682.45**		
ALLIANZ LIFE INSURANCE CO					
	6/11/2009	195496	150.00		
				NON-EXEMPT ANNUITY	150.00
	Vendor Total		**150.00**		
FYTD for ALLIANZ LIFE INSURANCE CO			**1,800.00**		

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
ALTURA CREDIT UNION					
	6/25/2009	195742	82.00		
				RFND-FALSE ALARM OVRPMT	82.00
	Vendor Total		**82.00**		
FYTD for ALTURA CREDIT UNION			**82.00**		
ALVAREZ, LISA MARIE					
	6/4/2009	195337	200.00		
				CITATION REFUND	200.00
	Vendor Total		**200.00**		
FYTD for ALVAREZ, LISA MARIE			**200.00**		
AMEC EARTH & ENVIRONMENTAL, INC.					
	6/25/2009	195743	2,921.60		
				AQUED. BIKEWAY-INDIAN ST.>FAY	2,921.60
	Vendor Total		**2,921.60**		
FYTD for AMEC EARTH & ENVIRONMENTAL, INC.			**3,281.60**		
AMERICAN FORENSIC NURSES					
	6/4/2009	195338	1,034.00		
				CHP BLOOD DRAWS	135.00
				MV BLOOD DRAWS	899.00
	6/25/2009	195744	1,210.00		
				BLOOD DRAWS	1,210.00
	Vendor Total		**2,244.00**		
FYTD for AMERICAN FORENSIC NURSES			**29,202.00**		
AMERICAN ROTARY BROOM CO.					
	6/4/2009	195339	4,574.77		
				STREET SWEEPING KITS	1,097.97
				STREET SWEEPING KITS	503.34
				STREET SWEEPING KITS	40.91
				STREET SWEEPING KITS	670.75
				STREET SWEEPING KITS	223.58
				STREET SWEEPING KITS	111.79
				STREET SWEEPING KITS	1,209.76
				STREET SWEEPING KITS	716.67
	6/11/2009	195497	716.67		
				MISC. BROOM KITS	716.67
	6/18/2009	195637	336.29		
				KITS FOR SWEEPER	336.29
	6/25/2009	195745	1,097.97		
				STREET SWEEPER KITS	1,097.97
	Vendor Total		**6,725.70**		
FYTD for AMERICAN ROTARY BROOM CO.			**34,298.14**		

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AMTECH ELEVATOR SERVICES				
6/4/2009	195340	118.37		
			MAY'09 MAINT SRVC>CITY HALL	118.37
Vendor Total		**118.37**		
FYTD for AMTECH ELEVATOR SERVICES		**1,715.26**		
ANIMAL EMERGENCY CLINIC, INC.				
6/18/2009	195638	55.00		
			EMERG. VET SERVICES	55.00
Vendor Total		**55.00**		
FYTD for ANIMAL EMERGENCY CLINIC, INC.		**4,295.00**		
ANIMAL PEST MANAGEMENT SERVICES, INC.				
6/25/2009	195746	1,790.00		
			MAY'09 PEST CNTRL>PARKS	665.00
			MAY'09 PEST CNTRL>AQDCTS	255.00
			MAY'09 PEST CNTRL>MRCH FLD	330.00
			MAY'09 PEST CNTRL>MRCH AIR	100.00
			MAY'09 PEST CNTRL>CFD #1	160.00
			MAY'09 PEST CNTRL>GLF CRS	180.00
			MAY'09 PEST CNTRL>STARS BLDG	100.00
Vendor Total		**1,790.00**		
FYTD for ANIMAL PEST MANAGEMENT SERVICES, INC.		**23,570.00**		
ANTI, CHARITY/SHEA				
6/11/2009	195498	75.00		
			RFND-SPAY/NEUTER DEPOSIT	75.00
Vendor Total		**75.00**		
FYTD for ANTI, CHARITY/SHEA		**75.00**		
APT US&C - ASSOC PUB TREAS US & CANADA				
6/11/2009	195499	260.00		
			ANNUAL DUES	260.00
Vendor Total		**260.00**		
FYTD for APT US&C - ASSOC PUB TREAS US & CANADA		**260.00**		
ARCHIVE MANAGEMENT SERVICE				
6/25/2009	195747	1,915.31		
			DESTRUCTION SRVC	70.80
			MAY'09 OFF-SITE STORAGE	1,728.31
			MAY'09 ARCHIVE RUSH DELIVERY	116.20
Vendor Total		**1,915.31**		
FYTD for ARCHIVE MANAGEMENT SERVICE		**25,069.92**		

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
ARMSTRONG, DWAYNE					
	6/25/2009	195748	849.81		
				LED AMBER RPLCMNT UNIT	849.81
	Vendor Total		**849.81**		
FYTD for ARMSTRONG, DWAYNE			**849.81**		
ARROWHEAD WATER					
	6/4/2009	195341	175.00		
				WTR PURIF>5/22/09-ANML SRVCS	50.00
				WTR PURIF>5/22/09-SR CTR	25.00
				WTR PURIF>5/22/09-ESA ANNX	25.00
				WTR PURIF>5/22/09-TS ANNX	25.00
				WTR PURIF>5/22/09-FACILITIES	25.00
				WTR PURIF>5/22/09-CRC	25.00
	6/18/2009	195639	0.23		
				WTR PURIF>5/22/09 @STARS	0.23
	6/25/2009	195749	200.01		
				WTR PURIF RENT>CITY HALL	125.01
				WTR PURIF RENT>CITY YARD	25.00
				WTR PURIF RENT>TRNSP TRLR	25.00
				WTR PURIF>6/8 LIBRARY	25.00
	Vendor Total		**375.24**		
FYTD for ARROWHEAD WATER			**6,236.80**		
ASSISTANCE LEAGUE OF RIVERSIDE					
	6/4/2009	195342	5,000.00		
				EXPENSE REIMBURSEMENT	5,000.00
	Vendor Total		**5,000.00**		
FYTD for ASSISTANCE LEAGUE OF RIVERSIDE			**5,000.00**		
AT&T MOBILITY					
	6/4/2009	195343	91.38		
				CELL CHRGS FOR P.D.	91.38
	Vendor Total		**91.38**		
FYTD for AT&T MOBILITY			**1,086.46**		
AT&T/MCI					
	6/25/2009	195750	238.79		
				GTF PH SRVCS>5/1/09	238.79
	Vendor Total		**238.79**		
FYTD for AT&T/MCI			**11,892.86**		

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AYALA, MARIA L.					
	6/4/2009	195344	50.00		
				CITATION REFUND	50.00
	Vendor Total		**50.00**		
FYTD for AYALA, MARIA L.			**50.00**		
BALISINSKI, GRETCHEN					
	6/25/2009	195751	722.00		
				17 DAYS-INSTRUCT. SRVCS	646.00
				2 DAYS-INSTRUCT. SRVCS	76.00
	Vendor Total		**722.00**		
FYTD for BALISINSKI, GRETCHEN			**2,356.00**		
BARNHURST, MARNIE					
	6/4/2009	195345	20.00		
				RFND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for BARNHURST, MARNIE			**20.00**		
BARTEL ASSOCIATES, LLC					
	6/4/2009	195346	3,025.00		
				APR'09 ACTUARIAL CNSLTNG SRVCS	1,270.00
				APR'09 ACTUARIAL CNSLTNG SRVCS	1,755.00
	Vendor Total		**3,025.00**		
FYTD for BARTEL ASSOCIATES, LLC			**17,955.00**		
BEMUS LANDSCAPE, INC.					
	6/4/2009	195347	231.10		
				IRRIGATION RPR>E-4	21.72
				IRRIGATION RPR>E-4	40.44
				IRRIGATION RPR>E-4	33.52
				IRRIGATION RPR>E-4	106.86
				IRRIGATION RPR>E-4	28.56
	6/11/2009	195500	8,338.30		
				FEB'09 LNDSCP MAINT @FS#50	480.00
				MAY'09 LNDSCP MAINT>E-1	7,249.49
				MAY'09 LNDSCP MAINT>E-1A	608.81
	Vendor Total		**8,569.40**		
FYTD for BEMUS LANDSCAPE, INC.			**584,081.37**		

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
BIO-TOX LABORATORIES					
	6/18/2009	195640	8,939.74		
				TOXICOLOGY TESTING	228.77
				TOXICOLOGY TESTING	1,201.16
				TOXICOLOGY TESTING	2,972.33
				TOXICOLOGY TESTING	2,004.98
				TOXICOLOGY TESTING	2,532.50
	6/25/2009	195753	34.23		
				TOXICOLOGY TESTS	34.23
	Vendor Total		**8,973.97**		
FYTD for BIO-TOX LABORATORIES			**51,091.08**		
BLOUNT, JACQUELINE					
	6/11/2009	195501	95.00		
				RFND-SPAY/NEUTER DEPOSIT	75.00
				RFND-RABIES DEPOSIT	20.00
	Vendor Total		**95.00**		
FYTD for BLOUNT, JACQUELINE			**95.00**		
BLUE SHIELD OF CALIFORNIA					
	6/18/2009	195641	812.21		
				J01001762-9 HLTH INS PREM	812.21
	6/25/2009	195754	483.32		
				J03201829-9 HLTH INS PREM	241.66
				J03201829-9>JULY'09 PREMIUM	241.66
	Vendor Total		**1,295.53**		
FYTD for BLUE SHIELD OF CALIFORNIA			**4,544.37**		
BOONE, ROBERT					
	6/11/2009	195502	50.00		
				RFND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for BOONE, ROBERT			**50.00**		
BOYLE ENGINEERING CORPORATION					
	6/18/2009	195642	17,500.00		
				PERRIS BLVD WIDENING PRJ SVCS	17,500.00
	Vendor Total		**17,500.00**		
FYTD for BOYLE ENGINEERING CORPORATION			**351,610.62**		
BREITKREUZ, THOMAS F.					
	6/11/2009	195503	67.35		
				APR-JUN'09 RET MED BNFT	67.35
	Vendor Total		**67.35**		
FYTD for BREITKREUZ, THOMAS F.			**2,134.70**		

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BRODART CO.					
	6/11/2009	195505	3,957.07		
				MISC. BOOKS FOR LIBRARY	69.07
				MISC. BOOKS FOR LIBRARY	43.26
				MISC. BOOKS FOR LIBRARY	25.16
				MISC. BOOKS FOR LIBRARY	25.16
				MISC. BOOKS FOR LIBRARY	90.56
				MISC. BOOKS FOR LIBRARY	155.37
				MISC. BOOKS FOR LIBRARY	136.20
				MISC. BOOKS FOR LIBRARY	116.84
				MISC. BOOKS FOR LIBRARY	18.90
				MISC. BOOKS FOR LIBRARY	25.73
				MISC. BOOKS FOR LIBRARY	43.25
				MISC. BOOKS FOR LIBRARY	459.34
				MISC. BOOKS FOR LIBRARY	27.56
				MISC. BOOKS FOR LIBRARY	422.39
				MISC. BOOKS FOR LIBRARY	242.06
				MISC. BOOKS FOR LIBRARY	18.87
				MISC. BOOKS FOR LIBRARY	20.09
				MISC. BOOKS FOR LIBRARY	135.24
				MISC. BOOKS FOR LIBRARY	101.69
				MISC. BOOKS FOR LIBRARY	316.56
				MISC. BOOKS FOR LIBRARY	225.08
				MISC. BOOKS FOR LIBRARY	21.03
				MISC. BOOKS FOR LIBRARY	19.48
				MISC. BOOKS FOR LIBRARY	28.50
				MISC. BOOKS FOR LIBRARY	49.24
				MISC. BOOKS FOR LIBRARY	28.80
				MISC. BOOKS FOR LIBRARY	38.15
				MISC. BOOKS FOR LIBRARY	18.46
				MISC. BOOKS FOR LIBRARY	29.76
				MISC. BOOKS FOR LIBRARY	389.94
				MISC. BOOKS FOR LIBRARY	14.15
				MISC. BOOKS FOR LIBRARY	19.68
				MISC. BOOKS FOR LIBRARY	14.77
				MISC. BOOKS FOR LIBRARY	241.16
				MISC. BOOKS FOR LIBRARY	289.45
				MISC. BOOKS FOR LIBRARY	36.12
	Vendor Total		**3,957.07**		
FYTD for BRODART CO.			**46,239.37**		
BROWN, TERENCE R.					
	6/25/2009	195756	252.00		
				RFND-ANML CITATION	252.00
	Vendor Total		**252.00**		
FYTD for BROWN, TERENCE R.			**252.00**		

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
BRUINS, COREY					
	6/4/2009	195348	210.00		
				CITATION REFUND	210.00
	Vendor Total		**210.00**		
FYTD for BRUINS, COREY			**210.00**		
BSN SPORTS					
	6/30/2009	195912	12,676.21		
				SOFTBALL EQUIP.-STARS	11,656.34
				SALES TAX	1,019.87
	Vendor Total		**12,676.21**		
FYTD for BSN SPORTS			**12,676.21**		
BURKE, WILLIAMS & SORENSEN, LLP.					
	6/25/2009	195757	18.70		
				APR'09 LGL SRVCS-CNTRY SQR MBL	18.70
	Vendor Total		**18.70**		
FYTD for BURKE, WILLIAMS & SORENSEN, LLP.			**38,314.30**		
BUTLER, BRANDON					
	6/4/2009	195349	52.00		
				CITATION REFUND	52.00
	Vendor Total		**52.00**		
FYTD for BUTLER, BRANDON			**52.00**		
BWI - BOOK WHOLESALERS, INC.					
	6/11/2009	195506	135.39		
				MISC. BOOKS FOR LIBRARY	92.50
				MISC. BOOKS FOR LIBRARY	14.63
				MISC. BOOKS FOR LIBRARY	28.26
	Vendor Total		**135.39**		
FYTD for BWI - BOOK WHOLESALERS, INC.			**41,046.39**		
CAL DEPT OF FORESTRY & FIRE PROTECTION					
	6/4/2009	195350	1,556.80		
				WEED ABTMNT-EQUESTRIAN CTR	1,556.80
	Vendor Total		**1,556.80**		
FYTD for CAL DEPT OF FORESTRY & FIRE PROTECTION			**1,556.80**		

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CALAVERAS STANDARD MATERIALS				
6/25/2009	195758	4,718.87		
			PORTLAND CEMENT FOR PROM PROJS	862.53
			PORTLAND CEMENT FOR PROM PROJS	508.08
			PORTLAND CEMENT FOR PROM PROJS	413.10
			PORTLAND CEMENT FOR PROM PROJS	830.53
			PORTLAND CEMENT FOR PROM PROJS	798.28
			PORTLAND CEMENT FOR PROM PROJS	540.32
			PORTLAND CEMENT FOR PROM PROJS	766.03
Vendor Total		**4,718.87**		
FYTD for CALAVERAS STANDARD MATERIALS		**37,439.74**		
CALIFORNIA AGRI-CONTROL, INC.				
6/4/2009	195351	1,532.67		
			MAY'09 RDNT CNTRL SRVCS	268.58
			MAY'09 RDNT CNTRL SRVCS	161.14
			MAY'09 RDNT CNTRL SRVCS	35.81
			MAY'09 RDNT CNTRL SRVCS	35.80
			MAY'09 RDNT CNTRL SRVCS	537.16
			MAY'09 RDNT CNTRL SRVCS	134.29
			MAY'09 RDNT CNTRL SRVCS	134.29
			MAY'09 RDNT CNTRL SRVCS	10.74
			MAY'09 RDNT CNTRL SRVCS	42.97
			MAY'09 RDNT CNTRL SRVCS	10.74
			MAY'09 RDNT CNTRL SRVCS	161.15
Vendor Total		**1,532.67**		
FYTD for CALIFORNIA AGRI-CONTROL, INC.		**18,204.22**		
CALIFORNIA STATE CONTROLLER'S OFFICE				
6/4/2009	195352	2,039.16		
			2008 REMITTANCE-UNCLMD CKS	2,039.16
Vendor Total		**2,039.16**		
FYTD for CALIFORNIA STATE CONTROLLER'S OFFICE		**2,045.24**		
CALIFORNIA TRANSCRIPTION, LLC				
6/25/2009	195759	76.75		
			APR'09 TRANSCRIPTION SRVCS	76.75
Vendor Total		**76.75**		
FYTD for CALIFORNIA TRANSCRIPTION, LLC		**2,594.43**		
CALLIHAN, DONALD				
6/4/2009	195353	20.00		
			RFND-RABIES DEPOSIT	20.00
Vendor Total		**20.00**		
FYTD for CALLIHAN, DONALD		**95.00**		

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
CAN YOU IMAGINE THAT, INC.					
	6/30/2009	195913	4,500.00		
				ARTS/CRAFT SUPPLIES FOR STARS	4,500.00
	Vendor Total		**4,500.00**		
FYTD for CAN YOU IMAGINE THAT, INC.			**4,500.00**		
CANON BUSINESS SOLUTIONS, INC.					
	6/18/2009	195643	2,002.20		
				COPIER SRVCS>9/18/09	2,002.20
	Vendor Total		**2,002.20**		
FYTD for CANON BUSINESS SOLUTIONS, INC.			**41,246.54**		
CANON FINANCIAL SERVICES, INC.					
	6/4/2009	195354	7,590.68		
				COPIER LEASE	7,059.29
				COPIER LEASE-SALES TAX	531.39
	Vendor Total		**7,590.68**		
FYTD for CANON FINANCIAL SERVICES, INC.			**90,459.72**		
CANYON SPRINGS HIGH SCHOOL					
	6/25/2009	195761	750.00		
				DEP RFND: 6/1 @C&RC	750.00
	Vendor Total		**750.00**		
FYTD for CANYON SPRINGS HIGH SCHOOL			**750.00**		
CARO, ARELI					
	6/18/2009	195644	20.00		
				RFND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for CARO, ARELI			**20.00**		
CEDERLIND, TERESA					
	6/4/2009	195355	75.00		
				RFND-SPAY/NEUTER DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for CEDERLIND, TERESA			**75.00**		
CEPO-CONTINUING EDUC FOR PUBLIC OFFICIAL					
	6/11/2009	195507	2,090.00		
				CEPO LEADERSHIP 2009-AUG 16-21	2,090.00
	Vendor Total		**2,090.00**		
FYTD for CEPO-CONTINUING EDUC FOR PUBLIC OFFICIAL			**2,090.00**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
CERTIFIED CREDIT REPORTING, INC				
6/25/2009	195762	18.66		
			MAY'09 CREDIT RPRT SRVCS	18.66
Vendor Total		**18.66**		
FYTD for CERTIFIED CREDIT REPORTING, INC		**184.29**		
CHAMBERS GROUP, INC.				
6/18/2009	195645	1,598.50		
			APR'09 PEER RVW SRVCS	730.99
			APR'09 PEER RVW SRVCS	867.51
Vendor Total		**1,598.50**		
FYTD for CHAMBERS GROUP, INC.		**77,116.22**		
CHANCY, CHIZURU				
6/11/2009	195508	187.20		
			HWN DNC-1 PARTICIPANT	23.40
			HWN DNC-2 PARTICIPANTS	46.80
			HWN DNC-3 PARTICIPANTS	70.20
			HWN DNC-2 PARTICIPANTS	46.80
Vendor Total		**187.20**		
FYTD for CHANCY, CHIZURU		**1,431.60**		
CHAVEZ, GAYLE				
6/11/2009	195509	20.00		
			RFND-RABIES DEPOSIT	20.00
Vendor Total		**20.00**		
FYTD for CHAVEZ, GAYLE		**95.00**		
CHOICE POINT BUSINESS AND GOVERNMENT				
6/4/2009	195356	500.00		
			APR'09 AUTO TRACK SRVCS	500.00
Vendor Total		**500.00**		
FYTD for CHOICE POINT BUSINESS AND GOVERNMENT		**6,000.00**		
CITY OF MORENO VALLEY VEBA TRUST				
6/11/2009	195510	4,862.50		
			EXEMPT VEBA	4,862.50
Vendor Total		**4,862.50**		
FYTD for CITY OF MORENO VALLEY VEBA TRUST		**40,287.50**		

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
CM SCHOOL SUPPLY					
	6/30/2009	195914	16,051.05		
				TV CARTS FOR STARS	13,776.00
				SALES TAX	1,205.40
				TV STRAPS FOR STARS	983.59
				SALES TAX	86.06
	Vendor Total		**16,051.05**		
FYTD for CM SCHOOL SUPPLY			**90,748.39**		
COAST FITNESS REPAIR SHOP					
	6/4/2009	195357	473.44		
				TREADMILL DRIVE MOTOR	473.44
	Vendor Total		**473.44**		
FYTD for COAST FITNESS REPAIR SHOP			**3,846.18**		
COLONIAL SUPPLEMENTAL INSURANCE					
	6/4/2009	195358	8,514.50		
				SUPPLEMENTAL INSURANCE	8,514.50
	Vendor Total		**8,514.50**		
FYTD for COLONIAL SUPPLEMENTAL INSURANCE			**102,073.49**		
COLOR ME MINE					
	6/19/2009	195731	15,415.31		
				ARTS & CRAFTS WORKSHOP	15,415.31
	6/30/2009	195915	16,600.69		
				CRAFTS INSTRUCT. & MATERIALS	16,600.69
	Vendor Total		**32,016.00**		
FYTD for COLOR ME MINE			**32,016.00**		
COMMUNITY ASSISTANCE PROGRAM - CAP					
	6/4/2009	195359	4,934.17		
				CDBG EXPENSE REIMB.	4,934.17
	6/25/2009	195763	2,339.75		
				CDBG EXPENSE REIMB.	2,339.75
	Vendor Total		**7,273.92**		
FYTD for COMMUNITY ASSISTANCE PROGRAM - CAP			**30,190.94**		
COMMUNITY HEALTH CHARITIES					
	6/11/2009	195513	385.00		
				CHC CONTRIBUTIONS	385.00
	6/25/2009	195764	385.00		
				CHC CONTRIBUTIONS	385.00
	Vendor Total		**770.00**		
FYTD for COMMUNITY HEALTH CHARITIES			**10,741.00**		

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CONTINUING EDUCATION OF THE BAR					
	6/18/2009	195646	249.96		
				LGL PUBLICATION UPDATE	249.96
	Vendor Total		**249.96**		
FYTD for CONTINUING EDUCATION OF THE BAR			**2,137.75**		
CONVERT-A-DOC					
	6/4/2009	195360	2,665.54		
				ELECTR. ARCHIVING OF B&S DOCS.	2,665.54
	Vendor Total		**2,665.54**		
FYTD for CONVERT-A-DOC			**52,935.45**		
CORONA, ADRIANA					
	6/25/2009	195765	75.00		
				RFND-SPAY/NEUTER DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for CORONA, ADRIANA			**75.00**		
COSTCO					
	6/4/2009	195361	491.79		
				COOKING CLUB SUPPLIES-STARS	294.23
				COOKING CLUB SUPPLIES-STARS	197.56
	6/18/2009	195647	1,332.24		
				COOKING CLUB SUPPLIES-STARS	534.91
				COOKING CLUB SUPPLIES-STARS	218.98
				COOKING CLUB SUPPLIES-STARS	287.36
				COOKING CLUB SUPPLIES-STARS	225.17
				COOKING CLUB SUPPLIES-STARS	65.82
	6/25/2009	195766	991.87		
				MISC. COOKING CLUB SUPPLIES	544.16
				MISC. COOKING CLUB SUPPLIES	184.43
				MISC. COOKING CLUB SUPPLIES	263.28
	6/30/2009	195916	150.59		
				COOKING SUPPLIES FOR STARS	150.59
	Vendor Total		**2,966.49**		
FYTD for COSTCO			**130,427.80**		
COUNSELING TEAM, THE					
	6/25/2009	195767	1,250.00		
				MAY'09 EMP. SPPRT SRVCS	1,250.00
	Vendor Total		**1,250.00**		
FYTD for COUNSELING TEAM, THE			**13,440.00**		

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
COUNTRY SQUIRE ESTATES					
	6/25/2009	195768	30.88		
				RFND UT USER TAXES-EXMPT RESID	30.88
	Vendor Total		**30.88**		
FYTD for COUNTRY SQUIRE ESTATES			**539.74**		
COVENTRY PET RESORT					
	6/4/2009	195362	310.56		
				K-9 DOG FOOD>BLUE	103.52
				K-9 DOG FOOD>LEX	103.52
				K-9 DOG FOOD>MAX	103.52
	Vendor Total		**310.56**		
FYTD for COVENTRY PET RESORT			**310.56**		
CREATIVE PROMOTIONAL IDEAS					
	6/25/2009	195769	416.64		
				SODA CAN LIDS	291.50
				SET UP CHARGE	50.00
				SHIPPING	30.00
				SALES TAX	25.51
				SODA CAN LIDS	19.63
	Vendor Total		**416.64**		
FYTD for CREATIVE PROMOTIONAL IDEAS			**3,246.79**		
CROOK, DEBBIE					
	6/25/2009	195770	61.00		
				REGIST RFND-YTH BSKTBL	61.00
	Vendor Total		**61.00**		
FYTD for CROOK, DEBBIE			**61.00**		
CTAI PACIFIC GREENSCAPE					
	6/18/2009	195648	7,478.66		
				MAY'09 LNDSCP SRVCS>DSG1-W	7,274.85
				IRRIGATION RPR>DSG1-W	115.46
				IRRIGATION RPR>DSG1-W	88.35
	Vendor Total		**7,478.66**		
FYTD for CTAI PACIFIC GREENSCAPE			**92,279.37**		
CUTLER, MEGGAN/RICHARD					
	6/11/2009	195514	20.00		
				RFND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for CUTLER, MEGGAN/RICHARD			**20.00**		

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D & D SERVICES DBA D & D DISPOSAL, INC.				
6/18/2009	195649	745.00		
			MAY'09 DISPOSAL SRVCS	745.00
Vendor Total		**745.00**		
FYTD for D & D SERVICES DBA D & D DISPOSAL, INC.		**8,890.00**		
DATAQUICK CORPORATE HEADQUARTERS				
6/25/2009	195771	430.50		
			MAY'09 ONLINE PROP. SRVCS	300.00
			MAY'09 ONLINE SRVCS	130.50
Vendor Total		**430.50**		
FYTD for DATAQUICK CORPORATE HEADQUARTERS		**7,507.00**		
DAVID EVANS & ASSOCIATES, INC.				
6/11/2009	195515	1,672.31		
			SUNNYMD BLVD REVIT. PROJ SVCS.	1,672.31
Vendor Total		**1,672.31**		
FYTD for DAVID EVANS & ASSOCIATES, INC.		**236,406.25**		
DAVIS, MATTHEW R.				
6/11/2009	195516	20.00		
			RFND-RABIES DEPOSIT	20.00
Vendor Total		**20.00**		
FYTD for DAVIS, MATTHEW R.		**20.00**		
DBX, INC.				
6/18/2009	195650	19,435.20		
			RETENTION RELEASE	19,284.00
			RETENTION RELEASE	151.20
Vendor Total		**19,435.20**		
FYTD for DBX, INC.		**485,089.00**		
DEBINAIRE COMPANY				
6/4/2009	195364	505.69		
			BOILER RPR @PSB	385.00
			BOILER RPR @PSB	1.06
			BOILER RPR @CITY HALL	119.63
Vendor Total		**505.69**		
FYTD for DEBINAIRE COMPANY		**1,922.85**		
DEFINITIVE FINANCIAL SOLUTIONS, LLC				
6/18/2009	195651	825.00		
			ONEWORLD CNSLTNG>5/27/09	825.00
Vendor Total		**825.00**		
FYTD for DEFINITIVE FINANCIAL SOLUTIONS, LLC		**6,900.00**		

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
DELTA DENTAL					
	6/4/2009	195365	12,580.90		
				EMPLOYEE DENTAL INSURANCE	12,580.90
	Vendor Total		**12,580.90**		
FYTD for DELTA DENTAL			**153,803.20**		
DELTACARE USA					
	6/11/2009	195517	7,020.79		
				EMPLOYEE DENTAL INSURANCE	6,884.21
				EMPLOYEE DENTAL INSURANCE	136.58
	Vendor Total		**7,020.79**		
FYTD for DELTACARE USA			**90,936.30**		
DIGITAL TELECOMMUNICATIONS CORP.					
	6/18/2009	195652	13,695.93		
				AVST CALLEXPRS VM-20%	13,695.93
	Vendor Total		**13,695.93**		
FYTD for DIGITAL TELECOMMUNICATIONS CORP.			**13,695.93**		
DLS LANDSCAPE, INC					
	6/25/2009	195772	16,419.56		
				JUN'09 LNDSCP MAINT>CFD#1	2,758.11
				JUN'09 LNDSCP MAINT>ZN A	13,661.45
	Vendor Total		**16,419.56**		
FYTD for DLS LANDSCAPE, INC			**211,711.61**		
DMC DESIGN GROUP, INC					
	6/4/2009	195366	14,644.99		
				ALESSANDRO BLVD IMPRV. PROJ.	14,644.99
	6/11/2009	195518	500.00		
				SUBSTATION LANDSC. PROJ SVCS.	500.00
	Vendor Total		**15,144.99**		
FYTD for DMC DESIGN GROUP, INC			**553,829.11**		
DONALD H. MAYNOR					
	6/25/2009	195773	3,078.04		
				APR-JUN'09 LGL SRVCS>UUT	3,078.04
	Vendor Total		**3,078.04**		
FYTD for DONALD H. MAYNOR			**12,312.16**		
DOUGLASS, VICTORIA					
	6/18/2009	195653	75.00		
				RFND-SPAY/NEUTER DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for DOUGLASS, VICTORIA			**75.00**		

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DREAMER PRODUCTIONS					
	6/18/2009	195654	13.50		
				SCRUBS FOR ANML SHELTER	13.50
	Vendor Total		**13.50**		
FYTD for DREAMER PRODUCTIONS			**73.30**		
DROUAILLET, CHRISTINA					
	6/4/2009	195367	200.00		
				RFND-ADMIN. CITATION	200.00
	Vendor Total		**200.00**		
FYTD for DROUAILLET, CHRISTINA			**200.00**		
DUFFY, VICKI L.					
	6/25/2009	195774	75.00		
				CPR INSTRUCTOR PAYMENT	75.00
	Vendor Total		**75.00**		
FYTD for DUFFY, VICKI L.			**75.00**		
DUGGAN, VIRGINIA					
	6/18/2009	195655	75.00		
				CPR INSTRUCTION PAYMENT	75.00
	Vendor Total		**75.00**		
FYTD for DUGGAN, VIRGINIA			**150.00**		
E.R. BLOCK PLUMBING & HEATING, INC.					
	6/11/2009	195519	255.00		
				SLOW DRAIN REPAIRS	170.00
				RESTROOM REPAIR	85.00
	6/18/2009	195656	35.00		
				BACKFLOW TESTING	35.00
	Vendor Total		**290.00**		
FYTD for E.R. BLOCK PLUMBING & HEATING, INC.			**36,310.73**		

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
EASTERN MUNICIPAL WATER DISTRICT					
	6/4/2009	195368	6,406.65		
				RECLAIMED WATER	398.64
				WATER UTILITY	111.85
				WATER UTILITY	516.88
				WATER UTILITY	1,378.81
				WATER UTILITY	2,632.29
				WATER UTILITY	181.93
				WATER UTILITY	279.58
				WATER UTILITY	497.42
				WATER UTILITY	84.67
				WATER UTILITY	324.58
	Vendor Total		**6,406.65**		
FYTD for EASTERN MUNICIPAL WATER DISTRICT			**1,229,992.35**		
EDFUND					
	6/11/2009	195521	268.52		
				GARNISHMENT	86.79
				GARNISHMENT	181.73
	6/25/2009	195776	297.96		
				GARNISHMENT	94.46
				GARNISHMENT	203.50
	Vendor Total		**566.48**		
FYTD for EDFUND			**3,158.88**		
EDGELANE MOBILE PARK					
	6/18/2009	195657	8.43		
				RFND UT USER TAXES-EXMPT RESID	8.43
	Vendor Total		**8.43**		
FYTD for EDGELANE MOBILE PARK			**133.54**		
EMERY MATERIALS, INC.					
	6/25/2009	195777	588.00		
				CONCRETE DISPOSAL	126.00
				CONCRETE DISPOSAL	126.00
				CONCRETE DISPOSAL	336.00
	Vendor Total		**588.00**		
FYTD for EMERY MATERIALS, INC.			**1,680.00**		
EMPLOYMENT DEVELOPMENT DEPARTMENT					
	6/3/2009	2455	1,581.52		
				STATE INCOME TAX WITHHELD	1,581.52
	6/16/2009	2425	1,249.06		
				STATE INCOME TAX WITHHELD	1,249.06
	Vendor Total		**2,830.58**		
FYTD for EMPLOYMENT DEVELOPMENT DEPARTMENT			**1,347,806.34**		

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ENCO UTILITY SERVICES MORENO VALLEY LLC					
	6/11/2009	195522	8,750.00		
				JUN'09 CBNT LS-LASSELLE	6.05
				JUN'09 CBNT LS-LASSELLE	1,243.95
				JUN'09 CBNT LS-GRAHAM	29.72
				JUN'09 CBNT LS-GRAHAM	1,220.28
				JUN'09 CBNT LS-KITCHING	35.58
				JUN'09 CBNT LS-KITCHING	1,214.42
				JUN'09 CBNT LS-CTTNWD	98.10
				JUN'09 CBNT LS-CTTNWD	1,151.90
				JUN'09 CBNT LS-FREDERICK	47.19
				JUN'09 CBNT LS-FREDERICK	1,202.81
				JUN'09 CBNT LS-INDIAN	130.84
				JUN'09 CBNT LS-INDIAN	1,119.16
				JUN'09 CBNT LS-IRIS	146.85
				JUN'09 CBNT LS-IRIS	1,103.15
	6/18/2009	195658	1,400.25		
				MAY'09 METER FEES	1,400.25
	Vendor Total		**10,150.25**		
FYTD for ENCO UTILITY SERVICES MORENO VALLEY LLC			**2,116,842.68**		
ENOKI EVENTS, LLC					
	6/4/2009	195370	3,100.00		
				TRAINING FOR STARS STAFF	2,500.00
				TRNG MATERIALS FOR STARS STAFF	600.00
	Vendor Total		**3,100.00**		
FYTD for ENOKI EVENTS, LLC			**3,100.00**		
ENVIRONMENTAL KLEAN-UP					
	6/18/2009	195659	257.00		
				NSNC ABTMNT:260191002	257.00
	Vendor Total		**257.00**		
FYTD for ENVIRONMENTAL KLEAN-UP			**51,084.79**		
ESPINOSA, PABLO MARTIN JR.					
	6/4/2009	195371	100.00		
				CITATION REFUND	100.00
	Vendor Total		**100.00**		
FYTD for ESPINOSA, PABLO MARTIN JR.			**100.00**		

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
EVANS ENGRAVING & AWARDS					
	6/4/2009	195372	30.17		
				PLAQUE FOR M. AYARS	28.28
				PLAQUE FOR M. AYARS	1.89
	6/11/2009	195523	229.47		
				NAME PLATES-ART COMM.	43.50
				PLAQUE-ERNIE VIGIL	30.45
				PLATES FOR P.D.	21.75
				PLAQUES FOR P.D.	97.88
				PLAQUE-V. GIRON	35.89
	Vendor Total		**259.64**		
FYTD for EVANS ENGRAVING & AWARDS			**2,472.76**		
EWING IRRIGATION PRODUCTS, INC.					
	6/25/2009	195778	591.49		
				IRRIGATION SUPPLIES	323.16
				IRRIGATION SUPPLIES	268.33
	Vendor Total		**591.49**		
FYTD for EWING IRRIGATION PRODUCTS, INC.			**17,602.53**		
EXCEL LANDSCAPE, INC					
	6/4/2009	195373	6,297.87		
				MAR'09 LNDSCP MAINT>WQF/09	1,127.00
				APR'09 LNDSCP MAINT>WQF/09	2,624.00
				APR'09 LNDSCP MAINT>PROM PK	1,487.11
				APR'09 LNDSCP MAINT>CELEB. PK	1,059.76
	6/11/2009	195524	2,624.00		
				MAY'09 LNDSCP MAINT>WQF/09	2,624.00
	6/18/2009	195660	2,820.41		
				MAY'09 LNDSCP MAINT>E-7	2,640.41
				PLANTING>E-7	180.00
	6/25/2009	195779	6,032.27		
				MAY'09 LNDSCP MAINT>E-8	1,487.11
				MAY'09 LNDSCP MAINT>E-15	1,059.76
				MAY'09 LNDSCP MAINT>E-14	3,426.80
				MISC. LANDSCAPING>E-8	32.88
				MISC. LANDSCAPING>E-8	25.72
	Vendor Total		**17,774.55**		
FYTD for EXCEL LANDSCAPE, INC			**433,705.81**		
FAIR HOUSING COUNCIL OF RIV CO, INC.					
	6/4/2009	195374	4,494.48		
				REQ #10-EXP REIMB.	4,494.48
	Vendor Total		**4,494.48**		
FYTD for FAIR HOUSING COUNCIL OF RIV CO, INC.			**53,896.77**		

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FALCON FUELS					
	6/4/2009	195375	7,275.66		
				FUEL PURCHASE	3,072.89
				FUEL PURCHASE	4,202.77
	6/11/2009	195525	10,711.09		
				FUEL PURCHASE	2,723.44
				FUEL PURCHASE	4,370.79
				FUEL PURCHASE	3,616.86
	6/25/2009	195780	12,694.28		
				FUEL PURCHASE	4,560.22
				FUEL PURCHASE	3,132.99
				FUEL PURCHASE	5,001.07
	Vendor Total		**30,681.03**		
FYTD for FALCON FUELS			**305,483.38**		
FELIX, VERONICA					
	6/25/2009	195781	61.00		
				REGIST RFND-YTH BSKTBL	61.00
	Vendor Total		**61.00**		
FYTD for FELIX, VERONICA			**61.00**		
FERRIS, GINA					
	6/25/2009	195782	60.00		
				TUITION REIMBURSEMENT	60.00
	Vendor Total		**60.00**		
FYTD for FERRIS, GINA			**60.00**		
FILARSKY & WATT, LLP					
	6/11/2009	195526	260.00		
				MAY'09 LGL SRVCS-H.R.	260.00
	Vendor Total		**260.00**		
FYTD for FILARSKY & WATT, LLP			**3,302.00**		

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
FIRST CHOICE SERVICES					
	6/4/2009	195376	58.76		
				COFFEE SRVC>SPCL DIST	58.76
	6/11/2009	195527	515.00		
				COFFEE SRVC-BRKRM	117.05
				COFFEE SRVC-CTY MGR AREA	87.59
				COFFEE SRVC-PW AREA	57.77
				COFFEE SRVC-PW AREA	100.46
				COFFEE SRVC-CNCL CHMBRS	116.94
				COFFEE SRVC-CNCL ALCV	27.64
				COFFEE SRVC-CTY YARD	7.55
	6/18/2009	195661	34.03		
				COFFEE SRVC>CRC	34.03
	Vendor Total		**607.79**		
FYTD for FIRST CHOICE SERVICES			**10,454.61**		
FITNESS 19 CA 155 11C					
	6/25/2009	195783	343.00		
				GYM MEMBERSHIP DEDUCTIONS	343.00
	Vendor Total		**343.00**		
FYTD for FITNESS 19 CA 155 11C			**5,071.00**		
FOGGO, MELISSA					
	6/11/2009	195528	75.00		
				RFND-SPAY/NEUTER DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for FOGGO, MELISSA			**75.00**		
FORENSIC EXPERT ADVISERS, INC.					
	6/11/2009	195529	768.30		
				EXPERT WITNESS SRVCS	768.30
	Vendor Total		**768.30**		
FYTD for FORENSIC EXPERT ADVISERS, INC.			**7,058.30**		
FOWLER, MELISSA ANN G.					
	6/25/2009	195784	760.00		
				20 DAYS-INSTRUCT. SRVCS	760.00
	Vendor Total		**760.00**		
FYTD for FOWLER, MELISSA ANN G.			**4,332.00**		

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
FRANCHISE TAX BOARD					
	6/11/2009	195530	19.58		
				GARNISHMENT	19.58
	6/11/2009	195531	190.00		
				GARNISHMENT	190.00
	Vendor Total		**209.58**		
FYTD for FRANCHISE TAX BOARD			**8,236.09**		
FRANKLIN, L. C.					
	6/11/2009	195532	233.75		
				MILEAGE REIMBURSEMENT	233.75
	6/25/2009	195785	143.55		
				MILEAGE REIMBURSEMENT	143.55
	Vendor Total		**377.30**		
FYTD for FRANKLIN, L. C.			**705.65**		
FRANZINO, ELIZABETH					
	6/25/2009	195786	722.00		
				18 DAYS-INSTRUCT. SRVCS	684.00
				1 DAY-INSTRUCT. SRVC	38.00
	Vendor Total		**722.00**		
FYTD for FRANZINO, ELIZABETH			**5,624.00**		
FRITT'S FORD					
	6/4/2009	195377	23,578.81		
				2009 FORD F150	22,351.21
				SALES TAX	1,735.85
				TIRE FEE	8.75
				LESS TRADE-IN	-517.00
	Vendor Total		**23,578.81**		
FYTD for FRITT'S FORD			**70,438.70**		
FROEHLICH, LAURA A.					
	6/18/2009	195662	2,500.00		
				FNL PMT>7/04/09 CNTRCT SRVCS	2,500.00
	Vendor Total		**2,500.00**		
FYTD for FROEHLICH, LAURA A.			**5,000.00**		
FULLER, NORMA DENISE					
	6/25/2009	195787	138.45		
				CNSLTNG SRVCS>3/3/09	138.45
	Vendor Total		**138.45**		
FYTD for FULLER, NORMA DENISE			**5,987.10**		

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
GALARDI GROUP					
	6/19/2009	195732	13,921.77		
				WIENRSCHNITZEL SIGN RELOC COST	13,921.77
	Vendor Total		**13,921.77**		
FYTD for GALARDI GROUP			**13,921.77**		
GALES, JAMES W. OR ELIZABETH N.					
	6/4/2009	195378	181.32		
				CITATION REFUND	181.32
	Vendor Total		**181.32**		
FYTD for GALES, JAMES W. OR ELIZABETH N.			**181.32**		
GALLEGOS, JAVIER					
	6/25/2009	195788	200.00		
				DEP RFND: 5/28 @TWNGTE	200.00
	Vendor Total		**200.00**		
FYTD for GALLEGOS, JAVIER			**200.00**		
GALLS INC., INLAND UNIFORM					
	6/11/2009	195534	303.75		
				PD UNIFORM-R. MORGAN	303.75
	6/25/2009	195789	118.27		
				UNIFORM>A. LIVELY	67.10
				UNIFORM>A. LIVELY	51.17
	Vendor Total		**422.02**		
FYTD for GALLS INC., INLAND UNIFORM			**3,714.87**		
GARCIA, AURORA					
	6/4/2009	195379	60.00		
				RFND-ANML SRVC FEES	30.00
				RFND-ANML SRVC FEES	10.00
				RFND-ANML SRVC FEES	10.00
				RFND-ANML SRVC FEES	10.00
	Vendor Total		**60.00**		
FYTD for GARCIA, AURORA			**60.00**		
GARCIA, ISMAEL					
	6/18/2009	195663	95.00		
				RFND-RABIES/SPAY/NEUTER DEP	20.00
				RFND-RABIES/SPAY/NEUTER DEP	75.00
	Vendor Total		**95.00**		
FYTD for GARCIA, ISMAEL			**95.00**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
GENERAL SECURITY SERVICES, INC.				
6/4/2009	195380	6,270.23		
			SEC. SRVCS>5/15/09	1,418.95
			SEC. SRVCS>3/6/09 SOCCER	460.20
			SEC. SRVCS>3/13/09 SOCCER	456.37
			SEC. SRVCS>3/20/09 SOCCER	460.20
			SEC. SRVCS>3/27/09 SOCCER	460.20
			SEC. SRVCS>4/3/09 SOCCER	460.20
			SEC. SRVCS>4/10/09 SOCCER	467.87
			SEC. SRVCS>4/17/09 SOCCER	460.20
			SEC. SRVCS>4/24/09 SOCCER	460.20
			SEC. SRVCS>5/1/09 SOCCER	460.20
			SEC. SRVCS>5/8/09 SOCCER	460.20
			SEC. SRVCS>5/16 @SR CTR	245.44
6/18/2009	195664	1,725.75		
			SEC. SRVCS>5/12 FOR PARKS	103.54
			SEC. SRVCS>5/12 FOR PARKS	80.54
			SEC. SRVCS>5/22 UTILITIES	61.36
			SEC. SRVCS>5/28 UTILITIES	214.76
			SEC. SRVCS>5/16 TWNGTE	145.73
			SEC. SRVCS>5/9 CRC	214.76
			SEC SRVCS: 5/7, 5/22 @TWNGTE	138.06
			SEC SRVCS: 5/9 @TWNGTE	107.38
			SEC SRVCS: 5/28, 5/30 @TWNGTE	168.74
			SEC SRVCS: 5/30 @C&RC	76.70
			SEC SRVCS: 6/5, 6/6 @C&RC	414.18
6/25/2009	195790	4,644.20		
			SEC SRVCS:1/31 @SR CTR	360.50
			SEC SRVCS:5/23 @SR CTR	291.46
			SECURITY SRVCS>5/23/09	1,399.78
			SECURITY SRVCS>5/30/09	1,173.51
			SECURITY SRVCS>6/6/09	1,418.95
Vendor Total		**12,640.18**		
FYTD for GENERAL SECURITY SERVICES, INC.		**115,493.13**		
GIBBS, GIDEN, LOCHER, TURNER & SENET LLP				
6/4/2009	195381	8,363.00		
			FEB'09 LGL FEES>TOVEY/SHULTZ	8,363.00
Vendor Total		**8,363.00**		
FYTD for GIBBS, GIDEN, LOCHER, TURNER & SENET LLP		**98,615.27**		
GIBSON, SANDRA L.				
6/25/2009	195791	75.00		
			CPR INSTRUCTOR PAYMENT	75.00
Vendor Total		**75.00**		
FYTD for GIBSON, SANDRA L.		**600.00**		

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
GILES, GREG					
	6/11/2009	195535	765.00		
				AUDIT SRVCS>6/10/09	765.00
	Vendor Total		**765.00**		
FYTD for GILES, GREG			**3,783.00**		
GOD'S HELPING HAND					
	6/4/2009	195382	833.36		
				CDBG EXPENSE REIMB.	416.68
				CDBG EXPENSE REIMB.	416.68
	Vendor Total		**833.36**		
FYTD for GOD'S HELPING HAND			**4,583.52**		
GONG ENTERPRISES, INC.					
	6/11/2009	195536	3,805.00		
				DRAINAGE REVIEW-PIGEON PASS RD	3,805.00
	Vendor Total		**3,805.00**		
FYTD for GONG ENTERPRISES, INC.			**17,237.28**		
GOODRICH, SHAWN					
	6/11/2009	195537	226.72		
				RFND-ADMIN. CITATION	226.72
	Vendor Total		**226.72**		
FYTD for GOODRICH, SHAWN			**226.72**		
GOZDECKI, DAN					
	6/4/2009	195383	513.00		
				KUNG FU-11 PARTICIPANTS	297.00
				KUNG FU-8 PARTICIPANTS	216.00
	Vendor Total		**513.00**		
FYTD for GOZDECKI, DAN			**6,388.80**		
GRANICUS, INC.					
	6/25/2009	195792	2,790.44		
				MAY'09 MANAGED SERVICE	1,350.00
				MAY'09 MANAGED SERVICE	45.22
				JUN'09 MANAGED SERVICE	1,350.00
				JUN'09 MANAGED SERVICE	45.22
	Vendor Total		**2,790.44**		
FYTD for GRANICUS, INC.			**19,792.94**		

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
GREINES, MARTIN, STEIN & RICHLAND, LLP					
	6/4/2009	195384	2,045.96		
				APR'09 LGL FEES>RISK MGT	2,045.96
	6/25/2009	195793	4,803.59		
				MAY'09 LGL SRVCS>K. GORDON	4,803.59
	Vendor Total		**6,849.55**		
FYTD for GREINES, MARTIN, STEIN & RICHLAND, LLP			**22,257.16**		
GUTIERREZ, RIGOBERTO OR EVANGELINA					
	6/4/2009	195385	50.00		
				CITATION REFUND	50.00
	Vendor Total		**50.00**		
FYTD for GUTIERREZ, RIGOBERTO OR EVANGELINA			**50.00**		
GUZMAN'S CART SERVICE					
	6/11/2009	195538	4,049.00		
				MAY'09 CART RTRVL SRVCS	4,049.00
	Vendor Total		**4,049.00**		
FYTD for GUZMAN'S CART SERVICE			**48,388.00**		
HALES, KIRSTIE					
	6/11/2009	195539	75.00		
				RFND-SPAY/NEUTER DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for HALES, KIRSTIE			**75.00**		
HARKINS REEL DEALS, LLC					
	6/25/2009	195794	24,758.00		
				66 VIP TCKT BOOKS-STARS	24,758.00
	Vendor Total		**24,758.00**		
FYTD for HARKINS REEL DEALS, LLC			**24,758.00**		
HARMONY ARTISTS, INC					
	6/4/2009	195386	4,250.00		
				HOTEL CALIF. PERFORMANCE	4,250.00
	6/18/2009	195665	4,250.00		
				7/4/09 PERFORMANCE-FNL PMT	4,250.00
	Vendor Total		**8,500.00**		
FYTD for HARMONY ARTISTS, INC			**8,500.00**		
HARRIS & ASSOCIATES, INC.					
	6/4/2009	195387	10,687.50		
				AUDIT SRVCS>CFD #5	10,687.50
	Vendor Total		**10,687.50**		
FYTD for HARRIS & ASSOCIATES, INC.			**472,771.59**		

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
HARRIS, SCOTT					
	6/4/2009	195388	864.00		
				TENNIS-4 PARTICIPANTS	192.00
				TENNIS-1 PARTICIPANT	48.00
				TENNIS-7 PARTICIPANTS	176.00
				TENNIS-7 PARTICIPANTS	160.00
				TENNIS-6 PARTICIPANTS	288.00
	Vendor Total		**864.00**		
FYTD for HARRIS, SCOTT			**2,448.00**		
HARTMANN, RICK					
	6/25/2009	195795	359.88		
				REIMBURSE-PER ADMIN PLCY #5.19	359.88
	Vendor Total		**359.88**		
FYTD for HARTMANN, RICK			**615.88**		
HAUSER, ADRIANA					
	6/25/2009	195796	874.00		
				20 DAYS-INSTRUCT. SRVCS	760.00
				3 DAYS-INSTRUCT. SRVCS	114.00
	Vendor Total		**874.00**		
FYTD for HAUSER, ADRIANA			**6,688.00**		
HDL COREN & CONE					
	6/25/2009	195797	4,387.50		
				APR-JUN'09 PROP. TAX SRVCS	4,387.50
	Vendor Total		**4,387.50**		
FYTD for HDL COREN & CONE			**25,170.18**		
HEILIGMAN, OTTO					
	6/25/2009	195798	1,794.00		
				RFND-ANML CITATION	1,794.00
	Vendor Total		**1,794.00**		
FYTD for HEILIGMAN, OTTO			**1,794.00**		

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
HIGH TECH IRRIGATION					
	6/25/2009	195799	4,250.19		
				IRRIGATION CONTROLLER	1,287.75
				FREIGHT	7.60
				SALES TAX	112.68
				IRRIGATION CONTROLLER	1,299.75
				FREIGHT	7.60
				SALES TAX	113.73
				IRRIGATION CONTROLLER	1,299.75
				FREIGHT	7.60
				SALES TAX	113.73
	Vendor Total		**4,250.19**		
FYTD for HIGH TECH IRRIGATION			**6,060.39**		
HOLLINS, TERRI					
	6/18/2009	195667	20.00		
				RFND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for HOLLINS, TERRI			**20.00**		
HOLMES, KEYISHA					
	6/11/2009	195540	20.40		
				RFND-BSKBL CLINIC REGIST.	20.40
	Vendor Total		**20.40**		
FYTD for HOLMES, KEYISHA			**82.42**		
HUGHEY, JOSEPH L.					
	6/25/2009	195800	875.00		
				RFND-ADMIN CITATION	875.00
	Vendor Total		**875.00**		
FYTD for HUGHEY, JOSEPH L.			**875.00**		
HUNNELL, HEATHER					
	6/4/2009	195389	95.00		
				RFND-RABIES/SPAY/NEUTER DEP	20.00
				RFND-RABIES/SPAY/NEUTER DEP	75.00
	Vendor Total		**95.00**		
FYTD for HUNNELL, HEATHER			**95.00**		
HUNT, DENISE					
	6/4/2009	195390	75.00		
				RFND-SPAY/NEUTER DEPOSIT	75.00
	6/11/2009	195541	20.00		
				RFND-RABIES DEPOSIT	20.00
	Vendor Total		**95.00**		
FYTD for HUNT, DENISE			**95.00**		

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
HYMES, DONNESHA					
	6/11/2009	195542	25.00		
				RFND-STARS SPORTS CLUB	25.00
	Vendor Total		**25.00**		
FYTD for HYMES, DONNESHA			**25.00**		
ICMA RETIREMENT CORP 457					
	6/5/2009	2420	13,565.49		
				DEFERRED COMP 457	13,565.49
	6/19/2009	2430	24,337.28		
				DEFERRED COMP 457	24,337.28
	Vendor Total		**37,902.77**		
FYTD for ICMA RETIREMENT CORP 457			**358,281.42**		
ICSC-INT'L. COUNCIL OF SHOPPING CENTERS					
	6/4/2009	195391	3,676.25		
				MAY'09 ADVERTISING	3,676.25
	Vendor Total		**3,676.25**		
FYTD for ICSC-INT'L. COUNCIL OF SHOPPING CENTERS			**11,078.75**		
IL SORRENTO MOBILE PARK					
	6/4/2009	195392	113.21		
				RFND UT USER TAXES-EXMPT RESID	113.21
	Vendor Total		**113.21**		
FYTD for IL SORRENTO MOBILE PARK			**2,084.17**		
IMPACT IMAGES, INC.					
	6/30/2009	195919	8,675.15		
				CANOPIES FOR STARS	5,514.00
				SIDE WALLS	816.82
				RAIL SKIRTS	1,390.48
				ROLLER BAGS	507.54
				STAKE KITS	241.53
				WEIGHT BAG SETS	204.78
	Vendor Total		**8,675.15**		
FYTD for IMPACT IMAGES, INC.			**8,675.15**		
ING USA ANNUITY & LIFE INSURANCE CO.					
	6/11/2009	195543	625.00		
				NON-EXEMPT ANNUITY	625.00
	Vendor Total		**625.00**		
FYTD for ING USA ANNUITY & LIFE INSURANCE CO.			**7,500.00**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
INLAND EMPIRE PROPERTY SERVICE, INC					
	6/11/2009	195544	252.00		
				PUMP POOL>482370007	252.00
	6/18/2009	195668	7,593.70		
				NSNC ABTMNT:478191027	254.00
				NSNC ABTMNT:486480040	233.00
				NSNC ABTMNT:478191027	550.00
				NSNC ABTMNT:479472004	500.00
				NSNC ABTMNT:482481031	120.00
				NSNC ABTMNT:482313017	79.00
				NSNC ABTMNT:260063031	254.00
				NSNC ABTMNT:474291017	254.00
				NSNC ABTMNT:479402035	252.00
				NSNC ABTMNT:486102015	285.00
				NSNC ABTMNT:312151025	252.00
				WEED ABTMNT:EQSTRN CTR	1,829.00
				WEED ABTMNT:MORRISON PRK	1,749.70
				WEED ABTMNT: 259240084	646.00
				WEED ABTMNT: MRRSN PK/YMCA	336.00
	Vendor Total		**7,845.70**		
FYTD for INLAND EMPIRE PROPERTY SERVICE, INC			**73,347.56**		
INSIDE PLANTS, INC.					
	6/11/2009	195545	316.00		
				JUN'09 PLANT MAINT.	316.00
	Vendor Total		**316.00**		
FYTD for INSIDE PLANTS, INC.			**3,792.00**		
INTERNAL REVENUE SERVICE					
	6/3/2009	2454	7,210.28		
				FEDERAL INCOME TAX WITHHELD	7,210.28
	6/17/2009	2424	6,439.31		
				FEDERAL INCOME TAX WITHHELD	6,439.31
	Vendor Total		**13,649.59**		
FYTD for INTERNAL REVENUE SERVICE			**5,236,415.30**		
ISS SWEEPING, INC.					
	6/25/2009	195801	2,503.50		
				MAY'09 STREET SWEEPING SRVCS	1,783.50
				MAY'09 STREET SWEEPING SRVCS	720.00
	Vendor Total		**2,503.50**		
FYTD for ISS SWEEPING, INC.			**29,623.52**		

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
ITERIS, INC.					
	6/4/2009	195393	2,663.50		
				ENGINEERING SVCS-ITS MSTR PLAN	2,663.50
	6/25/2009	195802	8,933.50		
				ENGINEERING SVCS-ITS MSTR PLAN	8,933.50
	Vendor Total		**11,597.00**		
FYTD for ITERIS, INC.			**98,590.00**		
J.D.H. CONTRACTING					
	6/4/2009	195394	2,000.00		
				INSTL CONCRETE PADS AT PARKS	2,000.00
	Vendor Total		**2,000.00**		
FYTD for J.D.H. CONTRACTING			**94,532.81**		
JABLONSKI, JESSICA L.					
	6/4/2009	195395	9.29		
				CITATION REFUND	9.29
	Vendor Total		**9.29**		
FYTD for JABLONSKI, JESSICA L.			**9.29**		
JDEDGE SOFTWARE, LLC					
	6/18/2009	195669	4,301.98		
				CNSLTNG SRVCS>5/21/09	4,301.98
	6/18/2009	195670	5,637.50		
				CNSLTNG SRVCS>6/12/09	5,637.50
	Vendor Total		**9,939.48**		
FYTD for JDEDGE SOFTWARE, LLC			**13,991.30**		
JEB & ASSOCIATES					
	6/18/2009	195671	3,959.20		
				RFND-PLANNING FEES	3,014.40
				RFND-PLANNING FEES	422.00
				RFND-PLANNING FEES	126.40
				RFND-PLANNING FEES	37.60
				RFND-PLANNING FEES	358.80
	Vendor Total		**3,959.20**		
FYTD for JEB & ASSOCIATES			**3,959.20**		
JENSEN, JOYCE					
	6/4/2009	195396	20.00		
				RFND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for JENSEN, JOYCE			**20.00**		

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JOB, SAMUEL					
	6/25/2009	195803	75.00		
				RFND-SPAY/NEUTER DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for JOB, SAMUEL			**75.00**		
JOE A. GONSALVES & SON					
	6/4/2009	195397	3,150.00		
				JUN'09 LEGIS. SERVICES	3,150.00
	Vendor Total		**3,150.00**		
FYTD for JOE A. GONSALVES & SON			**37,800.00**		
JOHNSON, SHANE OR ROBERTA					
	6/4/2009	195398	100.00		
				CITATION REFUND	100.00
	Vendor Total		**100.00**		
FYTD for JOHNSON, SHANE OR ROBERTA			**100.00**		
JONES, GLENN O.					
	6/4/2009	195399	714.00		
				CITATION REFUND	200.00
				CITATION REFUND	157.00
				CITATION REFUND	307.00
				CITATION REFUND	50.00
	Vendor Total		**714.00**		
FYTD for JONES, GLENN O.			**714.00**		
JOVEL, JOSE					
	6/11/2009	195546	20.00		
				RFND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for JOVEL, JOSE			**20.00**		
JTB SUPPLY CO., INC.					
	6/18/2009	195672	10,487.85		
				STREET LIGHT SUPPLIES	6,062.36
				STREET LIGHT SUPPLIES	4,425.49
	6/25/2009	195804	614.44		
				TRAFFIC SIGNAL PARTS	614.44
	Vendor Total		**11,102.29**		
FYTD for JTB SUPPLY CO., INC.			**270,452.71**		

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
K & S CONSTRUCTION SERVICES, INC.					
	6/4/2009	195400	3,993.00		
				24638 BAY AVE.-RET. RELEASE	3,993.00
	Vendor Total		**3,993.00**		
FYTD for K & S CONSTRUCTION SERVICES, INC.			**39,930.00**		
K. HOVNANIAN HOMES					
	6/4/2009	195401	12,416.64		
				RFND-BUS. LIC. OVRPMT	9,274.86
				RFND-BUS. LIC. OVRPMT	2,963.94
				RFND-BUS. LIC. OVRPMT	177.84
	Vendor Total		**12,416.64**		
FYTD for K. HOVNANIAN HOMES			**24,231.64**		
KANE, BALLMER & BERKMAN					
	6/25/2009	195805	896.25		
				MAY'09 LGL SRVCS>HOUSING	896.25
	Vendor Total		**896.25**		
FYTD for KANE, BALLMER & BERKMAN			**7,870.19**		
KDM MERIDIAN, INC.					
	6/4/2009	195402	10,880.00		
				SUNNYMD REVIT. PROJ SVCS.	9,980.00
				SURVEY SERVICES	900.00
	6/25/2009	195806	7,560.00		
				SUNNYMD BLVD BEAUTIFICAT. PROJ	7,560.00
	Vendor Total		**18,440.00**		
FYTD for KDM MERIDIAN, INC.			**91,520.00**		
KENNEALY, JENNIFER					
	6/4/2009	195403	95.00		
				RFND-RABIES/SPAY/NEUTER DEP	20.00
				RFND-RABIES/SPAY/NEUTER DEP	75.00
	Vendor Total		**95.00**		
FYTD for KENNEALY, JENNIFER			**95.00**		
KEPLER, JANELLE					
	6/18/2009	195673	244.10		
				PER DIEM/MILEAGE-AFTR SCH UNIV	67.10
				PER DIEM/MILEAGE-AFTR SCH UNIV	177.00
	Vendor Total		**244.10**		
FYTD for KEPLER, JANELLE			**244.10**		

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
KIDTRIBE					
	6/30/2009	195921	8,471.62		
				HOOPS PKGS FOR STARS	8,471.62
	Vendor Total		**8,471.62**		
FYTD for KIDTRIBE			**8,471.62**		
KIM, GARY J.					
	6/4/2009	195404	100.00		
				CITATION REFUND	100.00
	Vendor Total		**100.00**		
FYTD for KIM, GARY J.			**100.00**		
KIMLEY-HORN & ASSOC., INC.					
	6/11/2009	195547	2,111.31		
				I-215/CACTUS INTERCHG IMP PROJ	2,111.31
	Vendor Total		**2,111.31**		
FYTD for KIMLEY-HORN & ASSOC., INC.			**46,888.65**		
KOA CORPORATION					
	6/11/2009	195548	17,606.43		
				RECHE VISTA DR REALIGNMNT PROJ	17,606.43
	6/25/2009	195807	9,190.46		
				PERRIS BLVD WIDENING AT SR-60	9,190.46
	Vendor Total		**26,796.89**		
FYTD for KOA CORPORATION			**430,702.50**		
KOHLER, MARY ELIZABETH					
	6/4/2009	195405	50.00		
				RFND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for KOHLER, MARY ELIZABETH			**50.00**		
KUSTOM SIGNALS, INC.					
	6/25/2009	195808	1,466.55		
				BATTERY PACKS	34.27
				BATTERY PACKS	1,432.28
	Vendor Total		**1,466.55**		
FYTD for KUSTOM SIGNALS, INC.			**7,415.29**		
LANG, TRACEY					
	6/25/2009	195809	76.00		
				2 DAYS-INSTRUCT. SRVCS	76.00
	Vendor Total		**76.00**		
FYTD for LANG, TRACEY			**836.00**		

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
LANGEFELD, HEIDI					
	6/25/2009	195810	95.00		
				RFND-RABIES/SPAY/NEUTER DEP	75.00
				RFND-RABIES/SPAY/NEUTER DEP	20.00
	Vendor Total		**95.00**		
FYTD for LANGEFELD, HEIDI			**95.00**		
LAWN TECH EQUIPMENT					
	6/25/2009	195811	67.00		
				CHAIN SHARPENING	67.00
	Vendor Total		**67.00**		
FYTD for LAWN TECH EQUIPMENT			**1,073.60**		
LEAGUE OF CALIFORNIA CITIES-RIV CTY DIV					
	6/4/2009	195406	100.00		
				2009 MEMBERSHIP DUES	100.00
	Vendor Total		**100.00**		
FYTD for LEAGUE OF CALIFORNIA CITIES-RIV CTY DIV			**100.00**		
LEIGHTON CONSULTING, INC.					
	6/30/2009	195922	10,494.00		
				LASSELLE ST. WIDENING PRJ SVCS	10,494.00
	Vendor Total		**10,494.00**		
FYTD for LEIGHTON CONSULTING, INC.			**10,560.84**		
LEXISNEXIS					
	6/18/2009	195674	1,559.00		
				MAY'09 ONLINE LGL RSRCH	1,270.14
				MAY'09 ONLINE LGL RSRCH	288.86
	Vendor Total		**1,559.00**		
FYTD for LEXISNEXIS			**19,654.00**		
LIEBERT, CASSIDY, WHITMORE					
	6/25/2009	195812	2,000.00		
				TRAINING	2,000.00
	Vendor Total		**2,000.00**		
FYTD for LIEBERT, CASSIDY, WHITMORE			**3,050.00**		
LIENHARD, DORI A.					
	6/19/2009	195733	744.73		
				FSA MEDICAL EXPNSE REIMB	744.73
	Vendor Total		**744.73**		
FYTD for LIENHARD, DORI A.			**744.73**		

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LIM & NASCIMENTO ENGINEERING CORP.				
6/25/2009	195813	164.88		
			TEMCO ST. SIDEWALK IMPRV SVCS	53.10
			VOUGHT/BOEING ST SIDEWALK SVCS	55.08
			BOEING/MCDONNEL SIDEWALK SVCS	56.70
Vendor Total		**164.88**		
FYTD for LIM & NASCIMENTO ENGINEERING CORP.		**1,041,598.74**		
LOPEZ, DANIEL				
6/4/2009	195408	6.00		
			RFND-LIC. FEE OVRPMT	6.00
Vendor Total		**6.00**		
FYTD for LOPEZ, DANIEL		**6.00**		
LOPEZ, MANUEL				
6/18/2009	195677	16.00		
			RFND-DOG LICENSE(2 YRS)	16.00
Vendor Total		**16.00**		
FYTD for LOPEZ, MANUEL		**16.00**		
LOR GEOTECHNICAL GROUP, INC.				
6/4/2009	195409	500.00		
			RECHE VISTA DR REALIGNMNT SVCS	500.00
6/11/2009	195550	3,571.00		
			PIGEON PASS RD IMPRV PROJ SVCS	3,571.00
Vendor Total		**4,071.00**		
FYTD for LOR GEOTECHNICAL GROUP, INC.		**162,013.50**		
LOWERY, MARTIN LUTHER JR.				
6/4/2009	195410	50.00		
			CITATION REFUND	50.00
Vendor Total		**50.00**		
FYTD for LOWERY, MARTIN LUTHER JR.		**50.00**		
LUCERO, BOB & LYDIA				
6/25/2009	195814	20.00		
			RFND-RABIES DEPOSIT	20.00
Vendor Total		**20.00**		
FYTD for LUCERO, BOB & LYDIA		**20.00**		

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
LYNCH, MELVIN NATHANIEL					
	6/4/2009	195411	169.00		
				CITATION REFUND	91.00
				CITATION REFUND	78.00
	Vendor Total		**169.00**		
FYTD for LYNCH, MELVIN NATHANIEL			**169.00**		
LYON, JULIE					
	6/4/2009	195412	20.00		
				RFND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for LYON, JULIE			**20.00**		
MADDOX, JOSEPH					
	6/18/2009	195678	75.00		
				CPR INSTRUCTOR PAYMENT	75.00
	Vendor Total		**75.00**		
FYTD for MADDOX, JOSEPH			**150.00**		
MADDUX, TIM					
	6/4/2009	195413	50.00		
				RFND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for MADDUX, TIM			**50.00**		
MADISON-FAIRRER, MARGO					
	6/25/2009	195815	760.00		
				20 DAYS-INSTRUCT. SRVCS	760.00
	Vendor Total		**760.00**		
FYTD for MADISON-FAIRRER, MARGO			**6,004.00**		
MAGANA, CARRIE					
	6/11/2009	195551	114.00		
				RFND-ANML SRVC FEES	19.00
				RFND-ANML SRVC FEES	10.00
				RFND-ANML SRVC FEES	75.00
				RFND-ANML SRVC FEES	10.00
	Vendor Total		**114.00**		
FYTD for MAGANA, CARRIE			**114.00**		
MAKI, MARTHA					
	6/18/2009	195679	75.00		
				RFND-SPAY/NEUTER DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for MAKI, MARTHA			**95.00**		

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MARKETNET, INC.					
	6/11/2009	195552	862.10		
				JAR OPENERS	771.58
				SET UP FEE	35.00
				SHIPPING	55.52
	Vendor Total		**862.10**		
FYTD for MARKETNET, INC.			**2,335.04**		
MARQUEZ, THOMAS					
	6/11/2009	195553	75.00		
				RFND-SPAY/NEUTER DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for MARQUEZ, THOMAS			**75.00**		
MASSARI, ROCCO					
	6/25/2009	195816	95.00		
				RFND-RABIES/SPAY/NEUTER DEP	20.00
				RFND-RABIES/SPAY/NEUTER DEP	75.00
	Vendor Total		**95.00**		
FYTD for MASSARI, ROCCO			**95.00**		
MASTER BRAND CABINETS, INC					
	6/18/2009	195680	25.00		
				RFND-BUS. LIC. OVRPMT	25.00
	Vendor Total		**25.00**		
FYTD for MASTER BRAND CABINETS, INC			**25.00**		
MASTERCARE PROTECTION & CLEANING					
	6/4/2009	195414	11.48		
				RFND-BUS. LIC. OVRPMT	11.48
	Vendor Total		**11.48**		
FYTD for MASTERCARE PROTECTION & CLEANING			**11.48**		
MAXIMUS, INC.					
	6/11/2009	195554	4,125.00		
				PROF. SRVCS: COST ALLOCATION	4,125.00
	Vendor Total		**4,125.00**		
FYTD for MAXIMUS, INC.			**4,125.00**		
MAYER, CLAUDIA					
	6/25/2009	195818	57.00		
				RFND-BUS. LIC. OVRPMT	57.00
	Vendor Total		**57.00**		
FYTD for MAYER, CLAUDIA			**57.00**		

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
MBIA MUNISERVICES COMPANY					
	6/25/2009	195819	9,234.11		
				APR-JUN'09 UUT AUDIT SRVCS	9,234.11
	Vendor Total		**9,234.11**		
FYTD for MBIA MUNISERVICES COMPANY			**36,936.44**		
MC CAW, DOUGLAS					
	6/18/2009	195681	50.00		
				RFND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for MC CAW, DOUGLAS			**50.00**		
MCALLISTER, GERALD					
	6/18/2009	195682	78.43		
				REIMB.-W.C. ENERGY MGMT CONF.	78.43
	Vendor Total		**78.43**		
FYTD for MCALLISTER, GERALD			**980.06**		
MCDONOUGH, HOLLAND & ALLEN					
	6/4/2009	195415	24,619.12		
				JUL'08 LGL SRVCS>MVUSD	74.88
				AUG'08 LGL SRVCS>MVUSD	1,379.94
				SEPT'08 LGL SRVCS>MVUSD	4,935.72
				OCT'08 LGL SRVCS>MVUSD	92.04
				NOV'08 LGL SRVCS>MVUSD	149.76
				DEC'08 LGL SRVCS>MVUSD	485.04
				JAN'09 LGL SRVCS>MVUSD	2,373.80
				FEB'09 LGL SRVCS>MVUSD	8,086.52
				MAR'09 LGL SRVCS>MVUSD	7,041.42
	Vendor Total		**24,619.12**		
FYTD for MCDONOUGH, HOLLAND & ALLEN			**28,615.18**		
MCI WORLDCOM					
	6/25/2009	195820	963.85		
				MAY'09 LONG DIST. SRVC	963.85
	Vendor Total		**963.85**		
FYTD for MCI WORLDCOM			**3,571.35**		
MCKEE, HEATHER					
	6/11/2009	195555	75.00		
				RFND-SPAY/NEUTER DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for MCKEE, HEATHER			**75.00**		

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
MELAD & ASSOCIATES					
	6/11/2009	195556	5,552.35		
				MAR-APR'09 PLAN CK SRVCS	2,201.50
				PLAN CK SERVICES	3,350.85
	Vendor Total		**5,552.35**		
FYTD for MELAD & ASSOCIATES			**50,078.38**		
MENGISTU, YESHIALEM					
	6/11/2009	195557	134.75		
				MILEAGE REIMBURSEMENT	134.75
	Vendor Total		**134.75**		
FYTD for MENGISTU, YESHIALEM			**1,208.17**		
MENTOR GROUP, THE					
	6/11/2009	195558	4,725.00		
				APPRAISAL SVCS: SR-60/NASON ST	4,725.00
	Vendor Total		**4,725.00**		
FYTD for MENTOR GROUP, THE			**4,725.00**		
MIRACLE RECREATION EQUIPMENT					
	6/4/2009	195416	783.49		
				PLAYGROUND PARTS	447.16
				PLAYGROUND PARTS	336.33
	6/11/2009	195559	714.15		
				TUBES FOR AMISTAD PARK	663.67
				TUBES FOR AMISTAD PARK	50.48
	6/25/2009	195821	1,622.98		
				PVC DECK FOR GATEWAY PARK	149.52
				PVC DECK FOR GATEWAY PARK	773.43
				MISC. EQUIP. FOR WESTON PARK	700.03
	Vendor Total		**3,120.62**		
FYTD for MIRACLE RECREATION EQUIPMENT			**32,342.42**		
MISAC					
	6/25/2009	195822	240.00		
				MBRSHP FOR S. HARGIS	240.00
	6/25/2009	195823	200.00		
				MBRSHP FOR D. LIENHARD	200.00
	6/25/2009	195824	200.00		
				MBRSHP FOR M. HESLIN	200.00
	6/25/2009	195825	100.00		
				EXCELLENCE AWARD APPLICATION	100.00
	Vendor Total		**740.00**		
FYTD for MISAC			**1,480.00**		

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
MISSION LINEN SUPPLY, INC.					
	6/18/2009	195685	1,490.73		
				UNIFORM SUPPLY/LAUNDERING SVCS	18.52
				UNIFORM SUPPLY/LAUNDERING SVCS	18.52
				UNIFORM SUPPLY/LAUNDERING SVCS	18.52
				UNIFORM SUPPLY/LAUNDERING SVCS	18.52
				UNIFORM SUPPLY/LAUNDERING SVCS	57.29
				UNIFORM SUPPLY/LAUNDERING SVCS	57.49
				UNIFORM SUPPLY/LAUNDERING SVCS	57.29
				UNIFORM SUPPLY/LAUNDERING SVCS	57.09
				UNIFORM SUPPLY/LAUNDERING SVCS	13.68
				UNIFORM SUPPLY/LAUNDERING SVCS	14.09
				UNIFORM SUPPLY/LAUNDERING SVCS	14.09
				UNIFORM SUPPLY/LAUNDERING SVCS	14.09
				UNIFORM SUPPLY/LAUNDERING SVCS	31.51
				UNIFORM SUPPLY/LAUNDERING SVCS	31.51
				UNIFORM SUPPLY/LAUNDERING SVCS	31.51
				UNIFORM SUPPLY/LAUNDERING SVCS	26.29
				UNIFORM SUPPLY/LAUNDERING SVCS	8.99
				UNIFORM SUPPLY/LAUNDERING SVCS	8.99
				UNIFORM SUPPLY/LAUNDERING SVCS	8.99
				UNIFORM SUPPLY/LAUNDERING SVCS	8.99
				UNIFORM SUPPLY/LAUNDERING SVCS	13.48
				UNIFORM SUPPLY/LAUNDERING SVCS	13.48
				UNIFORM SUPPLY/LAUNDERING SVCS	13.48
				UNIFORM SUPPLY/LAUNDERING SVCS	13.48
				UNIFORM SUPPLY/LAUNDERING SVCS	17.98
				UNIFORM SUPPLY/LAUNDERING SVCS	17.98
				UNIFORM SUPPLY/LAUNDERING SVCS	17.98
				UNIFORM SUPPLY/LAUNDERING SVCS	17.98
				UNIFORM SUPPLY/LAUNDERING SVCS	4.08
				UNIFORM SUPPLY/LAUNDERING SVCS	4.08
				UNIFORM SUPPLY/LAUNDERING SVCS	4.08
				UNIFORM SUPPLY/LAUNDERING SVCS	4.08
				UNIFORM SUPPLY/LAUNDERING SVCS	46.67
				UNIFORM SUPPLY/LAUNDERING SVCS	49.25
				UNIFORM SUPPLY/LAUNDERING SVCS	46.67
				UNIFORM SUPPLY/LAUNDERING SVCS	49.85
				UNIFORM SUPPLY/LAUNDERING SVCS	86.84
				UNIFORM SUPPLY/LAUNDERING SVCS	86.84
				UNIFORM SUPPLY/LAUNDERING SVCS	86.84
				UNIFORM SUPPLY/LAUNDERING SVCS	82.80
				UNIFORM SUPPLY/LAUNDERING SVCS	14.65
				UNIFORM SUPPLY/LAUNDERING SVCS	14.65
				UNIFORM SUPPLY/LAUNDERING SVCS	14.65
				UNIFORM SUPPLY/LAUNDERING SVCS	14.65
				UNIFORM SUPPLY/LAUNDERING SVCS	8.99
				UNIFORM SUPPLY/LAUNDERING SVCS	8.99
				UNIFORM SUPPLY/LAUNDERING SVCS	8.99
				UNIFORM SUPPLY/LAUNDERING SVCS	8.99
				UNIFORM SUPPLY/LAUNDERING SVCS	10.25
				UNIFORM SUPPLY/LAUNDERING SVCS	10.25
				UNIFORM SUPPLY/LAUNDERING SVCS	10.25
				UNIFORM SUPPLY/LAUNDERING SVCS	10.25
				UNIFORM SUPPLY/LAUNDERING SVCS	40.22

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
				UNIFORM SUPPLY/LAUNDERING SVCS	40.22
				UNIFORM SUPPLY/LAUNDERING SVCS	40.22
				UNIFORM SUPPLY/LAUNDERING SVCS	40.62
	Vendor Total		**1,490.73**		
FYTD for MISSION LINEN SUPPLY, INC.			**21,813.14**		
MITCHELL, MYLA					
	6/25/2009	195826	8.20		
				REGIST RFND-YTH BSKTBL	8.20
	Vendor Total		**8.20**		
FYTD for MITCHELL, MYLA			**8.20**		
MONAHAN, DAWN					
	6/11/2009	195560	75.00		
				RFND-SPAY/NEUTER DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for MONAHAN, DAWN			**75.00**		
MORENO VALLEY - CACTUS RANCH, LLC					
	6/11/2009	195561	3,373.20		
				RFND-PLANNING FEE	3,373.20
	Vendor Total		**3,373.20**		
FYTD for MORENO VALLEY - CACTUS RANCH, LLC			**3,373.20**		
MORENO VALLEY BLACK CHAMBER OF COMMERCE					
	6/25/2009	195827	25.00		
				DEP RFND: 5/2 @C&RC	25.00
	Vendor Total		**25.00**		
FYTD for MORENO VALLEY BLACK CHAMBER OF COMMERCE			**7,668.00**		
MORENO VALLEY CHAMBER OF COMMERCE					
	6/4/2009	195417	70.00		
				ATTD: B ADAMS/M DAWSON	70.00
	6/25/2009	195828	750.00		
				DEP RFND: 5/30 @C&RC	750.00
	Vendor Total		**820.00**		
FYTD for MORENO VALLEY CHAMBER OF COMMERCE			**31,960.00**		

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
MORENO VALLEY CITY EMPLOYEES ASSOC.					
	6/19/2009	2429	1,712.50		
				EMPLOYEE DUES DEDUCTIONS	1,712.50
	6/5/2009	2419	1,746.50		
				EMPLOYEE DUES DEDUCTIONS	1,746.50
	Vendor Total		**3,459.00**		
FYTD for MORENO VALLEY CITY EMPLOYEES ASSOC.			**47,467.49**		
MORENO VALLEY GATEWAY, LLC					
	6/25/2009	195829	21,093.43		
				JULY'09 RENT>FAC ANNX	2,458.97
				JULY'09 RENT>T/S ANNX	5,475.90
				JULY'09 RENT>ESA	13,158.56
	Vendor Total		**21,093.43**		
FYTD for MORENO VALLEY GATEWAY, LLC			**248,089.66**		
MORENO VALLEY MOTIVATORS					
	6/11/2009	195562	189.00		
				MBRSHP RNWL-14 CTY MBRS	189.00
	Vendor Total		**189.00**		
FYTD for MORENO VALLEY MOTIVATORS			**445.50**		
MORENO VALLEY TOW & RADIATOR					
	6/11/2009	195563	396.25		
				3/1/09 TOWING FOR P.D.	396.25
	Vendor Total		**396.25**		
FYTD for MORENO VALLEY TOW & RADIATOR			**3,583.75**		
MSA SYSTEMS, INC.					
	6/11/2009	195564	2,448.50		
				AUTOMATED CIT. PAPER	2,448.50
	Vendor Total		**2,448.50**		
FYTD for MSA SYSTEMS, INC.			**2,448.50**		
MUSCO SPORTS LIGHTING, LLC					
	6/25/2009	195830	3,623.13		
				RPLC LAMPS AT TWNGTE PARK	750.00
				LAMPS	2,773.13
				SHIPPING	100.00
	Vendor Total		**3,623.13**		
FYTD for MUSCO SPORTS LIGHTING, LLC			**34,167.58**		

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MYERS, ANA MARIA				
6/25/2009	195831	75.00		
			CPR INSTRUCTOR PAYMENT	75.00
Vendor Total		**75.00**		
FYTD for MYERS, ANA MARIA		**675.00**		
NARA, LOWELON				
6/18/2009	195687	177.00		
			AFTER SCHOOL UNIV. MOD 1 TRNG	177.00
6/25/2009	195832	15.00		
			RFND-SPORTS CLUB REGIST	15.00
Vendor Total		**192.00**		
FYTD for NARA, LOWELON		**1,018.85**		
NATIONWIDE RETIREMENT SOLUTIONS				
6/5/2009	2417	10,435.97		
			DEFERRED COMP FOR FICA	10,435.97
6/19/2009	2427	9,746.03		
			DEFERRED COMP FOR FICA	9,746.03
Vendor Total		**20,182.00**		
FYTD for NATIONWIDE RETIREMENT SOLUTIONS		**1,267,157.81**		
NATIVIDAD, ROZELLA M.				
6/4/2009	195418	100.00		
			CITATION REFUND	100.00
Vendor Total		**100.00**		
FYTD for NATIVIDAD, ROZELLA M.		**100.00**		
NAVARRO, MARTHA				
6/4/2009	195419	20.00		
			RFND-RABIES DEPOSIT	20.00
Vendor Total		**20.00**		
FYTD for NAVARRO, MARTHA		**20.00**		
NAVARRO, OSCAR & MARIN, IMELDA				
6/4/2009	195420	75.00		
			RFND-SPAY/NEUTER DEPOSIT	75.00
Vendor Total		**75.00**		
FYTD for NAVARRO, OSCAR & MARIN, IMELDA		**75.00**		

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
NBS GOVERNMENT FINANCE GROUP					
	6/11/2009	195565	1,250.00		
				ARBITRAGE REBATE CALC SRVC	2,000.00
				ARBITRAGE REBATE CALC SRVC	-750.00
	Vendor Total		**1,250.00**		
FYTD for NBS GOVERNMENT FINANCE GROUP			**14,179.66**		
NEEDHAM, LESLIE					
	6/4/2009	195421	75.00		
				RFND-SPAY/NEUTER DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for NEEDHAM, LESLIE			**75.00**		
NELSON PAVING					
	6/18/2009	195688	886.36		
				RETENTION RLS-SPEED HUMP INST.	886.36
	Vendor Total		**886.36**		
FYTD for NELSON PAVING			**57,153.24**		
NEW HORIZON MOBILE HOME PARK					
	6/18/2009	195689	7.70		
				RFND UT USER TAXES-EXMPT RESID	7.70
	Vendor Total		**7.70**		
FYTD for NEW HORIZON MOBILE HOME PARK			**120.26**		
NEW WEST SIGNAL					
	6/25/2009	195833	33.90		
				RFND-BUS. LIC. OVRPMT	33.90
	Vendor Total		**33.90**		
FYTD for NEW WEST SIGNAL			**4,133.90**		
NINYO & MOORE GEOTECHNICAL					
	6/4/2009	195422	1,355.00		
				PSB PARKING LOT EXP. PROJ SVCS	1,355.00
	Vendor Total		**1,355.00**		
FYTD for NINYO & MOORE GEOTECHNICAL			**49,567.44**		
NORRIS, GREG					
	6/4/2009	195423	50.00		
				CITATION REFUND	50.00
	Vendor Total		**50.00**		
FYTD for NORRIS, GREG			**50.00**		

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
NORRIS-REPKE, INC.					
	6/11/2009	195566	18,560.00		
				TEMP STAFFING SVCS-VARIOUS PRJ	18,560.00
	6/25/2009	195834	17,922.00		
				PROF STAFFING SVCS-VARIOUS PRJ	17,922.00
	Vendor Total		**36,482.00**		
FYTD for NORRIS-REPKE, INC.			**750,743.50**		
NU VIEW UNION SCHOOL DISTRICT					
	6/25/2009	195835	750.00		
				DEP RFND: 6/5 @C&RC	750.00
	Vendor Total		**750.00**		
FYTD for NU VIEW UNION SCHOOL DISTRICT			**750.00**		
OCB REPROGRAPHICS					
	6/4/2009	195424	37.52		
				REPROGRAPHIC SRVC-SNNYMD BLVD	37.52
	Vendor Total		**37.52**		
FYTD for OCB REPROGRAPHICS			**60,986.67**		
OCHRACH, CHARLOTTE					
	6/4/2009	195425	10.00		
				RFND-ANML LIC. FEE	10.00
	Vendor Total		**10.00**		
FYTD for OCHRACH, CHARLOTTE			**10.00**		
OLSEN, DIANNA					
	6/4/2009	195426	5.00		
				CITATION REFUND	5.00
	Vendor Total		**5.00**		
FYTD for OLSEN, DIANNA			**5.00**		
OMNIS, INC.					
	6/11/2009	195567	480.00		
				AQUED. BIKEWAY-INDIAN ST.>FAY	480.00
	6/25/2009	195836	600.00		
				AQUED. BIKEWAY-INDIAN ST.>FAY	600.00
	Vendor Total		**1,080.00**		
FYTD for OMNIS, INC.			**13,390.00**		
OPERATION SAFEHOUSE, INC.					
	6/4/2009	195427	666.68		
				CDBG EXPENSE REIMB.	666.68
	Vendor Total		**666.68**		
FYTD for OPERATION SAFEHOUSE, INC.			**7,535.89**		

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
ORDONEZ, SANTIAGO					
	6/4/2009	195428	50.00		
				CITATION REFUND	50.00
	Vendor Total		**50.00**		
FYTD for ORDONEZ, SANTIAGO			**50.00**		
ORTEGA, JOSE					
	6/4/2009	195429	20.00		
				RFND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for ORTEGA, JOSE			**40.00**		
ORTIZ, CORRINA A.					
	6/25/2009	195837	38.00		
				1 DAY-INSTRUCT. SRVC	38.00
	Vendor Total		**38.00**		
FYTD for ORTIZ, CORRINA A.			**950.00**		
OSMENT GRADING & EXCAVATING, INC					
	6/18/2009	195690	16.47		
				RFND-BUS. LIC. OVRPMT	16.47
	Vendor Total		**16.47**		
FYTD for OSMENT GRADING & EXCAVATING, INC			**16.47**		
OVERLAND PACIFIC & CUTLER, INC.					
	6/11/2009	195569	6,720.00		
				RIGHT OF WAY SVCS-VARIOUS PROJ	6,107.50
				RIGHT OF WAY SVCS-VARIOUS PROJ	612.50
	6/25/2009	195838	2,555.75		
				SR-60/NASON INTERCHG PROJ SVCS	2,555.75
	Vendor Total		**9,275.75**		
FYTD for OVERLAND PACIFIC & CUTLER, INC.			**242,422.50**		
P&D CONSULTANTS, INC.					
	6/11/2009	195570	7,000.00		
				SHEILA PARK ARCHITECTURAL SVCS	7,000.00
	Vendor Total		**7,000.00**		
FYTD for P&D CONSULTANTS, INC.			**28,300.00**		

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PACIFIC GREEN HORTICULTURAL SVC				
6/4/2009	195430	1,635.65		
			MAY'09 LNDSCP MAINT>E-1	217.01
			MAY'09 LNDSCP MAINT>E-7	80.57
			MAY'09 LNDSCP MAINT>E-3	471.08
			MAY'09 LNDSCP MAINT>E-4	866.99
Vendor Total		**1,635.65**		
FYTD for PACIFIC GREEN HORTICULTURAL SVC		**26,976.90**		
PACIFIC PRODUCTS & SERVICES				
6/4/2009	195431	19,203.08		
			SIGN POSTS, ANCHORS & SLEEVES	19,203.08
Vendor Total		**19,203.08**		
FYTD for PACIFIC PRODUCTS & SERVICES		**19,203.08**		
PACIFIC SAFETY COUNCIL				
6/25/2009	195839	5,012.40		
			TRAINING VIDEO-FOOT PROTECTION	8.70
			TRAINING VIDEO-HEAT ILLNESS	8.70
			TRAINING-ERGON./OFFICE SFTY	1,625.44
			TRAINING-ERGON./OFFICE SFTY	1,569.56
			TRAINING-MOCK OSHA INSPECT.	1,800.00
Vendor Total		**5,012.40**		
FYTD for PACIFIC SAFETY COUNCIL		**8,757.37**		
PADILLA, ROSALINA				
6/25/2009	195840	200.00		
			DEP RFND: 5/30 @TWNGTE	200.00
Vendor Total		**200.00**		
FYTD for PADILLA, ROSALINA		**200.00**		
PALMER, AMARANDA				
6/11/2009	195571	20.00		
			RFND-RABIES DEPOSIT	20.00
Vendor Total		**20.00**		
FYTD for PALMER, AMARANDA		**20.00**		
PALP, INC. DBA EXCEL PAVING COMPANY				
6/25/2009	195841	9,090.00		
			SUNNYMD BLVD REVIT. PROJ SVCS	9,090.00
Vendor Total		**9,090.00**		
FYTD for PALP, INC. DBA EXCEL PAVING COMPANY		**9,090.00**		

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
PARTS PLUS OF MORENO VALLEY, INC.					
	6/4/2009	195432	247.55		
				MISC. PARTS	39.15
				MISC. PARTS	4.43
				MISC. PARTS	53.11
				MISC. PARTS	150.86
	6/11/2009	195572	646.14		
				MISC. VEHICLE REPAIR PARTS	35.89
				MISC. VEHICLE REPAIR PARTS	26.09
				MISC. VEHICLE REPAIR PARTS	8.85
				MISC. VEHICLE REPAIR PARTS	110.65
				MISC. VEHICLE REPAIR PARTS	13.70
				MISC. VEHICLE REPAIR PARTS	450.96
	6/25/2009	195843	102.00		
				MISC. PARTS FOR CITY VEHICLES	46.06
				MISC. PARTS FOR CITY VEHICLES	58.46
				MISC. PARTS FOR CITY VEHICLES	14.29
				MISC. PARTS FOR CITY VEHICLES	56.89
				MISC. PARTS FOR CITY VEHICLES	23.06
				MISC. PARTS FOR CITY VEHICLES	10.83
				MISC. PARTS FOR CITY VEHICLES	10.83
				CREDIT FOR PARTS	-118.42
	Vendor Total		**995.69**		
FYTD for PARTS PLUS OF MORENO VALLEY, INC.			**9,602.30**		
PATTERSON, ALFREY					
	6/11/2009	195573	318.73		
				JUN'09 RET MED BNFT	318.73
	Vendor Total		**318.73**		
FYTD for PATTERSON, ALFREY			**318.73**		
PAVEMENT RECYCLING SYSTEMS, INC.					
	6/25/2009	195844	3,375.00		
				EQUIP. RENTAL W/OPER.-PROM PRJ	3,375.00
	Vendor Total		**3,375.00**		
FYTD for PAVEMENT RECYCLING SYSTEMS, INC.			**23,025.85**		
PAVER, JACQUELINE G.					
	6/11/2009	195574	650.00		
				EXPERT WITNESS SRVCS	650.00
	Vendor Total		**650.00**		
FYTD for PAVER, JACQUELINE G.			**2,650.00**		

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PBS & J					
	6/4/2009	195433	1,330.00		
				APR'09 PM 33152-1 REVIEW	1,330.00
	6/18/2009	195691	5,246.62		
				CITYWIDE BRIDGE MAINT PRGM SVC	5,246.62
	Vendor Total		**6,576.62**		
FYTD for PBS & J			**101,653.15**		
PELLAND, KENT					
	6/25/2009	195845	50.00		
				RFND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for PELLAND, KENT			**50.00**		
PENA, IRIS					
	6/18/2009	195692	244.10		
				AFTER SCHOOL UNIV. MOD 1 TRNG	67.10
				AFTER SCHOOL UNIV. MOD 1 TRNG	177.00
	Vendor Total		**244.10**		
FYTD for PENA, IRIS			**1,304.82**		
PERAZZO, JASMINE					
	6/11/2009	195575	20.00		
				RFND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for PERAZZO, JASMINE			**20.00**		
PERCEPTIVE ENTERPRISES, INC.					
	6/25/2009	195846	5,000.00		
				AADPL DEVELOPMENT FOR FY 09/10	5,000.00
	Vendor Total		**5,000.00**		
FYTD for PERCEPTIVE ENTERPRISES, INC.			**5,000.00**		
PERRIS VALLEY PRINTING CO.					
	6/11/2009	195576	70.96		
				IAR FORMS FOR A/P	70.96
	Vendor Total		**70.96**		
FYTD for PERRIS VALLEY PRINTING CO.			**11,362.81**		

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
PERS LONG TERM CARE PROGRAM					
	6/11/2009	195577	715.80		
				LONG TERM CARE INSURANCE	715.80
	6/25/2009	195847	715.80		
				LONG TERM CARE INSURANCE	715.80
	Vendor Total		**1,431.60**		
FYTD for PERS LONG TERM CARE PROGRAM			**18,368.04**		
PERVO PAINT CO.					
	6/4/2009	195434	10,555.71		
				MISC. PAINT	10,555.71
	6/25/2009	195848	3,176.27		
				MISC. PAINT	1,111.32
				MISC. PAINT	1,017.90
				MISC. PAINT	1,047.05
	Vendor Total		**13,731.98**		
FYTD for PERVO PAINT CO.			**71,884.24**		
PETTY CASH - FINANCE					
	6/4/2009	195436	641.29		
				PETTY CASH FUND REPLENISHMENT	50.00
				PETTY CASH FUND REPLENISHMENT	10.00
				PETTY CASH FUND REPLENISHMENT	29.78
				PETTY CASH FUND REPLENISHMENT	35.60
				PETTY CASH FUND REPLENISHMENT	23.82
				PETTY CASH FUND REPLENISHMENT	22.16
				PETTY CASH FUND REPLENISHMENT	4.00
				PETTY CASH FUND REPLENISHMENT	6.75
				PETTY CASH FUND REPLENISHMENT	92.90
				PETTY CASH FUND REPLENISHMENT	59.40
				PETTY CASH FUND REPLENISHMENT	25.00
				PETTY CASH FUND REPLENISHMENT	25.00
				PETTY CASH FUND REPLENISHMENT	13.00
				PETTY CASH FUND REPLENISHMENT	20.00
				PETTY CASH FUND REPLENISHMENT	25.00
				PETTY CASH FUND REPLENISHMENT	6.00
				PETTY CASH FUND REPLENISHMENT	25.00
				PETTY CASH FUND REPLENISHMENT	44.97
				PETTY CASH FUND REPLENISHMENT	10.00
				PETTY CASH FUND REPLENISHMENT	6.45
				PETTY CASH FUND REPLENISHMENT	20.00
				PETTY CASH FUND REPLENISHMENT	20.00
				PETTY CASH FUND REPLENISHMENT	8.00
				PETTY CASH FUND REPLENISHMENT	12.99
				PETTY CASH FUND REPLENISHMENT	4.00
				PETTY CASH FUND REPLENISHMENT	9.93
				PETTY CASH FUND REPLENISHMENT	10.01
				PETTY CASH FUND REPLENISHMENT	21.53
	Vendor Total		**641.29**		
FYTD for PETTY CASH - FINANCE			**11,740.33**		

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
PINNACLE MORENO VALLEY, 72, LLC					
	6/18/2009	195693	1,183.89		
				RFND-BUS. LIC. OVRPMT	1,183.89
	Vendor Total		**1,183.89**		
FYTD for PINNACLE MORENO VALLEY, 72, LLC			**1,183.89**		
PIPS TECHNOLOGY, INC.					
	6/18/2009	195694	16,000.00		
				CAMERAS MAINT. AGREEMENT	16,000.00
	Vendor Total		**16,000.00**		
FYTD for PIPS TECHNOLOGY, INC.			**16,000.00**		
PLAZA HAND CAR WASH					
	6/4/2009	195437	297.50		
				CAR WASH-CITY VEHICLES	297.50
	Vendor Total		**297.50**		
FYTD for PLAZA HAND CAR WASH			**4,589.97**		
POIEMA LANDSCAPE, INC.					
	6/4/2009	195438	2,110.00		
				APR'09 LNDSCP MAINT>E-12	2,110.00
	6/18/2009	195695	2,417.00		
				MAY'09 LNDSCP MAINT>E-12	2,110.00
				MAY'09 LNDSCP MAINT>SNNYMD	307.00
	Vendor Total		**4,527.00**		
FYTD for POIEMA LANDSCAPE, INC.			**29,559.50**		
POPCORN CO. LLC					
	6/25/2009	195849	16,870.20		
				CHEESE DISPENSERS	1,596.45
				COTTON CANDY MACHINES	2,675.25
				SNO CONE MACHINES	2,710.05
				HOT DOG MACHINES	2,988.45
				SHIPPING	200.00
				CHEESE/BAGS/CUPS/CONES	1,064.00
				PUMPS	416.00
				SPOON STRAWS	230.00
				SYRUP	4,990.00
	Vendor Total		**16,870.20**		
FYTD for POPCORN CO. LLC			**16,870.20**		

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
PRESENTATION PRODUCTS CORP					
	6/30/2009	195923	8,204.62		
				12" DUAL-SIDED LAMINATE/STARS	1,086.96
				SHIPPING	485.00
				24" LAMINATES FOR STARS	3,044.46
				38" LAMINATES FOR STARS	3,588.20
	Vendor Total		**8,204.62**		
FYTD for PRESENTATION PRODUCTS CORP			**8,204.62**		
PRESS ENTERPRISE					
	6/25/2009	195850	734.00		
				JOB FAIR ADVERTISING	734.00
	Vendor Total		**734.00**		
FYTD for PRESS ENTERPRISE			**33,010.11**		
PRITCHARD, ROBERT					
	6/4/2009	195439	200.00		
				JUDGING SRVC>4/13 & 5/3	150.00
				JUDGING SRVC>4/11	50.00
	Vendor Total		**200.00**		
FYTD for PRITCHARD, ROBERT			**200.00**		
PROTECTION ONE					
	6/4/2009	195441	380.00		
				RFND-FIRE FEES	151.00
				RFND-FIRE FEES	208.00
				RFND-FIRE FEES	21.00
	Vendor Total		**380.00**		
FYTD for PROTECTION ONE			**380.00**		
PROTECTION ONE, INC.					
	6/18/2009	195696	40.00		
				JUN'09 ALRM MNTRNG>MVTV-3	20.00
				JUN'09 ALRM MNTRNG>PRO SHOP	20.00
	Vendor Total		**40.00**		
FYTD for PROTECTION ONE, INC.			**728.51**		
PSOMAS					
	6/11/2009	195578	14,064.88		
				LASELLE ST WIDENING PROJ SVCS	14,064.88
	Vendor Total		**14,064.88**		
FYTD for PSOMAS			**376,703.28**		

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PYRO SPECTACULARS, INC.					
	6/25/2009	195851	16,500.00		
				FNL PMT-7/4/09 FIREWORKS DISPL	16,500.00
	Vendor Total		**16,500.00**		
FYTD for PYRO SPECTACULARS, INC.			**49,500.00**		
QUALITY PLAYING CARDS, INC.					
	6/4/2009	195442	1,360.00		
				50% DEP-PLAYING CARDS	1,076.63
				50% DEP-BOXES FOR DECKS	244.68
				50% DEP-SHIPPING	145.00
				SALES TAX-ACCRUAL	-106.31
	Vendor Total		**1,360.00**		
FYTD for QUALITY PLAYING CARDS, INC.			**1,360.00**		
QUINTERO, GLORIA					
	6/11/2009	195579	300.00		
				DEP RFND-EVNT #14417	300.00
	Vendor Total		**300.00**		
FYTD for QUINTERO, GLORIA			**300.00**		
R & S OVERHEAD DOORS, INC.					
	6/4/2009	195443	354.75		
				RPRS TO MOVABLE WALL @SR CTR	354.75
	6/11/2009	195580	2,692.00		
				GATE OPERATOR>PSB	2,692.00
	Vendor Total		**3,046.75**		
FYTD for R & S OVERHEAD DOORS, INC.			**25,502.75**		
RADAR SHOP, THE					
	6/11/2009	195581	1,765.00		
				RADAR GUNS RECERTIFICATION SVC	1,765.00
	Vendor Total		**1,765.00**		
FYTD for RADAR SHOP, THE			**1,765.00**		

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
RALLY MANAGEMENT SERVICES, LLC					
	6/4/2009	195444	1,081.93		
				TEMP SRVCS> W/E 5/10/09	614.40
				TEMP SRVCS> W/E 5/17/09	467.53
	6/11/2009	195582	2,990.35		
				TEMP SRVCS>5/10/09 STARS	2,456.75
				TEMP SRVCS>5/24/09 ANML SRVCS	533.60
	6/18/2009	195697	5,852.03		
				TEMP SRVCS>W/E 5/17-STARS	1,249.06
				TEMP SRVCS>W/E 5/17-STARS	1,369.23
				TEMP SRVCS>W/E 5/24-STARS	2,852.99
				TEMP SRVCS>W/E 5/31-ANML SRVCS	380.44
				TEMP SRVCS>W/E 5/31-ANML SRVCS	0.31
	6/25/2009	195852	1,079.91		
				TEMP SRVC>5/24-K TALAMANTES	43.43
				TEMP SRVC>6/7/09 ANML SRVCS	1,036.48
	6/30/2009	195924	5,280.90		
				TEMP SRVC>5/31/09 -STARS	734.35
				TEMP SRVC>5/31/09 -STARS	1,767.90
				TEMP SRVC>6/7/09 -STARS	2,399.48
				TEMP SRVC>6/14/09 -STARS	379.17
	Vendor Total		**16,285.12**		
FYTD for RALLY MANAGEMENT SERVICES, LLC			**21,211.34**		
RANGEL, GUILLERMO					
	6/25/2009	195853	95.00		
				RFND-SPAY/NEUTER DEPOSIT	75.00
				RFND-RABIES DEPOSIT	20.00
	Vendor Total		**95.00**		
FYTD for RANGEL, GUILLERMO			**95.00**		
RECORDED BOOKS					
	6/11/2009	195583	2,487.14		
				AUDIO BOOKS FOR LIBRARY	193.63
				AUDIO BOOKS FOR LIBRARY	170.79
				AUDIO BOOKS FOR LIBRARY	543.17
				AUDIO BOOKS FOR LIBRARY	347.61
				AUDIO BOOKS FOR LIBRARY	655.23
				AUDIO BOOKS FOR LIBRARY	111.20
				AUDIO BOOKS FOR LIBRARY	465.51
	Vendor Total		**2,487.14**		
FYTD for RECORDED BOOKS			**9,712.51**		

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REDBOX AUTOMATED RETAIL, LLC					
	6/18/2009	195698	39.00		
				RFND-BUS. LIC. OVRPMT	39.00
	Vendor Total		**39.00**		
FYTD for REDBOX AUTOMATED RETAIL, LLC			**39.00**		
REGIONAL TRAINING CENTER					
	6/4/2009	195445	0.00		
				6/19/09 COMP. INV. OF WEBSITES	132.00
				6/19/09 COMP. INV. OF WEBSITES	-132.00
	Vendor Total		**0.00**		
FYTD for REGIONAL TRAINING CENTER			**0.00**		
RENE'S					
	6/18/2009	195699	597.50		
				RETIREE LUNCH (REIMBURSED)	597.50
	Vendor Total		**597.50**		
FYTD for RENE'S			**1,930.00**		
REVENUE EXPERTS, INC.					
	6/11/2009	195585	1,813.96		
				APR'09 CITATION PROCESSING	1,813.96
	Vendor Total		**1,813.96**		
FYTD for REVENUE EXPERTS, INC.			**102,387.18**		
RGIS LLC					
	6/25/2009	195854	82.66		
				RFND-BUS. LIC. OVRPMT	82.66
	Vendor Total		**82.66**		
FYTD for RGIS LLC			**82.66**		
RIGEL PRODUCTS & SERVICE					
	6/18/2009	195700	1,307.48		
				PIONJARS REPAIR	1,307.48
	Vendor Total		**1,307.48**		
FYTD for RIGEL PRODUCTS & SERVICE			**3,424.07**		
RIOS, JOSE MANUEL					
	6/4/2009	195446	50.00		
				CITATION REFUND	50.00
	Vendor Total		**50.00**		
FYTD for RIOS, JOSE MANUEL			**50.00**		

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
RIOS, NANCY					
	6/25/2009	195856	50.80		
				RFND-PICNIC SHLTR FEE	50.80
	Vendor Total		**50.80**		
FYTD for RIOS, NANCY			**50.80**		
RIV CO FLOOD CONTROL & WATER CONSERVATN					
	6/11/2009	195586	2,906.79		
				KITCHING ST IMPRV. PLAN CK SVC	2,906.79
	Vendor Total		**2,906.79**		
FYTD for RIV CO FLOOD CONTROL & WATER CONSERVATN			**123,049.11**		
RIVERA, JASMIN					
	6/18/2009	195701	233.10		
				AFTER SCHOOL UNIV. MOD 1 TRNG	56.10
				AFTER SCHOOL UNIV. MOD 1 TRNG	177.00
	Vendor Total		**233.10**		
FYTD for RIVERA, JASMIN			**233.10**		
RIVERSIDE AREA RAPE CRISIS CENTER					
	6/4/2009	195447	1,336.86		
				CDBG EXPENSE REIMB.	737.77
				CDBG EXPENSE REIMB.	599.09
	Vendor Total		**1,336.86**		
FYTD for RIVERSIDE AREA RAPE CRISIS CENTER			**8,482.21**		
RIVERSIDE COUNTY ASSESSOR					
	6/18/2009	195702	87.00		
				ASSESSOR MAP COPIES	21.75
				ASSESSOR MAP COPIES	21.75
				ASSESSOR MAP COPIES	21.75
				ASSESSOR MAP COPIES	21.75
	Vendor Total		**87.00**		
FYTD for RIVERSIDE COUNTY ASSESSOR			**306.00**		
RIVERSIDE COUNTY CLERK					
	6/25/2009	195857	2,057.00		
				FEES-SR60 EB RAMP/REDLANDS BL.	2,057.00
	6/30/2009	195925	2,057.00		
				PVSD/HEACOCK ST BRIDGE PROJ.	2,057.00
	Vendor Total		**4,114.00**		
FYTD for RIVERSIDE COUNTY CLERK			**18,228.25**		

City of Moreno Valley

Check Register

For Period 6/1/2009 through 6/30/2009

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
RIVERSIDE COUNTY CLERK/RECORDER				
6/11/2009	195587	13.00		
			LIEN RELEASE>C09-01069	13.00
Vendor Total		**13.00**		
FYTD for RIVERSIDE COUNTY CLERK/RECORDER		**1,330.85**		
RIVERSIDE COUNTY DEPT OF PUBLIC HEALTH				
6/25/2009	195858	750.00		
			DEP RFND: 5/21 @C&RC	750.00
Vendor Total		**750.00**		
FYTD for RIVERSIDE COUNTY DEPT OF PUBLIC HEALTH		**4,925.00**		
RIVERSIDE COUNTY INFORMATION TECHNOLOGY				
6/4/2009	195448	1,917.45		
			MAR'09 VPN CONNECTION	105.54
			APR'09 RADIO SERVICES	1,811.91
6/18/2009	195703	274.44		
			MAY'09 RADIO LEASE	274.44
6/25/2009	195859	105.54		
			MAY'09 VPN CONNECTION	105.54
Vendor Total		**2,297.43**		
FYTD for RIVERSIDE COUNTY INFORMATION TECHNOLOGY		**26,286.09**		
RIVERSIDE COUNTY OFFICE ON AGING				
6/4/2009	195449	484.50		
			DEP RFND-5/14 @C&RC	484.50
Vendor Total		**484.50**		
FYTD for RIVERSIDE COUNTY OFFICE ON AGING		**959.50**		
RIVERSIDE COUNTY SHERIFF				
6/4/2009	195450	3,821.73		
			APR'09 BOOKING FEES	3,821.73
Vendor Total		**3,821.73**		
FYTD for RIVERSIDE COUNTY SHERIFF		**35,523,581.07**		
RIVERSIDE COUNTY SHERIFF BEN CLARK				
6/4/2009	195451	765.00		
			REGISTR-TACTICAL RESPONSE TRNG	765.00
Vendor Total		**765.00**		
FYTD for RIVERSIDE COUNTY SHERIFF BEN CLARK		**9,584.50**		

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
RIVERSIDE COUNTY SHERIFF COURT SERVICES					
	6/11/2009	195588	932.52		
				GARNISHMENT	423.80
				GARNISHMENT	141.62
				GARNISHMENT	367.10
	6/25/2009	195860	871.10		
				GARNISHMENT	424.17
				GARNISHMENT	144.03
				GARNISHMENT	302.90
	Vendor Total		**1,803.62**		
FYTD for RIVERSIDE COUNTY SHERIFF COURT SERVICES			**23,387.83**		
RIVERSIDE COUNTY SHERIFF MV					
	6/4/2009	195452	580.44		
				DISPATCHER-3/26/09 CK PT	580.44
	6/25/2009	195861	1,267.44		
				EXTRA DUTY-4/10 CHKPNT	386.96
				EXTRA DUTY-5/1 & 5/15 CHKPNT	880.48
	Vendor Total		**1,847.88**		
FYTD for RIVERSIDE COUNTY SHERIFF MV			**5,921.93**		
RLZ ENGINEERING					
	6/11/2009	195589	10,499.00		
				PROF STAFFING SVCS-VARIOUS PRJ	10,499.00
	Vendor Total		**10,499.00**		
FYTD for RLZ ENGINEERING			**224,325.50**		
ROCHA, SARA L.					
	6/11/2009	195590	888.30		
				APR-JUN'09 RET MED BNFT	888.30
	Vendor Total		**888.30**		
FYTD for ROCHA, SARA L.			**3,669.33**		
RODRIGUEZ, CYNTHIA					
	6/11/2009	195591	20.00		
				RFND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for RODRIGUEZ, CYNTHIA			**20.00**		
RODRIGUEZ, OMAR					
	6/11/2009	195592	259.08		
				RENTAL CAR/PARKING>CSDIAI TRNG	259.08
	Vendor Total		**259.08**		
FYTD for RODRIGUEZ, OMAR			**567.08**		

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
ROGERS, KIANNA					
	6/18/2009	195704	177.00		
				AFTER SCHOOL UNIV. MOD 1 TRNG	177.00
	6/25/2009	195863	114.40		
				MILEAGE REIMBURSEMENT	114.40
	Vendor Total		**291.40**		
FYTD for ROGERS, KIANNA			**1,314.19**		
ROMANEK, LISA					
	6/11/2009	195593	75.00		
				RFND-SPAY/NEUTER DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for ROMANEK, LISA			**75.00**		
SA ASSOCIATES					
	6/19/2009	195734	12,000.00		
				PROF CONSULTANT SVCS	12,000.00
	Vendor Total		**12,000.00**		
FYTD for SA ASSOCIATES			**493,354.50**		
SAGASTUME, MARIO					
	6/25/2009	195864	608.00		
				16 DAYS-INSTRUCT. SRVCS	608.00
	Vendor Total		**608.00**		
FYTD for SAGASTUME, MARIO			**4,636.00**		
SAHAGUN, RICARDO					
	6/25/2009	195865	41.00		
				RFND-PICNIC SHLTR FEE	16.50
				RFND-PICNIC SHLTR FEE	24.50
	Vendor Total		**41.00**		
FYTD for SAHAGUN, RICARDO			**41.00**		
SALAS, STELLA/MICHAEL					
	6/4/2009	195453	50.00		
				RFND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for SALAS, STELLA/MICHAEL			**50.00**		
SAN BERNARDINO COUNTY SHERIFF'S DEPT					
	6/4/2009	195454	50.00		
				JUN15-18/BASIC BICYCLE PATROL	50.00
	Vendor Total		**50.00**		
FYTD for SAN BERNARDINO COUNTY SHERIFF'S DEPT			**200.00**		

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
SAN BERNARDINO VALLEY COLLEGE					
	6/4/2009	195455	22.00		
				JUN15-18/BASIC BICYCLE PATROL	22.00
	Vendor Total		**22.00**		
FYTD for SAN BERNARDINO VALLEY COLLEGE			**163.00**		
SANCHEZ, AMADOR/JENNIFER					
	6/4/2009	195456	20.00		
				RFND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for SANCHEZ, AMADOR/JENNIFER			**20.00**		
SANCHEZ, DIANE					
	6/25/2009	195866	61.00		
				REGIST RFND-YTH BSKTBL	61.00
	Vendor Total		**61.00**		
FYTD for SANCHEZ, DIANE			**61.00**		
SCHOOL SPACE SOLUTIONS INC					
	6/30/2009	195926	2,070.08		
				CURTAIN RPLCMNT-STARS	2,070.08
	Vendor Total		**2,070.08**		
FYTD for SCHOOL SPACE SOLUTIONS INC			**2,070.08**		
SCMAF-INLAND VALLEYS					
	6/4/2009	195457	875.00		
				FOOTBALL TRNY ENTRY FEES	350.00
				BSKTBL TRNY ENTRY FEES	525.00
	Vendor Total		**875.00**		
FYTD for SCMAF-INLAND VALLEYS			**875.00**		
SEAGRAVE, DENI JO					
	6/25/2009	195867	152.00		
				4 DAYS-INSTRUCT. SRVCS	152.00
	Vendor Total		**152.00**		
FYTD for SEAGRAVE, DENI JO			**2,508.00**		
SECTRAN SECURITY, INC					
	6/18/2009	195705	463.50		
				JUN'09 ARMORED TRNSPRT	154.50
				JUN'09 ARMORED TRNSPRT	13.00
				JUN'09 ARMORED TRNSPRT	141.50
				JUN'09 ARMORED TRNSPRT	154.50
	Vendor Total		**463.50**		
FYTD for SECTRAN SECURITY, INC			**8,616.45**		

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
SECURITY LOCK & KEY					
	6/4/2009	195458	94.50		
				NSNC ABTMNT>25324 COURTNEY DR	94.50
	6/11/2009	195595	75.23		
				DUP KEYS FOR C&RC	75.23
	Vendor Total		**169.73**		
FYTD for SECURITY LOCK & KEY			**6,228.80**		
SEIFEL CONSULTING, INC.					
	6/4/2009	195459	2,539.00		
				MV AFFORDABLE HSG ANLYS	2,539.00
	Vendor Total		**2,539.00**		
FYTD for SEIFEL CONSULTING, INC.			**15,807.50**		
SHAH, JAGDISH					
	6/11/2009	195596	11,640.00		
				PROF STAFFING SVCS-VARIOUS PRJ	11,640.00
	Vendor Total		**11,640.00**		
FYTD for SHAH, JAGDISH			**69,960.00**		
SHARICK, BRENT E.					
	6/25/2009	195869	20.00		
				RFND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for SHARICK, BRENT E.			**95.00**		
SHELL OIL CO.					
	6/25/2009	195870	2,260.71		
				FUEL PURCHASE	14.15
				FUEL PURCHASES	205.80
				FUEL PURCHASES	1,577.78
				FUEL PURCHASES	84.50
				FUEL PURCHASES	37.98
				FUEL PURCHASES	340.50
	Vendor Total		**2,260.71**		
FYTD for SHELL OIL CO.			**58,242.09**		
SHURTLEFF, JEANNETTE L.					
	6/25/2009	195871	456.00		
				12 DAYS-INSTRUCT. SRVCS	456.00
	Vendor Total		**456.00**		
FYTD for SHURTLEFF, JEANNETTE L.			**4,598.00**		

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
SINGER & COFFIN, APC					
	6/4/2009	195460	940.00		
				LEGAL SVCS-SR60/NASON ST. PROJ	940.00
	6/18/2009	195706	920.00		
				LGL SRVC>4/15-ST IMPRVMNT	920.00
	Vendor Total		**1,860.00**		
FYTD for SINGER & COFFIN, APC			**41,705.52**		
SINGLETON-DECUIR, JANISHEIA					
	6/11/2009	195597	42.90		
				MILEAGE REIMBURSEMENT	42.90
	Vendor Total		**42.90**		
FYTD for SINGLETON-DECUIR, JANISHEIA			**503.17**		
SKY TRAILS MOBILE VILLAGE					
	6/18/2009	195707	18.16		
				RFND UT USER TAXES-EXMPT RESID	18.16
	Vendor Total		**18.16**		
FYTD for SKY TRAILS MOBILE VILLAGE			**406.74**		
SKYTERRA, LP					
	6/11/2009	195598	37.38		
				PHONES FOR EMERG. OP.	37.38
	Vendor Total		**37.38**		
FYTD for SKYTERRA, LP			**450.49**		
SLAGERMAN, SUSAN A.					
	6/4/2009	195461	318.73		
				MAY'09 RETIREE MED BENEFIT	318.73
	Vendor Total		**318.73**		
FYTD for SLAGERMAN, SUSAN A.			**2,737.30**		
SO. CALIF SCHOOL OF MUSIC					
	6/4/2009	195462	852.00		
				DRUMS-5 PARTICIPANTS	150.00
				PIANO-6 PARTICIPANTS	162.00
				PIANO-16 PARTICIPANTS	432.00
				PIANO-4 PARTICIPANTS	20.00
				PIANO-4 PARTICIPANTS	88.00
	Vendor Total		**852.00**		
FYTD for SO. CALIF SCHOOL OF MUSIC			**6,087.00**		

City of Moreno Valley

Check Register

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
SOSA, JORGE					
	6/18/2009	195708	408.00		
				KOBUDO-4 PARTICIPANTS	84.00
				NINPO-3 PARTICIPANTS	72.00
				KARATEDO-7 PARTICIPANTS	158.00
				KARATEDO-7 PARTICIPANTS	94.00
	Vendor Total		**408.00**		
FYTD for SOSA, JORGE			**5,667.00**		
SOUTH COAST AIR QUALITY MGMT DISTRICT					
	6/25/2009	195872	670.50		
				PERMIT APPLICATION FEE	670.50
	Vendor Total		**670.50**		
FYTD for SOUTH COAST AIR QUALITY MGMT DISTRICT			**7,524.33**		

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
SOUTHERN CALIFORNIA EDISON					
	6/4/2009	195463	6,144.45		
				ELECTRIC CHARGES FOR MAY'09	93.40
				ELECTRIC CHARGES FOR MAY'09	1,197.52
				ELECTRIC CHARGES FOR MAY'09	1,502.97
				ELECTRIC CHARGES FOR MAY'09	167.27
				ELECTRIC CHARGES FOR MAY'09	326.55
				ELECTRIC CHARGES FOR MAY'09	571.25
				ELECTRIC CHARGES FOR MAY'09	637.73
				ELECTRIC CHARGES FOR MAY'09	285.18
				ELECTRIC CHARGES FOR MAY'09	264.76
				ELECTRIC CHARGES FOR MAY'09	783.94
				ELECTRIC CHARGES FOR MAY'09	194.23
				ELECTRIC CHARGES FOR MAY'09	72.34
				ELECTRIC CHARGES FOR MAY'09	47.31
	6/11/2009	195600	1,819.25		
				ELECTRIC CHARGES FOR MAY'09	112.28
				ELECTRIC CHARGES FOR MAY'09	21.66
				ELECTRIC CHARGES FOR MAY'09	768.89
				ELECTRIC CHARGES FOR MAY'09	89.79
				ELECTRIC CHARGES FOR MAY'09	18.72
				ELECTRIC CHARGES FOR MAY'09	555.63
				ELECTRIC CHARGES FOR MAY'09	42.06
				ELECTRIC CHARGES FOR MAY'09	148.62
				ELECTRIC CHARGES FOR MAY'09	61.60
	6/11/2009	195601	12,285.32		
				IFA CHRGS-SUBSTATION	12,285.32
	6/18/2009	195709	1,327.84		
				IFA CHRGS	954.51
				ELECTRIC CHRGS	373.33
	6/18/2009	195712	1,077.25		
				DESIGN FOR TS @ LASSELLE & BAY	1,077.25
	6/25/2009	195873	24,149.29		
				ELECTRICITY CHARGES	165.84
				ELECTRICITY CHARGES	4,952.54
				ELECTRICITY CHARGES	2,707.50
				ELECTRICITY CHARGES	19.06
				ELECTRICITY CHARGES	3,128.08
				ELECTRICITY CHARGES	826.02
				ELECTRICITY CHARGES	3,044.18
				ELECTRICITY CHARGES	1,121.78
				ELECTRICITY CHARGES	163.87
				ELECTRICITY CHARGES	4,214.59
				ELECTRICITY CHARGES	20.30
				ELECTRICITY CHARGES	486.94
				ELECTRICITY CHARGES	250.40
				ELECTRICITY CHARGES	1,573.35
				ELECTRICITY CHARGES	245.90
				ELECTRICITY CHARGES	396.26
				ELECTRICITY CHARGES	480.26
				ELECTRICITY CHARGES	211.36
				ELECTRICITY CHARGES	141.06

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
Vendor Total		**46,803.40**		
FYTD for SOUTHERN CALIFORNIA EDISON		**3,082,369.11**		
SOUTHERN CALIFORNIA GAS CO.				
6/18/2009	195713	3,532.18		
			GAS CHARGES	823.73
			GAS CHARGES	1,591.23
			GAS CHARGES	13.89
			GAS CHARGES	24.16
			GAS CHARGES	356.48
			GAS CHARGES	64.56
			GAS CHARGES	16.61
			GAS CHARGES	167.39
			GAS CHARGES	70.82
			GAS CHARGES	69.94
			GAS CHARGES	48.95
			GAS CHARGES	84.26
			GAS CHARGES	83.49
			GAS CHARGES	97.89
			GAS CHARGES	18.78
Vendor Total		**3,532.18**		
FYTD for SOUTHERN CALIFORNIA GAS CO.		**567,074.21**		
SOUTHERN PET SUPPLIES				
6/4/2009	195464	468.45		
			MISC. COLLARS/LEASHES FOR RESA	468.45
6/18/2009	195714	306.80		
			COLLARS/LEASHES FOR RESALE	306.80
Vendor Total		**775.25**		
FYTD for SOUTHERN PET SUPPLIES		**3,106.15**		
SOUZA, LINDA				
6/11/2009	195602	20.00		
			RFND-RABIES DEPOSIT	20.00
Vendor Total		**20.00**		
FYTD for SOUZA, LINDA		**20.00**		
SPARKLETTS				
6/4/2009	195465	8.60		
			APR'09 WATER SERVICE	8.60
6/18/2009	195715	4.50		
			WATER COOLER RENTAL	4.50
6/25/2009	195875	11.66		
			MAY'09 WTR SRVC>CREEKSIDE ELEM	11.45
			JUN'09 WTR SRVC>ARMADA ELEM	0.21
Vendor Total		**24.76**		
FYTD for SPARKLETTS		**697.62**		

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
SPELLMAN MAGIC SPECTACULAR					
	6/19/2009	195735	15,000.00		
				MAGIC CHARACTER BLDG SHOW	15,000.00
	Vendor Total		**15,000.00**		
FYTD for SPELLMAN MAGIC SPECTACULAR			**15,000.00**		
SPORTS INNOVATORS					
	6/18/2009	195716	1,735.00		
				MAY'09 SPORT OFF. SRVCS	1,495.00
				MAY'09 FIELD PREP. SRVCS	240.00
	Vendor Total		**1,735.00**		
FYTD for SPORTS INNOVATORS			**23,377.50**		
SPRINT/NEXTEL					
	6/11/2009	195603	140.87		
				CELL CHRGS FOR PD/GTF>5/16	140.87
	Vendor Total		**140.87**		
FYTD for SPRINT/NEXTEL			**1,338.24**		
STANDARD & POOR'S RATINGS SERVICES					
	6/11/2009	195604	2,000.00		
				SURVEILANCE FEE>4/30/10	2,000.00
	6/25/2009	195876	1,000.00		
				ANNUAL ANALYTICAL SERVICES	1,000.00
	Vendor Total		**3,000.00**		
FYTD for STANDARD & POOR'S RATINGS SERVICES			**4,000.00**		
STANDARD INSURANCE CO					
	6/4/2009	195466	1,842.90		
				SUPPLEMENTAL INSURANCE	1,842.90
	Vendor Total		**1,842.90**		
FYTD for STANDARD INSURANCE CO			**500,715.00**		

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
STANLEY CONVERGENT SECURITY SOLUTNS, INC					
	6/4/2009	195467	350.00		
				RPLCD ALARM FOR PD	118.17
				RPLCD ALARM FOR PD	231.83
	6/11/2009	195606	175.00		
				SERVICE CALL FOR C&RC	175.00
	6/18/2009	195717	1,723.02		
				SEC MNTRNG>AUG'09 ESA	105.00
				JUN'09 SEC MNTRNG-CTY YARD	202.00
				JUN'09 SEC MNTRNG-TRNSP TRLR	35.00
				SEC MNTRNG>AUG'09 ANML SHLTR	63.00
				SEC MNTRNG>AUG'09 ANML SHLTR	234.99
				SEC MNTRNG>AUG'09 FACILITIES	276.00
				SEC MNTRNG>AUG'09 SENIOR CTR	333.03
				SEC MNTRNG>8/31 CTY YARD/TRNSP	404.00
				SEC MNTRNG>8/31 CTY YARD/TRNSP	70.00
	Vendor Total		**2,248.02**		
FYTD for STANLEY CONVERGENT SECURITY SOLUTNS, INC			**26,964.07**		
STATE BOARD OF EQUALIZATION					
	6/28/2009	90442081	5,084.00		
				SALES & USE TAX	5,084.00
	Vendor Total		**5,084.00**		
FYTD for STATE BOARD OF EQUALIZATION			**35,646.75**		
STATE DISBURSEMENT UNIT					
	6/25/2009	2426	1,971.31		
				CHILD SUPPORT WITHHOLDING	1,971.31
	6/11/2009	2416	1,971.31		
				CHILD SUPPORT WITHHOLDING	1,971.31
	Vendor Total		**3,942.62**		
FYTD for STATE DISBURSEMENT UNIT			**45,766.98**		
STATE OF CALIFORNIA DEPT. OF JUSTICE					
	6/4/2009	195468	4,191.00		
				APR'09 FINGERPRINTING-EMRG OP	160.00
				APR'09 FINGERPRINTING-STARS	32.00
				APR'09 FINGERPRINTING-B/L	288.00
				APR'09 FINGERPRINTING	3,711.00
	6/18/2009	195718	256.00		
				MAR'09 FINGERPRINTING	64.00
				MAR'09 FINGERPRINTING	128.00
				MAR'09 FINGERPRINTING	64.00
	6/25/2009	195877	1,260.00		
				APR'09 BLOOD ALCHL ANLYS	1,260.00
	Vendor Total		**5,707.00**		
FYTD for STATE OF CALIFORNIA DEPT. OF JUSTICE			**70,319.00**		

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
STATE OF CALIFORNIA/DEPT OF COM SVCS&DEV					
	6/25/2009	195878	47.14		
				MVU RFND>15720 LASSELLE #P	47.14
	Vendor Total		**47.14**		
FYTD for STATE OF CALIFORNIA/DEPT OF COM SVCS&DEV			**1,291.97**		
STENO SOLUTIONS TRANSCRIPTION SVCS., IN					
	6/4/2009	195469	2,848.80		
				APR'09 TRANSCRIPTION SRVCS	2,848.80
	6/18/2009	195719	3,624.96		
				MAY'09 DICT/TRNSCRP SRVCS	3,624.96
	Vendor Total		**6,473.76**		
FYTD for STENO SOLUTIONS TRANSCRIPTION SVCS., IN			**32,852.48**		
STERICYCLE (BFI)					
	6/25/2009	195879	378.02		
				JUN'09 WASTE HAULING	378.02
	Vendor Total		**378.02**		
FYTD for STERICYCLE (BFI)			**5,995.05**		
STEWART TITLE OF CALIFORNIA					
	6/4/2009	195470	450.00		
				PRELIM TITLE RPT 478-120-003,4	450.00
	Vendor Total		**450.00**		
FYTD for STEWART TITLE OF CALIFORNIA			**179,443.10**		
STRADLING, YOCCA, CARLSON & RAUTH					
	6/11/2009	195607	82.70		
				LGL SRVC-RADOS LAND USE	82.70
	6/18/2009	195720	7,023.22		
				APR'09 LGL SRVCS>HOUSING	325.00
				APR'09 LGL SRVCS>ALSSND/DAY	5.26
				APR'09 LGL SRVCS>ALSSND/DAY	194.74
				APR'09 LGL SRVCS>OAKWOOD HSG	3,670.02
				APR'09 LGL SRVCS>PERRIS ISLE	1,460.86
				APR'09 LGL SRVCS>RNCH DORADO	1,367.34
	Vendor Total		**7,105.92**		
FYTD for STRADLING, YOCCA, CARLSON & RAUTH			**58,189.64**		

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
STRATUS DEVELOPMENT C/O DAVID S. WOOD					
	6/25/2009	195880	8,056.80		
				RFND-PLANNING FEES	7,102.00
				RFND-PLANNING FEES	422.00
				RFND-PLANNING FEES	116.80
				RFND-PLANNING FEES	37.60
				RFND-PLANNING FEES	378.40
	Vendor Total		**8,056.80**		
FYTD for STRATUS DEVELOPMENT C/O DAVID S. WOOD			**8,056.80**		
STUCKEY, HARRIETTE					
	6/4/2009	195471	184.80		
				LINE DNCNG-10 PARTICIPANTS	184.80
	Vendor Total		**184.80**		
FYTD for STUCKEY, HARRIETTE			**1,249.20**		
SUKUT CONSTRUCTION, INC.					
	6/3/2009	80619	7,772.90		
				CONFIRM#W080619	7,772.90
	Vendor Total		**7,772.90**		
FYTD for SUKUT CONSTRUCTION, INC.			**3,456,115.61**		
SUNNYMEAD ACE HARDWARE					
	6/4/2009	195472	6.49		
				MISC. HARDWARE	6.49
	6/11/2009	195608	27.14		
				MISC. HARDWARE-FIRE DEPT.	5.42
				MISC. HARDWARE-POLICE DEPT.	16.30
				MISC. HARDWARE-POLICE DEPT.	5.42
	6/18/2009	195721	73.87		
				MISC HARDWARE>FIRE DEPT	11.94
				MISC HARDWARE>POLICE DPT	61.93
	Vendor Total		**107.50**		
FYTD for SUNNYMEAD ACE HARDWARE			**2,854.35**		
T.Y. LIN INTERNATIONAL					
	6/30/2009	195928	15,225.80		
				GRAHAM ST OVERCRSSNG/SR-60 PRJ	15,225.80
	Vendor Total		**15,225.80**		
FYTD for T.Y. LIN INTERNATIONAL			**136,497.87**		
TARGET SPECIALTY PRODUCTS					
	6/25/2009	195881	7,256.50		
				HERBICIDE & RELATED MATERIALS	7,256.50
	Vendor Total		**7,256.50**		
FYTD for TARGET SPECIALTY PRODUCTS			**16,905.99**		

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
TEHSELDAR, SAMIR MOHAMED					
	6/25/2009	195882	646.00		
				15 DAYS-INSTRUCT. SVCS.	570.00
				2 DAYS-INSTRUCT. SVCS.	76.00
	Vendor Total		**646.00**		
FYTD for TEHSELDAR, SAMIR MOHAMED			**5,738.00**		
TEMPLEMAN, IRENE					
	6/25/2009	195883	266.00		
				7 DAYS-INSTRUCT. SVCS.	266.00
	Vendor Total		**266.00**		
FYTD for TEMPLEMAN, IRENE			**2,166.00**		
THERMAL-COOL INC.					
	6/11/2009	195609	105.00		
				AC UNIT REPAIRS AT PSB	105.00
	Vendor Total		**105.00**		
FYTD for THERMAL-COOL INC.			**42,150.54**		
THOMAS, KAMRON					
	6/11/2009	195610	75.00		
				RFND-SPAY/NEUTER DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for THOMAS, KAMRON			**75.00**		
THOMCO CONSTRUCTION, INC.					
	6/25/2009	195884	4,476.80		
				RETENTION RLS-ARTERIAL WALLS	4,476.80
	Vendor Total		**4,476.80**		
FYTD for THOMCO CONSTRUCTION, INC.			**44,768.00**		
THOMSON GALE					
	6/11/2009	195611	29.33		
				WHEELER LARGE PRINT BOOK ORDER	29.33
	Vendor Total		**29.33**		
FYTD for THOMSON GALE			**2,155.30**		
TOEPFER, RANDALL G.					
	6/11/2009	195612	122.00		
				RFND-PLAN CK FEE	122.00
	Vendor Total		**122.00**		
FYTD for TOEPFER, RANDALL G.			**122.00**		

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TOIA, PETER					
	6/4/2009	195474	425.00		
				CITATION REFUND	425.00
	Vendor Total		**425.00**		
FYTD for TOIA, PETER			**425.00**		
TORREZ, LUIS					
	6/11/2009	195613	75.00		
				RFND-SPAY/NEUTER DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for TORREZ, LUIS			**75.00**		
TRAINING MAT					
	6/25/2009	195885	615.00		
				DEP RFND: 6/12 @C&RC	615.00
	Vendor Total		**615.00**		
FYTD for TRAINING MAT			**615.00**		
TRICHE, TARA					
	6/25/2009	195887	1,753.80		
				BALLET CLASS-14 PARTICIPANTS	192.60
				BALLET CLASS-14 PARTICIPANTS	118.20
				BALLET/ACRO-5 PARTICIPANTS	111.00
				DANCE EXPLOR.-3 CLASSES/37 TOT	821.40
				HIP HOP DANCE-2 CLASSES/17 TOT	377.40
				INTERMED BALLET-3 PARTICIPANTS	66.60
				JAZZ/HIP-HOP/ACRO-3 PARTICPNTS	66.60
	Vendor Total		**1,753.80**		
FYTD for TRICHE, TARA			**16,561.20**		
TRI-CITY LINEN SUPPLY, INC.					
	6/4/2009	195475	208.10		
				LINEN RENTAL SVC FOR CONF. CTR	25.00
				LINEN RENTAL SVC FOR CONF. CTR	24.50
				LINEN RENTAL-4/18/09	58.00
				LINEN RENTAL-5/14/09	100.60
	6/25/2009	195886	95.75		
				LINEN RENTAL FOR CONF/RECR CTR	25.00
				LINEN RENTAL FOR CONF/RECR CTR	25.00
				LINEN RENTAL FOR C&RC	45.75
	Vendor Total		**303.85**		
FYTD for TRI-CITY LINEN SUPPLY, INC.			**612.80**		

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
TRINITY BAPTIST CHURCH					
	6/25/2009	195888	719.00		
				DEP RFND: 6/13 @C&RC	719.00
	Vendor Total		**719.00**		
FYTD for TRINITY BAPTIST CHURCH			**919.00**		
TROPICAL PLAZA NURSERY, INC.					
	6/11/2009	195614	15,882.91		
				MAY'09 LANDSCP MAINT-ZONE E16	2,195.49
				MAY'09 IRRIGATION REPAIRS/E-2	264.84
				MAY'09 LANDSCP MAINT-ZONE E-2	13,422.58
	Vendor Total		**15,882.91**		
FYTD for TROPICAL PLAZA NURSERY, INC.			**202,933.66**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
TRUGREEN LANDCARE					
	6/4/2009	195476	10,995.13		
				APR'09 LANDSC. MAINT FOR DSG1E	10,995.13
	6/11/2009	195615	13,689.11		
				VALVE INST. @ HEACOCK/GENTIAN	525.00
				IRRIGATION REPAIRS-TR #20272	70.51
				IRRIGATION REPAIRS-TR #17334	24.36
				IRRIGATION REPAIRS-TR #31269	13.06
				IRRIGATION REPAIRS-TR #31269	11.60
				IRRIGATION REPAIRS-TR #31284	11.02
				IRRIGATION REPAIRS-TR #31591	84.35
				VALVE INST. @ 23750 ALESSANDRO	420.00
				VALVE INST. @ 22456 ALESSANDRO	490.00
				MASTR. VALVE INSTALLED-ZONE M	390.00
				REMOVAL OF DEAD OAK TREE/E-14	500.00
				PINE TREE REMOVAL-WST LASELLE	400.00
				MAY'09 LANDSCP MAINT-ZONE DSG2	5,847.75
				MAY'09 LANDSCP MAINT-ZONE M	1,441.56
				MAY'09 LANDSCP MAINT-ZONE M	3,459.90
	6/18/2009	195722	11,110.41		
				PLANTS FOR ZONE M	484.00
				TREE REMOVAL>E-2	4,675.00
				IRRIGATION RPRS>TR19852	17.52
				IRRIGATION RPRS>TR19912	17.12
				IRRIGATION RPRS>TR18784	8.13
				IRRIGATION RPRS>TR28882	24.63
				IRRIGATION RPRS>TR31591	10.45
				IRRIGATION RPRS>DSG-2	25.81
				JUN'09 LNDSCP MAINT>DSG-2	5,847.75
	6/25/2009	195889	18,082.09		
				EMERG ABATEMENT OF TREES-MARB	1,900.00
				IRRIG. REPAIRS-TRACT 17334	152.53
				IRRIG. REPAIRS-TRACT 17334	58.99
				IRRIG. REPAIRS-TRACT 13585	56.43
				IRRIG REPAIR-KRAMERIA/KITCHING	17.55
				JUN'09 LANDSC. MAINT.-ZONE M	4,785.30
				JUN'09 LANDSC. MAINT.-ZONE M	116.16
				JUN'09 LANDSC. MAINT.-DSG1-E	10,995.13
	6/30/2009	195929	1,680.00		
				MASTER VALVE INSTALL-TR# 18383	800.00
				MASTER VALVE INSTALL-TR# 19474	480.00
				MASTER VALVE INSTALL-TR# 20579	400.00
	Vendor Total		**55,556.74**		
FYTD for TRUGREEN LANDCARE			**316,789.31**		
TURBOSCAPE, INC.					
	6/4/2009	195477	3,075.00		
				INSTALL FIBAR AT 8 PLAYGROUNDS	3,075.00
	Vendor Total		**3,075.00**		
FYTD for TURBOSCAPE, INC.			**44,733.00**		

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
TURNER, MITZI					
	6/4/2009	195478	50.00		
				RFND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for TURNER, MITZI			**100.00**		
TWIN GRAPHICS					
	6/11/2009	195616	1,415.93		
				VEH. GRAPHICS FOR PATROL CARS	1,236.49
				GRAPHICS/DECALS FOR ROVE	177.79
				GRAPHICS/DECALS FOR ROVE	1.65
	Vendor Total		**1,415.93**		
FYTD for TWIN GRAPHICS			**13,611.31**		
U.S. ARCHITECTURAL LIGHTING, INC.					
	6/25/2009	195890	5,187.38		
				LIGHT FIXTURES & POLES-BAYSIDE	4,770.00
				CA SALES TAX	369.66
				CA SALES TAX	47.72
	Vendor Total		**5,187.38**		
FYTD for U.S. ARCHITECTURAL LIGHTING, INC.			**24,205.26**		
U.S. HEALTHWORKS MEDICAL GROUP					
	6/25/2009	195891	265.00		
				PRE-EMPL. PHYSICAL & DOT EXAMS	150.00
				PHYSICAL EXAM-Y. VASQUEZ	50.00
				DRUG SCREEN & DOT/DMV EXAM	65.00
	Vendor Total		**265.00**		
FYTD for U.S. HEALTHWORKS MEDICAL GROUP			**24,688.69**		
UNDERGROUND SERVICE ALERT					
	6/4/2009	195479	906.00		
				MAR'09 DIGALERT TICKETS	161.49
				MAR'09 DIGALERT TICKETS	65.01
				MAR'09 DIGALERT TICKETS	161.51
				MAR'09 DIGALERT TICKETS	64.99
				MAR'09 DIGALERT TICKETS	161.51
				MAR'09 DIGALERT TICKETS	64.99
				MAR'09 DIGALERT TICKETS	161.49
				MAR'09 DIGALERT TICKETS	65.01
	6/30/2009	195931	774.00		
				APR'09 DIGALERT TICKETS	193.50
				APR'09 DIGALERT TICKETS	193.50
				APR'09 DIGALERT TICKETS	193.50
				APR'09 DIGALERT TICKETS	193.50
	Vendor Total		**1,680.00**		
FYTD for UNDERGROUND SERVICE ALERT			**9,069.00**		

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
UNION BANK OF CALIFORNIA					
	6/25/2009	195892	9,107.27		
				STANDBY LETTER OF CREDIT FEE	170.00
				IRREV STANDBY LETTER OF CREDIT	8,577.27
				STANDBY LETTER OF CREDIT FEE	42.73
				STANDBY LETTER OF CREDIT FEE	137.27
				STANDBY LETTER OF CREDIT FEE	180.00
	Vendor Total		**9,107.27**		
FYTD for UNION BANK OF CALIFORNIA			**498,888.73**		
UNITED SITE SERVICES OF CA, INC.					
	6/25/2009	195893	174.88		
				PORTABLE TOILET-GOLF CTR >6/11	77.33
				PORTABLE TOILET-CTY YARD >6/11	97.55
	Vendor Total		**174.88**		
FYTD for UNITED SITE SERVICES OF CA, INC.			**9,747.35**		
UNITED WAY OF INLAND VALLEYS					
	6/11/2009	195617	988.61		
				U W CONTRIBUTIONS	988.61
	6/25/2009	195894	983.61		
				U W CONTRIBUTIONS	983.61
	Vendor Total		**1,972.22**		
FYTD for UNITED WAY OF INLAND VALLEYS			**29,095.02**		
URBAN CROSSROADS, INC.					
	6/25/2009	195895	885.00		
				TRAFFIC ENG. FOR MODEL UPDATE	885.00
	Vendor Total		**885.00**		
FYTD for URBAN CROSSROADS, INC.			**25,370.71**		
URBAN, MALLORY					
	6/4/2009	195480	20.00		
				RFND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for URBAN, MALLORY			**20.00**		
USA MOBILITY/ARCH WIRELESS					
	6/25/2009	195896	119.72		
				JUN'09 PAGER SERVICE-PARK RANG	2.02
				JUN'09 PAGER SERVICE-TRANSP.	5.06
				JUN'09 PAGER SVC-SEC GUARDS	24.29
				JUN'09 PAGER SERVICE-PD	35.73
				JUN'09 PAGER SVC-ANIMAL SVCS.	49.62
				JUN'09 PAGER ADMIN. FEE	3.00
	Vendor Total		**119.72**		
FYTD for USA MOBILITY/ARCH WIRELESS			**1,985.37**		

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
VACATE PEST ELIMINATION COMPANY					
	6/18/2009	195723	1,090.00		
				MAY'09 PEST CNTRL>28020 BAY	45.00
				MAY'09 PEST CNTRL>CITY HALL	75.00
				MAY'09 PEST CNTRL>FS #2	45.00
				MAY'09 PEST CNTRL>FS #6	45.00
				MAY'09 PEST CNTRL>FS #48	45.00
				MAY'09 PEST CNTRL>FS #65	45.00
				MAY'09 PEST CNTRL>FS #91	45.00
				MAY'09 PEST CNTRL>FS #58	45.00
				MAY'09 PEST CNTRL>C&RC	75.00
				MAY'09 PEST CNTRL>PRO SHP/MVTV	22.50
				MAY'09 PEST CNTRL>PRO SHP/MVTV	22.50
				MAY'09 PEST CNTRL>TWNGTE	45.00
				MAY'09 PEST CNTRL>LIBRARY	55.00
				MAY'09 PEST CNTRL>SR CTR	55.00
				MAY'09 PEST CNTRL>ANML SHLTR	115.00
				MAY'09 PEST CNTRL>ANNX #1	55.00
				MAY'09 PEST CNTRL>HOBBY SHOP	45.00
				MAY'09 PEST CNTRL>MFP/CC	45.00
				MAY'09 PEST CNTRL>TRNSP TRLR	45.00
				MAY'09 PEST CNTRL>ASES/CC	45.00
				MAY'09 PEST CNTRL>PSB	75.00
	Vendor Total		**1,090.00**		
FYTD for VACATE PEST ELIMINATION COMPANY			**22,430.00**		
VAL VERDE UNIFIED SCHOOL DISTRICT					
	6/4/2009	195481	10,377.05		
				APR'09 AFTER-SCHOOL SNACK SVC.	10,377.05
	6/30/2009	195933	98.25		
				MAY'09 AFTER-SCHOOL SNACK SVC.	98.25
	6/30/2009	195934	13,560.75		
				MAY'09 AFTER-SCHOOL SNACK SVC.	13,560.75
	6/30/2009	195935	1,694.05		
				JUN'09 AFTER-SCHOOL SNACK SVC.	1,694.05
	Vendor Total		**25,730.10**		
FYTD for VAL VERDE UNIFIED SCHOOL DISTRICT			**118,479.04**		
VALCARCEL, MONICA Y.					
	6/25/2009	195897	190.00		
				5 DAYS-INSTRUCT. SVCS.	190.00
	Vendor Total		**190.00**		
FYTD for VALCARCEL, MONICA Y.			**570.00**		

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
VALDEZ, FERDINAND					
	6/18/2009	195724	233.10		
				AFTER SCHOOL UNIV. MOD 1 TRNG	56.10
				AFTER SCHOOL UNIV. MOD 1 TRNG	177.00
	Vendor Total		**233.10**		
FYTD for VALDEZ, FERDINAND			**830.14**		
VALI COOPER & ASSOCIATES, INC.					
	6/11/2009	195618	21,770.00		
				PROF STAFFING SVCS-VARIOUS PRJ	21,770.00
	Vendor Total		**21,770.00**		
FYTD for VALI COOPER & ASSOCIATES, INC.			**502,043.55**		
VAS ASSOCIATES, INC.					
	6/11/2009	195619	16,500.00		
				PROF STAFFING SVCS-VARIOUS PRJ	16,500.00
	Vendor Total		**16,500.00**		
FYTD for VAS ASSOCIATES, INC.			**243,985.00**		
VASQUEZ, ED					
	6/30/2009	195936	500.00		
				DJ/EMCEE SVCS FOR CELEBRATION	500.00
	Vendor Total		**500.00**		
FYTD for VASQUEZ, ED			**500.00**		
VAZQUEZ, MARTHA EVA OR CORONEL, ADOLFO					
	6/4/2009	195482	50.00		
				CITATION REFUND	50.00
	Vendor Total		**50.00**		
FYTD for VAZQUEZ, MARTHA EVA OR CORONEL, ADOLFO			**50.00**		
VEGA, MARIBEL					
	6/11/2009	195620	75.00		
				RFND-SPAY/NEUTER DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for VEGA, MARIBEL			**75.00**		
VEGA, SUMMER / WARD, BRENDAN					
	6/11/2009	195621	95.00		
				RFND-RABIES DEPOSIT	20.00
				RFND-SPAY/NEUTER DEPOSIT	75.00
	Vendor Total		**95.00**		
FYTD for VEGA, SUMMER / WARD, BRENDAN			**95.00**		

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VERIZON					
	6/18/2009	195725	1,620.59		
				BACKBONE CHRGS	1,620.59
	Vendor Total		**1,620.59**		
FYTD for VERIZON			**19,380.50**		

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VERIZON CALIFORNIA					
	6/4/2009	195483	140.06		
				PH CHRGS-CITY YARD	70.03
				PH CHRGS-CITY HALL	70.03
	6/11/2009	195622	178.94		
				PH CHRGS-C&RC	70.03
				PH CHRGS-GLF CRS	72.03
				ANNUAL DIRECT. ADVRTSNG	36.88
	6/25/2009	195899	9,122.58		
				PH CHRGS FOR ANML SHLTR	70.03
				PH CHRGS FOR PD @MALL	302.31
				TELEPHONE CHARGES	202.03
				TELEPHONE CHARGES	202.39
				TELEPHONE CHARGES	157.34
				TELEPHONE CHARGES	520.32
				TELEPHONE CHARGES	219.33
				TELEPHONE CHARGES	89.50
				TELEPHONE CHARGES	219.16
				TELEPHONE CHARGES	185.35
				TELEPHONE CHARGES	70.35
				TELEPHONE CHARGES	210.36
				TELEPHONE CHARGES	143.67
				TELEPHONE CHARGES	341.42
				TELEPHONE CHARGES	114.48
				TELEPHONE CHARGES	437.07
				TELEPHONE CHARGES	344.84
				TELEPHONE CHARGES	123.88
				TELEPHONE CHARGES	70.10
				TELEPHONE CHARGES	308.10
				TELEPHONE CHARGES	21.25
				TELEPHONE CHARGES	136.96
				TELEPHONE CHARGES	273.73
				TELEPHONE CHARGES	11.23
				TELEPHONE CHARGES	11.24
				TELEPHONE CHARGES	45.36
				TELEPHONE CHARGES	27.65
				TELEPHONE CHARGES	52.32
				TELEPHONE CHARGES	22.68
				TELEPHONE CHARGES	22.68
				TELEPHONE CHARGES	22.68
				TELEPHONE CHARGES	150.46
				TELEPHONE CHARGES	79.15
				TELEPHONE CHARGES	40.94
				TELEPHONE CHARGES	66.96
				TELEPHONE CHARGES	286.75
				TELEPHONE CHARGES	56.48
				TELEPHONE CHARGES	22.08
				TELEPHONE CHARGES	78.68
				TELEPHONE CHARGES	3,361.27
	Vendor Total		**9,441.58**		
FYTD for VERIZON CALIFORNIA			**108,505.42**		

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
VERNON, MIKE					
	6/4/2009	195484	50.00		
				ADMIN. CITATION RFND	50.00
	Vendor Total		**50.00**		
FYTD for VERNON, MIKE			**50.00**		
VILLAFRANCA, ANTHONY					
	6/4/2009	195485	95.00		
				RFND-RABIES/SPAY/NEUTER DEP	20.00
				RFND-RABIES/SPAY/NEUTER DEP	75.00
	Vendor Total		**95.00**		
FYTD for VILLAFRANCA, ANTHONY			**95.00**		
VILLEGAS, XAVIERA / CALDERON, ERNEST					
	6/11/2009	195623	65.00		
				RFND-ANML SRVC FEES	30.00
				RFND-ANML SRVC FEES	5.00
				RFND-ANML SRVC FEES	20.00
				RFND-ANML SRVC FEES	10.00
	Vendor Total		**65.00**		
FYTD for VILLEGAS, XAVIERA / CALDERON, ERNEST			**65.00**		
VISION SERVICE PLAN					
	6/4/2009	195486	4,713.99		
				EMPLOYEE VISION INSURANCE	4,713.99
	Vendor Total		**4,713.99**		
FYTD for VISION SERVICE PLAN			**59,330.87**		
VISTA PAINT CORPORATION					
	6/11/2009	195624	850.28		
				GRAFFITI REMVL PAINT/SUPPLIES	252.15
				GRAFFITI REMOVAL PAINT	598.13
	Vendor Total		**850.28**		
FYTD for VISTA PAINT CORPORATION			**17,922.45**		
VORTEX INDUSTRIES					
	6/4/2009	195487	174.95		
				ROLL-UP STEEL DOOR MAINT-FS#58	174.95
	Vendor Total		**174.95**		
FYTD for VORTEX INDUSTRIES			**7,692.45**		
VOYAGER FLEET SYSTEM, INC.					
	6/11/2009	195625	1,212.26		
				CNG FUEL	1,212.26
	Vendor Total		**1,212.26**		
FYTD for VOYAGER FLEET SYSTEM, INC.			**21,223.07**		

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
VULCAN MATERIALS CO, INC.					
	6/25/2009	195900	1,869.02		
				ASPHALTIC MATERIAL-PROM PROJ.	326.04
				ASPHALTIC MATERIAL-PROM PROJ.	526.35
				ASPHALTIC CONCRETE & EMULSION	65.69
				ASPHALTIC CONCRETE & EMULSION	130.94
				ASPHALTIC CONCRETE & EMULSION	98.31
				ASPHALTIC CONCRETE & EMULSION	132.24
				ASPHALTIC CONCRETE & EMULSION	98.97
				ASPHALTIC CONCRETE & EMULSION	130.94
				ASPHALTIC CONCRETE & EMULSION	98.31
				ASPHALTIC CONCRETE & EMULSION	130.29
				ASPHALTIC CONCRETE & EMULSION	130.94
	Vendor Total		**1,869.02**		
FYTD for VULCAN MATERIALS CO, INC.			**204,980.01**		
WASSON, KIRK					
	6/25/2009	195901	532.00		
				14 DAYS-INSTRUCT. SVCS.	532.00
	Vendor Total		**532.00**		
FYTD for WASSON, KIRK			**2,140.00**		
WASTE MANAGEMENT OF THE INLAND EMPIRE					
	6/4/2009	195488	70.04		
				MAY'09 ROLL-OFF BIN RENTAL	32.28
				MAY'09 ROLL-OFF BIN RENTAL	37.76
	6/11/2009	195627	26.89		
				MAY09 BIN RENTAL-MINUS CR BAL	26.89
	Vendor Total		**96.93**		
FYTD for WASTE MANAGEMENT OF THE INLAND EMPIRE			**3,758.74**		
WASTE MANAGEMENT, INC.					
	6/30/2009	195937	1,018.24		
				JUN'09 STORAGE BIN RENTAL	144.12
				JUN'09 STORAGE BIN RENTAL	874.12
	Vendor Total		**1,018.24**		
FYTD for WASTE MANAGEMENT, INC.			**8,957.00**		
WELLS FARGO CORPORATE TRUST					
	6/1/2009	80601	1,891.28		
				INTEREST VAR. RATE BOND	1,891.28
	Vendor Total		**1,891.28**		
FYTD for WELLS FARGO CORPORATE TRUST			**9,943,712.33**		

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
WESEMULLER, RALPH					
	6/25/2009	195902	30.00		
				RFND-FALSE ALARM FEE	30.00
	Vendor Total		**30.00**		
FYTD for WESEMULLER, RALPH			**30.00**		
WEST GROUP					
	6/11/2009	195628	228.42		
				LEGAL SUBSCRIPTIONS	228.42
	6/18/2009	195726	321.15		
				LGL PUBLICATIONS	137.03
				LGL PUBLICATIONS	184.12
	Vendor Total		**549.57**		
FYTD for WEST GROUP			**12,299.56**		
WESTERN MUNICIPAL WATER DISTRICT					
	6/25/2009	195903	1,301.47		
				WATER UTILITY	1,249.70
				WATER UTILITY	51.77
	Vendor Total		**1,301.47**		
FYTD for WESTERN MUNICIPAL WATER DISTRICT			**19,997.19**		
WHISENANT, MATTHEW E. OR PATRICIA					
	6/4/2009	195489	100.00		
				CITATION REFUND	100.00
	Vendor Total		**100.00**		
FYTD for WHISENANT, MATTHEW E. OR PATRICIA			**100.00**		
WHISNER, MARY					
	6/11/2009	195629	50.00		
				RFND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for WHISNER, MARY			**100.00**		

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
WILLDAN AND ASSOCIATES					
	6/4/2009	195490	1,228.50		
				EIR PEER REVIEW-QUAIL RNCH PRJ	1,228.50
	6/11/2009	195630	3,357.50		
				PLAN CHECK SERVICES	3,357.50
	6/11/2009	195631	1,240.00		
				SVCS-TS @ LASSELLE&COTTONWOOD	620.00
				SVCS-TS @ KITCHING&EUCALYPTUS	620.00
	6/25/2009	195904	620.00		
				SVCS FOR TS @ LASSELLE & BAY	620.00
	Vendor Total		**6,446.00**		
FYTD for WILLDAN AND ASSOCIATES			**623,888.44**		
WILLDAN FINANCIAL SERVICES					
	6/25/2009	195905	1,750.00		
				ANNUAL DISCLOSURE SRVCS	875.00
				ANNUAL DISCLOSURE SRVCS	875.00
	Vendor Total		**1,750.00**		
FYTD for WILLDAN FINANCIAL SERVICES			**24,837.13**		
WILSON, WILLIAM					
	6/11/2009	195632	100.00		
				RFND-ADMIN. CITATION	100.00
	Vendor Total		**100.00**		
FYTD for WILSON, WILLIAM			**100.00**		
WONG-FLORES, LAURIE					
	6/25/2009	195906	570.00		
				15 DAYS-INSTRUCT. SVCS.	570.00
	Vendor Total		**570.00**		
FYTD for WONG-FLORES, LAURIE			**3,952.00**		
WRCAC/WESTERN RIV CO AGRICULTURE COALITN					
	6/11/2009	195633	500.00		
				AGRICULTURAL OPERATOR	500.00
	6/11/2009	195634	1,559.60		
				AGRICULTURAL OPERATOR	1,559.60
	Vendor Total		**2,059.60**		
FYTD for WRCAC/WESTERN RIV CO AGRICULTURE COALITN			**2,059.60**		
WRCOG WESTERN RIVERSIDE CO. OF GOVT'S.					
	6/4/2009	195491	75.00		
				ATTND:BONNIE FLICKINGER	75.00
	Vendor Total		**75.00**		
FYTD for WRCOG WESTERN RIVERSIDE CO. OF GOVT'S.			**1,603,617.14**		

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
WRCRCA					
	6/18/2009	195727	11,759.94		
				RESID/COMMERCIAL FEES CLLCTD	11,628.00
				RESID/COMMERCIAL FEES CLLCTD	131.94
	Vendor Total		**11,759.94**		
FYTD for WRCRCA			**229,222.53**		
WURM'S JANITORIAL SERVICES, INC.					
	6/18/2009	195728	22,188.21		
				JUN'09 JNTRL SRVCS>CITY HALL	5,716.54
				JUN'09 JNTRL SRVCS>TRNSP TRLR	123.00
				JUN'09 JNTRL SRVCS>CITY YARD	433.62
				JUN'09 JNTRL SRVCS>ESA ANNX	735.73
				JUN'09 JNTRL SRVCS>FACILITIES	105.36
				JUN'09 JNTRL SRVCS>FACILITIES	50.00
				JUN'09 JNTRL SRVCS>LIBRARY	2,134.68
				JUN'09 JNTRL SRVCS>PRO SHP/MVT	644.70
				JUN'09 JNTRL SRVCS>PSB	5,564.25
				JUN'09 JNTRL SRVCS>MVTV ANNX	58.05
				JUN'09 JNTRL SRVCS>SR CTR	1,916.18
				JUN'09 JNTRL SRVCS>TWNGTE	691.38
				JUN'09 JNTRL SRVCS>TS ANNX	566.79
				JUN'09 JNTRL SRVCS>CRC	3,447.93
	6/25/2009	195907	3,758.27		
				MAY'09 CLEANINGS @CRC	1,290.00
				MAY'09 CLEANINGS @TWNGTE	840.00
				MAY'09 CLEANINGS @SR CTR	260.00
				JUN'09 JNTRL. SVC-SUNNYMD ELEM	184.10
				JUN'09 JNTRL. SVC-GANG TASK FC	112.82
				JUN'09 JNTRL. SVC-RAINBOW RDGE	310.19
				JUN'09 JANITOR. SVC-RED MAPLE	310.19
				JUN'09 JANITOR. SVC-STARS BLDG	298.87
				JUN'09 JNTRL. SVC-SUNNYMD MIDD	152.10
	Vendor Total		**25,946.48**		
FYTD for WURM'S JANITORIAL SERVICES, INC.			**323,835.23**		
XEROX					
	6/18/2009	195729	579.87		
				MAY'09 BASE COPIER SRVCS	60.19
				MAY'09 BASE COPIER SRVCS	66.50
				MAY'09 BASE COPIER SRVCS	55.39
				MAY'09 BASE COPIER SRVCS	397.79
	6/25/2009	195908	31.04		
				MAY'09-COPIER MAINT/SUPPLY	31.04
	6/30/2009	195938	359.34		
				MAY'09-COPIER LEASE SVCS	359.34
	Vendor Total		**970.25**		
FYTD for XEROX			**50,807.71**		

City of Moreno Valley

Check Register

For Period 6/1/2009 through 6/30/2009

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
XEROX CAPITAL SERVICES, LLC				
6/4/2009	195492	613.05		
			FEB'09 COPIER MAINT/COPIES	613.05
6/25/2009	195909	790.32		
			MAY'09-COPIER MAINT/COPIES	790.32
Vendor Total		**1,403.37**		
FYTD for XEROX CAPITAL SERVICES, LLC		**12,277.97**		
YOUNG, REBECCA				
6/25/2009	195910	85.00		
			REGIST RFND-SWING CLASS	85.00
Vendor Total		**85.00**		
FYTD for YOUNG, REBECCA		**85.00**		
ZUMIEZ, INC				
6/18/2009	195730	87.29		
			RFND-BUS. LIC. OVRPMT	87.29
Vendor Total		**87.29**		
FYTD for ZUMIEZ, INC		**87.29**		
Subtotal		**1,559,406.38**		
GRAND TOTAL		**36,797,608.02**		

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MINUTES
CITY COUNCIL OF THE CITY OF MORENO VALLEY
July 14, 2009

CALL TO ORDER

SPECIAL PRESENTATIONS

1. 4th of July Parade Awards

2. Recognition of Family FunFest 2009 Moreno Valley Idol Competition Winners

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

REGULAR MEETING – 6:30 PM
July 14, 2009

CALL TO ORDER

Joint Meeting of the City Council of the City of Moreno Valley, Moreno Valley Community Services District, the Community Redevelopment Agency of the City of Moreno Valley and the Board of Library Trustees was called to order at 6:30 p.m. by Mayor Stewart in the Council Chamber located at 14177 Frederick Street.

PLEDGE OF ALLEGIANCE – The Pledge of Allegiance was led by Mayor Richard A. Stewart.

INVOCATION - Pastor Mark Avila, Calvary Chapel of Moreno Valley

ROLL CALL

Council:

Richard A. Stewart	Mayor
William H. Batey II	Council Member
Robin N. Hastings	Council Member
Jesse L. Molina	Council Member

Absent:

Bonnie Flickinger	Mayor Pro Tem

Staff:

Jane Halstead	City Clerk
Juliene Clay	Administrative Assistant
Steve Elam	Financial & Administrative Services Director
Robert Hansen	Interim City Attorney
Robert Gutierrez	City Manager
Betsy Adams	Assistant City Manager
Rick Hartmann	Deputy City Manager
John Anderson	Police Chief
Steve Curley	Fire Chief
Chris Vogt	Public Works Director/City Engineer
Kyle Kollar	Community Development Director

Barry Foster	Economic Development Director
Chris Paxton	Human Resources Director
Becky Guillan	Library Services Division Manager
Mike McCarty	Parks & Community Services Director

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

Mayor Stewart opened the agenda items for the Consent Calendars for public comments, which were received from Deanna Reeder (Item A23) and Pete Bleckert (Items A9 and A15).

A CONSENT CALENDAR - CITY COUNCIL

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

A .2 TENTATIVE TRACT MAP 32711 – SINGLE FAMILY RESIDENTIAL SUBDIVISION – APPROVE THE FINAL MAP, AND ACCEPTTHE AGREEMENT, AND BONDS FOR PUBLIC IMPROVEMENTS - FRONTING THE SOUTH SIDE OF JANET K DRIVE AT THE "T" INTERSECTION OF BOGUE STREET - DEVELOPER: ISAAC GENAH AND GLORIA M. GENAH, TRUSTORS AND TRUSTEES OF THE CSA REVOCABLE TRUST DATED SEPTEMBER 10, 1993, AND HANSON A.H. HO 2001 FAMILY TRUST, LA HABRA HEIGHTS, CA 90631 (Report of: Public Works Department)

Recommendation:

1. Approve Tract Map 32711, authorize the City Clerk to sign the map and transmit said map to the County Recorder's Office for recordation;

2. Accept the Agreement and Bonds for Public Improvements;

3. Authorize the Mayor to execute the Agreement;

4. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation; and

5. Authorize the City Engineer to execute any future time extension amendments to the agreement, subject to City Attorney approval, if the required public improvements are not completed within said time frame.

A .3 NOTICE OF COMPLETION AND ACCEPTANCE OF MAINTENANCE AREA II ANNUAL SLURRY SEAL PROGRAM -- PROJECT NO. 08-12584830 (Report of: Public Works Department)

Recommendation:

1. Accept the work as complete for Maintenance Area II Annual Slurry Seal Program, constructed by Doug Martin Contracting Co., Inc., 220 E. Foundation Ave., La Habra, CA 90631;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the office of the County Recorder of Riverside County, as required by Section 3093 of the California Civil Code;

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

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

A .4 TRACT 31494 – PARTIALLY REDUCE FAITHFUL PERFORMANCE WARRANTY SECURITIES AND ACCEPT THE PARTIAL PUBLIC IMPROVEMENTS AS COMPLETE - DEVELOPER: COLLIE COURT DEVELOPMENT, LLC, MORENO VALLEY, CA 92552-7599 (Report of: Public Works Department)

Recommendation:

1. Accept the partial Public Improvements, as complete, but not into the City's maintained street system; and

2. Authorize the City Engineer to execute the partial reduction to the Faithful Performance warranty securities, and exonerate the remaining portion of the Faithful Performance warranty security once the developer has completed the improvements and when all clearances are received, including final fee reconciliation.

A .5 AUTHORIZATION TO ISSUE PURCHASE ORDER TO SOUTHERN CALIFORNIA EDISON (SCE) FOR RELOCATION OF UTILITIES FOR THE KITCHING STREET IMPROVEMENTS PROJECT NO. 06-50182425 (Report of: Public Works Department)

Recommendation:

1. Authorize the issuance of a Purchase Order to SCE in the amount of $434,500 ($395,000 plus 10% contingency) from Account No. 501.82425.7500; and

2. Authorize payment to SCE in an amount up to $434,500 for relocation of SCE facilities associated with the Kitching Street Improvements project.

A .6 PARCEL MAP 35859 – APPROVAL OF COOPERATIVE AGREEMENT FOR PERRIS VALLEY MASTER DRAINAGE PLAN LATERAL B-1, STAGE 2 AND LATERAL B-1.2, BETWEEN THE RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, CITY OF MORENO VALLEY, AND FIRST INDUSTRIAL, L.P. - NANDINA AVENUE WEST OF PERRIS AND ON PERRIS BOULEVARD NORTH AND SOUTH OF NANDINA AVENUE - DEVELOPER: FIRST INDUSTRIAL, L.P., C/O FIRST INDUSTRIAL REALTY TRUST, INC., IRVINE, CA 92618 (Report of: Public Works Department)

Recommendation:

1. Approve the Cooperative Agreement between the Riverside County Flood Control and Water Conservation District, City of Moreno Valley, and FIRST INDUSTRIAL, L.P. for Perris Valley Master Drainage Plan Lateral B-1, Stage 2, and Lateral B-1.2;

2. Authorize the Mayor to execute the Cooperative Agreement; and

3. Direct the City Clerk to forward the signed Cooperative Agreement to Riverside County Flood Control and Water Conservation District.

A .7 AUTHORIZATION TO AWARD THE CONSTRUCTION CONTRACT FOR THE 2009 PAVEMENT RESURFACING PROJECT - PHASE II PROJECT NO. 08-12556330 (Report of: Public Works Department)

Recommendation:

1. Award the construction contract for the 2009 Pavement Resurfacing Project – Phase II to All American Asphalt, PO Box 2229, Corona, CA 92878, the lowest responsible bidder;

2. Authorize the City Manager to execute a contract with All American Asphalt;

3. Authorize the issuance of a Purchase Order to All American Asphalt in the amount of $776,250 (bid amount $675,000 plus 15% contingency of $101,250) when the contract has been signed by all parties (Account No. 225.68722);

4. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract with All American Asphalt, up to but not to exceed the Purchase Order contingency of $101,250; and

5. Authorize the Public Works Director/City Engineer to incrementally accept completed portions of work and pay retainage based on the acceptance of said work in accordance with Public Contact Code, Section 7107.

A .8 ADOPT THE PROPOSED RESOLUTION TO APPROVE THE CITY OF MORENO VALLEY DISADVANTAGED BUSINESS ENTERPRISE (DBE) PROGRAM FOR SUBMITTAL TO THE CALIFORNIA DEPARTMENT OF TRANSPORTATION (CALTRANS) (Report of: Public Works Department)

Recommendation:
Adopt Resolution No. 2009-71, to approve the City of Moreno Valley DBE Program for submittal to Caltrans.

Resolution No. 2009-71

A Resolution of the City Council of the City of Moreno Valley, California, to Approve the Disadvantaged Business Enterprise (DBE) Program for Submittal to the California Department of Transportation (Caltrans)

A .9 APPROVAL OF CHECK REGISTER FOR MAY, 2009 (Report of: Financial & Administrative Services)

Recommendation:
Adopt Resolution No. 2009-72, approving the Check Register for the month of May, 2009 in the amount of $22,683,602.18.

Resolution No. 2009-72

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Check Register for the Month of May, 2009

A .10 AGREEMENT FOR CONVEYANCE OF PROPERTY FOR THE

PARTIAL ACQUISITION OF APN 487-250-008 FOR THE SR-60/NASON STREET INTERCHANGE IMPROVEMENTS PROJECT - PROJECT NO. 98-25897 (Report of: Public Works Department)

Recommendation:

1. Approve the "Agreement for Conveyance of Property" for the partial acquisition of APN 487-250-008 and authorize the City Manager to execute said Agreement;

2. Authorize a purchase order in the amount of $1,120,000 from Account No. 125.89720 when the agreement has been signed by all parties; and

3. Authorize the Financial & Administrative Services Director to wire transfer funds into escrow in the amount of $1,100,000 for the purchase price and an additional amount of $20,000 for escrow fees for the partial acquisition of APN 487-250-008.

A .11 PARCEL MAP 33930 - REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING NEWHOPE STREET INTO THE CITY'S MAINTAINED STREET SYSTEM - DEVELOPER: MORENO VALLEY HEALTH, LLC, GOLDEN, COLORADO 80401(Report of: Public Works)

Recommendation:

1. Adopt Resolution No. 2009-73 authorizing the acceptance of the public improvements for Parcel Map 33930 as complete and accepting Newhope Street into the City's maintained street system; and

Resolution No. 2009-73

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Public Improvements as Complete Associated with Parcel Map 33930, and Accepting Newhope Street into the City's Maintained Street System

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

received.

A .12 APPROVE AGREEMENT WITH SOUTHERN CALIFORNIA EDISON (SCE) FOR REPLACEMENT OF OVERHEAD DISTRIBUTION FACILITIES FOR SR-60/NASON INTERCHANGE IMPROVEMENTS PROJECT -- PROJECT NO. 98-25897 (Report of: Public Works Department)

Recommendation:

1. Approve the "Agreement for Replacement of Overhead With Underground Distribution Facilities" with Southern California Edison (SCE) to replace existing overhead distribution facilities located along the right shoulder of East Bound SR-60 with underground distribution facilities located along Morrison Street, Eucalyptus Avenue, Fir Avenue, and Nason Street and subsequently remove the existing overhead distribution lines located along the right shoulder of East Bound SR-60 for the SR-60/Nason Street Interchange Improvements Project;

2. Authorize the City Manager to execute the "Agreement for Replacement of Overhead With Underground Distribution Facilities" with SCE;

3. Authorize the issuance of two Purchase Orders to SCE totaling $2,412,138.07 ($2,010,115.06 plus 20% contingency) for SCE improvements for the SR-60/Nason Interchange project ($1,206,069.04 from Account No. 125.89720 and $1,206,069.03 from Account No. 415.70024);

4. Authorize the Public Works Director/City Engineer to execute any subsequent related minor amendments to the agreement with SCE up to, but not exceeding, the total purchase order contingency amount of $402,023.01, subject to the approval of the City Attorney;

5. Authorize a full road closure of Fir Avenue from Tulip Tree Road to Nason Street and minor street closures up to 30 days maximum to facilitate smooth construction operations as authorized by the Public Works Director between July 1, 2009 and January 31, 2010; and

6. Authorize the Public Works Director to allow for an additional 30-day extension to the proposed road closure window if the project is delayed due to unforeseen issues.

A .13 TRACTS 27251 AND 27251-1 - PARTIALLY REDUCE FAITHFUL PERFORMANCE SECURITIES AND ACCEPT THE PARTIAL PUBLIC IMPROVEMENTS AS COMPLETE - DEVELOPER: RICHLAND PALMDALE DEVELOPERS, LLC, A DELAWARE LIMITED LIABILITY COMPANY, NEWPORT BEACH, CA 92660 (Report of: Public Works)

Recommendation:

1. Accept the partial Public Improvements, as complete, but not into the City's maintained street system;

2. Authorize the City Engineer to execute the partial reductions to the Faithful Performance securities, exonerate the portion of the Material and Labor securities associated with the completed improvements in 90 days if there are no stop notices or liens on file with the City Clerk, and exonerate the final 10% of the Faithful Performance security in one year when all clearances are received;

3. Authorize the Mayor to execute the Amendments to Agreements for Public Improvements for Tracts 27251 and 27251-1; and

4. Instruct the City Clerk to forward the completed Amendments to Agreements for Public Improvements to the County Recorder's Office for recordation.

A .14 APPROVE JOINT USE AGREEMENT FOR REPLACEMENT OF RIGHTS FOR DISTRIBUTION FACILITIES FOR SR-60/NASON INTERCHANGE IMPROVEMENTS PROJECT -- PROJECT NO. 98-25897 (Report of: Public Works Department)

Recommendation:

1. Approve the Joint Use Agreement with Southern California Edison (SCE) to replace prior rights for the existing overhead distribution facilities for the SR-60/Nason Street Interchange Improvements Project;

2. Authorize the City Manager to execute the Joint Use Agreement with SCE; and

3. Authorize the Public Works Director/City Engineer to execute any subsequent related minor amendments to the agreement with SCE, subject to the approval of the City Attorney.

A .15 NOTICE OF COMPLETION AND ACCEPTANCE OF PIGEON PASS ROAD STREET IMPROVEMENTS FROM IRONWOOD AVENUE TO NORTH CITY LIMITS PROJECT NO. 06-41570324 (Report of: Public Works Department)

Recommendation:

1. Accept the work as complete for Pigeon Pass Road Street Improvements from Ironwood Avenue to North City Limits, which was constructed by Sukut Construction Inc. (Sukut), 11840 Pierce Street, #100, Riverside, CA 92505;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the Office of the County Recorder of Riverside County as required by Section 3093 of the California Civil Code;

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

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

A .16 MINUTES - REGULAR MEETING OF JUNE 23, 2009 (Report of: City Clerk's Department)

Recommendation:
Approve as submitted.

A .17 MINUTES - SPECIAL MEETING OF JUNE 30, 2009 (Report of: City Clerk's Department)

Recommendation:
Approve as submitted.

A .18 CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES (Report of: City Clerk's Department)

Recommendation:
Receive and file the Reports on Reimbursable Activities for the period of June 17 – July 7, 2009.

A .19 DEVELOPMENT PARTNERS FOR THE NEIGHBORHOOD STABILIZATION PROGRAM (Report of: Economic Development Department)

Recommendation:

1. Authorize the City Manager to execute a Memorandum of Understanding agreement with National Community Stabilization Trust to acquire foreclosed homes at a discount;

2. Approve Acquisition Rehabilitation and Resale – Single Family Residential Program Guidelines;

3. Approve Acquisition Rehabilitation and Rental – Multi Family Residential Program Guidelines;

4. Authorize the City Manager to prepare and execute a Development Agreement with recommended Development Partners; and

5. Authorize the City Manager to execute purchase agreements for the acquisition of foreclosed properties per the provisions of the Neighborhood Stabilization Program and Moreno Valley ARR Program Guidelines.

A .20 RESOLUTION TO GRANT ANOTHER DESIGNATED PERIOD FOR TWO YEARS ADDITIONAL SERVICE CREDIT (Report of: Human Resources Department)

Recommendation:

1. Adopt Resolution No. 2009-74 granting a second designated period for employees to retire and receive an additional 2 years of CalPERS service credit;

Resolution No. 2009-74

A Resolution of the City Council of the City of Moreno Valley, California, to Grant Another Designated Period for Two Years Additional Service Credit

2. Approve Form PERS-CON-12, Certification of Governing Body's Action;

3. Approve Form PERS-CON-12A, Certification of Compliance with Government Code Section 7507;

4. Approve the Certification of Compliance with Government Code Section 20903; and

5. Direct the City Clerk, upon adoption of said Resolution, to forward to CalPERS a certified copy of: Resolution, Certification of Governing Body's Action and Certification of Compliance with Gov. Code. Sections 7507 and 20903.

A .21 FISCAL YEAR 2009/2010 MEMORANDUM OF UNDERSTANDING (MOU) WITH MORENO VALLEY CITY EMPLOYEES ASSOCIATION (MVCEA) (Report of: City Manager's Office)

Recommendation:
Approve Memorandum of Understanding (MOU) with the Moreno Valley City Employees Association (MVCEA).

A .22 PM 33152-1 – REQUEST TO CONDUCT A FULL ROAD CLOSURE OF OLD 215 FRONTAGE ROAD BETWEEN ALESSANDRO BOULEVARD AND DAY STREET FOR THE CONSTRUCTION OF STREET IMPROVEMENTS FROM AUGUST 17, 2009 – FEBRUARY 17, 2010 - DEVELOPER: ANDLAND PROPERTIES, LLC, TORRANCE, CA 90505 (Report of: Public Works Department)

Recommendation:
1. Authorize a full road closure of Old 215 Frontage Road Street from Alessandro Boulevard to Day Street for the construction of street improvements from August 17, 2009 – February 17, 2010; and

2. Authorize the City Engineer to allow for an additional 30-day extension to the proposed road closure window if the project is delayed due to unforeseen construction issues.

A .23 3RD ANNUAL REVIEW (P09-041) OF THE AQUABELLA DEVELOPMENT AGREEMENT, A DEVELOPMENT AGREEMENT BY AND BETWEEN THE CITY OF MORENO VALLEY AND MORENO VALLEY PROPERTIES, LP (Report of: Community Development Department)

Recommendation:

Determine that the property owner has complied in good faith with the terms, obligations and conditions of the Aquabella Development Agreement.

A .24 PARCEL MAP 33152-1 – INDUSTRIAL SUBDIVISION – APPROVE THE FINAL PARCEL MAP, AND ACCEPT THE AGREEMENT AND SECURITY FOR PUBLIC IMPROVEMENTS (Report of: Public Works Department)

Recommendation:

1. Approve Parcel Map 33152-1, authorize the City Clerk to sign the map and transmit said map to the County Recorder's Office for recordation;

2. Accept the Agreement and Security for Public Improvements;

3. Authorize the Mayor to execute the Agreement contingent upon the cash security being placed into the escrow account;

4. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation; and

5. Authorize the City Engineer to execute any future time extensions amendments to the agreement, subject to City Attorney approval, if the required public improvements are not completed within said timeframe.

B CONSENT CALENDAR - COMMUNITY SERVICES DISTRICT

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

B .2 MINUTES - REGULAR MEETING OF JUNE 23, 2009 (Report of: City Clerk's Department)

Recommendation:
Approve as submitted.

B .3 MINUTES - SPECIAL MEETING OF JUNE 30, 2009 (Report of: City Clerk's Department)

Recommendation:
Approve as submitted.

C CONSENT CALENDAR - COMMUNITY REDEVELOPMENT AGENCY

C .1 ORDINANCES - READING BY TITLE ONLY

Recommendation: Waive reading of all Ordinances.

C .2 MINUTES - REGULAR MEETING OF JUNE 23, 2009 (Report of: City Clerk's Department)

Recommendation:
Approve as submitted.

C .3 MINUTES - SPECIAL MEETING OF JUNE 30, 2009 (Report of: City Clerk's Department)

Recommendation:
Approve as submitted.

D CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

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

D .2 MINUTES - REGULAR MEETING OF JUNE 23, 2009 (Report of: City Clerk's Department)

Recommendation:
Approve as submitted.

Joint Consent Calendar Items A1 – D2 approved. Motion to Approve by m/Council Member William H Batey II, s/Council Member Robin N. Hastings
Approved by a vote of 4-0-1, Mayor Pro Tem Bonnie Flickinger absent.

E PUBLIC HEARINGS

E .1 PUBLIC HEARING TO APPROVE THE NEIGHBORHOOD STABILIZATION PROGRAM 2 GRANT APPLICATION (Report of: Economic Development Department)

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

Recommendation: That the City Council:

1. Approve Resolution No. 2009-75 authorizing the City's application for the Neighborhood Stabilization Program 2 (NSP2)

funding; and

Resolution No. 2009-75

A Resolution of the City Council of the City of Moreno Valley Approving the Submittal of an Application for the Competitive Neighborhood Stabilization Program (NSP2) Funds

Motion to Approve by m/Council Member Robin N. Hastings, s/Council Member Jesse L. Molina
Approved by a vote of 4-0-1, Bonnie Flickinger absent.

2. Approve and Authorize the Mayor to execute the Consortium Agreement.

Motion to Approve by m/Council Member Robin N. Hastings, s/Council Member Jesse L. Molina
Approved by a vote of 4-0-1, Bonnie Flickinger absent.

F ITEMS REMOVED FROM CONSENT CALENDARS FOR DISCUSSION OR SEPARATE ACTION – NONE

G REPORTS

G .1 SOUTHERN CALIFORNIA EDISON (SCE) UPDATE (Oral Presentation by Raymond Hicks, Region Manager)

No action required

G .2 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES

a) Report by Council Member Robin N. Hastings on Western Riverside Council of Governments (WRCOG)

Council Member Hastings
AB811 and AB474—these programs authorize financing the installation of renewable resources permanently to homes and small businesses. It will be available on a first come, first serve basis. It will be a fixed rate, low interest loan on solar and water. Council expressed interest in the program.

G .3 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

1. The City's three Memorandum of Understandings were approved. Starting July 10, the employees have a 36 hour work week,

which is a 4/9 week that resulted in a 10 percent savings.
2. Animal Services is working with the Summer Work Experience Program (SWEP), which provides young adults up to 30 hours a week of paid time to gain experience working in the animal services field.

H LEGISLATIVE ACTIONS

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

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

H .3 ORDINANCES - URGENCY ORDINANCES - NONE

H .4 RESOLUTIONS - NONE

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

Daryl Terrel
1. "New Hope" plan

Mike Rios
1. EMWD new rate charges
2. Thanked Moreno Valley Fire, PD, and Mike Cruz for their help with his daughter who fainted on July 4

Deanna Reeder
1. Thanked the Mayor for addressing questions from the public while they are still at the meeting
2. Aquabella project
3. Refunds on legal fees
4. Public records request regarding Highland Fairview
5. Public records request for telephonic conversations

Pete Bleckert
1. Pigeon Pass
2. Chamber of Commerce
3. Edgemont

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

Jesse Molina
1. Queried staff on the infrastructure for Aquabella
2. Questioned "how to obtain the telephone conversations between council members and Highland Fairview"
3. Inquired "if RDA was started in Edgemont"
4. Thanked Mike McCarty for the July 4 parade
5. City needs soccer fields, fields for youth football teams for practice, and lighted fields
6. July 4 was fun throwing candy. A great experience. He and his family sat out, kicked back, and listened to great music
7. RCTC voted for the half parkway; concerned if the other half doesn't get built. A lot of homes will be built in Perris
8. Thanked the police chief for taking care of some problems

Robin Hastings
1. EMWD workshop was held on July 8. Five residents attended, and staff was able to assist them. EMWD will provide a home survey. Thanked Dave Slawson and Betty Gibbel
2. Commended staff for a great job with the July 4 celebration
3. Harley Knox Blvd. dedication recognized long-time resident

William H. Batey II
1. Congratulated Mike McCarty and staff for a great July 4
2. The Val Verde school district to support resolution for pooling resources in keeping kids out of gangs
3. Congratulated the kids, adults and floats that were recognized
4. Congratulated Leann Colleta for the program she has developed. FEMA is taking the plan she developed
5. Council will be dark

Richard Stewart
1. Lowe's spent money to fix the "M" on the mountain. There will be a special recognition
2. Thanked everyone for the July 4 parade. The traffic went smoothly
3. The golden handshake allows senior staff members to retire and reduces the number of layoffs
4. There is a method of calculation for the Highland Fairview fees

CLOSED SESSION – Cancelled

ADJOURNMENT

Council Member Hastings chronicled Ottie Ashley Motte's life, who passed away recently. Mrs. Motte was one of the early founders in the area, was instrumental in the formation of Eastern Municipal Water District, provided 1,000 acres to the UCR reserve (now the Rimrock Reserve in Perris) for research, funded numerous scholarships and programs in Moreno Valley, Perris and Nuevo and made other significant contributions improving the quality of life of the residents.

Motion to adjourn the meeting in memory of Ottie Ashley Motte. m/ by Council Member Robin Hastings, s/Council Member William H. Batey II. Approved by a 4-0-1 vote, Mayor Pro Tem Flickinger absent.

There being no further business to conduct, the meeting was adjourned at 8:00 p.m. by unanimous informal consent.

Submitted by:

_____

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

Approved by:

_____

Richard A. Stewart
President, Moreno Valley Community Services District
Chairperson, Community Redevelopment Agency of the City of Moreno Valley
Chairperson, Board of Library Trustees

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

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

AGENDA DATE: August 25, 2009

TITLE: PA05-0169 – REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING THE PORTION OF CACTUS AVENUE AND MORENO BEACH DRIVE ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM

DEVELOPER – MORENO MARKETPLACE, LLC
1809 EXCISE AVENUE, SUITE 208
ONTARIO, CA 91761

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Adopt Resolution No. 2009-77 authorizing the acceptance of the public improvements for PA05-0169 as complete and accepting the portion of Cactus Avenue and Moreno Beach Drive associated with the project into the City's maintained street system.

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

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

PA05-0169 was conditionally approved requiring construction of certain public improvements. The public improvements included asphalt paving, curb, gutter, sidewalk, driveway approaches, landscaping, street lights, traffic signal, storm drain, and water. Those improvements received on-going inspection during the construction process. Upon completion of the improvements, Public Works/Land Development performed an inspection, and a punch list was generated. The required corrective actions have been completed, and the improvements are now eligible for acceptance into the City's maintained street system.

DISCUSSION

The completed improvements have received a final inspection, and the improvements were completed in accordance with the approved plans and the standards of the City of Moreno Valley. In accordance with the Streets and Highway Code, the method for acceptance of improvements, per Section 1806, (a), and (b), is by action of the governing body, by resolution. It is therefore appropriate to accept those improvements into the City's maintained street system and to provide a 90% reduction to the Faithful Performance Bond of $2,390,000 issued by Bond Safeguard Insurance Company. Ninety days after City Council approves the Faithful Performance Bond reduction, the Material and Labor Bond will be exonerated by the City Engineer provided there are no stop notices or liens on file with the City Clerk. The remaining 10% of the bond will be held for the one-year guarantee and warranty period. At the end of the guarantee and warranty period the bond will be released by the City Engineer subject to completion of any defective work that may have appeared during this period.

ALTERNATIVES

1. Adopt the proposed Resolution authorizing the acceptance of the public improvements for PA05-0169 as complete and accepting the portion of Cactus Avenue and Moreno Beach Drive associated with the project into the City's maintained street system. Authorize the City Engineer to execute the 90% reduction to the Faithful Performance Bond, exonerate the Material and Labor Bond in 90 days if there are no stop notices or liens on file with the City Clerk, and exonerate the final 10% of the Faithful Performance Bond in one year when all clearances are received. *The required improvements have been completed according to City of Moreno Valley Standards and therefore should be included in the City's maintained street system.*

2. Do not adopt the proposed Resolution authorizing the acceptance of the public improvements for PA05-0169 as complete and accepting the portion of Cactus Avenue and Moreno Beach Drive associated with the project into the City's maintained street system. Do not authorize the City Engineer to execute the 90% reduction to the Faithful Performance Bond, exonerate the Material and

Labor Bond in 90 days if there are no stop notices or liens on file with the City Clerk, and exonerate the final 10% of the Faithful Performance Bond in one year when all clearances are received. *The required improvements have been completed according to City of Moreno Valley Standards and therefore should be included in the City's maintained street system.*

FISCAL IMPACT

The acceptance of these street improvements into the City's maintained street system will create an additional fiscal impact to the street maintenance program of the City (Fund 121-Gas Tax, Fund 125-Measure "A", and Fund 152-NPDES).

CITY COUNCIL GOALS

Not applicable

NOTIFICATION

Publication of agenda

EXHIBITS

Exhibit "A" - Vicinity Map
Exhibit "B" - Proposed Resolution

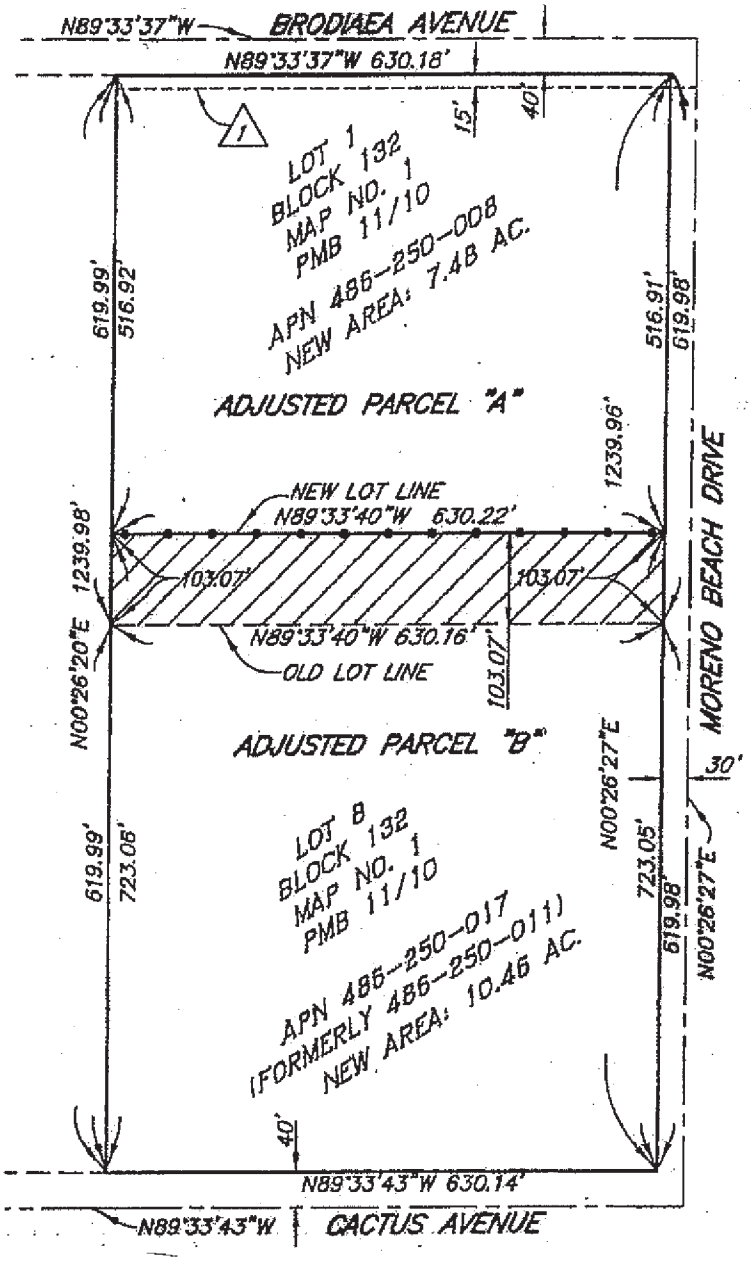
Prepared By
Anitra N. Holt
Management Analyst

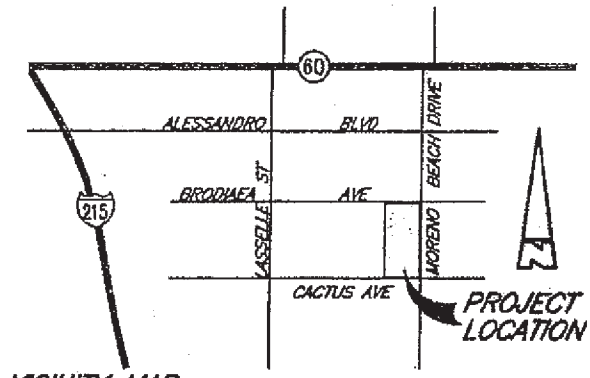
Department Head Approval
Chris A. Vogt, P.E.
Public Works Director/City Engineer

Concurred By
Mark W. Sambito

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

W:\LandDev\MANAGEMENT ASSISTANT\Staff Reports\2009\8-25-09 PA05-0169 - 90% Bond Reduction.doc





VICINITY MAP:
NOT TO SCALE

LOT AREA			
PARCEL	BEFORE	ADJUSTED	ZONING
"A"	8.97 AC.	7.48 AC.	SP#214/CC
"B"	8.97 AC.	10.46 AC.	SP#214/CC

CITY OF MORENO VALLEY
PUBLIC WORKS - LAND DEVELOPMENT

PA05-0169
VICINITY MAP

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RESOLUTION NO. 2009-77

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AUTHORIZING THE ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE WITHIN PA05-0169 AND ACCEPTING THE PORTION OF CACTUS AVENUE AND MORENO BEACH DRIVE ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM

WHEREAS, the City Engineer has determined that the public improvements constructed by Moreno Marketplace, LLC on the portion of Cactus Avenue and Moreno Beach Drive associated with the project were constructed according to the approved plans on file with the City of Moreno Valley, and

WHEREAS, the City Engineer has determined that those improvements were inspected during construction and were completed in an acceptable manner, and

WHEREAS, the City Engineer has requested that the City Council authorize the acceptance of said public improvements as complete within PA05-0169, and accept the portion of Cactus Avenue and Moreno Beach Drive associated with the project into the City's maintained street system, and

WHEREAS, it is in accordance with Streets and Highway Code, Section 1806, (a) and (b), for City Council to perform this action by resolution,

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Moreno Valley that the public improvements within PA05-0169 are complete, and the portion of Cactus Avenue and Moreno Beach Drive associated with the project are accepted into the City's maintained street system.

APPROVED AND ADOPTED this 25th day of August, 2009.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

EXHIBIT "B"

RESOLUTION JURAT

[Clerk's office will prepare]

[NOTE: Any attachments or exhibits to this resolution should follow this jurat.]

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council and President of the Board of Directors of the Community Services District and the Board of Directors of the Community Services District

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

AGENDA DATE: August 25, 2009

TITLE: TRANSFER OF REAL PROPERTY LOCATED AT THE SOUTHEAST CORNER OF PERRIS BOULEVARD AND FILAREE AVENUE (APN 486-084-001) FROM THE CITY OF MORENO VALLEY TO THE MORENO VALLEY COMMUNITY SERVICES DISTRICT AND DEDICATION OF RIGHT OF WAY FROM THE MORENO VALLEY COMMUNITY SERVICES DISTRICT TO THE CITY OF MORENO VALLEY.

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Approve the transfer of real property known as Assessor's Parcel Number (APN) 486-084-001 from the City of Moreno Valley, a Municipal Corporation to the Moreno Valley Community Services District (CSD).

2. Authorize the City Manager to execute quitclaim deed (Attachment "B") and all related documents as may be necessary to convey title to said property.

Staff recommends that the Board of Directors:

1. Accept the transfer of real property known as Assessor's Parcel Number (APN) 486-084-001 from the City of Moreno Valley, a Municipal Corporation to the Moreno Valley Community Services District.

2. Authorize the President of the Board of Directors of the Community Services District to execute the Certificate of Acceptance (COA) (Attachment "C") and direct the City Clerk to record the COA with the County Recorder of Riverside County when fully executed.

3. Approve the Offer of Dedication of a portion of APN 486-084-001 as a perpetual easement and right-of-way for public street and highway, public utilities, and public service facilities purposes.

4. Authorize the President of the Board of Directors of the Community Services District to execute Easement Deed (Attachment "D") to the City of Moreno Valley, a Municipal Corporation and all related documents as may be necessary to complete said offer of dedication.

BACKGROUND

APN 486-084-001, acquired by the City with Community Development Block Grant (CDBG) and Moreno Valley Community Redevelopment Agency (RDA) funds in March of 2006, is located at the southeasterly corner of Perris Boulevard and Filaree Avenue and is currently vacant. APN 486-084-016, acquired by the CSD from the RDA in April 2009, is located adjacent easterly of APN 486-084-001, at the southwesterly corner of Filaree Avenue and Sheila Street, and is currently vacant. The City has determined that the use of these two parcels should be for a neighborhood park. The City's current practice is to transition ownership of all park properties that are vested in the City of Moreno Valley to the CSD.

Staff has retained consultant park design services and worked with neighborhood residents to finalize the new park's name, complete design and prepare construction plans and specifications.

DISCUSSION

This property, APN 486-084-001, and the adjacent property to the east, APN 486-084-016, together will encompass approximately one-half acre. Efforts are currently underway to develop these parcels as a neighborhood park to be known as Patriot Park. The City's design consultants have completed the design for this park. Construction plans and specifications are complete.

The actions requested of the City Council and CSD Board, to approve and accept the transfer respectively, are necessary to properly effect the change of ownership of APN 486-084-001 from the City of Moreno Valley to the CSD. Ownership by the CSD is consistent with the City's practice of vesting ownership of parklands in the CSD. This will alleviate any potential future title and liability related issues for the City and will provide for park maintenance consistent with other public park properties in Moreno Valley. The adjacent parcel (APN 486-084-016) was recently also transferred to CSD ownership and this action in accordance with staff recommendation then will consolidate the ownership of these two properties under the CSD

Staff has determined that it is necessary to dedicate a small portion of APN 486-084-001 at the southeast corner of Perris Boulevard and Filaree Avenue (the northwest

corner of APN 486-084-001) for street and related public purposes for consistency with the City street standards. The action requested of the CSD Board to approve the dedication of property after transfer of ownership is the same action required of all property owners when right-of-way is requested. With the CSD's (Owner's) authorized offer of dedication, the acceptance and recordation of right-of-way can be completed at staff level.

ALTERNATIVES

1. Approve the transfer of real property known as Assessor's Parcel Number (APN) 486-084-001 from the City of Moreno Valley, a Municipal Corporation to the Moreno Valley Community Services District (CSD), authorize the City Manager to execute quitclaim deed (Attachment "B") and all related documents as may be necessary to convey title to said property, accept the transfer of real property known as Assessor's Parcel Number (APN) 486-084-001 from the City of Moreno Valley, a Municipal Corporation to the Moreno Valley Community Services District, authorize the President of the Board of Directors of the Community Services District to execute the Certificate of Acceptance (COA) (Attachment "C") and direct the City Clerk to record the COA with the County Recorder of Riverside County when fully executed, approve the Offer of Dedication of a portion of APN 486-084-001 as a perpetual easement and right-of-way for public street and highway, public utilities, and public service facilities purposes, and authorize the President of the Board of Directors of the Community Services District to execute Easement Deed (Attachment "D") to the City of Moreno Valley, a Municipal Corporation and all related documents as may be necessary to complete said offer of dedication. *This alternative will alleviate any future title issues and liability issues for the City.*

2. Do not approve the transfer of real property known as Assessor's Parcel Number (APN) 486-084-001 from the City of Moreno Valley, a Municipal Corporation to the Moreno Valley Community Services District (CSD), do not authorize the City Manager to execute quitclaim deed (Attachment "B") and all related documents as may be necessary to convey title to said property, do not accept the transfer of real property known as Assessor's Parcel Number (APN) 486-084-001 from the City of Moreno Valley, a Municipal Corporation to the Moreno Valley Community Services District, do not authorize the President of the Board of Directors of the Community Services District to execute the Certificate of Acceptance (COA) (Attachment "C") and direct the City Clerk to record the COA with the County Recorder of Riverside County when fully executed, do not approve the Offer of Dedication of a portion of APN 486-084-001 as a perpetual easement and right-of-way for public street and highway, public utilities, and public service facilities purposes, and do not authorize the President of the Board of Directors of the Community Services District to execute Easement Deed (Attachment "D") to the City of Moreno Valley, a Municipal Corporation and all related documents as may be necessary to complete said offer of dedication. *This alternative will result in potential future liability issues for the City.*

FISCAL IMPACT

There will be a transfer of land ownership but no financial transaction between the entities. There is no impact on the General Fund

CITY COUNCIL GOALS

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

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

ATTACHMENTS

ATTACHMENT "A" - Location Map
ATTACHMENT "B" - Quitclaim Deed
ATTACHMENT "C" - Certificate of Acceptance
ATTACHMENT "D" - Easement Deed (Street Right-of-Way)

Prepared By:
Michael D. Myers, P.E.
Consultant Project Manager

Concurred By:
Tony Hetherman
Parks Project Coordinator

Concurred By:
Michael Green
Consultant Real Property Agent

Department Head Approval:
Mike McCarty
Parks and Community Services Director

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

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

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

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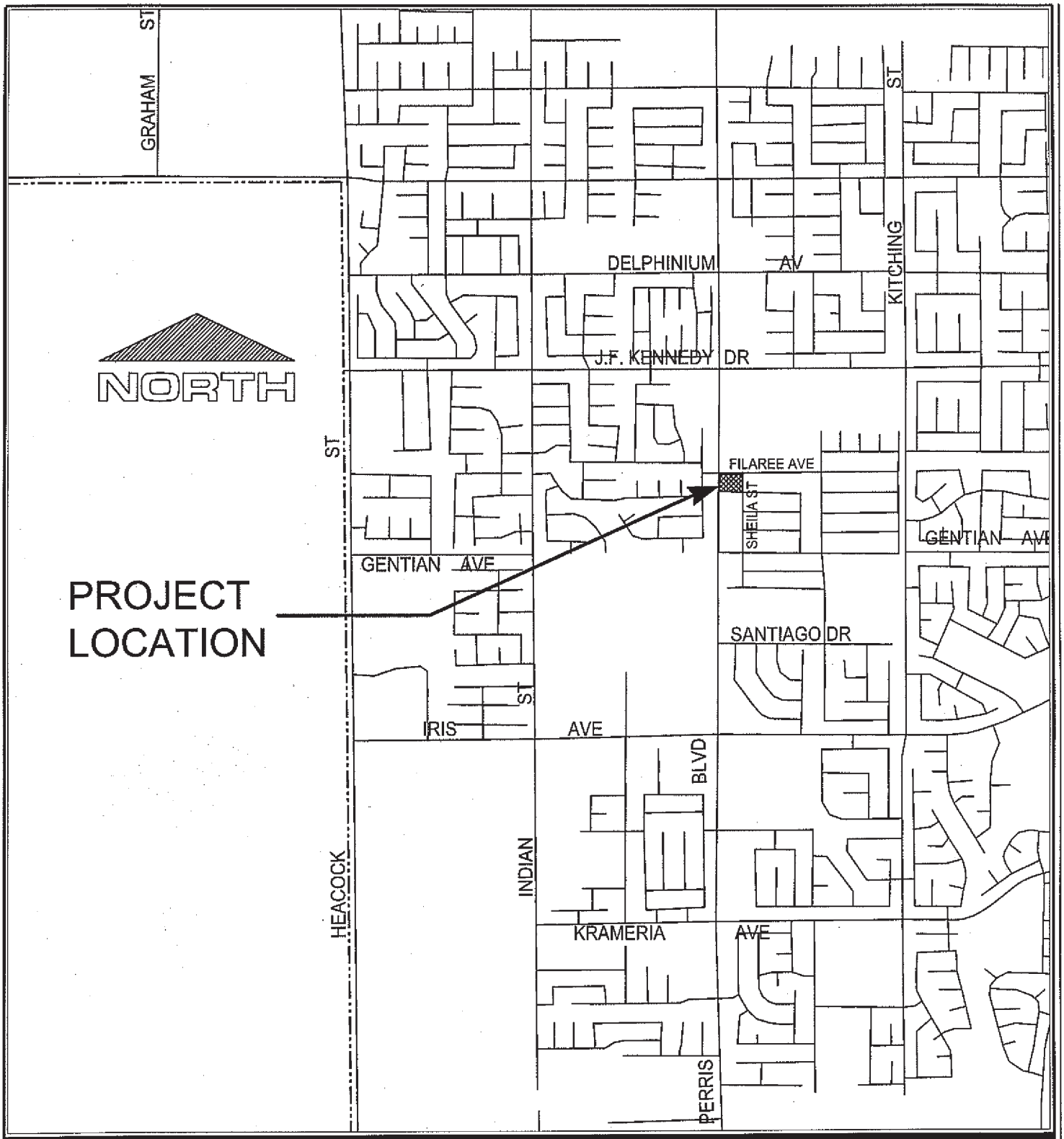

LOCATION MAP

CITY OF MORENO VALLEY
DECEMBER 3, 1984

Public WorksDepartment Capital Projects Division	Patriot Park PROJECT NUMBER 08-28268628
Scale: None	
Attachment "A"	

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RECORDING REQUESTED BY AND WHEN RECORDED MAIL TO:

City Clerk
City of Moreno Valley
PO Box 88005
Moreno Valley, CA 92552-0805

Exempt from Recording Fee per
Govt. Code Sec. 6103
City of Moreno Valley
By:
A.P.N. 486-084-001

(Space above this line for Recorder's use)

DOCUMENTARY TRANSFER TAX IS NONE.
Public Agency exempt.
Revenue and Taxation Code Section 11922

QUITCLAIM DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

City of Moreno Valley, a Municipal Corporation

GRANTOR(S) hereby remise, release and quitclaim to the Moreno Valley Community Services District, a District formed pursuant to California Community Services District Law, all that real property in the City of Moreno Valley, County of Riverside, State of California, described as follows:

West 123 feet of Lot 25 as measured along the South line of said Lot 25 of Tract No. 2995 as shown by Map on file in Book 52 page 99 and 100 of Maps Riverside County records

IN WITNESS WHEREOF, this instrument has been executed this _____ day of_____, 2009.

STATE OF CALIFORNIA
County of Riverside

On _____ before me, _____,
(Date) (Here insert name and Title of the Officer)
Personally appeared_____
_____,
Name(s) of Signer(s)
who proved to me on the basis of satisfactory evidence to be the person(s) whose name (s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or entity upon behalf which the person(s) acted, executed the instrument.
I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____
(Signature of Notary Public)

Grantor:
City of Moreno Valley

By: _____
Robert G. Gutierrez, City Manager

Date: _____

ATTACHMENT "B"

W:\CapProj\CapProj\PROJECTS\MikeM - 08-28268628 - Sheila Neighborhood Park\CC Reports\Staff Report for Property Transfer from City to CSD - Attachment B.DOC

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RECORDING REQUESTED BY AND WHEN RECORDED MAIL TO:

City Clerk
City of Moreno Valley
P.O. Box 88005
Moreno Valley, CA 92552-0805

(Space above this line for Recorder's use only)

CERTIFICATE OF ACCEPTANCE

This is to certify that the interest in real property conveyed by Quitclaim Deed dated _____ from the City of Moreno Valley, a Municipal Corporation, to the Moreno Valley Community Services District of the City of Moreno Valley, in the form attached hereto, is hereby accepted, by order of the Moreno Valley City Council, acting in its capacity as the governing body of the Moreno Valley Community Services District, on August 25, 2009, and the grantee consents to recordation thereof.

Date: _____

By: _____
Richard A. Stewart
President, Moreno Valley Community Services District

ATTACHMENT "C"

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RECORDING REQUESTED BY AND WHEN RECORDED MAIL TO:

City Clerk
City of Moreno Valley
P.O. Box 88005
Moreno Valley, CA 92552-0805

Exempt from Recording Fee per
Govt. Code Sec. 6103
City of Moreno Valley
By:
A.P.N. 486 – 084 – 001

(Space above this line for Recorder's use)
DOCUMENTARY TRANSFER TAX IS NONE.
Public Agency exempt.
Revenue and Taxation Code Section 11922

EASEMENT DEED

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged,

Moreno Valley Community Services District

GRANTOR(S), hereby grant(s) and convey(s) to the City of Moreno Valley, a Municipal Corporation, a perpetual easement and right of way for public street and highway purposes, including public utilities and public service facilities over, under, upon, and across, and within the real property in the City of Moreno Valley, County of Riverside, State of California, described on the attached **EXHIBIT "A"** and as illustrated on the plat attached hereto and marked **EXHIBIT "B".** IN WITNESS WHEREOF, this instrument has been executed this _____ day of _____ 2009.

STATE OF CALIFORNIA
County of Riverside

On _____ before me, _____,
(Date) (Here insert name and Title of the Officer)
Personally appeared _____
_____
,
Name(s) of Signer(s)
who proved to me on the basis of satisfactory evidence to be the person(s) whose name (s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or entity upon behalf which the person(s) acted, executed the instrument.
I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature _____
(Signature of Notary Public)

Grantor:
Moreno Valley Community Services District

By: _____
Richard A. Stewart, Board President

Date _____

ATTACHMENT "D"

W:\CapProj\CapProj\PROJECTS\MikeM - 08-28268628 - Sheila Neighborhood Park\CC Reports\Staff Report for Property Transfer from City to CSD - Attachment D.DOC

EXHIBIT "A"

ASSESSOR'S PARCEL 486-084-001

LEGAL DESCRIPTION

A PORTION OF THAT CERTAIN REAL PROPERTY IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA DESCRIBED IN DOCUMENT RECORDED MARCH 3, 2006 IN THE OFFICE OF THE COUNTY RECORDER OF RIVERSIDE COUNTY, STATE OF CALIFORNIA AS DOCUMENT NO. 2006-0158149 OF OFFICIAL RECORDS OF SAID COUNTY BEING A PORTION OF LOT 25 OF TRACT NO. 2995, ACCORDING TO THE MAP THEREOF FILED IN BOOK 52, PAGES 99 AND 100 OF MAPS, RECORDS OF RIVERSIDE COUNTY, MORE PARTICULARLY DESCRIBED AS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 25 BEING A POINT ON THE EASTERLY RIGHT OF WAY LINE OF PERRIS BOULEVARD AS SAID RIGHT-OF-WAY LINE IS SHOWN ON SAID MAP; THENCE, NORTH 00°10'00" WEST ALONG THE WESTERLY LINE OF SAID LOT 25 AND SAID EASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 74.61 FEET BEING THE **TRUE POINT OF BEGINNING**; THENCE CONTINUEING ALONG SAID LINE, NORTH 00°10'00" WEST A DISTANCE OF 10.03 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHEASTERLY HAVING A RADIUS OF 16.00 FEET; THENCE, CONTINUEING NORTHERLY AND EASTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90°10'00", AN ARC DISTANCE OF 25.18 FEET TO A POINT ON THE NORTHERLY LINE OF SAID LOT 25 BEING ALSO ON THE SOUTHERLY RIGHT OF WAY LINE OF FILAREE AVENUE, 60 FEET WIDE, AS SAID LINE IS SHOWN ON SAID MAP; THENCE ALONG THE NORTHERLY LINE OF SAID LOT AND SAID SOUTHERLY RIGHT-OF-WAY LINE, EAST A DISTANCE OF 6.98 FEET; THENCE, LEAVING SAID LINE SOUTH 41°20'58" WEST, A DISTANCE OF 34.74 FEET TO THE **TRUE POINT OF BEGINNING.**

CONTAINING IN ALL 245 SQUARE FEET (0.006 ACRES), MORE OR LESS.

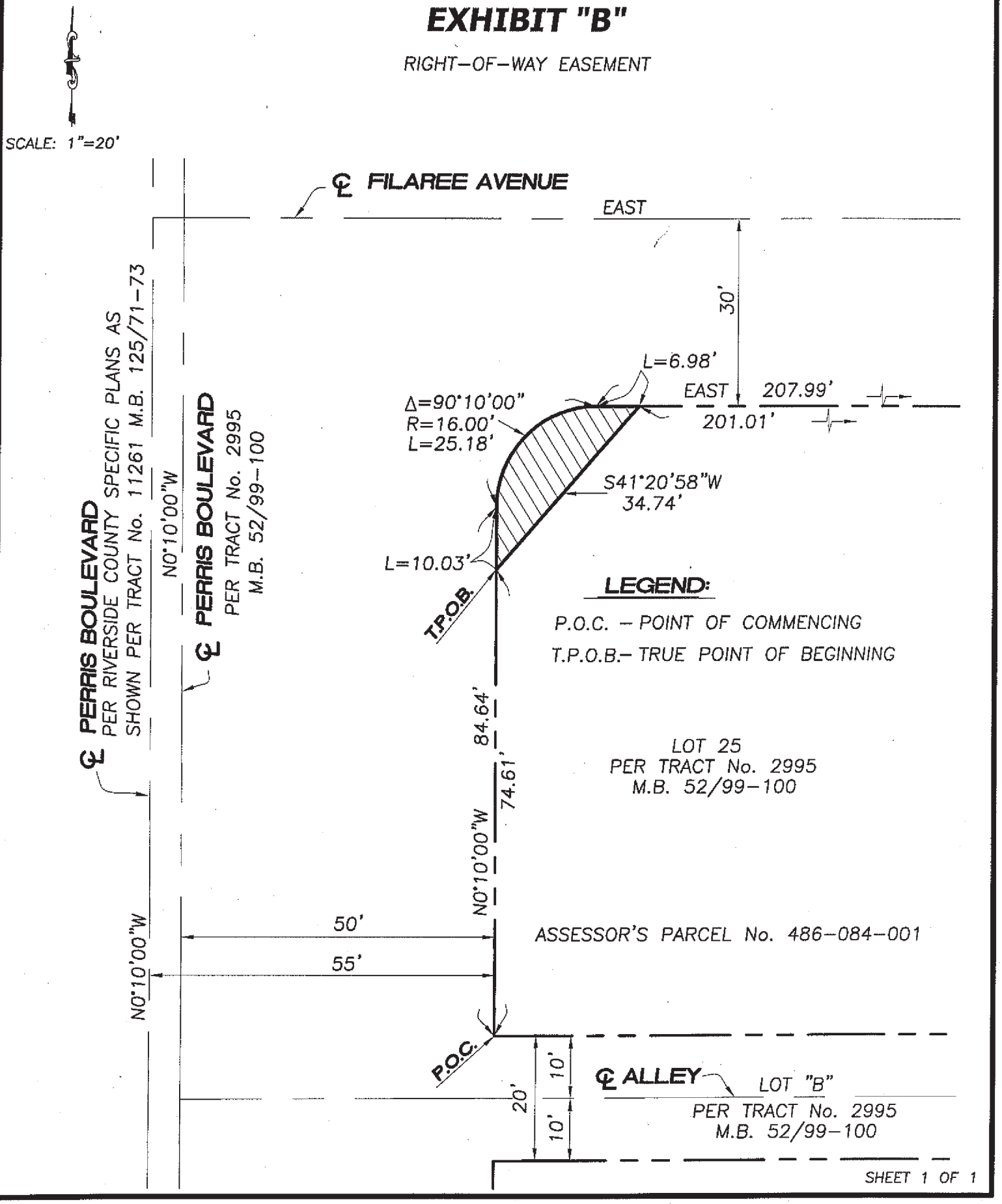
THIS DESCRIPTION HAS BEEN PREPARED BY ME, OR UNDER MY DIRECTION, IN CONFORMANCE WITH THE PROFESSIONAL LAND SURVEYORS ACT.

SIGNED: _____

MICHAEL D. MYERS, RCE 30702
EXPIRES 3/31/2010
DATE: JULY 5, 2009

EXHIBIT "B"

RIGHT–OF–WAY EASEMENT



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APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

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

AGENDA DATE: August 25, 2009

TITLE: APPROVE AGREEMENT FOR EXCHANGE OF REAL PROPERTY WITH RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT (RCFC&WCD) FOR PIGEON PASS ROAD STREET IMPROVEMENTS FROM IRONWOOD AVENUE TO NORTH CITY LIMITS – PROJECT NO. 06-41570324

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Approve the "Agreement for Exchange of Real Property" with Riverside County Flood Control and Water Conservation District (RCFC&WCD) for the Pigeon Pass Road Street Improvements (Ironwood Avenue to North City Limits)

2. Authorize the City Manager to execute the "Agreement for Exchange of Real Property" in the form attached hereto upon concurrence by RCFC&WCD and authorize the City Manager to approve any minor changes that may be requested by RCFC&WCD subject to the approval of the City Attorney.

BACKGROUND

The Pigeon Pass Road Street Improvements Project widened Pigeon Pass Road to four lanes with a continuous turn lane and bikeway improvements. Construction included the extension of two storm drain facilities owned by RCFC&WCD (Pigeon Pass Channel Line J and Sunnymead Master Drainage Plan Line H-13).

On April 8, 2008, the City Council approved a Cooperative Agreement between RCFC&WCD, the County of Riverside, and the City of Moreno Valley. The Cooperative Agreement set forth the responsibilities of each party, including the acquisition and

transfer of property between the City of Moreno Valley and RCFC&WCD and, therefore, the necessity of the subject "Agreement for Exchange of Real Property."

On April 22, 2008, the City Council approved an agreement to acquire drainage and slope easements as well as a fee simple parcel over APN 264-312-001 (Tril property) adjacent to Line J on the west side of Pigeon Pass Road, north of Western Ridge Road. These drainage easements and the fee simple parcels were acquired by the City so that they could be exchanged with RCFC&WCD.

On July 14, 2009, the City Council accepted the Pigeon Pass Road Improvements from Ironwood Avenue to the North City Limits as complete.

DISCUSSION

The City has completed construction of the Pigeon Pass Road Street Improvements from Ironwood Avenue to North City Limits, which included street widening and the extension of two storm drain facilities owned by RCFC&WCD (Pigeon Pass Channel Line J and Sunnymead Master Drainage Plan Line H-13).

When the Pigeon Pass improvements are completed and accepted, RCFC&WCD will 1) exchange properties pursuant to the subject "Agreement for Exchange of Real Property" and 2) accept ownership and responsibility for the operation and maintenance of RCFC&WCD's drainage facilities.

Pursuant to the subject agreement, the City will acquire two fee simple parcels adjacent to the Tril property and Line J from RCFC&WCD, one of which will be utilized by the City as public right of way, and the other is planned to be quitclaimed to augment the adjacent Tril property. In return, the City will quitclaim its interest in the drainage easement and a fee simple parcel to RCFC&WCD, both of which were acquired by the City from the Trils and were necessary for RCFC&WCD's Line J. This exchange of fee simple and easement interests between the City and RCFC&WCD is at no cost to either agency since they are deemed to be an exchange of equal value.

ALTERNATIVES

1. Approve the "Agreement for Exchange of Real Property" with Riverside County Flood Control and Water Conservation District (RCFC&WCD) for the Pigeon Pass Road Street Improvements (Ironwood Avenue to North City Limits); and authorize the City Manager to execute the "Agreement for Exchange of Real Property" in the form attached hereto upon concurrence by RCFC&WCD and authorize the City Manager to approve any minor changes that may be requested by RCFC&WCD subject to the approval of the City Attorney. *Staff recommends this alternative because it facilitates completion of the project by implementing the terms of the Exchange Agreement.*

2. Do not approve the "Agreement for Exchange of Real Property" with Riverside County Flood Control and Water Conservation District (RCFC&WCD) for the Pigeon Pass Road Street Improvements (Ironwood Avenue to North City Limits); and do not authorize the City Manager to execute the "Agreement for Exchange of Real Property" in the form attached hereto upon concurrence by RCFC&WCD and do not authorize the City Manager to approve any minor changes that may be requested by RCFC&WCD subject to the approval of the City Attorney. *Staff does not recommend this alternative because it would delay completion of the project and the transfer of land and easements under the terms of the Exchange Agreement*

FISCAL IMPACT

There is no monetary exchange required for the Exchange Agreement with RCFC&WCD. The project was funded using Measure "A" (Fund 125), Transportation Uniform Mitigation Fee (TUMF – Fund 415) and City Development Impact Fees (DIF) for streets (Fund 416). There is no impact to the General Fund.

BUDGETED FUNDS FOR CONSTRUCTION PHASE

FY 2008/2009 Measure "A" (125.67428)	$ 241,000
FY 2008/2009 -- TUMF (415.70324)	$ 7,565,000
FY 2008/2009 – DIF/Streets (416.78725)	$ 2,839,000
Total Available Construction Phase Funds	**$10,645,000**

CONSTRUCTION PHASE RELATED COSTS:

Construction Cost	$ 3,880,000
Construction Survey	$ 113,000
Construction Geotechnical	$ 74,000
Construction Management and Inspection	$367,000
Construction Design Support	$58,000
City Administration and Miscellaneous costs	$130,000
Total Construction Phase Related Costs	**$4,622,000**

CITY COUNCIL GOALS

PUBLIC SAFETY

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

PUBLIC FACILITIES AND CAPITAL PROJECTS:

Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:

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

SUMMARY

The “Agreement for Exchange of Real Property” implements the property and easement exchanges described in the "Cooperative Agreement" for the Pigeon Pass Road Improvements project with Riverside County Flood Control and Water Conservation District (RCFC&WCD). There is no cost to either the City or RCFC&WCD since the fee simple and easement interests are deemed to be an exchange of equal value.

ATTACHMENTS

Attachment "A" – Location Map
Attachment "B" – Agreement for Exchange of Real Property

Prepared By:
Viren Shah, P.E.
Consultant Project Manager

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

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

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

W:\CapProj\CapProj\PROJECTS\Viren - 06-41570324 PigeonPass Climbing Rose-North City Limits TUMF\CC Reports\082509 Staff Report - Real Property Exchange (RCFCWCD) - v2.doc

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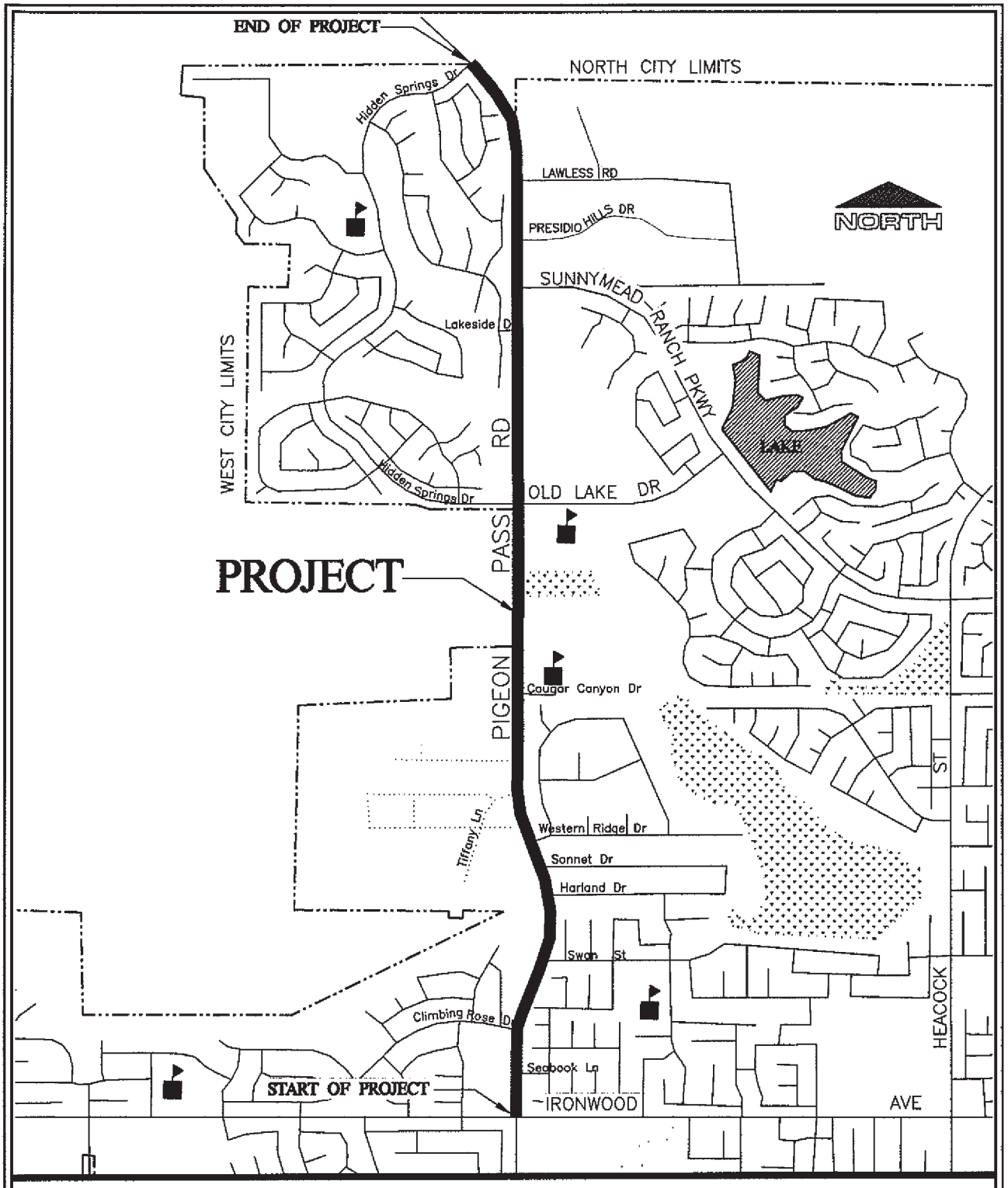

LOCATION MAP

Public Works Department Capital Projects Division	PROJECT NO. 06-415.70324 PIGEON PASS ROAD STREET IMPROVEMENTS From Ironwood Avenue to North City Limits
Scale: None	

Attachment "A"

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Project: Pigeon Pass Channel Line J
Pigeon Pass Road Street Widening
Project No. 4-0-00201
RCFC Parcel No. 4201-2

AGREEMENT FOR EXCHANGE OF REAL PROPERTY

THIS AGREEMENT is entered into this _____ day of _____, 2009, by and between the Riverside County Flood Control and Water Conservation District (hereinafter called "District"), and the City of Moreno Valley (hereinafter called "City") for acquisition by District and City of certain real property hereinafter set forth.

IT IS HEREBY MUTUALLY AGREED BETWEEN THE PARTIES AS FOLLOWS:

1. AGREEMENT TO CONVEY. District shall convey to City that certain real property, (hereinafter called "District Property") situated in the city of Moreno Valley, County of Riverside, State of California, and legally described as follows:

SEE ATTACHMENT "A" ATTACHED HERETO

AND BY THIS REFERENCE MADE A PART HEREOF

In addition, City agrees to convey to District and District agrees to accept from City, upon the terms and for the consideration set forth in this Agreement, all that certain real property (hereinafter called "City Property") situated in the city of Moreno Valley, County of Riverside, State of California, and legally described as follows:

SEE ATTACHMENTS "B" AND "C" ATTACHED HERETO

AND BY THIS REFERENCE MADE A PART HEREOF

2. PURCHASE PRICE. There are no funds involved in this transaction as relatively similar properties are being exchanged.

Attachment "B"

3. CONVEYANCE OF TITLE. District agrees to convey by Grant Deed to City, the fee title to a portion of RCFC Parcel 4201-2, District Property, free and clear of all recorded encumbrances, assessments, easements, leases and taxes EXCEPT:

A. Taxes: Current fiscal year, including personal property tax, if any, and any further assessment thereto under Chapter 3.5 of Revenue and Taxation Code of the State of California.

B. Quasi-public utility, public alley, public street easements and rights of way of record.

City agrees to convey by Grant Deed to District, the fee title of the area as described in said Attachment "B", and convey by a Quitclaim Deed to District a drainage easement, as described in said Attachment "C". Property must be free and clear of all recorded liens, encumbrances, assessments, easements, leases, and taxes EXCEPT:

A. Taxes: Current fiscal year, including personal property tax, if any, and any further assessment thereto under Chapter 3.5 of Revenue and Taxation Code of the State of California.

B. Quasi-public utility, public alley, public street easements and rights of way of record.

4. TITLE INSURANCE POLICY. The City shall provide a policy of title insurance for the property granted to District and City will be responsible for the payment of any premium for said policy.

5. NECESSARY INSTRUMENTS. Upon the recordation of a Notice of Completion for Pigeon Pass Road Street Widening, District will execute and provide a Grant Deed, conveying District Property to City. City will execute and provide a Grant Deed and a Quitclaim Deed, conveying City Property to District.

District and City to provide any additional Instruments as may be necessary to complete this transaction. District and City hereby agree to cooperate with the execution of all documents necessary to complete the transfer of the property including, but not limited to, any supplemental instructions required to complete the transaction.

6. PERMISSION TO ENTER ON PREMISES. District and City each hereby grants to the other, or its authorized agents, permission to enter upon the property to be conveyed to them at all reasonable times prior to close of this transaction for the purpose of making necessary or appropriate inspections.

7. COUNTERPARTS. This Agreement may be executed in counterparts, each of which so executed shall, irrespective of the date of its execution and delivery, be deemed an original, and all such counterparts together shall constitute one and the same Instrument.

8. POSSESSION OF REAL PROPERTY. Possession of real property shall not be given to either party prior to the execution of this Agreement by all parties and the recordation of a Notice of Completion for Pigeon Pass Road Street Widening.

9. WARRANTIES, REPRESENTATIONS, AND COVENANTS OF DISTRICT AND CITY: DISTRICT and CITY hereby warrant, represent, and/or covenant that:

A. To the best of District's knowledge, there are no actions, suits, material claims, legal proceedings, or any other proceedings affecting District Property or any portion thereof, at law, or in equity before any court or governmental agency, domestic or foreign.

B. To the best of City's knowledge, there are no actions, suits, material claims, legal proceedings, or any other proceedings affecting City

Property or any portion thereof, at law, or in equity before any court or governmental agency, domestic or foreign.

C. To the best of City's knowledge, there are no encroachments onto City Property by improvements on any adjoining property, nor do any buildings or improvements encroach on other properties.

D. Prior to said conveyance of City Property, City shall maintain City Property in good condition and state of repair and maintenance, and shall perform all of its obligations under any service contracts or other contracts affecting the property.

E. Prior to the execution of this Agreement, City shall not do anything which would impair City's title to any of City Property.

F. To the best of City's knowledge, neither the execution of this Agreement nor the performance of the obligations herein will conflict with, or breach any of the provisions of any bond, note, evidence of indebtedness, contract, lease, or other agreement or instrument to which the City Property may be bound.

G. Until the execution of this Agreement, City shall, upon learning of any fact or condition, which would cause any of the warranties and representations in which WARRANTIES, REPRESENTATIONS, AND COVENANTS OF DISTRICT AND CITY Section not to be true, immediately give written notice of such fact or condition to District.

H. To the best of District's knowledge, there are no encroachments onto District Property by improvements on any adjoining property, nor do any buildings or improvements encroach on other properties.

I. Prior to said conveyance of District Property, District shall maintain District Property in good condition and state of repair and maintenance, and shall perform all of its obligations under any service contracts or other contracts affecting the property.

J. Until the execution of this Agreement, District shall not do anything which would impair District's title to any of the District Property.

K. To the best of District's knowledge, neither the execution of this Agreement nor the performance of the obligations herein will conflict with, or breach any of the provisions of any bond, note, evidence of indebtedness, contract, lease, or other agreement or instrument to which the District Property may be bound.

L. Prior to said conveyance of District Property, District shall, upon learning of any fact or condition, which would cause any of the warranties and representations in this WARRANTIES, REPRESENTATIONS, AND COVENANTS OF DISTRICT AND CITY Section not to be true, immediately give written notice of such fact or condition to District.

10. HAZARDOUS WASTE.

A. Neither City nor, to the best of City's knowledge, any previous owner, tenant, occupant, or user of City Property used, generated, released, discharged, stored, or disposed of any hazardous waste, toxic substances, or related materials ("Hazardous Materials") on, under, in or about City Property, or transported any Hazardous Materials to or from City Property. City shall not cause or permit the presence, use, generation, release, discharge, storage, or disposal of any Hazardous Materials on, under, in,

or about, or the transportation of any Hazardous Materials to or from City Property.

B. Neither District nor, to the best of District's knowledge, any previous owner, tenant, occupant, or user of District Property used, generated, released, discharged, stored, or disposed of any hazardous waste, toxic substances, or related materials ("Hazardous Materials") on, under, in or about District Property, or transported any Hazardous Materials to or from District Property. District shall not cause or permit the presence, use, generation, release, discharge, storage, or disposal of any Hazardous Materials on, under, in, or about, or the transportation of any Hazardous Materials to or from, District Property.

C. The term "Hazardous Materials" shall mean any substance, material, or waste which is or becomes regulated by any local governmental authority, the State of California, or the United States Government, including, but not limited to, any material or substance which is (i) defined as a "hazardous waste", "extremely hazardous waste", or "restricted hazardous waste" under Section 25115, 25117 or 25122.7, or listed pursuant to Section 25140 of the California Health and Safety Code, Division 20, Chapter 6.5 (Hazardous Waste Control Law), (ii) defined as "hazardous substance" under Section 25316 of the California Health and Safety Code, Division 20, Chapter 6.8 (Carpenter-Presley-Tanner Hazardous Substance Account Act), (iii) defined as a "hazardous material", "hazardous substance", or "hazardous waste" under Section 25501 of the California Health and Safety Code, Division 20, Chapter 6.95 (Hazardous Materials Release Response Plans and Inventory), (iv) defined as "hazardous

substance" under Section 25281 of the California Health and Safety Code, Division 20, Chapter 6.7 (Underground Storage of Hazardous Substances), (v) petroleum, (vi) asbestos, (vii) polychlorinated by phenyls, (viii) listed under Article 9 or defined as "hazardous" or "extremely hazardous" pursuant to Article 11 of Title 22 of the California Administrative Code, Division 4, Chapter 20, (ix) designated as a "hazardous substances" pursuant to Section 311 of the Clean Water Act, (33 U.S.C. §1317), (x) defined as a "hazardous waste" pursuant to Section 1004 of the Resource Conservation and Recovery Act, 42 U.S.C. §6901 et seq. (42 U.S.C. §6903) or (xi) defined as a "hazardous substances" pursuant to Section 101 of the Comprehensive Environmental Response, Compensation, as amended by Liability Act, 42, U.S.C. §9601 et seq. (42 U.S.C. §9601).

11. COMPLIANCE WITH ENVIRONMENTAL LAWS: To the best of DISTRICT'S and City's knowledge, and with respect to the property each is conveying in this transaction, the properties comply with all applicable laws and governmental regulations including, without limitation, all applicable Federal, State, and local laws pertaining to air and water quality, hazardous waste, waste disposal, and other environmental matters, including, but not limited to, the Clean Water, Clear Air, Federal Water Pollution Control, Solid Waste Disposal, Resource Conservation Recovery and Comprehensive Environmental Response Compensation and Liability Acts, and the California Environmental Quality Act, and the rules, regulations, and ordinances of the City within which the subject property is located, the California Department of Health Services, the Regional Water Quality Control Board, the State Water Resources Control Board, the

Environmental Protection Agency, and all applicable federal, state, and local agencies and bureaus.

12. INDEMNITY BY CITY: City agrees to indemnify, defend and hold District harmless for from and against any claims, demands, liabilities, costs, expenses, damages and losses, cause or causes of action and suits of any nature whatsoever, arising from any misrepresentation or breach of warranty or covenant by City in this Agreement. This indemnification shall include all costs and attorney fees.

13. INDEMNITY BY DISTRICT: District agrees to indemnify, defend and hold City harmless for, from and against any and all claims, demands, liabilities, costs, expenses, damages and losses, cause or causes of action and suits of any nature whatsoever, arising out of the ownership and/or operation of the Property after the date this Agreement is executed or any misrepresentation or breach of warranty or covenant by District in this Agreement or any document to City pursuant to this Agreement. This indemnification shall include all costs and attorney fees.

14. NOTICE: Any notice to be given or other document or documents to be delivered to either party by the other hereunder may be delivered in person or may be deposited in the United States mail in the State of California, duly registered or certified, with postage prepaid, and addressed as follows:

RIVERSIDE COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT
1995 Market Street
Riverside, CA 92501
Attn: Warren D. Williams
General Manager-Chief Engineer

CITY OF MORENO VALLEY
14177 Frederick Street
Post Office Box 88005
Moreno Valley, CA 92552-0805
Attn: Chris A. Vogt
Public Works Director

Any notice or other document sent by registered or certified mail shall be deemed to have been effectively served or delivered at the expiration of twenty-four (24) hours following the deposit of the notice or other document in the United States mail.

15. MISCELLANEOUS: The terms and conditions, covenants, and agreements set forth herein shall apply to and bind the heirs, executors, administrators, assigns and successors of the parties hereto.

This Agreement contains the entire agreement between both parties; neither party relies upon any warranty or representation not contained in this Agreement.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement the day and year set forth below.

DATE: _____
(to be filled in by the Clerk of the Board)

RECOMMENDED FOR APPROVAL:

By: _____
WARREN D. WILLIAMS
General Manager-Chief Engineer

RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

By: _____
MARION ASHLEY, Chairman
Riverside County Flood Control and Water Conservation District Board of Supervisors

ATTEST:

KECIA HARPER-IHEM
Clerk of the Board

By: _____
Deputy

(SEAL)

APPROVED AS TO FORM:

PAMELA J. WALLS
County Counsel

By: Synthia M. Gunzel
SYNTHIA M. GUNZEL
Deputy County Counsel

DATED: 7-13-09

RECOMMENDED FOR APPROVAL:

By _____
CHRIS A. VOGT, P.E.
Public Works Director/City Engineer

CITY OF MORENO VALLEY

By _____
ROBERT G. GUTIERREZ
City Manager

APPROVED AS TO FORM:

By_____
ROBERT HANSEN
Interim City Attorney

ATTEST:

JANE HALSTEAD
City Clerk

By _____

DATED:_____

AU:rlp

ATTACHMENT "A"

EXHIBIT "A"
LEGAL DESCRIPTION
FEE TITLE
PIGEON PASS ROAD
APN 264-312-002

THAT PORTION OF THAT CERTAIN LAND CONVEYED TO THE RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT BY A GRANT DEED RECORDED JANUARY 11, 1980 AS INSTRUMENT NO. 7143, OFFICIAL RECORDS, BEING A PORTION OF THE WEST 130 ACRES OF THE NORTH THREE-QUARTERS OF THE NORTH ONE-HALF OF SECTION 36, TOWNSHIP 2 SOUTH, RANGE 4 WEST, SAN BERNARDINO MERIDIAN, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE CENTERLINES OF PIGEON PASS ROAD (44.00 FOOT HALF-WIDTH) AND WESTERN RIDGE ROAD (30.00 FOOT HALF-WIDTH), AS SHOWN ON TRACT MAP NO. 12305-1, RECORDED IN BOOK 133, PAGES 25 THROUGH 27 INCLUSIVE OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, THE BEARING NORTH 21° 02' 34" WEST, ALONG THE CENTERLINE OF PIGEON PASS ROAD, BEING THE BASIS OF BEARINGS FOR THIS DESCRIPTION;

THENCE SOUTH 21°02'34"EAST 72.70 FEET ALONG SAID CENTERLINE OF PIGEON PASS ROAD;

THENCE PERPENDICULAR TO SAID CENTERLINE SOUTH 68° 57' 26" WEST 44.00 FEET TO THE WESTERLY RIGHT OF WAY LINE OF SAID PIGEON PASS ROAD, ALSO BEING THE **TRUE POINT OF BEGINNING**;

THENCE CONTINUING SOUTH 68° 57' 26" WEST 10.00 FEET TO A LINE PARALLEL WITH AND DISTANT 10.00 FEET WESTERLY OF, AS MEASURED AT RIGHT ANGLES FROM SAID WESTERLY RIGHT OF WAY LINE;

THENCE NORTH 21° 02' 34" WEST 57.47 FEET ALONG SAID PARALLEL LINE;

THENCE SOUTH 68° 57' 26" WEST 10.00 FEET TO A LINE PARALLEL WITH AND DISTANT 20.00 FEET WESTERLY OF, AS MEASURED AT RIGHT ANGLES FROM SAID WESTERLY RIGHT OF WAY LINE, ALSO BEING A POINT ON THE LINE OF THAT CERTAIN COURSE DESCRIBED IN SAID INSTRUMENT NUMBER 7143 AS "NORTH 21°34'55" WEST A DISTANCE OF 220.00 FEET";

THENCE NORTH 21° 02' 34" WEST 30.00 FEET ALONG SAID PARALLEL LINE;

THENCE NORTH 68° 57' 26" EAST 10.00 FEET TO SAID LINE PARALLEL WITH AND DISTANT 10.00 FEET WESTERLY OF, AS MEASURED AT RIGHT ANGLES FROM SAID WESTERLY RIGHT OF WAY LINE;

ATTACHMENT "A"

THENCE NORTH 21° 02' 34" WEST 172.53 FEET ALONG SAID PARALLEL LINE TO THE BEGINNING OF A TANGENT CURVE, CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 1554.00 FEET, SAID CURVE BEING CONCENTRIC WITH THAT CERTAIN CURVE ALONG THE WESTERLY RIGHT OF WAY LINE OF PIGEON PASS ROAD HAVING A RADIUS OF 1544.00 FEET AS SHOWN ON PARCEL MAP NO. 7543 RECORDED IN BOOK 32 PAGE 99 OF PARCEL MAPS, RECORDS OF SAID COUNTY;

THENCE NORTHWESTERLY 119.62 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 04° 24' 37" TO THE NORTHERLY LINE OF SAID LAND CONVEYED BY SAID INSTRUMENT NO. 7143, THROUGH WHICH POINT, A RADIAL LINE BEARS SOUTH 73°22'03" WEST;

THENCE ALONG SAID NORTHERLY LINE, ALSO BEING A RADIAL LINE, NORTH 73° 22' 03" EAST 10.00 FEET TO SAID WESTERLY RIGHT OF WAY LINE, ALSO BEING THE EASTERLY LINE OF SAID LAND CONVEYED BY SAID INSTRUMENT NUMBER 7143, ALSO BEING THE ABOVE DESCRIBED CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 1544.00 FEET;

THENCE SOUTHEASTERLY 118.85 FEET ALONG SAID RIGHT OF WAY AND CURVE THROUGH A CENTRAL ANGLE OF 04° 24' 37";

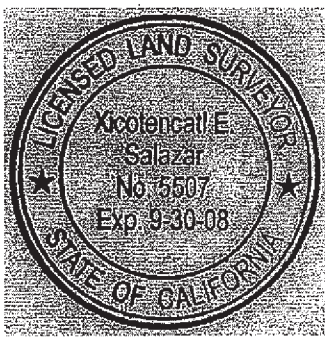
THENCE CONTINUING ALONG SAID WESTERLY RIGHT OF WAY LINE SOUTH 21° 02' 34" EAST 260.00 FEET TO THE **TRUE POINT OF BEGINNING.**

CONTAINING 4092 SQUARE FEET MORE OR LESS

ALL AS MORE PARTICULARLY SHOWN ON EXHIBIT "B" ATTACHED HERETO

Xicotencatl E. Salazar

XICOTENCATL E. SALAZAR, PLS 5507
OCTOBER 29, 2007
LICENSE EXPIRES 9/30/2008



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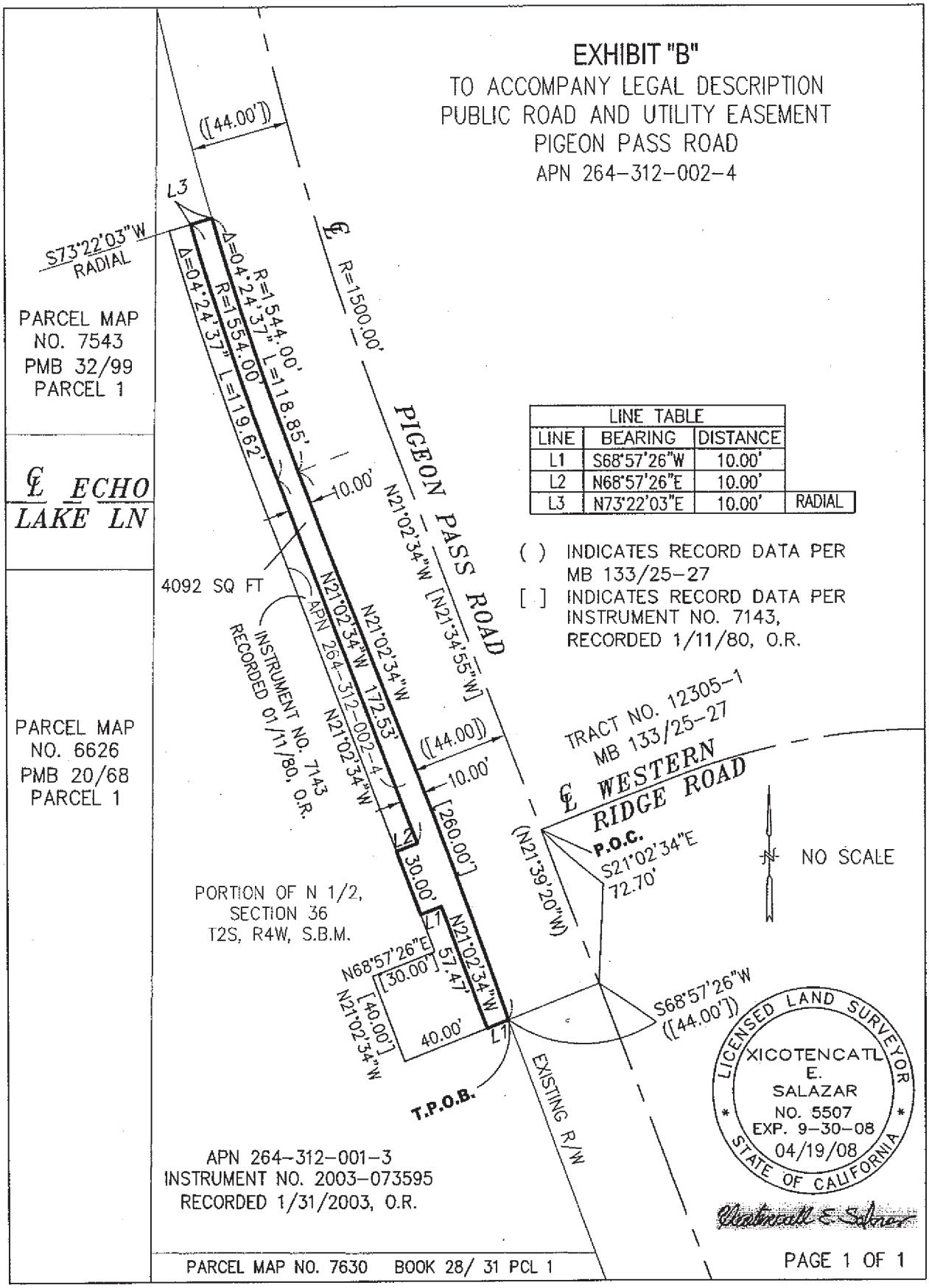


ATTACHMENT "A"

EXHIBIT "A"
LEGAL DESCRIPTION
FEE TITLE
PIGEON PASS ROAD

THAT PORTION OF THAT CERTAIN PORTION OF THE NORTH THREE-QUARTERS OF THE NORTH ONE-HALF OF SECTION 36, TOWNSHIP 2 SOUTH, RANGE 4 WEST, SAN BERNARDINO MERIDIAN, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, LYING PARTLY WITHIN THAT CERTAIN PARCEL OF LAND DESCRIBED IN A GRANT DEED RECORDED JANUARY 31, 2003, AS INSTRUMENT NUMBER 2003-073595 OFFICIAL RECORDS AND LYINGN PARTLY WITHIN THAT CERTAIN PARCEL OF LAND CONVEYED TO THE RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT BY A GRANT DEED RECORDED JANUARY 11, 1980 AS INSTRUMENT NO. 7143, OFFICIAL RECORDS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE CENTERLINES OF PIGEON PASS ROAD (44.00 FOOT HALF-WIDTH) AND WESTERN RIDGE ROAD (30.00 FOOT HALF-WIDTH), AS SHOWN ON TRACT MAP NO. 12305-1, RECORDED IN BOOK 133, PAGES 25 THROUGH 27 INCLUSIVE OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, THE BEARING NORTH 21° 02' 34" WEST, ALONG THE CENTERLINE OF PIGEON PASS ROAD, BEING THE BASIS OF BEARINGS FOR THIS DESCRIPTION;

THENCE SOUTH 21°02'34"EAST 72.70 FEET ALONG SAID CENTERLINE OF PIGEON PASS ROAD TO THE SOUTHERLY TERMINUS OF THE LINE OF THAT CERTAIN COURSE DESCRIBED IN SAID INSTRUMENT NUMBER 7143 AS "SOUTH 21°34'55" EAST A DISTANCE OF 260.00 FEET";

THENCE PERPENDICULAR TO SAID CENTERLINE SOUTH 68° 57' 26" WEST 54.00 FEET TO A LINE PARALLEL WITH AND DISTANT 10.00 FEET WESTERLY OF, AS MEASURED AT RIGHT ANGLES FROM THE WESTERLY RIGHT OF WAY LINE OF SAID PIGEON PASS ROAD, ALSO BEING THE **TRUE POINT OF BEGINNING**, ALSO BEING A POINT ON THE LINE OF THAT CERTAIN COURSE DESCRIBED IN SAID INSTRUMENT NUMBER 7143 AS "SOUTH 68°25'05" EAST A DISTANCE OF 50.00 FEET";

THENCE CONTINUING ALONG SAID LINE SOUTH 68° 57' 26" WEST A DISTANCE OF 40.00 FEET TO THE MOST SOUTHWESTERLY CORNER OF SAID PARCEL OF LAND DESCRIBED IN SAID INSTRUMENT NUMBER 7143;

THENCE NORTH 21°02'34"WEST A DISTANCE OF 40.00 FEET ALONG OF THE LINE OF THAT CERTAIN COURSE DESCRIBED IN SAID INSTRUMENT NUMBER 7143 AS "NORTH 21°34'55" WEST A DISTANCE OF 40.00 FEET" TO ITS NORTHWESTERLY TERMINUS, SAID LINE ALSO BEING A LINE PARALLEL WITH AND DISTANT 50.00 FEET WESTERLY OF, AS MEASURED AT RIGHT ANGLES FROM SAID WESTERLY RIGHT OF WAY LINE;

ATTACHMENT "A"

THENCE NORTH 68°57'26" EAST A DISTANCE OF 30.00 FEET ALONG THE LINE OF THAT CERTAIN COURSE DESCRIBED IN SAID INSTRUMENT NUMBER 7143 AS "NORTH 68°25'05" EAST A DISTANCE OF 30.00 FEET" TO A LINE PARALLEL WITH AND DISTANT 20.00 FEET WESTERLY OF, AS MEASURED AT RIGHT ANGLES FROM SAID WESTERLY RIGHT OF WAY LINE;

THENCE NORTH 21°02'34" WEST A DISTANCE OF 17.47 FEET ALONG SAID PARALLEL LINE;

THENCE NORTH 68°57'26" EAST A DISTANCE OF 10.00 FEET TO SAID LINE PARALLEL WITH AND DISTANT 10.00 FEET WESTERLY OF, AS MEASURED AT RIGHT ANGLES FROM SAID WESTERLY RIGHT OF WAY LINE;

THENCE SOUTH 21°02'34" EAST A DISTANCE OF 57.47 FEET ALONG SAID PARALLEL LINE TO THE **TRUE POINT OF BEGINNING.**

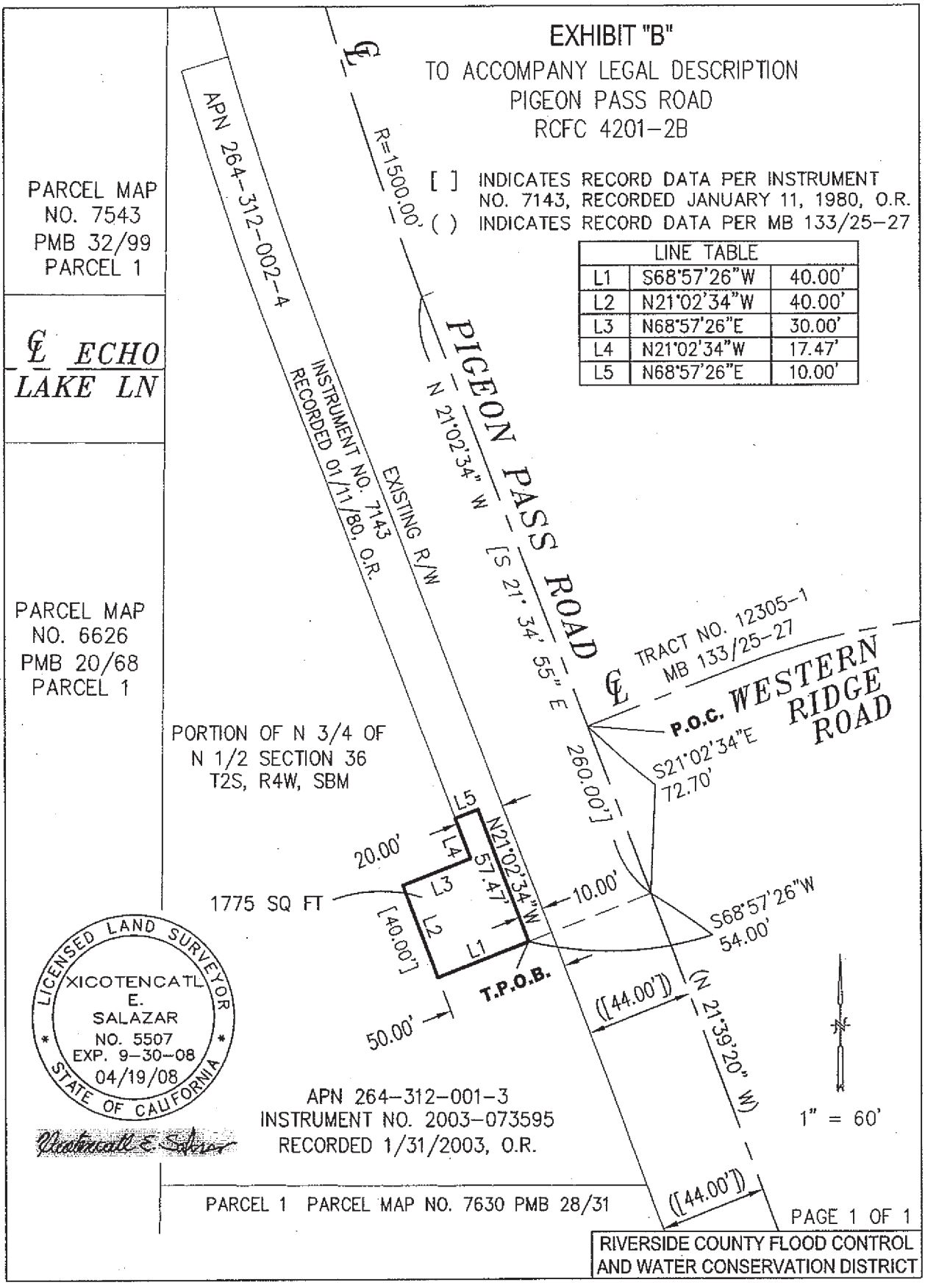
CONTAINING 1775 SQUARE FEET MORE OR LESS

ALL AS MORE PARTICULARLY SHOWN ON EXHIBIT "B" ATTACHED HERETO

Xicotencatl E. Salazar

XICOTENCATL E. SALAZAR, PLS 5507
APRIL 19, 2008
LICENSE EXPIRES 9/30/2008

ATTACHMENT "A"



ATTACHMENT "B"

EXHIBIT "A"

LEGAL DESCRIPTION
FEE TITLE
PIGEON PASS ROAD
APN 264-312-001

THAT PORTION OF THE NORTH THREE-QUARTERS OF THE NORTH ONE-HALF OF SECTION 36, TOWNSHIP 2 SOUTH, RANGE 4 WEST, SAN BERNARDINO MERIDIAN, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, DESCRIBED IN A GRANT DEED RECORDED JANUARY 31, 2003, AS INSTRUMENT NUMBER 2003-073595 OFFICIAL RECORDS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE CENTERLINES OF PIGEON PASS ROAD (44.00 FOOT HALF-WIDTH) AND WESTERN RIDGE ROAD (30.00 FOOT HALF-WIDTH), AS SHOWN ON TRACT MAP NO. 12305-1, RECORDED IN BOOK 133, PAGES 25 THROUGH 27 INCLUSIVE OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, THE BEARING NORTH 21° 02' 34" WEST, ALONG THE CENTERLINE OF SAID PIGEON PASS ROAD BEING THE BASIS OF BEARINGS FOR THIS DESCRIPTION;

THENCE NORTH 21° 02' 34" WEST 77.77 FEET ALONG SAID CENTERLINE OF PIGEON PASS ROAD;

THENCE PERPENDICULAR TO SAID CENTERLINE SOUTH 68° 57' 26" WEST 64.00 FEET TO POINT LOCATED ALONG A LINE PARALLEL WITH AND DISTANT 20.00 FEET WESTERLY OF, AS MEASURED AT RIGHT ANGLES FROM THE WESTERLY RIGHT OF WAY LINE OF SAID PIGEON PASS ROAD AS SHOWN ON SAID TRACT MAP, ALSO BEING THE **TRUE POINT OF BEGINNING;**

THENCE CONTINUING SOUTH 68° 57' 26" WEST 18.00 FEET TO A LINE PARALLEL WITH AND DISTANT 38.00 FEET WESTERLY OF, AS MEASURED AT RIGHT ANGLES FROM SAID WESTERLY RIGHT OF WAY LINE;

THENCE NORTH 21° 02' 34" WEST 109.53 FEET ALONG SAID PARALLEL LINE TO THE BEGINNING OF A TANGENT CURVE, CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 1582.00 FEET, SAID CURVE BEING CONCENTRIC WITH THAT CERTAIN CURVE SHOWN ON SAID TRACT MAP ALONG THE WESTERLY RIGHT OF WAY LINE, HAVING A RADIUS OF 1544.00 FEET;

THENCE NORTHWESTERLY 39.77 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 01° 26' 25" TO A LINE PARALLEL WITH AND DISTANT 15.00 FEET EASTERLY OF, AS MEASURED AT RIGHT ANGLES FROM THE WESTERLY LINE OF SAID SECTION 36;

ATTACHMENT "B"

THENCE NORTH 00°33'56" EAST 54.65 FEET ALONG SAID PARALLEL LINE TO A POINT LOCATED ALONG THE WESTERLY LINE OF THAT CERTAIN PARCEL DESCRIBED IN A GRANT DEED TO RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, RECORDED JANUARY 11, 1980 AS INSTRUMENT NO. 7143, OFFICIAL RECORDS OF SAID COUNTY, SAID POINT ALSO BEING THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 1564.00 FEET, SAID CURVE BEING CONCENTRIC WITH THE ABOVE MENTIONED CURVE ALONG THE WESTERLY RIGHT OF WAY LINE HAVING A RADIUS OF 1544.00 FEET, THROUGH WHICH, A RADIAL LINE BEARS SOUTH 72° 16' 38" WEST;

THENCE SOUTHEASTERLY 90.63 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 03° 19' 12" TO THE END OF SAID CURVE;

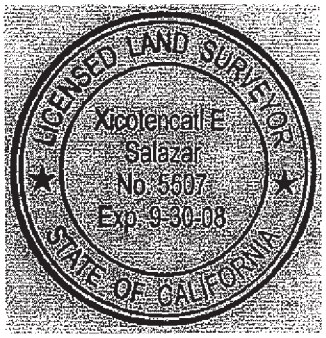
THENCE CONTINUING ALONG THE WESTERLY LINE OF SAID PARCEL, ALSO BEING THE ABOVE MENTIONED LINE PARALLEL WITH AND DISTANT 20.00 FEET WESTERLY OF, AS MEASURED AT RIGHT ANGLES FROM THE WESTERLY RIGHT OF WAY LINE OF PIGEON PASS ROAD, SOUTH 21° 02' 34" EAST 109.53 FEET THE **TRUE POINT OF BEGINNING.**

CONTAINING 3,138 SQUARE FEET MORE OR LESS.

ALL AS MORE PARTICULARLY SHOWN ON EXHIBIT "B" ATTACHED HERETO.

Xicotencatl E. Salazar

XICOTENCATL E. SALAZAR, PLS 5507
APRIL 18, 2008
LICENSE EXPIRES 9/30/2008

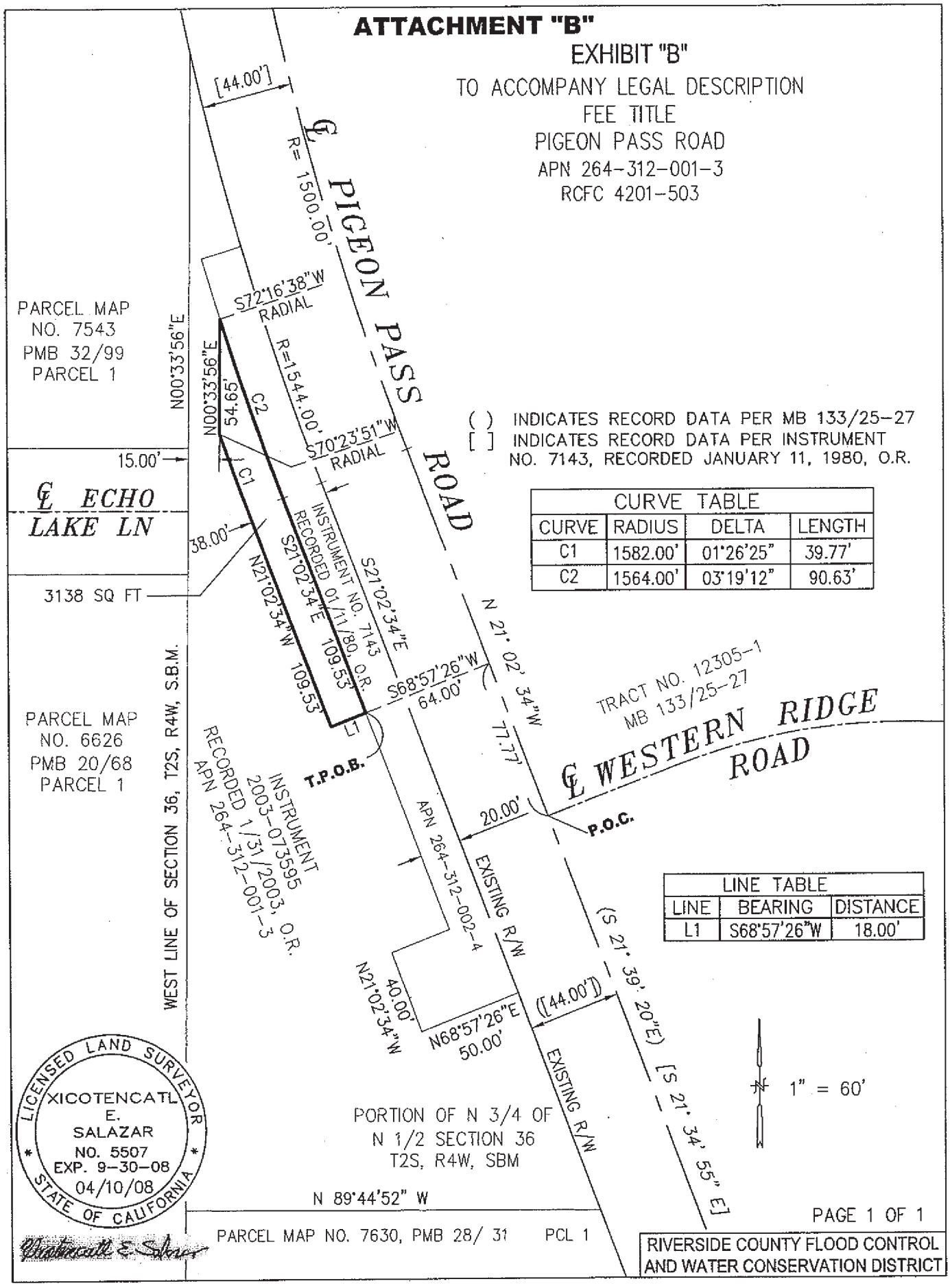


PAGE 2 OF 2

ATTACHMENT "B"

EXHIBIT "B"

TO ACCOMPANY LEGAL DESCRIPTION
FEE TITLE
PIGEON PASS ROAD
APN 264-312-001-3
RCFC 4201-503



( ) INDICATES RECORD DATA PER MB 133/25-27
[ ] INDICATES RECORD DATA PER INSTRUMENT NO. 7143, RECORDED JANUARY 11, 1980, O.R.

CURVE TABLE			
CURVE	RADIUS	DELTA	LENGTH
C1	1582.00'	01°26'25"	39.77'
C2	1564.00'	03°19'12"	90.63'

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S68°57'26"W	18.00'

LICENSED LAND SURVEYOR
XICOTENCATL E. SALAZAR
NO. 5507
EXP. 9-30-08
04/10/08
STATE OF CALIFORNIA

PAGE 1 OF 1

RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

ATTACHMENT "C"

EXHIBIT "A"
LEGAL DESCRIPTION
DRAINAGE EASEMENT
PIGEON PASS ROAD
APN 264-312-001

THAT CERTAIN PORTION OF THE NORTH THREE-QUARTERS OF THE NORTH ONE-HALF OF SECTION 36, TOWNSHIP 2 SOUTH, RANGE 4 WEST, SAN BERNARDINO MERIDIAN, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, DESCRIBED IN A GRANT DEED RECORDED JANUARY 31, 2003 AS INSTRUMENT NUMBER 2003-073595 OFFICIAL RECORDS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE CENTERLINES OF PIGEON PASS ROAD (44.00 FOOT HALF-WIDTH) AND WESTERN RIDGE ROAD (30.00 FOOT HALF-WIDTH), AS SHOWN ON TRACT MAP NO. 12305-1, RECORDED IN BOOK 133, PAGES 25 THROUGH 27 INCLUSIVE, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, THE BEARING NORTH 21° 02' 34" WEST, ALONG THE CENTERLINE OF SAID PIGEON PASS ROAD BEING THE BASIS OF BEARINGS FOR THIS DESCRIPTION;

THENCE NORTH 21° 02' 34" WEST 14.77 FEET ALONG SAID CENTERLINE OF PIGEON PASS ROAD;

THENCE PERPENDICULAR TO SAID CENTERLINE, SOUTH 68° 57' 26" WEST 64.00 FEET TO POINT LOCATED ALONG A LINE PARALLEL WITH AND DISTANT 20.00 FEET WESTERLY OF, AS MEASURED AT RIGHT ANGLES FROM THE WESTERLY RIGHT OF WAY LINE OF SAID PIGEON PASS ROAD AS SHOWN ON SAID TRACT MAP, ALSO BEING THE **TRUE POINT OF BEGINNING;**

THENCE CONTINUING SOUTH 68° 57' 26" WEST 30.00 FEET TO A LINE PARALLEL WITH AND DISTANT 50.00 FEET WESTERLY OF, AS MEASURED AT RIGHT ANGLES FROM SAID WESTERLY RIGHT OF WAY LINE OF PIGEON PASS ROAD;

THENCE NORTH 21° 02' 34" WEST 119.37 FEET ALONG SAID PARALLEL LINE;

THENCE SOUTH 68°57'26" WEST 40.44 FEET TO A POINT ON THE WESTERLY LINE OF SAID SECTION 36;

THENCE NORTH 00° 33' 56" EAST 245.22 FEET ALONG SAID WESTERLY SECTION LINE TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 1554.00 FEET, SAID CURVE BEING CONCENTRIC WITH THAT CERTAIN CURVE SHOWN ON SAID TRACT MAP ALONG SAID WESTERLY RIGHT OF WAY LINE, HAVING A RADIUS OF 1544.00 FEET, THROUGH WHICH POINT, A RADIAL LINE BEARS SOUTH 75° 25' 01" WEST;

ATTACHMENT "C"

THENCE SOUTHEASTERLY 55.59 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 02° 02' 58" TO THE MOST NORTHERLY LINE OF THAT CERTAIN PARCEL DESCRIBED IN A GRANT DEED TO RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, RECORDED JANUARY 11, 1980 AS INSTRUMENT NO. 7143, OFFICIAL RECORDS OF SAID COUNTY, SAID NORTHERLY LINE ALSO BEING A RADIAL LINE WHICH BEARS SOUTH 73°22'03" WEST;

THENCE SOUTH 73°22'03" WEST 10.00 FEET ALONG SAID NORTHERLY LINE AND ALONG SAID RADIAL LINE TO THE BEGINNING OF A NON-TANGENT CURVE, CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 1564.00 FEET, SAID CURVE BEING CONCENTRIC WITH THE ABOVE MENTIONED CURVE ALONG THE WESTERLY RIGHT OF WAY LINE HAVING A RADIUS OF 1544.00 FEET;

THENCE SOUTHEASTERLY 29.76 FEET ALONG SAID CURVE AND ALONG THE WESTERLY LINE OF SAID PARCEL, THROUGH A CENTRAL ANGLE OF 01° 05' 25" TO A LINE PARALLEL WITH DISTANT 15.00 FEET EASTERLY OF, AS MEASURED AT RIGHT ANGLES FROM SAID WEST LINE OF SECTION 36, THROUGH WHICH POINT, A RADIAL LINE BEARS SOUTH 72° 16' 38" WEST;

THENCE SOUTH 00°33'56"WEST 54.65 FEET ALONG SAID PARALLEL LINE TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHEASTERLY AND HAVING A RADIUS OF 1582.00 FEET, SAID CURVE BEING CONCENTRIC WITH THE ABOVE MENTIONED CURVE ALONG THE WESTERLY RIGHT OF WAY LINE HAVING A RADIUS OF 1544.00 FEET, THROUGH WHICH POINT A RADIAL LINE BEARS SOUTH 70°23' 51" WEST;

THENCE SOUTHEASTERLY 39.77 FEET ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 01° 26' 25" TO A LINE PARALLEL WITH AND DISTANT 38.00 FEET WESTERLY OF, AS MEASURED AT RIGHT ANGLES FROM SAID WESTERLY RIGHT OF WAY LINE OF PIGEON PASS ROAD;

THENCE SOUTH 21° 02' 34" EAST 109.53 FEET ALONG SAID PARALLEL LINE;

THENCE NORTH 68°57'26" EAST 18.00 FEET TO THE ABOVE MENTIONED LINE PARALLEL WITH AND DISTANT 20.00 FEET WESTERLY OF, AS MEASURED AT RIGHT ANGLES FROM SAID WESTERLY RIGHT OF WAY LINE OF PIGEON PASS ROAD;

THENCE SOUTH 21° 02' 34" EAST 63.00 FEET ALONG SAID PARALLEL LINE TO THE **TRUE POINT OF BEGINNING.**

ATTACHMENT "C"

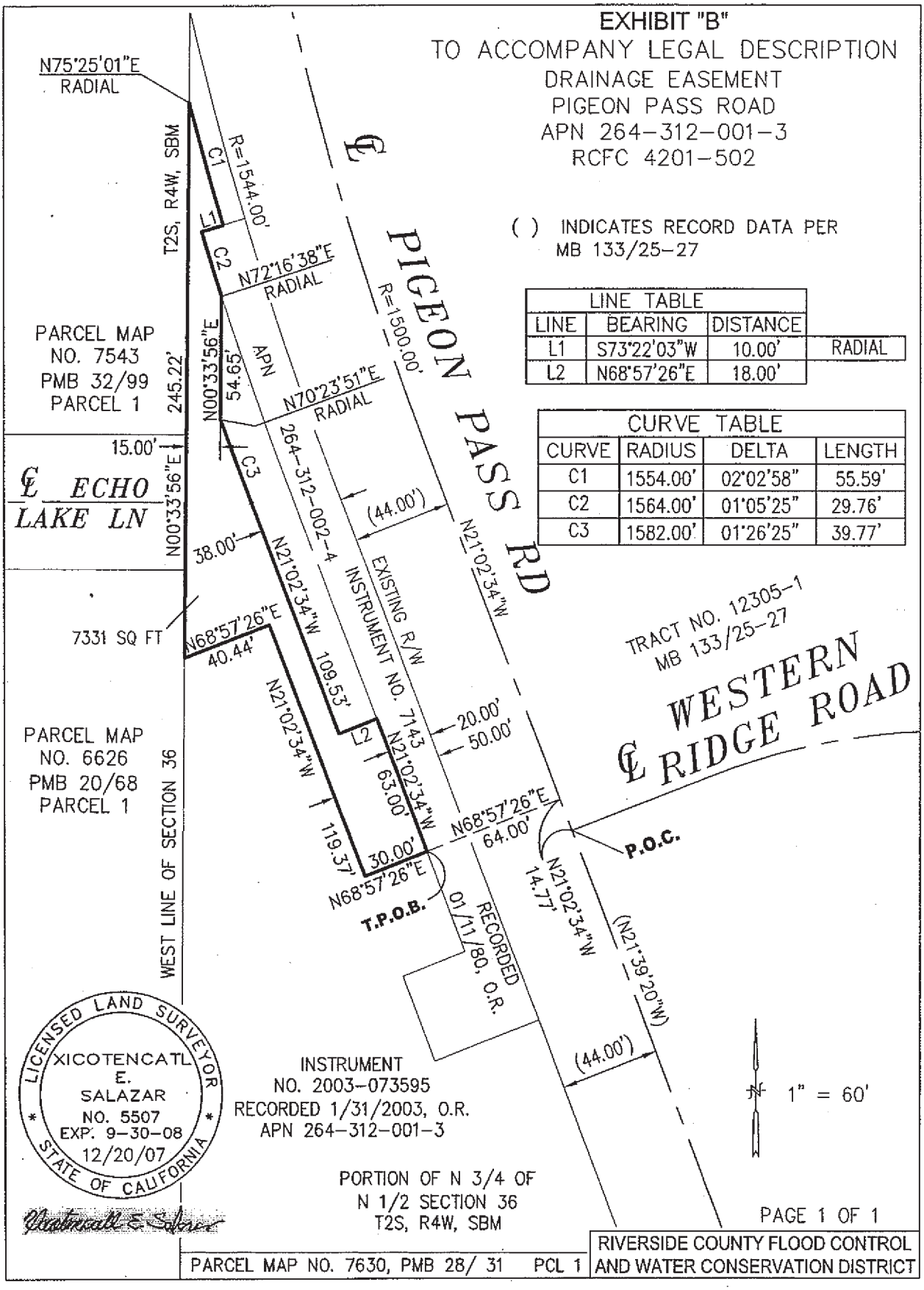
CONTAINING 7,331 SQUARE FEET MORE OR LESS.

ALL AS MORE PARTICULARLY SHOWN ON EXHIBIT "B" ATTACHED HERETO

Xicotencatl E. Salazar

XICOTENCATL E. SALAZAR, PLS 5507
DECEMBER 26, 2007
LICENSE EXPIRES 9/30/2008

ATTACHMENT "C"



APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

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

AGENDA DATE: August 25, 2009

TITLE: ADOPT A MITIGATED NEGATIVE DECLARATION FOR THE IRONWOOD AVENUE WIDENING FROM PERRIS BOULEVARD TO NASON STREET
PROJECT NO. 07-41572727

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Adopt a Mitigated Negative Declaration (MND) for the Ironwood Avenue Widening from Perris Boulevard to Nason Street, Project No. 07-41572727, in that mitigation measures included in the Initial Study and ultimately incorporated into the project specifications will reduce all potential environmental impacts to an acceptable level.

BACKGROUND

The City entered into an Agreement for Professional Consultant Services with Winzler and Kelly to provide planning and engineering services, including an environmental assessment Initial Study in compliance with the California Environmental Quality Act (CEQA) and City requirements.

Ironwood Avenue is planned and shown on the General Plan as a four-lane, minor arterial roadway through the limits of the project. The portion of Ironwood Avenue from Perris Boulevard to Lasselle Street will require limited in-fill sections of widening, pavement repair and re-striping at Kitching Street and Lasselle Street. The remainder of the project, from Lasselle Street to Nason Street will be widened from a two-lane roadway to a four-lane minor arterial roadway.

DISCUSSION

The California Environmental Quality Act (CEQA) Section 15070 (Title 14 – California Code of Regulations), states that a Negative Declaration (ND) or a Mitigated Negative

Declaration (MND) may be prepared for a project when the Initial Study indicates that no significant effect on the environment will result from project implementation or when mitigation measures as described in the Initial Study are incorporated in the project implementation.

Based on the findings of the Initial Study prepared for the project by the City's Consultant, the City's Planning Division staff has determined, in compliance with CEQA and the City's Rules to Implement CEQA, that preparation of a Mitigated Negative Declaration is recommended in that mitigation measures included in the Initial Study and ultimately incorporated into the project specifications will reduce all potential environmental impacts to an acceptable level. The Negative Declaration with mitigation measures and Initial Study are attached.

A notice was published on July 29, 2009 in the Press Enterprise describing the project and advising the public of the preparation of a MND, notice of time and place where the environmental documents could be inspected, and notice that the City Council would consider approval of a MND for the project (or appropriate modifications or alternatives to the project) on the date of this meeting. This notice advised that comments could be submitted to the City prior to or at this meeting. No comments were received prior to the meeting.

ALTERNATIVES

1. Adopt a Mitigated Negative Declaration (MND) for the Ironwood Avenue Widening from Perris Boulevard to Nason Street, Project No. 07-41572727, in that mitigation measures included in the Initial Study and ultimately incorporated into the project specifications will reduce all potential environmental impacts to an acceptable level. *This is the recommended alternative.*

2. Do not adopt a Mitigated Negative Declaration (MND) for the Ironwood Avenue Widening from Perris Boulevard to Nason Street, Project No. 07-41572727, in that mitigation measures included in the Initial Study and ultimately incorporated into the project specifications will reduce all potential environmental impacts to an acceptable level. *This alternative is not recommended as it will delay the completion of the design and construction of the Ironwood Avenue improvements.*

FISCAL IMPACT

The City has received TUMF funding approval to proceed with preliminary design and environmental clearance. The City intends to obtain WRCOG funding authorization to proceed with design once the environmental clearance is obtained.

BUDGETED FUNDS:

Fiscal Year 2009/2010 (Acct. No. 415.72727)	$911,000
Total Available Funds	**$911,000**

ESTIMATED PROJECT COSTS:

Preliminary design and environmental assessment costs	$470,000
Final design and administrative support costs (Subject to WRCOG approval)	$400,000
Total Estimated Design Cost	**$870,000**

ANTICIPATED SCHEDULE:

Completion of Design (Subject to WRCOG Funding Approval)	June 2010
Start Construction (Subject to Future Funding)	July 2011
Complete Construction	July 2012

CITY COUNCIL GOALS

Upon approval of the recommended action contained in this staff report the following City Council Goals would be furthered:

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

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

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

SUMMARY

The Initial Study for this project identifies mitigation measures to be incorporated into the project specifications. These mitigation measures will reduce all potential environmental impacts to an acceptable level in compliance with CEQA thus permitting the City to adopt a Mitigated Negative Declaration for the project.

ATTACHMENTS

Attachment "A" – Project Location Map
Attachment "B" – Mitigated Negative Declaration with Initial Study

Prepared By:
Bruce E. Blank, P.E.
Consultant Project Manager

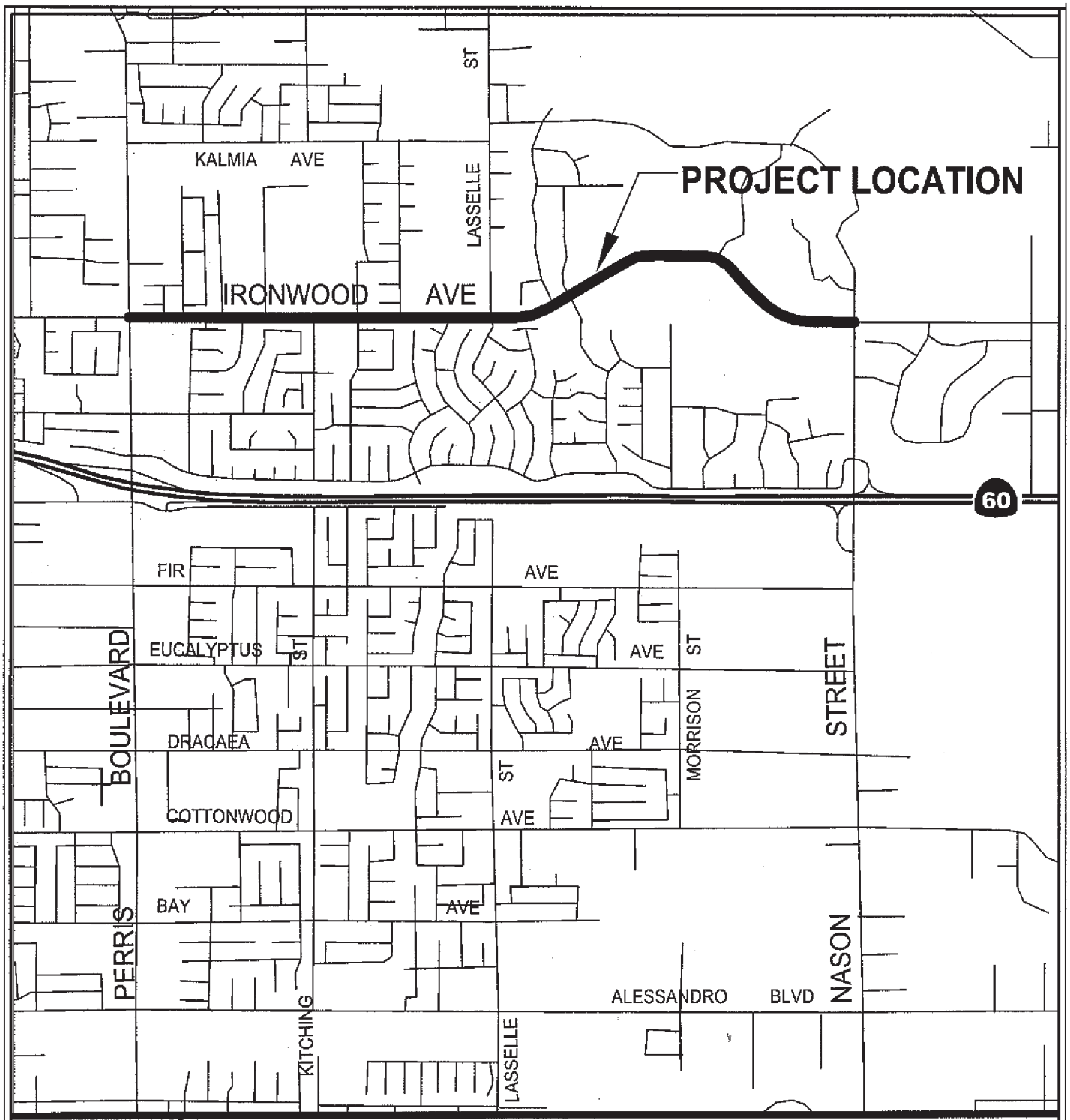
Concurred By:
John C. Terell, AICP
Planning Division Manager/Planning Official

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

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

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

W:\CapProj\CapProj\PROJECTS\Bruce - 07-41572727 - Ironwood Ave - Perris to Nason\CC Reports\Staff Report - MND (CC 08-25-09).doc



LOCATION MAP

LOCATION MAP
Public Works Department
Capital Projects Division

Attachment "A"

PROJECT NO. 10-41572727
IRONWOOD AVENUE IMPROVEMENTS
BETWEEN PERRIS BLVD & NASON ST

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INITIAL STUDY/
ENVIRONMENTAL CHECKLIST FORM
CITY OF MORENO VALLEY

1. Project Title:

   Widening of Ironwood Avenue from Perris Boulevard to Nason Street

2. Lead Agency Name and Address:

   City of Moreno Valley
   Public Works Department
   14177 Fredrick Street,
   P.O. Box 88005
   Moreno Valley, CA 92552-0805

3. Contact Person and Phone Number:

   Chris Ormsby
   (951) 413-3229

4. Project Location:

   Ironwood Avenue – between Perris Boulevard and Nason Street

5. Project Sponsor's Name and Address:

   City of Moreno Valley
   Public Works Department
   Capital Projects Division
   14177 Fredrick Street,
   Moreno Valley, CA 92552-0805

6. General Plan Designation:

   R5: Residential – max 5 dwelling units per acre (du/ac)
   R2: Residential – max 2 du/ac
   P: Public Facilities

7. Zoning:

   R5: Residential – max 5 du/ac
   R2: Residential – max 2 du/ac
   P: Public Facilities

8. Description of the Project:

   The Proposed Project consists of the improvement of approximately 11,200 linear feet of Ironwood Avenue to a four (4) lane arterial roadway from Perris Boulevard to Nason Street. Ironwood Avenue has been designated as a minor arterial roadway having a width of 64 feet curb-to-curb and an ultimate 88 foot right-of-way per City of Moreno Valley Standard Plan 105A (Figure 1). Ironwood Avenue exists as a street of varying improvement levels. From Perris Boulevard to Lasselle [replace

throughout] Street, the roadway mostly exists in the ultimate width configuration, except for two (2) areas to be in-filled with curb and gutter, roadway pavement widening, realignment and sidewalk. From Lassalle Street to Nason Street, the roadway exists as a rural, two-lane road with varying shoulder conditions and varying right-of-way widths. The City has directed the use of a wider section currently being developed as City Standard Plan 105C (Figure 2 and Figure 3) from just east of Vista De Cerros Drive to Nason Street. This section would have a width of 68 feet curb-to-curb and a 92 feet right-of-way. The improvements to be constructed include, curbs, curb and gutter, sidewalks and access ramps, roadway pavement, street lights, cross and on-site drainage facilities, modification of traffic signal installations and traffic signage and pavement delineation. Construction of the proposed improvements includes the use of rubberized asphalt concrete, which attenuates noise by 4dBA (Sacramento County Study).

The first significant widening section is located just west of the intersection with Kitching Street where two properties encroach into the proposed roadway section on the north side of Ironwood Avenue. Both properties are elevated a few feet above Ironwood Avenue and would require small retaining walls once the full right-of-way width is achieved. Both properties also have fences adjacent to Ironwood Avenue that would need to be relocated. The property located at 25480 Ironwood Avenue, at the northwest corner of the intersection, is accessed by a driveway on Kitching Street. The other property, located at 25450 Ironwood Avenue, would require modification of its existing driveway due to the grade change between the proposed widened section and the existing garage, which is located on the west side at the front of the house.

The next significant widening section is located just west of the intersection with Lasselle Street where there is one property, a tree farm, which encroaches into the proposed roadway section on the north side of Ironwood Avenue. This property is elevated a few feet above Ironwood Avenue and would require a small retaining wall or a slope easement once the full right-of-way width is achieved. There is an existing Reinforced Concrete Pipe (RCP) drainage inlet, shown to be 54 inch on the Riverside County Flood Control and Water Conservation District (RCFC&WCD) maps, with an overflow spillway located at the southwestern corner of the property. The overflow spillway drains to the gutter on the north side of Ironwood Avenue, which in turn drains to an inlet west of the spillway. That inlet is suspected to drain to the very same 54 inch RCP. In the event the spillway is over topped, the inlet would likely not function well and the street could become flooded. The spillway would not be altered; however, a sidewalk drain would be provided to allow overflow from the spillway to drain to the gutter similar to the existing drainage pattern.

The final widening section is between Lasselle Street and Nason Street. Ironwood Avenue is generally constructed to its full width between Lasselle Street and Vista De Cerros Drive, except for areas surrounding Steeplechase Drive on the north side of the street where sidewalk does not exist. Between Vista De Cerros Drive and Nason Street, Ironwood Avenue exists as a rural two-lane road with paved and non-paved shoulders. Some areas within this section of Ironwood Avenue included very limited shoulder widths. Widening of this section would impact property owners on both the north and south sides of Ironwood Avenue. There are numerous private driveways and fences that would require modification due to the widening and associated improvements. The proposed widening improvements necessitate a horizontal realignment of Ironwood Avenue to meet the minimum Caltrans curve radius design criteria and to minimize the impacts to property owners. Vertical alignment modifications have been studied and the best option is an "at-grade" option which is essentially using the same driving surface that exists today.

The existing RTA bus line system would remain active during construction of the Proposed Project. The utility poles would be relocated as necessary to accommodate the adjacent grading required for the roadway.

Traffic Management During Construction

The construction of this project would require the temporary closure and detour of certain roads. The staging of closures and detours would be planned and posted with special signing. These closures would be approved by City Staff prior to implementation.

Construction Phasing

The Proposed Project would be constructed in phases due to funding constraints. The first phase would construct the improvements to Ironwood Avenue from Perris Boulevard to Vista De Cerros Drive. The second phase would construct the improvements to Ironwood Avenue form Vista De Cerros Drive to Nason Street.

Utilities

The limits of the project are located outside of the Moreno Valley Electric Utility (MVU) service area. Southern California Edison (SCE) supplies electricity to individual customers within the project area. The project would require the relocation of

power poles within the existing right of way in order to widen Ironwood Avenue. The replacement of existing overhead power poles would be consistent with General Order 131-D (Exemption B – Replacement of power line facilities with equivalent structures) according to the California Public Utilities Commission and would be exempt from a Permit to Construct.

City of Moreno Valley Typical Cross Sections

Figure 1 – Cross Section 105A: Minor Arterial

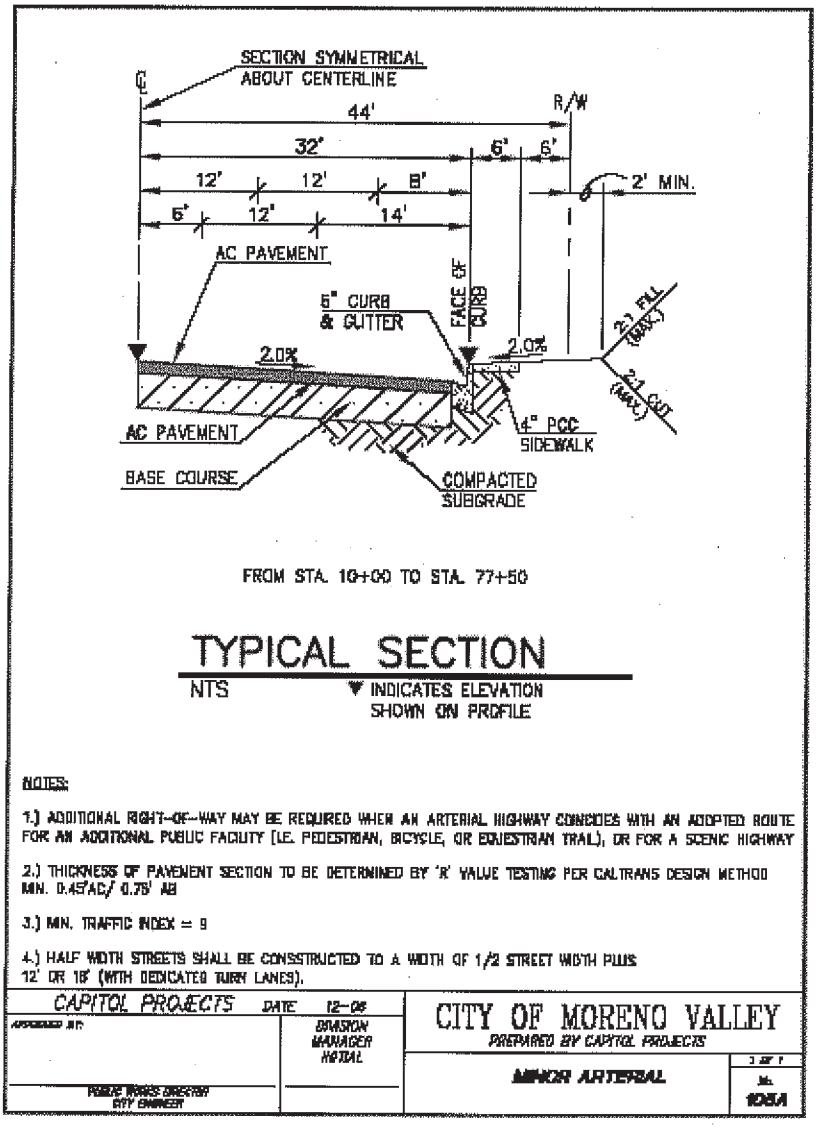


Figure 2 – Cross Section 105C: Minor Arterial Alternative 2

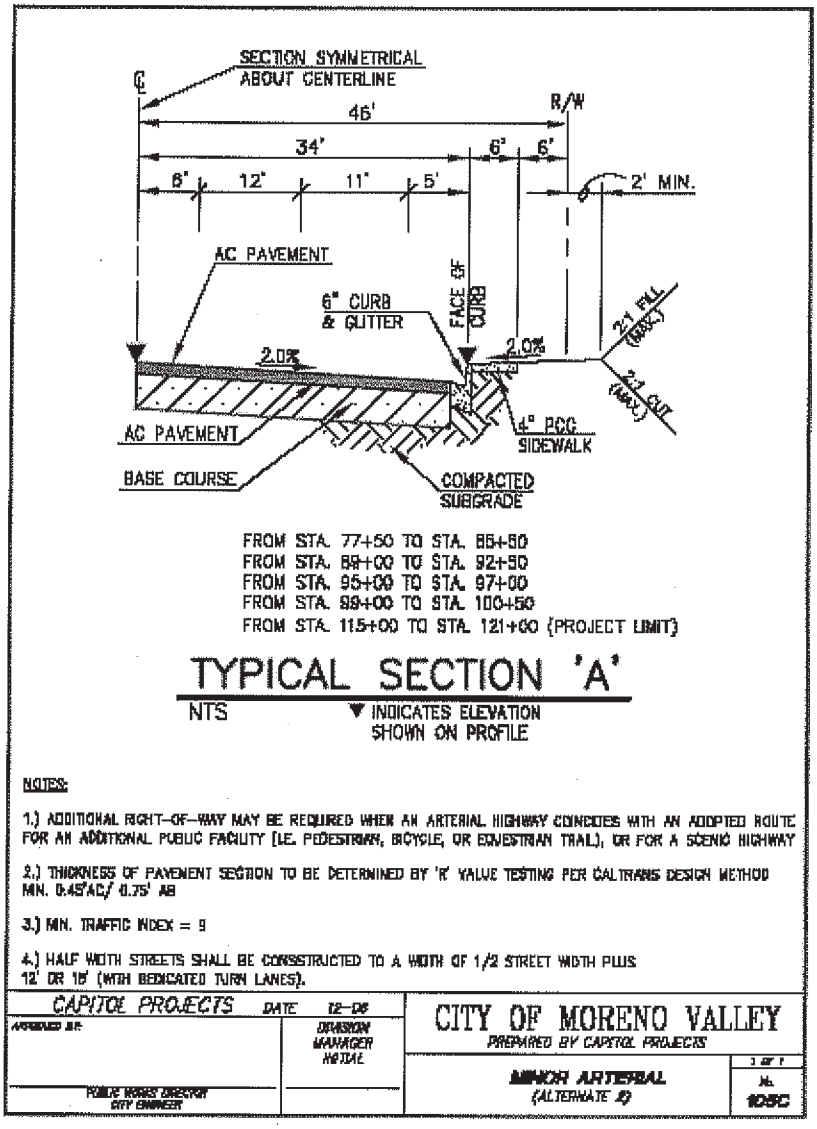
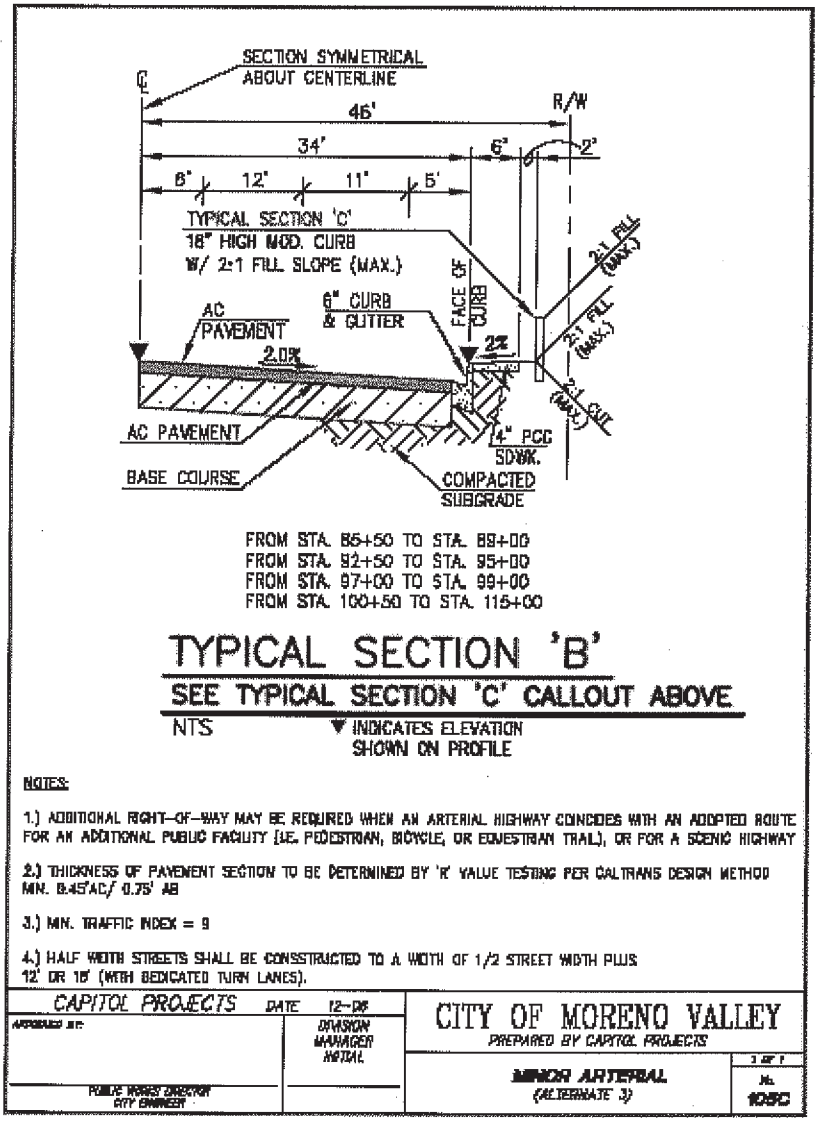


Figure 3 – Cross Section 105C: Minor Arterial Alternative 3



9. Surrounding Land Uses and Setting: (Briefly describe the project's surroundings)

The project area is surrounded primarily by residential land uses to the north and south. The area between Perris Boulevard and Lasselle Street is primarily residential zoned R5: Suburban Residential (5 dwelling units per acre) with the parcel at the southeast corner of Ironwood Avenue and Kitching Street zoned as P: Public Facilities. The area to the north of Ironwood Avenue between Matthews Road and Kitching Street is zoned RA2: Residential Agriculture (2 dwelling units per acre). The area along the north side of Ironwood Avenue between Lasselle Street and Vista de Cerros Drive is residential and zoned R2: Residential (2 dwelling units per acre), with the area to the south being zoned R5. The area between Vista de Cerros Drive and Nason Street is primarily zoned R1: Large Lot Residential (1 dwelling unit per acre), and RA2. Palm Middle School is located at 11900 Slawson Avenue along the north side of Ironwood Avenue between Slawson Avenue and Lasselle Street. There are a few vacant/undeveloped parcels surrounded by single family residential development.

Ironwood Avenue is currently configured as follows between Perris Boulevard and Nason Street:

Perris Boulevard to 350 Feet West of Kitching Street (2,300 feet)

This portion of Ironwood Avenue is currently constructed to its ultimate width of 64 feet from curb-to-curb. Curb, gutter and sidewalk abut both the north and south sides of Ironwood Avenue throughout this section. This portion contains a center turn

lane, two (2) west-bound traffic lanes on the north side of Ironwood Avenue and one (1) east-bound traffic lane on the south side of Ironwood Avenue. Although the south side of Ironwood Avenue has adequate width to accommodate two east-bound traffic lanes, there is no existing traffic striping to delineate two lanes. Street improvements along the south side of Ironwood Avenue immediately to the east of Perris Boulevard have been completed as part of an adjacent development project. Street lights exist along the both sides of Ironwood Avenue and overhead utility lines are present along the north side of Ironwood Avenue. A traffic signal exists at the intersection of Ironwood Avenue and Perris Boulevard.

350 Feet West of Kitching Street to Kitching Street (350 feet)

The south side of this portion of Ironwood Avenue is constructed to its ultimate width with one (1) east-bound traffic lane and a left turn lane. The north side of Ironwood Avenue is constructed to a non-standard width, consisting of a single 12-foot west-bound lane and would require widening to the north. There are two properties that encroach into the proposed roadway section on the north side of Ironwood Avenue that would be affected by the proposed widening. Curb, gutter and sidewalk abut the south side of Ironwood Avenue and asphalt curb abuts the north side of Ironwood Avenue. Street lights exist along both sides of Ironwood Avenue and overhead utility lines are present along the north side of Ironwood Avenue. A traffic signal exists at the intersection of Ironwood Avenue and Kitching Street.

Kitching Street to 440 Feet West of Lasselle Street (2,210 feet)

This portion of Ironwood Avenue is currently constructed to its ultimate width of 64 feet from curb-to-curb and contains a center turn lane with two (2) lanes of through traffic in each direction. Curb, gutter and sidewalk abut both the north and south sides of Ironwood Avenue throughout this section. Street lights exist along both sides of Ironwood Avenue and overhead utility lines are present along the south side of Ironwood Avenue through this section. A traffic signal exists at the intersection of Ironwood Avenue and Slawson Avenue.

440 Feet West of Lasselle Street to Lasselle Street (440 feet)

The south side of this portion of Ironwood Avenue is constructed to its ultimate width with curb, gutter and sidewalk abutting the street. There is a single 26-foot east-bound lane on the south side of Ironwood Avenue and single 12-foot west-bound lane with an 8-foot paved shoulder on the north side of Ironwood Avenue. Asphalt curb and asphalt sidewalk abut the north side of Ironwood Avenue through this section. Street lights and overhead utility lines are present along the south side of Ironwood Avenue.

Lasselle Street to 250 Feet East of Vista De Cerros Dr. (1,425 feet)

The south side of this portion of Ironwood Avenue is constructed to its ultimate width with a single east-bound lane and left turn lanes to Steeplechase Drive and Vista De Cerros Drive. The north side of this portion of Ironwood Avenue is constructed to its ultimate width except for a 500 foot section located 350 feet west of Steeplechase Drive to 150 feet east of Steeplechase Drive. Curb and gutter abut the south side of Ironwood Avenue, and sidewalk is present from Lasselle Street to 200 feet west of Vista De Cerros Drive. Portions of the north side of Ironwood Avenue include curb and gutter, asphalt curb, or no curb. Curb, gutter and sidewalk abut the north side of Ironwood Avenue from Vista de Cerros Drive to 250 feet east of Vista de Cerros Drive. Street lights exist along the south side of Ironwood Avenue and a single street light is located on the north side of Ironwood Avenue at the intersection of Steeplechase Drive. Overhead utility lines are present along the south side of Ironwood Avenue from Lasselle Street to 450 feet east of Lasselle Street and from Vista De Cerros Drive to 250 feet east of Vista de Cerros Drive. Approximately 400 feet east of Lasselle Street, Ironwood Avenue curves to the north.

250 Feet East of Vista De Cerros Drive to Nason Street (4,400 feet)

This portion of Ironwood Avenue is reduced to two (2) 12-foot lanes (one in each direction) with paved and unpaved shoulders. This section of road is generally heading north-easterly for about 900 feet, it turns to an east-west direction for about 1,100 feet, then turns in a south-easterly direction for about another 1,200 feet before turning due east toward Nason Street. The pavement section would require complete replacement through this portion of Ironwood Avenue. Overhead utility lines are present throughout most this portion of Ironwood Avenue on both the north and south sides. A traffic signal exists at the intersection of Ironwood Avenue and Nason Street. Numerous private driveways exist on both the north and south side of Ironwood Avenue from Lasselle Street to Nason Street. Widening, realignment, and vertical alignment changes would require modifications to most or all of these.

10. Other public agencies whose approval is required (e.g. permits, financing approval, or participation agreement).

United States Army Corps of Engineers – 404 Permit
Regional Water Quality Control Board – 401 Certification
California Department of Fish and Game – 1602 Streambed Alteration Agreement

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below (■) would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

	Aesthetics		Hazards & Hazardous Materials		Public Services
	Agricultural Resources		Hydrology/Water Quality		Recreation
	Air Quality		Land Use/Planning		Transportation/Traffic
	Biological Resources		Mineral Resources		Utilities/Service Systems
	Cultural Resources		Noise		Mandatory Findings of Significance
	Geology/Soils		Population/Housing		

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.	
I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.	■
I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.	
I find that the proposed project MAY have a "potential significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect (1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.	
I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.	

Signature Date

Printed Name For

EVALUATION OF ENVIRONMENTAL IMPACTS

1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g. the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g. the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

4) "Negative Declaration: Potentially Significant Unless Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section 17, "Earlier Analysis," may be cross-referenced).

5) Earlier analysis may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063 (c) (3) (d). In this case, a brief discussion should identify the following:

   (a) Earlier Analysis Used. Identify and state where they are available for review.

6) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.

7) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures, which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

8) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g. general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

9) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

10) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.

11) The analysis of each issue should identify: (a) the significance criteria or threshold used to evaluate each question; and (b) the mitigation measure identified, if any, to reduce the impact to less than significance.

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
1. **AESTHETICS.** Would the project:				
a) Have a substantial adverse effect on a scenic vista?				■
The major scenic vistas can be seen from the State Route 60, approximately 0.50 miles from the project site, which traverses east through the City of Moreno Valley and passes through the Badlands area. The Box Springs Mountains and Reche Canyon area is located to the north, the "Badlands" to the east, and the Mount Russell area to the south. Box Springs Mountains and Mount Russell foothills display numerous rock outcroppings and boulders and add visual character. These features provide the City with outstanding scenic vistas. The Proposed Project area is located within the planning area which is limited to the flat valley floor, preserving the views of largely undeveloped surrounding hillsides. Neither short-term construction activities nor the use of the improved roadway will impact a scenic vista. The project would be consistent with the existing land use (City of Moreno Valley, 2006). No impact would occur.				
b) Substantially damage scenic resources, including, but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?				■
As mentioned above, the Proposed Project area is located within the planning area which is limited to the flat valley floor, preserving the views of largely undeveloped surrounding hillsides. The project site is not located in the vicinity of a designated state scenic highway and would not damage any scenic resources, including trees, rock outcroppings, and/or historic buildings (Caltrans, 2007). No impact would occur.				
c) Substantially degrade the existing visual character or quality of the site and its surroundings?				■
The proposed widening of Ironwood Avenue from Perris Boulevard to Nason Street would not change the existing visual character of the area. The project site is surrounded by residential development and vacant land. As part of the project, in an effort to maintain the rural character of the neighborhood, a rural curb, as described in the City of Moreno Valley General Plan, would be constructed where the project abuts land zoned for rural residential uses. No impact would occur.				
d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?			■	
The Proposed Project would include the addition of new street lights, which would provide a new source of light and glare. The street lights, however, would be constructed in accordance with City of Moreno Valley Municipal Code contained in Title 9 and all new lighting will be consistent with the existing street lighting along Ironwood Boulevard. The Proposed Project would result in less than significant impacts related to light and glare.				
2. **AGRICULTURE RESOURCES**: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project?				
a) Convert Prime Farmland, Unique Farmland or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency to non-agricultural use?				■
The Proposed Project will not result in the conversion of Prime Farmland, Unique Farmland or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program (California Department of Conservation, 2004). No impact would occur.				
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				■
According to the City of Moreno Valley General Plan, the project site is located in a developed area of the City. There are no agricultural uses on the site nor is it located within an agricultural zone or bound by a Williamson Act contract. No impact would				

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
occur.				
c) Involve other changes in the existing environment, which due to their location or nature, could result in conversion of Farmland, to non-agricultural use?				■
The Proposed Project involves widening an existing road located in the developed area of the City of Moreno Valley (City of Moreno Valley, 2006). Lands currently used for agriculture are concentrated in the eastern portion of the City. The Proposed Project does not involve the conversion of land use, nor does the project limits contain any farmland. No impact would occur.				
3. **AIR QUALITY:** Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?				■
The Proposed Project is located in the City of Moreno Valley which is located within the South Coast Air Basin (Basin) (City of Moreno Valley, 2006). According to the City of Moreno Valley General Plan EIR, Air quality within the Basin is administered by the South Coast Air Quality Management District (SCAQMD). The Basin is a 6,600-square mile area bounded by the Pacific Ocean to the west and the San Gabriel, San Bernardino, and San Jacinto mountains to the north and east. The Basin includes all of Orange County and the non-desert portions of Los Angeles, San Bernardino, and Riverside counties. The Proposed Project would widen an existing road surrounded by residential development and would not conflict with or obstruct the implementation of the SCAQMD air quality plan. No impact would occur.				
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation.		■		
The Proposed Project would widen an existing road surrounded by residential development. The project would not involve growth-inducing impacts or cause an exceedance of established population or growth projections. The project would not result in significant localized air quality impacts associated with localized concentrations of criteria air pollutants. The project would be consistent with the goals of the Air Quality Management Plan for the project area. A less than significant impact would occur with the incorporation of mitigation measures AQ-1 through AQ-5. **AQ-1:** Grading activities shall comply with South Coast Air Quality Management District Rule 403 regarding the control of fugitive dust (Policy 6.7.5). **AQ-2:** Construction contractor shall ensure that all disturbed areas are watered frequently enough to ensure effective control of fugitive dust (at least three times per day). Frequency shall be increased during high and gusty wind conditions. **AQ-3:** Construction contractor shall ensure that speeds are reduced to 15 mph or less on unpaved/disturbed areas. **AQ-4:** Construction contractor shall ensure that inactive disturbed surface areas of a period of 20 consecutive days are properly stabilized, using best available dust control measures. **AQ-5:** Disturbed areas, which will not be covered by pavement at the end of the work, shall have a soil stabilizer applied to it to prevent wind erosion.				
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions, which exceed quantitative thresholds for ozone precursors)?				■
The construction of the Proposed Project would not create a cumulatively considerable net increase in criteria pollutants as the construction is temporary in nature. There are no long-term operational aspects of this project. No impact would occur.				
d) Expose sensitive receptors to substantial pollutant concentrations?		■		
The Proposed Project site is surrounded by residential development. The most proximate sensitive receptor is the existing residential property around the Proposed Project site. The construction of the Proposed Project would not exceed any pollutant significance thresholds with the incorporation of the Mitigation Measures in the Moreno Valley General Plan. A less than significant impact				

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
would occur with incorporation of Mitigation Measures AQ-1 through AQ-5.				
e) Create objectionable odors affecting a substantial number of people?			■	

Construction of the Proposed Project would involve the use of heavy equipment creating exhaust pollutants from on-site earth movement and from equipment bringing concrete and other building materials to the site. With regards to nuisance odors, any air quality impacts will be confined to the immediate vicinity of the equipment itself. By the time such emissions reach any sensitive receptor sites away from the project site, they will be diluted to well below any level of air quality concern. An occasional odor of diesel exhaust from trucks accessing the site from public roadways may result. Such brief exhaust odors may be adverse, but are not a significant air quality impact. There is a potential of using Heater Remix equipment to place hot or cold pavement recycling to treat existing pavement. Additionally, some odor would be produced from the application of asphalt, paints, and coatings. Again, any exposure of the general public to these common odors would be of short duration and while potentially adverse, are below significance thresholds.

4. **BIOLOGICAL RESOURCES.** Would the project:

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U. S. Fish and Wildlife Service?		■		

Chambers Group conducted habitat assessment of the project site on October 3, 2008 to characterize the distribution and relative abundance of wildlife, wildlife resources, and wildlife habitats within the project site (Chambers Group, 2008) (Appendix A). All wildlife and wildlife sign observed and/or detected, including tracks, scat, carcasses, burrows, nests, eggs, larvae, excavations, and vocalizations, were recorded on standardized data sheets.

A total of 36 sensitive wildlife species were identified as having a potential to occur on the project site. The project site supports suitable habitat and historical occurrences exist within the vicinity of the project site for the six of the 36 species of California species of special concern (CSC); Northern red-diamond rattlesnake, Cooper's hawk, Ferruginous hawk, Lawrence goldfinch, California horned lark and Burrowing owl. Since habitat for burrowing owl is present on the project site, a focused burrow survey would be required during the breeding season in order to comply with Western Riverside County's Multiple Species Habitat Conservation Plan (MSHCP) requirements. A 30-day pre-construction burrowing owl survey would also be required by Riverside County and a nesting bird survey is recommended if construction is scheduled during the nesting bird season (March 1 - September 1). A total of 30 of the 36 species, including Stephens' kangaroo rat have specialized habitats that do not occur on the Biologically Sensitive Area (BSA) and were considered absent from the project site (Appendix A). Focused surveys for this species are not required as the project site is located within the Free Assessment Area for Stephens' kangaroo rat and the City is exempt from any fees because the proposed improvement is a public project.

Focused burrowing owl surveys were performed due to the potential for the burrowing owl to be present adjacent to Ironwood Avenue (Chambers Group, Inc, 2009). No owls were observed during the focused survey within the Ironwood Widening Project right-of-way and/or within the adjacent 500 foot buffer; however, per the MSHCP all project sites containing burrows or suitable habitat, whether owls were found or not, require pre-construction surveys that will be conducted within 30 days prior to ground disturbance to avoid direct take of burrowing owls.

Two pairs of Red-tail hawks (Buteo jamaicensis) were observed foraging together and vocalizing around rock outcrops during the focused burrowing owl surveys. Within the field and rock outcrops southwest of the intersection of Avocado Lane and Ironwood Avenue, a juvenile red-tail hawk was observed vocalizing and interacting with the adults. Adults were observed successfully foraging in the area with the juvenile. No active nest site was observed within the Ironwood Widening Project right-of-way or within the 500 foot buffer area. Pair bonding was observed between the adult red-tail hawks. Grasslands and strip habitats such as right-of-ways for utility lines, highways, secondary roads and similar linear habitats provide valuable nesting and foraging habitats for ground-nesting birds. Areas within and adjacent to rock outcrops where grasses are dense can provide suitable nesting habitat for ground nesting birds such as the western meadowlark (Sturnella neglecta). Tall trees like those present within the Ironwood Widening right-of-way can also provide suitable nesting habitat for raptors and songbirds such as the red-tail hawks and American kestrals (Falco sparverius) observed onsite.

Nesting birds are protected from take (defined as the pursuit, possession, or destruction of birds, their nests, or eggs) by the Migratory

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact

Bird Treaty Act (MBTA) of 1918 (16 U.S.C. 703-711) and/or Sections 3503-3801 of the CFGC. Activities that cause destruction of active nests, or that cause nest abandonment and subsequent death of eggs or young, may constitute violations of one or both of these laws. During the bird breeding season (February 1 through August 31) large trees on or adjacent to the project site may provide roosting and nesting habitat for raptors, such as hawks and owls, ravens, or other birds. Trees, shrubs, and other vegetation may provide nest sites for smaller birds.

Twenty-four listed and/or sensitive plant species with a potential to occur within or adjacent to the project's BSA are considered absent due to lack of suitable habitat, or require seeps or vernal pool areas for germination and survival, or have other habitat requirements (i.e., gabbro substrate, alkaline soils, or cismontane woodland habitats) or elevational constraints not met by conditions on the BSA (Appendix A). Therefore, focused surveys to determine presence/absence for listed and/or sensitive plant species are not required. In addition, the MSHCP database review did not indicate focused surveys were required for any criteria area or narrow endemic plant species.

A less than significant impact would occur with the incorporation of the mitigation measure BR-1 and BR-2.

BR-1: Due to the high potential for raptors or songbirds to nest among large trees and or brushy vegetation within the Ironwood Widening Project right-of-way and/or within the adjacent 500 foot buffer; if vegetation or tree removal is to take place during the nesting season, then pre-construction nest survey(s) are required to ensure that no active nests are within the work area. The last survey day should be conducted at least three days prior to the start of work. Construction activities (e.g. grading, tree removal) must begin within 30 days from the date of the survey or an updated survey shall be required.

BR-2: Due to the potential for burrowing owl to be present adjacent to the roadway; a pre-construction burrowing owl survey shall be performed within 30 days prior to the commencement of ground disturbing activities according to MSHCP guidelines.

b) Have a substantially adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U. S. Wildlife Service?		■		

A Jurisdictional Delineation and Wetlands Determination Report (Chambers Group, Inc., 2009) was prepared for the Proposed Project due to the identification of drainage features within the project footprint. Within the Proposed Project footprint, three drainages occur along Ironwood Avenue (Appendix B - Figure 2). The drainages are not connected to each other on the Proposed Project site, but eventually connect south of the site at a reservoir south of Elder Avenue and north of the State Route 60 (SR-60) freeway, between Kitching Street and Morrison Street. All three drainages flow in a general north to south direction. Drainage 1 is located north and south of Ironwood Avenue just west of Dalehurst Road. Drainage 2 is located south of Ironwood Avenue just west of Avocado Lane. Drainage 3 is located north of Ironwood Avenue just west of Steeplechase Drive. The drainage system is fed by rainfall and urban run-off from the surrounding uplands and residential homes, creating flows that are ephemeral and intermittent. Aerial photographs, topographic maps, Google Earth images, and ground-truthing were used to determine drainage flow and connectivity patterns.

Drainage 1 begins in the hills 0.12 miles southeast of the intersection at Boulder Ridge Drive and Crystal Hill. The drainage begins as a swale and flows south for 0.5 miles to Ironwood Avenue. Storm drains and road run-off are directed to the drainage north of Ironwood Avenue, creating more flow at a higher volume which creates a bed and bank at Drainage 1. Flow continues under Ironwood Avenue in a 36 inch culvert and exits the culvert on the south side of Ironwood Avenue. Flow continues south in a soft-bottomed channel for approximately 0.25 miles and enters a culvert. Flow continues southwest for 0.75 miles until it reaches a reservoir located south of Elder Avenue and north of the SR-60 freeway, between Kitching Street and Morrison Street. From this reservoir, flow enters a culvert that runs under the SR-60 freeway and exits the culvert south of the freeway. Flow continues south in a concrete lined channel for approximately 5 miles until it reaches the Perris Valley Storm Drain. The Perris Valley Storm Drain continues to flow south for 11 river miles and is released into Canyon Lake. From Canyon Lake, the water is released into a drainage that flows southwest for 4 river miles into Lake Elsinore.

Drainage 2 is a result of road run-off as well as run-off from residents' landscaped yards on the north side of Ironwood Ave. Ironwood Ave. slopes slightly, directing run-off to open space south of Ironwood Ave. at two locations. The first drainage is approximately 200 feet west of Avocado Lane. This drainage is soft-bottomed in upland vegetation and pools north of a rock outcrop area located approximately 100 feet south of Ironwood Ave. The pool area is concave and consists of riparian vegetation. The second drainage is located approximately 70 feet west of Avocado Lane and pools in the same concave location with the riparian vegetation. Flow continues to drain south of the concave area for 0.5 miles until it reaches the reservoir located south of Elder

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact

Avenue and north of the SR-60 freeway, between Kitching Street and Morrison Street. From this reservoir, flow enters a culvert that runs under the SR-60 freeway and exits the culvert south of the freeway. Flow continues south in a concrete lined channel for approximately 5 miles until it reaches the Perris Valley Storm Drain. The Perris Valley Storm Drain continues to flow south for 11 river miles and is released into Canyon Lake. From Canyon Lake, the water is released into a drainage that flows southwest for 4 river miles into Lake Elsinore.

Drainage 3 begins in the hills north of the Proposed Project as a result of rain run-off. The drainage is also fed by urban run-off through storm drains. The base of the hills where riparian vegetation begins is at the east end of Wride Street. The drainage flows south for 0.08 miles where it goes in a culvert and continues south for 0.5 miles through pipes under residential homes. The culvert empties into Drainage 3 south of Elahl Court just east of Steeplechase Drive. A storm drain at the corner of Elahl Court and Steeplechase Dr. connects to underground pipes and also empties from this culvert. The drainage continues south for 0.07 miles in a soft-bottomed channel to Ironwood Ave. where it enters a culvert. This culvert sends water into pipes under a residential development. Flow continues southwest for 0.5 miles until it reaches a reservoir located south of Elder Avenue and north of the SR-60 freeway, between Kitching Street and Morrison Street. From this reservoir, flow enters a culvert that runs under the SR-60 freeway and exits the culvert south of the freeway. Flow continues south in a concrete lined channel for approximately 5 miles until it reaches the Perris Valley Storm Drain. The Perris Valley Storm Drain continues to flow south for 11 river miles and is released into Canyon Lake. From Canyon Lake, the water is released into a drainage that flows southwest for four 4 miles into Lake Elsinore.

The total distance for the watercourses from Ironwood Avenue to Lake Elsinore is approximately 22 river miles; the distance to the nearest TNW (Canyon Lake) is approximately 18 river miles.

Onsite drainages flow only during significant rain events or as a result of run-off from residential landscaping. The site consists of mostly California Annual Grassland Series in the upland areas, with patches of remnant coastal sage scrub, and riparian vegetation in Drainages 1, 2, and 3. The riparian areas consisted of Willow Scrub and Mule Fat Scrub. Disturbed, old agricultural fields, rock outcrops, and developed areas are also represented within the Proposed Project.

The limits of CDFG jurisdiction extends laterally to the tops of banks or to the edge of the dripline of the tree stratum, whichever value is greater. Though the drainages were considered to be of low quality to aquatic wildlife, the drainages would support a limited number of riparian dependant birds and/or mammals. Limited riparian vegetation [i.e., mule-fat (*Baccharis salicifolia*) and willows (*Salix* sp.)] was found present within the drainages on the Proposed Project site, and characteristics of a naturalized stream channel were present along portions of each onsite drainage. CDFG jurisdiction applies to the dripline of Drainages 1 and 3, and to the dripline and bed and bank of Drainage 2.

Total CDFG acreage, as defined by the bank to bank/dripline measurements, amounts to 0.144 acre (476 linear feet) within construction limits for the Proposed Project. Of the total impacts, 0.024 acre (30 linear feet) are within wetlands and 0.120 (150 linear feet) are non-wetlands. The Proposed Project will alter the three drainages and, therefore, a total of 0.144 acre of CDFG jurisdiction will be permanently impacted.

Table 1 - CDFG Jurisdiction Impacts

Agency	Wetland	Non-Wetland	Total Jurisdiction	Impacts to Wetland	Impacts to Non-Wetlands	Total Permanent Impacts
CDFG	0.229	0.279	0.508	0.024	0.120	0.144

The results of the jurisdictional delineation determined that a total 0.144 acre (476 linear feet) of streambed, of which 0.024 acre (30 linear feet) are within wetlands, will be permanently impacted by construction activities. The CDFG regulates impacts or alterations to streambeds, including any obstruction or diversion to the natural flow of a stream, substantial change or use of material from a stream, or a deposit or disposal of any debris into a stream as part of Fish and Game Code Sections 1600-02. A Streambed Alteration Agreement (SAA) will be required from the CDFG for this project.

A less than significant impact would occur with the incorporation of Mitigation Measure BR-3.

BR-3: Impacts to CDFG jurisdictional waters shall be mitigated at a ratio of three to one (3:1) through the purchase of mitigation land for the purpose of wetlands creation from the Santa Ana Watershed Authority for a total of 0.432 acre of wetlands. The

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
mitigation agreement shall be in place prior to the commencement of construction.				
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?		■		

All three drainages ultimately connect to and terminate at Lake Elsinore, a large inland lake used primarily for recreation and as a source of water. The lake supports interstate commerce through fishing, boating, agricultural, and other uses, and is therefore USACE jurisdictional. Canyon Lake, an impoundment hydrogically connected to the onsite project drainages, occurs before flows reach Lake Elsinore. A significant nexus analysis was performed to determine potential USACE jurisdiction.

A significant nexus was determined to exist for Drainages 1, 2, and 3 based on the following facts:

- They are ephemeral and intermittent non-RPWs that are hydrologically connected approximately 18 river miles from the nearest TNW (Canyon Lake);
- They have the capacity to carry pollutants, nutrients, and organic carbon to the nearest TNW;
- The nutrients and organic carbon in turn support downstream foodwebs (i.e., stocked fish populations). The nutrients and organic carbon also have the capacity to contribute to the ecology of all impoundments between the Proposed Project and Lake Elsinore itself.
- Drainages 1, 2, and 3 effectively contribute to interstate commerce by channeling water toward two impoundments used for boating, fishing, other recreation, residences, golfing, and agriculture. Water quality and presence is vital to the success of fishing and other recreational opportunities that Canyon Lake and Lake Elsinore present to the public and to private residents.

This wetland functions to direct rain water and urban run-off to the main drainage that begins at the reservoir between Elder Avenue and the SR-60 Freeway. The wetland most likely filters out some urban pollution. Though Wetland 1 is considered a functional wetland, it is considered low quality habitat for aquatic and riparian species. The drainage does not contain enough water year round for aquatic wildlife. Because aquatic wildlife is not present, and because the vegetation cover is not dense or large enough, the drainage would support a limited number of riparian dependant birds and/or mammals. In its current condition, the wetland is more important for its physical function than either its chemical or biological functions.

The limits of RWQCB jurisdiction within the three drainages were defined by the OHWMs. The drainages have the capacity to affect surface and subsurface water quality within California and, therefore, the RWQCB has jurisdiction over these drainages.

Total USACE acreage, as defined by the OHWMs, within construction limits amounts to 0.036 acre (476 linear feet) within construction limits for the Proposed Project. Of the total impacts, 0.024 acre (30 linear feet) are within wetlands and 0.012 (15 linear feet) are non-wetlands. The significant nexus analysis of connectivity between the drainages on the Proposed Project site and a TNW indicates USACE jurisdiction.

Total RWQCB acreage, as defined by the OHWMs, amounts to 0.036 acre (476 linear feet) within construction limits for the Proposed Project. Of the total impacts, 0.024 acre (30 linear feet) are within wetlands and 0.012 (15 linear feet) are non-wetlands. The Proposed Project will alter the three drainages and, therefore, a total of 0.036 acre of RWQCB jurisdiction will be permanently impacted.

Table 2 - USACE/RWQCB Jurisdiction Impacts

Agency	Wetland	Non-Wetland	Total Jurisdiction	Impacts to Wetland	Impacts to Non-Wetlands	Total Permanent Impacts
USACE	0.229	0.017	0.246	0.024	0.012	0.036
RWQCB	0.229	0.017	0.246	0.024	0.012	0.036

The results of the jurisdictional delineation (Appendix B) determined that a total of 0.036 acre (476 linear feet) of waters of the US, of which 0.024 acre (30 linear feet) are wetlands, will be permanently impacted by construction activities. The USACE regulates any

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact

activity that impacts waters of the US, including placement of fill material into waters of the US per Section 404 of the Clean Water Act (CWA). A Nationwide Permit (NWP) 14 (Linear Transportation Projects) may be applicable for this project; the NWP program is an abbreviated permitting process compared to an Individual Permit (IP). NWP 14 requires that impacts are less than 0.5 acre in non-tidal waters and a pre-construction notification would be required due to the discharge to a wetland. The type of permit required (i.e., NWP versus IP) will be at the discretion of the USACE.

Similar to the impacts to waters of the US, a total of 0.036 acre (476 linear feet) of waters of the State, of which 0.024 acre (30 linear feet) are wetlands, will be permanently impacted by construction activities. Under Section 401 of the CWA, the RWQCB regulates any activity that requires a federal permit for discharges to a water body. A 401 Water Quality Certification will be required from the RWQCB for this project.

A less than significant impact would occur with the incorporation of Mitigation Measure BR-4.

BR-4: Impacts to USACE and RWQCB jurisdictional waters shall be mitigated at a ratio of three to one (3:1) through the payment of an in-lieu fee for the purpose of invasive species eradication from the Santa Ana Watershed Authority for a total of 0.108 acre. The mitigation agreement shall be in place prior to the commencement of construction.

d) Interfere substantially with the movement of any resident or migratory fish or wildlife species or with established native resident migratory wildlife corridors, or impede the use of native wildlife nursery sites?				■

A total of 36 sensitive wildlife species were identified as having a potential to occur on the project site (Appendix A). The project site supports suitable habitat and historical occurrences exist within the vicinity of the project site for the six of the 36 species of California species of special concern (CSC); Northern red-diamond rattlesnake, Cooper's hawk, Ferruginous hawk, Lawrence goldfinch, California horned lark and Burrowing owl. There are no migratory fish or wildlife species, wildlife corridors, or wildlife nursery sites within the project site or in its vicinity (Appendix A). No impact would occur.

e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?		■		

The Proposed Project would not conflict with any local policies or ordinances protecting biological resources. With the incorporation of mitigation measures, the project would be consistent with the MSHCP. A less than significant impact would occur with incorporation of Mitigation Measures BR-1 and BR-2.

f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, other approved local, regional, or state habitat conservation plan?		■		

The Proposed Project would not conflict with any local policies or ordinances protecting biological resources. With the incorporation of mitigation measures, the project would be consistent with the MSHCP. A less than significant impact would occur with incorporation of Mitigation Measures BR-1 and BR-2.

5. **CULTURAL RESOURCES.** Would the project:

a) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?			■	

The nearest recorded historical resource near the project site identified in the Environmental Impact Report for the City of Moreno Valley General Plan is located on: Hemlock Avenue, between Graham Street and Heacock Street, approximately 1.32 miles southwest of the project site; Fir Avenue, between Indian Avenue and Perris Boulevard, approximately 0.82 miles southwest of the project site; and Fir Avenue, east of Heacock Street, approximately 1.12 miles southwest of the project site in the Sunnymead portion of Moreno Valley (City of Moreno Valley, 2006).

The Riverside County Historical Commission identified eight old houses in the Sunnymead portion of Moreno Valley; however, four have been destroyed since the survey in the 1980s. One of these houses, constructed in the 1880s, may have been the last structure in Moreno Valley dating to the 19th century. Of the surviving homes, none is architecturally distinctive. However, three structures are

interesting as one resembles a miniature barn and the others, dating to around 1910 and 1920 respectively, are in good condition. In addition, the New England style First Congregational Church located at 24215 Fir Avenue, thought to have been built in 1891, is considered to have local historical significance. The project would widen Ironwood Avenue from Perris Boulevard to Nason Street. The project would not result in a change in the significance of a historical resource.

In addition to those buildings, a total of six structures older than 45 years old have been identified within the project area. The table below details each structure, it's setting in relation to the project and an evaluation of potential impact.

Table 3 - Houses older than 45 years

Year Constructed	Assessor Parcel No.	Address	Setting and Evaluation	Impact
1964	475-300-024	11991 Perris Boulevard	The structure lies outside the project footprint.	No Impact
1957	474-250-004	26386 Ironwood Avenue	The subject parcel is located on the north side of Ironwood Avenue. Approximately 1,525 square feet of disturbance will occur within the parcel as a Temporary Construction Easement. No direct impact to the structure is anticipated. Construction activities would result in a permanent impact of 300 square feet along the frontage of the parcel. The structure is setback from the road approximately 75 feet and would not be impacted.	Less than significant
1942	474-250-052	26353 Ironwood Avenue	The subject parcel is located on the south side of Ironwood Avenue. There would be approximately 10,750 square feet of disturbance to the property; leaving the permanent right-of-way within about 36 feet of the house. The permanent property impacts would be approximately 5,750 square feet. The structure is setback from the road approximately 70 feet and would not be impacted.	Less than significant
1950	474-250-012	26371 Ironwood Avenue	The subject parcel is located on the south side of Ironwood Avenue. Approximately 3,100 square feet of the parcel would be disturbed as a Temporary Construction Easement. The permanent property impacts would be approximately 1,540 square feet. The structure is setback from the road approximately 225 feet and would not be impacted.	Less than significant
1956	474-271-003	26548 Ironwood Avenue	The subject parcel is located on the north side of Ironwood Avenue. Two structures have been identified on the property including a historic-age house (1956) and an out-building (shed) that does not appear to be of historic-age or significance. The out-building would be relocated on the property as part of construction activities. Approximately 8,420 square feet of the parcel would be disturbed as a Temporary Construction Easement. The permanent impacts would be approximately 10,400 square feet. The residential structure is setback from the road approximately 120 feet and would not be impacted.	Less than significant

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact

1963	474-273-002	26563 Ironwood Avenue	The subject parcel is located on the south side of Ironwood Avenue. Approximately 7,600 square feet of disturbance will occur within the parcel as a Temporary Construction Easement. The permanent impacts would be approximately 4,000 square feet. The structure is setback from the road approximately 400 feet and would not be impacted.	Less than significant

No significant impacts to any historic structures identified are anticipated due to either temporary construction activities or planned permanent right of ways. A less than significant impact would occur.

b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?		■		

The eastern portion of the project site, from east of Lasselle Street to Nason Street, is located in the Reche Hills Complex as identified in the Environmental Impact Report for the City of Moreno Valley General Plan (City of Moreno Valley, 2006). The habitation areas of the Reche Hills Complex consist of two camps. Probably the more important of the two, is located in the mouth of Reche Canyon, while the other is a short distance to the southwest. The milling region for these camps seems to have been in a series of hills stretching south into Moreno Valley from the mountains on the west side of Reche Canyon. At least twenty-three milling stations are recorded in these hills. The Reche Hills Complex also features significant rock art in the form of cupule boulders, a pit-and-groove petroglyph (which may actually be a cupule boulder), and one pictograph. However, since the majority of the area surrounding the project site is developed, the potential for archaeological resources to be found is extremely low. Even though the potential for unknown archaeological resources to be found during construction of the Proposed Project is extremely low, there is still a potential. A less than significant impact would occur with the incorporation of Mitigation Measure CR-1.

CR-1: In the event that any subsurface archeological materials are encountered within any part of the project area, all ground-disturbing construction activities must be suspended in the vicinity of the find until the deposit is recorded and evaluated by a qualified archeologist.

c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?		■		

The Proposed Project site is not located in a paleontologic resource sensitive area according to the General Plan. The project site involves widening an existing road. Some portions of the project area are surrounded by already developed areas and some portions are surrounded by open space. There is potential for previously undiscovered paleontological resources or site to occur. However, since the area surrounding the project site is developed, the potential for paleontological resources to be found is extremely low. A less than significant impact would occur with the incorporation of Mitigation Measure CR-2.

CR-2: In the event that paleontological materials are encountered during ground-disturbing construction activities, the contractor will cease all activities in the vicinity of the find until the deposits are recorded and evaluated by a qualified paleontologist. Ground disturbance must be suspended in the vicinity of the find until the deposit is recorded and evaluated by a qualified paleontologist.

d) Disturb any human remains, including those interred outside of formal cemeteries?		■		

The Proposed Project involves widening an existing road in an already developed area and some vacant land. The potential for human remains to occur on the project site is very low. A less than significant impact would occur with the incorporation of Mitigation Measure CR-3.

CR-3: If human remains of any kind are found, all activities will cease immediately and a qualified archaeologist and the County Coroner will be notified. If the coroner determines the remains to be of Native American origin, he or she will notify the Native American Heritage Commission (NAHC). The NAHC will then identify the most likely descendants to be consulted regarding treatment and/or repatriation of the remains.

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
6. **GEOLOGY AND SOILS.** Would the project.				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving:				
(i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.			■	
The Proposed Project site is not located within the Alquist-Priolo Earthquake Fault Zone. There are no known active faults underlying the project site or projecting toward the site. The nearest known active fault is the San Jacinto segment of the San Jacinto fault zone located 2.25 miles northeast of the project site. The project would widen an existing road in an area that is surrounded by development. The probability of surface rupture due to faulting beneath the project site is considered low. However, lurching and ground cracking are a possibility as a result of the significant seismic event on a nearby active fault (Geotechnics Incorporated, 2009). A less than significant impact would occur.				
(ii) Strong seismic ground shaking?			■	
Southern California is a seismically active region that is prone to earthquake. There is a potential for the project site to experience strong seismic ground shaking in the future from local and regional faults; however, the project would not subject people to strong seismic ground shaking that would not normally occur. No impact would occur.				
(iii) Seismic-related ground failure, including liquefaction?			■	
The Proposed Project is not located in an area with potential for seismic-related ground failure, including liquefaction. The City of Moreno Valley has seen no evidence of liquefaction events occurring in the community nor has any geotechnical report recently submitted to the City identified liquefaction hazards. The Riverside County General Plan has identified a range of liquefaction susceptibility in the City of Moreno Valley from very low with deep groundwater in the northern and eastern portions of the community to very high with shallow groundwater generally west of Perris Boulevard. Potential for liquefaction from ground shaking is low given the absence of a shallow groundwater table and the general presence of dense sands or shallow formational materials at the project site (Geotechnics Incorporated, 2009). All buildings in the region are required to resist seismic goundshaking in accordance with the Uniform Building Code (UBC). However, the UBC does not provide 100 percent protection against seismic damage (City of Moreno Valley, 2006). A less than significant impact would occur.				
(iv) Landslides?				■
The Proposed Project involves widening an existing road. The City of Moreno Valley planning area is situated along a valley floor (City of Moreno Valley, 2006). The portion of the City in which the project is situated has a very low potential for landslides to occur. Evidence of ancient landslides or slope instabilities was not observed along the planned alignment during the subsurface investigation (Geotechnics Incorporated, 2009). No impact would occur.				
(b) Result in substantial soil erosion or the loss of topsoil?			■	
The Proposed Project involves widening an existing road. The project would involve the use of import soil in order to bring the expansion area up to elevation with the existing road. There is a potential for erosion whenever soil is exposed. The project would have exposed soil during the construction phase; however, this would be temporary and all exposed soil would be stabilized or covered upon completion of construction. A less than significant impact would occur.				
(c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?				■
The Proposed Project involves widening an existing road. The project is not located on a geologic unit or soil that is unstable. No impact would occur.				

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
(d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?		■		
The Proposed Project involves widening an existing road. The existing sandy soils generally have a low expansion potential; however, areas between borings, or areas not explored may contain moderately to highly expansive clays (Geotechnics Incorporated, 2009). A less than significant impact would occur with the incorporation of mitigation measure GEO-1. **GEO-1:** During grading the contractor shall remove the upper 2 feet of soil at the project site and recompact to at least 90% of the maximum dry density based on the guidelines of ASTM D4829. If such soils are encountered, they should not be used in support of structures or pavements. Expansive materials would be excavated and replaced with soils having a low expansion potential (expansion index of 50 or less).				
(e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?				■
The Proposed Project does not involve the construction or installation of septic tanks or other wastewater disposal systems. No impact would occur.				
7. **HAZARDS AND HAZARDOUS MATERIALS.** Would the project?				
a) Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials?				■
The Proposed Project involves widening an existing road and would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. No impact would occur.				
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment?				■
The Proposed Project involves widening an existing road and would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. Hazardous or flammable substances that may be used during the construction phase of the project would include vehicle fuels and oils for the operation of heavy equipment. Diesel and/or other construction equipment and vehicle fuels would be used; however, the transport, storage, and usage of hazardous materials such as fuels are regulated by the state and would be in compliance with all state regulations during construction. No impact would occur.				
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?		■		
The Proposed Project involves widening an existing road adjacent to a church (Palm Canyon Community Church) and residential property. There are four existing schools near the Proposed Project site: Kinder Care Learning Center is located approximately 0.07 miles north of the project site on Ironwood Avenue and Kilgore Street; Cloverdale Elementary School is located approximately 0.17 miles south of the project site on Kitching Street and Ironwood Avenue; and Palm Elementary and Palm Middle School are located approximately 0.04 miles north of the project site on Ironwood Avenue and Slawson Avenue. The project would temporarily result in the use and emission of hazardous materials associated with construction and construction equipment. These materials include, but are not limited to, diesel fuel and paving equipment. These materials or substances would be handled according to district, state, local, and federal regulations. A less than significant impact would occur with the implementation of Mitigation Measures AQ-1 through AQ-5.				
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result would it create a significant hazard to the public or the environment?				■

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
The Proposed Project site is not included on a list of hazardous waste sites compiled pursuant to Government Code Section 65962.5. No impact would occur.				
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				■
The Proposed Project site is not located within an airport land use plan, or within two miles of a public airport or public use airport. The March Air Reserve Base is the closest airport and is located approximately 13 miles southwest of the Proposed Project site. The project would not result in a temporary safety hazard for people working in the project area during construction. No impact would occur.				
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				■
The Proposed Project is not located within the vicinity of a private airstrip and would not result in a safety hazard for people residing or working in the project area. No impact would occur.				
g) Impair implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan?				■
The City of Moreno Valley uses the Standardized Emergency Management System (SEMS) when responding to emergencies. The Proposed Project would not affect the adopted emergency response plan or emergency evacuation plan. The project would implement traffic control measures from the California Manual on Uniform Traffic Control Devices (MUTCD) during construction. No impact would occur.				
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?				■
The Proposed Project would not expose people or structures to a significant risk of loss, injury or death involving wildlands fires. The Proposed Project involves widening an existing road in a developed area. There are no wildlands located in the project vicinity. No impact would occur.				
8. **HYDROLOGY AND WATER QUALITY.** Would the project:				
a) Violate any water quality standards or waste discharge requirements?				■
The Proposed Project would not release any toxins into the groundwater. A Water Quality Management Plan (WQMP) has been established to maintain water quality in the area (City of Moreno Valley, 2006). No impact would occur.				
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?				■
The Proposed Project would widen Ironwood Avenue to alleviate current traffic congestion. The project would not extract groundwater. No impact would occur.				
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner, which would result in substantial erosion or siltation on- or off-site?				■

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
The Proposed Project would widen Ironwood Avenue to alleviate current traffic congestion. The project would not alter the course of a stream or river. No impact would occur.				
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or surface runoff in a manner, which would result in flooding on- or off site?				■
The Proposed Project would widen Ironwood Avenue to alleviate current traffic congestion. The project would not alter the course of a stream or river. No impact would occur.				
e) Create or contribute runoff which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?				■
The Proposed Project would widen an existing road. The project would connect to the existing stormwater drainage facilities along Ironwood Avenue between Perris Boulevard and Lasselle Street. Ironwood Avenue from Lasselle Street to Nason Street does not currently have stormwater drainage facilities and none are included. No impact would occur.				
f) Otherwise substantially degrade water quality?				■
The Proposed Project would not result in any other actions that would degrade water quality. No impact would occur.				
g) Place housing within a 100-year floodplain, as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				■
The Proposed Project does not involve the construction of housing; thus, would not place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map. No impact would occur.				
h) Place within a 100-year flood hazard area structures, which would impede or redirect flood flows?				■
The Proposed Project would not place structures that would impede or redirect flood flows within a 100-year flood hazard area. No impact would occur.				
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?				■
The Proposed Project would not expose people or structures to a significant risk of loss, injury or death as a result of the failure of a levee or dam. The project would widen an existing road in an area surrounded by development. The Proposed Project would not create risk of flooding. No impact would occur.				
j) Inundation by seiche, tsunami, or mudflow?				■
Inundation by seiche, tsunami or mudflow would not be a considerable hazard in the Proposed Project area (City of Moreno Valley, 2006). No impact would occur.				
9. **LAND USE AND PLANNING.** Would the project:				
a) Physically divide an established community?				■
The project would widen Ironwood Avenue to alleviate current traffic congestion. The widening will not divide an established community. No impact would occur.				

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Conflict with an applicable land use plan, policy or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?				■
The Proposed Project would comply with the City's General Plan, California Department of Fish and Game Code, the Clean Water Act, and the Riverside County MSHCP. No impact would occur.				
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?				■
The Proposed Project is located in Western Riverside County and is subject to the MSHCP as well as City of Moreno Valley codes and ordinances. The project would comply with the MSCHP and City codes and ordinances as noted above. No impact would occur.				
10. **MINERAL RESOURCES.** Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				■
The Proposed Project would not result in the loss of availability of known mineral resources. No resource extraction would occur on the project site. No impact would occur.				
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				■
The Proposed Project site is located in an area that is developed and has not been identified in a general plan, specific plan, or any other land use plan as a locally important mineral resource recovery site. No impact would occur.				
11. **NOISE.** Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?		■		
The General Plan Environmental Impact Report (EIR) Noise Section for the City of Moreno Valley states that "The noise generated by construction is addressed by existing city regulations. It is unlawful to create noise that annoys reasonable people of normal sensitivity. There are also restrictions on hours of activity. Grading may take place between 7 a.m. and 8 p.m. Construction may take place between 6 a.m. and 8 p.m. during the week and 7 a.m. and 8 p.m. on weekends and holidays..." Although construction activities will result in a noise impact, this impact will be short-term and will cease upon completion of construction. The temporary nature of the impact in conjunction with existing city regulations on hours of operation will lessen the potential of a significant impact due to construction noise. However, noise sensitive land use located adjacent to construction sites may be significantly impacted by future construction in the planning area as a result of groundborne noise levels and vibration, noise levels that exceed existing standards, and excessive temporary or periodic increases in the ambient noise level. Mitigation Measures N1 and N2 will reduce these impacts to a level less than significant. Construction equipment operating at a distance of 50 feet generates high levels of intermittent noise ranging from 70 dBA to 105 dBA. These levels exceed the 60 dBA standard for residential properties, according to the Moreno Valley Municipal Code (11.80.030). The Municipal Code further states that *"Construction and Demolition. No person shall operate or cause the operation of any tools or equipment used in construction, drilling, repair, alteration or demolition work between the hours of eight p.m. and seven a.m. the following day such that the sound there from creates a noise disturbance, except for emergency work by public service utilities or for other work approved by the city manager or designee. This section shall not apply to the use of power tools as provided in subsection (D)(9) of this section." Section 8.14.040E of the Municipal Code states that "Hours of Construction. Any construction within the city shall only be as follows: Monday through Friday (except for holidays which occur on weekdays), six a.m. to eight p.m.; weekends and holidays (as observed by the city and described in Chapter 2.55 of this code), seven a.m. to eight p.m., unless written approval is obtained from the city building official or city engineer. (Ord. 759 § 5.5, 2007; Ord. 484 § 3.2 (part), 1995)".* A less than significant impact would occur with the				

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact

incorporation of Mitigation Measures N-1 and N-2 as implemented in the City of Moreno Valley General Plan Final EIR.

N-1: Construction activities shall be operated in a manner that limits noise impacts on surrounding uses (Policy 6.5.2). In order to limit noise impacts on surrounding property, the construction contractor will ensure the following:

- Where feasible, noise-generating equipment will be shielded from nearby noise-sensitive receptors by noise-attenuating buffers such as structures or haul truck trailers;
- Water tanks and equipment storage, and warm-up areas will be located as far from noise-sensitive receptors as possible;
- All construction equipment powered by gasoline or diesel engines will be required to have sound-control devices at least as effective as those originally provided by the manufacturer; no equipment will be permitted to have an unmuffled exhaust.
- Mobile noise-generating equipment and machinery will be shut off when not in use;
- Construction vehicles assessing the site will be required to use the shortest possible rout to and from local freeways, provided the routes do not expose additional receptors to noise; and
- Prior to construction of the Proposed Project, signs would be posted announcing the construction schedule. The project applicant and the construction contractor will designate a noise disturbance coordinator who will be responsible for responding to complaints regarding construction noise. A contact number for the noise disturbance coordinator will be conspicuously posted on construction site fences.

N-2: Building construction shall be prohibited between 8 p.m. and 6.am. during the week and 8 p.m. and 7 a.m. weekends and holidays (Policy 6.3.6).

b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?			■	

Perceptible groundborne vibrations are typically associated with blasting operations and potentially the use of pile drivers, neither of which will be used during construction of the Proposed Project. As such, no excessive groundborne vibration would be created by the Proposed Project. A less than significant impact would occur.

c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?			■	

Project generated long-term operational noise impacts are associated with traffic noise. Construction of the proposed improvements includes the use of rubberized asphalt concrete, which attenuates noise by 4dBA (Sacramento County Study). At buildout, with the attenuation from rubberized asphalt concrete, roadway noise will be lower than the City standards of 65 dBA. Rubberized asphalt concrete would be included in the project specifications. A less than significant impact would occur

d) A substantially temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?		■		

The Proposed Project site is surrounded by residential development. The most proximate sensitive receptor that is subject to potential construction noise impacts is the existing residential around the Proposed Project site. According to the Moreno Valley Municipal Code (9.10.030), all temporary construction activities are exempt from the noise standards as long as construction activities are limited to the daytime hours as described above and construction equipment is properly maintained with working mufflers. A less than significant impact would occur with the incorporation of Mitigation Measures N-1 and N-2.

e) For a project located within an airport land use plan, or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?			■	

The Proposed Project site is located within an airport land use plan, or within two miles of a public airport or public use airport. To the west of the Proposed Project site is the March Air Reserve Base. A less than significant impact would occur.

f) For a project within the vicinity of a private airstrip, would the project expose				■

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
people residing or working in the project area to excessive noise levels?				
The Proposed Project is not located within the vicinity of a private airstrip and would not expose people residing or working in the project area to excessive noise levels. No impact would occur.				
12. **POPULATIONS AND HOUSING.** Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?				■
The Proposed Project involves widening an existing road to relieve the traffic congestion on Ironwood Avenue. The project would not induce population growth since it does not provide any housing or expand the infrastructure necessary for housing. Also, the City of Moreno Valley General Plan standards would be implemented for the Proposed Project. No impact would occur.				
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				■
The Proposed Project would not displace any housing units, necessitating the construction of replacement housing elsewhere. No impact would occur.				
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				■
The Proposed Project would not displace substantial number of people, necessitating the construction of replacement housing elsewhere. No impact would occur.				
13. **PUBLIC SERVICES.** Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
a) Fire protection?				■
The Proposed Project involves widening an existing road. The project would not require any additional fire protection services. Fire protection services would be required only for emergency response. Completion of the project would create a through street that may provide beneficial impact of the public services. No impact would occur.				
b) Police protection?				■
The Proposed Project involves widening an existing road. The project would not require any additional police protection services. Police protection services would be required only for emergency response. Completion of the project would create a through street that may provide beneficial impact of the public services. No impact would occur.				
c) Schools?				■
The Proposed Project involves widening an existing road and would not result in an increased demand for schools. No impact would occur.				
d) Parks?				■
The Proposed Project involves widening an existing road. The Proposed Project would not result in an increased demand for parks. No impact would occur.				
e) Other public facilities?				■

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact

The Proposed Project involves widening an existing road. The Proposed Project would not result in an increased demand for other public facilities. No impact would occur.

14. **RECREATION.**

a) Would the project increase the use of existing neighborhood or regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				■

The Proposed Project involves widening an existing road and would not increase the use of any parks. No impact would occur.

b) Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?				■

The Proposed Project does not include recreational facilities and would not require the expansion of existing recreational facilities. No impact would occur.

15. **TRANSPORTATION/TRAFFIC.** Would the project:

a) Cause an increase in the traffic, which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?			■	

The Proposed Project would relieve the traffic flow of Ironwood Avenue by widening the Ironwood Avenue, extending from Perris Boulevard to Nason Street. The traffic study prepared for this project studied the existing conditions (year 2008) and effects the project would have in the longer-term, build-out (year 2030) on the following intersections (Urban Crossroads, 2008; Appendix D):

- Perris Boulevard (NS) at Ironwood Avenue (EW)
- Kitching Street (NS) at Ironwood Avenue (EW)
- Nason Street (NS) at Ironwood Avenue (EW)

In addition to the study area intersections, the following road segments along Ironwood Avenue are analyzed (Urban Crossroads, 2008):

- Ironwood Avenue – east of Perris Boulevard
- Ironwood Avenue – between Lasselle Street and Nason Street
- Ironwood Avenue – east of Nason Street

Table 4 – INTERSECTION ANALYSIS FOR EXISTING CONDITIONS

INTER-SECTION	TRAFFIC CONTROL	INSECTION APPROCH LANES												DELAY (SECS.)		LEVEL OF SERVICE (LOS)	
		NORTH-BOUND			SOUTH-BOUND			EAST-BOUND			WEST-BOUND						
		L	T	R	L	T	R	L	T	R	L	T	R	AM	PM	AM	PM
Perris Boulevard (NS) at: • **Ironwood Avenue (EW)**	TS	1	2	1	1	2	1	1	1	1	1	1	1	31.8	33.0	C	C
Kitching Street (NS) at: • **Ironwood Avenue (EW)**	TS	1	1	0	1	1	0	1	1	1	1	1	1	44.7	38.3	D	D

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact

Nason Street (NS) at:																
• **Ironwood Avenue (EW)**	TS	0.5	0.5	1	0	1!	0	1	1	0	1	1	0	27.4	21.6	C	C

When a right turn is designated, the lane can either be striped or unstriped. To function as a right turn lane there must be sufficient width for right turning vehicles to travel outside the through lanes.

L = Left; T = Through; R = Right; 1! Shared Left/Through/Right

TS = Traffic Signal

(Urban Crossroads, 2008)

Table 5 – INTERSECTION ANALYSIS FOR YEAR 2030 CONDITIONS

INTER-SECTION	TRAFFIC CONTROL	INSECTION APPROCH LANES												DELAY (SECS.)		LEVEL OF SERVICE (LOS)	
		NORTH-BOUND			SOUTH-BOUND			EAST-BOUND			WEST-BOUND						
		L	T	R	L	T	R	L	T	R	L	T	R	AM	PM	AM	PM
Perris Boulevard (NS) at:																	
• **Ironwood Avenue (EW)**																	
-Without improvements	TS	1	2	1	1	2	1	1	1	1	1	1	1	40.6	94.6	D	F
-With improvements	TS	2	2	1	1	2	1	1	1	1	1	1	1	34.8	54.5	C	D
Kitching Street (NS) at:																	
• **Ironwood Avenue (EW)**																	
-Without improvements	TS	1	1	0	1	1	0	1	1	1	1	1	1	47.4	62.2	D	E
-With improvements *	TS	1	1	0	1	1	0	1	1	1	1	1	1	28.9	34.7	C	C
Nason Street (NS) at:																	
• **Ironwood Avenue (EW)**																	
-Without improvements	TS	0.5	0.5	1	0	1!	0	1	1	0	1	1	0	52.3	36.5	D	D
-With improvements	TS	0.5	0.5	1	0	1!	0	2	1	0	1	1	0	29.2	29.5	C	C

When a right turn is designated, the lane can either be striped or unstriped. To function as a right turn lane there must be sufficient width for right turning vehicles to travel outside the through lanes.

L = Left; T = Through; R = Right; 1! Shared Left/Through/Right; 1 = Improvement

TS = Traffic Signal

* = Improvements at this location requires signal optimization for Year 2030 conditions.

(Urban Crossroads, 2008)

The increase in traffic in year 2030 would degrade the level of service (LOS) during the peak hours at Perris Boulevard at Ironwood Avenue and Kitching Street at Ironwood Avenue to poor levels of service as defined by the City of Moreno Valley. As shown in Table 4 and Table 5, the Proposed Project would not result in an increase in traffic or degrade the existing LOS. It is anticipated that the study area road segment on Ironwood Avenue between Vista De Cerros and Avocado Lane, and between Nason Street and Lantz Lane will operate at an unacceptable volume to capacity with existing lane configuration (Urban Crossroads, 2008). The Proposed Project would be constructed to the ultimate configuration as a four lane minor arterial and it is anticipated that adequate capacity will be provided to accommodate Year 2030 traffic volumes (Urban Crossroads, 2008). A less than significant impact would occur.

b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?			■	

The Proposed Project would relieve the traffic flow of Ironwood Avenue by widening the Ironwood Avenue, extending from Perris Boulevard to Nason Street. According to City of Moreno Valley General Plan, the existing Circulation Element recognizes that an LOS of C is optimal. However, it also allows peak hour levels of service in the LOS "D" range in certain locations. These locations include areas of high employment concentration, north/south roads in the vicinity of SR-60 or other locations in already developed

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
areas with geometric constraints that prevent LOS "C" from being achieved (City of Moreno Valley, 2006). The increase in traffic in the year 2030 will degrade the levels of service at the Perris Boulevard at Ironwood Avenue and Kitching Street at Ironwood Avenue to poor levels of service defined by the City of Moreno Valley. However, the study area intersections are projected to operate at acceptable levels of service during the peak hours with the improvements (Urban Crossroads, 2008). A less than significant impact would occur.				
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				■
The Proposed Project would not result in a change in air traffic patterns or an increase in traffic levels or location resulting in substantial safety risks. No impact would occur.				
d) Substantially increase hazards to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?				■
The Proposed Project would widen the existing road and would not substantially increase hazards to a design feature or incompatible uses. No impact would occur.				
e) Result in inadequate emergency access?				■
The Proposed Project would widen the existing road which would potentially enhance emergency access in the area surrounding the project site. No impact would occur.				
f) Result in inadequate parking capacity?				■
Parking for construction workers would be provided within a construction staging area for the project site. No additional off-site parking would be required for the project. No impact would occur.				
g) Conflict with adopted policies or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?				■
The Proposed Project would widen the existing road and would not conflict with alternative transportation. No impact would occur.				
16. **UTILITIES AND SERVICE SYSTEMS.** Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?				■
The Proposed Project would not generate wastewater. No impact would occur.				
b) Require or result in construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				■
The Proposed Project would not require the construction of new water or wastewater treatment facilities or expansion of existing facilities. The project would widen an existing road and would not generate any wastewater resulting in a need to construct new or expand existing treatment facilities. No impact would occur.				
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				■
The Proposed Project would widen an existing road. The project would connect to the existing stormwater drainage facilities along Ironwood Avenue between Perris Boulevard and Lasselle Street. Ironwood Avenue from Lasselle Street to Nason Street does not currently have stormwater drainage facilities and none are included. No impact would occur.				

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?				■
The Proposed Project would widen an existing road and would not require a long-term water supply. The project would use water during construction for dust control; however, this would be acquired by the construction contractor, would be minimal, and would cease upon completion of construction. No impact would occur.				
e) Result in a determination by the wastewater treatment provider, which serves or may serve the project determined that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?				■
The Proposed Project would not result in the construction of any structures that would generate wastewater. The project would not impact a wastewater treatment provider's capacity. No impact would occur.				
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?				■
The Proposed Project would only generate solid waste during its construction phase. All solid waste generated during construction would be disposed of properly according to standard construction practices by the construction contractor. No impact would occur.				
g) Comply with federal, state, and local statues and regulations related to solid waste?				■
The Proposed Project would comply with all federal, state, and local regulations regarding solid waste. The City of Moreno Valley City Council adopted a "Source Reduction and Recycling Element" in 1992 to reduce solid waste (City of Moreno Valley, 2006). No impact would occur.				
17. **MANDATORY FINDINGS OF SIGNIFICANCE.**				
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of an endangered, rare or threatened plant or animal, or eliminate important examples of the major periods of California history or prehistory?		■		
The Proposed Project would widen Ironwood Avenue between Perris Boulevard and Nason Street in the City of Moreno Valley. The project would widen approximately 11,200 linear feet of Ironwood Avenue to a four lane major arterial street to alleviate current and future planned traffic congestion. The project site supports suitable habitat and historical occurrences exist within the vicinity of the project site for the six of California species of special concern (CSC) species; Northern red-diamond rattlesnake, Cooper's hawk, Ferruginous hawk, Lawrence goldfinch, California horned lark and Burrowing owl. Twenty-four listed and/or sensitive plant species with a potential to occur within or adjacent to the project's BSA are considered absent due to lack of suitable habitat, or require seeps or vernal pool areas for germination and survival, or have other habitat requirements (i.e., gabbro substrate, alkaline soils, or cismontane woodland habitats) or elevational constraints not met by conditions on the BSA. The eastern portion of the project site, from east of Lasselle Street to Nason Street, is located in the Reche Hills Complex, however, since the area surrounding the project site is developed, the potential for archaeological resources to be found is extremely low and would not be impacted by the Proposed Project. A less than significant impact would occur with the incorporation of mitigation measures included in this document.				
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of the past projects, the effects of other current projects, and the effects of probable future projects)?				■

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
The Proposed Project would not have impacts that could potentially be cumulatively considerable. The project would widen Ironwood Avenue between Perris Boulevard and Nason Street in the City of Moreno to alleviate current and future planned traffic congestion. The Proposed Project site is located in an already developed area. Also, the City of Moreno Valley General Plan standards would be implemented for the Proposed Project. No impact would occur.				
c) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?		■		
The Proposed Project would not result in a significant impact that would cause substantial adverse effects on human beings, either directly or indirectly. The project has the potential to result in significant impacts to air quality and noise that would affect people traveling along Ironwood Avenue. A less than significant impact would occur with incorporation of mitigation measures included in this document.				

LIST OF PREPARERS

James Smithwick, Principal Environmental Planner, Chambers Group, Inc.

Andrew Minor, Project Manager, Chambers Group, Inc.

Jeannie Yu, Assistant Environmental Planner, Chambers Group, Inc.

Chris Ormsby, City of Moreno Valley

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MITIGATION MONITORING AND REPORTING PLAN

Widening of Ironwood Avenue from Perris Boulevard to Nason Street Project

Prepared for:

City of Moreno Valley
Public Works Department
14177 Frederick Street
Moreno Valley, CA 92552-0805

Prepared by:

CHAMBERS GROUP, INC.
302 Brookside Avenue
Redlands, CA 92373

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INTRODUCTION

CEQA Requirements

The California Environmental Quality Act (CEQA) requires that when a public agency completes an environmental document that includes measures to mitigate or avoid significant environmental effects, the public agency must adopt a Mitigation Monitoring and Reporting Plan (MMRP) for the changes to the project that it has adopted or made a condition of project approval in order to mitigate or avoid significant effects on the environment. The appropriate reporting or monitoring plan must be designed to ensure compliance during project implementation (Public Resources Code Section 21081.6).

The City of Moreno Valley Public Works Department (City) would coordinate monitoring of the implementation of all mitigation measures for the project. Monitoring will include: 1) verification that each mitigation measure has been implemented; 2) recordation of the actions taken to implement each mitigation measure; and 3) retention of records in the project file.

Program Objectives

The objectives of the MMRP for the Proposed Project include the following:

- To provide assurance and documentation that mitigation measures are implemented as planned;
- To collect analytical data to assist City administration in its determination of the effectiveness of the adopted mitigation measures;
- To report periodically regarding project compliance with mitigation measures, performance standards and/or other conditions; and
- To make available to the public, upon request, the City record of compliance with project mitigation measures.

Overview of the Project

The Proposed Project consists of widening a road to its ultimate design specification and street improvements along Ironwood Avenue from Perris Boulevard to Nason Street. Ironwood Avenue has been designated as a minor arterial roadway with a width of 64 feet (curb to curb) and an ultimate right-of-way width of 88 feet. The proposed roadway improvements include the widening of approximately 11,200 linear feet of Ironwood Avenue to a four lane minor arterial roadway, from Perris Boulevard to Nason Street. Ironwood Avenue exists as a street of varying improvement levels. From Perris Boulevard to Lassalle Street, the roadway exists in the ultimate configuration, except for three areas to be in-filled with curb and gutter, roadway pavement and sidewalk. From Lassalle Street, east of the Ironwood Avenue, the roadway exists as a rural, two-lane road with varying shoulder conditions.

Organization of the Mitigation Monitoring Program

The following describes the various sections of the MMRP:

Introduction - Provides an overview of CEQA's monitoring and reporting requirements, program objectives, the project for which the program has been prepared, and the manner in which the mitigation monitoring program has been organized.

MMRP - Describes the City entities responsible for implementation of the mitigation monitoring plan, the plan scope, procedures for monitoring and reporting, public availability of documents,

the process for making changes to the program, types of mitigation measures, and the manner in which monitoring will be coordinated to ensure implementation of mitigation measures.

Mitigation Monitoring and Reporting Summary - Outlines the impacts and mitigation measures, responsible entities, and the timing for monitoring and reporting for each mitigation measure included in the plan. A form for actual use by the Facilities, Planning & Development office and/or its assigned agents will be constructed from this information for each responsible entity.

Report Preparation - Lists the individuals involved in development of this MMRP.

DESCRIPTION OF PLAN

Mitigation Monitoring Procedures

This MMRP delegates responsibilities for monitoring the project, and also allows responsible City entities flexibility and discretion in determining how best to monitor implementation. Monitoring procedures will vary according to the type of mitigation measure. The timing for monitoring and reporting is described in the monitoring and reporting summary table included as part of this program (see page # 5). Adequate monitoring consists of demonstrating that monitoring procedures took place and that mitigation measures were implemented.

In order to enhance the effectiveness of the monitoring program, the City will utilize existing systems where appropriate. For instance, with any major construction project, the administration generally has at least one inspector assigned to monitor project construction. These inspectors are familiar with a broad range of regulatory issues and will provide first line oversight for much of the monitoring program.

Responsibilities of City include identification of typical mitigation measure-related issues such as noisy equipment, dust, safety problems, etc. Any problems are generally corrected through directions to the contractors, or through other appropriate, established mechanisms. Internal reporting procedures are already in place to document any problems and to address broader implementation issues.

Reporting Procedures

The City would be responsible for monitoring and implementing the mitigation measures included in this monitoring plan.

Reporting consists of establishing a record that a mitigation measure is being implemented, and generally involves the following steps:

- The City distributes reporting forms to the appropriate company office (as indicated in the summary form) or employs the office's existing reporting process for verification of compliance.
- Responsible entities verify compliance by signing the monitoring and reporting form and/or documenting compliance using their own internal procedures when monitoring is triggered.
- Responsible entities provide the City with verification that monitoring has been conducted and ensure, as applicable, that mitigation measures have been implemented.
- The City prepares construction activities reports during the construction phase and incorporates project reports, as appropriate, into the periodic reports summarizing all district mitigation monitoring efforts.

The reporting forms prepared by the City would document the implementation status of mitigation measures of the project. The progress reports describe the monitoring status of all project mitigation measures. Project reporting forms and periodic status reports will be available at the City.

The City would also be responsible for assisting their contractor with reporting responsibilities to ensure that they understand their charge and complete their reporting procedures accurately and on schedule.

Public Availability

All monitoring reporting forms, summaries, data sheets, and correction instructions related to the Mitigation Monitoring and Reporting Plan for the Widening of Ironwood Avenue from Perris Boulevard to Nason Street Project would be available for public review upon request at the City of Moreno Valley Department of Public Works offices during normal business hours.

Program Changes

If minor changes are required to the MMRP, they would be made in accordance with CEQA and would be permitted after further review by the City. Such changes could include reassignment of monitoring and reporting responsibilities and/or redesign to make any appropriate improvements. No change would be permitted unless the mitigation monitoring and reporting plan continues to satisfy the requirements of Public Resources Code Section 21081.6.

Types of Mitigation Measures Being Monitored

The Initial Study/Mitigated Negative Declaration for the Widening of Ironwood Avenue from Perris Boulevard to Nason Street Project is a "project-specific" evaluation as defined in the CEQA Guidelines.

The Initial Study/Mitigated Negative Declaration recommends 15 project specific mitigation measures to reduce impacts related to air quality, biological resources, cultural resources, geology and soils and noise during construction. Compliance with these mitigation measures will be accomplished through administrative controls over project planning and implementation, in this case, through incorporation of specific construction methods, and verification of construction in accordance with these special provisions. Monitoring would be accomplished as described previously under "Reporting Procedures" through verification and certification by personnel.

In general, implementation of the MMRP will require the following actions:

- Appropriate mitigation measures would be included in construction documents.
- Departments with reporting responsibilities would review the Initial Study/Mitigated Negative Declaration, which provides general background information on the reasons for including specified mitigation measures.
- Problems or exceptions to compliance would be addressed by the City as appropriate.
- Periodic meetings may be held during project implementation to report on compliance with mitigation measures.

City of Moreno Valley Public Works Department
MITIGATION MONITORING AND REPORTING SUMMARY

Mitigation Measure	Responsible Entity	Monitoring Triggers	Monitoring Entity	Compliance Action	Verification of Compliance		
					Initials	Date	Comments
AIR QUALITY							
AQ-1: Grading activities shall comply with South Coast Air Quality Management District Rule 403 regarding the control of fugitive dust (Policy 6.7.5).	City	3	City	During construction			
AQ-2: Construction contractor shall ensure that all disturbed areas are watered frequently enough to ensure effective control of fugitive dust (at least three times per day). Frequency shall be increased during high and gusty wind conditions.	City	3	City	During construction			
AQ-3: Construction contractor shall ensure that speeds are reduced to 15 mph or less on unpaved/disturbed areas.	City	3	City	During construction			

Mitigation Measure	Responsible Entity	Monitoring Triggers	Monitoring Entity	Compliance Action	Verification of Compliance		
					Initials	Date	Comments
AQ-4: Construction contractor shall ensure that inactive disturbed surface areas of a period of 20 consecutive days are properly stabilized, using best available dust control measures.	City	3	City	During construction			
AQ-5: Disturbed areas, which will not be covered by pavement at the end of the work, shall have a soil stabilizer applied to it to prevent wind erosion.	City	3	City	During construction			
BIOLOGICAL RESOURCES							
BR-1: Due to the high potential for raptors or songbirds to nest among large trees and or brushy vegetation within the Ironwood Widening Project right-of-way and/or within the adjacent 500 foot buffer; if vegetation or tree removal is to take place during the nesting season, then pre-construction nest survey(s) are required to ensure that no active nests are within the work area. The last survey day should be conducted at least three days prior to the start of work. Construction activities (e.g. grading, tree removal) must begin within 30 days from the date of the survey or an updated survey shall be required.	City	2	CDFG	Issuance of a grading permit			
BR-2: Due to the potential for burrowing owl	City	2	CDFG	Issuance of a			

Mitigation Measure	Responsible Entity	Monitoring Triggers	Monitoring Entity	Compliance Action	Verification of Compliance		
					Initials	Date	Comments
to be present adjacent to the roadway; a pre-construction burrowing owl survey shall be performed within 30 days prior to the commencement of ground disturbing activities according to MSHCP guidelines.				grading permit			
BR-3: Impacts to CDFG jurisdictional waters shall be mitigated at a ratio of three to one (3:1) through the purchase of mitigation land for the purpose of wetlands creation from the Santa Ana Watershed Authority for a total of 0.432 acre of wetlands. The mitigation agreement shall be in place prior to the commencement of construction.	City	2	CDFG	Issuance of a grading permit			
BR-4: Impacts to USACE and RWQCB jurisdictional waters shall be mitigated at a ratio of three to one (3:1) through the payment of an in-lieu fee for the purpose of invasive species eradication from the Santa Ana Watershed Authority for a total of 0.108 acre. The mitigation agreement shall be in place prior to the commencement of construction.	City	2	CDFG	Issuance of a grading permit			
CUTURAL RESOURCES							

Mitigation Measure	Responsible Entity	Monitoring Triggers	Monitoring Entity	Compliance Action	Verification of Compliance		
					Initials	Date	Comments
CR-1: In the event that any subsurface archeological materials are encountered within any part of the project area, all ground-disturbing construction activities must be suspended in the vicinity of the find until the deposit is recorded and evaluated by a qualified archeologist.	City	3	SHPO	Reporting as needed			
CR-2: In the event that paleontological materials are encountered during ground-disturbing construction activities, the contractor will cease all activities in the vicinity of the find until the deposits are recorded and evaluated by a qualified paleontologist. Ground disturbance must be suspended in the vicinity of the find until the deposit is recorded and evaluated by a qualified paleontologist.	City	3	SHPO	Reporting as needed			
CR-3: If human remains of any kind are found, all activities will cease immediately and a qualified archaeologist and the County Coroner will be notified. If the coroner determines the remains to be of Native American origin, he or she will notify the Native American Heritage Commission (NAHC). The NAHC will then identify the most likely descendants to be consulted regarding treatment and/or repatriation of the remains.	City	3	SHPO	Reporting as needed			

Mitigation Measure	Responsible Entity	Monitoring Triggers	Monitoring Entity	Compliance Action	Verification of Compliance		
					Initials	Date	Comments
GEOLOGY AND SOILS							
GEO-1: During grading the contractor shall remove the upper 2 feet of soil at the project site and recompact to at least 90% of the maximum dry density based on the guidelines of ASTM D4829. If such soils are encountered, they should not be used in support of structures or pavements. Expansive materials would be excavated and replaced with soils having a low expansion potential (expansion index of 50 or less).	City	3	City	During Construction			
NOISE							
N-1: Construction activities shall be operated in a manner that limits noise impacts on surrounding uses (Policy 6.5.2). In order to limit noise impacts on surrounding property, the construction contractor will ensure the following: • Where feasible, noise-generating equipment will be shielded from nearby noise-sensitive receptors by noise-attenuating buffers such as structures or haul truck trailers; • Water tanks and equipment storage, and warm-up areas will be located as far from noise-sensitive receptors as	City	3	City	During Construction			

Mitigation Measure	Responsible Entity	Monitoring Triggers	Monitoring Entity	Compliance Action	Verification of Compliance		
					Initials	Date	Comments
possible; • All construction equipment powered by gasoline or diesel engines will be required to have sound-control devices at least as effective as those originally provided by the manufacturer; no equipment will be permitted to have an unmuffled exhaust. • Mobile noise-generating equipment and machinery will be shut off when not in use; • Construction vehicles assessing the site will be required to use the shortest possible rout to and from local freeways, provided the routes do not expose additional receptors to noise; and • Prior to construction of the Proposed Project, signs would be posted announcing the construction schedule. The project applicant and the construction contractor will designate a noise disturbance coordinator who will be responsible for responding to complaints regarding construction noise. A contact number for the noise disturbance coordinator will be conspicuously posted on construction site fences.							

Mitigation Measure	Responsible Entity	Monitoring Triggers	Monitoring Entity	Compliance Action	Verification of Compliance		
					Initials	Date	Comments
N-2: Building construction shall be prohibited between 8 p.m. and 6.am. during the week and 8 p.m. and 7 a.m. weekends and holidays (Policy 6.3.6).	City	3	City	During Construction			

Monitoring Triggers

1 Planning Stage (schematic design and design development)
2 Pre-Construction (Issuance of a grading permit)
3 Construction
4 Post-Construction/Commencement of Operation
5 On-going through Project Operations

Responsible Entity

California Department of Fish and Game	(CDFG)
City of Moreno Valley Public Works Department	(City)
Native American Heritage Commission	(NAHC)
Regional Water Quality Control Board	(RWQCB)
State Historic Preservation Officer	(SHPO)

REPORT PREPARATION

This MMRP was prepared by the City with the assistance of Chambers Group, Inc. The following individuals participated in the report preparation.

City of Moreno Valley

Chris Ormsby

Chambers Group, Inc.

Andrew Minor, Project Manager

James Smithwick, Director of Environmental Planning

Jeannie Yu, Assistant Environmental Planner

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

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

AGENDA DATE: August 25, 2009

TITLE: SECOND AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES FOR PHASE II AND PHASE III DESIGN OF THE STREET IMPROVEMENTS FOR HEACOCK STREET FROM HEMLOCK AVENUE TO IRONWOOD AVENUE PROJECT NO. 08-41678827

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Approve the "Second Amendment to Agreement for Professional Consultant Services" for Phase II and Phase III design with PB Americas, Inc., 685 East Carnegie Drive, Suite 210, San Bernardino, CA 92408 to provide professional consultant services, extend the agreement from December 31, 2009 to December 31, 2010, and increase the agreement amount by the "not-to-exceed" fee of $83,420.

2. Authorize the City Manager to execute the "Second Amendment to Agreement for Professional Consultant Services" with PB Americas, Inc. in the form attached hereto.

3. Authorize an increase to the Purchase Order with PB Americas, Inc. in the amount of $91,762 ($83,420 amount plus 10% contingency) when the Second Amendment has been signed by all parties (Account No. 416.78827).

4. Authorize the Public Works Director/City Engineer to execute any subsequent Amendments to the Agreement for Professional Consultant Services with PB Americas, Inc. up to but not to exceed the Purchase Order contingency in the amount of $8,342, subject to the approval of the City Attorney.

BACKGROUND

The street improvements on Heacock Street between Hemlock Avenue and Ironwood Avenue consist of the widening of a section, approximately 500 feet long, on the west side of Heacock Street, from 390 feet north of Hemlock Avenue to 530 feet south of Ironwood Avenue, to include new sidewalk and the joining of the existing roadway and sidewalks at both ends of this section. Heacock Street has been designated as a four (4) lane arterial having a width of 76 feet curb to curb and 100 feet right-of-way at both the north and south ends of this section.

On January 24, 2008 the City Manager approved the Agreement for Design Professional Consultant Services for Phase I (35% design) with Associate Engineers, Inc., in the amount of $68,147.

On February 11, 2009 the City Manager approved the First Amendment to Agreement for Design Professional Consultant Services to allow the parent company, PB Americas, Inc. to assume all of the liabilities, obligations, and commitments of its subsidiary company, Associated Engineers, Inc.

DISCUSSION

The street improvements on Heacock Street between Hemlock Avenue and Ironwood Avenue is a street widening project which will include new sidewalk and the joining of the existing roadway and sidewalks at both ends of this section. The project will improve pedestrian safety by providing a continuous sidewalk and also improve sight distance for residential traffic.

PB Americas, Inc. has completed Phase I of the project with preliminary (35%) design. City staff recommends that PB Americas, Inc. be authorized to proceed with Phase II and Phase III of the project, which consists of completing the final (100%) design to include Plans, Specifications, and Estimate (PS&E) for street improvements, right-of-way acquisition, coordination with utility companies, and design support services during construction.

ALTERNATIVES

1. Approve the "Second Amendment to Agreement for Professional Consultant Services" for Phase II and Phase III design with PB Americas, Inc., 685 East Carnegie Drive, Suite 210, San Bernardino, CA 92408 to provide professional consultant services, extend the agreement from December 31, 2009 to December 31, 2010, and increase the agreement amount by the "not-to-exceed" fee of $83,420, authorize the City Manager to execute the "Second Amendment to Agreement for Professional Consultant Services" with PB Americas, Inc. in the form attached hereto, authorize an increase to the Purchase Order with PB Americas, Inc. in the amount of $91,762 ($83,420 amount plus 10% contingency) when the Second Amendment has been signed by all parties (Account

No. 416.78827), authorize the Public Works Director/City Engineer to execute any subsequent Amendment to the Agreement for Professional Consultant Services with PB Americas, Inc. up to but not to exceed the Purchase Order contingency in the amount of $8,342, subject to the approval of the City Attorney. *This alternative will allow for completion of the design for the needed improvements.*

2. Do not approve the "Second Amendment to Agreement for Professional Consultant Services" for Phase II and Phase III design with PB Americas, Inc., 685 East Carnegie Drive, Suite 210, San Bernardino, CA 92408 to provide professional consultant services, extend the agreement from December 31, 2009 to December 31, 2010, and increase the agreement amount by the "not-to-exceed" fee of $83,420, do not authorize the City Manager to execute the "Second Amendment to Agreement for Professional Consultant Services" with PB Americas, Inc. in the form attached hereto, do not authorize an increase to the Purchase Order with PB Americas, Inc. in the amount of $91,762 ($83,420 amount plus 10% contingency) when the Second Amendment has been signed by all parties (Account No. 416.78827), do not authorize the Public Works Director/City Engineer to execute any subsequent Amendment to the Agreement for Professional Consultant Services with PB Americas, Inc. up to but not to exceed the Purchase Order contingency in the amount of $8,342, subject to the approval of the City Attorney. *This alternative will delay the needed improvements.*

FISCAL IMPACT

This project is funded with DIF Arterial Streets Capital Projects (Fund 416) monies. The "Second Amendment to Agreement for Professional Consultant Services" for Phase II and Phase III design is included in Fiscal Year 2009/2010. Once design is complete, the project will be funded for construction in Fiscal Year 2010/2011. There is no impact to the General Fund.

BUDGETED FUNDS FISCAL YEAR 2009/2010:
Total Funding (Account No. 416.78827)..... $344,000

TOTAL DESIGN AND RIGHT-OF-WAY RELATED COSTS
FISCAL YEAR 2009/2010:

Second Amendment to Agreement for Professional Consultant Services, Phase II and Phase III	**$92,000**
City Administrative Costs for Phase II and Phase III*	$14,000
Anticipated Right-of-Way Acquisition Costs	$230,000
Total Design and Right-of-Way Related Costs	$336,000

** Staff will provide project related administrative costs.*

Total Remaining Budget Amount $8,000

ANTICIPATED PROJECT SCHEDULE FOR HEACOCK STREET:

Notice to Proceed for Final Design	September 2009
Complete Right-of-Way Acquisitions	February 2010
Complete 100% PS&E	March 2010
Anticipated Beginning of Construction	September 2010
Anticipated Completion of Construction	December 2010

CITY COUNCIL GOALS

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

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

SUMMARY

The street improvements on Heacock Street between Hemlock Avenue and Ironwood Avenue is a street widening project which will include new sidewalk and the joining of the existing roadway and sidewalks at both ends of this section. PB Americas, Inc. has completed Phase I of the project with preliminary (35%) design. City staff recommends that PB Americas, Inc. be authorized to proceed with Phase II and Phase III of the project.

ATTACHMENTS/EXHIBITS

Attachment "A" – Location Map
Attachment "B" – "Second Amendment to Agreement for Professional Consultant Services"

Prepared By:
Henry Ngo
Associate Engineer

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

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

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

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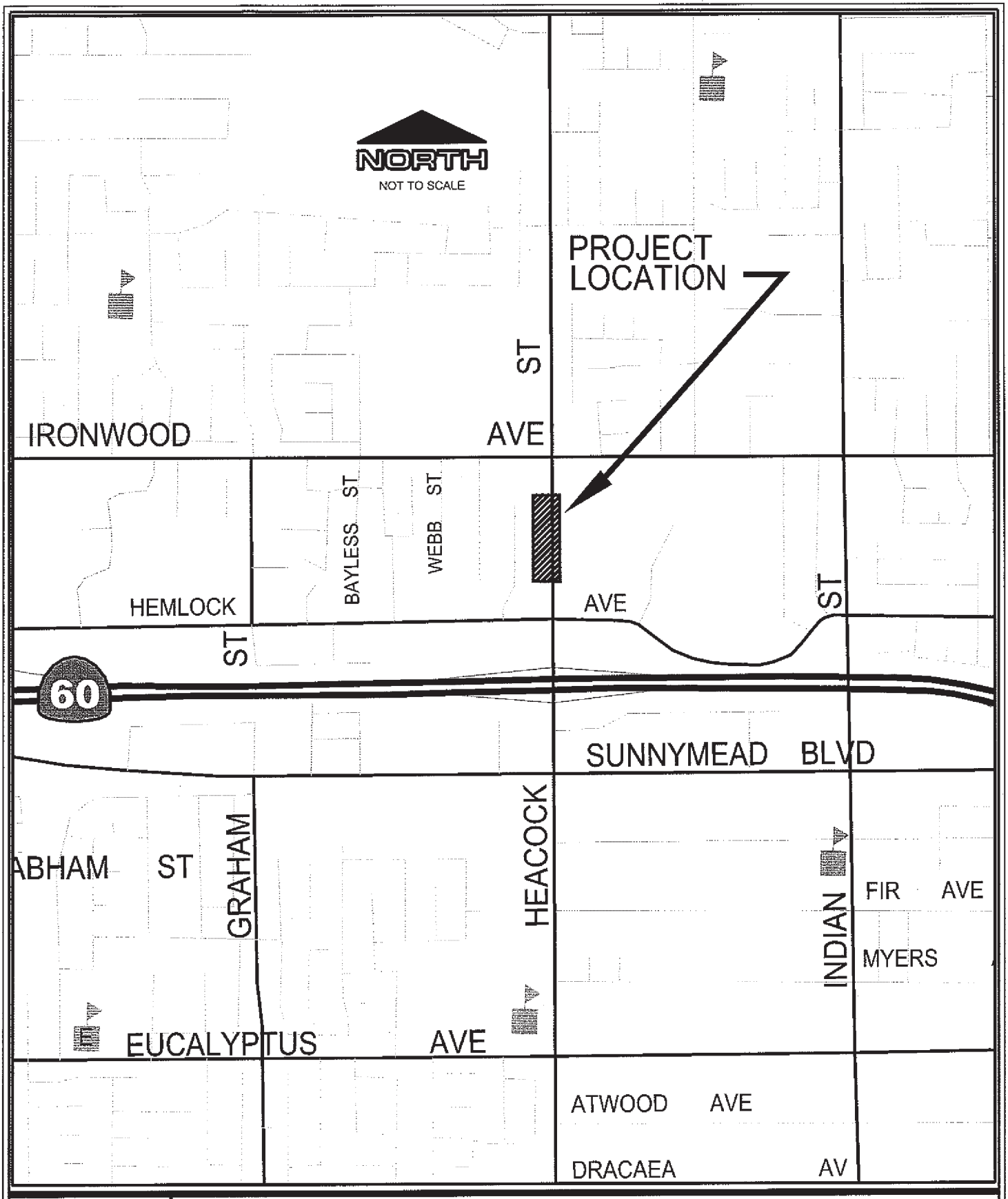

LOCATION MAP

Public Works Department
Capital Projects Division

ATTACHMENT A

HEACOCK STREET STREET IMPROVEMENTS
Hemlock Ave. to Ironwood Ave.
Project No. 08-41678827

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SECOND AMENDMENT TO AGREEMENT
FOR PROFESSIONAL CONSULTANT SERVICES
PROJECT NO. 08-41678827

This Second Amendment to Agreement is by and between the CITY of MORENO VALLEY, a municipal corporation, hereinafter referred to as "City," and PB Americas, Inc., a New York corporation, hereinafter referred to as "Consultant." This Second Amendment to Agreement is made and entered into effective on the date the City signs this Amendment.

RECITALS:

Whereas, the City and Consultant entered into an Agreement entitled "AGREEMENT FOR DESIGN PROFESSIONAL CONSULTANT SERVICES," hereinafter referred to as "Agreement," dated January 24, 2008, and "FIRST AMENDMENT TO AGREEMENT FOR DESIGN PROFESSIONAL CONSULTANT SERVICES," hereinafter referred to as "First Amendment" dated February 11, 2009.

Whereas, the Consultant is providing consultant design services for the Street Improvements for Heacock Street from Hemlock Avenue to Ironwood Avenue, Project No. 08-41678827.

Whereas, it is desirable to amend the Agreement to expand the scope of the work to be performed by the Consultant as was more particularly described in Section 1 of this Second Amendment.

Whereas, the Consultant has submitted a Proposal dated July 8, 2009, for expansion of the scope of work to be performed. A copy of said Proposal is attached as "Exhibit A – Second Amendment" to the Second Amendment and is incorporated herein by this reference.

SECTION 1 AMENDMENT TO ORIGINAL AGREEMENT:

1.1 The Agreement termination date is extended from December 31, 2009 to December 31, 2010.

Attachment "B"

1.2 The City is exercising the option for Phase II (Final Engineering and Construction Documents) and Phase III (Bidding and Construction Support) services identified in Exhibit "B" to the Agreement and hereby the Fee Proposal (which delineates the Scope of Work) in "Exhibit A – Second Amendment" to the Second Amendment, entitled "Fee Proposal" and is hereby incorporated into this Second Amendment to the Agreement.

1.3 The City agrees to pay the Consultant and the Consultant agrees to receive a "Not-to-Exceed" fee of $74,840 for Phase II and $8,580 for Phase III, as set forth in the above-referenced Fee Proposal, in consideration of the Terms of Payment as set forth in "Exhibit A – Second Amendment" to the Agreement.

1.4 The total "Not to Exceed" fee for this contract is $151,567 ($68,147 for the original Agreement, plus $83,420 for the Second Amendment to Agreement [there was no change in cost associated with the First Amendment to Agreement]).

SECTION 2

2.1 Except as otherwise specifically provided in this Amendment, all other terms and conditions of the Agreement and First Amendment shall remain in full force and effect.

SIGNATURE PAGE TO FOLLOW

SECOND AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES PROJECT NO. 08-41678827

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

City of Moreno Valley

BY: _____
City Manager

_____
Date

INTERNAL USE ONLY

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Department Head
(if contract exceeds $15,000)

_____
Date

PB Americas, Inc.

BY: _____

TITLE: _____
(President or Vice President)

_____
Date

BY: _____

TITLE: _____
(Corporate Secretary)

_____
Date

Attachments: "Exhibit A – Second Amendment"

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Associated Engineers
A division of Parsons Brinckerhoff

685 East Carnegie Drive
Suite 210
San Bernardino, CA 92408
909-888-1106
Fax: 909-889-1884

July 08, 2009

Henry Ngo, P.E., Project Manager
City of Moreno Valley
Capital Project Division
14177 Frederick Street
Moreno Valley, CA 92552-0805

Subject: Fee Proposal for Professional Consultant Services for Design - Street Improvements for Heacock Street from Hemlock Avenue to Ironwood Avenue
Project No. 08-41678827

Dear Mr. Ngo:

At the City's request, we are pleased to submit this Fee Proposal for Professional Consultant Services for Phase II, Final Engineering Plans and Specifications, and Phase III, Support During Bidding and Construction. Please find attached our Fee Proposal and Hourly Rate Schedule.

Following is our proposed Scope of Work:

A. Phase II Final Engineering
   1. Final Engineering for Selected Alternative: PB will provide 100% Bid Ready PS&E for Heacock Street Improvements based on the preliminary design in Phase I of the project.
   2. Right of Way Acquisition: PB will provide services to acquire right-of-way needed for the selected design alternative. This service includes appraisal, title services and preparation of legal documents and plats.
   3. Construction Documents: PB will assist the City in preparing construction Documents and Technical Provisions including the Bid Schedule with quantities.

"Exhibit A – Second Amendment"

B. Phase III Construction Support

1. PB will provide support to the City during bidding and construction phase. We will provide assistance to the City in responding to RFI's/RFQ's and in issuing of addenda during project advertising and construction. We will attend the pre-bid and the preconstruction meetings to answer questions that may arise during construction. We will prepare the "As Builts" based on the contractor's and Inspector's redlines of field changes made during construction.

We look forward to working with you and to a successful completion of this project. If you have any questions please call me at (909) 888-1106.

Sincerely,

James G. Dye, PE
Senior Project Manager

Attachment Fee Proposal
Hourly Rate Schedule

Associated Engineers, Inc.
A Division of Parsons Brinckerhoff
685 E Carnegie Dr. Suite 210
San Bernardino, CA 92408
(909) 888-1106

FEE PROPOSAL

City of Moreno Valley
Heacock Street Improvements - Project No. 08-41678827

Task Designation	Task Description	Administration	Principal Registered Civil Engineer / CEO	Principal Registered Civil Engineer	Principal Licensed Land Surveyor	Principal Construction Administrator	Senior Construction Administrator	Civil Engineer	1. Project Manager	2. Senior	3. Associate	Assistant Engineer	Junior Engineer	Utility Coordinator - 1	Utility Coordinator - 2	Chief of Surveys	Licensed Land Surveyor	Land Survey Technician	CADD Technician	Engineering Intern	Engineering Aide	Senior Administrator	Project Administrator	Administrative Assistant	FIELD TIME	3-Man Survey Party	2-Man Survey Party	1-Man Survey Party	Flagman	Senior Staff Inspector	Staff Inspector	Travel Time - 3-Man Survey Party	Travel Time - 2-Man Survey Party	Total Hours	ODC	Total Costs
			200	200	200	195	190		180	137	126	121	100	121	92	147	147	116	94	58	53	126	89	72		383	273	189	79	131	121	126	98			
Phase I Work (Complete)																																				
1.0 General Overhead Functions																																				
2.0 Field Investigation																																				
3.0 Alternatives Evaluation																																				
Phase II Work																																				
4.0 Final Engineering of Selected Alternative (95%).																																				
4.1	Plan and Profile Drawings								10			20							60															90	$ 300.00	$ 10,150.00
4.2	Utility Relocation Drawings											12																						12	$ 300.00	$ 1,752.00
4.3	Building Modification Drawings	(Not I (Deleted)																																0	$ -	$ -
4.4	Legals and Plats (5 parcels)								2							1	5	16	18					5										45	$ 200.00	$ 5,162.00
4.5	Cost Estimates								2			10												3										15		$ 1,786.00
4.6	Property Acquisition	See Attached Breakdown of Hours																																330	$ -	$ 38,900.00
4.7	Geotechnical Investigation	See Attached Breakdown of Hours																																50	$ -	$ 8,264.00
4.8	Striping Plan								2	16																								18	$ 100.00	$ 2,652.00
5.0 Construction Documents																																				
5.1	Approved Drawings								5										12															17		$ 2,028.00
5.2	Bid Documents (Deleted at City's Request)																																	0	$ -	$ -
5.3	Specifications										15													3										18	$ 200.00	$ 2,306.00
5.4	Finalize Cost Estimate								6																									6		$ 1,080.00
5.5	QA\QC					2			2																									4		$ 750.00
	Subtotal Phase II Work					2			29	16	15	42				1	5	16	88					11										605	$ 1,100.00	$ 74,840.00
Phase III Work																																				
6.0 Bidding and RFI's																																				
6.1	Advertising, Addenda, Meetings								5															1										6	$ 200.00	$ 1,172.00
6.2	As Builts and Preconstruction Review								5		15																							20		$ 2,790.00
6.3	Attend two Meetings								8															1										9	$ 100.00	$ 1,612.00
6.4	Review of RFI's								12		5													3										20		$ 3,006.00
	Subtotal Phase III Work								30		20													5										55	$ 300.00	$ 9,580.00
	Total					2			59	16	35	42				1	5	16	88					16										660	$1,400.00	$ 83,420.00

* Assumptions:

1. Geotechnical has been limited based on past project with the city of Moreno Valley. Additional services have been identified in the geotechnical subsection.
2. Because no underground improvements are being proposed, we are not proposing potholes.
3. The City will provide Boiler Plate Technical Provisions. Our scope is limited to reviewing\modifying the Technical Provisions and the preparation of Bid Schedule.
4. The City will prepare and provide the General Conditions, Bid Documents, Contract Documents and General Provisions.

Heacock Street Improvements - Project No. 08-41678827

4.6 Property Acquisition

Task Designation	Task Description	Personnel	Principal	Regional Director	Senior Project Manager	Project Manager	Senior Acquisition/Relocation Consultant	Acquisition/Relocation Consultant/Analyst	Real Estate Technician/Escrow Officer/Project Support	Secretarial/Clerical			Appraisal Services	Title Services					Total Hours	ODC	Total Costs
			175	150	130	120	110	100	70	40			200	100							
Phase I Work (Complete)																					
																			0	$ -	$ -
Phase II Work																					
4.6.1	Title Services													30					30		$ 3,000.00
4.6.2	Appraisal												80						80		$ 16,000.00
4.6.3	R/W Acquisition							100	45	0									145		$ 13,150.00
4.6.4	In-house Escrow								50										50		$ 3,500.00
4.6.5	Proj. Management & Coord.				25														25		$ 3,250.00
	Subtotal Phase II Work		**0**	**0**	**25**	**0**	**0**	**100**	**95**	**0**	**0**	**0**	**80**	**30**	**0**	**0**	**0**		**330**	**$ -**	**$ 38,900.00**
Phase III Work																					
																			0		$ -
	Total	**0**	**0**	**0**	**25**	**0**	**0**	**100**	**95**	**0**	**0**	**0**	**80**	**30**	**0**	**0**	**0**		**330**	**$ -**	**$ 38,900.00**

* Assumptions:

1. Property condemnation is not anticipated and therefore not included in this proposal. If condemnation becomes necessary, additional fees will be negotiated with the City.

Heacock Street Improvements - Project No. 08-41678827

4.7 Geotechnical Investigation

Task Designation	Task Description	Personnel	Principal	Project Engineer/Geologist	Staff Engineer/Geologist	Exploration Geologist	Additional Technician	Civil Engineer	Drafting Tech	Clerical	Coring	Total Hours	ODC	Total Costs
			200	160	110	90	91		75	60	151			
Phase I Work (Complete)														
												0	$ -	$ -
Phase II Work														
4.7.1	Equipment/Materials											0	$ 2,250.00	$ 2,250.00
4.7.2	Field Labor					8	4					12		$ 1,084.00
4.7.3	Laboratory		2		9							11		$ 1,390.00
4.7.4	Office									9		9		$ 540.00
4.7.5	Engineering/Geology		3	15								18		$ 3,000.00
	Subtotal Phase II Work		**5**	**15**	**9**	**8**	**4**		**-**	**9**		***50***	***$ 2,250.00***	***$ 8,264.00***
Phase III Work														
												0	$ -	$ -
	Total		**5**	**15**	**9**	**8**	**4**		**-**	**9**		**50**	**$ 2,250.00**	**$ 8,264.00**

Associated Engineers
A division of **PARSONS BRINCKERHOFF**

HOURLY RATES
FIELD SURVEYS AT PREVAILING WAGE RATES
(Effective 09/01/08)

OFFICE TIME

Principal Registered Civil Engineer	$200.00 per hour
Principal Licensed Land Surveyor	$200.00 per hour
Principal Construction Administrator	$195.00 per hour
Senior Construction Administrator	$190.00 per hour
Senior Airport Engineer	$185.00 per hour
Senior Airport Planner	$180.00 per hour
Civil Engineer	
1. Project Manager	$180.00 per hour
2. Senior	$137.00 per hour
3. Associate	$126.00 per hour
Assistant Engineer	$121.00 per hour
Junior Engineer	$100.00 per hour
Utility Coordinator-1	$121.00 per hour
Utility Coordinator-2	$92.00 per hour
Chief of Surveys (LLS)	$147.00 per hour
Licensed Land Surveyor	$147.00 per hour
Land Survey Technician	$116.00 per hour
Cadd Technician	$94.00 per hour
Engineering Intern	$58.00 per hour
Engineering Aide	$53.00 per hour
Senior Administrator	$126.00 per hour
Project Administrator	$89.00 per hour
Administrative Assistant	$72.00 per hour

FIELD TIME

3-Man Survey Party	$383.00 per hour
2-Man Survey Party	$273.00 per hour
1-Man Survey Party	$189.00 per hour
Flagman	$79.00 per hour
Senior Staff Inspector	$131.00 per hour
Staff Inspector	$121.00 per hour
Travel Time – 3-Man Survey Party	$126.00 per hour
Travel Time – 2-Man Survey Party	$98.00 per hour

Above schedule is for straight time only. Overtime requested by client will be at 1-1/2 times the rates shown and Sundays/Holidays at 3 times the rates shown. These hourly rates do not include printing costs, fees paid to Governmental agencies or other reimbursable expenses. These expenses are billed at cost + 10%.

Above schedule subject to change based on annual increases to direct labor rates.

Travel time rates will be billed for those hours in excess of 8 hours per day.

Expert Witness time will be billed at 1½ times the hourly rates shown with a 4-hour minimum plus expenses.

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

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

AGENDA DATE: August 25, 2009

TITLE: NOTICE OF COMPLETION AND ACCEPTANCE OF IRIS AVENUE IMPROVEMENTS FROM 650 FEET EAST OF INDIAN STREET TO 660 FEET WEST OF PERRIS BOULEVARD PROJECT NO. 08-12272225

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Accept the work as complete for Iris Avenue Improvements from 650 feet east of Indian Street to 660 feet west of Perris Boulevard, which was constructed by Tyner Paving Company, 2005 North San Fernando Road, Los Angeles, CA 90065.

2. Direct the City Clerk to record the Notice of completion within ten (10) calendar days at the Office of the County Recorder of Riverside County as required by Section 3093 of the California Civil Code.

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

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

BACKGROUND

On April 14, 2009, the City Council awarded a construction contract to Tyner Paving Company in the amount of $159,202.14 for construction of Iris Avenue Improvements and authorized issuance of a purchase order in the amount of $199,002.67 (Base Bid plus a 25% contingency). The street improvement construction work for this .25 mile long segment of Iris Avenue began on May 26, 2009.

DISCUSSION

Tyner Paving Company completed construction of the Iris Avenue Improvements from 650 feet east of Indian Street to 660 feet West of Perris Boulevard on June 25, 2009. The project enhanced mobility and increased safety by completing missing street widening improvements to provide approximately eighteen (18) feet of additional roadway width and sidewalks. The improvements included construction of asphalt paved traffic lanes, pedestrian sidewalks, curb & gutter, under sidewalk drains and driveway approaches.

The Contractor completed the project at a total construction cost of $195,880.90, inclusive of Contract Change Order No. 1 (Final) of $36,678.76, which represents 23.0% of the original contract and within the $199,002.67 authorized purchase order amount. The improvements were completed ahead of schedule, within budget and in accordance with the approved contract documents.

ALTERNATIVES

1. Accept the work as complete for Iris Avenue Improvements from 650 feet east of Indian Street to 660 feet west of Perris Boulevard, which was constructed by Tyner Paving Company, 2005 North San Fernando Road, Los Angeles, CA 90065, direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the Office of the County Recorder of Riverside County as required by Section 3093 of the California Civil Code, authorize the Financial & Administrative Services Director to release the retention to Tyner Paving Company thirty-five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project, and accept the improvements into the City's maintained road system. *This alternative will allow payment to the Contractor and acceptance of the improvements into the City's maintained road system.*

2. Do not accept the work as complete for Iris Avenue Improvements from 650 feet east of Indian Street to 660 feet west of Perris Boulevard, which was constructed by Tyner Paving Company, 2005 North San Fernando Road, Los Angeles, CA 90065, do not direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the Office of the County Recorder of Riverside County as required by Section 3093 of the California Civil Code, do not authorize the Financial & Administrative Services Director to release the retention to Tyner Paving Company thirty-five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project, and do not accept the improvements into the City's maintained road system. *This alternative will result in delaying payment to the Contractor, delaying acceptance of the improvements into the City's maintained road system and incurring extra costs to the City.*

FISCAL IMPACT

This project is included in the Fiscal Year 2008-2009 Capital Improvement Budget. This project is funded by DIF Arterial Streets (Fund 416) and SB 821 (Fund 122) funds. The overall project budget is as follows:

AVAILABLE BUDGETED FUNDS:

Fiscal Year 2008/2009 Budget (Acct. No. 416.83128)	$650,000
Fiscal Year 2008/2009 Budget (Acct. No. 122.72225)	$68,000
Total 2008/2009 Budgeted Funds	$718,000

PROJECT RELATED COSTS

Design Costs	$93,000
Construction Costs	$196,000
Construction Survey	$11,000
Construction Geotechnical	$7,000
City Administration and Inspection	$40,000
Total Estimated Project Related Costs	**$347,000**

CITY COUNCIL GOALS

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

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

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

SUMMARY

Tyner Paving Company completed construction of the Iris Avenue Improvements from 650 feet east of Indian Street to 660 feet West of Perris Boulevard on June 25, 2009. The City Council is requested to accept the work as complete, direct the recordation of the Notice of Completion, and accept the improvements into the City's maintained system.

ATTACHMENTS

Attachment "A" - Location Map

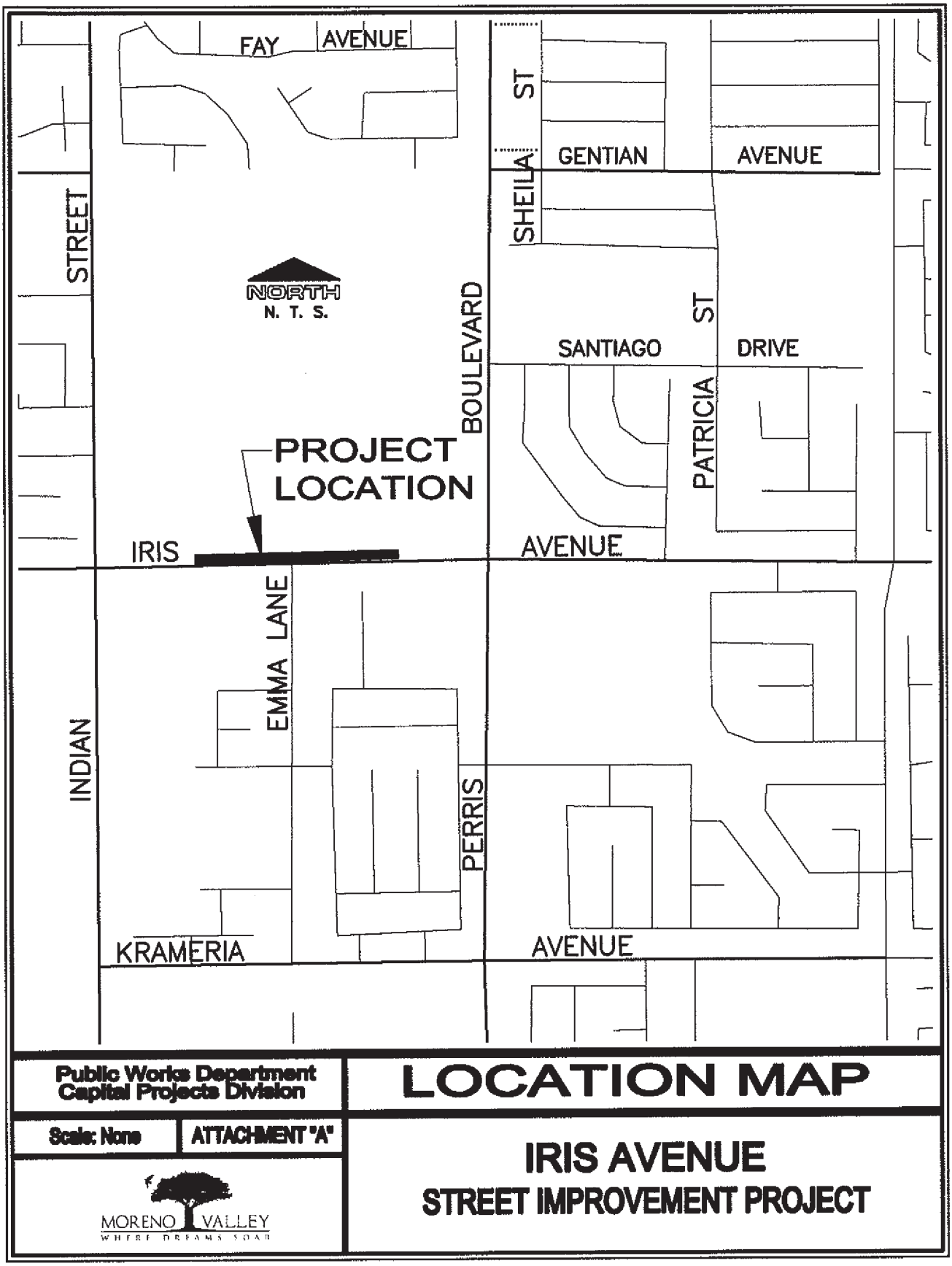
Prepared By:
Quang D. Nguyen
Senior Engineer, P.E.

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

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

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

W:\CapProj\CapProj\PROJECTS\Quang - 07-12272225 - Iris Ave. Sidewalk\CC Reports\Staff Report - NOC (CC 08-25-09).doc


FAY AVENUE
SHEILA ST
GENTIAN AVENUE
STREET
NORTH
N. T. S.
BOULEVARD
SANTIAGO ST
DRIVE
PATRICIA
PROJECT LOCATION
IRIS AVENUE
EMMA LANE
INDIAN
PERRIS
KRAMERIA AVENUE
Public Works Department
Capital Projects Division
LOCATION MAP
Scale: None
ATTACHMENT "A"
MORENO VALLEY
WHERE DREAMS SOAR
IRIS AVENUE
STREET IMPROVEMENT PROJECT

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APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Steve Elam, Financial & Administrative Services Director

AGENDA DATE: August 25, 2009

TITLE: POSITION CONTROL ROSTER FOR FISCAL YEAR 2009-10

RECOMMENDED ACTION

Staff recommends that the City Council receive and file the Position Control Roster for Fiscal Year 2009-10.

BACKGROUND

On June 30, 2009, the City Council adopted the City's Fiscal Year (FY) 2009-10 Operating Budget. Part of the budget adoption process included the Position Control Roster which lists all authorized City positions. For informational purposes only, positions that had been defunded through FY 2008-09 were also identified in the roster. During the budget discussions that occurred on June 30th, Council requested that staff return with an updated roster identifying the positions that were also being defunded in the FY 2009-10 budget.

DISCUSSION

As requested by Council, staff has provided the updated Position Control Roster (Attachment A) showing positions defunded in FY 2009-10, as well as those defunded in FY 2008-09. In response to a separate Council request, the positions in the roster are identified by City Department and Division. Benefit group information is also provided for reference.

ATTACHMENTS/EXHIBITS

Attachment A: Position Control Roster for FY 2009-10

Prepared By:
Cynthia Fortune
Budget Officer / Acting Financial Operations Division Manager

Department Head Approval:
Steve Elam
Financial & Administrative Services Director

Concurred By:
Chris Paxton
Human Resources Director

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

Attachment A

POSITION CONTROL ROSTER FOR FISCAL YEAR 2009-10 (Including Defunded Positions)							
Position	Dept	Benefit Group *	Division	No.	2008-09 Defunded	2009-10 Defunded	Total Defunded
CITY COUNCIL							
City Council Member	City Council	Elec	City Council	5			0
Exec Asst To Mayor/Cncl	City Council	PAM	City Council	1			0
Administrative Assistant	City Council	FT	City Council	2			0
	City Council Total			**8**	**0**	**0**	**0**
CITY MANAGER'S OFFICE							
Assistant City Manager	City Mgr	EM	City Manager	1			0
City Manager	City Mgr	EM	City Manager	1			0
Deputy City Manager	City Mgr	EM	City Manager	1			0
Asst To The City Manager	City Mgr	DM	Media & Communications	1			0
Exec Asst To City Manager	City Mgr	PAM	City Manager	1			0
Executive Assistant II	City Mgr	PAM	City Manager	1			0
Sr Management Analyst	City Mgr	PAM	City Manager	1	(1)		(1)
Media & Production Spvr	City Mgr	PAM	Media & Communications	1			0
Graphics Coordinator	City Mgr	PAM	Media & Communications	1	(1)		(1)
Cable Tv Producer	City Mgr	FT	Media & Communications	2	(1)		(1)
Sr Cable Tv Producer	City Mgr	FT	Media & Communications	1		(1)	(1)
Administrative Assistant	City Mgr	FT	Media & Communications	1		(1)	(1)
Customer Service Asst	City Mgr	FT	Media & Communications	1			0
Sr Graphics Designer	City Mgr	FT	Media & Communications	1			0
Customer Service Asst	City Mgr	TP	Media & Communications	1	(1)		(1)
Sr Office Assistant	City Mgr	TP	Media & Communications	1	(1)		(1)
Graphics Aide	City Mgr	TP	Media & Communications	1	(1)		(1)
	City Mgr Total			**18**	**(6)**	**(2)**	**(8)**
CITY ATTORNEY							
City Attorney	City Atty	EM	City Attorney	1			0
Assistant City Attorney	City Atty	DM	City Attorney	1			0
Deputy City Attorney III	City Atty	DM	City Attorney	2			0
Deputy City Attorney I	City Atty	PAM	City Attorney	1	(1)		(1)
Executive Assistant I	City Atty	FT	City Attorney	1			0
Legal Secretary	City Atty	FT	City Attorney	1			0
Sr Administrative Asst	City Atty	FT	City Attorney	1		(1)	(1)
	City Atty Total			**8**	**(1)**	**(1)**	**(2)**
CITY CLERK							
City Clerk	City Clerk	EM	City Clerk	1			0
Assistant City Clerk	City Clerk	PAM	City Clerk	1			0
Deputy City Clerk	City Clerk	FT	City Clerk	2	(1)		(1)
Sr Office Assistant	City Clerk	FT	City Clerk	1			0
Sr Office Assistant	City Clerk	TP	City Clerk	2	(1)		(1)
	City Clerk Total			**7**	**(2)**	**0**	**(2)**
COMMUNITY DEVELOPMENT DEPARTMENT							
Planning Commissioner	CDD	Appt	Planning Commission	7			0
Community Dev Director	CDD	EM	Administration	1			0
Building Div Mgr/Official	CDD	DM	Building & Safety	1			0

Attachment A

POSITION CONTROL ROSTER FOR FISCAL YEAR 2009-10 (Including Defunded Positions)							
Position	Dept	Benefit Group *	Division	No.	2008-09 Defunded	2009-10 Defunded	Total Defunded
Code & Neighb Svcs Official	CDD	DM	Code & Neighborhood Svcs	1			0
Planning Div Mgr/Official	CDD	DM	Planning Division	1			0
Development Svcs Coord	CDD	PAM	Administration	1			0
Associate Planner	CDD	PAM	Planning Division	8	(3)	(2)	(5)
Principal Planner	CDD	PAM	Planning Division	1	(1)		(1)
Sr Planner	CDD	PAM	Planning Division	1			0
Sr Planner	CDD	PAM	Advanced Planning	1			0
Code Compliance Field Spvr	CDD	PAM	Code & Neighborhood Svcs	1			0
Sr Code Compliance Off	CDD	PAM	Code & Neighborhood Svcs	1			0
Sr Building Inspector	CDD	PAM	Building & Safety	1		(2)	(2)
Executive Assistant I	CDD	FT	Administration	1	(1)		(1)
Sr Office Assistant	CDD	FT	Administration	1	(1)		(1)
Administrative Assistant	CDD	FT	Planning Commission	1			0
Permit Technician	CDD	FT	Planning Division	2			0
Sr Administrative Asst	CDD	FT	Planning Division	1			0
Sr Office Assistant	CDD	FT	Planning Division	1	(1)		(1)
Sr Permit Technician	CDD	FT	Planning Division	1			0
Administrative Assistant	CDD	FT	Code & Neighborhood Svcs	3	(1)		(1)
Code Compliance Off II	CDD	FT	Code & Neighborhood Svcs	8	(1)	(2)	(3)
Parking Control Officer	CDD	FT	Code & Neighborhood Svcs	2			0
Sr Administrative Asst	CDD	FT	Code & Neighborhood Svcs	1			0
Sr Parking Control Officer	CDD	FT	Code & Neighborhood Svcs	1			0
Administrative Assistant	CDD	FT	Building & Safety	1			0
Building Inspector II	CDD	FT	Building & Safety	7	(3)		(3)
Permit Technician	CDD	FT	Building & Safety	2		(1)	(1)
Plans Examiner	CDD	FT	Building & Safety	1	(1)		(1)
Sr Administrative Asst	CDD	FT	Building & Safety	1			0
Sr Permit Technician	CDD	FT	Building & Safety	1			0
Intern I	CDD	TP	Planning Division	2	(2)		(2)
Office Aide	CDD	TP	Planning Division	1	(1)		(1)
Sr Permit Technician	CDD	TP	Planning Division	0			0
Sr Office Assistant	CDD	TP	Graffiti Abatement	2	(1)		(1)
	CDD Total			**67**	**(17)**	**(7)**	**(24)**
ECONOMIC DEVELOPMENT							
Economic Dev Director	EDD	EM	Redevelopment Agency	1			0
Redevelopment Div Mgr	EDD	DM	Redevelopment Agency	1			0
Management Analyst	EDD	PAM	CDBG Admin	2			0
Management Analyst	EDD	PAM	Redevelopment Agency	3		(1)	(1)
Sr Management Analyst	EDD	PAM	Redevelopment Agency	1	(1)		(1)
Housing Prog Coord	EDD	PAM	Redevelopment Agency	1			0
Sr Bldg Compliance Officer	EDD	PAM	Redevelopment Agency	1			0
Sr Financial Analyst	EDD	PAM	Redevelopment Agency	1			0
Housing Program Spec	EDD	FT	CDBG Admin	1			0
Executive Assistant I	EDD	FT	Redevelopment Agency	1			0
Sr Administrative Asst	EDD	FT	Redevelopment Agency	1			0
Sr Office Assistant	EDD	FT	Redevelopment Agency	1			0
Housing Program Spec	EDD	FT	Redevelopment Agency	3	(1)		(1)

Attachment A

POSITION CONTROL ROSTER FOR FISCAL YEAR 2009-10 (Including Defunded Positions)							
Position	Dept	Benefit Group *	Division	No.	2008-09 Defunded	2009-10 Defunded	Total Defunded
Intern I	EDD	TP	Administration	1		(1)	(1)
Management Analyst	EDD	TP	Redevelopment Agency	0			0
	EDD Total			**19**	**(2)**	**(2)**	**(4)**
FINANCIAL & ADMINISTRATIVE SERVICES DEPARTMENT							
Finance & Admin Svcs Dir	FASD	EM	Administration	1			0
Finance Director	FASD	EM	Administration	1	(1)		(1)
Financial Oper Div Mgr	FASD	DM	Financial Operations	1		(1)	(1)
Treasury Oper Div Mgr	FASD	DM	Treasury Operations	1			0
Technology Svcs Div Mgr	FASD	DM	Technology Services	1			0
Animal Svcs Div Mgr	FASD	DM	Animal Svcs	1			0
Facilities Maint Div Mgr	FASD	DM	Facilities	1	(1)		(1)
Purchasing & Fac Div Mgr	FASD	DM	Facilities	1			0
Budget Officer	FASD	PAM	Administration	1			0
Accountant II	FASD	PAM	Financial Operations	1		(1)	(1)
Payroll Spvr	FASD	PAM	Financial Operations	1			0
Principal Accountant	FASD	PAM	Financial Operations	1			0
Sr Accountant	FASD	PAM	Financial Operations	2	(1)		(1)
Treasury Programs Spvr	FASD	PAM	Treasury Operations	1		(1)	(1)
Applications & Db Admin	FASD	PAM	Technology Services	1			0
Applications Analyst	FASD	PAM	Technology Services	1			0
Enterprise Systems Admin	FASD	PAM	Technology Services	1			0
Sr Applications Analyst	FASD	PAM	Technology Services	1		(1)	(1)
Assistant Network Admin	FASD	PAM	Technology Services	1			0
Network Administrator	FASD	PAM	Technology Services	1			0
Telecomm Engineer/Admin	FASD	PAM	Technology Services	1			0
GIS Systems Administrator	FASD	PAM	Technology Services	1			0
Sr GIS Analyst	FASD	PAM	Technology Services	1			0
Animal Care Tech Spvr	FASD	PAM	Animal Svcs	1		(1)	(1)
Animal Svcs Field Spvr	FASD	PAM	Animal Svcs	1			0
Animal Svcs Office Spvr	FASD	PAM	Animal Svcs	1			0
Facilities Maint Spvr	FASD	PAM	Facilities	1			0
Management Analyst	FASD	PAM	Facilities	1			0
Executive Assistant I	FASD	FT	Administration	1			0
Accounting Assistant	FASD	FT	Financial Operations	2	(1)		(1)
Accounting Technician	FASD	FT	Financial Operations	1			0
Accounts Payable Supv	FASD	FT	Financial Operations	1			0
Payroll Technician	FASD	FT	Financial Operations	1			0
Sr Administrative Asst	FASD	FT	Financial Operations	1			0
Sr Payroll Technician	FASD	FT	Financial Operations	1			0
Accountant I	FASD	FT	Treasury Operations	1			0
Accounting Assistant	FASD	FT	Treasury Operations	6	(1)	(2)	(3)
Accounting Technician	FASD	FT	Treasury Operations	1			0
Assistant Buyer	FASD	FT	Purchasing	2			0
Buyer	FASD	FT	Purchasing	1		(1)	(1)
Sr Administrative Asst	FASD	FT	Purchasing	1			0
Storekeeper	FASD	FT	Purchasing	1			0
Asst Applications Analyst	FASD	FT	Technology Services	1		(1)	(1)

Attachment A

POSITION CONTROL ROSTER FOR FISCAL YEAR 2009-10 (Including Defunded Positions)							
		Benefit			2008-09	2009-10	Total
Position	Dept	Group *	Division	No.	Defunded	Defunded	Defunded
Sr Administrative Asst	FASD	FT	Technology Services	1			0
Info Technology Tech	FASD	FT	Technology Services	2			0
Sr Info Technology Tech	FASD	FT	Technology Services	1		(1)	(1)
Sr Telecom Tech	FASD	FT	Technology Services	2			0
GIS Specialist	FASD	FT	Technology Services	1			0
GIS Technician	FASD	FT	Technology Services	1			0
Animal Care Technician	FASD	FT	Animal Svcs	4	(1)		(1)
Animal Control Officer	FASD	FT	Animal Svcs	7			0
Animal Svcs Assistant	FASD	FT	Animal Svcs	3			0
Animal Svcs Dispatcher	FASD	FT	Animal Svcs	1			0
Animal Svcs License Inspec	FASD	FT	Animal Svcs	1			0
Lead Animal Care Tech	FASD	FT	Animal Svcs	1			0
Sr Administrative Asst	FASD	FT	Animal Svcs	1			0
Facilities Maint Mechanic	FASD	FT	Facilities	1			0
Facilities Maint Worker	FASD	FT	Facilities	4		(1)	(1)
Lead Facilities Maint Tech	FASD	FT	Facilities	1			0
Sr Administrative Asst	FASD	FT	Facilities	1			0
Mail Clerk	FASD	PT	Purchasing	1	(1)		(1)
Animal Care Technician	FASD	TP	Animal Svcs	3			0
Animal Svcs License Insp	FASD	TP	Animal Svcs	1			0
Administrative Assistant	FASD	TP	Facilities	1	(1)		(1)
Sr Office Assistant	FASD	TP	Treasury Operations	1	(1)		(1)
	FASD Total			**91**	**(9)**	**(11)**	**(20)**
FIRE DEPARTMENT							
Fire Marshal	Fire	DM	Fire Prevention	1			0
Deputy Fire Marshal	Fire	PAM	Fire Prevention	1	(1)		(1)
Management Assistant	Fire	PAM	Fire Operations	1			0
Fire Inspector II	Fire	FT	Fire Prevention Inspections	1		(1)	(1)
Fire Safety Specialist	Fire	FT	Fire Prevention Inspections	1	(1)		(1)
Permit Technician	Fire	FT	Fire Prevention Inspections	1			0
Sr Office Assistant	Fire	FT	Fire Prevention Inspections	1			0
Fire Inspector II	Fire	FT	Fire Prevention	3	(1)		(1)
Fire Safety Specialist	Fire	FT	Fire Prevention	1			0
Sr Administrative Asst	Fire	FT	Fire Prevention	1		(1)	(1)
	Fire Total			**12**	**(3)**	**(2)**	**(5)**
HUMAN RESOURCES DEPARTMENT							
Human Resources Dir	HR	EM	Human Resources	1			0
Risk Div Mgr	HR	DM	Risk Management	1			0
Risk Management Analyst	HR	PAM	Risk Management	1		(1)	(1)
Sr HR Analyst	HR	PAM	Human Resources	1			0
HR Analyst	HR	PAM	Human Resources	1			0
Emerg Op & Vol Svcs Prog Mgr	HR	PAM	Risk Management	1			0
Executive Assistant I	HR	FT	Human Resources	1		(1)	(1)
HR Technician	HR	FT	Human Resources	2			0
Emerg Op & Vol Svcs Prog Spec	HR	FT	Risk Management	1			0
Emerg Op & Vol Svcs Prog Spec	HR	PT	Risk Management	1			0

Attachment A

POSITION CONTROL ROSTER FOR FISCAL YEAR 2009-10 (Including Defunded Positions)							
Position	Dept	Benefit Group *	Division	No.	2008-09 Defunded	2009-10 Defunded	Total Defunded
Security Guard	HR	FT	Risk Management	3		(1)	(1)
Security Guard	HR	PT	Risk Management	1			0
	HR Total			**15**	**0**	**(3)**	**(3)**
LIBRARY							
Library Director	Library	EM	Library	1	(1)		(1)
Library Services Div Mgr	Library	DM	Library	1			0
Librarian	Library	PAM	Library	5			0
Library Circulation Spvr	Library	PAM	Library	1			0
Principal Librarian	Library	PAM	Library	1	(1)		(1)
Executive Assistant I	Library	FT	Library	1			0
Library Assistant	Library	FT	Library	4			0
Library Assistant	Library	PT	Library	5			0
Library Assistant	Library	TP	Library	1		(1)	(1)
Library Page	Library	TP	Library	9		(9)	(9)
	Library Total			**29**	**(2)**	**(10)**	**(12)**
PARKS & COMMUNITY SERVICES DEPARTMENT							
Parks & Comm Svcs Dir	PCS	EM	Parks & Comm Srvcs Admin	1			0
Recreation Svcs Div Mgr	PCS	DM	Recreation Services	1	(1)		(1)
Parks Maint Div Mgr	PCS	DM	Parks Maintenance	1			0
Aft School Prog Coord	PCS	PAM	ASES Program Grant	5		(1)	(1)
Aft School Prog Spvr	PCS	PAM	ASES Program Grant	1			0
Children'S Services Spvr	PCS	PAM	ASES Program Grant	1	(1)		(1)
Sr Hr Analyst	PCS	PAM	ASES Program Grant	1			0
Community Svcs Spvr	PCS	PAM	Recreation Services	1			0
Sr Citizens Ctr Coord	PCS	PAM	Recreation Services	1			0
Management Analyst	PCS	PAM	Parks & Comm Srvcs Admin	1			0
Recreation Prog Coord	PCS	PAM	Recreation Services	1			0
Recreation Spvr	PCS	PAM	Recreation Services	1			0
Parks Maintenance Spvr	PCS	PAM	Parks Maintenance	2			0
Banquet Facility Rep	PCS	PAM	Recreation Services	1			0
Parks Projects Coord	PCS	PAM	Parks Maintenance	1			0
Sr Parks Planner	PCS	PAM	Parks Maintenance	1	(1)		(1)
Sr Administrative Asst	PCS	FT	ASES Program Grant	2		(1)	(1)
Lead Parks Maint Worker	PCS	FT	Parks Maintenance	1			0
Parks Maint Worker	PCS	FT	Parks Maintenance	2			0
Sr Customer Service Asst	PCS	FT	Recreation Services	1			0
Executive Assistant I	PCS	FT	Parks & Comm Srvcs Admin	1			0
Park Ranger	PCS	FT	Parks Maintenance	3			0
Sr Park Ranger	PCS	FT	Parks Maintenance	1			0
Sr Administrative Asst	PCS	FT	Recreation Services	1			0
Sr Customer Service Asst	PCS	FT	Recreation Services	2			0
Lead Parks Maint Worker	PCS	FT	Parks Maintenance	6	(1)		(1)
Parks Maint Worker	PCS	FT	Parks Maintenance	12	(2)		(2)
Sr Administrative Asst	PCS	FT	Parks Maintenance	1			0
Sr Office Assistant	PCS	FT	Parks Maintenance	1			0
Sr Parks Maintenance Tech	PCS	FT	Parks Maintenance	1			0

Attachment A

POSITION CONTROL ROSTER FOR FISCAL YEAR 2009-10 (Including Defunded Positions)							
Position	Dept	Benefit Group *	Division	No.	2008-09 Defunded	2009-10 Defunded	Total Defunded
Golf Course Maint Worker	PCS	FT	Parks Maintenance	1			0
Sr Customer Service Asst	PCS	FT	Recreation Services	1			0
Aft School Prog Specialist	PCS	PT	ASES Program Grant	8		(1)	(1)
Recreation Prog Leader	PCS	PT	Recreation Services	1			0
Recreation Prog Leader	PCS	PT	Recreation Services	3	(2)		(2)
Sr Recreation Prog Leader	PCS	PT	Recreation Services	2	(1)		(1)
Sr Office Assistant	PCS	PT	Recreation Services	1			0
Aft School Prog Asst	PCS	TP	ASES Program Grant	87			0
Aft School Site Leader	PCS	TP	ASES Program Grant	23			0
Child Care Assistant	PCS	TP	Child Care Grant	3			0
Child Care Instructor II	PCS	TP	Child Care Grant	4			0
Child Care Prog Manager	PCS	TP	Child Care Grant	1			0
Child Care Site Spvr	PCS	TP	Child Care Grant	4			0
Recreation Aide	PCS	TP	Child Care Grant	1			0
Laborer	PCS	TP	Golf Course Program	1			0
Recreation Aide	PCS	TP	Golf Course Program	3			0
Sr Recreation Prog Leader	PCS	TP	Golf Course Program	1			0
Laborer	PCS	TP	Parks Maintenance	2	(1)		(1)
Recreation Aide	PCS	TP	Recreation Services	23	(1)		(1)
	PCS Total			**226**	**(11)**	**(3)**	**(14)**
POLICE DEPARTMENT							
Management Analyst	Police	PAM	Administration	1			0
Management Analyst	Police	PAM	Traffic Enforcement	1			0
Executive Assistant I	Police	FT	Administration	1			0
Sr Office Assistant	Police	TP	Administration	1			0
	Police Total			**4**	**0**	**0**	**0**
PUBLIC WORKS DEPARTMENT							
PW Dir/City Engineer	PW	EM	Public Works Admin	1			0
Electric Utility Div Mgr	PW	DM	Electric Utility	1			0
Engineering Div Mgr	PW	DM	Land Development	1			0
Maint & Oper Div Mgr	PW	DM	Maint & Operations	1			0
Dep Pw Dir/Asst City Eng	PW	DM	Public Works Admin	1			0
Special Districts Div Mgr	PW	DM	Special Districts	1			0
Trans Div Mgr/City Traf Eng	PW	DM	Transportation	1			0
Management Assistant	PW	PAM	Capital Projects	2	(1)		(1)
Pw Dev Coordinator	PW	PAM	Capital Projects	1	(1)		(1)
Sr Construction Inspector	PW	PAM	Capital Projects	1			0
Sr Engineer, P.E.	PW	PAM	Capital Projects	5			0
Sr Management Analyst	PW	PAM	Capital Projects	1			0
Sr Real Property Agent	PW	PAM	Capital Projects	1	(1)		(1)
Supervising Engineer	PW	PAM	Capital Projects	2	(2)		(2)
Electric Utility Prog Coord	PW	PAM	Electric Utility	1			0
Sr Electrical Engineer	PW	PAM	Electric Utility	1			0
Sr Management Analyst	PW	PAM	Electric Utility	1			0
Assistant Engineer	PW	PAM	Land Development	6		(1)	(1)
Associate Environmental Eng	PW	PAM	Land Development	1			0

Attachment A

POSITION CONTROL ROSTER FOR FISCAL YEAR 2009-10 (Including Defunded Positions)							
Position	Dept	Benefit Group *	Division	No.	2008-09 Defunded	2009-10 Defunded	Total Defunded
Construction Inspector Spvr	PW	PAM	Land Development	1	(1)		(1)
Management Analyst	PW	PAM	Land Development	2			0
Management Assistant	PW	PAM	Land Development	1	(1)		(1)
Sr Engineer, P.E.	PW	PAM	Land Development	2			0
Storm Water Prog Mgr	PW	PAM	Land Development	1			0
Street Maint Spvr	PW	PAM	Maint & Operations	2			0
Management Analyst	PW	PAM	Public Works Admin	1			0
Public Works Prog Mgr	PW	PAM	Public Works Admin	1			0
Landscape Dev Coord	PW	PAM	Special Districts	1			0
Landscape Dist Prog Spvr	PW	PAM	Special Districts	1			0
Management Analyst	PW	PAM	Special Districts	1			0
Spec Dist Budget & Acct Spvr	PW	PAM	Special Districts	1			0
Special Districts Prog Mgr	PW	PAM	Special Districts	1			0
Sr Financial Analyst	PW	PAM	Special Districts	1			0
Sr Landscape Svcs Inspec	PW	PAM	Special Districts	1			0
Sr Management Analyst	PW	PAM	Special Districts	1			0
Assistant Engineer	PW	PAM	Transportation	1		(1)	(1)
Associate Engineer	PW	PAM	Transportation	1			0
Sr Engineer, P.E.	PW	PAM	Transportation	2			0
Sr Traffic Engineer	PW	PAM	Transportation	1			0
Traffic Oper Spvr	PW	PAM	Transportation	1			0
Accounting Technician	PW	FT	Capital Projects	2			0
Administrative Assistant	PW	FT	Capital Projects	1			0
Engineering Tech II	PW	FT	Capital Projects	1			0
Sr Administrative Asst	PW	FT	Capital Projects	1			0
Sr Administrative Asst	PW	FT	Electric Utility	1			0
Construction Inspector	PW	FT	Land Development	6	(1)		(1)
Environmental Inspector	PW	FT	Land Development	1			0
Permit Technician	PW	FT	Land Development	2			0
Sr Administrative Asst	PW	FT	Land Development	1			0
Sr Office Assistant	PW	FT	Land Development	2	(1)		(1)
Equipment Operator	PW	FT	Maint & Operations	2			0
Equipment Operator	PW	FT	Maint & Operations	1			0
Lead Maintenance Worker	PW	FT	Maint & Operations	2			0
Lead Tree Trimmer	PW	FT	Maint & Operations	1			0
Lead Vehicle/Equip Tech	PW	FT	Maint & Operations	1			0
Maintenance Worker II	PW	FT	Maint & Operations	15			0
Sr Administrative Asst	PW	FT	Maint & Operations	1			0
Sr Equipment Operator	PW	FT	Maint & Operations	1			0
Tree Trimmer	PW	FT	Maint & Operations	1			0
Vehicle/Equip Tech	PW	FT	Maint & Operations	2			0
Executive Assistant I	PW	FT	Public Works Admin	1			0
Accountant I	PW	FT	Special Districts	1			0
Landscape Irrigation Tech	PW	FT	Special Districts	1			0
Landscape Svcs Inspec	PW	FT	Special Districts	7			0
Sr Administrative Asst	PW	FT	Special Districts	1		(1)	(1)
Sr Administrative Asst	PW	FT	Special Districts	1			0
Sr Office Assistant	PW	FT	Special Districts	1			0

Attachment A

POSITION CONTROL ROSTER FOR FISCAL YEAR 2009-10 (Including Defunded Positions)							
Position	Dept	Benefit Group *	Division	No.	2008-09 Defunded	2009-10 Defunded	Total Defunded
Crossing Guard Spvr	PW	FT	Transportation	1			0
Engineering Tech II	PW	FT	Transportation	2		(1)	(1)
Lead Traf Sign/Mark Tech	PW	FT	Transportation	2			0
Sr Administrative Asst	PW	FT	Transportation	1			0
Sr Engineer Tech	PW	FT	Transportation	1			0
Sr Traffic Signal Tech	PW	FT	Transportation	1			0
Traf Sign/Mark Tech I	PW	FT	Transportation	1			0
Traf Sign/Mark Tech II	PW	FT	Transportation	3		(1)	(1)
Traffic Signal Tech	PW	FT	Transportation	2	(1)		(1)
Maintenance Worker I	PW	PT	Maint & Operations	1			0
Vehicle/Equip Tech	PW	PT	Maint & Operations	1		(1)	(1)
Asst Crossing Guard Spvr	PW	PT	Transportation	1			0
Laborer	PW	TP	Maint & Operations	3	(1)		(1)
Accounting Technician	PW	TP	Public Works Admin	0			0
Intern I	PW	TP	Special Districts	0			0
Alternate Crossing Guard	PW	TP	Transportation	1			0
Crossing Guard	PW	TP	Transportation	16			0
Intern II	PW	TP	Transportation	1	(1)		(1)
Sr Office Assistant	PW	TP	Transportation	1	(1)		(1)
	PW Total			**152**	**(13)**	**(6)**	**(19)**
	Grand Total			**656**	**(66)**	**(47)**	**(113)**

**** Legend:***

Elec - Elected Official

Appt - Appointed Official

EM - Executive Management

DM - Division Manager

PAM - Professional & Administrative Management

FT - Full-time

PT - Part-time

TP - Temporary

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

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

AGENDA DATE: August 25, 2009

TITLE: NOTICE OF COMPLETION AND ACCEPTANCE OF SHEILA STREET SIDEWALK IMPROVEMENTS
PROJECT NO. 08-28268627

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Accept the work as complete for Sheila Street Sidewalk Improvements, which was constructed by Contreras Construction Company, P. O. Box 1808, Indio, CA 92202.

2. Direct the City Clerk to record the Notice of completion within ten (10) calendar days at the Office of the County Recorder of Riverside County as required by Section 3093 of the California Civil Code.

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

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

BACKGROUND

On April 14, 2009, the City Council awarded a construction contract to Contreras Construction Company for construction of Sheila Street Sidewalk Improvements and authorized issuance of a purchase order in the amount of $145,134.38 (Base Bid plus a 25% contingency). The sidewalk improvement construction work began on June 8, 2009.

DISCUSSION

Contreras Construction Company completed construction of the Sheila Street sidewalk improvements from Filaree Avenue to Gentian Avenue, as well as sidewalk adjacent to the Patriot Park on Perris Boulevard and Filaree Avenue, on July 10, 2009. The project enhances mobility and safety for pedestrians by providing 6-feet wide concrete sidewalk and ADA compliance access ramps.

The original contract amount was $116,107.50 for the Base Bid. The Contractor completed the project at a total construction cost of $118,387.50, inclusive of Contract Change Order No. 1 (Final) of $2,280.00, which represents 1.96% of the original contract and within the $145,134.38 authorized purchase order amount. The improvements were completed ahead of schedule, within budget and in accordance with the approved contract documents.

ALTERNATIVES

1. Accept the work as complete for Sheila Street Sidewalk Improvements, which was constructed by Contreras Construction Company, P. O. Box 1808, Indio, CA 92202, direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the Office of the County Recorder of Riverside County as required by Section 3093 of the California Civil Code, authorize the Financial & Administrative Services Director to release the retention to Contreras Construction Company thirty-five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project, and accept the improvements into the City's maintained road system. *This alternative will allow payment to the Contractor and acceptance of the improvements into the City's maintained road system.*

2. Do not accept the work as complete for Sheila Street Sidewalk Improvements, which was constructed by Contreras Construction Company, P. O. Box 1808, Indio, CA 92202, do not direct the City Clerk to record the Notice of Completion within ten (10) calendar days at the Office of the County Recorder of Riverside County as required by Section 3093 of the California Civil Code, do not authorize the Financial & Administrative Services Director to release the retention to Contreras Construction Company thirty-five (35) calendar days after the date of recordation of the Notice of Completion if no claims are filed against the project, and do not accept the improvements into the City's maintained road system. *This alternative will result in delaying payment to the Contractor, delaying acceptance of the improvements into the City's maintained road system and incurring extra costs to the City.*

FISCAL IMPACT

This project is included in the Fiscal Year 2008-2009 Capital Improvement Budget. This project is funded by Community Development Block Grant (CDBG) funds (Fund 282). The overall project budget is as follows:

AVAILABLE BUDGETED FUNDS:
Fiscal Year 2008/2009 Budget (Acct. No. 282.68627) $338,231

DESIGN AND CONSTRUCTION RELATED COSTS

Design Costs	$96,000
Construction Costs	$119,000
Construction Survey	$5,000
Construction Geotechnical	$4,000
Project Administration and Inspection (City Staff and Consultant)	$68,000
Total Estimated Project Related Costs	**$292,000**

CITY COUNCIL GOALS

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

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

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

SUMMARY

Contreras Construction Company completed construction of the Sheila Street Sidewalk Improvements project on July 10, 2009. The City Council is requested to accept the work as complete, direct the recordation of the Notice of Completion, and accept the improvements into the City's maintained system.

ATTACHMENTS

Attachment "A" - Location Map

Prepared By:
Quang Nguyen
Senior Engineer, P.E.

Department Head Approval:
Barry Foster
Economic Development Director

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

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

Concurred By:
Michele Patterson
Acting Redevelopment Division Manager

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

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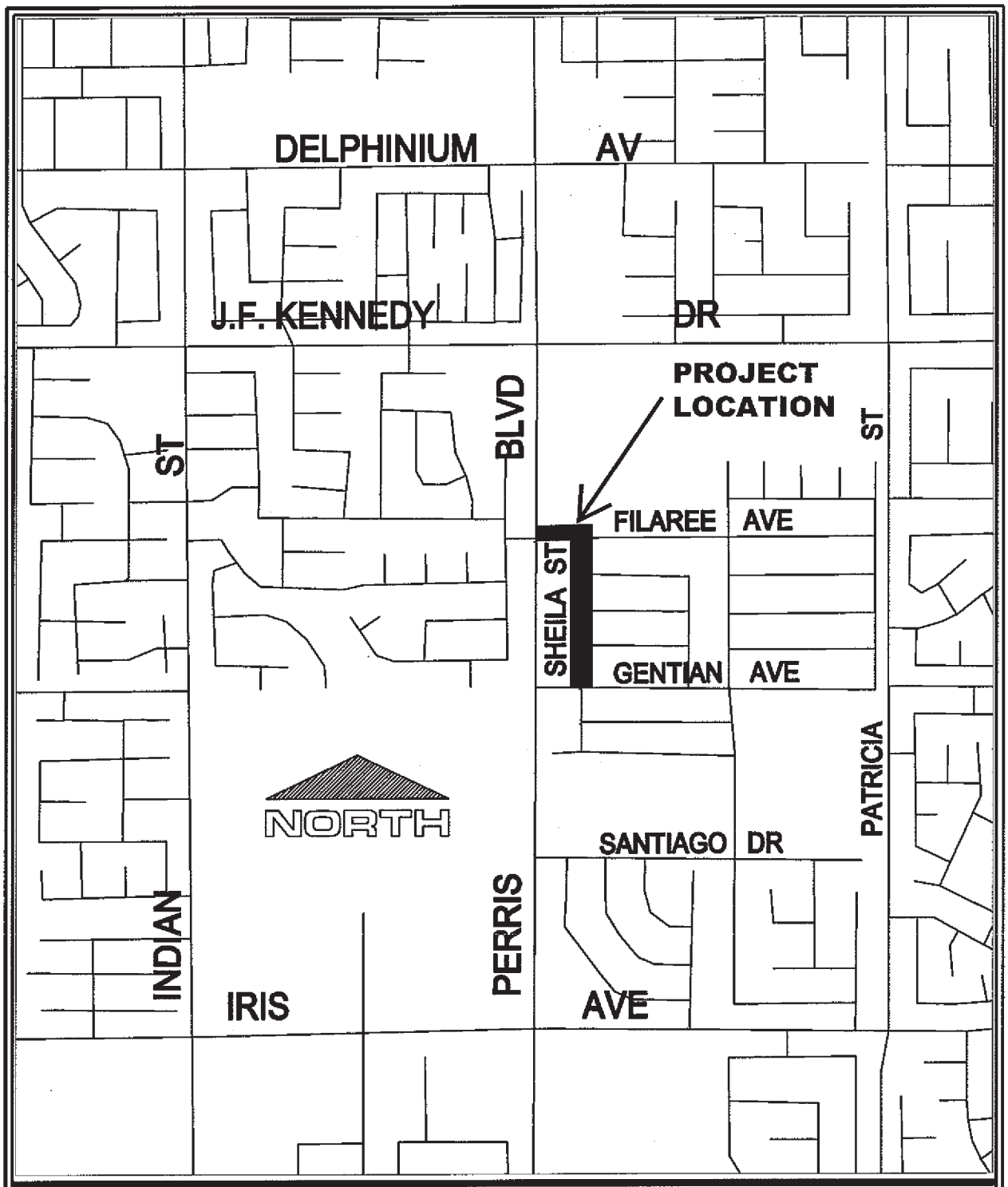

Public Works Department Capital Projects Division	LOCATION MAP
Scale: None / ATTACHMENT "A"	PROJECT NO. 08-282.68627 SHEILA STREET SIDEWALK IMPROVEMENTS GENTIAN AVENUE - FILAREE AVENUE
MORENO VALLEY WHERE DREAMS SOAR	

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APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

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

AGENDA DATE: August 25, 2009

TITLE: Authorization to Award the Construction Contract for Structures and Conduits Improvements and Electrical Cable Installation Improvements for the Indian 12kV to Globe 12kV Circuit Tie, Project No. MVU-0004.

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Award the construction contract for Structures and Conduits Improvements and Electrical Cable Installation Improvements for the Indian 12kV to Globe 12kV Circuit Tie, Project No. MVU-0004, to Richard Lopez Construction, the lowest responsible bidder.

2. Authorize the Mayor to execute a contract with Richard Lopez Construction, in the form attached hereto.

3. Authorize the Financial and Administrative Services Director to issue a Purchase Order to Richard Lopez Construction, in the amount of $222,631.37 (the base bid amount plus 10% contingency) for Structures and Conduits Improvements and Electrical Cable Installation Improvements for the Indian 12kV to Globe 12kV Circuit Tie, Project No. MVU-0004, when the contract has been signed by all parties. (Account No. 602.61830)

4. Authorize the Director of Public Works/City Engineer to execute any subsequent change orders to the contract with Richard Lopez Construction up to, but not to exceed the Purchase Order Contingency authorized for the base bid amount of $202,392.15.

BACKGROUND

The City of Moreno Valley Electric Utility (MVU) has experienced significant growth over the past five years. MVU is presently serving over 5,300 customers and projects continued growth with the addition of several large non-residential meters. To ensure the safety and reliability of the MVU electric grid, it will be necessary to construct a new electric distribution line extension circuit, (Project #MVU-004), to accommodate the increased demand on the system. This project will also provide a valuable circuit tie between the Globe and Indian 12kV Interconnection Circuits.

The construction of the Indian 12kV to Globe 12kV Circuit Tie are necessary to transfer existing load from several of the existing feeder circuits which will be taxed beyond capacity by the projected peak load after the new customers are added.

DISCUSSION

The basic components of the MVU electric distribution system are:

1). MVU MoVal 115/12kV, 56 MVA Substation and related apparatus.

2). Several MVU owned and operated 12,000 volt interconnections

3). Backbone electrical distribution infrastructure system within major arterial roads.

4). Service connection points to in-tract and direct feed points for electric distribution service to end users.

The City Council approved the 2008/2009 Public Works Capital Improvement Plan which includes several new MVU electric distribution feeders and circuits. The new circuit, Project #MVU-004, will provide relief to the existing Indian 12kV Inter-connection in the event of an SCE source outage, and also provide relief to the Globe 12kV circuit as it approaches its operating design limits as well as contractual constraints. The operational flexibility with this circuit tie, as well as the ability to transfer of these loads, is necessary to avoid placing excessive demand on these existing circuits and degrading the reliability of the MVU electric distribution system. The addition of the Globe to Indian circuit tie capital improvement project will reduce the probability of power outages to valued MVU customers, thereby increasing reliability.

Formal bidding procedures have been followed in conformance with the Public Contract Code. The City Clerk opened bids at 2:00 P.M., August 4, 2009, for Structures and Conduits Improvements and Electrical Cable Installation Improvements, for the Indian 12kV to Globe 12kV Circuit Tie, Project No. MVU-0004.

A total of 19 bids submitted to City Clerk. Upon review, 18 were considered valid bids. The 6 lowest bids are as follows:

CONTRACTORS	BIDS
1. Richard Lopez Construction	$202,392.15
2. T.B.U Inc	$229,438.00
3. VCI Construction	$232,058.95
4. HCI, Inc	$244,786.67
5. AM Ortega	$248,331.19
6. Pouk & Steinle, Inc	$259,468.71

The engineer's estimate for the capital improvement considered in this action is $423, 342. Due to excellent market conditions, the bids came in well below the engineer's estimate.

Staff has reviewed the bid by Richard Lopez Construction and finds the company to be the lowest responsible bidder in possession of a valid license and bid bond. No outstanding issues were identified through the review of the references submitted by Richard Lopez Construction. Staff recommends adoption of the plans and specifications per Section 22039 of the California Contract Code and Award the contract to Richard Lopez Construction.

ENVIRONMENTAL REVIEW

This project is exempt from California Environmental Quality Act (CEQA) as it is classified as a Class I Categorical Exemption as defined in Section 15301C, no further environmental review is required.

ALTERNATIVES

1. Award the construction contract for Structures and Conduits Improvements and Electrical Cable Installation Improvements, for the Indian 12kV to Globe 12kV Circuit Tie, Project No. MVU-0004, to Richard Lopez Construction, the lowest responsible bidder, authorize the Mayor to execute a contract with Richard Lopez Construction, in the form attached hereto, authorize the Financial and Administrative Services Director to issue a Purchase Order to Richard Lopez Construction, in the amount of $222,631.37 (the base bid amount plus 10% contingency) for Structures and Conduits Improvements and Electrical Cable Installation Improvements for the Indian 12kV to Globe 12kV Circuit Tie, Project No. MVU-0004, when the contract has been signed by all parties. (Account No. 602.61830), authorize the Director of Public Works/City Engineer to execute any subsequent change orders to the contract with Richard Lopez Construction, up to, but not to exceed the Purchase Order Contingency authorized for the base bid amount of $202,392.15. *This will allow the installation of the required structures, conduits, conductors, switches, and related electrical apparatus necessary to transfer load from the Globe and Indian 12kV interconnections.*

2. Do not award the construction contract for Structures and Conduits Improvements and Electrical Cable Installation Improvements, for Indian 12kV to Globe 12kV Circuit Tie, Project No.MVU-0004, to Richard Lopez Construction, the lowest responsible bidder, do not authorize the Mayor to execute a contract with Richard Lopez Construction, in the form attached hereto, do not authorize the Financial Administrative Services Director to issue a Purchase Order to Richard Lopez Construction, in the amount of $222,631.37 (the base bid amount plus 10% contingency) for Structures and Conduits Improvements and Electrical Cable Installation Improvements for the Indian 12kV to Globe 12kV Circuit Tie Project No. MVU-0004, when the contract has been signed by all parties. (Account No. 602.61830), and do not authorize the Director of Public Works/City Engineer to execute any subsequent change orders to the contract with Richard Lopez Construction, up to, but not to exceed the Purchase Order Contingency authorized for the base bid amount of $202,392.15. *This would restrict the ability to transfer load from certain interconnections and potentially create a disruption of service and also would restrict the City's utility ability to safely and reliably serve the peak loads.*

FISCAL IMPACT

This project was approved by the City Council through the adoption of the Fiscal Year 2008/2009 Capital Improvements Project Budget. This project will be funded through the 2007 Lease Revenue Bonds approved by the City Council on March 13, 2007. MVU will receive various reimbursements from other development when they connect to this back bone infrastructure, thereby defraying some of the capital cost.

Fiscal Year 2008/2009 Capital Improvement Budget:
MVU – 004 (Account No. 602.61830)..... $479,342
Total Budgeted Funds.....$479,342

ANTICIPATED PROJECT SCHEDULE:

Notice of Award..... August 2009
Start Construction.....September 2009
Complete Construction.....November 2009

CITY COUNCIL GOALS

POSITIVE ENVIRONMENT:
Create a positive environment for the economic development within the community. *The construction of these facilities will expand the MVU electrical distribution system.*

PUBLIC FACILITIES AND CAPITAL PROJECTS:
Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained. *The expansion of the MVU electrical distribution system will foster a positive environment and potentially help contribute to development of Moreno Valley's future.*

NOTIFICATION

Posting of the Agenda.

ATTACHMENTS

Attachment 1 – Master Agreement for Project MVU - 0004

Prepared By: Gerald McAllister, P.E.
Senior Electrical Engineer

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

Concurred By: George Hanson
Electric Utility Manager

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

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Agreement No._____

AGREEMENT

PROJECT NO. MVU-0004

INDIAN 12 KV TO GLOBE 12 KV CIRCUIT TIE
- **INSTALLATION OF ELECTRICAL CONDUIT, VAULTS**
- **INSTALLATION AND ENERGIZING OF 750 KCMIL,12kV CABLE**

(INDIAN STREET FROM GROVE VIEW ROAD TO SAN MICHELE ROAD)

THIS Contract Agreement, made and entered into as of the date signed by the Mayor, by and between the City of Moreno Valley, a municipal corporation, County of Riverside, State of California, hereinafter called the "City" and _____hereinafter called the "Contractor."

That the City and the Contractor for the consideration hereinafter named, agree as follows:

1. The written Agreement includes all of the following: a) any and all Contract Change Orders issued after execution of this Agreement, b) the Special Provisions which include the General Provisions and Technical Provisions, c) the project Plans, d) the Standard Plans, e) the Standard Specifications, f) Reference Specifications, g) **Addenda Nos. ____ inclusive,** issued prior to the opening of the Bids, h) the bound Bid Documents, all of which are essential parts of this Agreement, and i) the Bidder's Proposal which includes the Bidder's Bond and Noncollusion Affidavit. In the event of any conflict in the provisions thereof, the terms of said Contract Documents as set forth above shall control, each over the other, in the order provided. The above items are incorporated in this Agreement as though set forth in full.

2. The Contractor shall furnish all materials, tools, equipment and labor, except as otherwise provided in the Plans or Special Provisions, and will perform all the work which is necessary to complete in a good, workmanlike and substantial manner the above said project in accordance with the Contract documents for this project, the Contract documents which are hereby specifically referred to and by such reference made a part hereof.

3. The City will pay the Contractor and the Contractor agrees to receive and accept the prices set forth in the Bid Schedule as full compensation for the work required under the bid items awarded by the City, to wit, the Base Bid Item(s) and Additive Bid Item(s) in the sum total amount of **$_____**, subject to additions or reductions of the quantities of the various bid items at the unit prices bid, for furnishing all materials and for doing all the work contemplated and embraced under this Contract Agreement; for all loss or damages arising out of the nature of the work aforesaid, or from the action of the elements, or from any unforeseen difficulties or obstructions which may arise or be encountered in the prosecution of the work, until the work is accepted by the City Council; for all expenses incurred by or in consequence of the suspension or discontinuance of work; and for well and faithfully completing the work, the whole thereof, in the manner and in accordance with the Contract documents therefore and the requirements of the Engineer under them.

4. The Contractor hereby agrees to commence work pursuant to this Contract within fifteen (15) calendar days after the date of authorization specified in the Notice to Proceed. The Contractor agrees to diligently prosecute the contracted work, including corrective items of work, day to day thereafter, to completion, within **thirty (30) working days** after said date in the "Notice to Proceed with Construction," except as adjusted by subsequent Contract Change Order(s).

(OR)

If the project is for storm drains, traffic signal or any project requiring lead-time for ordering materials use next paragraph.

4. The Contractor hereby agrees to order materials pursuant to this Contract within 7 calendar days after the date of authorization specified in the "Notice to Proceed with Order of Materials." The Contractor hereby agrees to commence work pursuant to this Contract within 15 calendar days after the date of authorization specified in the "Notice to Proceed with Construction." The Contractor agrees to diligently prosecute the contracted work, including corrective items of work, day to day thereafter, to completion within _____( )

working days after said date in the "Notice to Proceed with Construction," except as adjusted by subsequent Contract Change Order(s).

5. The City and Contractor hereby agree that in case all construction called for under the Contract is not completed within the time hereinabove specified, including City caused delays or extensions, damages will be sustained by the City and that, it is and will be impracticable or extremely difficult to ascertain and determine the actual amount of damages the City will sustain in the event of, and by reason of, such delay.

It is, therefore, agreed that such damages shall be presumed to be in the amount of $250.00 per calendar day, and that the Contractor will pay to the City, or City may retain from amounts otherwise payable to Contractor, said amount for each calendar day by which the Contractor fails to complete the work, including corrective items of work, under this Contract Agreement within the time hereinabove specified and as adjusted by Contract Change Order(s). The Contractor will not be assessed liquidated damages for delay(s) occasioned by the failure of the City or of the owner of a utility to provide for the removal or relocation of utility facilities.

(OR)

If the project is for storm drains, traffic signal or any project requiring lead-time for ordering materials use next paragraph.

5. The City and Contractor hereby agree that in case all ordering of materials and construction called for under the Contract is not completed within the time hereinabove specified, including City caused delays or extensions, damages will be sustained by the City and that, it is and will be impracticable or extremely difficult to ascertain and determine the actual amount of damages the City will sustain in the event of, and by reason of, such delay.

It is, therefore, agreed that such damages shall be presumed to be in the amount of $250.00 per calendar day, and that the Contractor will pay to the City, or City may retain from amounts otherwise payable to Contractor, said amount for each calendar day by which the Contractor fails to complete the work, including corrective items of work, under this Contract Agreement within the time hereinabove specified and as adjusted by Contract Change Order(s). The Contractor will not be assessed liquidated damages for delay(s) occasioned by the failure of the City or of the owner of a utility to provide for the removal or relocation of utility facilities.

6. The Contractor shall name as additional insured, the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), and Western Riverside Council of Governments (WRCOG) *for TUMF only*, and shall furnish the City with a certificate of insurance evidencing liability insurance policy or policies which shall provide coverage for owned and non-owned automobiles; manufacturers and Contractor's liability; broad form property damage in any case where the Contractor has any property belonging to the City in his care, custody or control; owners and Contractor's protective liability; blanket contractual liability; products and completed operations coverage; coverage for collapse, explosion, and where any excavation, digging or trenching is done with power equipment; and shall bear an endorsement containing the following Provisions:

> Solely as respect to work done by or on behalf of the named insured for the City of Moreno Valley, it is agreed that the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), and Western Riverside Council of Governments (WRCOG) *for TUMF only*, its officers, employees and agents, are added as additional insured under this policy and the coverage provided hereunder shall be primary insurance and not contributing with any other insurance available to the City of Moreno Valley, California, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, and WRCOG, its officers, employees and agents; under any third party liability policy.
>
> It is further agreed that the other insurance provision(s) of the policy are amended to conform therewith.

The endorsements shall be signed by a person authorized by the insurer to bind coverage on its behalf. Insurance companies providing insurance here under shall be rated (A minus: VII - Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct insurance business in the State of California.

The terms of the insurance policy or policies issued to provide the below insurance coverage(s) shall not be amended or canceled by the carrier without thirty (30) days prior written notice by certified or registered mail of amendments or cancellation to the City, except that cancellation for non-payment of premium shall require (10) days prior written notice by certified or registered mail. In the event the said insurance is canceled, the Contractor shall, prior to the cancellation date, submit to the City Clerk new evidence of insurance in the amounts established.

All liability insurance policies shall bear an endorsement or shall have an attached rider which provides that the City of Moreno Valley will be notified by certified or registered mail at least 30 days prior to the effective date of cancellation, non-renewal, or material alteration of such policy.

All liability insurance shall cover comprehensive general liability for both bodily injury (including death) and property damage, including but not limited to aggregate products, aggregate operations, aggregate protective and aggregate contractual with the following minimum limits:

	Each Person	Each Occurrence	Aggregate
Bodily Injury	$500,000.00	$1,000,000.00	$2,000,000.00
Property Damage	---	$1,000,000.00	$2,000,000.00

A combined single limit for Bodily Injury Liability and Property Damage Liability of $2,000,000.00 for each occurrence will be considered equivalent to the above minimum limits for Comprehensive General Liability.

Property Damage Insurance shall cover full replacement value for damages to any property caused directly or indirectly by or from acts or activities of the Contractor or its sub-contractors or any person acting for the Contractor or under its control or direction.

The Contractor shall procure and maintain, at its sole expense, and throughout the term of this Contract Agreement and any extension thereof, Public Liability and Property Damage Insurance coverage for owned and non-owned automotive equipment operated. Such coverage limits shall not be less than $1,000,000 combined single limit.

Any deductibles or self-insured retention must be declared to and approved by the City. At the option of the City, either: the insurer shall reduce or eliminate such deductibles or self-insured retention as respects the City, its officers, officials, employees and volunteers; or the contractor shall procure a bond guaranteeing payment of losses and related investigation, claim administration, and defense expenses.

The Contractor shall also furnish the City with a certificate evidencing Worker's Compensation Insurance with limits as established by the State of California.

The Contractor shall include all subcontractors as insureds under its policies or shall furnish separate certificates and endorsements for each subcontractor. All coverages for subcontractors shall be subject to all of the requirements stated herein.

7. The Contractor hereby agrees to provide and maintain in effect two (2) good and sufficient Surety Bonds for one hundred percent (100%) each of the contract price. The bonds shall be a "Faithful Performance Bond" which shall guarantee the faithful performance of all work and a "Labor and Materials Payment Bond" which shall secure the payment of the claims of labor, mechanics, or materialmen for all work under the Contract pursuant to Section 3247 of the Civil Code.

8. The Contractor, the Contractor's heirs, executors, administrators, successors, or assigns guarantee that all work performed under this Contract fully meets the requirements thereof as to quality of workmanship and materials furnished. If any defects in materials or workmanship become evident within a period of one year from the date of the acceptance of the work by the City Council, the Contractor shall, at his or her own expense, make any repair(s) or replacement(s) necessary to restore the work to full compliance with the Plans and Specifications.

9. The Contractor and any agents or subcontractors of the Contractor shall pay the prevailing rates of per diem wages established by the California Department of Industrial Relations. The Contractor and any agents or subcontractors of the Contractor shall also adhere to the California Labor Code, Division 2, Part 7, "Public Works and Public Agencies," and the California Administrative Code, Title 8, Group 3, "Payment of Prevailing Wages upon Public Works," all of which are made a part of the Contract documents.

10. The Contractor agrees that he or she and its subcontractors shall maintain and keep books, payrolls, invoices of materials, records on a current basis, and recording all transactions pertaining to this Agreement in a form in accordance with generally acceptable accounting principles. Said books and records shall be made available to the City of Moreno Valley, County, the State of California, the Federal Government and to any authorized representative thereof for purposes of audit and inspection at all reasonable times and places. All such books, payrolls, invoices of materials, and records shall be retained for such periods of time as required by law, provided, however, notwithstanding any shorter period of retention, all books, records, and supporting detail shall be retained for a period of at least three years after expiration of the term of this Agreement.

11. Pursuant to California Public Contract Code Section 22300, the Contractor will be permitted the substitution of securities for any monies withheld by the City of Moreno Valley to ensure performance under Contract. At the request and expense of the Contractor, securities equivalent to the amount withheld shall be deposited with the City of Moreno Valley, or with a state or federally chartered bank as the escrow agent, who shall pay such monies to the Contractor. Securities eligible for substitution under this section shall include those listed in Section 16430 of the Government Code, bank or savings and loan certificates of deposit, interest-bearing demand deposit accounts, and standby letters of credit. The Contractor shall be the beneficial owner of any securities substituted for monies withheld and shall receive any dividends or interest thereon. The Contractor shall give the City written notice within thirty (30) days after the Contract is awarded that it desires to substitute securities for money that would ordinarily be withheld. If the substituted securities are deposited into an escrow, the escrow shall be governed by a written escrow Contract Agreement in a form which is substantially similar to the Contract Agreement set forth in Section 22300, of the Public Contract Code.

12. The Contractor agrees to indemnify, defend, and save the City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), and Western Riverside Council of Governments (WRCOG) its officers, agents, and employees harmless from any and all liability, claims, damages or injuries to any person, including injury to the Contractor's employees and all claims which arise from or are connected with the negligent performance of or failure to perform the work or other obligations of this Contract Agreement, or are caused or claimed to be caused by the negligent acts of the Contractor its officers, agents, employees, sub-contractors or suppliers, and all expenses of investigating and defending against the same; provided, however, that this indemnification and hold harmless shall not include any claims arising from the sole negligence or willful misconduct of the City, RDA, and CSD, and WRCOG its officers, agents, or employees.

The obligation to indemnify, defend and hold harmless set forth herein shall include, without limitation, any and all attorney's fees incurred by the party to be indemnified, defended, or held harmless, whether in a judicial or administrative action or in arbitration, and whether the issue is between the parties or involves one or more third parties.

13. The parties do for themselves, their heirs, executors, administrators, successors and assigns agree to the full performance of all of the provisions herein contained. The Contractor may not, either voluntarily or by action of law, assign any obligation assumed by the Contractor hereunder without prior written consent of the City.

14. Should either party bring any legal or equitable action for the purpose of protecting or enforcing its rights under this Contract Agreement, the prevailing party in such action shall recover in addition to all other relief, its reasonable attorney's fees and court costs to be fixed by the court.

In addition to the foregoing award of attorney's fees, the prevailing party shall be entitled to its attorneys' fees incurred in any post judgment proceedings to enforce any judgments in connection with this Contract Agreement. The Provision is separate and several and shall survive the merge of this Provision into any judgment.

15. By my signature hereunder, as Contractor, I certify that I am aware of the Provisions of Section 3700, of the Labor Code which require every employer to be insured against liability for Workers' Compensation or to undertake self-insurance in accordance with the Provisions of that code, and I will comply with such Provisions before commencing the performance of the work of this Contract.

16. The effective date of this Contract Agreement shall be the date of the Award of Contract by the City of Moreno Valley.

17. Contractors are required by law to be licensed and regulated by the Contractors' State License Board. Any questions concerning a Contractor may be referred to the Registrar, Contractors' State License Board, 3132 Bradshaw Road, Sacramento, CA 95826. Mailing address: P.O. Box 26000, Sacramento, CA 95826.

(SIGNATURE PAGE FOLLOWS)

AGREEMENT
PROJECT NO. MVU-0004

CITY OF MORENO VALLEY,
Municipal Corporation

(Name of Contractor)

BY: _____
Financial Administrative Services Director/
City Manager/Mayor
(*Select only one please)*

DATE: _____

License No./
Classification:_____

Expiration Date: _____

Federal I.D. No.: _____

INTERNAL USE ONLY

ATTEST:

_____
City Clerk
(only needed if Mayor signs)

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Department Head
(if contract exceeds $15,000)

_____
Date

PRINT NAME: _____

SIGNATURE:_____

TITLE: _____

DATE: _____
Date

PRINT NAME: _____

SIGNATURE: _____

TITLE: _____

DATE: _____
Date

SIGNING INSTRUCTION TO THE CONTRACTOR:

All signatures on the Contract Agreement on behalf of the Contractor must be acknowledged before a notary public. Attach Notary Certificates following this page.

General Partners must sign on behalf of the partnership.

In the event that the contracting firm is a corporation, two (2) corporate officer's having authority from the corporation MUST sign (two (2) signatures total). If the corporation has a corporate resolution stating that one person is authorized to sign on behalf of all officers, attach corporate resolution immediately following the notary certificates. Corporate Seal may be affixed hereto.

BOND NO._____

PREMIUM $_____

FAITHFUL PERFORMANCE BOND
(100% of Total Contract Amount)

PROJECT NO. MVU-0004

INDIAN 12 KV TO GLOBE 12 KV CIRCUIT TIE
- **INSTALLATION OF ELECTRICAL CONDUIT, VAULTS**
- **INSTALLATION AND ENERGIZING OF 750 KCMIL,12kV CABLE**

(INDIAN STREET FROM GROVE VIEW ROAD TO SAN MICHELE ROAD)

KNOW ALL MEN AND WOMEN BY THESE PRESENTS:

THAT WHEREAS, the City Council of the City of Moreno Valley, State of California, known as "City," has awarded to _____, as Principal hereinafter designated as "Contractor" and have entered into a Agreement whereby the Contractor agrees to construct or install and complete certain designated public improvements, which said Agreement, effective on the date signed by the City Manager/Mayor, and identified as **Project No. MVU-0004**, is hereby referred to and made a part hereof; and

WHEREAS, said Contractor under the terms of said Agreement is required to furnish a bond guaranteeing the faithful performance of said Agreement;

NOW THEREFORE, we the undersigned Contractor and_____, as Surety, are held and firmly bound unto the City of Moreno Valley, County of Riverside in the penal sum of _____ dollars, ($_____), lawful money of the United States, to be paid to the said City or its certain attorney, its successors and assigns; for which payment, well and truly to be made, we bind ourselves, our heirs, executors and administrators, successors and assigns, jointly and severally liable (CCP 995.320 (a)(1)), firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that if the above bound Contractor, his or her or its heirs, executors, administrators, successors or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and provisions in said Agreement and any alterations thereof made as therein provided, on his or her or their part, to be kept and performed at the time and in the manner therein specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless the City of Moreno Valley, its officers, agents and employees, as therein stipulated, then this obligation shall become null and void; otherwise it shall be and remain in full force and effect. In the event suit is brought upon this bond by the City and judgement is recovered, the Surety shall pay all costs incurred by the City in such suit, including a reasonable attorney fee to be fixed by the court.

The Surety hereby stipulates and agrees that no change, extension of time, alteration, or addition to the terms of the Agreement or to the work to be performed thereunder, or the Provisions accompanying the same shall in any way affect its obligations on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the Agreement or to the work or the Provisions.

(SIGNATURE PAGE FOLLOWS)

FAITHFUL PERFORMANCE BOND
PROJECT NO. MVU-0004

BOND NO._____

IN WITNESS WHEREOF, we have hereunto set our hands, and seals on this _____ day of _____ 2009.

CONTRACTOR (Principal)	SURETY
Contractor Name: _____	Name: _____
Address: _____	Address: _____
_____	_____
Telephone No.: _____	Telephone No.: _____
Print Name: _____	Print Name: _____ Attorney-in-Fact
Signature: _____	Signature: _____

Approved as to Form this

_____ day of _____2009.

_____
City Attorney
City of Moreno Valley

NOTE:

- The bond shall be executed by an admitted Surety insurer (CCP 995.311) and the Surety must be registered as an admitted insurer in at least one county in the State of California.
- The bond shall include an attached Notary Certificate for the Attorney-in-Fact and the Contractor.
- The bond shall include an attached original Power of Attorney duly authorizing the Attorney-in-Fact to act for the Surety (CCP 1305).
- The bond shall include the address at which the Principal (contractor) and Surety may be served with notices, papers and other documents (CCP 995.320 (a)(2)).

Corporate Seal maybe affixed hereto

BOND NO._____

PREMIUM $_____

LABOR AND MATERIALS PAYMENT BOND
(100% of Total Contract Amount)

PROJECT NO. MVU-0004

INDIAN 12 KV TO GLOBE 12 KV CIRCUIT TIE
- **INSTALLATION OF ELECTRICAL CONDUIT, VAULTS**
- **INSTALLATION AND ENERGIZING OF 750 KCMIL,12kV CABLE**

(INDIAN STREET FROM GROVE VIEW ROAD TO SAN MICHELE ROAD)

KNOW ALL MEN AND WOMEN BY THESE PRESENTS

THAT WHEREAS, the City Council of the City of Moreno Valley, State of California, known as "City", has awarded to _____, as Principal hereinafter designated as "Contractor" and have entered into a Agreement whereby the Contractor agrees to construct or install and complete certain designated public improvements, which said Agreement, effective on the date signed by the City Manager/Mayor, and identified as **Project No. MVU-0004**, is hereby referred to and made a part hereof; and

WHEREAS, said Contractor under the terms of said Agreement is required to furnish a bond to secure the payment of claims of laborers, mechanics, materialmen, and other persons, as provided by law;

NOW, THEREFORE, we the undersigned Contractor and _____, as Surety are held and firmly bound unto the City of Moreno Valley, County of Riverside, in the penal sum of _____dollars, ($_____), lawful money of the United States, for which payment, well and truly to be made, we bind ourselves, our heirs, executors and administrators, successors and assigns, jointly and severally liable (CCP 995.320 (a)(1)), firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that if said Contractor, his or her or its heirs, executors, administrator, successors or assigns, or subcontractors, shall fail to pay any of the persons described in the State of California Civil Code, Section 3181, or amounts due under the Unemployment Insurance Code with respect to work or labor performed by any such claimant, or any amounts required to be deducted, withheld, and paid over to the Franchise Tax Board from the wages of employees of the Contractor and his or her subcontractors, pursuant to Section 13020, of the Unemployment Insurance Code, with respect to such work and labor, that the Surety or Sureties herein will pay for the same in an amount not exceeding the sum specified in this bond, otherwise the above obligation shall be void. In the event suit is brought upon this bond by the City or other person entitled to bring such an action and judgement is recovered, the Surety shall pay all costs incurred by the City in such suit, including a reasonable attorney fee to be fixed by the court.

This bond shall inure to the benefit of any of the persons described in the State of California Civil Code Section 3181, to give a right of action to such persons or their assigns in any suit brought upon this bond.

(SIGNATURE PAGE FOLLOWS)

BOND NO._____

IN WITNESS WHEREOF, we have hereunto set our hands, and seals on this _____ day of _____ 2009.

CONTRACTOR (Principal)	SURETY
Contractor Name: _____	Name: _____
Address: _____	Address: _____
_____	_____
Telephone No.: _____	Telephone No.: _____
Print Name: _____	Print Name: _____ Attorney-in-Fact
Signature: _____	Signature: _____

Approved as to Form this

_____ day of _____2009.

_____
City Attorney
City of Moreno Valley

NOTE:

- The bond shall be executed by an admitted Surety insurer (CCP 995.311) and the Surety must be registered as an admitted insurer in at least one county in the State of California.
- The bond shall include an attached Notary Certificate for the Attorney-in-Fact and the Contractor.
- The bond shall include an attached original Power of Attorney duly authorizing the Attorney-in-Fact to act for the Surety (CCP 1305).
- The bond shall include the address at which the Principal (contractor) and Surety may be served with notices, papers and other documents (CCP 995.320 (a)(2)).

Corporate Seal maybe affixed hereto

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

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

AGENDA DATE: August 25, 2009

TITLE: APPROVE TRANSFERRED AND NEW MUNICIPAL DEPARTING LOAD NONBYPASSABLE CHARGES AND COST RESPONSIBILITY SURCHARGE AGREEMENT BETWEEN SOUTHERN CALIFORNIA EDISON COMPANY AND THE CITY OF MORENO VALLEY

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Approve the Transferred and New Municipal Departing Load Nonbypassable Charges and Cost Responsibility Surcharge Agreement between Southern California Edison and the City of Moreno Valley.
2. Authorize the Mayor to execute the Transferred and New Municipal Departing Load Nonbypassable Charges and Cost Responsibility Surcharge Agreement between Southern California Edison and the City of Moreno Valley.
3. Appropriate $1,671,000 from Electric Utility restricted reserves for payment under the Transferred and New Municipal Departing Load Nonbypassable Charges and Cost Responsibility Surcharge Agreement between Southern California Edison and the City of Moreno Valley.

BACKGROUND

Pursuant to its rights under the California Constitution, the City Council of the City of Moreno Valley approved the formation of the City's electric utility at its meeting on June 26, 2001. As the regulatory authority of the City's electric utility, the City Council has since adopted rates for customers, rules for service, various programs, and also approved other actions required for the operation of the utility including a financing in 2007 for the Moreno Valley Substation and other improvements. The City's electric utility, Moreno Valley Utility or MVU, first began providing service to customers in

February 2004. Today, there are approximately 5,350 MVU customers made up of residential, commercial, and industrial users.

In a long series of regulatory filings dating back to 2001, the California Public Utilities Commission (CPUC), at the urging of the California Department of Water Resources (CDWR) and investor owned utilities (IOUs), proposed the assessment of an exit fee upon customers of new municipal utilities (also know as publicly owned utilities or POUs). Ultimately, the CPUC determined that customers of new municipal electric utilities such as MVU should be responsible to CDWR for repayment of "a share" of the power contracts and bond charges that were incurred by CDWR. The CPUC's determination was largely based upon power purchase commitments made by CDWR that included anticipated growth areas within SCE's service territory, as such territory existed as of February 1, 2001. CDWR, with input from Edison, made commitments in anticipation of providing electric service to what are now MVU customers. The commitment that the CPUC and CDWR seek to recover consists of CDWR power contract charges, bond charges associated with the power contracts, as well as other nonbypassable charges. These charges are referred to the cost responsibility surcharge (CRS) and nonbypassable charges (NBCs), and collectively as the MDL Charges. The MDL Charges consist of Nuclear Decommissioning Charges, DWR Bond Charges, and Competition Transition Charges. It should be noted that the CPUC decisions do not impose the MDL Charges upon the City. Rather, the CPUC's decision found that the MDL Charges were the responsibility of the customer of a POU.

The CPUC defined New Municipal Departing Load (NMDL) as electric load that has never been served by an IOU but is located in an area that had previously been in that IOU's service territory (as that territory existed on February 1, 2001) and was subsequently annexed or otherwise expanded into by a POU (such as MVU). For municipal facilities that were previously served by SCE but are now served by MVU, the CPUC defines these services as Transferred Municipal Departing Load (TMDL).

The City of Moreno Valley and its electric utility, MVU, along with other POUs and the California Municipal Utilities Association (CMUA) vehemently opposed the imposition of these MDL Charges on the customers of POUs. In fact, MVU participated in multiple regulatory filings at the CPUC and other legal efforts to block the imposition of the MDL Charges on POU customers that never received service form an IOU. MVU, together with CMUA and other California POUs, joined together and appealed certain issues to the California Supreme Court. The Supreme Court elected not to hear the case. In addition to efforts at the CPUC, at least four pieces of legislation have been proposed since 2001 to resolve the issue. However, none of the proposed bills have become law. As a result, the right of the CPUC to impose fees not directly associated with the provision of electric service on customers of a POU, and the right of an IOU (who is regulated by the CPUC) to bill and collect those charges from customers of a POU (who are regulated by City Councils and their local governing bodies, and not the CPUC) remains unresolved and untested in a court of law.

In March 2008, Edison believed that it had obtained the necessary approval from the CPUC to initiate the billing and collection of NMDL charges from MVU's customers. On March 11, 2008, Edison sent a letter to the City Manager requesting that the City pay

Edison $6.94 million in MDL Charges on behalf of MVU customers in order to resolve New Municipal Departing Load costs (Reference Attachment 1). As a result of the letter, City staff initiated discussions with Edison representatives regarding this issue. Discussions between City staff and Edison continued on for the balance of 2008. In December 2008, City staff issued a letter to MVU customers informing them that SCE may be sending them a bill, and also laying out some options.

Also in December 2008, the City Council for the City of Rancho Cucamonga, acting on behalf of Rancho Cucamonga's electric utility customers, approved an agreement with SCE to address New and Transferred Municipal Departing Load costs. The Rancho Cucamonga agreement included payments to SCE totaling $4.2 million.

At its meeting on January 13, 2009, City staff provided an update on the situation to the City Council with Edison representatives participating in the dialogue. At that meeting, City Council directed staff to continue to meet with Edison representatives in order to work out a mutually acceptable resolution to the issue.

DISCUSSION

In good faith, staff has continued meaningful discussions with Edison representatives consistent with the City Council's direction with the objective of resolving the issue altogether in a mutually acceptable manner. Staff has met with Edison dozens of times since March 2008 to discuss all aspects of the issue. As a result of these meaningful discussions, staff and Edison have come to terms on an agreement that would comprehensively and permanently resolve the issue of the New MDL Charge for all past, present, and future NMDL customers, and also the Transferred MDL Charge for select customers. If adopted, the Transferred and New Municipal Departing Load Nonbypassable Charges and Cost Responsibility Surcharge Agreement between Southern California Edison and the City of Moreno Valley ("Proposed Settlement Agreement"), would comprehensively and permanently address the MDL Charge or exit fees. In addition, the Proposed Settlement Agreement would comprehensively and permanently address any Transferred MDL Charges that may be applicable as a result of the transfer of the provision of electric service from SCE to MVU for City Hall, the Public Safety Building, and the Animal Shelter.

Pursuant to the Proposed Settlement Agreement, one lump sum payment of $1,671,000 will satisfy all TMDL and NMDL Charges that the CPUC authorized SCE to recover from certain existing and future MVU customers, as specified therein. The Proposed Settlement Agreement covers all New MDL Charges for MVU's past, current, and future customers located within the City, and also all TMDL charges associated with the transfer electric service from SCE to MVU for City Hall, the Public Safety Building, and the Animal Shelter, as identified within the agreement.

ALTERNATIVES

1. Approve the Proposed Settlement Agreement. *Council's approval of the Proposed Settlement Agreement would provide a permanent solution that is mutually acceptable.*

2. Do not approve Proposed Settlement Agreement. *If Council does not approve the Proposed Settlement Agreement, there would be no settlement reached and staff would be required to continue dialogue with Edison which could lead to settlement terms that are not as desirable, or possibly even litigation.*

FISCAL IMPACT

The one time, lump sum payment required by the Proposed Settlement Agreement will come from MVU's existing restricted cash reserves.

CITY COUNCIL GOALS

REVENUE DIVERSIFICATION AND PRESERVATION:
The municipal electric utility will generate revenues to provide funding for City programs and services over time. These revenues will help achieve important financial goals of the City.

NOTIFICATION

Posting of the Agenda.

Attachments

Attachment 1 – Edison Letter to the City Manager dated March 11, 2008
Attachment 2 – Proposed Settlement Agreement

Prepared By: George Hanson
Electric Utility Division Manager

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

Concurred By: Darcy Ramirez
Senior Financial Analyst

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

W:\Electric Utility\Administration - Finance\Staff Reports\2009 SR's\Drafts\SR - SCE NMDL and TMDL Settlement Agreement - Final.doc

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SOUTHERN CALIFORNIA
EDISON
An EDISON INTERNATIONAL Company

Raymond Hicks
Region Manager

March 11, 2008

Mr. Robert Gutierrez
City Manager
City of Moreno Valley
14177 Frederick Street
Moreno Valley, California 92882

RE: Billing and Collection of New Municipal Departing Load ("NMDL") Charges

Dear Mr. Gutierrez:

The California Public Utilities Commission ("Commission") has recently issued decisions[1] requiring the electric customers of any newly formed municipal utility providing services on or after February 1, 2001, to pay the NMDL costs associated with the customer's load served by these newly formed municipal utilities. The NMDL costs[2] consist of California Department of Water Resources ("DWR") bond and above-market power costs, as well as other nonbypassable charges. The Commission has ordered the Southern California Edison Company ("SCE") to begin billing and collecting these costs no later than June 7, 2008.

The Commission has approved the tariff (attached hereto as Attachment "A") containing the NMDL charges to be billed and collected from the electric customers of these newly formed municipal electric utilities. The tariff contains a number of default and collection requirements that could adversely impact your customers for failing to comply with the tariff.

SCE would like to work with the City of Moreno Valley ("Moreno Valley") to discuss alternatives for carrying out this billing and collection process and to mitigate the impact on your customers. Our purpose would be to reach an agreement on a plan that minimizes any negative impacts upon your customers and works for all concerned.

We have estimated the NMDL charges owed by your residential and commercial/ industrial customers for the calendar years 2004 through 2007 to be approximately $581,723 and $690,825, respectively. SCE has calculated this estimate by taking the recorded kilowatt-hour data registered on the Wholesale Distribution Access Tariff ("WDAT") meters (that have interconnected Moreno Valley's system to the SCE system since 2004) as reported in the Federal Energy Regulatory Commission ("FERC") Form 1 and applied it to the NMDL charges approved by the Commission.

---

[1] Please see the following CPUC Decisions ("D."): D.03-07-028, D.03-08-076, D.04-11-014, D.04-12-059, D.05-07-038, and D.05-08-035.

[2] Municipal Departing Load ("MDL") refers to departing load served by a publicly owned utility ("POU") as that term is defined in the California Public Utilities Code § 9604(d). New MDL ("NMDL") is defined as load that has never been served by an IOU but is located in an area that had previously been in that IOU's service territory (as that territory existed on February 1, 2001) and was annexed or otherwise expanded into by a POU.

SCE proposes that Moreno Valley consider remitting these amounts to SCE on behalf of its customers. SCE would be agreeable to a remittance payment period of 3 to 5 years. Paying the past usage over this period would allow the City to include the amount in its yearly budget over that period and would make the payment of the NMDL charges more manageable. The City would then have the option of billing its customers for that amount.

For the years 2008 through 2022, the future period over which NMDL charges are imposed by the Commission, SCE has estimated, based on current public information, that the residential NMDL obligation for Moreno Valley customers will be approximately $2,001,983 and the future commercial/industrial Moreno Valley customer obligation to be approximately $3,667,102. We recommend that the City invoice its customers using the actual NMDL monthly amount as a line item on their monthly electric utility bill and remit these funds to SCE as an aggregated monthly payment. SCE would pay costs reasonably incurred by Moreno Valley related to this invoicing and payment activity.

The other alternative would be for Moreno Valley to provide SCE its customer information which would include names, addresses, beginning and (if applicable) ending service dates, rate class and monthly energy consumption. SCE would use this information to (1) invoice each customer for amounts due for usage from 2004-2007 and (2) invoice each Moreno Valley customer monthly for the usage, either until the customer terminates service with Moreno Valley or until approximately 2022, whichever is earlier. Moreno Valley would also need to, on an ongoing basis, provide new or terminated customer information to SCE, as new customers sign up for or cancel service from your utility system.

As you are likely aware, SCE is merely the collection agency for the DWR to repay the above-market power and bond charges for the power contracts it entered into during the energy crisis of 2000 - 2002. The majority of the NMDL charges comprise these DWR costs, with only about one-fourth being related to the funding of nuclear decommissioning and specific long-term SCE generation contracts if Moreno Valley has public purpose program.

We look forward to working with the City in developing a mutually agreeable and beneficial billing and collection plan.

Sincerely,

Raymond Hicks

Raymond Hicks
Region Manager

Cc: Mr. Chris Vogt, Utility Manager
Mr. George Hanson, Utility Manager
Mr. Vincent Haydel, Region Director
Ms. Mary Drury, Corporate Representative

TRANSFERRED AND NEW MUNICIPAL DEPARTING LOAD
NONBYPASSABLE CHARGES AND COST RESPONSIBILITY SURCHARGE AGREEMENT
BETWEEN
SOUTHERN CALIFORNIA EDISON COMPANY
AND
CITY OF MORENO VALLEY

This Transferred and New Municipal Departing Load Cost Responsibility Surcharge and Nonbypassable Charges Agreement ("***Agreement***") between Southern California Edison Company ("***SCE***") and the City of Moreno Valley ("***Moreno Valley***" or "***City***"), is entered into on this ____ day of August, 2009 (Effective Date), and addresses payment by the City of the cost responsibility surcharges and other nonbypassable charges associated with departing load customers from whom SCE is otherwise authorized to recover directly, which includes certain existing and future electric utility customers of the City pursuant to certain California Public Utilities Commission ("***Commission***") Decisions and Resolutions (referred to and explained below). SCE and the City may be jointly referred to herein as the "***Parties***" and individually referred to as a "***Party***."

RECITALS

City owns and operates a retail electric utility within the city limits of Moreno Valley, and provides electric service to residents and businesses throughout the City. SCE owns and operates an electric utility, which also provides retail electric service to residents and businesses in Moreno Valley.

In response to the 2000-2001 energy crisis, the California Legislature authorized the Department of Water Resources ("***DWR***") to begin purchasing power on behalf of electric consumers in the service territories of the state's investor-owned utilities ("***IOUs***"), including SCE.

The Commission initiated Rulemaking 02-01-011 to address the suspension of Direct Access pursuant to Assembly Bill 1X, which also included a determination regarding the responsibility of direct access customers for the DWR Bond Charge,[1] DWR Power Charge,[2] Competition Transition Charge,[3] and SCE's Historical Procurement Charge[4] -- collectively referred to as the Cost Responsibility Surcharge ("***CRS***"). The scope of the Commission's inquiry was subsequently expanded to include consideration of whether departing load customers, some of which may receive electric service from publicly-owned utilities ("***POUs***"), should be responsible for the CRS.

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1 The DWR Bond Charge recovers DWR's bond financing costs.

2 The DWR Power Charge recovers the uneconomic portion of DWR's prospective power purchase costs.

3 The Competition Transition Charge ("CTC") refers to the "ongoing" CTC and recovers the cost of power purchase agreements signed prior to December 20, 1995, in excess of a Commission-approved proxy of the market price of electricity plus employee transition costs, as defined in Section 367(a) of the California Public Utilities Code.

4 SCE's Historical Procurement Charge recovered the direct access customers' share of SCE's Procurement Related Obligation Account ("PROACT") balance.

Beginning in July 2003, the Commission issued a series of decisions in R.02-01-011, including Decisions 03-07-028, 03-08-076, 04-11-014, and 04-12-059 ("Commission Decisions"), holding electricity customers previously served by an IOU but who subsequently received electric service from a POU (referred to as "transferred Municipal Departing Load" ("***TMDL Customers***")), as well as customers never previously served by an IOU but who received electric service from a POU within what was deemed the IOUs' historic service territory (referred to as "new Municipal Departing Load" ("***NMDL Customers***")), responsible for charges consisting of some or all of the CRS components plus certain other nonbypassable charges[5] ("NBCs"), subject to various exceptions authorized by the Commission. Such charges are referred to herein respectively as "***TMDL Charges***" or "***NMDL Charges***" or collectively as "***MDL Charges***."

The MDL Charges addressed in the Commission Decisions are the sole responsibility of TMDL Customers and NMDL Customers electricity customers, and the City has no obligation to bill or collect the MDL Charges on behalf of its customers. Pursuant to the Commission Decisions, SCE has the authority to notify TMDL and NMDL Customers of their MDL Charges obligations, and to bill and collect the MDL Charges from TMDL and NMDL Customers.

The Commission adopted Resolution E-3999, approving SCE's Schedule Transferred Municipal Departing Load ("***Schedule TMDL***"), which sets forth procedures for the billing and collection of TMDL Charges. The Commission subsequently adopted Resolution E-4064 addressing procedures for billing and collection of NMDL Charges, and on February 7, 2008, the Commission approved SCE's Schedule New Municipal Departing Load ("***Schedule NMDL***"), implementing Resolution E-4064.

Schedule NMDL, Special Condition C provides that "bilateral agreements between SCE and the respective POUs or POU customer can be used as an alternative to the process set forth in this schedule." Schedule TMDL provides similar language. The Commission's Assigned Administrative Law Judge in R.02-01-011 issued a ruling on March 28, 2005 directing IOUs and POUs to proceed with voluntary negotiations for bilateral agreements for cooperative billing and collection of CRS from TMDL and NMDL customers. The tariffs expressly provide that bilateral agreements between SCE and the respective POUs or POU customers may be used as an alternative to the process set forth for collection of MDL CRS. It is SCE's understanding that SCE is authorized to enter into such bilateral agreement without pre-approval or subsequent review by the Commission.

Accordingly, SCE and the City have met to discuss such a bilateral agreement.

SCE and the City wish to resolve all issues regarding TMDL and NMDL Charges associated with the TMDL Customers identified in **Attachment A** and all NMDL Customers, past, present, and future, located in the geographical area identified in **Attachment B**, and to agree upon a schedule for payment from the City to SCE that shall fully and completely satisfy the obligations of such TMDL and NMDL Customers for all past, current and future TMDL and NMDL Charges, subject to the terms and conditions provided herein.

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[5] Nonbypassable charges are set forth in SCE's Schedule DL-NBC and include the Nuclear Decommissioning Charge, Public Purpose Programs Charge, and Fixed Transition Amount charge, to the extent applicable.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, SCE and the City agree as follows.

1. Term. This Agreement shall continue in full force and effect until the later of sixty (60) days from the Effective Date or the date upon which City remits the Settlement Amount set forth in Section 3.1 to SCE.

2. SCE's Obligation to Collect MDL and Authority to Settle MDL CRS. This Agreement resolves all issues regarding TMDL and NMDL Charges associated with the TMDL Customers identified in **Attachment A** and all NMDL Customers, past, present, and future, located in the geographical area identified in **Attachment B**. The Parties acknowledge and agree that SCE represents that it has the obligation to collect MDL CRS and the authority to settle MDL CRS, including amounts due to DWR, and that, upon the City's payment of the Settlement Amount, neither SCE nor DWR shall be entitled to any additional sums from the City, nor from City's MDL Customers, for the MDL CRS for the TMDL Customers identified in **Attachment A** and the NMDL Customers, past, present, and future, located in the geographical area identified in **Attachment B**.

3. Satisfaction of the TMDL and NMDL Charges.

   3.1. On or before thirty (30) days after execution of this Agreement by both Parties, SCE shall invoice the City, and the City will make a payment to SCE within thirty (30) days of the invoice date, in the amount of One Million-Six Hundred and Seventy-One Thousand Dollars ($1,671,000.00) ("Settlement Amount") in accordance with the terms of this Agreement.

   3.2. The Settlement Amount referenced in Section 3.1 above, once received by SCE from the City, will be credited to SCE's Energy Resource Recovery Account (ERRA) balancing account for the benefit of SCE's bundled service customers.

   3.3. By execution of this Agreement, SCE acknowledges that the payment made or to be made by the City pursuant to Section 3.1 shall be a full and complete satisfaction of all past, existing, and future MDL Charges associated with the TMDL Customers identified in **Attachment A** and NMDL Customers located in the geographical areas identified in the area of the map in **Attachment B**. The Parties acknowledge and agree that the Settlement Amount of the MDL Charges is binding on the Parties, and the total amount and the terms and conditions herein shall not be affected or in any manner altered in the event the actual MDL Charges or actual electricity loads vary in the future, nor shall City be required to provide any past, present, or future customer electricity usage information to SCE, either in the aggregate or specific to any City electricity customer.

   3.4. SCE expressly waives any and all claims for additional payment of MDL Charges for the TMDL Customers identified in **Attachment A** and all past, present and future NMDL Customers located in the area of the map in **Attachment B**, it being understood that this Agreement constitutes a full and complete settlement of SCE's past and future claims against the TMDL Customers as identified in **Attachment A**, and NMDL Customers located in the geographical areas identified in the area of the map in

Attachment B, for payment of the MDL Charges, including any amounts owed to DWR for past or future DWR Bond Charges or DWR Power Charges, arising out of the 2001-02 energy crisis.

3.5. While this Agreement is between SCE and the City, it is understood that City's payment to SCE of the Settlement Amount satisfies the MDL Charge obligations of City electricity customers defined herein as the TMDL Customers identified in **Attachment A** and all past, present and future NMDL Customers located in the geographical area identified in **Attachment B**, and SCE agrees that it will have no right to seek further payment or pursue any claim against City, or any TMDL Customer identified in **Attachment A** or any past, present or future NMDL Customer located in the geographical area identified in **Attachment B** for these MDL Charges.

3.6. The Parties agree that the mechanism set forth herein to pay the Settlement Amount is an alternative under Special Condition 3 of SCE's Schedule TMDL and Schedule NMDL.

3.7. The City shall remit the Settlement Amount by wire transfer of immediately available funds to the bank account designated by SCE in writing or by means of a check or warrant hand-delivered or sent to SCE at:

Southern California Edison Company
Attn: Standby & Departing Load Administrator, Quad 1A
2244 Walnut Grove Avenue
Rosemead, CA 91770

Where the City has made arrangements for a bank or other third party to remit the payment to SCE, the City shall reasonably cooperate in correcting any bank or other third-party errors and shall not be relieved of its payment responsibility because of any such errors. The City shall be required to pay all expenses incurred by it in connection with its payment under this section, including any fees to and disbursements by accountants, counsel, or other consultant, any taxes, fees, surcharges or levies.

4. No Resolution of Obligations Not Identified in this Agreement. This Agreement is not intended to, and does not, satisfy any obligations other than those defined herein.

5. No Precedent. This Agreement is not intended to establish any precedent with respect to the satisfaction of any obligations of transferred MDL or new MDL applicable to other parties or entities, or geographical areas not addressed in this Agreement. Except as may be expressly provided herein, this Agreement shall not prevent either Party from participating or expressing its position with respect to MDL Charges or any related policies in any legal, regulatory, or legislative forum.

6. Confidentiality and Non-Disclosure.

6.1. The Parties hereby acknowledge that the City is a local government agency and is subject to provisions of the California Public Records Act (California Government Code

Sections 6250 *et seq.*) and the Ralph M. Brown Act (California Government Code Sections 54950 *et seq.*). The City will be entitled to make records related to this Agreement public to the extent required under these statutory provisions.

6.2. The Parties agree that, subject to any obligation of the City under Section 6.1, all workpapers and documentation related to this Agreement, whether in written or electronic form, and the substantive content of the settlement discussions and related communications, whether verbal or written, between SCE and the City shall be considered Confidential Information, and shall not be disclosed by either Party for a period of five (5) years from the Effective Date of this Agreement, except to such employees and agents of each Party who need access to the Confidential Information in order to ensure performance of this Agreement, or as required by law, as discussed in Section 6.3 below. Any employee or agent of a Party that is provided access to the Confidential Information will be informed of the confidential nature of such information and directed not to disclose or use the Confidential Information in accordance with the terms of this Agreement.

6.3. In the event that a Party is required by any law or regulatory authority to disclose any Confidential Information, such Party will provide the other Party with prompt written notice so that the other Party may seek a protective order or other appropriate remedy, which such Party shall have ten (10) days to request. In the event that such protective order or other remedy is not obtained or that the other Party waives compliance with the provisions of this Section 6, the first Party will furnish only that portion of the Confidential Information that is legally required. If a Party elects to contest the disclosure of any Confidential Information, that Party may, at its own cost and expense, assume the defense of such claim or litigation. The Parties agree to abide by the final decision of a court of competent jurisdiction in connection with such claim.

7. Representations and Warranties.

7.1. Each Party represents and warrants that (a) it has the full power and authority to execute and deliver this Agreement and to perform its terms and conditions; (b) the execution, delivery and performance of this Agreement have been duly authorized by all necessary corporate, municipal, or other action by such Party; and (c) this Agreement constitutes such Party's legal, valid and binding obligation, enforceable against such Party in accordance with its terms.

7.2. SCE represents and warrants that it has the authority to settle MDL CRS, including amounts due to DWR.

7.3. Each Party shall exercise all reasonable care, diligence and good faith in the performance of its duties pursuant to this Agreement, and carry out its duties in accordance with applicable recognized professional standards in accordance with the requirements of this Agreement.

8. Limitation of Liability. In no event shall either Party be liable to the other Party for any indirect, special, consequential, or punitive damages of any kind whatsoever, whether in contract, tort or strict liability, arising out of or related to this Agreement.

9. Third Party Beneficiaries. City's TMDL Customers identified in **Attachment A** and all past, present and future NMDL Customers located in the area of the map in **Attachment B** are intended Third Party Beneficiaries of this Agreement.

10. Dispute Resolution. Except as otherwise provided for in this Agreement, any dispute arising between the Parties relating to interpretation of the provisions of this Agreement or to the performance of either Party of its obligations hereunder shall be reduced to writing and referred to the Parties' duly appointed representatives for resolution. Should such a dispute arise, the Parties shall be required to meet and confer in an effort to resolve the dispute. Pending resolution, the Parties shall proceed diligently with the performance of their respective obligations under this Agreement. If the Parties fail to reach an agreement within a reasonable period of time, the matter shall, upon demand of either Party, be submitted to a non-binding alternative dispute resolution ("***ADR***") process before a mediator that is acceptable to both Parties. In such event, the Parties will mutually determine the time and conditions governing the ADR process, and each Party shall be solely responsible for all of its own costs, including attorney fees, except that the Parties will equally share the cost of the mediator and any related expenses. If the matter is not resolved through this non-binding ADR process, or if non-binding ADR is not demanded by either Party, then the matter shall be submitted to a federal or state court located in Riverside County, California, which shall constitute the sole proper venue for court resolution of any matter or dispute hereunder, it being further agreed by the Parties that no discussion, admission, concession or offer to stipulate or settle by either Party, whether oral or written, made during or before the ADR process, nor any decision or recommendation of the Commission arising out of the ADR process, shall be subject to discovery or admissible in the court proceeding.

11. Miscellaneous.

    11.1. Governing Law. This Agreement shall be governed by and construed under the laws of the State of California.

    11.2. Amendments or Modifications. No amendment or modification shall be made to this Agreement, in whole or in part, except by an instrument in writing signed by both Parties.

    11.3. Independent Contractor. Each Party shall perform its obligations under this Agreement as an independent contractor. Nothing contained in this Agreement shall be construed to create an association, trust, partnership or joint venture or to impose a trust or partnership duty, obligation, or liability on or with regard to either Party. Each Party shall be liable individually and severally for its own obligations under this Agreement.

11.4. Arms-Length Agreement. This Agreement represents a compromise and settlement between the Parties and is entered into following arms-length negotiations. The Parties' designated representatives have read this Agreement carefully and completely, have had the advice and assistance of legal counsel, and have not been influenced to any extent whatsoever by any representations or statements made by either Party other than those contained in this Agreement. No promises, inducements or considerations have been offered and accepted or given, except as herein set forth.

11.5. No Waiver. Any waiver at any time by either Party of its rights with respect to a default under this Agreement, or with respect to any other matter arising in connection with this Agreement, shall not be deemed a waiver with respect to any other or subsequent default or matter, and no waiver shall be considered effective unless in writing signed by the waiving Party.

11.6. Notices. Notices under this Agreement shall be in writing and shall be deemed properly given if delivered by hand or sent by facsimile (receipt verified), by overnight courier, or by first class mail, postage prepaid to the person specified below:

City:
Attention: Electric Utility Manager
14325 Frederick Street, Suite 9
Moreno Valley, CA 92552-0805
Tel: 951-413-3502
Fax: 951-413-3498

SCE:
Attention: Standby & Departing Load Administrator
2244 Walnut Grove Ave, Quad 1A
Rosemead, CA 91770
Tel: 626-302-1845
Fax: 626-302-1062

Written notices shall be deemed delivered on the fifth business day after deposit in the United States mail, or when received if sent by facsimile or overnight courier or delivered by hand. The designated address of a Party set forth above may be changed at any time upon written notice by the Party given in accordance with this paragraph.

11.7. Counterparts. For the convenience of the Parties, this Agreement may be executed in several original counterparts, each of which shall be deemed an original for all purposes and all of such counterparts shall constitute but one and the same agreement.

11.8. Entire Agreement. This Agreement constitutes the entire and exclusive agreement between the Parties with respect to this subject matter. All previous discussions and agreements with respect to this subject matter are superseded and integrated by this Agreement.

11.9. Force Majeure. Neither Party shall be deemed in default of this Agreement if such Party is unable to perform its obligations due to an event of Force Majeure. "Force Majeure" means any event or circumstance which wholly or partly prevents or delays the performance of any material obligation arising under this Agreement, but only if and to the extent (i) such event is not within the reasonable control, directly or indirectly, of the Party seeking to have its performance obligation(s) excused thereby, (ii) the Party seeking to have its performance obligation(s) excused thereby has taken all reasonable precautions and measures in order to prevent or avoid such event or mitigate the effect of such event on such Party's ability to perform its obligations under this Agreement and which by the exercise of due diligence such Party could not reasonably have been expected to avoid and which by the exercise of due diligence it has been unable to overcome, and (iii) such event is not the direct or indirect result of the negligence or the failure of, or caused by, the Party seeking to have its performance obligations excused thereby. Within twenty-four (24) hours of commencement of an event of Force Majeure, the non-performing Party shall provide the other Party with oral notice of the event of Force Majeure, describing in detail the particulars of the occurrence giving rise to the Force Majeure claim, followed by written notice thereof as required under Section 11.6 within 24 hours of the oral notice. Failure to provide timely Notice constitutes a waiver of a Force Majeure claim. The suspension of performance due to a claim of Force Majeure must be of no greater scope and of no longer duration than is required by the Force Majeure.

IN WITNESS WHEREOF, the Parties have caused this Agreement to be signed by their duly authorized representatives, and shall be effective as of date it is fully executed by the Parties.

SCE:

SOUTHERN CALIFORNIA EDISON COMPANY

By: Akbar Jazayeri

Name: Akbar Jazayeri

Title: V.P. Regulatory Operations

Date: 8/7/09

APPROVED
STEPHEN E. PICKETT
Sr. Vice President and
General Counsel
By _____ Attorney
August 6, 20 09

City:

CITY OF MORENO VALLEY

By: _____

Name: Richard A. Stewart

Title: Mayor

Attest: _____
Jane Halstead, City Clerk

Approved: _____
Robert L. Hansen, City Attorney

Date: _____

ATTACHMENT A

TRANSFERRED MUNICIPAL DEPARTING LOAD ACCOUNTS

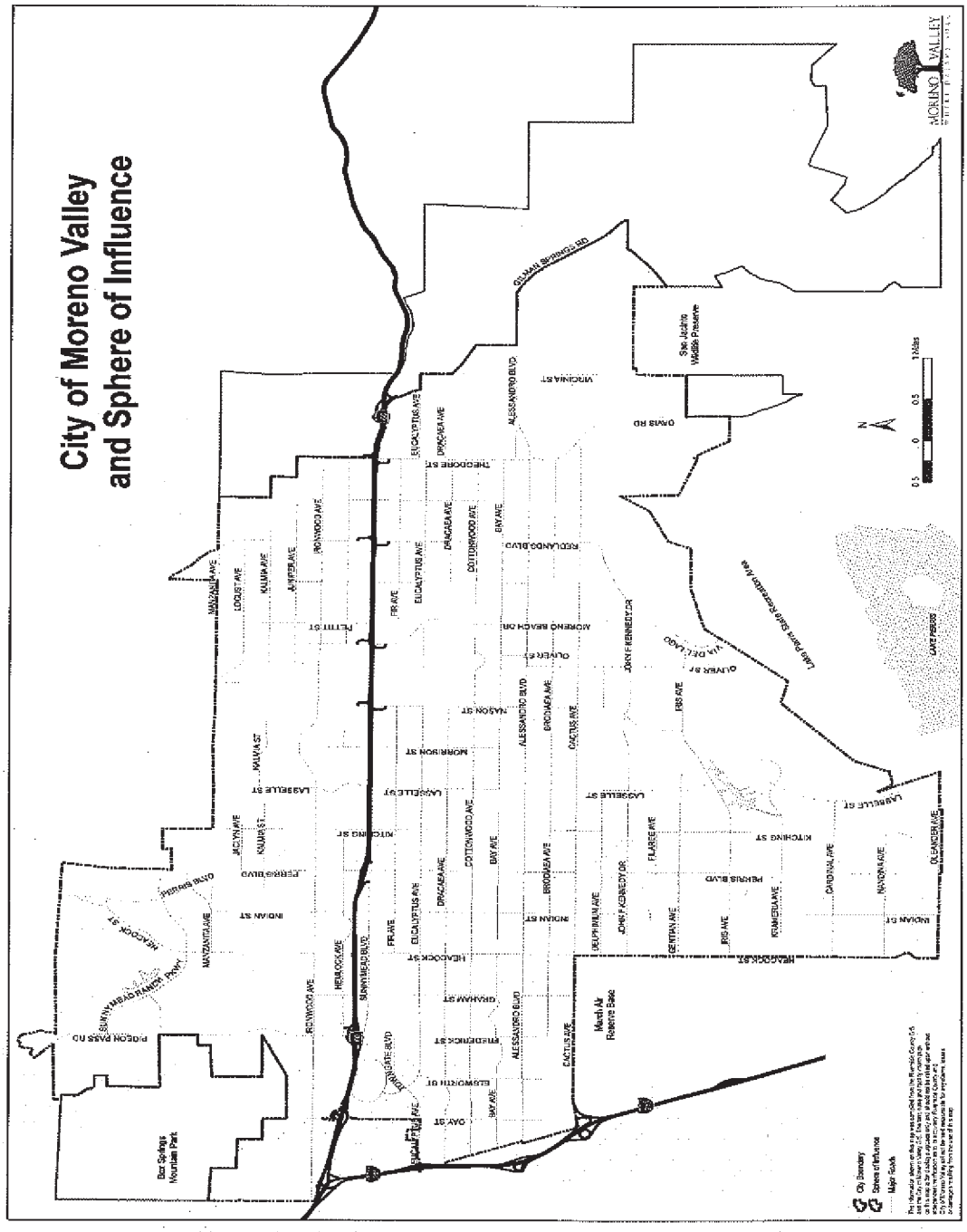
CITY OF MORENO VALLEY

Description	Street Address	Customer Account Number	Service Account Type	Meter Num
Public Safety Building	22850 Calle San Juan de Los Lagos	15222722	TOU-GS3-B	V349E005448
City Hall	14177 Frederick St.	5909144	TOU-GS3-B	V349E005292
Animal Shelter	14041 Elsworth St.	16549078	GS-2/GS1	PO801016399

ATTACHMENT B

NEW MUNICIPAL DEPARTING LOAD AREA - CITY OF MORENO VALLEY

The New MDL area is comprised of all past, present, and future customers located within the city limits of the City of Moreno Valley, as depicted below, who receive electric service from the City's electric utility, and are located at a site that had never previously received service from SCE.



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APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Steve Elam, City Treasurer

AGENDA DATE: August 25, 2009

TITLE: RECEIPT OF QUARTERLY INVESTMENT REPORT – QUARTER ENDED JUNE 30, 2009

RECOMMENDED ACTION

Staff recommends that the City Council receive and file the attached Quarterly Investment Report, in compliance with the City's Investment Policy.

BACKGROUND

In response to the Orange County bankruptcy and investment problems, and in order to deal with tightening regulations and controls over local investment of public funds, Senate Bills 866 and 564 were signed into law and became effective January 1, 1996, creating California Government Code Sections 53601 and 53646 respectively. The City's Investment Policy, adopted November 22, 2005 (and revised most recently on February 24, 2009), is in full compliance with the requirements of both of the above-mentioned Code Sections in addressing the types of investments allowed, the governing restrictions on these investments, the third-party custodian arrangement for certain investments, and the quarterly reporting requirements.

DISCUSSION

The attached Quarterly Investment Report presents the City's cash and investments for the quarter that ended June 30, 2009. This is the fourth quarterly report submitted for the 2008-09 fiscal year and is in compliance with California Government Code Section 53646 regarding the reporting of detailed information on all securities, investments, and monies of the City, as well as the reporting of the market value of the investments held. All of the investments contained within the portfolio are in full compliance with the City's

Investment Policy and Government Code Section 53601 as to the types of investments allowed. As stated in the attached report, there is more than adequate liquidity within the portfolio for the City to meet its budgeted expenditures over the next six months.

The City's investment approach is primarily passive, as discussed in past meetings with the Finance Sub-Committee of the Council. Utilizing a passive approach, securities purchased for investment are typically held to maturity and not actively traded, whereby the market value becomes immaterial to the portfolio return. The City's cash flow requirements are evaluated on an ongoing basis, with short-term needs accommodated through the City's pooled investment funds with the State Local Agency Investment Fund (LAIF). LAIF is a pool of public funds managed by the State Treasurer of California, providing 24-hour liquidity while yielding a rate of return approximately equivalent to a one-year treasury bill. With the combined use of a conservative approach to evaluating cash flow needs and LAIF liquidity, the City will not have to liquidate securities at current market rates that are intended to be held for longer-term investment. This is especially important considering that the average maturity of the general portfolio is 1.49 years.

An exception to the passive investment approach has been the City's recent strategy to reduce holdings in corporate notes that are not issued under the Temporary Liquidity Guarantee Program (TLGP) administered by the Federal Deposit Insurance Corporation (FDIC), given the destabilization of the financial markets. Consistent with this strategy, corporate notes with a principal value of $27,250,000 were sold during the 2008-09 fiscal year at a net gain of $245,870. The proceeds from these sales were immediately reinvested in instruments that do not have the current risk associated with corporate notes, although they will provide a lower yield. The City has reduced its holdings in non-TLGP corporate notes from $50 million in September 2008 to $20 million as of June 30, 2009. Staff will continue to look for opportunities to further reduce exposure to this market sector during the current fiscal year.

In accordance with California Government Code Section 53646, the City is properly reporting investments of all bond proceeds and Deferred Compensation Plan funds. These funds are not managed by the City Treasurer as part of the pooled investment program and were not included in the City's investment reports prior to the current legislation. Bond proceeds are held and invested by a Trustee; Deferred Compensation Plan funds are held and invested by the respective plan administrators.

FISCAL IMPACT

None

CITY COUNCIL GOALS

Revenue Diversification and Preservation. Develop a variety of City revenue sources and policies to create a stable revenue base and fiscal policies to support essential City services, regardless of economic climate.

SUMMARY

The attached Quarterly Investment Report presents the City's cash and investments for the quarter that ended June 30, 2009. This report is in compliance with California Government Code Section 53646 regarding the reporting of detailed information on all securities, investments, and monies of the City, as well as the reporting of the market value of the investments held. All of the investments contained within the portfolio are in full compliance with the City's Investment Policy and Government Code Section 53601 as to the types of investments allowed. It is recommended that the City Council receive and file the attached Quarterly Investment Report.

ATTACHMENTS/EXHIBITS

Attachment 1 - Treasurer's Cash and Investments Report – June 30, 2009

Prepared By:
Brooke McKinney
Treasury Operations Division Manager

Department Head Approval:
Steve Elam
City Treasurer

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

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CITY OF MORENO VALLEY

Treasurer's Cash and Investments Report

June 2009

General Portfolio	Book Value	Market Value	Par Value	Average Maturity
Bank Accounts	5,467,221	5,467,221	5,467,221	
State of California LAIF Pool	114,416,540	114,565,824	114,416,540	
Investments	136,493,867	134,564,437	136,078,917	
Total General Portfolio	**256,377,628**	**254,597,482**	**255,962,678**	**1.49 Years**

Bond Proceeds with Fiscal Agents	Book Value	Market Value	Par Value	Average Maturity
Construction Funds	16,566,910	16,566,910	16,566,910	
Principal & Interest Accounts	2,567,676	2,567,676	2,567,676	
Debt Service Reserve Funds	8,907,388	8,907,388	8,907,388	
Custody Accounts	0	0	0	
Arbitrage Rebate Accounts	14,809	14,809	14,809	
Other Accounts	534,734	534,734	534,734	
Total Bond Proceeds	**28,591,517**	**28,591,517**	**28,591,517**	**0.00 Years**

Deferred Compensation Funds	Book Value	Market Value	Par Value
Nationwide	7,625,367	7,625,367	7,625,367
ICMA	3,167,425	3,167,425	3,167,425
Total Deferred Compensation Funds	**10,792,792**	**10,792,792**	**10,792,792**

Total Investment Portfolio	**295,761,937**	**293,981,791**	**295,346,987**

1. I hereby certify that the investments are in compliance with the investment policy adopted by the City Council. There are no items of non-compliance for this period.
2. The market values for the specific investments in the General Portfolio are provided by the City's investment custodian.
3. The market value for LAIF is provided by the State Treasurer.
4. The market values for investments held by fiscal agents and the deferred compensation plans are provided by each respective trustee or fiscal agent.
5. The City has the ability to meet its budgeted expenditures for the next six months pending any future action by City Council or any unforeseen catastrophic event.

Steve Elam
City Treasurer

Attachment 1

CITY OF MORENO VALLEY
Treasurer's Cash and Investments Report

June 2009

GENERAL PORTFOLIO

Issuer	Credit Rating S & P	Moody's	Purchase Date	Maturity Date	Book Value	Market Value	Par Value	Stated Rate	Yield	Price	Days to Maturity	Percent of Portfolio	Weight to Average Maturity	Market Valuation Source
IK ACCOUNTS														
ls Fargo Bank			06/30/09	07/01/09	5,467,221	5,467,221	5,467,221			1.00000	1	0.021359	0.0213594	
TE OF CALIFORNIA LOCAL AGENCY INVESTMENT FUND (LAIF)														
General Fund			06/30/09	07/01/09	39,934,619	39,986,723	39,934,619	1.377%	1.377%	1.00000	1	0.156017	0.1560174	LAIF
Community Services Districts			06/30/09	07/01/09	35,982,567	36,029,515	35,982,567	1.377%	1.377%	1.00000	1	0.140577	0.1405774	LAIF
Redevelopment Agency			06/30/09	07/01/09	38,499,354	38,549,586	38,499,354	1.377%	1.377%	1.00000	1	0.150410	0.1504100	LAIF
TOTAL STATE OF CALIFORNIA LAIF POOL					114,416,540	114,565,824	114,416,540							
INVESTMENTS														
MONEY MARKET ACCOUNTS														
MMkt Acct-Highmark US Gvmt			06/30/09	07/01/09	3,078,917	3,078,917	3,078,917	0.000%	0.000%	1.00000	1	0.012029	0.0120288	Union Bank
TOTAL MONEY MARKET ACCOUNTS					3,078,917	3,078,917	3,078,917							
CORPORATE BONDS AND NOTES (TEMPORARY LIQUIDITY GUARANTEE PROGRAM)														
Morgan Stanley			06/02/09	09/22/11	1,018,953	1,012,380	1,000,000	2.000%	1.310%	101.56100	814	0.003907	3.1801511	Union Bank
Wells Fargo Bank N.A.			05/01/09	12/09/11	1,034,998	1,033,340	1,000,000	3.000%	1.530%	103.73900	892	0.003907	3.4848831	Union Bank
Bank of America			05/26/09	04/30/12	1,012,780	1,001,520	1,000,000	2.100%	1.690%	101.16500	1,035	0.003907	4.0435583	Union Bank
U.S. Bancorp			06/15/09	05/15/12	991,940	996,600	1,000,000	1.800%	2.150%	99.01400	1,050	0.003907	4.1021606	Union Bank
Citibank			06/04/09	06/04/12	997,065	997,300	1,000,000	1.875%	2.000%	99.69900	1,070	0.003907	4.1802969	Union Bank
TOTAL CORPORATE BONDS (TEMPORARY LIQUIDITY GUARANTEE PROGRAM)					5,055,736	5,041,140	5,000,000							
CORPORATE BONDS AND NOTES														
hman Bros Holding	A+	A1	06/08/07	01/27/10	1,000,000	147,500	1,000,000	4.250%	5.400%	97.20300	211	0.003907	0.8243389	Union Bank
ernational Lease Finance (AIG)	AA-	A1	12/02/05	04/15/10	999,359	915,870	1,000,000	5.000%	5.090%	99.64500	289	0.003907	1.1290709	Union Bank
ernational Lease Finance (AIG)	AA-	A1	03/26/07	04/15/10	999,992	915,870	1,000,000	5.000%	5.000%	99.99700	289	0.003907	1.1290709	Union Bank
nerican General Finance (AIG)	A+	A1	08/08/06	05/15/10	995,023	841,360	1,000,000	4.875%	5.510%	97.84900	319	0.003907	1.2462754	Union Bank
Lehman Bros Holding	A+	A1	08/25/06	07/26/10	1,000,000	147,500	1,000,000	4.500%	5.286%	97.24500	391	0.003907	1.5275665	Union Bank
American General Finance (AIG)	A+	A1	06/08/07	09/01/10	990,213	756,930	1,000,000	4.625%	5.550%	97.29000	428	0.003907	1.6721188	Union Bank
HSBC Finance Corp	AA-	Aa3	10/15/07	10/15/10	1,000,000	996,900	1,000,000	5.000%	5.000%	100.00000	472	0.003907	1.8440188	Union Bank
Citigroup	AA	Aa1	01/30/07	01/18/11	1,016,819	1,015,460	1,000,000	6.500%	5.280%	104.31200	567	0.003907	2.2151667	Union Bank
American General Finance (AIG)	A+	A1	05/29/07	03/15/11	978,670	662,650	1,000,000	4.000%	5.400%	95.24700	623	0.003907	2.4339486	Union Bank
Morgan Stanley	A+	Aa3	05/10/07	04/15/11	1,025,755	1,047,570	1,000,000	6.750%	5.140%	105.65900	654	0.003907	2.5550600	Union Bank
HSBC Finance Corp	AA-	Aa3	10/29/07	05/15/11	1,028,444	1,028,190	1,000,000	6.750%	5.070%	105.38500	684	0.003907	2.6722646	Union Bank
Credit Suisse USA	AA-	Aa3	10/30/06	08/16/11	1,001,808	1,057,830	1,000,000	5.500%	5.400%	100.40800	777	0.003907	3.0355988	Union Bank
Bank One Corp (JP Morgan)	A+	Aa3	01/10/07	11/15/11	1,015,103	1,047,290	1,000,000	5.900%	5.170%	103.08600	868	0.003907	3.3911194	Union Bank
Bank One Corp (JP Morgan)	A+	Aa3	03/30/07	11/15/11	1,017,215	1,047,290	1,000,000	5.900%	5.075%	103.35625	868	0.003907	3.3911194	Union Bank
Goldman Sachs	AA-	Aa3	03/21/07	01/15/12	1,031,726	1,064,730	1,000,000	6.600%	5.170%	106.01900	929	0.003907	3.6294354	Union Bank
Lehman Bros Holding	A+	A1	02/06/07	02/06/12	1,000,000	147,500	1,000,000	5.250%	5.340%	99.60000	951	0.003907	3.7153854	Union Bank
GE Capital Corp	AAA	Aaa	02/15/08	02/15/12	1,000,000	996,100	1,000,000	4.000%	4.000%	100.00000	960	0.003907	3.7505468	Union Bank
HSBC Finance Corp	AA-	Aa3	03/13/08	03/15/12	1,000,000	977,390	1,000,000	5.000%	5.000%	100.00000	989	0.003907	3.8638446	Union Bank
Berkshire Hathaway	AAA	Aaa	03/24/08	05/15/12	1,029,862	1,061,750	1,000,000	4.750%	3.620%	104.30600	1,050	0.003907	4.1021606	Union Bank
GE Capital Corp	AAA	Aaa	02/21/08	10/19/12	1,031,435	1,027,980	1,000,000	5.250%	4.190%	104.44000	1,207	0.003907	4.7155312	Union Bank
TOTAL CORPORATE BONDS					20,161,424	16,903,660	20,000,000							
U.S. GOVERNMENT AGENCY SECURITIES														
Fed Farm Credit	AAA	Aaa	08/17/07	08/17/09	1,000,000	1,005,940	1,000,000	5.000%	5.000%	100.00000	48	0.003907	0.1875273	Union Bank
Fed Home Loan Mtg Corp	AAA	Aaa	02/14/05	09/01/09	999,976	1,006,130	1,000,000	4.125%	4.140%	99.93400	63	0.003907	0.2461296	Union Bank
Fed Home Loan Bank	AAA		11/03/08	11/03/09	1,000,000	1,009,690	1,000,000	3.110%	3.110%	100.00000	126	0.003907	0.4922593	Union Bank
Fed Farm Credit	AAA	Aaa	09/07/06	12/07/09	1,000,129	1,020,940	1,000,000	5.125%	5.095%	100.09700	160	0.003907	0.6250911	Union Bank
Fed Home Loan Bank	AAA		04/28/08	03/12/10	998,168	1,015,940	1,000,000	2.750%	3.020%	99.50800	255	0.003907	0.9962390	Union Bank
Fed Home Loan Bank	AAA		03/29/05	03/29/10	1,000,000	1,029,690	1,000,000	4.515%	4.515%	100.00000	272	0.003907	1.0626549	Union Bank
Fed Farm Credit	AAA		01/26/07	05/26/10	1,000,000	1,040,310	1,000,000	5.000%	5.000%	100.00000	330	0.003907	1.2892505	Union Bank
Fed Farm Credit	AAA	Aaa	12/11/08	06/11/10	1,000,000	1,012,810	1,000,000	2.000%	2.000%	100.00000	346	0.003907	1.3517596	Union Bank
Fed Natl Mtg Assn	AAA		07/02/08	07/02/10	1,000,000	1,000,000	1,000,000	4.000%	4.000%	100.00000	367	0.003907	1.4338028	Union Bank
Fed Farm Credit	AAA	Aaa	07/28/08	07/28/10	1,000,000	1,002,190	1,000,000	3.300%	3.300%	100.00000	393	0.003907	1.5353801	Union Bank

GENERAL PORTFOLIO

Issuer	Credit Rating S & P	Credit Rating Moody's	Purchase Date	Maturity Date	Book Value	Market Value	Par Value	Stated Rate	Yield	Price	Days to Maturity	Percent of Portfolio	Weight to Average Maturity	Market Valuation Source
Fed Home Loan Bank	AAA	Aaa	11/29/05	08/10/10	997,607	1,043,750	1,000,000	4.700%	4.940%	98.98600	406	0.003907	1.5861687	Union Bank
Fed Home Loan Bank	**AAA**		**04/15/08**	**10/15/10**	**1,000,000**	**1,029,690**	**1,000,000**	**3.050%**	**3.050%**	**100.00000**	**472**	**0.003907**	**1.8440188**	**Union Bank**
Fed Home Loan Bank	AAA		04/28/08	10/28/10	1,000,000	1,029,380	1,000,000	3.000%	3.000%	100.00000	485	0.003907	1.8948075	Union Bank
Fed Home Loan Bank	**AAA**		**05/05/08**	**11/05/10**	**1,000,000**	**1,009,690**	**1,000,000**	**3.220%**	**3.220%**	**100.00000**	**493**	**0.003907**	**1.9260620**	**Union Bank**
Fed Ag Mtg Co			06/05/06	01/14/11	992,000	1,043,110	1,000,000	4.875%	5.470%	97.60000	563	0.003907	2.1995394	Union Bank
Fed Home Loan Mtg Corp	**AAA**		**02/18/09**	**02/18/11**	**1,000,000**	**1,007,760**	**1,000,000**	**2.000%**	**2.000%**	**100.00000**	**598**	**0.003907**	**2.3362781**	**Union Bank**
Fed Home Loan Mtg Corp	AAA	Aaa	02/25/09	02/25/11	1,000,000	1,006,880	1,000,000	2.000%	2.000%	100.00000	605	0.003907	2.3636258	Union Bank
Fed Natl Mtg Assn	**AAA**	**Aaa**	**03/02/09**	**03/02/11**	**999,791**	**1,007,190**	**1,000,000**	**2.000%**	**2.010%**	**99.97500**	**610**	**0.003907**	**2.3831599**	**Union Bank**
Fed Natl Mtg Assn	AAA	Aaa	04/01/09	04/01/11	1,000,000	1,006,560	1,000,000	2.050%	2.050%	100.00000	640	0.003907	2.5003645	Union Bank
Fed Farm Credit	**AAA**	**Aaa**	**05/19/08**	**05/02/11**	**997,737**	**1,037,190**	**1,000,000**	**3.250%**	**3.380%**	**99.63600**	**671**	**0.003907**	**2.6214759**	**Union Bank**
Fed Home Loan Bank	AAA	Aaa	06/01/09	06/01/11	1,000,000	999,060	1,000,000	1.300%	1.300%	100.00000	701	0.003907	2.7386805	Union Bank
Fed Home Loan Bank	**AAA**	**Aaa**	**06/09/08**	**06/09/11**	**1,000,000**	**1,027,500**	**1,000,000**	**3.600%**	**3.600%**	**100.00000**	**709**	**0.003907**	**2.7699351**	**Union Bank**
Fed Natl Mtg Assn	AAA	Aaa	01/06/09	07/06/11	1,000,000	1,000,000	1,000,000	2.000%	2.000%	100.00000	736	0.003907	2.8754192	Union Bank
Fed Home Loan Bank	**AAA**		**07/14/08**	**07/14/11**	**1,000,000**	**1,035,000**	**1,000,000**	**4.125%**	**4.125%**	**100.00000**	**744**	**0.003907**	**2.9066738**	**Union Bank**
Fed Home Loan Mtg Corp	AAA	Aaa	07/20/06	07/20/11	1,000,000	1,002,630	1,000,000	5.750%	5.750%	100.00000	750	0.003907	2.9301147	Union Bank
Fed Natl Mtg Assn	**AAA**	**Aaa**	**02/18/09**	**08/18/11**	**1,000,000**	**1,004,380**	**1,000,000**	**2.000%**	**2.000%**	**100.00000**	**779**	**0.003907**	**3.0434124**	**Union Bank**
Fed Natl Mtg Assn	AAA	Aaa	03/09/11	09/09/11	1,000,000	1,001,880	1,000,000	2.150%	2.150%	100.00000	801	0.003907	3.1293625	Union Bank
Fed Farm Credit	**AAA**		**09/29/08**	**09/29/11**	**1,000,000**	**1,007,500**	**1,000,000**	**4.050%**	**4.050%**	**100.00000**	**821**	**0.003907**	**3.2074989**	**Union Bank**
Fed Home Loan Bank	AAA	Aaa	10/26/06	10/26/11	1,000,000	1,015,000	1,000,000	5.300%	5.300%	100.00000	848	0.003907	3.3129830	Union Bank
Fed Home Loan Bank	**AAA**	**Aaa**	**10/28/08**	**10/28/11**	**1,000,000**	**1,033,750**	**1,000,000**	**4.000%**	**4.000%**	**100.00000**	**850**	**0.003907**	**3.3207966**	**Union Bank**
Fed Natl Mtg Assn	AAA	Aaa	12/15/08	12/15/11	1,000,000	1,006,880	1,000,000	3.010%	3.010%	100.00000	898	0.003907	3.5083240	Union Bank
Fed Natl Mtg Assn	**AAA**	**Aaa**	**03/23/09**	**12/23/11**	**1,000,000**	**1,008,130**	**1,000,000**	**2.250%**	**2.250%**	**100.00000**	**906**	**0.003907**	**3.5395785**	**Union Bank**
Fed Home Loan Bank	AAA		01/17/07	01/17/12	1,000,000	1,001,880	1,000,000	5.145%	5.145%	100.00000	931	0.003907	3.6372490	Union Bank
Fed Home Loan Bank	**AAA**	**Aaa**	**01/23/09**	**01/23/12**	**1,000,000**	**1,010,310**	**1,000,000**	**2.100%**	**2.100%**	**100.00000**	**937**	**0.003907**	**3.6606899**	**Union Bank**
Natl Mtg Assn	AAA		02/08/08	02/08/12	1,000,000	1,017,190	1,000,000	3.570%	3.570%	100.00000	953	0.003907	3.7231991	Union Bank
Home Loan Bank	**AAA**	**Aaa**	**02/10/09**	**02/10/12**	**1,000,000**	**1,014,060**	**1,000,000**	**2.250%**	**2.250%**	**100.00000**	**955**	**0.003907**	**3.7310127**	**Union Bank**
Natl Mtg Assn	AAA		02/17/09	02/17/12	1,000,000	1,005,630	1,000,000	2.000%	2.660%	100.00000	962	0.003907	3.7583604	Union Bank
Fed Home Loan Mtg Corp	**AAA**	**Aaa**	**02/17/09**	**02/17/12**	**998,248**	**1,005,060**	**1,000,000**	**2.450%**	**2.520%**	**100.00000**	**962**	**0.003907**	**3.7583604**	**Union Bank**
Fed Home Loan Mtg Corp	AAA	Aaa	03/02/09	03/02/12	998,042	1,005,350	1,000,000	2.350%	2.430%	99.78000	976	0.003907	3.8130559	Union Bank
Fed Home Loan Mtg Corp	**AAA**	**Aaa**	**03/19/09**	**03/19/12**	**1,000,000**	**1,007,440**	**1,000,000**	**2.625%**	**2.625%**	**100.00000**	**993**	**0.003907**	**3.8794718**	**Union Bank**
Fed Home Loan Mtg Corp	AAA		03/26/07	03/26/12	1,000,000	1,030,400	1,000,000	5.000%	5.000%	100.00000	1,000	0.003907	3.9068196	Union Bank
Fed Home Loan Bank	**AAA**		**01/09/09**	**04/09/12**	**1,000,000**	**1,000,310**	**1,000,000**	**3.000%**	**3.000%**	**100.00000**	**1,014**	**0.003907**	**3.9615150**	**Union Bank**
Fed Home Loan Bank	AAA		04/19/07	04/19/12	1,000,000	1,033,750	1,000,000	5.020%	5.020%	100.00000	1,024	0.003907	4.0005832	Union Bank
Fed Natl Mtg Assn	**AAA**	**Aaa**	**05/07/09**	**05/04/12**	**1,000,135**	**994,690**	**1,000,000**	**1.625%**	**2.300%**	**100.00000**	**1,039**	**0.003907**	**4.0591855**	**Union Bank**
Fed Home Loan Mtg Corp	AAA	Aaa	05/11/09	05/11/12	1,000,000	996,190	1,000,000	2.050%	2.050%	100.00000	1,046	0.003907	4.0865333	Union Bank
Fed Home Loan Bank	**AAA**		**06/01/07**	**06/01/12**	**1,000,000**	**1,040,940**	**1,000,000**	**5.300%**	**5.300%**	**100.00000**	**1,067**	**0.003907**	**4.1685765**	**Union Bank**
Fed Natl Mtg Assn	AAA	Aaa	06/01/09	06/01/12	1,000,000	998,440	1,000,000	2.120%	2.120%	100.00000	1,067	0.003907	4.1685765	Union Bank
Fed Farm Credit	**AAA**	**Aaa**	**06/29/07**	**06/21/12**	**1,003,212**	**1,100,940**	**1,000,000**	**5.450%**	**5.325%**	**100.53800**	**1,087**	**0.003907**	**4.2467129**	**Union Bank**
Fed Home Loan Mtg Corp	AAA		01/06/09	07/06/12	1,000,000	1,003,210	1,000,000	2.300%	2.300%	100.00000	1,102	0.003907	4.3053152	Union Bank
Fed Natl Mtg Assn	**AAA**		**07/23/08**	**07/23/12**	**1,000,000**	**1,035,630**	**1,000,000**	**4.220%**	**4.220%**	**100.00000**	**1,119**	**0.003907**	**4.3717311**	**Union Bank**
Fed Farm Credit	AAA	Aaa	08/01/07	08/01/12	1,000,000	1,096,880	1,000,000	5.250%	5.250%	100.00000	1,128	0.003907	4.4068925	Union Bank
Fed Home Loan Bank	**AAA**		**02/13/09**	**08/13/12**	**1,000,000**	**1,013,130**	**1,000,000**	**2.450%**	**2.450%**	**100.00000**	**1,140**	**0.003907**	**4.4537743**	**Union Bank**
Fed Natl Mtg Assn	AAA	Aaa	02/27/09	08/27/12	1,000,000	1,006,250	1,000,000	2.625%	2.625%	100.00000	1,154	0.003907	4.5084698	Union Bank
Fed Natl Mtg Assn	**AAA**		**09/10/07**	**09/10/12**	**1,000,000**	**1,008,440**	**1,000,000**	**5.200%**	**5.200%**	**100.00000**	**1,168**	**0.003907**	**4.5631653**	**Union Bank**
Fed Natl Mtg Assn	AAA		03/10/09	09/10/12	1,000,000	1,001,560	1,000,000	2.500%	2.500%	100.00000	1,168	0.003907	4.5631653	Union Bank
Fed Natl Mtg Assn	**AAA**	**Aaa**	**03/24/09**	**09/24/12**	**1,000,000**	**1,002,810**	**1,000,000**	**2.650%**	**2.650%**	**100.00000**	**1,182**	**0.003907**	**4.6178607**	**Union Bank**
Fed Home Loan Mtg Corp	AAA	Aaa	04/29/09	10/29/12	999,192	1,001,740	1,000,000	2.350%	2.350%	100.00000	1,217	0.003907	4.7545994	Union Bank
Natl Mtg Assn	**AAA**	**Aaa**	**04/29/09**	**10/29/12**	**1,000,000**	**1,000,940**	**1,000,000**	**2.250%**	**2.280%**	**99.91500**	**1,217**	**0.003907**	**4.7545994**	**Union Bank**
Home Loan Bank	AAA		11/05/08	11/05/12	1,000,000	1,040,940	1,000,000	4.125%	4.125%	100.00000	1,224	0.003907	4.7819472	Union Bank
Home Loan Mtg Corp	**AAA**		**05/23/08**	**11/23/12**	**1,000,000**	**1,033,250**	**1,000,000**	**3.700%**	**3.700%**	**100.00000**	**1,242**	**0.003907**	**4.8522699**	**Union Bank**
Home Loan Mtg Corp	AAA		05/23/08	11/23/12	994,343	1,033,250	1,000,000	3.700%	3.880%	99.25000	1,242	0.003907	4.8522699	Union Bank
Natl Mtg Assn	**AAA**	**Aaa**	**06/10/09**	**12/10/12**	**1,000,000**	**996,250**	**1,000,000**	**2.250%**	**2.250%**	**100.00000**	**1,259**	**0.003907**	**4.9186858**	**Union Bank**
Home Loan Mtg Corp	AAA	Aaa	06/11/09	12/11/12	999,410	994,360	1,000,000	2.000%	2.020%	99.94000	1,260	0.003907	4.9225927	Union Bank
Home Loan Bank	**AAA**	**Aaa**	**06/18/09**	**12/18/12**	**1,000,000**	**994,060**	**1,000,000**	**2.100%**	**2.100%**	**100.00000**	**1,267**	**0.003907**	**4.9499404**	**Union Bank**
Natl Mtg Assn	AAA	Aaa	06/24/09	12/24/12	1,000,000	1,000,940	1,000,000	2.250%	2.250%	100.00000	1,273	0.003907	4.9733813	Union Bank
Home Loan Bank	**AAA**		**01/07/08**	**01/07/13**	**1,000,000**	**1,021,560**	**1,000,000**	**4.625%**	**4.625%**	**100.00000**	**1,287**	**0.003907**	**5.0280768**	**Union Bank**

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Item No. A.17

CITY OF MORENO VALLEY
Treasurer's Cash and Investments Report

June 2009

GENERAL PORTFOLIO

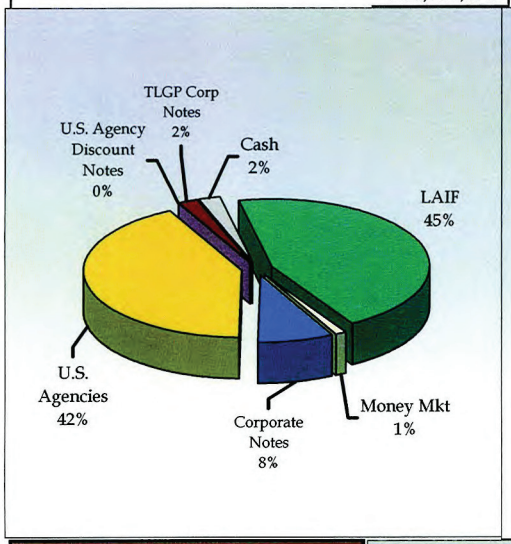
Issuer	Credit Rating S & P	Moody's	Purchase Date	Maturity Date	Book Value	Market Value	Par Value	Stated Rate	Yield	Price	Days to Maturity	Percent of Portfolio	Weight to Average Maturity	Market Valuation Source
Farm Credit	AAA		01/14/09	01/14/13	1,006,648	1,009,690	1,000,000	2.500%	2.300%	100.75200	1,294	0.003907	5.0554245	Union Bank
Home Loan Bank	**AAA**		**01/18/08**	**01/18/13**	**1,000,000**	**1,040,940**	**1,000,000**	**4.000%**	**4.000%**	**100.00000**	**1,298**	**0.003907**	**5.0710518**	**Union Bank**
Farm Credit	AAA		02/01/08	02/01/13	1,000,000	1,018,130	1,000,000	3.790%	3.790%	100.00000	1,312	0.003907	5.1257473	Union Bank
Farm Credit	**AAA**		**02/25/09**	**02/25/13**	**1,000,000**	**1,007,810**	**1,000,000**	**3.000%**	**3.000%**	**100.00000**	**1,336**	**0.003907**	**5.2195109**	**Union Bank**
Tennessee Valley Authority	AAA	Aaa	06/09/09	03/15/13	1,137,365	1,116,960	1,000,000	6.000%	2.490%	112.54000	1,354	0.003907	5.2898337	Union Bank
Fed Natl Mtg Assn	**AAA**	**Aaa**	**03/19/08**	**03/19/13**	**1,000,000**	**1,024,380**	**1,000,000**	**4.000%**	**4.000%**	**100.00000**	**1,358**	**0.003907**	**5.3054610**	**Union Bank**
Fed Home Loan Mtg Corp	AAA	Aaa	04/08/09	04/08/13	1,000,000	997,370	1,000,000	2.500%	2.500%	100.00000	1,378	0.003907	5.3835974	Union Bank
Fed Farm Credit	**AAA**	**Aaa**	**05/08/09**	**04/08/13**	**1,000,000**	**995,310**	**1,000,000**	**2.200%**	**2.200%**	**100.00000**	**1,378**	**0.003907**	**5.3835974**	**Union Bank**
Fed Natl Mtg Assn	AAA	Aaa	05/13/08	05/13/13	1,000,000	1,029,060	1,000,000	4.125%	4.125%	100.00000	1,413	0.003907	5.5203361	Union Bank
Fed Home Loan Mtg Corp	**AAA**	**Aaa**	**05/13/09**	**05/13/13**	**1,000,000**	**998,580**	**1,000,000**	**2.400%**	**2.400%**	**100.00000**	**1,413**	**0.003907**	**5.5203361**	**Union Bank**
Fed Home Loan Mtg Corp	AAA		05/20/08	05/20/13	1,000,000	1,021,360	1,000,000	4.000%	4.000%	100.00000	1,420	0.003907	5.5476838	Union Bank
Fed Farm Credit	**AAA**	**Aaa**	**06/03/09**	**06/03/13**	**1,000,000**	**1,003,440**	**1,000,000**	**2.700%**	**2.700%**	**100.00000**	**1,434**	**0.003907**	**5.6023793**	**Union Bank**
Fed Home Loan Mtg Corp	AAA	Aaa	06/10/08	06/10/13	1,000,000	1,028,740	1,000,000	4.000%	4.000%	100.00000	1,441	0.003907	5.6297270	Union Bank
Fed Farm Credit	**AAA**		**06/10/08**	**06/10/13**	**1,000,000**	**1,034,380**	**1,000,000**	**4.300%**	**4.300%**	**100.00000**	**1,441**	**0.003907**	**5.6297270**	**Union Bank**
Fed Home Loan Mtg Corp	AAA	Aaa	12/26/08	06/15/13	999,115	997,040	1,000,000	3.000%	3.024%	99.90000	1,446	0.003907	5.6492611	Union Bank
Fed Home Loan Mtg Corp	**AAA**		**07/02/08**	**07/02/13**	**1,000,000**	**1,000,130**	**1,000,000**	**5.000%**	**5.000%**	**100.00000**	**1,463**	**0.003907**	**5.7156770**	**Union Bank**
Fed Home Loan Bank	AAA	Aaa	07/29/08	07/29/13	1,000,000	1,039,380	1,000,000	4.625%	4.625%	100.00000	1,490	0.003907	5.8211612	Union Bank
Fed Home Loan Bank	**AAA**	**Aaa**	**10/28/08**	**08/20/13**	**1,000,000**	**1,028,440**	**1,000,000**	**4.625%**	**4.625%**	**100.00000**	**1,512**	**0.003907**	**5.9071112**	**Union Bank**
Fed Natl Mtg Assn	AAA	Aaa	11/24/08	09/09/13	1,000,000	1,007,810	1,000,000	4.500%	4.500%	100.00000	1,532	0.003907	5.9852476	Union Bank
Fed Natl Mtg Assn	**AAA**	**Aaa**	**03/30/09**	**09/30/13**	**1,000,000**	**1,005,310**	**1,000,000**	**3.000%**	**4.500%**	**100.00000**	**1,553**	**0.003907**	**6.0672908**	**Union Bank**
Fed Farm Credit	AAA		10/15/10	10/15/13	1,000,000	1,033,750	1,000,000	4.250%	4.250%	100.00000	1,568	0.003907	6.1258931	Union Bank
Fed Home Loan Bank	**AAA**		**11/26/08**	**11/26/13**	**1,000,000**	**1,031,560**	**1,000,000**	**3.500%**	**3.500%**	**100.00000**	**1,610**	**0.003907**	**6.2899795**	**Union Bank**
Fed Home Loan Bank	AAA	Aaa	11/26/08	11/26/13	1,000,000	1,027,190	1,000,000	4.050%	4.050%	100.00000	1,610	0.003907	6.2899795	Union Bank
Fed Home Loan Bank	**AAA**	**Aaa**	**06/18/09**	**12/13/13**	**1,080,093**	**1,086,880**	**1,000,000**	**4.875%**	**2.960%**	**108.00600**	**1,627**	**0.003907**	**6.3563954**	**Union Bank**
l Home Loan Bank	AAA	Aaa	06/24/09	12/24/13	1,000,000	997,810	1,000,000	3.000%	3.000%	100.00000	1,638	0.003907	6.3993705	Union Bank
l Home Loan Bank	**AAA**	**Aaa**	**01/07/09**	**01/07/14**	**998,193**	**982,190**	**1,000,000**	**3.000%**	**3.000%**	**100.00000**	**1,652**	**0.003907**	**6.4540659**	**Union Bank**
l Natl Mtg Assn	AAA		01/28/09	01/28/14	1,000,000	984,060	1,000,000	2.000%	2.000%	100.00000	1,673	0.003907	6.5361091	Union Bank
Fed Farm Credit	**AAA**	**Aaa**	**02/03/09**	**01/30/14**	**997,964**	**998,750**	**1,000,000**	**3.100%**	**3.150%**	**99.75000**	**1,675**	**0.003907**	**6.5439228**	**Union Bank**
Fed Farm Credit	AAA	Aaa	02/12/09	02/12/14	1,000,000	1,005,940	1,000,000	3.240%	3.240%	100.00000	1,688	0.003907	6.5947114	Union Bank
Fed Home Loan Bank	**AAA**		**02/18/09**	**02/18/14**	**1,000,000**	**1,000,310**	**1,000,000**	**3.000%**	**3.000%**	**100.00000**	**1,694**	**0.003907**	**6.6181524**	**Union Bank**
Fed Natl Mtg Assn	AAA	Aaa	03/18/09	03/18/14	1,000,000	1,002,810	1,000,000	3.200%	3.200%	100.00000	1,722	0.003907	6.7275433	Union Bank
Fed Natl Mtg Assn	**AAA**	**Aaa**	**03/24/09**	**03/24/14**	**999,054**	**1,008,010**	**1,000,000**	**2.375%**	**2.426%**	**99.90000**	**1,728**	**0.003907**	**6.7509842**	**Union Bank**
Fed Natl Mtg Assn	AAA	Aaa	06/08/09	04/07/14	1,001,368	986,250	1,000,000	2.900%	2.980%	99.64000	1,742	0.003907	6.8056797	Union Bank
Fed Natl Mtg Assn	**AAA**	**Aaa**	**04/14/09**	**04/14/14**	**1,000,000**	**974,690**	**1,000,000**	**3.160%**	**3.160%**	**100.00000**	**1,749**	**0.003907**	**6.8330274**	**Union Bank**
Fed Natl Mtg Assn	AAA	Aaa	04/16/09	04/16/14	1,000,000	994,380	1,000,000	3.000%	3.000%	100.00000	1,751	0.003907	6.8408411	Union Bank
Fed Natl Mtg Assn	**AAA**	**Aaa**	**05/01/09**	**05/01/14**	**1,000,000**	**989,380**	**1,000,000**	**2.250%**	**2.920%**	**100.00000**	**1,766**	**0.003907**	**6.8994434**	**Union Bank**
Fed Home Loan Mtg Corp	AAA	Aaa	05/05/09	05/05/14	1,000,000	988,950	1,000,000	3.125%	3.125%	100.00000	1,770	0.003907	6.9150706	Union Bank
Fed Natl Mtg Assn	**AAA**	**Aaa**	**05/14/09**	**05/14/14**	**1,000,000**	**985,310**	**1,000,000**	**2.125%**	**3.030%**	**100.00000**	**1,779**	**0.003907**	**6.9502320**	**Union Bank**
Fed Natl Mtg Assn	AAA	Aaa	06/10/09	06/10/14	1,000,000	994,690	1,000,000	2.000%	3.160%	100.00000	1,806	0.003907	7.0557161	Union Bank
Fed Home Loan Mtg Corp	**AAA**	**Aaa**	**06/16/14**	**06/16/14**	**1,000,000**	**993,730**	**1,000,000**	**3.130%**	**3.125%**	**100.00000**	**1,812**	**0.003907**	**7.0791571**	**Union Bank**
Fed Farm Credit	AAA	Aaa	06/17/09	06/17/14	1,000,000	1,015,940	1,000,000	3.750%	3.750%	100.00000	1,813	0.003907	7.0830639	Union Bank
Fed Home Loan Mtg Corp	**AAA**	**Aaa**	**06/25/09**	**06/25/14**	**1,000,000**	**999,550**	**1,000,000**	**3.450%**	**3.450%**	**100.00000**	**1,821**	**0.003907**	**7.1143184**	**Union Bank**
TOTAL U.S. GOVERNMENT AGENCY SECURITIES					108,197,790	109,540,720	108,000,000						545 days	
TOTAL INVESTMENTS					136,493,867	134,564,437	136,078,917							
TOTAL GENERAL PORTFOLIO					256,377,628	254,597,482	255,962,678					1.000000	1.49 years	

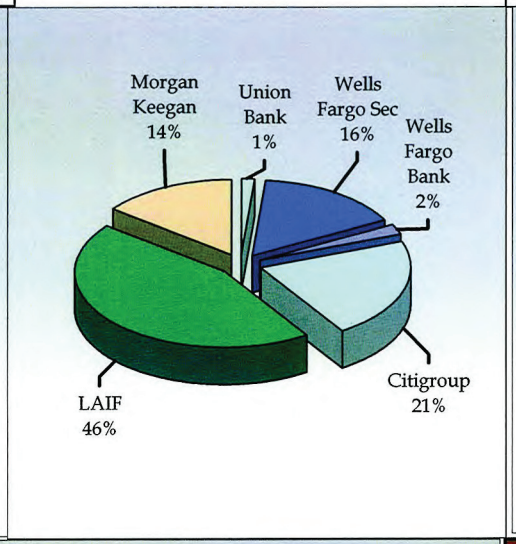
PORTFOLIO CHARACTERISTICS (Par Value)

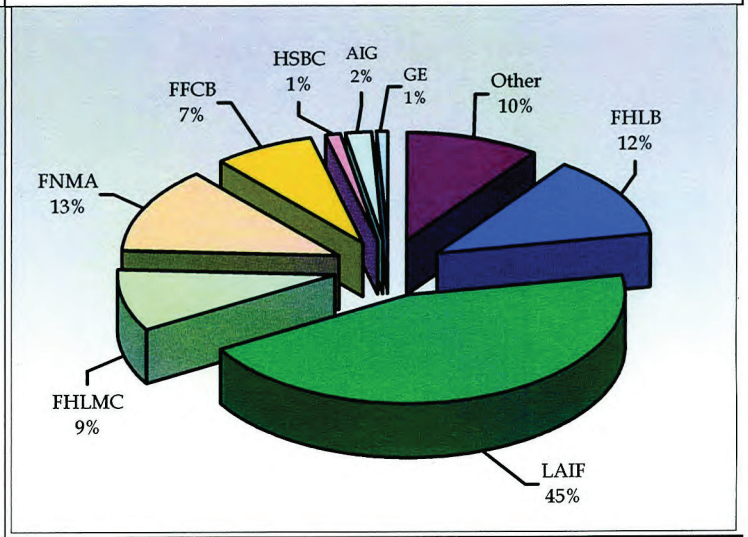
Sector	
Cash	5,467,221
Money Markets	3,078,917
LAIF	114,416,540
U.S. Agency Discount Notes	0
U.S. Agencies	108,000,000
Corporate Notes (TLGP)	5,000,000
Corporate Notes	20,000,000
	255,962,678

Broker/Dealer	
Citigroup	55,000,000
LAIF	114,416,540
Morgan Keegan	37,000,000
Union Bank	3,078,917
Wells Fargo Sec	41,000,000
Wells Fargo Bank	5,467,221
	255,962,678

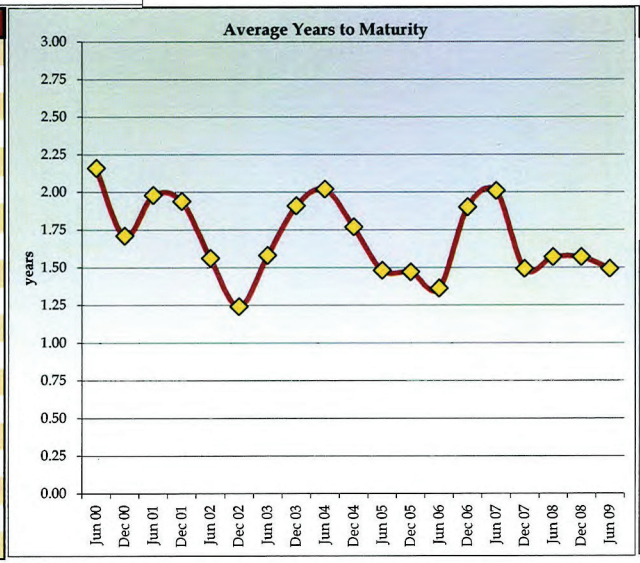
Issuer			
FHLB	31,000,000	General Electric	2,000,000
LAIF	114,416,540	Other	25,546,138
FHLMC	23,000,000		255,962,678
FNMA	33,000,000		
FFCB	19,000,000		
HSBC	3,000,000		
AIG	5,000,000		



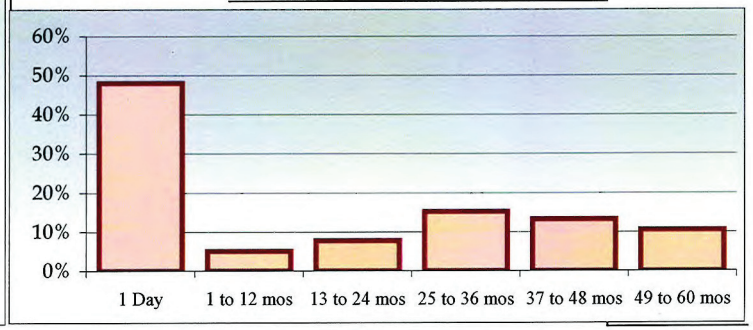




Average Years to Maturity	
Jun 00	**2.16**
Dec 00	1.71
Jun 01	**1.98**
Dec 01	1.94
Jun 02	**1.56**
Dec 02	1.24
Jun 03	**1.58**
Dec 03	1.91
Jun 04	**2.02**
Dec 04	1.77
Jun 05	**1.48**
Dec 05	1.47
Jun 06	**1.36**
Dec 06	1.90
Jun 07	**2.01**
Dec 07	1.49
Jun 08	**1.57**
Dec 08	**1.57**
Jun 09	**1.49**

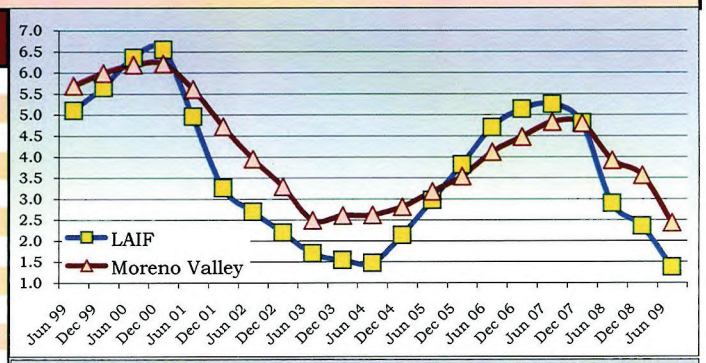


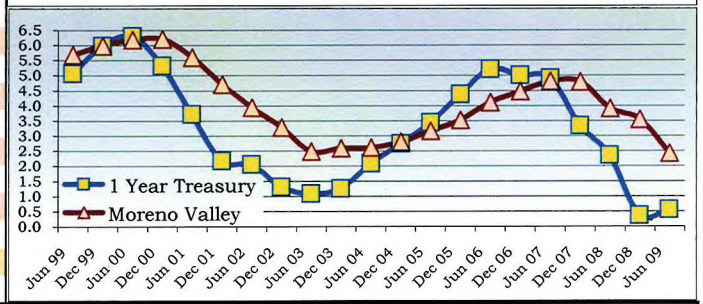
Maturity		
1 Day	122,962,678	48.0%
1 to 12 mos	13,000,000	5.1%
13 to 24 mos	20,000,000	7.8%
25 to 36 mos	39,000,000	15.2%
37 to 48 mos	34,000,000	13.3%
49 to 60 mos	27,000,000	10.5%
	255,962,678	100.0%



BENCHMARKS

Month	1 Year Treasury	LAIF	Moreno Valley
Jun 99	5.07	5.10	5.68
Dec 99	**5.98**	**5.64**	**5.98**
Jun 00	6.30	6.35	6.18
Dec 00	**5.32**	**6.54**	**6.20**
Jun 01	3.72	4.96	5.60
Dec 01	**2.17**	**3.26**	**4.71**
Jun 02	2.06	2.69	3.94
Dec 02	**1.32**	**2.20**	**3.29**
Jun 03	1.09	1.70	2.49
Dec 03	**1.26**	**1.55**	**2.60**
Jun 04	2.09	1.47	2.62
Dec 04	**2.75**	**2.13**	**2.81**
Jun 05	3.45	2.97	3.17
Dec 05	**4.38**	**3.81**	**3.53**
Jun 06	5.21	4.70	4.11
Dec 06	**5.00**	**5.13**	**4.47**
Jun 07	4.91	5.25	4.82
Dec 07	**3.34**	**4.80**	**4.79**
Jun 08	2.36	2.89	3.91
Dec 08	**0.37**	**2.35**	**3.55**
Jun 09	0.56	1.38	2.42

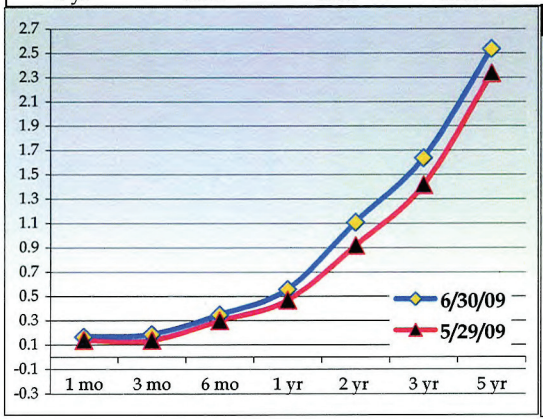




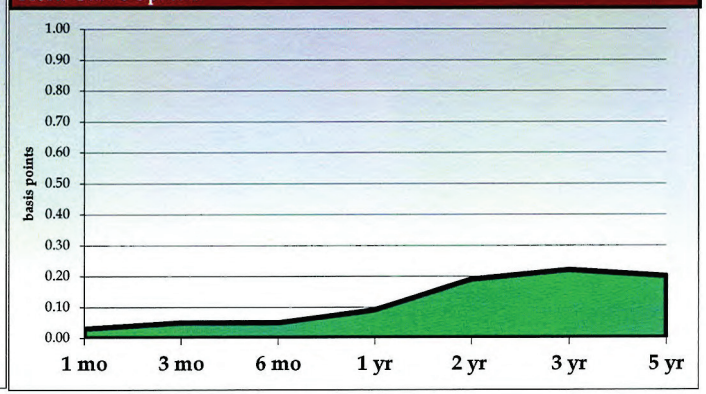
MARKET DATA

Treasury Yield Curve

	6/30/09	5/29/09	Change (bps)
1 mo	0.17	0.14	0.0300
3 mo	0.19	0.14	0.0500
6 mo	0.35	0.30	0.0500
1 yr	0.56	0.47	0.0900
2 yr	1.11	0.92	0.1900
3 yr	1.64	1.42	0.2200
5 yr	2.54	2.34	0.2000



Yield Curve Spread



SUMMARY OF AUTHORIZED INVESTMENTS

	GOVERNMENT CODE			CITY OF MORENO VALLEY INVESTMENT POLICY				
Investment Type	Maximum Maturity	Maximum % of Portfolio	Minimum Requirements	Amount Invested (Par Value)	% of Portfolio	Maximum Maturity	Maximum % of Portfolio	Minimum Requirements
Cash				**5,467,221**	**2%**	**N/A**	**No Limit**	**None**
Local Agency Bonds	5 years	No Limit	None	0	0%	5 years	No Limit	None
U.S. Treasury Obligations	**5 years**	**No Limit**	**None**	**0**	**0%**	**5 years**	**70%**	**"AAA" rating**
State of California Obligations	5 years	No Limit	None	0	0%	5 years	10%	"AA" rating
CA Local Agency Obligations	**5 years**	**No Limit**	**None**	**0**	**0%**	**5 years**	**10% (5% per issuer)**	**"AA" rating**
U.S. Agencies	5 years	No Limit	None	108,000,000	42%	5 years	70% (50% per issuer)	"AAA" rating
Bankers Acceptances	**180 days**	**40%**	**None**	**0**	**0%**	**180 days**	**20% (10% per issuer)**	**Eligible for purchase by Fed Reserve Bank**
Commercial Paper	270 days	25%	A1/P1/F1 rating	0	0%	270 days	15%	"A1/P1/F1" rating
Negotiable CD's	**5 years**	**30%**	**A1/P1/F1 rating**	**0**	**0%**	**5 years**	**0**	**None**
Repurchase Agreements	1 year	No Limit	None	0	0%	1 year	20% (10% per issuer)	None
Reverse Repurchase Agreements	**92 days**	**20%**	**None**	**0**	**0%**		**Not Allowed**	
Corporate Obligations	5 years	30%	"A" rating	25,000,000	10%	5 years	30% (10% per issuer)	"A" rating
Mutual Funds	**N/A**	**20%**	**"AAA" rating by 2 of 3 rating agencies**	**0**	**0%**	**3 years AWM***	**15% (10% per issuer)**	**"AAA" rating by 2 of 3 rating agencies**
Money Market Mutual Funds	N/A	20%	"AAA" rating by 2 of 3 rating agencies	3,078,917	1%	3 years AWM*	15% (10% per issuer)	"AAA" rating by 2 of 3 rating agencies
Collateralized Bank Deposits	**5 years**	**No Limit**	**None**	**0**	**0%**	**2 years**	**20% ($500,000 per issuer)**	**None**
Mortgage Pass-Through Securities	5 years	20%	"AA" rating	0	0%	2 years	20% ($500,000 per issuer)	"AA" rating
Time Deposits (Certificates of Deposit)	**5 years**	**No Limit**	**None**	**0**	**0%**	**2 years**	**20% ($500,000 per issuer)**	**Top 25% of peer group**
County Pooled Investment Funds	N/A	No Limit	None	0	0%	3 years AWM*	20% (10% per issuer)	AAAf/S1
Local Agency Investment Fund (LAIF)	**N/A**	**No Limit**	**None**	**114,416,540**	**45%**	**N/A**	**50%**	**None**
				255,962,678	**100%**			

* - AWM = Average Weighted Maturity

BOND PROCEEDS WITH FISCAL AGENTS

Account Name	Account Number	Investment	Issuer	Purchase Date	Maturity Date	Face Value	Cost Value	Market Value	Stated Rate	Yield	Price	% of of Portfolio
Wells Fargo	Centerpointe 87-4											
redemption fund	**20350200**	**money market fund**	**WF Govt Fund**	**06/30/09**	**07/01/09**	**291,842**	**291,842**	**291,842**	**0.01%**	**0.01%**	**1.00000**	**1.021%**
redemption/prepay	20350201	money market fund	WF Govt Fund	06/30/09	07/01/09	2,322	2,322	2,322	0.01%	0.01%	1.00000	0.008%
reserve fund	**20350202**	**money market fund**	**WF Govt Fund**	**06/30/09**	**07/01/09**	**70,300**	**70,300**	**70,300**	**0.01%**	**0.01%**	**1.00000**	**0.246%**
rebate fund	20350203	money market fund	WF Govt Fund	06/30/09	07/01/09	329	329	329	0.01%	0.01%	1.00000	0.001%
						364,793	364,793	364,793				1.276%
Wells Fargo	Community Facilities Disctrict 87-1 (IA-1)											
special tax funds	**22631800**	**money market fund**	**WF Govt Fund**	**06/30/09**	**07/01/09**	**1,923,751**	**1,923,751**	**1,923,751**	**0.01%**	**0.01%**	**1.00000**	**6.728%**
interest acct	22631801	money market fund	WF Govt Fund	06/30/09	07/01/09	0	0	0	0.01%	0.01%	1.00000	0.000%
reserve fund	**22631804**	**money market fund**	**WF Govt Fund**	**06/30/09**	**07/01/09**	**1,028,682**	**1,028,682**	**1,028,682**	**0.01%**	**0.01%**	**1.00000**	**3.598%**
admin exp acct	22631805	money market fund	WF Govt Fund	06/30/09	07/01/09	377	377	377	0.01%	0.01%	1.00000	0.001%
debt service acct	**22631809**	**money market fund**	**WF Govt Fund**	**06/30/09**	**07/01/09**	**535,781**	**535,781**	**535,781**	**0.01%**	**0.01%**	**1.00000**	**1.874%**
special tax funds	22631900	money market fund	WF Govt Fund	06/30/09	07/01/09	405,310	405,310	405,310	0.01%	0.01%	1.00000	1.418%
interest acct	**22631901**	**money market fund**	**WF Govt Fund**	**06/30/09**	**07/01/09**	**16,152**	**16,152**	**16,152**	**0.01%**	**0.01%**	**1.00000**	**0.056%**
reserve fund	22631904	money market fund	WF Govt Fund	06/30/09	07/01/09	366,238	366,238	366,238	0.01%	0.01%	1.00000	1.281%
admin exp acct	**22631905**	**money market fund**	**WF Govt Fund**	**06/30/09**	**07/01/09**	**72**	**72**	**72**	**0.01%**	**0.01%**	**1.00000**	**0.000%**
cost of issuance	22631906	money market fund	WF Govt Fund	06/30/09	07/01/09	2	2	2	0.01%	0.01%	1.00000	0.000%
						4,276,365	4,276,365	4,276,365				
Wells Fargo	CFD # 5											
Series B Revenue	**22333500**	**money mkt fund**	**WF Govt Fund**	**06/30/09**	**07/01/09**	**150,241**	**150,241**	**150,241**	**0.01%**	**0.01%**	**1.00000**	**0.525%**
Series A Principal	**22333501**	**money mkt fund**	**WF Govt Fund**	**06/30/09**	**07/01/09**	**12,301**	12,301	**12,301**	**0.01%**	**2.71%**	**1.00000**	**0.043%**
Series B reserve	**22333503**	**money mkt fund**	**WF Govt Fund**	**06/30/09**	**07/01/09**	**522,474**	**522,474**	**522,474**	**0.01%**	**0.01%**	**1.00000**	**1.827%**
Series A interest	22333504	money mkt fund	WF Govt Fund	06/30/09	07/01/09	625	625	625	0.01%	0.01%	1.00000	0.002%
Series B interest	**22333505**	**money mkt fund**	**WF Govt Fund**	**06/30/09**	**07/01/09**	**458,711**	**458,711**	**458,711**	**0.01%**	**0.01%**	**1.00000**	**1.604%**
						1,144,352	1,144,352	1,144,352				
Wells Fargo	1997 COPS	Refunding City Hall										
delivery cost fund	**12526001**	**money mkt fund**	**WF Govt Fund**	**06/30/09**	**07/01/09**	**0**	**0**	**0**	**0.01%**	**0.01%**	**1.00000**	**0.000%**
						0	0	0				
Wells Fargo	1997 Lease Revenue Bonds - Public Safety											
expense fund	**12526107**	**money mkt fund**	**WF Govt Fund**	**06/30/09**	**07/01/09**	**14,067**	**14,067**	**14,067**	**0.01%**	**0.01%**	**1.00000**	**0.049%**
reserve account	12526103	money mkt fund	WF Govt Fund	06/30/09	07/01/09	407,452	407,452	407,452	0.01%	0.01%	1.00000	1.425%
lease revenue	**125256100**	**money mkt fund**	**WF Govt Fund**	**06/30/09**	**07/01/09**	**0**	**0**	**0**	**0.01%**	**0.01%**	**1.00000**	**0.000%**
rebate account	12526104	money mkt fund	WF Govt Fund	06/30/09	07/01/09	14,480	14,480	14,480	0.01%	0.01%	1.00000	0.051%
						435,999	435,999	435,999				
Wells Fargo	2007 Redevelopment Agency Tax Allocation Bonds Sereis A											
debt service fund	**22631700**	**money mkt fund**	**WF Govt Fund**	**06/30/09**	**07/01/09**	**33**	**33**	**33**	**0.01%**	**0.01%**	**1.00000**	**0.000%**
						33	33	33				
Wells Fargo	2005 Lease Revenue Bond											
bond fund	**18042800**	**money mkt fund**	**WF Govt Fund**	**06/30/09**	**07/01/09**	**172**	**172**	**172**	**0.01%**	**0.01%**	**1.00000**	**0.001%**
reserve fund	18042804	money mkt fund	WF Govt Fund	06/30/09	07/01/09	2,992,753	2,992,753	2,992,753	0.01%	0.01%	1.00000	10.467%
construction fund	**18042806**	**money mkt fund**	**WF Govt Fund**	**06/30/09**	**07/01/09**	**9,721,211**	**9,721,211**	**9,721,211**	**0.01%**	**0.01%**	**1.00000**	**34.000%**
						12,714,135	12,714,135	12,714,135				44.468%
Wells Fargo	2007 Taxable Lease Revenue Bonds - Electric Utility											
interest fund	**22277601**	**money mkt fund**	**WF Govt Fund**	**06/30/09**	07/01/09	**105**	**105**	**105**	**0.01%**	**0.01%**	**1.00000**	**0.000%**
construction fund	22277604	money mkt fund	WF Govt Fund	06/30/09	07/01/09	6,845,594	6,845,594	6,845,594	0.01%	0.01%	1.00000	23.943%
capital interest fund	**22277605**	**money mkt fund**	**WF Govt Fund**	**06/30/09**	**07/01/09**	**122,103**	**122,103**	**122,103**	**0.01%**	**0.01%**	**1.00000**	**0.427%**
cost of issuance	22277606	money mkt fund	WF Govt Fund	06/30/09	07/01/09	367,996	367,996	367,996	0.01%	0.01%	1.00000	1.287%
						7,335,798	7,335,798	7,335,798				
Wells Fargo	Automall Refinancing											
revenue fund	**20350300**	**revenue**	**WF Govt Fund**	**06/30/09**	**07/01/09**	**1,139,935**	**1,139,935**	**1,139,935**	**0.01%**	**0.01%**	**1.00000**	**3.987%**
reserve fund	20350303	reserve	WF Govt Fund	06/30/09	07/01/09	1,178,125	1,178,125	1,178,125	0.01%	0.01%	1.00000	4.121%
admin expenses	**20350304**	**admin expenses**	**WF Govt Fund**	**06/30/09**	**07/01/09**	**1,981**	**1,981**	**1,981**	**0.01%**	**0.01%**	**1.00000**	**0.007%**
						2,320,041	2,320,041	2,320,041				8.114%
			Totals			**28,591,517**	**28,591,517**	**28,591,517**				**100.000%**

Type	Summary of Bond Proceeds with Fiscal Agents			
1	Construction Funds	16,566,910	16,566,910	16,566,910
2	**Principal & Interest Accounts**	**2,567,676**	**2,567,676**	**2,567,676**
3	Debt Service Reserve Funds	8,907,388	8,907,388	8,907,388
4	**Custody Accounts**	**0**	**0**	**0**
5	Arbitrage Rebate Accounts	14,809	14,809	14,809
6	**Other Accounts**	**534,734**	**534,734**	**534,734**
	Total Fiscal Agent Funds	**28,591,517**	**28,591,517**	**28,591,517**

GENERAL INVESTMENT PORTFOLIO AND BOND PROCEEDS BY ISSUER

Issuer Name	Par Value	Percent of Portfolio	% Allowed
Cash in Financial Institutions	5,467,221	2%	no limit
State of California LAIF Pool	**114,416,540**	**40.64%**	**50.00%**
Highmark U.S. Government Money Market	3,078,917	1.09%	15.00%
Wells Fargo Government Fund	**28,591,517**	**10.15%**	**NA**
Federal Agriculture Mortgage Corp	1,000,000	0.36%	50.00%
Federal Home Loan Bank	**31,000,000**	**11.01%**	**50.00%**
Federal Home Loan Mortgage Corp	23,000,000	8.17%	50.00%
Federal Farm Credit Bank	**19,000,000**	**6.75%**	**50.00%**
Federal National Mortgage Assoc.	33,000,000	11.72%	50.00%
American General Finance	**5,000,000**	**1.78%**	**10.00%**
Bank of America (TLGP)	1,000,000	0.36%	110.00%
Berkshire Hathaway	**1,000,000**	**0.36%**	**10.00%**
Citigroup	1,000,000	0.36%	10.00%
Credit Suisse USA	**1,000,000**	**0.36%**	**10.00%**
General Electric Capital	2,000,000	0.71%	10.00%
General Electric Capital (TLGP)	**0**	**0.00%**	**10.00%**
Goldman Sachs	1,000,000	0.36%	10.00%
HSBC	**3,000,000**	**1.07%**	**10.00%**
JP Morgan Chase	2,000,000	0.71%	10.00%
Lehman Bros	**3,000,000**	**1.07%**	**10.00%**
Morgan Stanley	2,000,000	0.71%	10.00%
US Treasury Notes	**0**	**0.00%**	**10.00%**
Wells Fargo Bank N.A. (TLGP)	1,000,000	0.36%	10.00%
Total	**281,554,195**	**99.64%**	

CITY OF MORENO VALLEY
Treasurer's Cash and Investments Report

June 2009

DEFERRED COMPENSATION FUNDS

Nationwide

Fund	Book Value	Market Value	Par Value
d Savings	**$1,367,851**	**$1,367,851**	**$1,367,851**
nwide Fixed (Part Time Employee)	495,900	495,900	495,900
d Savings (Part Time Employees)	**196,134**	**196,134**	**196,134**
Certificates of Deposit 3 years	137,521	137,521	137,521
JP Morgan Mid Cap Value A	**66,286**	**66,286**	**66,286**
Bond Fund Of America	62,081	62,081	62,081
Growth Fund of America	**44,215**	**44,215**	**44,215**
Investment Co. of America	17,521	17,521	17,521
Income Fund of America	**74,615**	**74,615**	**74,615**
Brown Cap Mgmt Inc SM Co	38,173	38,173	38,173
Fidelity Independence	**17,637**	**17,637**	**17,637**
Fidelity Equity Income	11,689	11,689	11,689
Fidelity Magellan	**229,496**	**229,496**	**229,496**
Fidelity Overseas	0	0	0
Fidelity Puritan	**95,153**	**95,153**	**95,153**
Fidelity Contrafund	217,638	217,638	217,638
Janus Fund	**57,207**	**57,207**	**57,207**
Janus Advisor Forty	51,402	51,402	51,402

Fund	Book Value	Market Value	Market Value
Principal Inv Mrtg Sec A	**0**	**0**	**0**
American Century Balanced	20	20	20
Am Century Growth	**35,140**	**35,140**	**35,140**
Am Century Select	62,044	62,044	62,044
Am Century Ultra	**0**	**0**	**0**
Vanguard Index 500	51,286	51,286	51,286
Vanguard Institutional Index	**241,608**	**241,608**	**241,608**
Vanguard Wellington	11,635	11,635	11,635
Vanguard Windsor II	**68,327**	**68,327**	**68,327**
Vanguard Total Bond Index	209,241	209,241	209,241
Putnam Voyager	**0**	**0**	**0**
Templeton Foreign I	0	0	0
EuroPacific Growth	**151,177**	**151,177**	**151,177**
Stable Fund C	1,783,353	1,783,353	1,783,353
PBHG Growth Fund	**0**	**0**	**0**
DWS Income Fund A	25,870	25,870	25,870
DWS Hi Return Equity	**40,158**	**40,158**	**40,158**
Oppenheimer Global Fund A	106,426	106,426	106,426

Fund	Book Value	Market Value	Par Value
N B Socially Responsive Fund	**6,338**	**6,338**	**6,338**
DFA US Micro Cap Port	56,057	56,057	56,057
Federated Kaufmann Fund	**373,704**	**373,704**	**373,704**
AIM Mid Cap Core Equity	10,673	10,673	10,673
Washington Mutual Inv	**41,683**	**41,683**	**41,683**
Nationwide InvDes Mod Cons Fund SC	9,062	9,062	9,062
Nationwide InvDes Mod Aggr Fund	**467,870**	**467,870**	**467,870**
Nationwide InvDes Aggr Fund	98,970	98,970	98,970
Nationwide InvDes Mod Fd	**297,880**	**297,880**	**297,880**
Nationwide Inv Des Cons	129,161	129,161	129,161
Nationwide Large Cap Growth	**67,383**	**67,383**	**67,383**
Nationwide Inter Val Inst Svc	19,704	19,704	19,704
Nationwide US Sm Cap Val Ins Svc	**2,082**	**2,082**	**2,082**
Nationwide Dest 2015 Inst Svc	38,496	38,496	38,496
YL Account	**39,500**	**39,500**	**39,500**
Total National Deferred	**$7,625,367**	**$7,625,367**	**$7,625,367**

ICMA

Fund	Book Value	Market Value	Par Value
Aggressive Oppor.	**$84,313**	**$84,313**	**$84,313**
International	115,747	115,747	115,747
Equity Growth	**52,691**	**52,691**	**52,691**
wth and Income	136,062	136,062	136,062
ad Market	**33,532**	**33,532**	**33,532**
Stock Index	48,386	48,386	48,386
Equity Income	**179,402**	**179,402**	**179,402**
Asset Allocation	107,324	107,324	107,324
Core Bond	**12,198**	**12,198**	**12,198**
Cash Management	30,979	30,979	30,979
Plus Fund	**1,306,020**	**1,306,020**	**1,306,020**
Savings Oriented	4,635	4,635	4,635
Conservative Growth	**63,354**	**63,354**	**63,354**
Traditional Growth	165,225	165,225	165,225
Long-Term Growth	**199,036**	**199,036**	**199,036**
Mid/Small Co Index	5,763	5,763	5,763
Milestone 2030	**7,114**	**7,114**	**7,114**
Milestone 2035	4,402	4,402	4,402
Overseas Equity Index fund	**36,084**	**36,084**	**36,084**
Vantage Trust 1yr CD	4,492	4,492	4,492

Fund	Book Value	Market Value	Par Value
VT Royce Premeir	1,211	1,211	1,211
VT Ranier Small/Mid Cap Eq	**19,794**	**19,794**	**19,794**
VT Fidelity Contrafund	97,696	97,696	97,696
VT H&W Large Cap Value	**11,122**	**11,122**	**11,122**
VT Fidelity Diversified International	40,770	40,770	40,770
VT American Century Real Estate	**6,315**	**6,315**	**6,315**
VT Legg Mason Value	1,317	1,317	1,317
VT Fidelity Puritan	**2,670**	**2,670**	**2,670**
VT American Century Value	18,848	18,848	18,848
VT TR Price Growth Stock Adv	**16,242**	**16,242**	**16,242**
VT Lord Abbet Large Co Value	3,346	3,346	3,346
T Rowe Price Small Cap Value	**64,212**	**64,212**	**64,212**
T Rowe Price Small Cap Stock	8,990	8,990	8,990
Inflation Protected Securities	**12,034**	**12,034**	**12,034**
Growth Fund	188,643	188,643	188,643
VT PIMCO Total Return	**33,306**	**33,306**	**33,306**
VT PIMCO High Yield	44,150	44,150	44,150
Total ICMA	**$3,167,425**	**$3,167,425**	**$3,167,425**

Summary by Plan

	Book Value	Market Value	Market Value
Total Nationwide	$7,625,367	$7,625,367	$7,625,367
Total ICMA	3,167,425	3,167,425	3,167,425
Total Deferred Compensation Plans	**$10,792,792**	**$10,792,792**	**$10,792,792**

Summary by Investment Type

	Book Value	Market Value	Market Value
Savings Deposits and CD's	$2,059,885	$2,059,885	$2,059,885
Mutual Funds	8,732,907	8,732,907	8,732,907
Total Deferred Compensation Plans	**$10,792,792**	**$10,792,792**	**$10,792,792**

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Rick C. Hartmann, Deputy City Manager

AGENDA DATE: August 25, 2009

TITLE: Joint Resolution with the School Districts and Riverside Community College District

RECOMMENDED ACTION

Staff recommends that the City Council adopt Resolution No. 2009-78, a joint resolution with the School Districts and Riverside Community College District supporting a commitment to better address the needs of our community's youth.

BACKGROUND/DISCUSSION

At the May 19, 2009 City Council Study Session, the Council reviewed and discussed a draft joint resolution with the Moreno Valley Unified School District, Val Verde Unified School District, and Riverside Community College District. The purpose of the proposed joint resolution is to publicly commit all four agencies to pursue better communication and coordination of effort in addressing the needs of Moreno Valley's youth. Following review and discussion, the City Council directed Staff to forward the resolution to the other agencies for their approval and bring it back to the Council for consideration at a regular meeting of the City Council.

The resolution was adopted by the Val Verde Unified School District Board of Education on July 14, 2009. At the time this staff report was prepared, Moreno Valley Unified School District had the resolution included on the August 18 agenda for their Board of Education's consideration. Dr. Monte Perez, President of the Moreno Valley Campus of Riverside Community College, has indicated that he has the authority to sign the resolution and supports the measure. Upon approval by the City Council, one original resolution document will be circulated to each agency for signature.

FISCAL IMPACT

None.

CITY COUNCIL GOALS

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

ATTACHMENTS/EXHIBITS

Attachment: Joint Resolution No. 2009-78

Prepared By: Michelle Dawson

Department Head Approval: Rick C. Hartmann

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

CITY OF MORENO VALLEY
RESOLUTION NO. 2009-78

RIVERSIDE COMMUNITY COLLEGE DISTRICT
RESOLUTION NO. _____

MORENO VALLEY UNIFIED SCHOOL DISTRICT
RESOLUTION NO. _____

VAL VERDE UNIFIED SCHOOL DISTRICT
RESOLUTION NO. _____

A JOINT RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, THE RIVERSIDE COMMUNITY COLLEGE DISTRICT BOARD OF TRUSTEES, THE BOARD OF EDUCATION OF THE MORENO VALLEY UNIFIED SCHOOL DISTRICT AND THE BOARD OF EDUCATION OF THE VAL VERDE UNIFIED SCHOOL DISTRICT SUPPORTING A COMMITMENT TO BETTER ADDRESS THE NEEDS OF OUR COMMUNITY'S YOUTH.

WHEREAS, approximately 17% of our nation's children under age 18 live at or below the national poverty thresholds; and

WHEREAS, approximately 30% of our nation's children under age 18 live in single-parent households; and

WHEREAS, families need support outside their homes to ensure that their children have safe environments and healthy outlets that can lead to better social outcomes; and

WHEREAS, the City of Moreno Valley offers numerous public safety, community, and recreational programs to help ensure the safety, well-being, and healthy growth of Moreno Valley's youth; and

WHEREAS, the Moreno Valley Unified and Val Verde Unified School Districts provide students with exceptional academic, social, and vocational preparation for life beyond their elementary and secondary educational experiences; and

WHEREAS, the Moreno Valley Campus of the Riverside Community College District offers partnerships with local schools and provides opportunities for our youth to fully prepare them for successful futures; and

WHEREAS, a collective effort on the part of local government and the educational community is needed to ensure that young people have the necessary support to meet and/or exceed their potential.

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

The City Council of the City of Moreno Valley, the Riverside Community College District Board of Trustees, the Board of Education of the Moreno Valley Unified School District and the Board of Education of the Val Verde Unified School District are resolved and committed to working together and coordinating efforts to better address the needs of our community's youth.

APPROVED AND ADOPTED this ___th day of _____, 2009.

Signed:

_____
Mayor
City of Moreno Valley

Signed:

_____
President, Moreno Valley Campus
Riverside Community College District

_____
President
Moreno Valley Unified School District

_____
President
Val Verde Unified School District

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Barry Foster, Economic Development Director

AGENDA DATE: August 25, 2009

TITLE: AUTHORIZATION TO ENTER INTO AN EASEMENT AGREEMENT WITH ROSS DRESS FOR LESS, INC. AND A MAINTENANCE AGREEMENT WITH INDUSTRIAL DEVELOPMENTS INTERNATIONAL (IDI) FOR THE INSTALLATION AND MAINTENANCE OF A CITY ENTRY MONUMENT SIGN ON PRIVATE PROPERTY LOCATED AT 17800 PERRIS BOULEVARD.

RECOMMENDED ACTION

Staff recommends that the City Council:

1) Authorize the City Manager to execute an Easement Agreement (Attachment A) with Ross Dress For Less, Inc., accepting ownership and liability for a City entry monument sign to be installed on private property located at 17800 Perris Boulevard.

2) Authorize the City Manager to execute a Maintenance Agreement (Attachment B) with Industrial Developments International (IDI) accepting maintenance responsibility for a City entry monument sign to be installed on private property located at 17800 Perris Boulevard and accepting a one-time gift of $5,000 from Industrial Developments International (IDI) to be deposited into a Trust account to offset future maintenance costs.

BACKGROUND

In 2005, Industrial Developments International (IDI) – the developer of the building currently owned and occupied by Ross Dress for Less, Inc., for their Moreno Valley Distribution Center- submitted an Administrative Plot Plan application proposing modifications to the original plot plan for the project site situated at 17800 Perris

Boulevard. Included with the Amendment to the Plot Plan, the Planning Department conditioned the developer, IDI, to install a lighted, City entry monument sign on the project site. The project site can be considered a major gateway to the City as it is located on Perris Boulevard and situated at the City's southern limits at the Moreno Valley/Perris boundary.

DISCUSSION

In February 2009, as IDI began to make preparations to design and construct the City entry monument sign, they raised issues related to the installation of and long-term obligation for the sign. The Developer's issues included maintenance and operational responsibilities along with the liability of a public entry monument sign to be installed on private property.

To properly construct and maintain the new entry monument sign, the parties (City staff, IDI, and Ross) have agreed to the following:

- IDI will construct the sign at its own expense (cost of $20,000). The sign will be a lighted, concrete monument sign with a recessed bronze City seal.
- The City will enter into an Easement Agreement with Ross Dress for Less, Inc., to obtain ownership of and assume liability for the sign; the Easement Agreement also grants the City access to the sign for repair and maintenance purposes.
- The City will enter into a Maintenance Agreement with IDI and assume the responsibility for and cost of maintaining the sign. However, IDI has agreed to contribute to the City a one-time gift of $5,000 to offset costs of maintaining the sign, to which the City will assume responsibility. The maintenance of the sign will include graffiti removal, steam cleaning, and electricity costs. Ross Dress for Less will be responsible for the maintenance of the landscaped areas surrounding the sign.

ALTERNATIVES

1a) Authorize the City Manager to execute an Easement Agreement with Ross Dress For Less, Inc., accepting ownership and liability for a City entry monument sign to be installed on private property located at 17800 Perris Boulevard. *Staff recommends this alternative because it will allow the City to acquire and take ownership of the public entry monument sign at the southern gateway to the City.*

1b) Authorize the City Manager to execute a Maintenance Agreement with Industrial Developments International (IDI) accepting the responsibility of the maintenance of the City entry monument sign to be installed on private property located at 17800 Perris Boulevard and accepting a one-time gift of $5,000 from Industrial Developments International (IDI) to be deposited into a Trust account to offset future maintenance costs. *Staff recommends*

this alternative because it will allow the City to maintain the public entry monument sign with monetary assistance provided by the developer.

2a) Decline to authorize the City Manager to execute an Easement Agreement with Ross Dress For Less, Inc., accepting ownership and liability for a City entry monument sign to be installed on private property located at 17800 Perris Boulevard. *Staff does not recommend this alternative because it will not allow for the City to acquire and take ownership of the public entry monument sign at the southern gateway to the City.*

2b) Decline to authorize the City Manager to execute a Maintenance Agreement with Industrial Developments International (IDI) accepting the responsibility of the maintenance of the City entry monument sign to be installed on private property located at 17800 Perris Boulevard and accepting a one-time gift of $5,000 from Industrial Developments International (IDI) to be deposited into a Trust account to offset future maintenance costs. *Staff does not recommend this alternative because the City will incur the full cost of maintaining the public entry monument sign.*

FISCAL IMPACT

The Easement and Maintenance Agreements provide a cost-effective method for the Developer and City to work together to construct the new City entry monument sign, but also ensure proper maintenance.

The fiscal impact will be minimal and related primarily to the recurring costs of electricity usage and repair/replacement of lighting fixtures (if necessary). It has been estimated by the Moreno Valley Utilities- the service provider for the location- that electricity consumption for the lighted monument sign will average $50 to $60, annually. Maintenance of the monument sign will be limited. If graffiti removal is necessary, the services will be provided by the Public Works Department, will be minimal and will be offset with the $5,000 contribution.

CITY COUNCIL GOALS

Community Image, Neighborhood Pride, and Cleanliness

The City Entry Monument sign will be installed at the gateway to the City as commuters enter the City from the neighboring city to the south. The entry sign promotes community pride and fosters a positive image for Moreno Valley.

SUMMARY

IDI, the developer of the building purchased by Ross Dress for Less as a distribution center, was conditioned by the Planning Department to install a City entry monument sign on private property at the southern limits of the City. The sign will be used to highlight the gateway to the City of Moreno Valley on a major thoroughfare. The Developer has agreed to adhere to the condition and construct – at its own expense- a

lighted, concrete monument sign with a recessed, bronzed City seal. The City will assume ownership, liability and maintenance responsibilities for the sign via the execution of an Easement Agreement with Ross Dress for Less, Inc., (the current property owner) and a Maintenance Agreement with IDI (the developer of the site). To assist with the maintenance costs, IDI will be making a one-time contribution of $5,000.

NOTIFICATION

The public has been notified through the publication of the agenda.

ATTACHMENTS/EXHIBITS

Attachment A – Easement Agreement
Attachment B – Maintenance Agreement

Prepared By:
Shanikqua Freeman
Acting Management Analyst

Department Head Approval:
Barry Foster
Economic Development Director

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

Recording requested by and
When recorded mail to:

City of Moreno Valley, California
14177 Frederick Street
Moreno Valley, CA 92552
Attn.: Economic Development
Director

SPACE ABOVE THIS LINE RESERVED FOR RECORDER'S USE

EASEMENT AGREEMENT

This Easement Agreement ("Agreement") is entered into as of _____ ____, 2009 by and between Ross Dress For Less, Inc., a Virginia corporation, hereinafter referred to as "Grantor," and the City of Moreno Valley, hereinafter referred to as "Grantee."

A. Grantor is the owner of certain real property located at 17800 Perris Boulevard in the City of Moreno Valley, Riverside County, California as more particularly described in **Exhibit A** which is attached hereto and incorporated herein by reference ("Property").

B. Grantee desires to acquire (i) a nonexclusive easement for the purpose of the placement of the city entry monument sign depicted on **Exhibit B** which is attached hereto and incorporated herein by reference ("City Monument Sign") and for the purpose of maintaining and repairing the City Monument Sign, and (ii) a nonexclusive easement for the purpose of installing an electrical utility line to provide electricity to illuminate the City Monument Sign.

A G R E E M E N T

1. Grant of Easements.

(a) Grantor hereby grants to Grantee a nonexclusive easement, subject to the terms of this Agreement, for the placement of the City Monument Sign and for access to maintain and repair the City Monument Sign and for no other purpose (said easement is referred to herein as the "Monument Sign Easement"). The location of the Monument Sign Easement is designated as Parcel 2 on the **Exhibit C** Site Plan attached hereto and incorporated herein by reference. The Monument Sign Easement is designated as Parcel 2 and is legally described on **Exhibit D** attached hereto and incorporated herein by reference.

(b) Grantor hereby grants to Grantee a nonexclusive easement, subject to the terms of this Agreement, to install an electrical utility line to provide electricity to illuminate the City Monument Sign ("Utility Line") and to maintain and repair such Utility Line, and for no other purpose (referred to herein as the "Electrical Easement"). The location of the Electrical Easement is designated as Parcel 1 on the **Exhibit C** Site Plan attached hereto and incorporated herein by

reference. The Electrical Easement is designated as Parcel 1 and is legally described on **Exhibit D** attached hereto and incorporated herein by reference.

(c) The Monument Sign Easement and the Electrical Easement are collectively referred to herein as the "Easements."

(d) Grantor reserves the right to use or permit others to use the Easements as long as that use does not interfere with Grantee's use of the Easements as provided in this Agreement.

2. Term. The Easements granted by this Agreement shall terminate at such time as the City Monument Sign is permanently removed from its location on the Property.

3. Liability for Injuries and Property Damage. Grantee shall bear the liability for any personal injury to any worker employed by Grantee to perform the installation, maintenance or repair work to the City Monument Sign and/or the Utility Line, or to any third party, including Grantor's employees, agents and invitees, or for any property damage to the Property, provided the alleged injury or damage results from or arises out of the location and placement of the City Monument Sign and/or the Utility Line and/or the illumination, maintenance and repair of the City Monument Sign or the Utility Line, or Grantee's use of the Easements.

4. Indemnification; Release. Grantee hereby indemnifies and holds Grantor free and harmless from any and all claims and liability for personal injury or property damage which results from or is attributable to the installation, illumination, maintenance or repair of the City Monument Sign and/or the Utility Line, or arises out of the location and placement of the City Monument Sign and/or the Utility Line, or arises out of Grantee's use of the Easements. Grantee releases Grantor from any liability for damage to the City Monument Sign or the Utility Line, except if the damage is caused by the negligence or willful misconduct of Grantor.

5. Attorneys' Fees. If any legal action or proceeding arising out of or relating to this Agreement is brought by either party to this Agreement, the prevailing party shall be entitled to receive from the other party, in addition to any other relief that may be granted, the reasonable attorneys' fees, costs and expenses incurred in the action or proceeding by the prevailing party.

6. Entire Agreement. This Agreement constitutes the entire Agreement between Grantor and Grantee relating to the Easements. Any prior agreements, promises, negotiations or representations not expressly set forth in this Agreement are of no force and effect. Any amendment to this Agreement shall be of no force and effect unless it is in writing and signed by Grantor and Grantee.

7. Binding Effect. This Agreement shall be binding on and shall inure to the benefit of the heirs, executors, administrators, successors and assigns of Grantor and Grantee.

IN WITNESS WHEREOF, this Agreement has been executed as of the date written above.

GRANTOR:
ROSS DRESS FOR LESS, INC.,
a Virginia corporation

By:_____
James Fassio
Its: Executive Vice President

By:_____
Gregg McGillis
Its: Group Vice President, Real Estate

GRANTEE:
CITY OF MORENO VALLEY

_____
Robert G. Gutierrez, City Manager

State of California)
)
County of Alameda)

On _____ before me, _____,
a Notary Public, personally appeared James Fassio and Gregg McGillis, who proved to me on the basis of satisfactory evidence to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same in their authorized capacities, and that by their signatures on the instrument the persons, or the entity upon behalf of which the persons acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

_____
Notary Public

State of California)
)
County of_____)

On _____ before me, _____,
a Notary Public, personally appeared Robert G. Gutierrez, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

_____
Notary Public

EXHIBIT A

Legal Description of Property

Real property in the City of Moreno Valley, County of Riverside, State of California, described as follows:

THE SOUTH 1050 FEET OF THE SOUTHWEST ONE QUARTER OF SECTION 32, TOWNSHIP 3 SOUTH, RANGE 3 WEST, SAN BERNARDINO BASE AND MERIDIAN;

EXCEPTING THEREFROM THAT PORTION THEREOF AS CONVEYED TO THE COUNTY OF RIVERSIDE BY DOCUMENT RECORDED MARCH 21, 1933 IN BOOK 116 PAGE 312 OF OFFICIAL RECORDS OF RIVERSIDE COUNTY, CALIFORNIA;

ALSO EXCEPTING THEREFROM, THAT PORTION THEREOF AS CONVEYED TO THE RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT BY DOCUMENT RECORDED FEBRUARY 11, 1955 IN BOOK 1692 PAGE 444 OF OFFICIAL RECORDS OF RIVERSIDE COUNTY, CALIFORNIA;

ALSO EXCEPTING THEREFROM THAT PORTION THEREOF INCLUDED WITHIN PERRIS BOULEVARD.

APN: 312-250-022-3

EXHIBIT B

City Monument Sign

[ATTACHED]

FRONT VIEW
SCALE: 1/2"=1'0"

SIDE VIEW
SCALE: 1/2"=1'0"

SPECIFICATIONS:
1. NATURAL GRAY PIP CONCRETE MONUMENT
   APPROX. 2'6" TALL X 18' WIDE X 12" THICK.
   * SQUARE FOOTAGE OF SIGN FACE = 45' SQ
2. 12" KORINNA BT FONT LETTERS
   1/2" RECESSED (FRONT ONLY), TO BE PAINTED BLACK.
3. 24" DIAM. RECESSED BRONZE SEAL.
4. 3/4" CHAMFER @ TOP ONLY
5. #4 REBAR @ 18" O/C HORIZONTAL
6. #4 REBAR @ 18" O/C VERTICAL
7. 2500 PSI FOOTING

BRAVO SIGN DESIGN

714 N. LEMON STREET
ORANGE, CA 92867
PHONE: 714-771-5000
FAX: 714-771-5670
WWW. BRAVOSIGN.COM

COMPANY: IDI LA REGION
CONTACT: JASON HOLLAND
PROJECT: ENTRY MONUMENT
PH/FAX: 949-611-9200/8230
DATE: 11-06-2008
FILE NAME: Moreno Valley Entry Monument
REVISION: 0
DRAWN BY: GN

MORENO VALLEY ENTRY MON.

YOUR SIGNATURE REPRESENTS FINAL APPROVAL
PLEASE LOOK OVER CAREFULLY AT EVERY PAGE CHECKING ALL SPELLING, PUNCTUATION & GRAMMAR. BRAVO CAN NOT BE RESPONSIBLE FOR ANY ERRORS AFTER FINAL APPROVAL

APPROVED ☐
APPROVED WITH CORRECTIONS ☐
NOT APPROVED RESUBMIT ☐
SIGNATURE:_____
DATE:_____

The original design concept represented in this drawing is the property of Bravo Sign & Design. Use, in whole or in part, by anyone other than Bravo, for any purpose not directly related to design, fabrication, and or installation by Bravo shall be subject to a design fee and written release at the discretion of Bravo Sign & Design.

PAGE# E1

SPECIFICATIONS:

1. NATURAL GRAY PIP CONCRETE MONUMENT
   APPROX. 2'6" TALL X 18' WIDE X 12" THICK.
   * SQUARE FOOTAGE OF SIGN FACE = 45' SQ
2. 12" KORINNA BT FONT LETTERS
   1/2" RECESSED (FRONT ONLY), TO BE PAINTED BLACK.
3. 24" DIAM. RECESSED BRONZE SEAL.
4. 3/4" CHAMFER @ TOP ONLY
5. #4 REBAR @ 18" O/C HORIZONTAL
6. #4 REBAR @ 18" O/C VERTICAL
7. 2500 PSI FOOTING

BRAVO SIGN & DESIGN
714 N. LEMON STREET
ORANGE, CA 92867
PHONE: 714-771-5000
FAX: 714-771-5670
WWW. BRAVOSIGN.COM

COMPANY: IDI LA REGION
CONTACT: JASON HOLLAND
PROJECT: ENTRY MONUMENT
PH/FAX: 949-614-8200/8230
DATE: 11-06-2008
FILE NAME: MorenoValleyEntryMonument
REVISION: 0
DRAWN BY: GN

MORENO VALLEY ENTRY MON.

YOUR SIGNATURE REPRESENTS FINAL APPROVAL

PLEASE LOOK OVER CAREFULLY AT EVERY PAGE CHECKING ALL SPELLING, PUNCTUATION & GRAMMAR. BRAVO CAN NOT BE RESPONSIBLE FOR ANY ERRORS AFTER FINAL APPROVAL

APPROVED ☐
APPROVED WITH CORRECTIONS ☐
NOT APPROVED RESUBMIT ☐

SIGNATURE:_____

DATE:_____

The original design concept represented in this drawing is the property of Bravo Sign & Design. Use, in whole o rin part, by anyone other than Bravo, for any purpose not directly related to design, fabrication, and or installation by Bravo shall be subject to a design fee and written release at the discretion of Bravo Sign & Design.

PAGE# D1

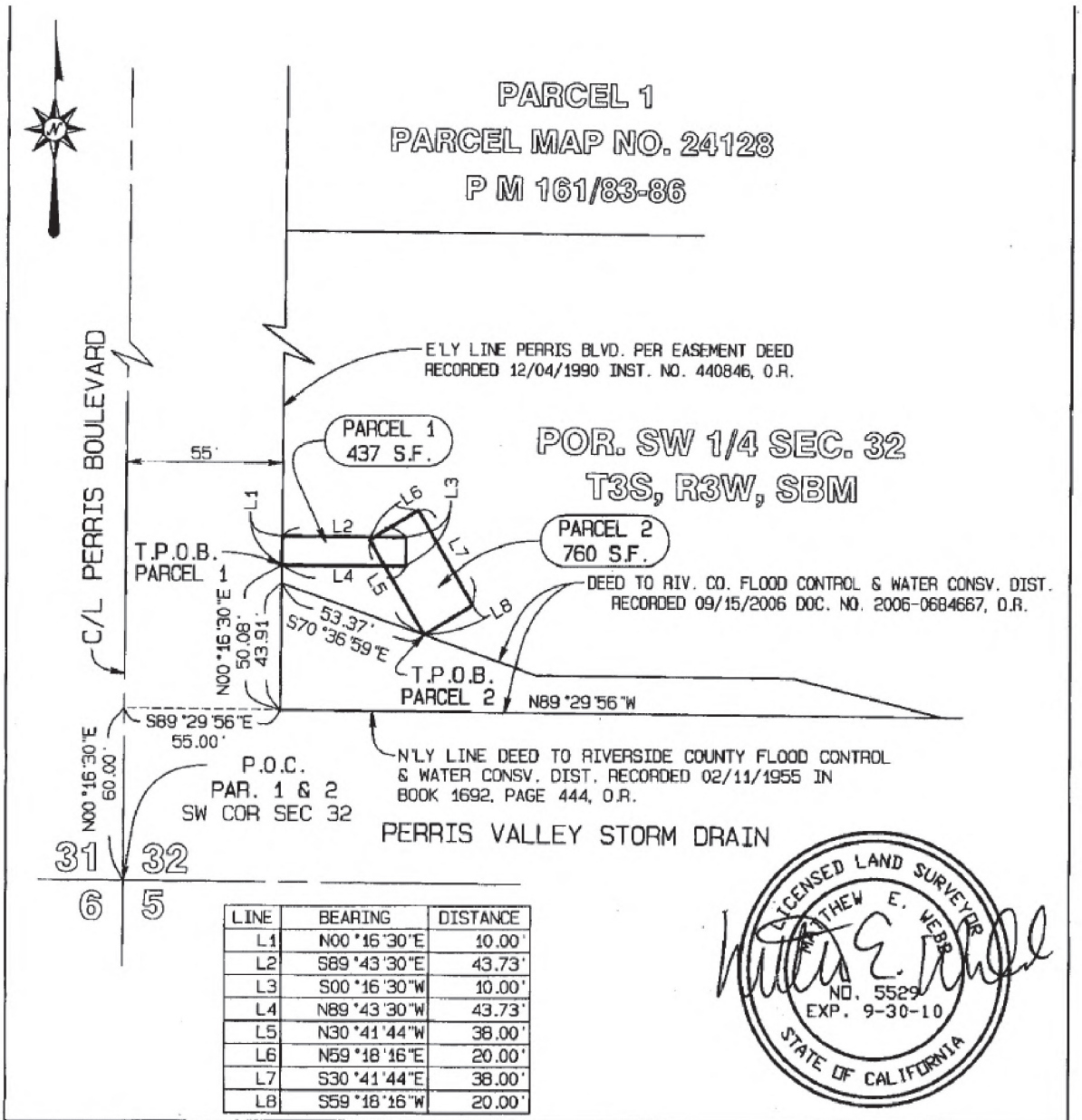
1

EXHIBIT B

EXHIBIT C

Site Plan Depicting Location of Monument Sign Easement and Electrical Easement

[ATTACHED]



LINE	BEARING	DISTANCE
L1	N00°16'30"E	10.00'
L2	S89°43'30"E	43.73'
L3	S00°16'30"W	10.00'
L4	N89°43'30"W	43.73'
L5	N30°41'44"W	38.00'
L6	N59°18'16"E	20.00'
L7	S30°41'44"E	38.00'
L8	S59°18'16"W	20.00'

LICENSED LAND SURVEYOR
MATTHEW E. WEBB
NO. 5529
EXP. 9-30-10
STATE OF CALIFORNIA

ALBERT A. WEBB ASSOCIATES

CITY OF MORENO VALLEY

DATE PREPARED: 6/22/2009

G:\2003\03-0339\ELEC_MON_SIGN_EASEMENTS.pro

THIS PLAT IS SOLELY AN AID IN LOCATING THE PARCEL(S) DESCRIBED IN THE ATTACHED DOCUMENT.

SHEET 1 OF 1

W.O. 03-339

SCALE: 1"= 50'

DRWN BY MB DATE 6/22/09

CHKD BY MJ DATE 6-22-09

SUBJECT: ELECTRIC & MONUMENT SIGN EASEMENTS

1

EXHIBIT C

EXHIBIT D

Legal Descriptions of Monument Sign Easement and Electrical Easement

PARCEL 1 – ELECTRICAL EASEMENT

That portion of the south 1050 feet of the southwest quarter of Section 32, Township 3 South, Range 3 West, San Bernardino Meridian, in the City of Moreno Valley, County of Riverside, State of California, being described as follows:

COMMENCING at the southwest corner of said Section 32, said corner being on the centerline of Perris Boulevard as shown on Parcel Map No. 24128, on file in Book 161 of Parcel Maps at pages 83 through 86, inclusive thereof, Records of Riverside County, California;

Thence North 00°16'30" East along the west line of said Section 32 and along said centerline of Perris Boulevard, a distance of 60.00 feet to a point of intersection with the westerly prolongation of the northerly line of that certain parcel of land conveyed to the Riverside County Flood Control and Water Conservation District recorded February 11, 1955 in Book 1692 at page 444, Official Records of Riverside County, California;

Thence South 89°29'56" East along said westerly prolongation, a distance of 55.00 feet to a point on the easterly right-of-way line of Perris Boulevard per Easement Deed to the City of Moreno Valley recorded December 04, 1990, as Instrument No. 440846, Official Records of Riverside County, California, said point also being the southwesterly corner of that certain parcel of land conveyed to the Riverside County Flood Control and Water Conservation District recorded September 15, 2006 as Document No. 2006-0684667, Official Records of said county and state;

Thence North 00°16'30" East along said westerly line of said parcel so conveyed and along said easterly right-of-way line, a distance of 50.08 feet to the **TRUE POINT OF BEGINNING;**

Thence continuing North 00°16'30" East along said easterly right-of-way line, a distance of 10.00 feet to a point thereon;

Thence South 89°43'30" East, a distance of 43.73 feet;

Thence South 00°16'30" West, a distance of 10.00 feet;

Thence North 89°43'30" West, a distance of 43.73 feet to the **TRUE POINT OF BEGINNING.**

Containing 437 square feet, more or less.

PARCEL 2 – MONUMENT SIGN EASEMENT

That portion of the south 1050 feet of the southwest quarter of Section 32, Township 3 South, Range 3 West, San Bernardino Meridian, in the City of Moreno Valley, County of Riverside, State of California, being described as follows:

1

COMMENCING at the southwest corner of said Section 32, said corner being on the centerline of Perris Boulevard as shown on Parcel Map No. 24128, on file in Book 161 of Parcel Maps at pages 83 through 86, inclusive thereof, Records of Riverside County, California;

Thence North 00°16'30" East along the west line of said Section 32 and along said centerline of Perris Boulevard, a distance of 60.00 feet to a point of intersection with the westerly prolongation of the northerly line of that certain parcel of land conveyed to the Riverside County Flood Control and Water Conservation District recorded February 11, 1955 in Book 1692 at page 444, Official Records of Riverside County, California;

Thence South 89°29'56" East along said westerly prolongation, a distance of 55.00 feet to a point on the easterly right-of-way line of Perris Boulevard per Easement Deed to the City of Moreno Valley recorded December 04, 1990, as Instrument No. 440846, Official Records of Riverside County, California, said point also being the southwesterly corner of that certain parcel of land conveyed to the Riverside County Flood Control and Water Conservation District recorded September 15, 2006 as Document No. 2006-0684667, Official Records of said county and state;

Thence North 00°16'30" East along said easterly right-of-way line and along said westerly line of said parcel so conveyed, a distance of 43.91 feet to the northwesterly corner of said parcel;

Thence South 70°36'59" East along the northerly line of said parcel so conveyed, a distance of 53.37 feet to the **TRUE POINT OF BEGINNING;**

Thence North 30°41'44" West, a distance of 38.00 feet;

Thence North 59°18'16" East, a distance of 20.00 feet;

Thence South 30°41'44" East, a distance of 38.00 feet;

Thence South 59°18'16" West, a distance of 20.00 feet to the **TRUE POINT OF BEGINNING.**

Containing 760 square feet, more or less.

2

AGREEMENT TO SHARE MAINTENANCE EXPENSES

Preamble

This Agreement is entered into on April 27, 2009, by and between Industrial Developments International, hereafter referred to as "IDI", and City of Moreno Valley (hereafter collectively referred to as "the Parties").

Recitals

A. Ross Stores and the City of Moreno Valley have entered into an Easement Agreement for the placement of a City entry monument sign located at 17800 Perris Boulevard, Moreno Valley, California, in Riverside County, California.

B. IDI was the developer of the building currently owned and occupied by Ross Stores

C. The Parties wish to enter into an agreement providing for the sharing by them of the cost of maintaining and repairing the City entry monument sign located on the above-referenced easement.

Term

1. This Agreement shall terminate at such time as the City monument sign is permanently removed from its location at 17800 Perris Boulevard, Moreno Valley, CA.

Construction, Maintenance and Repairs

2. IDI will construct and install the entry monument sign on the above-referenced easement and will be responsible for installing the illumination of the sign. The City of Moreno Valley will be the owner of the City entry monument sign upon the completion of its installation.

3. The City of Moreno Valley will be responsible for the maintenance of and repairs to the monument sign. The City of Moreno Valley will be responsible for all operating costs including illuminating the sign.

4. To assist with the funding of the maintenance of and repairs to the entry monument sign, IDI will contribute a one-time gift of five thousand dollars ($5,000.00) to the City of Moreno Valley for the all ongoing maintenance and repairs.

Liability for Injury to Third Party

5. The City of Moreno Valley will bear the liability for any personal injury or property damage to any worker employed by the City of Moreno Valley to perform maintenance or repair work covered by this Agreement, or to any third party provided the alleged injury or damage results from or arises out of the location and placement of the entry monument sign.

Indemnification

6. The City of Moreno Valley shall indemnify and hold IDI and Ross Stores free and harmless from any and all liability for personal injury or property damage when the injury or damage results from or is attributable to any maintenance or repair work undertaken pursuant to this Agreement or arises out of the location and placement of the entry monument sign.

Executed on _____.

City of Moreno Valley

_____ Date: _____
Robert G. Gutierrez, City Manager

IDI

_____ Date: _____
Alan Sharp

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Chris Paxton, Human Resources Director

AGENDA DATE: August 25, 2009

TITLE: Resolution Related to CalPERS Employer Paid Member Contributions (EPMC)

RECOMMENDED ACTION

Staff recommends that the City Council:

Adopt Resolution No. 2009-79 which eliminates the CalPERS Employer Paid Member Contribution (EPMC) benefit for City employees hired after August 31, 2009.

BACKGROUND

Like most local government agencies, the City of Moreno Valley has historically paid the employee portion of CalPERS contributions for full time employees. That contribution is currently 8% of earnings. In addition, as a result of labor negotiations, and in accordance with Government Code Section 20636 (c)(4), the City commenced paying and reporting the value of those employer paid member contributions (the 8%) as earnings to CalPERS in 2005.

DISCUSSION

With the continuing economic crisis and the likelihood of more revenues being pre-empted by the State, the City has made substantial cuts across all funds. Along with making cuts in departmental spending, the City has negotiated a number of salary and benefit concessions with its various labor groups. In addition to deferring cost of living adjustments, reducing work schedules, reductions in the workforce, early retirement incentives, hiring freezes and other strategies, the City and its bargaining groups have agreed to modify the payment and reporting of CalPERS benefits for newly hired employees.

Pursuant to new memoranda of understanding (MOUs) signed in the past few weeks, the City will no longer pay the employer portion of CalPERS contributions for those employees hired after 8/31/09. In addition, since there will be no employer paid member contributions for this group, there will be no reporting of EPMC as compensation for these employees. The payment of the 8% employee portion and the EPMC benefit remain unchanged for current employees.

To effect this change in benefits, the City Council must adopt the attached resolution which differentiates between employees hired before and after August 31, 2009

ALTERNATIVES

1. Approve the recommended resolution eliminating the EPMC benefit for those employees hired after August 31, 2009.

2. Not approve this resolution which would be contrary to labor agreements recently negotiated and which would negate the anticipated 8% payroll savings.

FISCAL IMPACT

For each employee hired after August 31, 2009, the City of Moreno Valley will save approximately 8% of payroll in CalPERS contributions. Actual savings will depend on how many employees are hired and their rate of pay.

ATTACHMENTS

Exhibit "A" – Resolution # 2009-79

Prepared By: Concurred By:

Chris Paxton
HR Director

Betsy Adams
Assistant City Manager

Department Head Approval:
Chris Paxton
HR Director

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

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RESOLUTION NO. 2009-79

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AUTHORIZING EMPLOYER PAID MEMBER CONTRIBUTIONS

WHEREAS, pursuant to Section 20691 of the California Government Code, the City Council of the City of Moreno Valley has the authority to compensate employees as more specifically described in Government Code Section 20636(c)(4); and

WHEREAS, the City Council of the City of Moreno Valley has written labor policies or agreements which specifically provide for the normal member contributions to be paid by the employer, and reported as additional compensation; and

WHEREAS, one of the steps in the procedure to implement Section 20691 is the adoption by the City Council of the City of Moreno Valley of a resolution to commence paying and reporting the value of Employer Paid Member Contributions (EPMC); and

WHEREAS, the City Council of the City of Moreno Valley has previously adopted Resolution 2004-01 authorizing the payment and reporting of EPMC; and

WHEREAS, the City Council of the City of Moreno Valley has negotiated new labor agreements that modify the provisions of Resolution 2004-01; and

WHEREAS, as a result of these new labor agreements, the City Council of the City of Moreno Valley has identified the following conditions for the purpose of its election to pay EPMC:

1. This benefit shall apply to all full time employees classified as local miscellaneous employees hired prior to September 1, 2009.

2. This benefit shall consist of paying 8% of the normal contributions as EPMC, and reporting the same percent of compensation earnable as additional compensation.

3. The effective date of this Resolution shall be August 25, 2009.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Moreno Valley elects to modify its current payment of EPMC, as set forth above.

APPROVED AND ADOPTED this 25th day of August, 2009.

By:_____
Mayor

ATTEST:

_____
City Clerk
(Seal)

APPROVED AS TO FORM:

_____
City Attorney

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council and President and Board of Directors of the Moreno Valley Community Services District

FROM: Michael McCarty, Director of Parks and Community Services

AGENDA DATE: August 25, 2009

TITLE: Update on Ordinance No. 741 as Amended and Ordinance No. CSD 52 as Amended Relating to the Prohibition of Smoking in Parks and Recreation Facilities

RECOMMENDED ACTION

Staff recommends that the City Council and Board of Directors for the Moreno Valley Community Services District receives the report for file.

ADVISORY BOARD/COMMISSION RECOMMENDATION

N/A

BACKGROUND

This item is on the Council agenda in order to provide brief background and update on the prohibition of smoking in parks and facilities. At the time the ordinance was adopted, the Council requested that staff provide an annual update. At the regular meeting on November 10, 2005, the Parks and Recreation Commissioners were asked by a representative of the Riverside County Department of Public Health Tobacco Control Project to make Moreno Valley's parks smoke-free zones. The Parks and Recreation Commissioners concurred, asking staff to carry their recommendation to prohibit smoking in parks forward.

Staff prepared an amendment to Chapter 11.40 and Ordinance No. CSD 42 relating to the use of parks and recreation facilities to include no smoking in park facilities. On February 20, 2007, the amendment was presented to the City Council during a Study Session. At the regularly scheduled Council meeting of March 27, 2007, the amendment was introduced and the first reading occurred. At the regularly scheduled Council

meeting of April 10, 2007, the amendment received the second reading and adoption as follows:

- Ordinance No. 741 as amended – an Ordinance of the City Council of the City of Moreno Valley Amending Sections 11.40.020 and 11.40.040 of Chapter 11.40 of Title 11 of the City of Moreno Valley Municipal Code, Relating to the Prohibition of Smoking in Parks and Recreation Facilities (received introduction and first reading on March 27, 2007 by a 4-0-1 vote, West, dissenting).

- Ordinance No. CSD 52 as amended – an Ordinance of the Moreno Valley Community Services District, of the City of Moreno Valley, California, Amending Sections 4 and 5 of Ordinance No. CSD 42, Relating to the Prohibition of Smoking in Parks and Recreation Facilities (received introduction and first reading on March 27, 2007 by a 4-0-1 vote, West, dissenting).

DISCUSSION

Under the amended ordinance, Section 5. Regulations, Item bb. Smoking in Parks, Section 2, the Director of Parks and Community Services may designate smoking areas. As part of enforcing the amended ordinance, the Director has designated three smoking areas. They are located at: Conference and Recreation Center east patio, Senior Center outdoor patio on the south side of the building, and TownGate Community Center in the grassy area of the enclosed patio.

When developing the no-smoking ordinance in parks and facilities, staff contacted other cities regarding their no-smoking ordinances in parks and facilities. Staff learned that the cities were not having any issues, and most patrons were accepting of their no-smoking ordinance. Since implementing the Parks and Community Services Department's no-smoking ordinance, we have experienced the same response from patrons. Although Park Rangers have the authority to cite those who smoke in parks, it has been the case that patrons support no smoking in parks, and self enforcement has prevailed. Also, no complaints or concerns have been brought to the attention of this department to indicate otherwise. Thus far, no citations have been issued, and if staff observes patrons smoking in non-designated areas, the patrons will be advised of the no-smoking ordinance.

ALTERNATIVES

N/A

FISCAL IMPACT

None

SUMMARY

Staff recommends that the City Council and Board of Directors for the Moreno Valley Community Services District receives the report for file.

NOTIFICATION

Post of the Agenda

ATTACHMENTS/EXHIBITS

N/A

Prepared By:
Steve Kupsak
Parks Maintenance Division Manager

Department Head Approval:
Michael McCarty
Director of Parks and Community Services

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

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APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Jane Halstead, City Clerk, CMC

AGENDA DATE: August 25, 2009

TITLE: APPOINTMENT OF INTERIM CITY ATTORNEY ROBERT L. HANSEN AS THE CITY'S VOTING DELEGATE TO THE LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE BUSINESS MEETING TO BE HELD FRIDAY, SEPTEMBER 18, 2009

RECOMMENDED ACTION

Staff recommends that the City Council appoint Interim City Attorney Robert L. Hansen as the City's Voting Delegate to the League of California Cities 2009 Annual Conference Business Meeting.

BACKGROUND

The League of California Cities Annual Conference is scheduled for September 16-18, 2009 in San Jose. At this meeting, the League membership will consider and take action on resolutions that establish policy. The city must designate a voting delegate and may appoint up to two alternate voting delegates, one of whom may vote in the event that the designated voting delegate is unable to do so. Designating a voting delegate must be done by City Council action.

ALTERNATIVES

1. Staff recommends that the City Council appoint Interim City Attorney Robert L. Hansen as the City's Voting Delegate to the League of California Cities Annual Conference Business Meeting. (**Recommended by staff**)

2. Do not appoint Interim City Attorney Robert L. Hansen as the City's Voting Delegate to the League of California Cities Annual Conference Business Meeting. (**Not recommended by staff**)

FISCAL IMPACT

There is no fiscal impact associated with the recommended action.

NOTIFICATION

Agenda publication

ATTACHMENTS/EXHIBITS

None

Prepared By:
Name Jane Halstead
Title City Clerk

Department Head Approval:
Name
Title

Concurred By:
Name
Title

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

Report to City Council

TO: Mayor and City Council

FROM: Jane Halstead, City Clerk

AGENDA DATE: August 25, 2009

TITLE: CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES

RECOMMENDED ACTION

Staff recommends that the City Council receive and file the Reports on Reimbursable Activities for the period of July 8 – August 18, 2009.

Reports on Reimbursable Activities July 8 – Auguat 18, 2009		
Council Member	Date	Meeting
William H. Batey II	7/13/09	League of California Cities Riverside County Division
Bonnie Flickinger	8/7/09	Moreno Valley Hispanic Chamber of Commerce - Adelante
Robin N. Hastings	7/13/09	League of California Cities Riverside County Division
	7/17/09	Moreno Valley Chamber of Commerce – Wake-Up Moreno Valley
Jesse L. Molina	7/17/09	Moreno Valley Chamber of Commerce – Wake-Up Moreno Valley
	8/11/09	Lunch Meeting with Council Member Batey
Richard A. Stewart		None

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

Department Head Approval:
Jane Halstead
City Clerk

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

\\Zurich\shared\InterDept\Council-Clerk\City Clerk Files\Council Office\AB 1234 Reports\2009\082509.doc

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SEE AGENDA ITEM A8.

B2. TRANSFER OF REAL PROPERTY LOCATED AT THE SOUTHEAST CORNER OF PERRIS BOULEVARD AND FILAREE AVENUE (APN 486-084-001) FROM THE CITY OF MORENO VALLEY TO THE MORENO VALLEY COMMUNITY SERVICES DISTRICT AND DEDICATION OF RIGHT OF WAY FROM THE MORENO VALLEY COMMUNITY SERVICES DISTRICT TO THE CITY OF MORENO VALLEY (Report of: Public Works Department) **(This item is also listed as Item A8)**

Recommendation:

1. Accept the transfer of real property known as Assessor's Parcel Number (APN) 486-084-001 from the City of Moreno Valley, a Municipal Corporation to the Moreno Valley Community Services District;

2. Authorize the President of the Board of Directors of the Community Services District to execute the Certificate of Acceptance (COA) (Attachment "C") and direct the City Clerk to record the COA with the County Recorder of Riverside County when fully executed;

3. Approve the Offer of Dedication of a portion of APN 486-084-001 as a perpetual easement and right-of-way for public street and highway, public utilities, and public service facilities purposes; and

4. Authorize the President of the Board of Directors of the Community Services District to execute Easement Deed (Attachment "D") to the City of Moreno Valley, a Municipal Corporation and all related documents as may be necessary to complete said offer of dedication.

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MINUTES - REGULAR MEETING OF July 14, 2009
(Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.6

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APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council acting in their capacity as the President and Board of Directors of the Moreno Valley Community Services District

FROM: Michael McCarty, Director of Parks and Community Services

AGENDA DATE: August 25, 2009

TITLE: Recommendation to Enter Into Agreement with Carney Educational Services, LLC

RECOMMENDED ACTION

Staff recommends that the City Council authorize the City Manager to enter into an agreement with Carney Educational Services, LLC, to purchase customized snacks to be delivered to all 41 after school sites covering the 2009/2010 program year for the After School Education and Safety Program Grant (ASES), and direct the Budget Officer to issue a purchase order in the amount of $394,902.

ADVISORY BOARD/COMMISSION RECOMMENDATION

N/A

BACKGROUND

The focus of the After School Education and Safety (ASES) program grant submitted by the City, in partnership with the Moreno Valley Unified School District (MVUSD) and Val Verde Unified School District (VVUSD), is to offer an array of services, programs, and activities that reinforce and complete the ASES Grant academic program. Educational enrichment may include but is not limited to positive youth development strategies, recreation and prevention activities. Such activities might involve the visual and performing arts, music, physical activity health/nutrition promotion, and general recreation; career awareness and work preparation activities; community service learning; and other youth development activities based on students needs and interest. Enrichment activities are designed to enhance the core curriculum.

The school sites receiving grant funding were chosen based in part on the percentage of students eligible for free and reduced lunches. The program requirements are to operate after school a minimum of 15 hours per week and at least until 6:00 p.m., beginning immediately upon the conclusion of the regular school day; operate every regular school day during the school year; and offer a daily nutritious snack. The program elements are an educational and literacy element, physical education, and an educational enrichment element. The educational and literacy element must include tutoring and/or homework assistance designed to help students meet state standards in one or more of the following core academic subjects: language arts, mathematics, history and social science, science, or computer training. The educational enrichment element must offer an array of additional services, programs, and activities that reinforce and complement the regular academic program of participating students to support positive youth development. The program will not only benefit the 3,500 students in the program but the entire community as well.

DISCUSSION

Staff is requesting to enter into an agreement with Carney Educational Services, LLC, (DBA AfterSchoolStore.com) to meet the required nutritional guidelines of the ASES grant. Carney Educational Services, LLC, will provide individually packaged snacks, fresh fruit and vegetables, and 100% fruit juice on a daily basis to help reinforce the nutritional education and healthy message for the youth in our program.

The grant currently reimburses 71 cents per child per day from the Child and Adult Care Food Program grant, and Carney Educational Services, LLC, will charge 67 cents per child per day. Snacks will be delivered on a weekly basis to all 41 school sites, whereas other companies were unable to deliver to individual sites and would only deliver to one centrally located place, which would require staff to pick up and deliver to the individual sites. There is insufficient storage space to hold that amount of product, and staff would be unable to deliver to each site in an efficient manner. In the previous years, the City had entered into contract with VVUSD to purchase snacks for the 17 VVUSD sites, and staff was then responsible to purchase and deliver snacks to the 24 schools in the MVUSD. Using Carney Educational Services, LLC, will allow the City to have a single vendor responsible for all aspects of providing snacks to the children in our program while still adhering to the Child and Adult Care Food Program and the ASES grant.

The federal child nutrition programs, which already feed 1.4 million children after school, cover the cost of providing after school snacks. All ASES grantees are eligible to receive funding through one or more of the nutritional programs, and the funding is based on the number of children served.

Because of the grant structure where the City has approximately $394,902 to spend on nutritional services for the children by the end of this fiscal year, by entering into contract with Carney Educational Services, LLC, this will fulfill the grant's requirement. As per any company conducting business within the city, a City of Moreno Valley

Business License is required. Carney Educational Services, LLC, is in the process of securing the license and will be in place by the start of program.

ALTERNATIVES

1. Approve the recommended action as outlined above.

2. Elect not to approve the recommended action as outlined above and provide direction to staff.

FISCAL IMPACT

The funding of these program expenditures are covered at 100 percent (100%) through direct grant funding, account number 16213.6396.

NOTIFICATION

Posting of the agenda

ATTACHMENTS/EXHIBITS

Attachment A: Purchase Agreement with Carney Educational Services, LLC

Prepared By:
Christine Peterson
Program Manager

Department Head Approval:
Michael McCarty
Director of Parks and Community Services

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

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ATTACHMENT A

City of Moreno Valley

INDEPENDENT CONTRACTOR AGREEMENT

This Agreement is made by and between the City of Moreno Valley, California, a municipal corporation, hereinafter referred to as the "City", and the following named independent contractor, hereinafter referred to as the "Contractor," based upon City policies and the following legal citations:

A. Government Code Section 53060 authorizes the engagement of persons to perform special services as independent contractors; and

B. The public interest, convenience, necessity and general welfare will be served by this Agreement.

This Agreement is made and entered into effective the date the City signs this Agreement.

1. CONTRACTOR INFORMATION:

Contractor'sName: Carney Educational Services DBA After School Store.com
Address: 430 Grand Cypress Ave. Suite 103
City: Palmdale State: CA Zip: 93551-3631
Business Phone: 866-512-7975 Fax No. 661-480-1551
Other Contact Number: _____
Social Security Number: _____
Business License Number: 30337 City of Palmdale
Federal Tax I.D. Number: 26-1514712

2. CONTRACTOR SERVICES, FEES, AND RELEVANT DATES:

A. The Contractor's scope of service is described in Exhibit "A" attached hereto and incorporated herein by this reference.

B. Payment terms are provided in Exhibit "C" attached hereto and incorporated herein by this reference.

C. The Contractor Starting Date is August 24, 2009 and the Contractor Ending Date is June 10, 2010. The City acknowledges that it will not unreasonably withhold approval of the Contractor's requests for extensions of time in which to complete the work required. The Contractor shall not be responsible for performance delays caused by others or delays beyond the Contractor's reasonable control (excluding delays caused by non-performance or unjustified delay by Contractor, his/her/its employees, or subcontractors), and such delays shall extend the time for performance of the work by the Contractor.

3. **STANDARD TERMS AND CONDITIONS:**

A. Control of Work. Contractor is solely responsible for the content and sequence of the work, and will not be subject to control and direction as to the details and means for accomplishing the anticipated results of services. The City will not provide any training to Contractor or his/her/its employees.

B. Intent of Parties. Contractor is, and at all times shall be, an independent contractor and nothing contained herein shall be construed as making the Contractor or any individual whose compensation for services is paid by the Contractor, an agent or employee of the City, or authorizing the Contractor to create or assume any obligation or liability for or on behalf of the City, or entitling the Contractor to any right, benefit, or privilege applicable to any officer or employee of the City.

C. Subcontracting. Contractor may retain or subcontract for the services of other necessary contractors with the prior written approval of the City. Payment for such services shall be the responsibility of the Contractor. Any and all subcontractors shall be subject to the terms and conditions of this Agreement, with the exception that the City shall have no obligation to pay for any subcontractor services rendered. Contractor shall be responsible for paying prevailing wages where required by law [See California Labor Code Sections 1770 through 1777.7].

D. Legal Considerations. The Contractor shall comply with applicable federal, state, and local laws in the performance of this Agreement.

E. Contractor Indemnification. Contractor shall indemnify, defend and hold the City, the Community Redevelopment Agency of the City of Moreno Valley (RDA), and the Moreno Valley Community Services District (CSD), their officers, agents and employees harmless from any and all claims, damages, losses, causes of action and demands, including reasonable attorney's fees and costs, incurred in connection with or in any manner arising out of Contractor's performance of the work contemplated by this Agreement. Acceptance of this Agreement signifies that the Contractor is not covered under the City's general liability insurance, employee benefits, or worker's compensation. It further establishes that the Contractor shall be fully responsible for such coverage.

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

G. Insurance Requirements. Where determined applicable by the City, Contractor will comply with the following insurance requirements at its sole expense. Insurance companies shall be rated (A Minus: VII—Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct business in the State of California:

× General Liability Insurance—to protect against loss from liability imposed by law for damages on account of bodily injury, including death, and/or property damage suffered or alleged to be suffered by any person or persons whomever, resulting directly or indirectly from any act or activities of the Contractor, sub-Contractor, or any person acting for the Contractor or under its control or direction. Such insurance shall be maintained in full force and effect throughout the terms of the Agreement and any extension thereof in the minimum amounts provided below:

Bodily Injury	$1,000,000 per occurrence/ $2,000,000 aggregate
Property Damage	$500,000 per occurrence/ $500,000 aggregate

☐ Professional Errors and Omission Insurance—such coverage shall not be less than $1,000,000 per claim and aggregate.

× Worker's Compensation Insurance—in such amounts as will fully comply with the laws of the State of California and which shall indemnify, insure and provide legal defense for both the Contractor and the City, RDA, and CSD against any loss, claim or damage arising from any injuries or occupational diseases happening to any worker employed by the Contractor in the course of carrying out the Agreement. This coverage may be waived if the Contractor is determined to be functioning as a sole proprietor and the city provided form "Exception to Worker's Compensation Coverage" is signed, notarized and attached to this Agreement

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

☐ Insurance requirements waived with Risk Manager's approval.

☐ Insurance requirements modified with Risk Manager's approval and attached hereto as Exhibit "D" and incorporated herein by this reference.

A Certificate of Insurance and appropriate additional insured endorsement evidencing the above applicable insurance coverage shall be submitted to the City Risk Manager prior to the execution of this Agreement. The Certificate of Insurance or an appropriate binder shall bear an endorsement containing the following provisions:

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

The terms of the insurance policy or policies issued to provide the above coverage shall neither be amended to reduce the required insurance limits and coverages nor shall such policies be canceled by the carrier without thirty (30) days prior written notice by certified or registered mail of amendment or cancellation to the City, except that cancellation for non-payment of premium shall require ten (10) days prior written notice by certified or registered mail. In the event the insurance is canceled, the Contractor shall, prior to the cancellation date, submit to the Risk Manager new evidence of insurance in the amounts established.

H. Intellectual Property. Any system or documents developed, produced or provided under this Agreement, including any intellectual property discovered or developed by Contractor in the course of performing or otherwise as a result of its work, shall become the sole property of the City unless explicitly stated otherwise in this Agreement. The Contractor may retain copies of any and all material, including drawings, documents, and specifications, produced by the Contractor in performance of this Agreement. The City and the Contractor agree that to the extent permitted by law, until final approval by the City, all data shall be treated as confidential and will not be released to third parties without the prior written consent of both parties.

I. Entire Agreement. This Agreement constitutes the entire agreement between the parties. There are no understandings, agreements, or representations of warranties, expressed or implied, not specified in this Agreement. This Agreement applies only to the current proposal as attached. This Agreement may be modified or amended only by a subsequent written Agreement signed by both parties. Assignment of this Agreement is prohibited without prior written consent.

J. (a) The City may terminate this Agreement without cause by giving at least ten (10) days written notice to the Contractor. The written notice shall specify the date of termination. Upon receipt of such notice, the Contractor may continue work through the date of termination, provided that no work or service(s) shall be commenced or continued after receipt of the notice which is not intended to protect the interest of the City. The City shall pay the Contractor within thirty (30) days after receiving any invoice after the date of termination for all non-objected to services performed by the Contractor in accordance herewith through the date of termination.

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

K. Payment. Payments to the Contractor pursuant to this Agreement will be reported to Federal and State taxing authorities as required. The City will not withhold any sums from compensation payable to Contractor. Contractor is independently responsible for the payment of all applicable taxes. Where the payment terms provide for compensation on a time and materials basis, the Contractor shall maintain adequate records to permit inspection and audit of the Contractors time and materials charges under the Agreement. Upon reasonable notice, such records must be made available to the City's agent; however, nothing herein shall convert such records into public records. Such records shall be retained by the Contractor for three (3) years following completion of the services under the Agreement.

L. Restrictions on City Employees. The Contractor shall not employ any City employee or official in the work performed pursuant to this Agreement. No officer or employee of the City shall have any financial interest in this Agreement in violation of federal, state, or local law.

M. Choice of Law and Venue. The laws of the State of California shall govern the rights, obligations, duties, and liabilities of the parties to this Agreement, and shall govern the interpretation of this Agreement. Any legal proceeding arising from this Agreement shall be brought in the appropriate court located in Riverside County, State of California.

SIGNATURE PAGE TO FOLLOW

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

City of Moreno Valley

BY: _____

Financial & Administrative Services Director/City Manager/Mayor
(Select only one please)

_____
Date

Contractor/Consultant Name

BY: Margie Todd

TITLE: President
(President or Vice President)

8/11/09
Date

BY: _____

TITLE: _____
(Corporate Secretary)

_____
Date

INTERNAL USE ONLY

ATTEST:

_____
City Clerk
(only needed if Mayor signs)

APPROVED AS TO LEGAL FORM:

_____
City Attorney

_____
Date

RECOMMENDED FOR APPROVAL:

_____
Department Head
(if contract exceeds 15,000)

_____
Date

Moreno Valley Snack Program
SCOPE of WORK

EXHIBIT A

GENERAL AGREEMENT

This agreement is entered into between Carney Educational Services (CES) and the City of Moreno Valley ("City") for the purpose of providing after school snack services. It is recognized that the purpose of this agreement shall be constructed in a manner not inconsistent with the California Education Code and other laws of the State of California.

AGENCY AND PROGRAM BACKGROUND

Carney Educational Services is a private agency, serving youth in California since 1992. Carney Educational Services Program enriches social, cognitive, and physical development in youth through after-school and interventional programs. The snack program is a component of our services that provides daily nutritional snack for after school sites.

SNACK PROGRAM SERVICES

Carney Educational Services will provide after-school snack at "City" sites every school day from August 24, 2009 until June 11, 2009. Children will be provided a daily nutritional snack and drink. Snack will be provided for a set unit price of .674 per student, per day and total cost will vary based on City program enrollment. Snack nutritional values will be in accordance with state guidelines.

PROGRAM DELIVERY

Snack will be delivered to City programs weekly. City program must provide a secure area for product to be stored. City program will assign a contact for each site who will sign for delivery. CES will provide two extra days of product at each site. CES will invoice Monthly with NET 15 DAY terms based on attendance provided by City.

PROGRAM STAFFING REQUIREMENTS

Carney Educational Services shall be solely responsible for staff in their employ under this agreement. Carney Educational Services certifies that staff providing services are adequately trained and prepared according to prevailing standards for providing such services. Carney Educational Services will provide adequate supervision of the staff. CES will provide all necessary insurance for employees as specified in INDEPENDENT CONTRACTOR AGREEMENT.

PROGRAM FEE

City of Moreno Valley agrees to pay Carney Educational Services for program coordination and implementation an amount not to exceed $ 461,016.00. This amount represents snack delivery from August 24, 2009 to June 11, 2010 to (40) sites, at full attendance. Actual cost will be determined on actual attendance. Payments will be invoiced to City of Moreno Valley based on snack program requirements.

EXHIBIT C

City of Moreno Valley agrees to pay Carney Educational Services for program coordination and implementation an amount not to exceed $461,000. This amount represents snack delivery from August 24, 2009 to June 11, 2010 to (41) sites, at full attendance. Actual cost will be determined on actual attendance. Payments will be invoiced to the City of Moreno Valley based on snack program requirements.

P.O. NO._____

SOLE SOURCE REQUEST
JUSTIFICATION/APPROVAL FORM

RECEIVED
CITY OF MORENO VALLEY
09 AUG -4 PM 2:36
PURCHASING DIVISION

VENDOR NAME: **Afterschoolstore.com**
CONTACT NAME: **Mark Hovis**
PHONE NO: **866-512-7975**

Describe the product/service: Customized snacks that are uniquely suited to meet the requirements set fourth in the S.T.A.R.S. Grant program and the Child and Adult Care Food Program.

Check reason(s) for sole source request:

1. ☒ Proprietary: The item is held under exclusive title, trademark or copyright by a private person or company; a proprietary distributorship would also apply.

   ☐ No other vendor possesses the item(s) or services needed to perform the same function.

   ☐ Geographic location: Transportation costs make purchasing from another vendor too costly.

   ☐ Standardization: The City requires the product/service to be standardized based on parts, design, quality, inter-operability, expertise or other.
   Please explain:

2. Is the product or service available from other sources? ☐ YES ☒ NO
   If YES, list names of vendors and explain why additional quotes were not obtained:

3. Can your requirements be modified so that competitive products or services may be used?

   ☒ NO ☐ YES - Please explain:

Signatures: When signing below you are stating that the above is correct and true

Division Manager Name: Michael McCarty

Division Manager Signature: _____ Date: 7-29-09

Approved: ☑ YES ☐ NO

Purchasing Manager: _____ Date: 8/10/09

Item No. B.4

ACORD CERTIFICATE OF LIABILITY INSURANCE

OP ID ML CARNE-2 | DATE (MM/DD/YYYY) 04/17/09

PRODUCER
Frankel & Associates
RANDY FRANKEL
9233 W. PICO BLVD. #226
LOS ANGELES CA 90035
Phone: 310-271-5582 Fax: 310-887-1758

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

INSURED
CARNEY EDUCATIONAL DBA:
AFTERSCHOOLSTORE.COM
3441 Ocean View Blvd.
Glendale CA 91208

INSURERS AFFORDING COVERAGE		NAIC #
INSURER A:	Nautilus Insurance Co A+(IX)SLW	17370
INSURER B:	Century Natl Ins Co A-(IX)CA	26905
INSURER C:	Executive Risk Indemnity A++(XV)CA	
INSURER D:	Lloyds, London (Cert. Underw.) A(XV)CA	
INSURER E:	The Hartford A+(XV)CA	

COVERAGES

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	ADD'L INSRD	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS	
		GENERAL LIABILITY					
		COMMERCIAL GENERAL LIABILITY	NC538561 ✓	04/24/09	04/24/10	EACH OCCURRENCE	$ 1,000,000 ✓
		CLAIMS MADE [X] OCCUR ✓				DAMAGE TO RENTED PREMISES (Ea occurrence)	$ 100,000 ✓
						MED EXP (Any one person)	$ 5,000 ✓
						PERSONAL & ADV INJURY	$ 1,000,000 ✓
		GEN'L AGGREGATE LIMIT APPLIES PER:				GENERAL AGGREGATE	$ 3,000,000 ✓
		[X] POLICY [ ] PRO-JECT [ ] LOC				PRODUCTS - COMP/OP AGG	$ 3,000,000 ✓
B		AUTOMOBILE LIABILITY	BAP156924	09/16/08	09/16/09	COMBINED SINGLE LIMIT (Ea accident)	$ 1000000 ✓
		[ ] ANY AUTO				BODILY INJURY (Per person)	$
		[ ] ALL OWNED AUTOS				BODILY INJURY (Per accident)	$
		[X] SCHEDULED AUTOS				PROPERTY DAMAGE (Per accident)	$
		[X] HIRED AUTOS					
		[X] NON-OWNED AUTOS					
		GARAGE LIABILITY				AUTO ONLY - EA ACCIDENT	$
		[ ] ANY AUTO				OTHER THAN AUTO ONLY: EA ACC	$
						AGG	$
		EXCESS/UMBRELLA LIABILITY				EACH OCCURRENCE	$
		[ ] OCCUR [ ] CLAIMS MADE				AGGREGATE	$
		[ ] DEDUCTIBLE					$
		[ ] RETENTION $					$
		WORKERS COMPENSATION AND EMPLOYERS' LIABILITY	72WECK095656	03/27/09	03/27/10	[X] WC STATU-TORY LIMITS [ ] OTH-ER	
		ANY PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED?				E.L. EACH ACCIDENT	$ 1000000 ✓
		(Mandatory in NH)				E.L. DISEASE - EA EMPLOYEE	$ 1000000 ✓
		If yes, describe under SPECIAL PROVISIONS below				E.L. DISEASE - POLICY LIMIT	$ 1000000 ✓
C		PROF LIABILITY	8173-3389	09/16/08	09/16/09	CSL	1,000,000 ✓
D		MOLESTATION/ABUSE	440191	11/01/08	11/01/09	CSL	1,000,000 ✓

RISK MANAGEMENT
Approved
By 8-17-09 Date

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS
CERTIFICATE HOLDER IS NAMED ADDITIONAL INSURED UNDER GENERAL LIABILTY AS REQUIRED BY CONTRACT PER BLANKET ADDITIONAL INSURED ENDORSEMENT

CERTIFICATE HOLDER

City of Moreno Valley
14075 Frederick Street
P.O. BOX 88005
Moreno Valley, CA 92552-0805

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE

ACORD 25 (2001/08)

© ACORD CORPORATION 1988

CARNEY EDUCATIONAL SERVICES

POLICY NUMBER NC538561 ✓

COMMERCIAL GENERAL LIABILITY

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

ADDITIONAL INSURED - BLANKET

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

A. **Section II - Who Is An Insured** is **amended** to include as an additional insured any person or organization for whom you are performing operations when you and such person or organization have agreed in writing in a contract or agreement that such person or organization be added as an additional insured on your policy. Such person or organization is an additional insured only with respect to liability for "bodily injury", "property damage" or "personal and advertising injury" caused, in whole or in part, by your acts or omissions, or the acts or omissions of those acting on your behalf:

1. In the performance of your ongoing operations for the additional insured; or
2. In connection with your premises owned by or rented to you;

but only for:

a. The limits of liability specified in such written contract or agreement, but in no event for limits of liability in excess of the applicable limits of liability of this policy; and

b. Occurrences or coverages not otherwise excluded in the policy to which this endorsement applies.

B. Status as an additional insured for the person or organization to which this endorsement applies:

1. Commences during the policy period and after such written contract or agreement has been executed; and
2. Ends when:

a. Your ongoing operations for that additional insured are completed; or

b. The lease of premises expires; or

c. Your policy cancels or expires;

whichever occurs first.

C. With respect to the insurance afforded to the additional insured, the following exclusions apply:

This insurance does not apply to "bodily injury" or "property damage" occurring after:

1. All work, including materials, parts or equipment furnished in connection with such work, on the project (other than service, maintenance or repairs) to be performed by or on behalf of the additional insured(s) at the location of the covered operations has been completed; or
2. That portion of "your work" out of which the injury or damage arises has been put to its intended use by any person or organization other than another contractor or subcontractor engaged in performing operations for a principal as a part of the same project.

All other terms and conditions of this policy remain unchanged.

LB05 (06/07) Includes copyrighted material from Insurance Services Office, Inc., with its permission.

POLICY NUMBER: NC538561 ✓ COMMERCIAL GENERAL LIABILITY

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

WAIVER OF TRANSFER OF RIGHTS OF RECOVERY AGAINST OTHERS TO US

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

SCHEDULE

Name of Person or Organization:

City of Moreno Valley, the Community Redevelopment Agency of the City of Moreno Valley, and the Moreno Valley Community Services District, employees and agents are included as additionally insured

The following is **added** to **8. Transfer Of Rights Of Recovery Against Others To Us** of **Section IV - Commercial General Liability Conditions:**

We waive any right of recovery we may have against the person or organization shown in the Schedule because of payments we make for injury or damage caused, in whole or in part, by your acts or omissions, or the acts or omissions of those acting on your behalf in the performance of your ongoing operations or "your work" done under a written contract with that person or organization and included in the "products-completed operations hazard". This waiver applies only to the person or organization shown in the Schedule.

All other terms and conditions of this policy remain unchanged.

L605 (06/07) Includes copyrighted material of Insurance Services Office, Inc., with its permission.

TODAY'S DATE:	08/17/09
DELIVER TO:	15670 Perris Blvd Moreno Valley, CA 92551
DELIVER ON OR BEFORE:	

PURCHASE REQUISITION

CITY OF MORENO VALLEY

Provide complete new vendor information or name-phone & e-mail for current vendors

Purchasing Use Only	
SELECTED VENDOR NO.#	REQUISITION NUMBER

POTENTIAL VENDOR(s)	Vendor #1	Vendor #2	Vendor #3
VENDOR NAME >	Carney Educational Services		
STREET ADDRESS >	dba AfterSchoolStore.com		
STREET ADDRESS >	430 Cypress		
CITY-STATE-ZIP >	Palmdale, Ca 93551		
CONTACT NAME >			
PHONE NUMBER >	(866) 512-7975		
E-MAIL ADDRESS >			

ITEM NUMBER	DESCRIPTION *(1) To make changes after initial entry double click on text* *(2) If text does not fit in row (260 characters max) use more rows*	QTY	UNIT OF MEASURE	ESTIMATED UNIT COST	ESTIMATED TOTAL	ACTUAL UNIT COST *Purchasing Area*	ACTUAL TOTAL *Purchasing Area*
	After School Snacks for Sites for School Year 2009/2010	1	Lump Sum	$394,902.00	$394,902.00		

Notes:

Est. Shipping:		Shipping:	
Est. Tax:		Tax:	
Est. Total:	$394,902.00	Total Spend:	

I hereby certify upon my own personal knowledge that the articles or materials requested hereon are necessary for use by the department for the purpose indicated above, and that there are sufficient funds in the budget of this office or department approved for the payment of same. **(Sign Below)**

		Percentage Split (to split, fill in % amounts below to equal 100%)	Business Unit and Expenditure Code (e.g. 31510.6221.225) NOTE: CANNOT SPLIT BETWEEN FUNDS	Amount of Expenditure
Requested by Rochelle Pollard	Date: 8/17/2009			
Division Manager ($15k)	Date:	100.0%	162.16213.6396	$394,902.00
epartment Head ($30K) Mike McCarty	Date: 8/17/09			
inancial & Admin. Svcs. Director ($50K)	Date:			
ity Manager ($100K)	Date:			
		100.0%	Allocated Total Spend:	$394,902.00

PurchaseRequisitionForm_V1.6.xls

AFTERSCHOOLSTORE.com

430 Grand Cypress
Suite 104
Palmdale, CA 93551
Phone: (866) 512-7975 Fax: (661) 947-5678

Date 8/5/2009
Quote # 1067

Expiration Date: 8/18/2009

Name / Address
City of Moreno Valley
Finance Department
P.O. BOX 88005
Moreno Valley, CA 92552-0805

Ship To
All City of Moreno Valley
STARS Afterschool Sites

Delivery Date	Shipping Terms	Payment Terms	Shipping Method	Salesperson
		Net 15	Truck	MH

Qty	Item	Description	Unit Price	Total
684,000	SNACKS	Snack - Individual Serving (Quantity based on approximate 4,000 students per day August 24, 2009 through June 11, 2010 = 171 school days) Billing to be adjusted to actual student count per week. Holidays and School Closure dates are not included.	0.674	461,016.00
		Moreno Valley Sales Tax	8.75%	0.00

Total **$461,016.00**

To accept quotation sign and return: _____

MORENO VALLEY
WHERE DREAMS SOAR

CITY OF MORENO VALLEY
Parks and Community Services
Recreation Division

MEMORANDUM

To: Rix Skonberg, Purchasing Manager

From: Christine Peterson, S.T.A.R.S. Program Supervisor

Date: July 28, 2009

Subject: Sole Source Vendor for Afterschoolstore.com

We are requesting that we be permitted to contract with Afterschoolstore.com, as a sole source vendor. We are requesting to purchase customized snacks with plates and napkins to be delivered to 40 school sites. Although many vendors may sell after school snacks, Afterschoolstore.com will be packaging and delivering the snacks according to our requirements for Child & Adult Care Food Program. The program snacks are uniquely suited to meet the requirements set forth in the S.T.A.R.S Grant program and the Child & Adult Care Food Program.

We were unable to locate another company that could provide the specific scope of services we are required per grant policies. Snack will be delivered to individual site locations on a weekly basis and stay with in the grant and food regulations. SYSCO is unable to provide delivery of food services of this nature and SYSCO charges above and beyond what we are reimbursed by the food program. SYSCO also require that all snacks be delivered to a central location and then picked up and taken to sites. We do not have the applicable storage space for this nor do we have the manpower to deliver snacks to the 40 school sites.

In particular, Afterschoolstore.com supports the S.T.A.R.S program by giving 5% of the total purchase back to the program. Afterschoolstore.com also provides a direct service to the participants in the S.T.A.R.S program. "It is imperative to have a relationship, and partner with a company, that possesses these unique capabilities in order to meet the stringent requirements set forth in the S.T.A.R.S grant."

We are confident that using this sole source vendor is the most cost efficient way to fulfill the snack requirement of our program. We will be using funds received from the State of California ASES Grant. If you require further information, please let us know. Thank you for your assistance with our request.

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SEE AGENDA ITEM A21.

B5. UPDATE ON ORDINANCE NO. 741 AS AMENDED AND ORDINANCE NO. CSD 52 AS AMENDED RELATING TO THE PROHIBITION OF SMOKING IN PARKS AND RECREATION FACILITIES (Report of: Parks and Community Services) **(This item is also listed as Item A21)**

Recommendation:
Receive and file.

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MINUTES - REGULAR MEETING OF July 14, 2009
(Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.6

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MINUTES - SPECIAL MEETING OF July 14, 2009
(Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.6

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APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council and the City Council Acting in their Capacity as the President and Members of the Board of Directors of the Moreno Valley Community Services District ("CSD")

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

AGENDA DATE: August 25, 2009

TITLE: CONTINUATION OF THE PUBLIC HEARING REGARDING THE MAIL BALLOT PROCEEDING FOR IDENTIFIED PROPERTIES WITHIN TPM 35629—BALLOTING FOR NPDES AND CSD ZONE M

RECOMMENDED ACTION

1. Staff recommends that the Mayor and City Council, after conducting the Public Hearing and accepting public testimony:

   a. Direct the City Clerk to tabulate the National Pollutant Discharge Elimination System ("NPDES") ballots for identified properties within Tentative Parcel Map ("TPM") 35629;
   b. Verify and accept the results of the mail ballot proceeding as identified on the Official Tally Sheet and attached Assessor Parcel Number ("APN") listing;
   c. Receive and file with the City Clerk's office the accepted Official Tally Sheet and APN listing; and
   d. If approved, authorize and impose the NPDES maximum commercial/industrial regulatory rate to the identified properties within TPM 35629.

2. Staff recommends that the Mayor and City Council, acting in their capacities as President and Members of the Board of Directors of the CSD ("CSD Board"), after conducting the Public Hearing and accepting public testimony:

   a. Direct the Secretary of the CSD Board (City Clerk) to tabulate the CSD Zone M ballots for identified properties within TPM 35629;
   b. Verify and accept the result of the mail ballot proceeding as identified on the Official Tally Sheet and attached APN listing;
   c. Receive and file with the City Clerk's office the accepted Official Tally Sheet and APN listing; and
   d. If approved, authorize and impose the annual CSD Zone M (Commercial, Industrial, and Multifamily Improved Median Maintenance) charge to the identified properties within TPM 35629.

ADVISORY BOARD/COMMISSION RECOMMENDATION

N/A

BACKGROUND

To comply with the 1972 Federal Clean Water Act, Land Development, a division of the Public Works Department, requires that new development projects participate in the appropriate NPDES regulatory rate to fund federally mandated programs. The City Council adopted the residential regulatory rate on June 10, 2003, and the commercial/industrial regulatory rate on January 10, 2006.

The Moreno Valley CSD was formed simultaneously with City incorporation in 1984. The designation of zones within the CSD was established to allocate the cost of special services to those parcels receiving the benefit. Each zone provides specific services to designated areas. Along with other zone services, the CSD provides street lighting maintenance, landscape maintenance, and improved median landscape maintenance.

DISCUSSION

Four separate owners are listed on parcels that shall be reconfigured for identified properties within TPM 35629: Westcoast Prop Partners, Sinclair Prop Partners, Sand Prop Partners, and HF Educational Partners. In compliance with Proposition 218, which requires that any new or proposed increase in property-related assessments, fees, or charges be submitted to property owners for approval, Special Districts ("SD"), a division of the Public Works Department, is conducting a mail ballot proceeding to allow the property owners the decision to approve or oppose the NPDES maximum commercial/industrial regulatory rate and the annual CSD Zone M charge. SD mailed ballot materials to each owner for this mail ballot proceeding.

The Public Meeting for this mail ballot proceeding was held on March 10, 2009, as scheduled. The Public Hearing was scheduled for March 24, 2009; however, the developer, on behalf of the property owners, requested a 60-day continuation of the Public Hearing. The request for continuation was granted. At the March 24, 2009, City Council meeting, the Public Hearing was rescheduled for May 26, 2009. Prior to the May 26, 2009, City Council meeting, the developer, on behalf of the property owners, submitted a second request for continuation of the Public Hearing. The continuation was granted, and the Public Hearing was scheduled for August 25, 2009. Copies of the correspondences requesting continuation of the Public Hearings are included as Attachment 4.

New development projects are subject to the current NPDES Permit requirements for stormwater management as mandated by the Federal Clean Water Act. Public agencies obtain Permits to discharge urban stormwater runoff from municipally owned drainage facilities, including streets, highways, storm drains, and flood control channels. If approved by the identified property owners of TPM 35629, the City will annually inspect site design, source and treatment control Best Management Practices, monitor maintenance records for those on-site facilities, and perform annual inspections of the affected areas to ensure

compliance with federally mandated NPDES Permit requirements, as administered by the State. The City will also be authorized to levy the maximum annual regulatory rate of $205 for fiscal year (FY) 2008/09 to each associated APN (and any division thereof) on the Riverside County property tax bill or as a monthly charge on a utility bill.

SD conditions commercial, industrial, and multifamily developments along designated arterial streets to participate in the median maintenance program in compliance with the citywide Arterial Median Maintenance Policy, approved by the CSD Board in February 2003 and modified January 2006. Staff manages private landscape maintenance firms to ensure that landscape preservation activities are completed on a regular schedule. Landscape maintenance includes, but is not limited to, mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, repairing decorative hardscape, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the landscaped medians. The annual CSD Zone M charge is levied on the Riverside County property tax bill.

ALTERNATIVES

1. **Conduct the Public Hearing,** tabulate the ballots, verify, and accept the results of the mail ballot proceeding as identified on the Official Tally Sheet and attached APN listing, receive and file with the City Clerk's office the accepted Official Tally Sheet, and if approved, authorize and impose the NPDES maximum commercial/industrial regulatory rate and the annual CSD Zone M charge to the identified properties within TPM 35629. *This alternative will fulfill the 45-day noticing period and Public Hearing requirements as mandated by Proposition 218.*

2. **Do not conduct the Public Hearing,** tabulate the ballots, verify, or accept the results for the identified properties within TPM 35629. *This alternative would be contrary to Proposition 218 mandates. The project has been conditioned to provide a funding source to help support the NPDES program and provide funding for the annual maintenance for the medians adjacent to the project. Noncompliance with the conditions of approval shall occur if the mail ballot proceeding to authorize the NPDES maximum commercial/industrial regulatory rate and the annual CSD Zone M charge is not completed.*

FISCAL IMPACT

For FY 2008/09, the NPDES annual regulatory rate and CSD Zone M charge for each parcel is listed on the following page. Prior to development of APN 488-350-001, which is also part of TPM 35629, SD shall ballot the property owner for NPDES and Zone M.

Assessor Parcel Number	2008/09 NPDES Maximum Commercial/Industrial Rate*	2008/09 CSD Zone M Annual Charge*
488-350-002 (and any division thereof)	$205	$17,285.40
488-360-001 (and any division thereof)	$205	$0.00
488-360-002 (and any division thereof)	$205	$0.00
488-360-003 (and any division thereof)	$205	$0.00
488-360-004 (and any division thereof)	$205	$0.00
488-360-005 (and any division thereof)	$205	$0.00
488-360-006 (and any division thereof)	$205	$0.00
488-360-007 (and any division thereof)	$205	$0.00
488-360-008 (and any division thereof)	$205	$4,077.60
488-360-009 (and any division thereof)	$205	$3,405.60
488-360-010 (and any division thereof)	$205	$3,405.60
488-360-011 (and any division thereof)	$205	$6,811.20
488-360-012 (and any division thereof)	$205	$6,501.60

*The NPDES maximum regulatory rate and the annual CSD Zone M charge may be subject to an annual inflation adjustment in subsequent years based on the annual percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

The NPDES rates collected from property owners support the current Permit programs, which reduces the level of General Fund support necessary to remain in compliance with unfunded federal mandates, as administered by the State. The annual CSD Zone M charge paid by the adjacent property owners provides the necessary funding for the maintenance of newly constructed medians within the CSD. There is no impact on the General Fund for newly constructed medians.

CITY COUNCIL GOALS

Advocacy
Management of the stormwater will ensure that water pollutants are discharged in compliance with federal mandates and City policies.

Community Image, Neighborhood Pride, and Cleanliness
The Zone M program allows the CSD an opportunity to enhance the appearance of newly developed areas within the City.

Revenue Diversification and Preservation
The annual CSD Zone M charge and the NPDES maximum commercial/industrial regulatory rate provide funding for program costs, which include maintenance and administration.

SUMMARY

The action before the City Council/CSD Board is to accept public testimony, tabulate the ballots, verify, and accept the results of the mail ballot proceeding for identified properties within TPM 35629.

NOTIFICATION

On December 22, 2008, SD mailed a ballot packet to Westcoast Prop Partners, Sinclair Prop Partners, Sand Prop Partners, and HF Educational Partners, the property owners of the identified properties within TPM 35629. The packet included a cover letter, map of the project area, the NPDES commercial/industrial rate schedule, notice to the property owner, instructions, ballots, and postage-paid envelopes for returning the ballots to the City Clerk. (See Attachment 1.)

Ballot documents were originally mailed to the property owners with a February 10, 2009, Public Meeting date and a February 24, 2009, Public Hearing date. A revised notice was mailed to each property owner on January 23, 2009, which reflected the new dates of the Public Meeting on March 10, 2009, and the Public Hearing on March 24, 2009. (See Attachment 2.)

Newspaper advertising for the March 10, 2009, Public Meeting and March 24, 2009, Public Hearing was published in The Press-Enterprise on February 20, 2009. Additionally, the Public Hearing notification was published on March 6 and again on March 13, 2009. The City Attorney determined that new notification was not necessary regarding the continuation of the Public Hearing since the revised Public Hearing date was announced during the regular City Council meeting.

ATTACHMENTS

Attachment 1: Ballot materials mailed to Westcoast Prop Partners, Sinclair Prop Partners, Sand Prop Partners, and HF Educational Partners packet
Attachment 2: Revised notice to the property owners
Attachment 3: TPM 35629
Attachment 4: Letters requesting continuation of the Public Hearing

Prepared by:
Jennifer A. Terry,
Management Analyst

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

Concurred by:
Sue Anne Maxinoski,
Special Districts Division Manager

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

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TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

December 22, 2008

Highland Fairview
14225 Corporate Way
Moreno Valley, CA 92553

Attention: Danette Fenstermacher, Chief Operating Officer & Executive Vice President

Subject: Mail Ballot Proceeding for parcels owned by Westcoast Prop Partners, HF Educational Partners, Sand Prop Partners, and Sinclair Prop Partners within Tentative Parcel Map (TPM) 35629, located on the north side of Eucalyptus Ave. between Redlands Blvd. and Theodore St., for approval of the National Pollutant Discharge Elimination System (NPDES) Maximum Commercial/Industrial Regulatory Rate and inclusion into and approval of the annual charge for the Community Services District (CSD) Zone M (Commercial, Industrial, and Multifamily Improved Median Maintenance) program

Dear Ms. Fenstermacher,

Conditions of Approval for TPM 35629 require that this development provide a funding source to help support the NPDES program and provide funding for the annual maintenance for the medians adjacent to your project. Approving the NPDES maximum commercial/industrial regulatory rate and the annual CSD Zone M charge through a mail ballot proceeding shall fulfill these requirements.

Please have the appropriate property owner sign and return their corresponding ballots in the enclosed postage-paid envelopes. The City Clerk's office must receive the ballots prior to the close of the Public Hearing on February 10, 2009.

NPDES Maximum Commercial/Industrial Regulatory Rate
Newly developed and/or modified properties within the City of Moreno Valley are subject to the current NPDES Permit requirements for stormwater management as mandated by the Federal Clean Water Act. The City will annually inspect site design, source control and treatment control Best Management Practices, verify monitoring and maintenance records for those on-site facilities, and perform annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State.

For fiscal year (FY) 2008/09, the NPDES maximum commercial/industrial regulatory rate is $205 per parcel. (Please refer to the enclosed rate schedule.) Beginning in FY 2009/10, the maximum regulatory rate shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics. Upon approval of the maximum regulatory rate, the annual levy amount will be assessed to parcels associated with TPM 35629 (and any division thereof) and will be placed on the 2009/10 Riverside County property tax bill or as a monthly charge on a utility bill.

CSD Zone M (Commercial, Industrial, and Multifamily Improved Median Maintenance)
In compliance with the Citywide Arterial Median Maintenance Policy, approved by the CSD Board in March 2003 and revised January 2006, commercial, industrial, and multifamily developments along designated arterial streets are to participate in the median maintenance program. Special Districts' staff manages private landscape maintenance firms to ensure that landscape preservation activities are completed on a regular schedule. The annual CSD Zone M charge was established to cover administration and service costs for the landscape maintenance. Services include, but are not limited to: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the landscaped medians.

For FY 2008/09 the annual CSD Zone M charge is $17,285.40 for APN 488-350-002, $4,077.60 for APN 488-360-008, $3,405.60 for APN 488-360-009, $3,405.60 for APN 488-360-010, $6,811.20 for APN 488-360-011, and $6,501.60 for APN 488-360-012. The CSD Zone M charge shall be proportionally adjusted if an APN is subdivided or if development occurs adjacent to the proposed medians. Beginning in FY 2009/10, the CSD Zone M charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics. The annual CSD Zone M charge shall be placed on the Riverside County property tax bill beginning in fiscal year 2009/10.

Ballot Process
In accordance with the legislative requirements of Proposition 218, Special Districts is submitting the enclosed Notice to Property Owner – Mail Ballot Proceeding for each property owner. The formal notices provide Public Meeting and Public Hearing dates, times and location, instructions for marking the enclosed ballots, and information on the services and charges.

If you have any questions about the proposed programs, charges, or this process, please contact Jennifer Terry, Management Analyst, Monday through Thursday from 7:30 a.m. to 5:30 p.m. and Friday from 8:00 a.m. to 5:00 p.m. at 951.413.3505.

Sincerely,

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

for Jennifer Terry
Management Analyst

Enclosures

c: Sue Maxinoski, Special Districts Division Manager
Marshall Eyerman, Special Districts Program Manager

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COMMON INTEREST, COMMERCIAL, INDUSTRIAL AND QUASI-PUBLIC USE NPDES RATE SCHEDULE
Adopted by the City Council on January 10, 2006

LEVEL 1			LEVEL II		
NPDES Administration			**Site Design, Source Control and Treatment Control BMPs Monitoring and Maintenance**		
(Not covered by CSA 152) Costs associated with personnel, administration and management of the storm water management program. Administrative tasks include development and filing of various stormwater reports and data collection and management. Level I is levied on all parcels conditioned for the NPDES Rate Schedule.			Costs associated with stormwater and non-stormwater runoff monitoring, inspection of the project's site design, source control and treatment control BMPs; evaluation of site stormwater compliance activities, review of site-specific technical reports and treatment control BMP maintenance records.		
Fiscal Year (FY) 2005/2006 - Base Year Calculation, subject to an annual inflation factor based on the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics					
	Per Month	**Per Year**		**Per Month**	**Per Year**
PROPOSED PARCEL RATE	**$2.67**	**$32.00**	**PROPOSED PARCEL RATE**	**$12.58**	**$151.00**

Inflation Factor Adjustments

FY 2006/2007 - 4.5% = ($33.00 & $158.00)
FY 2007/2008 - 3.1% = ($34.00 & $163.00)
FY 2008/2009 - 4.2% = ($35.00 & $170.00)

NOTICE TO PROPERTY OWNER - MAIL BALLOT PROCEEDING
National Pollutant Discharge Elimination System (NPDES)
Maximum Commercial/Industrial Regulatory Rate
Community Services District (CSD) Zone M
(Commercial, Industrial, and Multifamily Improved Median Maintenance)
Parcels owned by Westcoast Prop Partners within Tentative Parcel Map (TPM) 35629

I. BACKGROUND

The City shall provide the services necessary to meet mandates of the Federal Clean Water Act. The current NPDES Permit, as administered by the State, regulates the volume and amount of pollutants in stormwater runoff from residential/commercial developments.

NPDES Maximum Commercial/Industrial Maximum Regulatory Rate provides financial support for inspecting site design and source and treatment control Best Management Practices, monitoring maintenance records for those on-site facilities, and performing annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State.

The CSD was formed simultaneously with City incorporation and established Zones to allocate the costs of special benefit services to those parcels designated to receive selective programs. The CSD Zone M program provides ongoing maintenance to improved medians adjacent to commercial, industrial, and multifamily developments in designated areas of the City.

In November of 1996, California voters passed the Right to Vote on Taxes Act ("Proposition 218"). As a result, any new or proposed increase in a property-related charge requires approval of the charge by the property owner of record. In compliance with Proposition 218 legislation, Special Districts is conducting a mail ballot proceeding to provide the owner of Assessor Parcel Numbers (APNs) 488-350-002, 488-360-003, and 488-360-004 (and any division thereof) the opportunity to express support or opposition to the approval of the NPDES regulatory rate and services and inclusion into and approval of the annual charge for the CSD Zone M program.

II. NOTICE - PUBLIC MEETING AND PUBLIC HEARING

To provide for public comments on this mail ballot proceeding, the City Council has scheduled one (1) Public Meeting and one (1) Public Hearing at their regular meetings, which will be held at the Moreno Valley City Hall Council Chamber as follows:

PUBLIC MEETING	***TUESDAY, January 27, 2009*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, February 10, 2009*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL** **COUNCIL CHAMBER** **14177 FREDERICK STREET** **MORENO VALLEY, CA 92553**

III. CHARGE INFORMATION

1. **Name of the Charges for APNs 488-350-002, 488-360-003, and 488-360-004 (and any division thereof):**

   NPDES Maximum Commercial/Industrial Regulatory Rate
   CSD Zone M (Commercial, Industrial, and Multifamily Improved Median Maintenance)

2. **Maximum Annual Levy Amounts for APNs 488-350-002, 488-360-003, and 488-360-004 (and any division thereof):**

   For fiscal year (FY) 2008/09, the NPDES maximum commercial/industrial regulatory rate is $205 per parcel. The total parcel charges levied for NPDES for FY 2008/09 was $389,445.

   For FY 2008/09 the annual CSD Zone M charge is $17,285.40 for APN 488-350-002. The total CSD Zone M charges levied for FY 2008/09 was $88,908.

   Beginning in FY 2009/10, the NPDES Maximum Commercial/Industrial Regulatory Rate and the CSD Zone M charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges**:

   Upon approval of the NPDES Maximum Commercial/Industrial Regulatory Rate, the annual levy amount will be assessed to APNs 488-350-002, 488-360-003, and 488-360-004 (and any division thereof) and shall be placed on the 2009/10 Riverside County property tax bill or as a monthly charge on a utility bill. The CSD Zone M annual levy amount shall be assessed to APN 488-350-002 (and any division thereof) on the Riverside County property tax bill beginning in FY 2009/10. The NPDES Maximum Commercial/Industrial regulatory rate and the CSD Zone M charge will be levied each following year at the proposed rate, which may include an annual inflation adjustment.

4. **Reason for the Charges:**

   NPDES Maximum Commercial/Industrial Regulatory Rate
   In compliance with the Federal Clean Water Act, the City of Moreno Valley shall annually inspect site design, source control and treatment control Best Management Practices, verify monitoring and maintenance records for those on-site facilities, and perform annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State.

   CSD Zone M Charge
   Commercial, industrial, and multifamily developments along designated arterial streets are conditioned to participate in the improved median maintenance program in compliance with the Citywide Arterial Median Maintenance Policy approved by the CSD Board in March 2003 and revised in January 2006. Special Districts' staff manages private landscape maintenance firms to ensure that landscape preservation activities are completed on a regular schedule. The annual CSD Zone M charge was established to cover administration and service costs for the landscape maintenance. Services include, but are not limited to: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the landscaped medians.

5. **Calculation of the Charges:**

Each fiscal year, the City of Moreno Valley shall determine the type of services necessary to comply with NPDES Permit requirements and levy the rate applicable for that service. The annual CSD Zone M charge includes maintenance and administration costs and may be subject to an annual adjustment. The CSD Zone M charge shall be proportionally adjusted if the APN is subdivided or if development occurs adjacent to the proposed medians.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have questions about the proposed programs, charges, or this process, please contact Jennifer Terry, Management Analyst, Special Districts, a Division of the Public Works Department, Monday through Thursday from 7:30 a.m. to 5:30 p.m. and Friday 8:00 a.m. to 5:00 p.m. at (951) 413-3505.

V. SUMMARY OF BALLOT PROCEEDINGS

Please follow the instructions listed below and on the following page to complete and return your ballots. Procedures for the completion, return, and tabulation of the ballots are on file in the City Clerk's office of the City of Moreno Valley.

1. Mark the enclosed ballots in support or opposition to the proposed programs and annual charges **by placing an appropriate valid mark in the corresponding box. A list containing appropriate valid markings is attached for reference.**

2. **Sign your name** on the ballots. *Ballots received without a signature will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballots in a sealed envelope to the City Clerk's office, 14177 Frederick Street, Moreno Valley, California 92553. For your convenience, two postage-paid envelopes have been included for return of the ballots.

4. Ballots must be **received** by the City Clerk prior to the close of the Public Hearing to be held on **Tuesday, February 10, 2009**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**
Approval of the NPDES Maximum Commercial/Industrial maximum regulatory rate will be confirmed if a majority of the APNs are marked in favor of the rate. The inclusion into the CSD Zone M program and the annual charge will be confirmed if the ballot is marked in favor of the charge.

Not approving the NPDES commercial/industrial regulatory rate to meet federally mandated NPDES Permit requirements, as administered by the State, shall result in noncompliance with the Conditions of Approval.

If the ballot is not marked in favor of the CSD Zone M annual charge, then the charge will not be levied on the property tax bill, the City will not maintain the landscaping, and noncompliance of the Conditions of Approval shall result.

BALLOT MARKS

Appropriate ballot markings include any <u>one</u> of the following for either the YES/Approved or NO/Not Approved blank box:

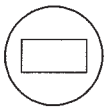
A check mark substantially inside a box;

An X mark substantially inside a box;

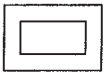
A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;



A circle around the box **<u>and/or</u>** associated clause; or



A square or rectangle around the box **<u>and/or</u>** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **<u>prior</u>** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property. <u>Initials must be clearly printed and placed at the right top corner of the revised selection</u>.**

OFFICIAL MAIL BALLOT

National Pollutant Discharge Elimination System (NPDES) Maximum Commercial/Industrial Regulatory Rate for Parcels owned by Westcoast Prop Partners within Tentative Parcel Map (TPM) 35629

YES* – as the property owner of the parcels listed below within TPM 35629, **I approve** the NPDES maximum commercial/industrial regulatory rate and services. The City will annually inspect site design, source control and treatment control Best Management Practices, verify monitoring and maintenance records for those on-site facilities, and perform annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State. For fiscal year (FY) 2008/09, the NPDES maximum commercial/industrial regulatory rate is $205 per parcel. Beginning in FY 2009/10, the maximum regulatory rate shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics. Upon approval of the maximum regulatory rate, the annual levy amount will be assessed to each parcel listed below (and any division thereof) and shall be placed on the 2009/10 Riverside County property tax bill or as a monthly charge on a utility bill.

NO** – as the property owner of the parcels listed below within TPM 35629, **I do not approve** the NPDES maximum commercial/industrial regulatory rate and services. I understand that not approving the NPDES maximum commercial/industrial regulatory rate to fund federally mandated NPDES Permit requirements, as administered by the State, shall result in noncompliance with the project's Conditions of Approval.

Assessor Parcel Number	YES*	NO**	NPDES Maximum Commercial/Industrial Regulatory Rate
488-350-002 (and any division thereof)	☐	☐	$205
488-360-003 (and any division thereof)	☐	☐	$205
488-360-004 (and any division thereof)	☐	☐	$205

This ballot must be received by the City Clerk of the City of Moreno Valley prior to the close of the Public Hearing to be held on February 10, 2009, at the Moreno Valley City Hall Council Chamber, 14177 Frederick Street, Moreno Valley, California. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called.

PROPERTY OWNER SIGNATURE DATE

Please remember to mark the appropriate box, sign and date the ballot and return to the City Clerk's Office in the enclosed envelope

Llame al (951) 413-3480 para obtener información verbal en Español.

OFFICIAL MAIL BALLOT

Community Services District (CSD) Zone M
(Commercial, Industrial, and Multifamily Improved Median Maintenance)
Parcel owned by Westcoast Prop Partners
within Tentative Parcel Map (TPM) 35629

* **Yes**, as the property owner of the parcel listed below within TPM 35629, **I approve** the annual CSD Zone M charge for said parcel for fiscal year (FY) 2008/09. The CSD Zone M charge shall be proportionally adjusted if the APN is subdivided or if development occurs adjacent to the proposed median. Beginning in FY 2009/10, the CSD Zone M charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics. The annual CSD Zone M charge shall be placed on the Riverside County property tax bill beginning in fiscal year 2009/10.

** **No**, as the property owner of the parcel listed below within TPM 35629, **I do not approve** the annual CSD Zone M charge. I understand that not incorporating said APN into the CSD Zone M program is a violation of the Conditions of Approval. The CSD Zone M charge shall not be levied on the Riverside County property tax bill.

Assessor Parcel Number	YES*	NO**	CSD Zone M Annual Charge
488-350-002 (and any division thereof)	☐	☐	$17,285.40

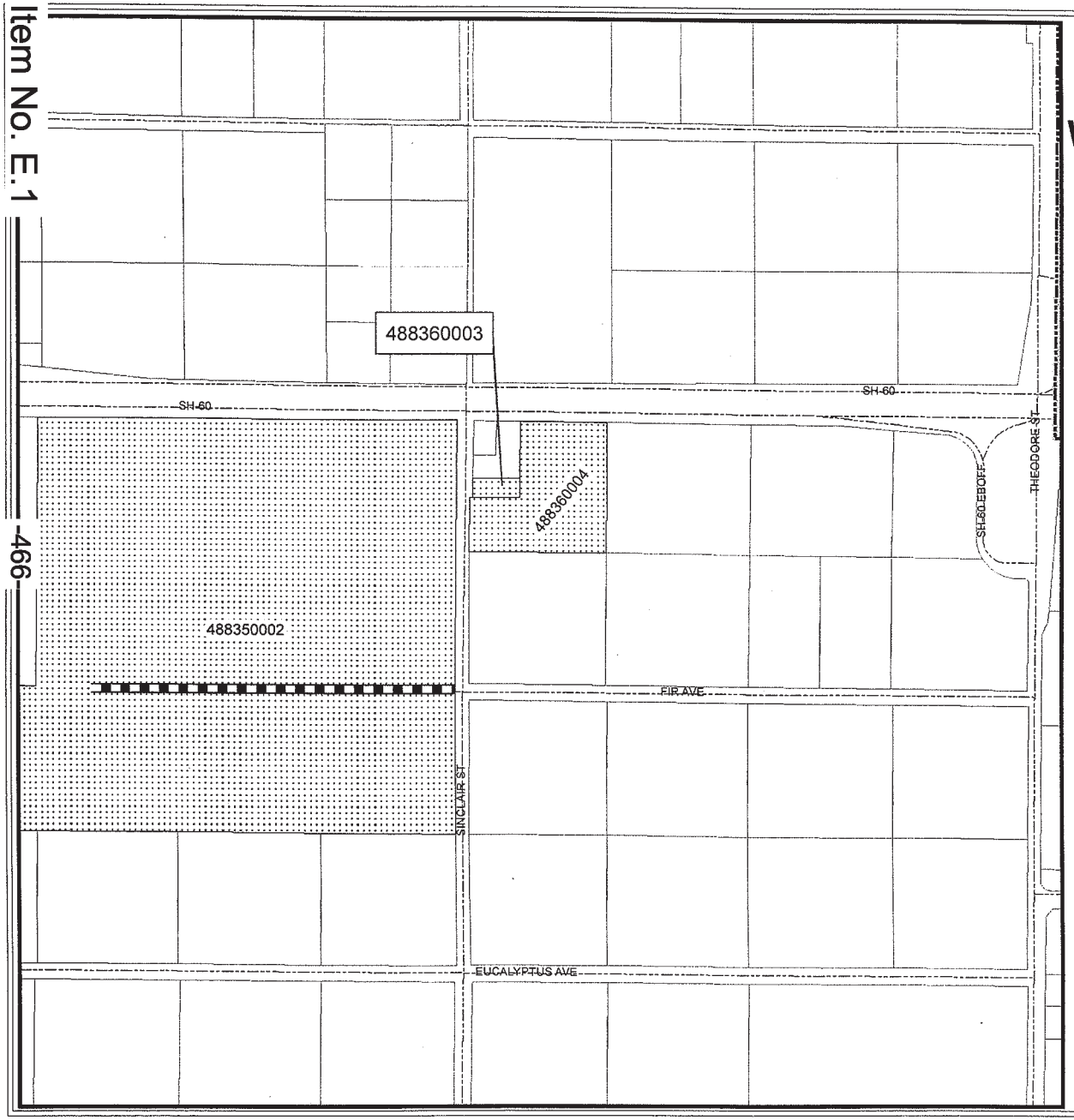
This ballot must be received by the Secretary of the Board (City Clerk) of the Moreno Valley Community Services District prior to the close of the Public Hearing on February 10, 2009, at the Moreno Valley City Hall Council Chamber, 14177 Frederick Street, Moreno Valley, California. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called.

_____

PROPERTY OWNER SIGNATURE DATE

Please remember to mark the appropriate box, sign and date the ballot and return to the City Clerk's Office in the enclosed envelope

Llame al (951) 413-3480 para obtener información verbal en Español.



TPM 35629
for parcels owned by
Westcoast Prop Partners

Median
Landscaped Areas
Roads
Parcels
City Boundary

APN

488350002
488360003
488360004

Map reflects all changes indicated on Riverside County Assessor Maps as of December 17, 2008.

N

0 350 700 1,050 1,400 Feet

G:\AVP\SDA\TPM 35629 PA07-0090.mxd

The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Data and information on this map is subject to update and modification. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses or damages resulting from the use of this map. This map is not to be recopied or resold.

MORENO VALLEY
WHERE DREAMS SOAR

NOTICE TO PROPERTY OWNER - MAIL BALLOT PROCEEDING
National Pollutant Discharge Elimination System (NPDES)
Maximum Commercial/Industrial Regulatory Rate
Community Services District (CSD) Zone M
(Commercial, Industrial, and Multifamily Improved Median Maintenance)
Parcels owned by HF Educational Partners within Tentative Parcel Map (TPM) 35629

I. BACKGROUND

The City shall provide the services necessary to meet mandates of the Federal Clean Water Act. The current NPDES Permit, as administered by the State, regulates the volume and amount of pollutants in stormwater runoff from residential/commercial developments.

NPDES Maximum Commercial/Industrial Maximum Regulatory Rate provides financial support for inspecting site design and source and treatment control Best Management Practices, monitoring maintenance records for those on-site facilities, and performing annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State.

The CSD was formed simultaneously with City incorporation and established Zones to allocate the costs of special benefit services to those parcels designated to receive selective programs. The CSD Zone M program provides ongoing maintenance to improved medians adjacent to commercial, industrial, and multifamily developments in designated areas of the City.

In November of 1996, California voters passed Proposition 218 ("The Right to Vote on Taxes Act"). As a result, any new or proposed increase in a property-related charge requires approval of the charge by the property owner of record. In compliance with Proposition 218 legislation, Special Districts is conducting a mail ballot proceeding to provide the owner of Assessor Parcel Numbers (APNs) 488-360-006, 488-360-007, 488-360-008, 488-360-009, and 488-360-010 (and any division thereof) the opportunity to express support or opposition to the approval of the NPDES regulatory rate and services and inclusion into and approval of the annual charge for the CSD Zone M program.

II. NOTICE - PUBLIC MEETING AND PUBLIC HEARING

To provide for public comments on this mail ballot proceeding, the City Council has scheduled one (1) Public Meeting and one (1) Public Hearing at their regular meetings, which will be held at the Moreno Valley City Hall Council Chamber as follows:

PUBLIC MEETING	***TUESDAY, January 27, 2009*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, February 10, 2009*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL** **COUNCIL CHAMBER** **14177 FREDERICK STREET** **MORENO VALLEY, CA 92553**

III. CHARGE INFORMATION

1. **Name of the Charges for APNs 488-360-006, 488-360-007, 488-360-008, 488-360-009, and 488-360-010 (and any division thereof):**

   NPDES Maximum Commercial/Industrial Regulatory Rate
   CSD Zone M (Commercial, Industrial, and Multifamily Improved Median Maintenance)

2. **Maximum Annual Levy Amounts for APNs 488-360-006, 488-360-007, 488-360-008, 488-360-009, and 488-360-010 (and any division thereof):**

   For fiscal year (FY) 2008/09, the NPDES maximum commercial/industrial regulatory rate is $205 per parcel. The total parcel charges levied for NPDES for FY 2008/09 was $389,445.

   For FY 2008/09 the annual CSD Zone M charge is $4,077.60 for APN 488-360-008, $3,405.60 for 488-360-009, and $3,405.60 for APN 488-360-010. The total CSD Zone M charges levied for FY 2008/09 was $88,908.

   Beginning in FY 2009/10, the NPDES Maximum Commercial/Industrial Regulatory Rate and the CSD Zone M charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges**:

   Upon approval of the NPDES Maximum Commercial/Industrial Regulatory Rate, the annual levy amount will be assessed to each associated APN (and any division thereof) and shall be placed on the 2009/10 Riverside County property tax bill or as a monthly charge on a utility bill. The annual CSD Zone M levy amount shall be assessed to each associated APN (and any division thereof) on the Riverside County property tax bill beginning in FY 2009/10. The NPDES Maximum Commercial/Industrial regulatory rate and the CSD Zone M charge will be levied each following year at the proposed rate, which may include an annual inflation adjustment.

4. **Reason for the Charges:**

   NPDES Maximum Commercial/Industrial Regulatory Rate
   In compliance with the Federal Clean Water Act, the City of Moreno Valley shall annually inspect site design, source control and treatment control Best Management Practices, verify monitoring and maintenance records for those on-site facilities, and perform annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State.

   CSD Zone M Charge
   Commercial, industrial, and multifamily developments along designated arterial streets are conditioned to participate in the improved median maintenance program in compliance with the Citywide Arterial Median Maintenance Policy approved by the CSD Board in March 2003 and revised in January 2006. Special Districts' staff manages private landscape maintenance firms to ensure that landscape preservation activities are completed on a regular schedule. The annual CSD Zone M charge was established to cover administration and service costs for the landscape maintenance. Services include, but are not limited to: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the landscaped medians.

5. **Calculation of the Charges:**

Each fiscal year, the City of Moreno Valley shall determine the type of services necessary to comply with NPDES Permit requirements and levy the rate applicable for that service. The annual CSD Zone M charge includes maintenance and administration costs and may be subject to an annual adjustment. The CSD Zone M charge shall be proportionally adjusted if an APN is subdivided or if development occurs adjacent to the proposed median.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have questions about the proposed programs, charges, or this process, please contact Jennifer Terry, Management Analyst, Special Districts, a Division of the Public Works Department, Monday through Thursday from 7:30 a.m. to 5:30 p.m. and Friday 8:00 a.m. to 5:00 p.m. at (951) 413-3505.

V. SUMMARY OF BALLOT PROCEEDINGS

Please follow the instructions listed below and on the following page to complete and return your ballots. Procedures for the completion, return, and tabulation of the ballots are on file in the City Clerk's office of the City of Moreno Valley.

1. Mark the enclosed ballots in support or opposition to the proposed programs and annual charges **by placing an appropriate valid mark in the corresponding box. A list containing appropriate valid markings is attached for reference.**

2. **Sign your name** on the ballots. *Ballots received without a signature will be considered invalid and will not be counted.*

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4. Ballots must be **received** by the City Clerk prior to the close of the Public Hearing to be held on **Tuesday, February 10, 2009**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**
Approval of the NPDES Maximum Commercial/Industrial maximum regulatory rate and inclusion into the CSD Zone M program and the maximum annual levy amounts will be confirmed if a majority of the APNs are marked in favor of the charge.

Not approving the NPDES commercial/industrial regulatory rate to meet federally mandated NPDES Permit requirements, as administered by the State, shall result in noncompliance with the Conditions of Approval.

If the ballot is not marked in favor of the CSD Zone M annual charge, then the charge will not be levied on the property tax bill, the City will not maintain the landscaping, and noncompliance of the Conditions of Approval shall result.

BALLOT MARKS

Appropriate ballot markings include any <u>one</u> of the following for either the YES/Approved or NO/Not Approved blank box:

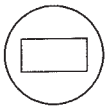
A check mark substantially inside a box;

An X mark substantially inside a box;

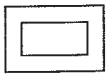
A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;



A circle around the box **<u>and/or</u>** associated clause; or



A square or rectangle around the box **<u>and/or</u>** associated clause.

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Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **<u>prior</u>** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property. <u>Initials must be clearly printed and placed at the right top corner of the revised selection</u>**.

OFFICIAL MAIL BALLOT

National Pollutant Discharge Elimination System (NPDES) Maximum Commercial/Industrial Regulatory Rate for Parcels owned by HF Educational Partners within Tentative Parcel Map (TPM) 35629

YES* – as the property owner of the parcels listed below within TPM 35629, **I approve** the NPDES maximum commercial/industrial regulatory rate and services. The City will annually inspect site design, source control and treatment control Best Management Practices, verify monitoring and maintenance records for those on-site facilities, and perform annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State. For fiscal year (FY) 2008/09, the NPDES maximum commercial/industrial regulatory rate is $205 per parcel. Beginning in FY 2009/10, the maximum regulatory rate shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics. Upon approval of the maximum regulatory rate, the annual levy amount will be assessed to each parcel listed below (and any division thereof) and shall be placed on the 2009/10 Riverside County property tax bill or as a monthly charge on a utility bill.

NO** – as the property owner of the parcels listed below within TPM 35629, **I do not approve** the NPDES maximum commercial/industrial regulatory rate and services. I understand that not approving the NPDES maximum commercial/industrial regulatory rate to fund federally mandated NPDES Permit requirements, as administered by the State, shall result in noncompliance with the project's Conditions of Approval.

Assessor Parcel Number	YES*	NO**	NPDES Maximum Commercial/Industrial Regulatory Rate
488-360-006 (and any division thereof)	☐	☐	$205
488-360-007 (and any division thereof)	☐	☐	$205
488-360-008 (and any division thereof)	☐	☐	$205
488-360-009 (and any division thereof)	☐	☐	$205
488-360-010 (and any division thereof)	☐	☐	$205

This ballot must be received by the City Clerk of the City of Moreno Valley prior to the close of the Public Hearing to be held on February 10, 2009, at the Moreno Valley City Hall Council Chamber, 14177 Frederick Street, Moreno Valley, California. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called.

PROPERTY OWNER SIGNATURE DATE

Please remember to mark the appropriate box, sign and date the ballot and return to the City Clerk's Office in the enclosed envelope

Llame al (951) 413-3480 para obtener información verbal en Español.

OFFICIAL MAIL BALLOT

Community Services District (CSD) Zone M
(Commercial, Industrial, and Multifamily Improved Median Maintenance)
Parcel owned by HF Educational Partners
within Tentative Parcel Map (TPM) 35629

* **Yes**, as the property owner of the parcels listed below within TPM 35629, **I approve** the annual CSD Zone M charge for said parcels for fiscal year (FY) 2008/09. The CSD Zone M charge shall be proportionally adjusted if the APNs subdivide or if development occurs adjacent to the proposed median. Beginning in FY 2009/10, the CSD Zone M charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics. The annual CSD Zone M charge shall be placed on the Riverside County property tax bill beginning in fiscal year 2009/10.

** **No**, as the property owner of the parcels listed below within TPM 35629, **I do not approve** the annual CSD Zone M charge. I understand that not incorporating said APNs into the CSD Zone M program is a violation of the Conditions of Approval. The CSD Zone M charge shall not be levied on the Riverside County property tax bill.

Assessor Parcel Number	YES*	NO**	CSD Zone M Annual Charge
488-360-008 (and any division thereof)	☐	☐	$4,077.60
488-360-009 (and any division thereof)	☐	☐	$3,405.60
488-360-010 (and any division thereof)	☐	☐	$3,405.60

This ballot must be received by the Secretary of the Board (City Clerk) of the Moreno Valley Community Services District prior to the close of the Public Hearing on February 10, 2009, at the Moreno Valley City Hall Council Chamber, 14177 Frederick Street, Moreno Valley, California. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called.

_____

PROPERTY OWNER SIGNATURE DATE

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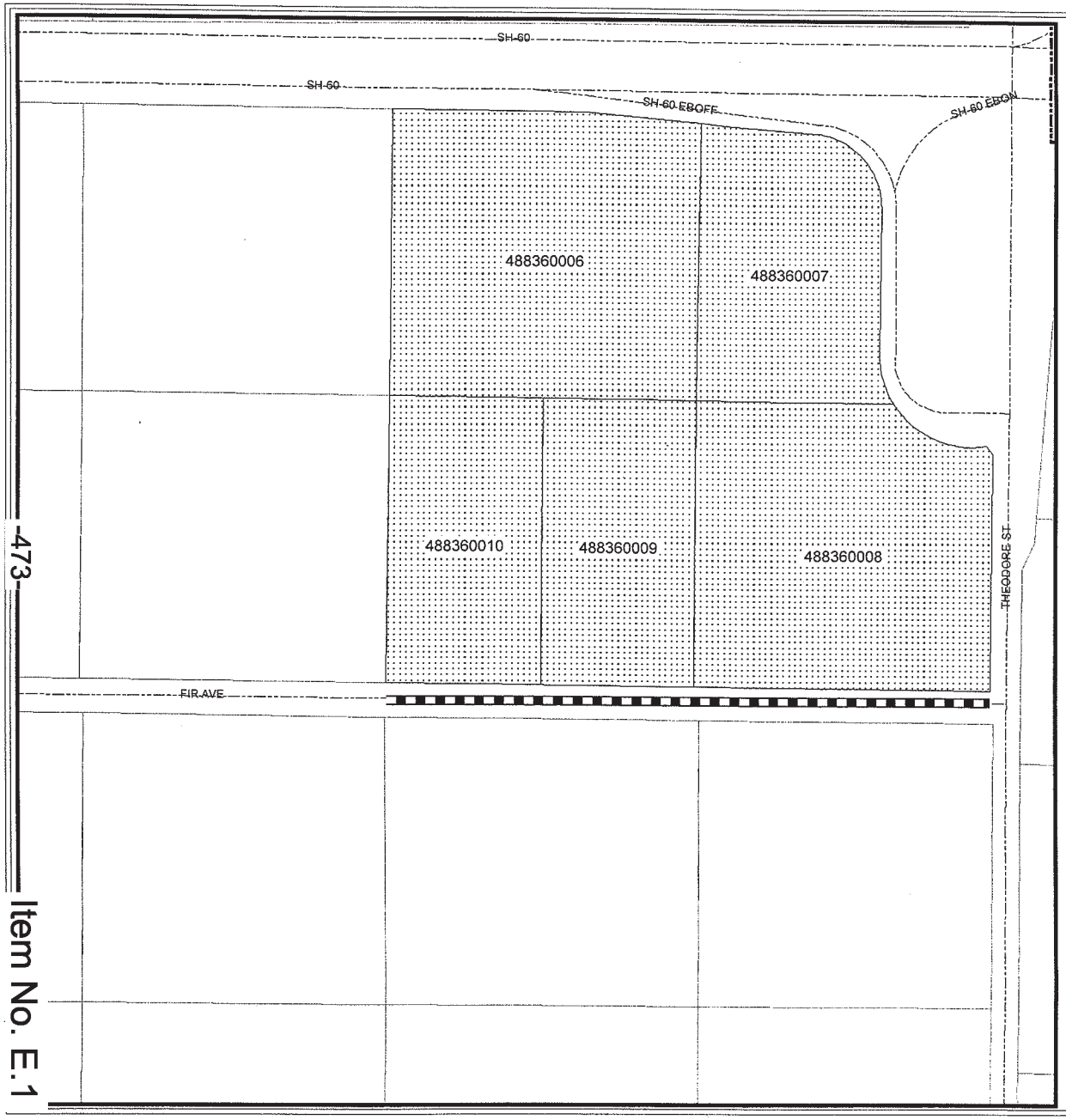

TPM 35629
for parcels owned by
HF Educational Partners

Median
Landscaped Areas
Roads
Parcels
City Boundary

APN

488360006
488360007
488360008
488360009
488360010

N

Map reflects all changes indicated on Riverside County Assessor Maps as of December 17, 2008.

0 150 300 450 600
Feet

G:\AVP\SDA\TPM 35629 HFEP.mxd

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MORENO VALLEY
WHERE DREAMS SOAR

NOTICE TO PROPERTY OWNER - MAIL BALLOT PROCEEDING
National Pollutant Discharge Elimination System (NPDES)
Maximum Commercial/Industrial Regulatory Rate
Community Services District (CSD) Zone M
(Commercial, Industrial, and Multifamily Improved Median Maintenance)
Parcels owned by Sand Prop Partners within Tentative Parcel Map (TPM) 35629

I. BACKGROUND

The City shall provide the services necessary to meet mandates of the Federal Clean Water Act. The current NPDES Permit, as administered by the State, regulates the volume and amount of pollutants in stormwater runoff from residential/commercial developments.

NPDES Maximum Commercial/Industrial Maximum Regulatory Rate provides financial support for inspecting site design and source and treatment control Best Management Practices, monitoring maintenance records for those on-site facilities, and performing annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State.

The CSD was formed simultaneously with City incorporation and established Zones to allocate the costs of special benefit services to those parcels designated to receive selective programs. The CSD Zone M program provides ongoing maintenance to improved medians adjacent to commercial, industrial, and multifamily developments in designated areas of the City.

In November of 1996, California voters passed the Right to Vote on Taxes Act ("Proposition 218"). As a result, any new or proposed increase in a property-related charge requires approval of the charge by the property owner of record. In compliance with Proposition 218 legislation, Special Districts is conducting a mail ballot proceeding to provide the owner of Assessor Parcel Numbers (APNs) 488-360-005 and 488-360-011 (and any division thereof) the opportunity to express support or opposition to the approval of the NPDES regulatory rate and services and inclusion into and approval of the annual charge for the CSD Zone M program.

II. NOTICE - PUBLIC MEETING AND PUBLIC HEARING

To provide for public comments on this mail ballot proceeding, the City Council has scheduled one (1) Public Meeting and one (1) Public Hearing at their regular meetings, which will be held at the Moreno Valley City Hall Council Chamber as follows:

PUBLIC MEETING	***TUESDAY, January 27, 2009*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, February 10, 2009*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL** **COUNCIL CHAMBER** **14177 FREDERICK STREET** **MORENO VALLEY, CA 92553**

III. CHARGE INFORMATION

1. **Name of the Charges for APNs 488-360-005 and 488-360-011 (and any division thereof):**

   NPDES Maximum Commercial/Industrial Regulatory Rate
   CSD Zone M (Commercial, Industrial, and Multifamily Improved Median Maintenance)

2. **Maximum Annual Levy Amounts for APNs 488-360-005 and 488-360-011 (and any division thereof):**

   For fiscal year (FY) 2008/09, the NPDES maximum commercial/industrial regulatory rate is $205 per parcel. The total parcel charges levied for NPDES for FY 2008/09 was $389,445.

   For FY 2008/09 the annual CSD Zone M charge is $6,811.20 for APN 488-360-011. The total CSD Zone M charges levied for FY 2008/09 was $88,908.

   Beginning in FY 2009/10, the NPDES Maximum Commercial/Industrial Regulatory Rate and the CSD Zone M charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges**:

   Upon approval of the NPDES Maximum Commercial/Industrial Regulatory Rate, the annual levy amount will be assessed to APNs 488-360-005 and 488-360-011 (and any division thereof) and shall be placed on the 2009/10 Riverside County property tax bill or as a monthly charge on a utility bill. The CSD Zone M annual levy amount shall be assessed to APN 488-360-011 (and any division thereof) on the Riverside County property tax bill beginning in FY 2009/10. The NPDES Maximum Commercial/Industrial regulatory rate and the CSD Zone M charge will be levied each following year at the proposed rate, which may include an annual inflation adjustment.

4. **Reason for the Charges:**

   NPDES Maximum Commercial/Industrial Regulatory Rate
   In compliance with the Federal Clean Water Act, the City of Moreno Valley shall annually inspect site design, source control and treatment control Best Management Practices, verify monitoring and maintenance records for those on-site facilities, and perform annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State.

   CSD Zone M Charge
   Commercial, industrial, and multifamily developments along designated arterial streets are conditioned to participate in the improved median maintenance program in compliance with the Citywide Arterial Median Maintenance Policy approved by the CSD Board in March 2003 and revised in January 2006. Special Districts' staff manages private landscape maintenance firms to ensure that landscape preservation activities are completed on a regular schedule. The annual CSD Zone M charge was established to cover administration and service costs for the landscape maintenance. Services include, but are not limited to: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the landscaped medians.

5. **Calculation of the Charges:**

Each fiscal year, the City of Moreno Valley shall determine the type of services necessary to comply with NPDES Permit requirements and levy the rate applicable for that service. The annual CSD Zone M charge includes maintenance and administration costs and may be subject to an annual adjustment. The CSD Zone M charge shall be proportionally adjusted if the APN is subdivided or if development occurs adjacent to the proposed medians.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have questions about the proposed programs, charges, or this process, please contact Jennifer Terry, Management Analyst, Special Districts, a Division of the Public Works Department, Monday through Thursday from 7:30 a.m. to 5:30 p.m. and Friday 8:00 a.m. to 5:00 p.m. at (951) 413-3505.

V. SUMMARY OF BALLOT PROCEEDINGS

Please follow the instructions listed below and on the following page to complete and return your ballots. Procedures for the completion, return, and tabulation of the ballots are on file in the City Clerk's office of the City of Moreno Valley.

1. Mark the enclosed ballots in support or opposition to the proposed programs and annual charges **by placing an appropriate valid mark in the corresponding box. A list containing appropriate valid markings is attached for reference.**

2. **Sign your name** on the ballots. *Ballots received without a signature will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballots in a sealed envelope to the City Clerk's office, 14177 Frederick Street, Moreno Valley, California 92553. For your convenience, two postage-paid envelopes have been included for return of the ballots.

4. Ballots must be **received** by the City Clerk prior to the close of the Public Hearing to be held on **Tuesday, February 10, 2009**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**
Approval of the NPDES Maximum Commercial/Industrial maximum regulatory rate will be confirmed if a majority of the APNs are marked in favor of the rate. The inclusion into the CSD Zone M program and the annual charge will be confirmed if the ballot is marked in favor of the charge.

Not approving the NPDES commercial/industrial regulatory rate to meet federally mandated NPDES Permit requirements, as administered by the State, shall result in noncompliance with the Conditions of Approval.

If the ballot is not marked in favor of the CSD Zone M annual charge, then the charge will not be levied on the property tax bill, the City will not maintain the landscaping, and noncompliance of the Conditions of Approval shall result.

BALLOT MARKS

Appropriate ballot markings include any <u>one</u> of the following for either the YES/Approved or NO/Not Approved blank box:

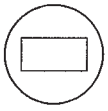
A check mark substantially inside a box;

An X mark substantially inside a box;

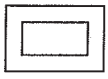
A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;



A circle around the box **<u>and/or</u>** associated clause; or



A square or rectangle around the box **<u>and/or</u>** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **<u>prior</u>** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property. <u>Initials must be clearly printed and placed at the right top corner of the revised selection</u>**.

OFFICIAL MAIL BALLOT

National Pollutant Discharge Elimination System (NPDES)
Maximum Commercial/Industrial Regulatory Rate
Parcels owned by Sand Prop Partners within Tentative Parcel Map (TPM) 35629

YES* – as the property owner of the parcels listed below within TPM 35629, **I approve** the NPDES maximum commercial/industrial regulatory rate and services. The City will annually inspect site design, source control and treatment control Best Management Practices, verify monitoring and maintenance records for those on-site facilities, and perform annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State. For fiscal year (FY) 2008/09, the NPDES maximum commercial/industrial regulatory rate is $205 per parcel. Beginning in FY 2009/10, the maximum regulatory rate shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics. Upon approval of the maximum regulatory rate, the annual levy amount will be assessed to each parcel listed below (and any division thereof) and shall be placed on the 2009/10 Riverside County property tax bill or as a monthly charge on a utility bill.

NO** – as the property owner of the parcels listed below within TPM 35629, **I do not approve** the NPDES maximum commercial/industrial regulatory rate and services. I understand that not approving the NPDES maximum commercial/industrial regulatory rate to fund federally mandated NPDES Permit requirements, as administered by the State, shall result in noncompliance with the project's Conditions of Approval.

Assessor Parcel Number	YES*	NO**	NPDES Maximum Commercial/Industrial Regulatory Rate
488-360-005 (and any division thereof)	☐	☐	$205
488-360-011 (and any division thereof)	☐	☐	$205

This ballot must be received by the City Clerk of the City of Moreno Valley prior to the close of the Public Hearing to be held on February 10, 2009, at the Moreno Valley City Hall Council Chamber, 14177 Frederick Street, Moreno Valley, California. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called.

PROPERTY OWNER SIGNATURE DATE

Please remember to mark the appropriate box, sign and date the ballot and return to the City Clerk's Office in the enclosed envelope

Llame al (951) 413-3480 para obtener información verbal en Español.

OFFICIAL MAIL BALLOT

Community Services District (CSD) Zone M
(Commercial, Industrial, and Multifamily Improved Median Maintenance)
Parcel owned by Sand Prop Partners within Tentative Parcel Map (TPM) 35629

* **Yes**, as the property owner of the parcel listed below within TPM 35629, **I approve** the annual CSD Zone M charge for said parcel for fiscal year (FY) 2008/09. The CSD Zone M charge shall be proportionally adjusted if the APN is subdivided or if development occurs adjacent to the proposed median. Beginning in FY 2009/10, the CSD Zone M charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics. The annual CSD Zone M charge shall be placed on the Riverside County property tax bill beginning in fiscal year 2009/10.

** **No**, as the property owner of the parcel listed below within TPM 35629, **I do not approve** the annual CSD Zone M charge. I understand that not incorporating said APN into the CSD Zone M program is a violation of the Conditions of Approval. The CSD Zone M charge shall not be levied on the Riverside County property tax bill.

Assessor Parcel Number	YES*	NO**	CSD Zone M Annual Charge
488-360-011 (and any division thereof)	☐	☐	$6,811.20

This ballot must be received by the Secretary of the Board (City Clerk) of the Moreno Valley Community Services District prior to the close of the Public Hearing on February 10, 2009, at the Moreno Valley City Hall Council Chamber, 14177 Frederick Street, Moreno Valley, California. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called.

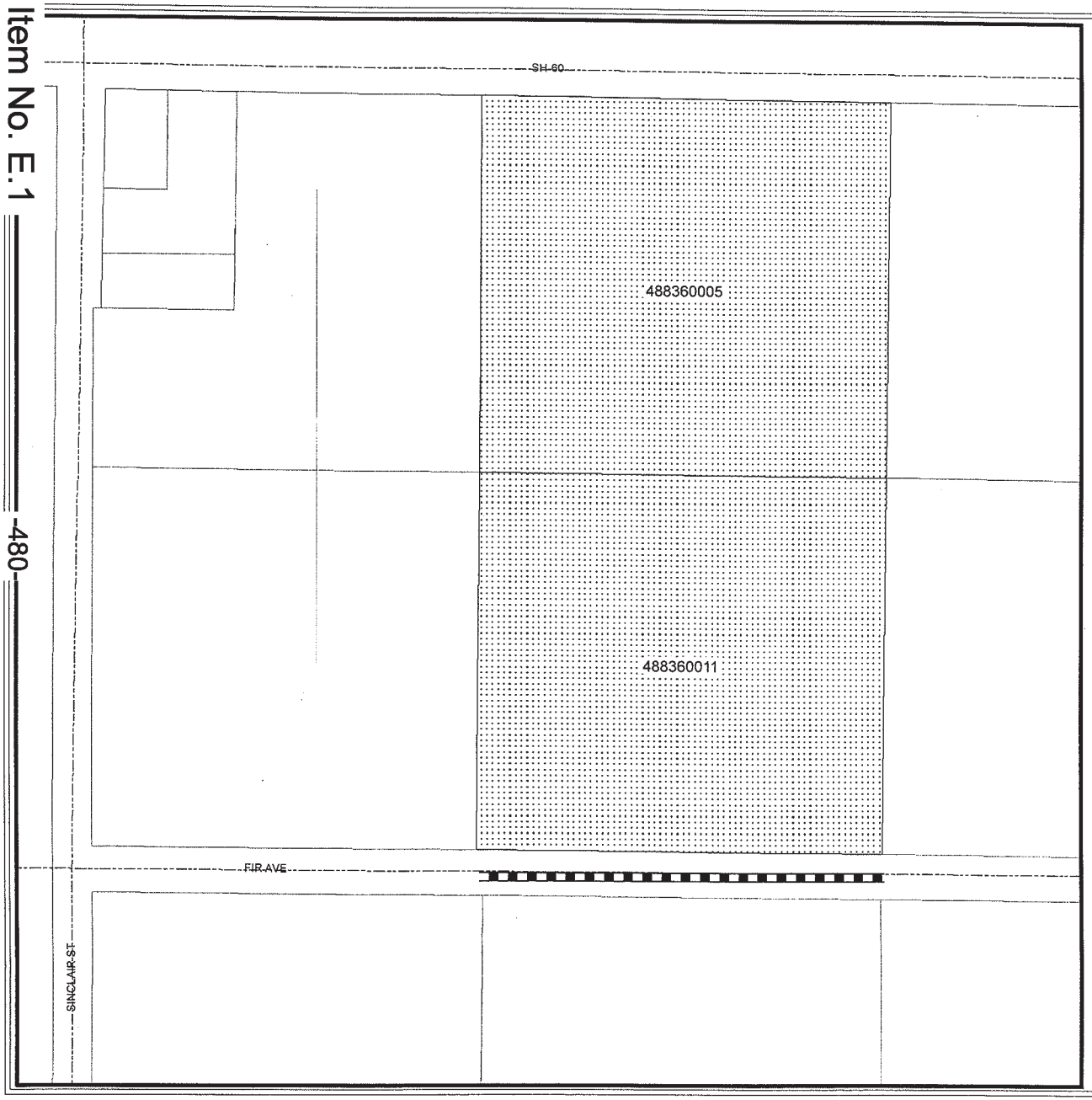
_____

PROPERTY OWNER SIGNATURE DATE

Please remember to mark the appropriate box, sign and date the ballot and return to the City Clerk's Office in the enclosed envelope

Llame al (951) 413-3480 para obtener información verbal en Español.

Item No. E.1



TPM 35629 for parcels owned by Sand Prop Partners

Median
Landscaped Areas
Roads
Parcels
City Boundary

APN

488360005
488360011

Map reflects all changes indicated on Riverside County Assessor Maps as of December 17, 2008.

N

0 120 240 360 480 Feet

G:\AVP\SDA\TPM 35629 SPP.mxd

The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Data and information on this map is subject to update and modification. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses or damages resulting from the use of this map. This map is not to be recopied or resold.

MORENO VALLEY
WHERE DREAMS SOAR

NOTICE TO PROPERTY OWNER - MAIL BALLOT PROCEEDING
National Pollutant Discharge Elimination System (NPDES)
Maximum Commercial/Industrial Regulatory Rate
Community Services District (CSD) Zone M
(Commercial, Industrial, and Multifamily Improved Median Maintenance)
Parcels owned by Sinclair Prop Partners within Tentative Parcel Map (TPM) 35629

I. BACKGROUND

The City shall provide the services necessary to meet mandates of the Federal Clean Water Act. The current NPDES Permit, as administered by the State, regulates the volume and amount of pollutants in stormwater runoff from residential/commercial developments.

NPDES Maximum Commercial/Industrial Maximum Regulatory Rate provides financial support for inspecting site design and source and treatment control Best Management Practices, monitoring maintenance records for those on-site facilities, and performing annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State.

The CSD was formed simultaneously with City incorporation and established Zones to allocate the costs of special benefit services to those parcels designated to receive selective programs. The CSD Zone M program provides ongoing maintenance to improved medians adjacent to commercial, industrial, and multifamily developments in designated areas of the City.

In November of 1996, California voters passed the Right to Vote on Taxes Act ("Proposition 218"). As a result, any new or proposed increase in a property-related charge requires approval of the charge by the property owner of record. In compliance with Proposition 218 legislation, Special Districts is conducting a mail ballot proceeding to provide the owner of Assessor Parcel Numbers (APNs) 488-360-001, 488-360-002, and 488-360-012 (and any division thereof) the opportunity to express support or opposition to the approval of the NPDES regulatory rate and services and inclusion into and approval of the annual charge for the CSD Zone M program.

II. NOTICE - PUBLIC MEETING AND PUBLIC HEARING

To provide for public comments on this mail ballot proceeding, the City Council has scheduled one (1) Public Meeting and one (1) Public Hearing at their regular meetings, which will be held at the Moreno Valley City Hall Council Chamber as follows:

PUBLIC MEETING	***TUESDAY, January 27, 2009*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, February 10, 2009*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL** **COUNCIL CHAMBER** **14177 FREDERICK STREET** **MORENO VALLEY, CA 92553**

III. CHARGE INFORMATION

1. **Name of the Charges for APNs 488-360-001, 488-360-002, and 488-360-012 (and any division thereof):**

   NPDES Maximum Commercial/Industrial Regulatory Rate
   CSD Zone M (Commercial, Industrial, and Multifamily Improved Median Maintenance)

2. **Maximum Annual Levy Amounts for APNs 488-360-001, 488-360-002, and 488-360-012 (and any division thereof):**

   For fiscal year (FY) 2008/09, the NPDES maximum commercial/industrial regulatory rate is $205 per parcel. The total parcel charges levied for NPDES for FY 2008/09 was $389,445.

   For FY 2008/09 the annual CSD Zone M charge is $6,501.60 for APN 488-360-012. The total CSD Zone M charges levied for FY 2008/09 was $88,908.

   Beginning in FY 2009/10, the NPDES Maximum Commercial/Industrial Regulatory Rate and the CSD Zone M charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges**:

   Upon approval of the NPDES Maximum Commercial/Industrial Regulatory Rate, the annual levy amount will be assessed to APNs 488-360-001, 488-360-002, and 488-360-012 (and any division thereof) and shall be placed on the 2009/10 Riverside County property tax bill or as a monthly charge on a utility bill. The CSD Zone M annual levy amount shall be assessed to APN 488-360-012 (and any division thereof) on the Riverside County property tax bill beginning in FY 2009/10. The NPDES Maximum Commercial/Industrial regulatory rate and the CSD Zone M charge will be levied each following year at the proposed rate, which may include an annual inflation adjustment.

4. **Reason for the Charges:**

   NPDES Maximum Commercial/Industrial Regulatory Rate
   In compliance with the Federal Clean Water Act, the City of Moreno Valley shall annually inspect site design, source control and treatment control Best Management Practices, verify monitoring and maintenance records for those on-site facilities, and perform annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State.

   CSD Zone M Charge
   Commercial, industrial, and multifamily developments along designated arterial streets are conditioned to participate in the improved median maintenance program in compliance with the Citywide Arterial Median Maintenance Policy approved by the CSD Board in March 2003 and revised in January 2006. Special Districts' staff manages private landscape maintenance firms to ensure that landscape preservation activities are completed on a regular schedule. The annual CSD Zone M charge was established to cover administration and service costs for the landscape maintenance. Services include, but are not limited to: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the landscaped medians.

5. **Calculation of the Charges:**

Each fiscal year, the City of Moreno Valley shall determine the type of services necessary to comply with NPDES Permit requirements and levy the rate applicable for that service. The annual CSD Zone M charge includes maintenance and administration costs and may be subject to an annual adjustment. The CSD Zone M charge shall be proportionally adjusted if the APN is subdivided or if development occurs adjacent to the proposed medians.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have questions about the proposed programs, charges, or this process, please contact Jennifer Terry, Management Analyst, Special Districts, a Division of the Public Works Department, Monday through Thursday from 7:30 a.m. to 5:30 p.m. and Friday 8:00 a.m. to 5:00 p.m. at (951) 413-3505.

V. SUMMARY OF BALLOT PROCEEDINGS

Please follow the instructions listed below and on the following page to complete and return your ballots. Procedures for the completion, return, and tabulation of the ballots are on file in the City Clerk's office of the City of Moreno Valley.

1. Mark the enclosed ballots in support or opposition to the proposed programs and annual charges **by placing an appropriate valid mark in the corresponding box. A list containing appropriate valid markings is attached for reference.**

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4. Ballots must be **received** by the City Clerk prior to the close of the Public Hearing to be held on **Tuesday, February 10, 2009**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**
Approval of the NPDES Maximum Commercial/Industrial maximum regulatory rate will be confirmed if a majority of the APNs are marked in favor of the rate. The inclusion into the CSD Zone M program and the annual charge will be confirmed if the ballot is marked in favor of the charge.

Not approving the NPDES commercial/industrial regulatory rate to meet federally mandated NPDES Permit requirements, as administered by the State, shall result in noncompliance with the Conditions of Approval.

If the ballot is not marked in favor of the CSD Zone M annual charge, then the charge will not be levied on the property tax bill, the City will not maintain the landscaping, and noncompliance of the Conditions of Approval shall result.

BALLOT MARKS

Appropriate ballot markings include any <u>one</u> of the following for either the YES/Approved or NO/Not Approved blank box:

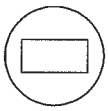
A check mark substantially inside a box;

An X mark substantially inside a box;

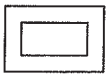
A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;



A circle around the box **<u>and/or</u>** associated clause; or



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Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **<u>prior</u>** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property. <u>Initials must be clearly printed and placed at the right top corner of the revised selection</u>**.

OFFICIAL MAIL BALLOT

National Pollutant Discharge Elimination System (NPDES) Maximum Commercial/Industrial Regulatory Rate for Parcels owned by Sinclair Prop Partners within Tentative Parcel Map (TPM) 35629

YES* – as the property owner of the parcels listed below within TPM 35629, **I approve** the NPDES maximum commercial/industrial regulatory rate and services. The City will annually inspect site design, source control and treatment control Best Management Practices, verify monitoring and maintenance records for those on-site facilities, and perform annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State. For fiscal year (FY) 2008/09, the NPDES maximum commercial/industrial regulatory rate is $205 per parcel. Beginning in FY 2009/10, the maximum regulatory rate shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics. Upon approval of the maximum regulatory rate, the annual levy amount will be assessed to each parcel listed below (and any division thereof) and shall be placed on the 2009/10 Riverside County property tax bill or as a monthly charge on a utility bill.

NO** – as the property owner of the parcels listed below within TPM 35629, **I do not approve** the NPDES maximum commercial/industrial regulatory rate and services. I understand that not approving the NPDES maximum commercial/industrial regulatory rate to fund federally mandated NPDES Permit requirements, as administered by the State, shall result in noncompliance with the project's Conditions of Approval.

Assessor Parcel Number	YES*	NO**	NPDES Maximum Commercial/Industrial Regulatory Rate
488-360-001 (and any division thereof)	☐	☐	$205
488-360-002 (and any division thereof)	☐	☐	$205
488-360-012 (and any division thereof)	☐	☐	$205

This ballot must be received by the City Clerk of the City of Moreno Valley prior to the close of the Public Hearing to be held on February 10, 2009, at the Moreno Valley City Hall Council Chamber, 14177 Frederick Street, Moreno Valley, California. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called.

PROPERTY OWNER SIGNATURE DATE

Please remember to mark the appropriate box, sign and date the ballot and return to the City Clerk's Office in the enclosed envelope

Llame al (951) 413-3480 para obtener información verbal en Español.

OFFICIAL MAIL BALLOT

Community Services District (CSD) Zone M
(Commercial, Industrial, and Multifamily Improved Median Maintenance)
Parcel owned by Sinclair Prop Partners within Tentative Parcel Map (TPM) 35629

* **Yes**, as the property owner of the parcel listed below within TPM 35629, **I approve** the annual CSD Zone M charge for said parcel for fiscal year (FY) 2008/09. The CSD Zone M charge shall be proportionally adjusted if the APN is subdivided or if development occurs adjacent to the proposed median. Beginning in FY 2009/10, the CSD Zone M charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics. The annual CSD Zone M charge shall be placed on the Riverside County property tax bill beginning in fiscal year 2009/10.

** **No**, as the property owner of the parcel listed below within TPM 35629, **I do not approve** the annual CSD Zone M charge. I understand that not incorporating said APN into the CSD Zone M program is a violation of the Conditions of Approval. The CSD Zone M charge shall not be levied on the Riverside County property tax bill.

Assessor Parcel Number	YES*	NO**	CSD Zone M Annual Charge
488-360-012 (and any division thereof)	☐	☐	$6,501.60

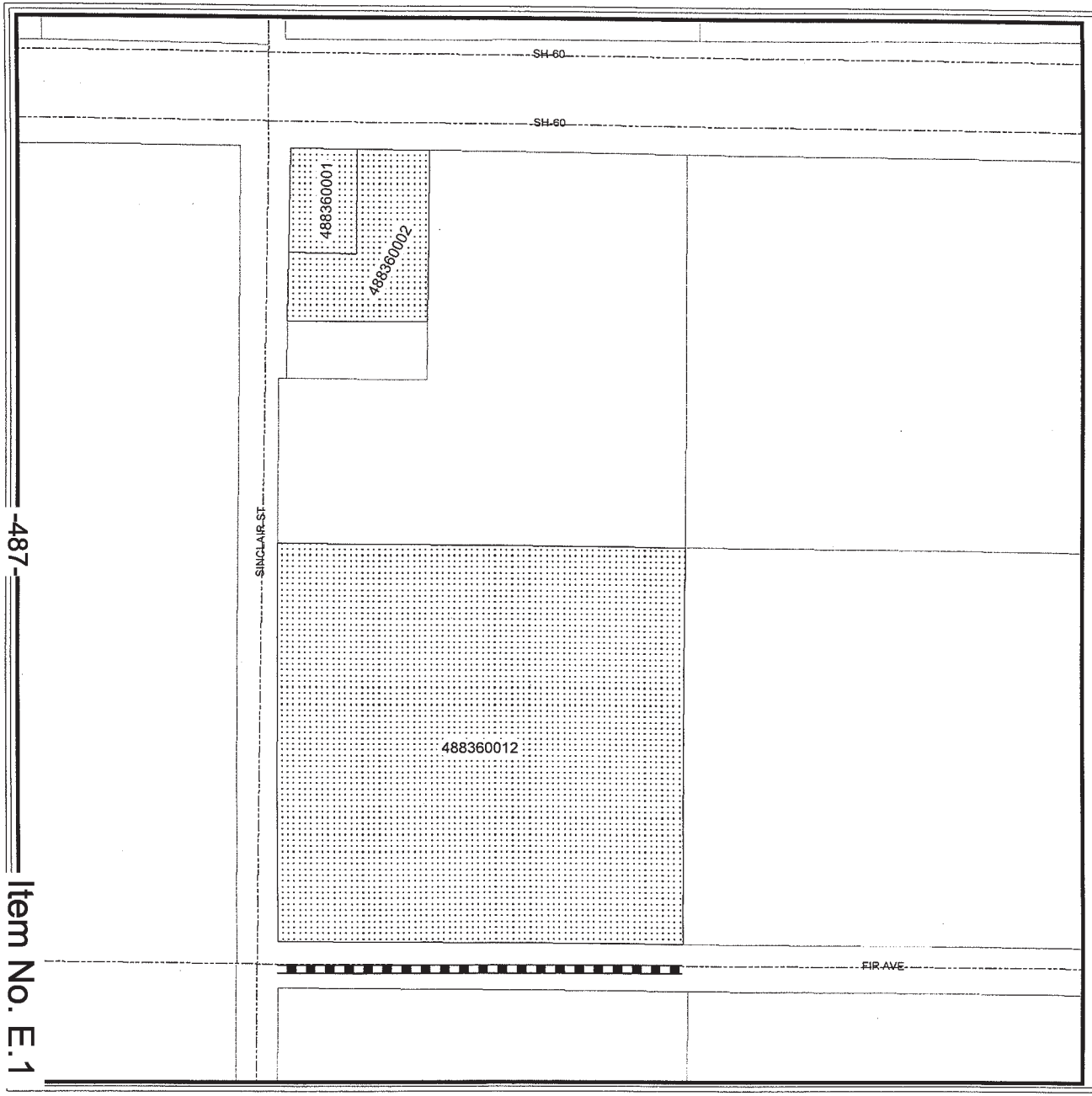
This ballot must be received by the Secretary of the Board (City Clerk) of the Moreno Valley Community Services District prior to the close of the Public Hearing on February 10, 2009, at the Moreno Valley City Hall Council Chamber, 14177 Frederick Street, Moreno Valley, California. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called.

_____

PROPERTY OWNER SIGNATURE DATE

Please remember to mark the appropriate box, sign and date the ballot and return to the City Clerk's Office in the enclosed envelope

Llame al (951) 413-3480 para obtener información verbal en Español.



TPM 35629
for parcels owned by Sinclair Prop Partners

- Median
- Landscaped Areas
- Roads
- Parcels
- City Boundary

APN

- 488360001
- 488360002
- 488360012

Map reflects all changes indicated on Riverside County Assessor Maps as of December 17, 2008.

N

0 125 250 375 500 Feet

G:\AVP\SDA\TPM 35629 Sinclair PP.mxd

The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Data and information on this map is subject to update and modification. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses or damages resulting from the use of this map. This map is not to be recopied or resold.

MORENO VALLEY
WHERE DREAMS SOAR

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TEL: 951.413.3480
FAX: 951.413.3498
WWW.MORENO-VALLEY.CA.US

MORENO VALLEY
WHERE DREAMS SOAR

14325 FREDERICK STREET, SUITE 9
P. O. BOX 88005
MORENO VALLEY, CA 92552-0805

January 23, 2009

Highland Fairview
14225 Corporate Way
Moreno Valley, CA 92553

Attention: Danette Fenstermacher, Chief Operating Officer & Executive Vice President

Subject: Rescheduling of the Public Meeting and Public Hearing for the Mail Ballot Proceeding for parcels owned by Westcoast Prop Partners, HF Educational Partners, Sand Prop Partners, and Sinclair Prop Partners within Tentative Parcel Map (TPM) 35629

Dear Ms. Fenstermacher,

The Special Districts Division originally scheduled the Public Meeting on January 27 and the Public Hearing on February 10, 2009 for the National Pollutant Discharge Elimination System (NPDES) Rate and for inclusion into Community Services District (CSD) Zone M (Commercial, Industrial, and Multifamily Improved Median Maintenance). Due to circumstances outside of the Special Districts Division's control, the Public Meeting has been rescheduled for March 10, 2009 and the Public Hearing has been rescheduled for March 24, 2009. Attached is a revised Notice to Property Owner for each property owner listing the new dates of the Public Meeting and Public Hearing, all other mail ballot documents remain unchanged. Ballots that have already been returned will remain in the custody of the City Clerk until the March 24, 2009 Public Hearing.

If you have any questions regarding the rescheduling of the Public Meeting and Public Hearing, please contact Jennifer Terry, Management Analyst, Monday through Thursday from 7:30 a.m. to 5:30 p.m. and Friday from 8:00 a.m. to 5:00 p.m. at 951.413.3505.

Sincerely,

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

Jennifer Terry
Management Analyst

Enclosures

c: Sue Maxinoski, Special Districts Division Manager
Marshall Eyerman, Special Districts Program Manager

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ATTACHMENT 2

Item No. E.1

NOTICE TO PROPERTY OWNER - MAIL BALLOT PROCEEDING
National Pollutant Discharge Elimination System (NPDES)
Maximum Commercial/Industrial Regulatory Rate
Community Services District (CSD) Zone M
(Commercial, Industrial, and Multifamily Improved Median Maintenance)
Parcels owned by HF Educational Partners within Tentative Parcel Map (TPM) 35629

I. BACKGROUND

The City shall provide the services necessary to meet mandates of the Federal Clean Water Act. The current NPDES Permit, as administered by the State, regulates the volume and amount of pollutants in stormwater runoff from residential/commercial developments.

NPDES Maximum Commercial/Industrial Maximum Regulatory Rate provides financial support for inspecting site design and source and treatment control Best Management Practices, monitoring maintenance records for those on-site facilities, and performing annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State.

The CSD was formed simultaneously with City incorporation and established Zones to allocate the costs of special benefit services to those parcels designated to receive selective programs. The CSD Zone M program provides ongoing maintenance to improved medians adjacent to commercial, industrial, and multifamily developments in designated areas of the City.

In November of 1996, California voters passed Proposition 218 ("The Right to Vote on Taxes Act"). As a result, any new or proposed increase in a property-related charge requires approval of the charge by the property owner of record. In compliance with Proposition 218 legislation, Special Districts is conducting a mail ballot proceeding to provide the owner of Assessor Parcel Numbers (APNs) 488-360-006, 488-360-007, 488-360-008, 488-360-009, and 488-360-010 (and any division thereof) the opportunity to express support or opposition to the approval of the NPDES regulatory rate and services and inclusion into and approval of the annual charge for the CSD Zone M program.

II. NOTICE - PUBLIC MEETING AND PUBLIC HEARING

To provide for public comments on this mail ballot proceeding, the City Council has scheduled one (1) Public Meeting and one (1) Public Hearing at their regular meetings, which will be held at the Moreno Valley City Hall Council Chamber as follows:

PUBLIC MEETING	***TUESDAY, March 10, 2009*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, March 24, 2009*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL** **COUNCIL CHAMBER** **14177 FREDERICK STREET** **MORENO VALLEY, CA 92553**

III. CHARGE INFORMATION

1. **Name of the Charges for APNs 488-360-006, 488-360-007, 488-360-008, 488-360-009, and 488-360-010 (and any division thereof):**

   NPDES Maximum Commercial/Industrial Regulatory Rate
   CSD Zone M (Commercial, Industrial, and Multifamily Improved Median Maintenance)

2. **Maximum Annual Levy Amounts for APNs 488-360-006, 488-360-007, 488-360-008, 488-360-009, and 488-360-010 (and any division thereof):**

   For fiscal year (FY) 2008/09, the NPDES maximum commercial/industrial regulatory rate is $205 per parcel. The total parcel charges levied for NPDES for FY 2008/09 was $389,445.

   For FY 2008/09 the annual CSD Zone M charge is $4,077.60 for APN 488-360-008, $3,405.60 for 488-360-009, and $3,405.60 for APN 488-360-010. The total CSD Zone M charges levied for FY 2008/09 was $88,908.

   Beginning in FY 2009/10, the NPDES Maximum Commercial/Industrial Regulatory Rate and the CSD Zone M charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges**:

   Upon approval of the NPDES Maximum Commercial/Industrial Regulatory Rate, the annual levy amount will be assessed to each associated APN (and any division thereof) and shall be placed on the 2009/10 Riverside County property tax bill or as a monthly charge on a utility bill. The annual CSD Zone M levy amount shall be assessed to each associated APN (and any division thereof) on the Riverside County property tax bill beginning in FY 2009/10. The NPDES Maximum Commercial/Industrial regulatory rate and the CSD Zone M charge will be levied each following year at the proposed rate, which may include an annual inflation adjustment.

4. **Reason for the Charges:**

   NPDES Maximum Commercial/Industrial Regulatory Rate
   In compliance with the Federal Clean Water Act, the City of Moreno Valley shall annually inspect site design, source control and treatment control Best Management Practices, verify monitoring and maintenance records for those on-site facilities, and perform annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State.

   CSD Zone M Charge
   Commercial, industrial, and multifamily developments along designated arterial streets are conditioned to participate in the improved median maintenance program in compliance with the Citywide Arterial Median Maintenance Policy approved by the CSD Board in March 2003 and revised in January 2006. Special Districts' staff manages private landscape maintenance firms to ensure that landscape preservation activities are completed on a regular schedule. The annual CSD Zone M charge was established to cover administration and service costs for the landscape maintenance. Services include, but are not limited to: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the landscaped medians.

5. **Calculation of the Charges:**

Each fiscal year, the City of Moreno Valley shall determine the type of services necessary to comply with NPDES Permit requirements and levy the rate applicable for that service. The annual CSD Zone M charge includes maintenance and administration costs and may be subject to an annual adjustment. The CSD Zone M charge shall be proportionally adjusted if an APN is subdivided or if development occurs adjacent to the proposed median.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have questions about the proposed programs, charges, or this process, please contact Jennifer Terry, Management Analyst, Special Districts, a Division of the Public Works Department, Monday through Thursday from 7:30 a.m. to 5:30 p.m. and Friday 8:00 a.m. to 5:00 p.m. at (951) 413-3505.

V. SUMMARY OF BALLOT PROCEEDINGS

Please follow the instructions listed below and on the following page to complete and return your ballots. Procedures for the completion, return, and tabulation of the ballots are on file in the City Clerk's office of the City of Moreno Valley.

1. Mark the enclosed ballots in support or opposition to the proposed programs and annual charges **by placing an appropriate valid mark in the corresponding box. A list containing appropriate valid markings is attached for reference.**

2. **Sign your name** on the ballots. *Ballots received without a signature will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballots in a sealed envelope to the City Clerk's office, 14177 Frederick Street, Moreno Valley, California 92553. For your convenience, two postage-paid envelopes have been included for return of the ballots.

4. Ballots must be **received** by the City Clerk prior to the close of the Public Hearing to be held on **Tuesday, March 24, 2009**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**
Approval of the NPDES Maximum Commercial/Industrial maximum regulatory rate and inclusion into the CSD Zone M program and the maximum annual levy amounts will be confirmed if a majority of the APNs are marked in favor of the charge.

Not approving the NPDES commercial/industrial regulatory rate to meet federally mandated NPDES Permit requirements, as administered by the State, shall result in noncompliance with the Conditions of Approval.

If the ballot is not marked in favor of the CSD Zone M annual charge, then the charge will not be levied on the property tax bill, the City will not maintain the landscaping, and noncompliance of the Conditions of Approval shall result.

BALLOT MARKS

Appropriate ballot markings include any <u>one</u> of the following for either the YES/Approved or NO/Not Approved blank box:

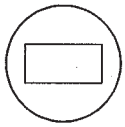
A check mark substantially inside a box;

An X mark substantially inside a box;

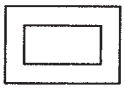
A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;



A circle around the box **<u>and/or</u>** associated clause; or



A square or rectangle around the box **<u>and/or</u>** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **<u>prior</u>** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **<u>Initials must be clearly printed and placed at the right top corner of the revised selection</u>**.

NOTICE TO PROPERTY OWNER - MAIL BALLOT PROCEEDING
National Pollutant Discharge Elimination System (NPDES)
Maximum Commercial/Industrial Regulatory Rate
Community Services District (CSD) Zone M
(Commercial, Industrial, and Multifamily Improved Median Maintenance)
Parcels owned by Westcoast Prop Partners within Tentative Parcel Map (TPM) 35629

I. BACKGROUND

The City shall provide the services necessary to meet mandates of the Federal Clean Water Act. The current NPDES Permit, as administered by the State, regulates the volume and amount of pollutants in stormwater runoff from residential/commercial developments.

NPDES Maximum Commercial/Industrial Maximum Regulatory Rate provides financial support for inspecting site design and source and treatment control Best Management Practices, monitoring maintenance records for those on-site facilities, and performing annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State.

The CSD was formed simultaneously with City incorporation and established Zones to allocate the costs of special benefit services to those parcels designated to receive selective programs. The CSD Zone M program provides ongoing maintenance to improved medians adjacent to commercial, industrial, and multifamily developments in designated areas of the City.

In November of 1996, California voters passed the Right to Vote on Taxes Act ("Proposition 218"). As a result, any new or proposed increase in a property-related charge requires approval of the charge by the property owner of record. In compliance with Proposition 218 legislation, Special Districts is conducting a mail ballot proceeding to provide the owner of Assessor Parcel Numbers (APNs) 488-350-002, 488-360-003, and 488-360-004 (and any division thereof) the opportunity to express support or opposition to the approval of the NPDES regulatory rate and services and inclusion into and approval of the annual charge for the CSD Zone M program.

II. NOTICE - PUBLIC MEETING AND PUBLIC HEARING

To provide for public comments on this mail ballot proceeding, the City Council has scheduled one (1) Public Meeting and one (1) Public Hearing at their regular meetings, which will be held at the Moreno Valley City Hall Council Chamber as follows:

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LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL** **COUNCIL CHAMBER** **14177 FREDERICK STREET** **MORENO VALLEY, CA 92553**

III. CHARGE INFORMATION

1. **Name of the Charges for APNs 488-350-002, 488-360-003, and 488-360-004 (and any division thereof):**

   NPDES Maximum Commercial/Industrial Regulatory Rate
   CSD Zone M (Commercial, Industrial, and Multifamily Improved Median Maintenance)

2. **Maximum Annual Levy Amounts for APNs 488-350-002, 488-360-003, and 488-360-004 (and any division thereof):**

   For fiscal year (FY) 2008/09, the NPDES maximum commercial/industrial regulatory rate is $205 per parcel. The total parcel charges levied for NPDES for FY 2008/09 was $389,445.

   For FY 2008/09 the annual CSD Zone M charge is $17,285.40 for APN 488-350-002. The total CSD Zone M charges levied for FY 2008/09 was $88,908.

   Beginning in FY 2009/10, the NPDES Maximum Commercial/Industrial Regulatory Rate and the CSD Zone M charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges**:

   Upon approval of the NPDES Maximum Commercial/Industrial Regulatory Rate, the annual levy amount will be assessed to APNs 488-350-002, 488-360-003, and 488-360-004 (and any division thereof) and shall be placed on the 2009/10 Riverside County property tax bill or as a monthly charge on a utility bill. The CSD Zone M annual levy amount shall be assessed to APN 488-350-002 (and any division thereof) on the Riverside County property tax bill beginning in FY 2009/10. The NPDES Maximum Commercial/Industrial regulatory rate and the CSD Zone M charge will be levied each following year at the proposed rate, which may include an annual inflation adjustment.

4. **Reason for the Charges:**

   NPDES Maximum Commercial/Industrial Regulatory Rate
   In compliance with the Federal Clean Water Act, the City of Moreno Valley shall annually inspect site design, source control and treatment control Best Management Practices, verify monitoring and maintenance records for those on-site facilities, and perform annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State.

   CSD Zone M Charge
   Commercial, industrial, and multifamily developments along designated arterial streets are conditioned to participate in the improved median maintenance program in compliance with the Citywide Arterial Median Maintenance Policy approved by the CSD Board in March 2003 and revised in January 2006. Special Districts' staff manages private landscape maintenance firms to ensure that landscape preservation activities are completed on a regular schedule. The annual CSD Zone M charge was established to cover administration and service costs for the landscape maintenance. Services include, but are not limited to: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the landscaped medians.

5. **Calculation of the Charges:**

Each fiscal year, the City of Moreno Valley shall determine the type of services necessary to comply with NPDES Permit requirements and levy the rate applicable for that service. The annual CSD Zone M charge includes maintenance and administration costs and may be subject to an annual adjustment. The CSD Zone M charge shall be proportionally adjusted if the APN is subdivided or if development occurs adjacent to the proposed medians.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have questions about the proposed programs, charges, or this process, please contact Jennifer Terry, Management Analyst, Special Districts, a Division of the Public Works Department, Monday through Thursday from 7:30 a.m. to 5:30 p.m. and Friday 8:00 a.m. to 5:00 p.m. at (951) 413-3505.

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5. **Upon the close of the Public Hearing:**
Approval of the NPDES Maximum Commercial/Industrial maximum regulatory rate will be confirmed if a majority of the APNs are marked in favor of the rate. The inclusion into the CSD Zone M program and the annual charge will be confirmed if the ballot is marked in favor of the charge.

Not approving the NPDES commercial/industrial regulatory rate to meet federally mandated NPDES Permit requirements, as administered by the State, shall result in noncompliance with the Conditions of Approval.

If the ballot is not marked in favor of the CSD Zone M annual charge, then the charge will not be levied on the property tax bill, the City will not maintain the landscaping, and noncompliance of the Conditions of Approval shall result.

BALLOT MARKS

Appropriate ballot markings include any <u>one</u> of the following for either the YES/Approved or NO/Not Approved blank box:

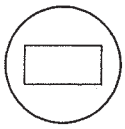
A check mark substantially inside a box;

An X mark substantially inside a box;

A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;



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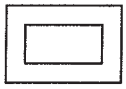

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NOTICE TO PROPERTY OWNER - MAIL BALLOT PROCEEDING
National Pollutant Discharge Elimination System (NPDES)
Maximum Commercial/Industrial Regulatory Rate
Community Services District (CSD) Zone M
(Commercial, Industrial, and Multifamily Improved Median Maintenance)
Parcels owned by Sand Prop Partners within Tentative Parcel Map (TPM) 35629

I. BACKGROUND

The City shall provide the services necessary to meet mandates of the Federal Clean Water Act. The current NPDES Permit, as administered by the State, regulates the volume and amount of pollutants in stormwater runoff from residential/commercial developments.

NPDES Maximum Commercial/Industrial Maximum Regulatory Rate provides financial support for inspecting site design and source and treatment control Best Management Practices, monitoring maintenance records for those on-site facilities, and performing annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State.

The CSD was formed simultaneously with City incorporation and established Zones to allocate the costs of special benefit services to those parcels designated to receive selective programs. The CSD Zone M program provides ongoing maintenance to improved medians adjacent to commercial, industrial, and multifamily developments in designated areas of the City.

In November of 1996, California voters passed the Right to Vote on Taxes Act ("Proposition 218"). As a result, any new or proposed increase in a property-related charge requires approval of the charge by the property owner of record. In compliance with Proposition 218 legislation, Special Districts is conducting a mail ballot proceeding to provide the owner of Assessor Parcel Numbers (APNs) 488-360-005 and 488-360-011 (and any division thereof) the opportunity to express support or opposition to the approval of the NPDES regulatory rate and services and inclusion into and approval of the annual charge for the CSD Zone M program.

II. NOTICE - PUBLIC MEETING AND PUBLIC HEARING

To provide for public comments on this mail ballot proceeding, the City Council has scheduled one (1) Public Meeting and one (1) Public Hearing at their regular meetings, which will be held at the Moreno Valley City Hall Council Chamber as follows:

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LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL** **COUNCIL CHAMBER** **14177 FREDERICK STREET** **MORENO VALLEY, CA 92553**

III. CHARGE INFORMATION

1. **Name of the Charges for APNs 488-360-005 and 488-360-011 (and any division thereof):**

   NPDES Maximum Commercial/Industrial Regulatory Rate
   CSD Zone M (Commercial, Industrial, and Multifamily Improved Median Maintenance)

2. **Maximum Annual Levy Amounts for APNs 488-360-005 and 488-360-011 (and any division thereof):**

   For fiscal year (FY) 2008/09, the NPDES maximum commercial/industrial regulatory rate is $205 per parcel. The total parcel charges levied for NPDES for FY 2008/09 was $389,445.

   For FY 2008/09 the annual CSD Zone M charge is $6,811.20 for APN 488-360-011. The total CSD Zone M charges levied for FY 2008/09 was $88,908.

   Beginning in FY 2009/10, the NPDES Maximum Commercial/Industrial Regulatory Rate and the CSD Zone M charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges**:

   Upon approval of the NPDES Maximum Commercial/Industrial Regulatory Rate, the annual levy amount will be assessed to APNs 488-360-005 and 488-360-011 (and any division thereof) and shall be placed on the 2009/10 Riverside County property tax bill or as a monthly charge on a utility bill. The CSD Zone M annual levy amount shall be assessed to APN 488-360-011 (and any division thereof) on the Riverside County property tax bill beginning in FY 2009/10. The NPDES Maximum Commercial/Industrial regulatory rate and the CSD Zone M charge will be levied each following year at the proposed rate, which may include an annual inflation adjustment.

4. **Reason for the Charges:**

   NPDES Maximum Commercial/Industrial Regulatory Rate
   In compliance with the Federal Clean Water Act, the City of Moreno Valley shall annually inspect site design, source control and treatment control Best Management Practices, verify monitoring and maintenance records for those on-site facilities, and perform annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State.

   CSD Zone M Charge
   Commercial, industrial, and multifamily developments along designated arterial streets are conditioned to participate in the improved median maintenance program in compliance with the Citywide Arterial Median Maintenance Policy approved by the CSD Board in March 2003 and revised in January 2006. Special Districts' staff manages private landscape maintenance firms to ensure that landscape preservation activities are completed on a regular schedule. The annual CSD Zone M charge was established to cover administration and service costs for the landscape maintenance. Services include, but are not limited to: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the landscaped medians.

5. **Calculation of the Charges:**

Each fiscal year, the City of Moreno Valley shall determine the type of services necessary to comply with NPDES Permit requirements and levy the rate applicable for that service. The annual CSD Zone M charge includes maintenance and administration costs and may be subject to an annual adjustment. The CSD Zone M charge shall be proportionally adjusted if the APN is subdivided or if development occurs adjacent to the proposed medians.

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Not approving the NPDES commercial/industrial regulatory rate to meet federally mandated NPDES Permit requirements, as administered by the State, shall result in noncompliance with the Conditions of Approval.

If the ballot is not marked in favor of the CSD Zone M annual charge, then the charge will not be levied on the property tax bill, the City will not maintain the landscaping, and noncompliance of the Conditions of Approval shall result.

BALLOT MARKS

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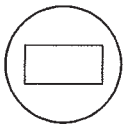

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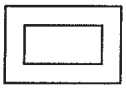

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NOTICE TO PROPERTY OWNER - MAIL BALLOT PROCEEDING
National Pollutant Discharge Elimination System (NPDES)
Maximum Commercial/Industrial Regulatory Rate
Community Services District (CSD) Zone M
(Commercial, Industrial, and Multifamily Improved Median Maintenance)
Parcels owned by Sinclair Prop Partners within Tentative Parcel Map (TPM) 35629

I. BACKGROUND

The City shall provide the services necessary to meet mandates of the Federal Clean Water Act. The current NPDES Permit, as administered by the State, regulates the volume and amount of pollutants in stormwater runoff from residential/commercial developments.

NPDES Maximum Commercial/Industrial Maximum Regulatory Rate provides financial support for inspecting site design and source and treatment control Best Management Practices, monitoring maintenance records for those on-site facilities, and performing annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State.

The CSD was formed simultaneously with City incorporation and established Zones to allocate the costs of special benefit services to those parcels designated to receive selective programs. The CSD Zone M program provides ongoing maintenance to improved medians adjacent to commercial, industrial, and multifamily developments in designated areas of the City.

In November of 1996, California voters passed the Right to Vote on Taxes Act ("Proposition 218"). As a result, any new or proposed increase in a property-related charge requires approval of the charge by the property owner of record. In compliance with Proposition 218 legislation, Special Districts is conducting a mail ballot proceeding to provide the owner of Assessor Parcel Numbers (APNs) 488-360-001, 488-360-002, and 488-360-012 (and any division thereof) the opportunity to express support or opposition to the approval of the NPDES regulatory rate and services and inclusion into and approval of the annual charge for the CSD Zone M program.

II. NOTICE - PUBLIC MEETING AND PUBLIC HEARING

To provide for public comments on this mail ballot proceeding, the City Council has scheduled one (1) Public Meeting and one (1) Public Hearing at their regular meetings, which will be held at the Moreno Valley City Hall Council Chamber as follows:

PUBLIC MEETING	***TUESDAY, March 10, 2009*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
PUBLIC HEARING	***TUESDAY, March 24, 2009*** **6:30 P.M. (or as soon thereafter as the matter may be called)**
LOCATION **(FOR BOTH THE PUBLIC MEETING & PUBLIC HEARING)**	**MORENO VALLEY CITY HALL** **COUNCIL CHAMBER** **14177 FREDERICK STREET** **MORENO VALLEY, CA 92553**

III. CHARGE INFORMATION

1. **Name of the Charges for APNs 488-360-001, 488-360-002, and 488-360-012 (and any division thereof):**

   NPDES Maximum Commercial/Industrial Regulatory Rate
   CSD Zone M (Commercial, Industrial, and Multifamily Improved Median Maintenance)

2. **Maximum Annual Levy Amounts for APNs 488-360-001, 488-360-002, and 488-360-012 (and any division thereof):**

   For fiscal year (FY) 2008/09, the NPDES maximum commercial/industrial regulatory rate is $205 per parcel. The total parcel charges levied for NPDES for FY 2008/09 was $389,445.

   For FY 2008/09 the annual CSD Zone M charge is $6,501.60 for APN 488-360-012. The total CSD Zone M charges levied for FY 2008/09 was $88,908.

   Beginning in FY 2009/10, the NPDES Maximum Commercial/Industrial Regulatory Rate and the CSD Zone M charge shall be subject to an annual adjustment based on the percentage change calculated for the previous calendar year in the Los Angeles-Riverside-Orange County Regional Consumer Price Index for All Urban Consumers, as published by the Department of Labor's Bureau of Labor Statistics.

3. **Duration of the Proposed Charges**:

   Upon approval of the NPDES Maximum Commercial/Industrial Regulatory Rate, the annual levy amount will be assessed to APNs 488-360-001, 488-360-002, and 488-360-012 (and any division thereof) and shall be placed on the 2009/10 Riverside County property tax bill or as a monthly charge on a utility bill. The CSD Zone M annual levy amount shall be assessed to APN 488-360-012 (and any division thereof) on the Riverside County property tax bill beginning in FY 2009/10. The NPDES Maximum Commercial/Industrial regulatory rate and the CSD Zone M charge will be levied each following year at the proposed rate, which may include an annual inflation adjustment.

4. **Reason for the Charges:**

   NPDES Maximum Commercial/Industrial Regulatory Rate
   In compliance with the Federal Clean Water Act, the City of Moreno Valley shall annually inspect site design, source control and treatment control Best Management Practices, verify monitoring and maintenance records for those on-site facilities, and perform annual inspections of the affected areas to ensure compliance with federally mandated NPDES Permit requirements, as administered by the State.

   CSD Zone M Charge
   Commercial, industrial, and multifamily developments along designated arterial streets are conditioned to participate in the improved median maintenance program in compliance with the Citywide Arterial Median Maintenance Policy approved by the CSD Board in March 2003 and revised in January 2006. Special Districts' staff manages private landscape maintenance firms to ensure that landscape preservation activities are completed on a regular schedule. The annual CSD Zone M charge was established to cover administration and service costs for the landscape maintenance. Services include, but are not limited to: mowing, trimming, pruning, weeding, fertilizing, replacing plant material(s) as necessary, removing litter, maintaining the irrigation systems, paying water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the landscaped medians.

5. **Calculation of the Charges:**

Each fiscal year, the City of Moreno Valley shall determine the type of services necessary to comply with NPDES Permit requirements and levy the rate applicable for that service. The annual CSD Zone M charge includes maintenance and administration costs and may be subject to an annual adjustment. The CSD Zone M charge shall be proportionally adjusted if the APN is subdivided or if development occurs adjacent to the proposed medians.

IV. QUESTIONS REGARDING THESE PROCEEDINGS

If you have questions about the proposed programs, charges, or this process, please contact Jennifer Terry, Management Analyst, Special Districts, a Division of the Public Works Department, Monday through Thursday from 7:30 a.m. to 5:30 p.m. and Friday 8:00 a.m. to 5:00 p.m. at (951) 413-3505.

V. SUMMARY OF BALLOT PROCEEDINGS

Please follow the instructions listed below and on the following page to complete and return your ballots. Procedures for the completion, return, and tabulation of the ballots are on file in the City Clerk's office of the City of Moreno Valley.

1. Mark the enclosed ballots in support or opposition to the proposed programs and annual charges **by placing an appropriate valid mark in the corresponding box. A list containing appropriate valid markings is attached for reference.**

2. **Sign your name** on the ballots. *Ballots received without a signature will be considered invalid and will not be counted.*

3. Mail or personally deliver your ballots in a sealed envelope to the City Clerk's office, 14177 Frederick Street, Moreno Valley, California 92553. For your convenience, two postage-paid envelopes have been included for return of the ballots.

4. Ballots must be **received** by the City Clerk prior to the close of the Public Hearing to be held on **Tuesday, March 24, 2009**, at the Moreno Valley City Hall Council Chamber. The Public Hearing will be held at 6:30 p.m. or as soon thereafter as the matter may be called. Ballots received after the close of the Public Hearing cannot be legally counted.

5. **Upon the close of the Public Hearing:**
Approval of the NPDES Maximum Commercial/Industrial maximum regulatory rate will be confirmed if a majority of the APNs are marked in favor of the rate. The inclusion into the CSD Zone M program and the annual charge will be confirmed if the ballot is marked in favor of the charge.

Not approving the NPDES commercial/industrial regulatory rate to meet federally mandated NPDES Permit requirements, as administered by the State, shall result in noncompliance with the Conditions of Approval.

If the ballot is not marked in favor of the CSD Zone M annual charge, then the charge will not be levied on the property tax bill, the City will not maintain the landscaping, and noncompliance of the Conditions of Approval shall result.

BALLOT MARKS

Appropriate ballot markings include any <u>one</u> of the following for either the YES/Approved or NO/Not Approved blank box:

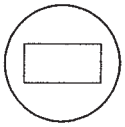
A check mark substantially inside a box;

An X mark substantially inside a box;

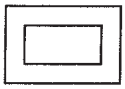
A dot or oval mark substantially inside a box;

A completely shaded or filled mark substantially inside a box;

A line, single or dashed, or combination of lines, through the box area. Lines may be any **one of the following marks:** horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;



A circle around the box **<u>and/or</u>** associated clause; or



A square or rectangle around the box **<u>and/or</u>** associated clause.

Balloting marks shall not extend past one box area into any portion of another nor surround the perimeter or any portion of more than one box area. Markings that extend past one box area into any portion of another or surround the perimeter or any portion of more than one box area shall be considered invalid and not counted.

Ballot Mark Revisions (Changes)

An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **<u>prior</u>** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **<u>Initials must be clearly printed and placed at the right top corner of the revised selection</u>**.

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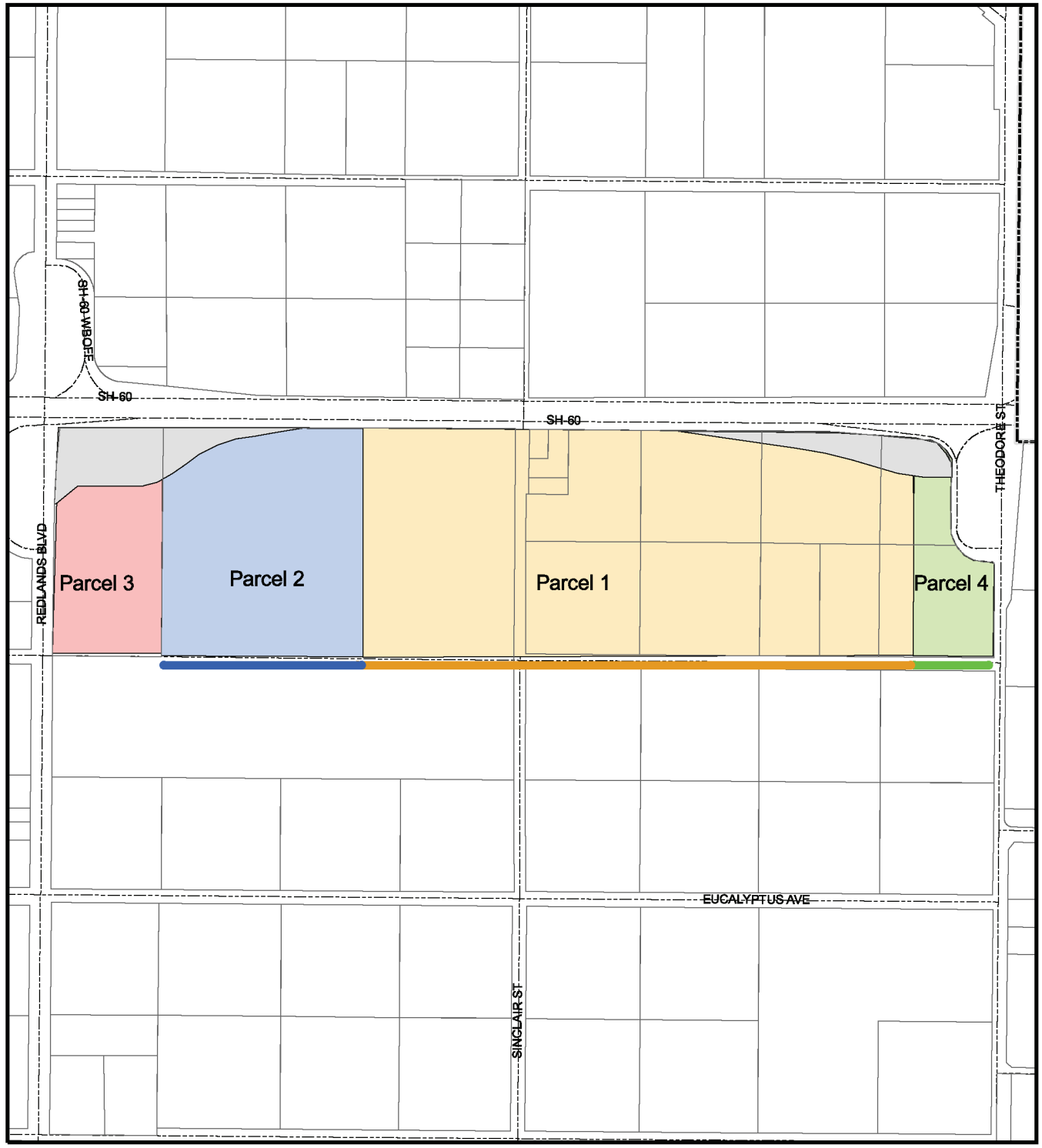

Tentative Parcel Map 35629

Median
Landscaped Areas
Roads

Tent_PM35629
Label

Parcel 1
Parcel 2
Parcel 3
Parcel 4
Parcel 5
Parcel 6
Parcels
City Boundary

Map reflects all changes indicated on Riverside County Assessor Maps as of December 29, 2008.

N

0 350 700 1,050 1,400
Feet

G:\AVP\SDA\12.29.08.mxd

The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Data and information on this map is subject to update and modification. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses or damages resulting from the use of this map. This map is not to be recopied or resold.

MORENO VALLEY
WHERE DREAMS SOAR

ATTACHMENT 3

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HIGHLAND FAIRVIEW PROPERTIES

14225 Corporate Way
Moreno Valley, CA 92553

Tel: (714) 824-8001 Fax: (714) 824-8002

March 24, 2009

Mr. Rick C. Hartmann
Deputy City Manager
City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92552-0805

Re: Continuance Request for CSD Zone M Voting

Dear Rick,

Highland Fairview is requesting a 60 day continuance for the voting of the ballot proceeding for identified properties within Tentative Parcel Map (TPM) 35629 for approval of the National Pollutant Discharge Elimination System (NPDES) maximum commercial/industrial regulatory maintenance rate and CSD Zone Z incorporation of the median maintenance.

Thank you for your attention to this matter.

Sincerely,

Danette Fenstermacher

Danette Fenstermacher
Executive Vice President & Chief Operating Officer

ATTACHMENT 4

Jennifer Terry

From: Sue Maxinoski
Sent: Wednesday, April 29, 2009 2:09 PM
To: 'Danette Fenstermacher'
Cc: Jennifer Terry; Rick Hartmann
Subject: RE: Public Hearing for TPM 35629

Danette - Thank you for sending this email. We will include this with our staff report on May 26 to continue the public hearing.

Sue

From: Danette Fenstermacher [mailto:dfenstermacher@highlandfairview.com]
Sent: Wednesday, April 29, 2009 1:49 PM
To: Sue Maxinoski
Cc: wpeterson@highlandfairview.com; Iddo
Subject: Public Hearing for TPM 35629

Sue--Per our conversation, please delay the inclusion of the following item to the City Council Hearing of August 25, 2009.

(Taken from the City Council Agenda for March 10, 2009)
"PUBLIC MEETING REGARDING THE MAIL BALLOT PROCEEDING FOR IDENTIFIED PROPERTIES WITHIN TPM 35629 - BALLOTING FOR NPDES AND CSD ZONE M (Report of: Public Works Department)

Recommendation: That the City Council:
1. Staff recommends that the Mayor and Members of the Moreno Valley City Council accept public comments regarding the mail ballot proceeding for identified properties within Tentative Parcel Map (TPM) 35629 for approval of the National Pollutant Discharge Elimination System (NPDES) maximum Commercial / industrial regulatory rate.

2. Staff recommends that the President and Members of the Board of Directors of the Moreno Valley Community Services District ("CSD Board") accept public comments regarding the mail ballot proceeding for identified properties within TPM 35629 for inclusion into and approval of the annual charge for CSD Zone M (Commercial, Industrial, and Multifamily Improved Median Maintenance)."

Best Regards,

Danette

Danette Fenstermacher
COO & Executive Vice President

Highland Fairview
danette@highlandfairview.com
714-824-8001
714-824-8002 (fax)
951-271-6703 (cell)

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APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Kyle Kollar, Community Development Director

AGENDA DATE: August 25, 2009 (Continued from June 23, 2009)

TITLE: A PUBLIC HEARING FOR AN INDUSTRIAL COMPLEX (PA07-0152, PA07-0153, PA07-0154, PA07-0155 and PA07-0156) WITH FOUR BUILDINGS (1,484,407 TOTAL SQ FT) ON 66.9 NET ACRES. THE TENTATIVE PARCEL MAP 35879 (PA07-0151) WILL CREATE FOUR PARCELS. THE GENERAL PLAN (PA08-0057) AND SPECIFIC PLAN (P08-060) AMENDMENTS ARE REQUIRED FOR THE REALIGNMENT OF KRAMERIA STREET AND WILL AMEND THE CIRCULATION ELEMENT OF THE GENERAL PLAN AND IN THE MORENO VALLEY INDUSTRIAL SPECIFIC PLAN (SP 208).

RECOMMENDED ACTION

Staff recommends that the City Council:

1. **ADOPT** a Mitigated Negative Declaration for PA07-0151(Tentative Parcel Map 35879), PA07-0152 (Master Plot Plan), PA07-0153 (Plot Plan), PA07-0154 (Plot Plan), PA07-0155 (Plot Plan), PA07-0156 (Plot Plan), PA08-0057 (General Plan Amendment) and P08-060 (Specific Plan Amendment). The projects, individually and cumulatively, will not result in a significant effect on the environment;

2. **APPROVE** Resolution No. 2009-44 approving PA08-0057, for the realignment of Krameria Street and amending the Circulation Element of the General Plan based on the findings in the Resolution and maps attached to the Resolution as Exhibits A, B, C, D and E;

3. **INTRODUCE** Ordinance No. 793 approving a Specific Plan Amendment (P08-060) for the realignment of Krameria Street and amending the Circulation Element in the Moreno Valley Industrial Specific Plan (SP 208) based on the findings in the Ordinance;

4. **APPROVE** Resolution No. 2009-45 approving PA07-0151(Tentative Parcel Map 35879), PA07-0152 (Master Plot Plan), PA07-0153 (Plot Plan), PA07-0154 (Plot Plan), PA07-0155 (Plot Plan), and PA07-0156 (Plot Plan), based on the findings in the Resolution, and the conditions of approval as attached to the resolution as Exhibit A.

ADVISORY COMMITTEE ACTION

The Planning Commission, at its January 22, 2009 meeting approved Planning Commission Resolution No. 2008-50, recommending by a 6-0 vote that the City Council adopt a Mitigated Negative Declaration and approve PA07-0151(Tentative Parcel Map 35879), PA07-0152 (Master Plot Plan), PA07-0153 (Plot Plan), PA07-0154 (Plot Plan), PA07-0155 (Plot Plan), PA07-0156 (Plot Plan), PA08-0057 (General Plan Amendment) and P08-060 (Specific Plan Amendment).

BACKGROUND

This project includes eight applications — a general plan amendment, specific plan amendment, tentative parcel map, master plot plan and four plot plans — for approximately 66.9 acres at the southeast corner of Iris Avenue and Heacock Street (Assessor's Parcel Numbers 316-020-001,316-020- 006, 316-020-007, 316-020-028, and 316-020-010). The project proposes an industrial complex with four buildings (1,103,003 sq ft, 16,732 sq ft, 87,429 sq ft and 277,243 sq ft for a total of 1,484,407 sq ft). The proposed uses are consistent with the type and intensity of use envisioned under Moreno Valley Industrial Area Specific Plan (SP 208) and the Industrial land use district.

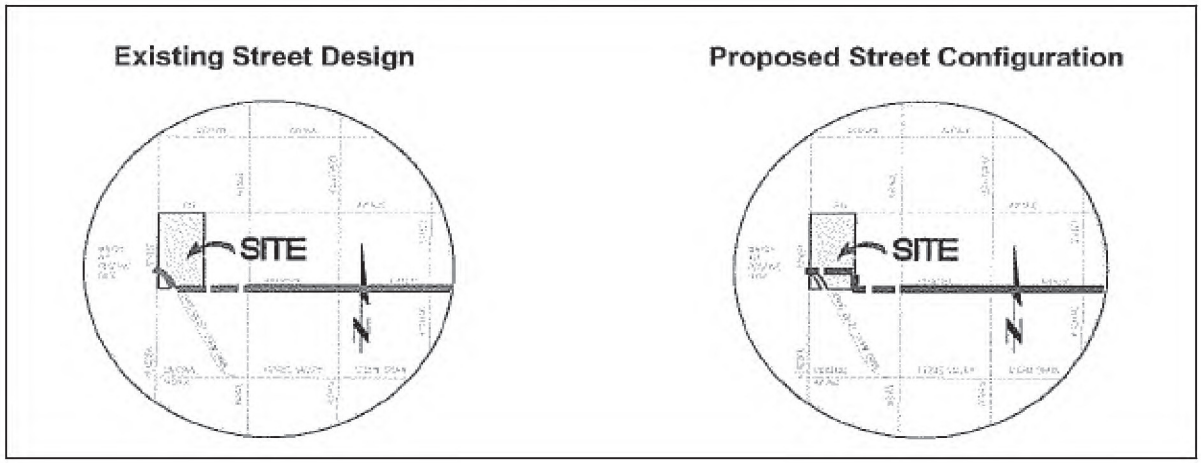
General Plan Amendment

The proposed General Plan Amendment will consist of amending the circulation element in regarding to Krameria Avenue. The proposed changes to Krameria Avenue's design include:

1. Change the proposed physical location of the west end of Krameria Avenue from the east property line of the project site (future "A" Street) to Heacock Street;

2. Change the designation of the above mentioned section of Krameria Avenue from Indian Avenue to Heacock Street from Minor Arterial to Industrial Collector.

Currently, Krameria Avenue is constructed on the east side of Indian Avenue. The City's General Plan Circulation Element shows Krameria Avenue as ultimately being constructed to Heacock Street. The proposed amendment to the circulation element would remove the existing curvilinear design from future "A" Street to Heacock Street and replace it with a straight design (see diagram below).



The proposed realigning of Krameria Avenue will enable project to develop the site more efficiently while creating a functional and safe circulation system. The existing design has the potential of promoting high vehicle speeds from Indian Avenue to Heacock Street. A vehicle driving down the proposed Krameria Street will be required to make a left turn onto future "A" Street, slowing down its speed, thus creating a safer environment. The redesign would also reduce the likelihood of mixing industrial truck traffic with residential commuter traffic.

Kunzman Associates prepared a traffic study (June 17, 2008) for the project. Analyses indicated that enough capacity would be provided with a two lane Industrial Collector between Heacock Street and Indian Street. The study found that with less intensive uses proposed by the project than were evaluated in the City's Traffic Model, as well as diverted trips avoiding the realigned Krameria Avenue, supports downsizing this section of Krameria Avenue from a Minor Arterial to an Industrial Collector.

Specific Plan Amendment

The Specific Plan Amendment also proposes changing the location of Krameria Avenue between Indian Street and Heacock Street as well as downgrading the designation from Minor Arterial to Industrial Collector. The Moreno Valley Industrial Specific Plan (SP 208) document will be revised to include these changes. Proposed deletions are shown as stricken text and additions are underlined.

Text Changes

On Page IV-7, Section d. (Minor Arterials), the Moreno Valley Industrial Specific Plan (SP 208) minor arterials will include the following:

- Nandina Avenue (between Indian Street to ~~Kitching Street~~ Perris Boulevard)
- Indian Street

On Page IV-8, Section e. (Collector Streets), the Moreno Valley Industrial Specific Plan (SP 208) minor arterials will include the following:

Collector streets planned for the construction and improvement within the Project site include:

- Krameria Avenue (between Indian Street to Heacock Street)

On Page V-14, under Minor Arterials (88' ROW):

- Nandina Avenue (between Indian Street to ~~Kitching Street~~ Perris Boulevard)
- Indian Street

On Page V-14, under Industrial Collector (78' ROW)

- Krameria Avenue (between Indian Street to Heacock Street)

Tentative Tract Map

Tentative Parcel Map 35879 will create four parcels from the existing five parcels.

Project Design

This project has been reviewed and the design of the proposed industrial project conforms to all development standards of the SP208I zone as required within the Moreno Valley Municipal Code.

All four buildings being proposed are concrete tilt-ups with the two largest being rectangular in shape. The smaller two buildings have an angled wall along their frontage with the existing Riverside County Flood Control Channel. All the buildings are approximately 36 feet in height and the more decorative architectural features of the building reaching heights between 38 and 45 feet. The buildings have the same architecture and are using neutral earth tone colors with a darker accent color (Burnt red) as the color scheme. The buildings are concrete tilt-ups rectangular in shape with flat roofs, and the proposed windows have a greenish reflective glazing finish. The more decorative architectural features of the building are located at entrances to the offices. The building wall heights vary to make the buildings less monotonous. The project is also providing concrete tilt-up walls along Heacock Street, Iris Avenue,

Krameria Avenue and Proposed "Street A", so that the loading docks are not visible from the public right of way. The proposed screen walls will be 14 feet in height to fully screen trucks and trailers, and will match the architecture of the buildings.

Environmental

An initial study was prepared to support the recommend environmental finding that a mitigated negative declaration is appropriate for this project. Issues of special discussion in the initial study are aesthetics, air quality, biological resources, paleontological resources, noise and traffic. All project impacts are less than significant when considering the project location, the nature of the proposed project, project design features, conditions of approval, and standard City requirements that are governed by established programs and procedures.

Discussion

Detailed analysis of the staff review and advisory body consideration of this request are provided above, and in the attached Planning Commission staff report and Planning Commission minutes.

Subject to approval of the Specific Plan Amendment, the project as designed and conditioned, complies with all applicable City policies and regulations and would be compatible with surrounding land uses.

ALTERNATIVES

1. The City Council could deny one the projects. If denial of a project is chosen, it is recommended that the item be continued in order to complete the necessary resolution and findings for a denial.

2. The City Council could approve the project.

3. The City Council could modify the project as presented.

4. The City Council could refer the project back to the Planning Commission with direction.

FISCAL IMPACT

Not applicable.

CITY COUNCIL GOALS

Not applicable.

NOTIFICATION

Notice of the City Council public hearing of the public notice, appeared in the *Press Enterprise* newspaper on February 27, 2009, posted on the affected property, and mailed to all surrounding property owners of record within 300 feet of the affected property. As of the date of preparation for the City Council Staff Report, there was no additional public response to the noticing for the City Council public hearing this project.

STAFF RECOMMENDATION

Staff recommends that the City Council:

1. **ADOPT** a Mitigated Negative Declaration for PA07-0151(Tentative Parcel Map 35879), PA07-0152 (Master Plot Plan), PA07-0153 (Plot Plan), PA07-0154 (Plot Plan), PA07-0155 (Plot Plan), PA07-0156 (Plot Plan), PA08-0057 (General Plan Amendment) and P08-060 (Specific Plan Amendment). The projects, individually and cumulatively, will not result in a significant effect on the environment;

2. **APPROVE** Resolution No. 2009-44 approving PA08-0057, for the realignment of Krameria Street and amending the Circulation Element of the General Plan based on the findings in the Resolution and maps attached to the Resolution as Exhibits A, B, C, D and E ;

3. **INTRODUCE** Ordinance No. 793 approving a Specific Plan Amendment (P08-060) for the realignment of Krameria Street and amending the Circulation Element in the Moreno Valley Industrial Specific Plan (SP 208) based on the findings in the Ordinance and maps attached to the Ordinance as Exhibits A, B, C and D;

4. **APPROVE** Resolution No. 2009-45 approving PA07-0151(Tentative Parcel Map 35879), PA07-0152 (Master Plot Plan), PA07-0153 (Plot Plan), PA07-0154 (Plot Plan), PA07-0155 (Plot Plan), and PA07-0156 (Plot Plan), based on the findings in the Resolution, and the conditions of approval as attached to the Resolution as Exhibits A & B.

ATTACHMENTS

1. Public Hearing Notice
2. Proposed Resolution for General Plan Amendment (PA08-0057); including Exhibits A, B, C, D and E.
3. Proposed Ordinance for Specific Plan Amendment (P08-060); including Exhibits A, B, C and D.

4. Proposed Resolution for PA07-0151(Tentative Parcel Map 35879), PA07-0152 (Master Plot Plan), PA07-0153 (Plot Plan), PA07-0154 (Plot Plan), PA07-0155 (Plot Plan), PA07-0156 (Plot Plan); including Exhibit A and Exhibit B.
5. Planning Commission Staff Report dated December 4, 2008 (excluding exhibits)
6. Planning Commission Minutes for January 22, 2009
7. Negative Declaration/Initial Study
8. Reduced Site Plan
9. Reduced Copy of Tentative Tract Map 35879 (PA07-0151)
10. Reduced Elevations – Building 1 (Four Sheets)
11. Reduced Elevations – Building 2
12. Reduced Elevations – Building 3
13. Reduced Elevations – Building 4 (Two Sheets)
14. Aerial Photograph

Prepared By:
Claudia Manrique
Associate Planner

Department Head Approval:
Kyle Kollar
Community Development Director

Concurred By:
John C. Terell, AICP
Planning Official

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

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Notice of PUBLIC HEARING

This may affect your property. Please read.

Notice is hereby given that a Public Hearing will be held by the City Council of the City of Moreno Valley on the following item(s):

CASE(S): PA07-0151(Tentative Parcel Map 35879), PA07-0152 (Master Plot Plan), PA07-0153, PA07-0154, PA07-0155 and PA07-0156 (Plot Plans), PA08-0057 (General Plan Amendment) and P08-060 (Specific Plan Amendment)

APPLICANT: Western RealCo

OWNER: Western RealCo

REPRESENTATIVE: Hogle-Ireland, Inc. (Mr. Chris Stamps)

LOCATION: Southeast corner of Iris Avenue and Heacock Street

PROPOSAL: The proposed project is for an industrial complex with four buildings (1,484,407 total sq ft) on 66.9 net acres. The Tentative Parcel Map 35879 will create four parcels. The General Plan and Specific Plan Amendments are required for the realignment of Krameria Street and will amend the Circulation Element of the General Plan and in the Moreno Valley Industrial Specific Plan (SP 208).

ENVIRONMENTAL DETERMINATION: Mitigated Negative Declaration

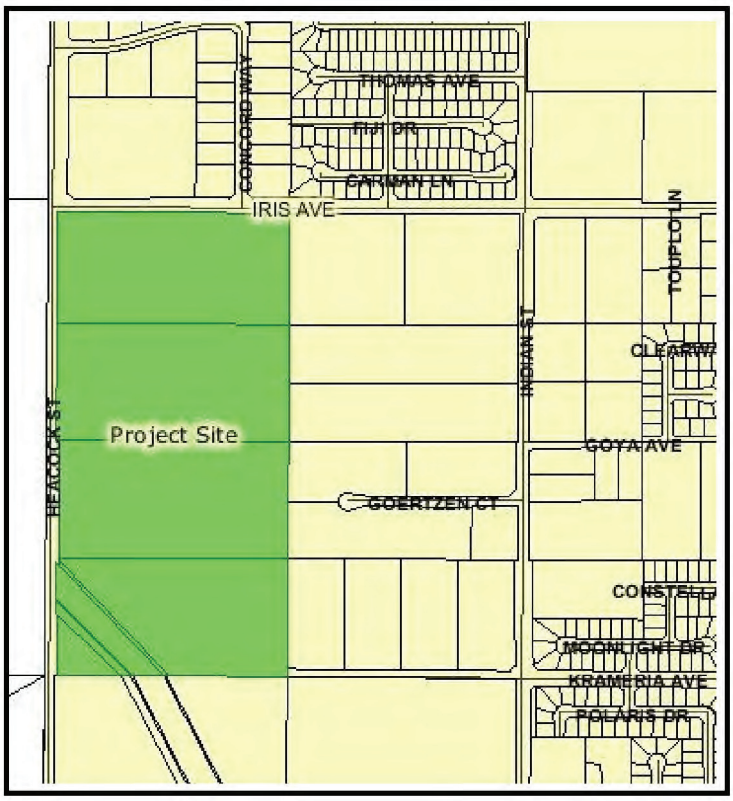
COUNCIL DISTRICT: 4

STAFF RECOMMENDATION: Approval

Any person interested in any listed proposal can contact the Community Development Department, Planning Division, at 14177 Frederick St., Moreno Valley, California, during normal business hours (7:30 a.m. to 5:30 p.m., Monday through Thursday; 8 a.m. to 5 p.m. on Friday) or may telephone (951) 413-3206 for further information. The associated documents will be available for public inspection at the above address.

In the case of Public Hearing items, any person may also appear and be heard in support of or opposition to the project or recommendation of adoption of the Environmental Determination at the time of the Hearing.

The City Council, at the Hearing or during deliberations, could approve changes or alternatives to the proposal. If you challenge any of these items in court, you may be limited to raising only those items you or someone else raised at the Public Hearing described in this notice, or in written correspondence delivered to the City Council at, or prior to, the Public Hearing.



LOCATION N ↑

CITY COUNCIL HEARING

City Council Chamber, City Hall
14177 Frederick Street
Moreno Valley, CA 92553

DATE AND TIME: May 26, 2009 at 6:30 PM

CONTACT PLANNER: Claudia Manrique

PHONE: 951.413.3225

ATTACHMENT 1

Item No. E.2

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RESOLUTION NO. 2009-44

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING AN AMENDMENT TO THE GENERAL PLAN CIRCULATION ELEMENT (PA08-0057) TO REALIGN KRAMERIA AVENUE BETWEEN IRIS AVENUE AND HEACOCK STREET AND DOWNGRADE KRAMERIA AVENUE FROM A MINOR ARTERIAL TO AN INDUSTRIAL COLLECTOR, AS DESCRIBED IN THE RESOLUTION, AND THE REVISED GENERAL PLAN MAPS ATTACHED TO THE RESOLUTION AS EXHIBITS A, B, C, D AND E.

WHEREAS, the applicant, Western RealCo, has filed an application for approval of PA08-0057, requesting amendments to the General Plan Circulation Element. The requested amendment is for the realignment of Krameria Street between Iris Avenue and Heacock Street and downgrades Krameria from a Minor Arterial to an Industrial Collector. This General Plan Amendment is being processed concurrently with a Specific Plan Amendment (P08-060), Tentative Parcel Map 35879 (PA07-0151), Master Plot Plan (PA07-0152) and four plot plans (PA07-0153, 0154, 0155 and 0156) for the proposed development of a 66.9 acre industrial complex. The project site is located southeast of Iris Avenue and Heacock Street.

WHEREAS, there is hereby imposed on the associated development projects certain fees, dedications, reservations and other exactions pursuant to state law and City ordinances;

WHEREAS, pursuant to Government Code Section 66020(d)(1), NOTICE IS HEREBY GIVEN that the associated development projects are subject to certain fees, dedications, reservations and other exactions as provided herein;

WHEREAS, an environmental assessment, including an Environmental Initial Study, has been prepared to address the environmental impacts associated with application PA08-0057 as described above and a Mitigated Negative Declaration has been adopted pursuant to the California Environmental Quality Act (CEQA), as there is no evidence that the proposed General Plan Amendment, and related development applications, as designed and conditioned, will have a significant effect on public health or be materially injurious to surrounding properties or the environment as a whole.

WHEREAS, on January 22, 2009, the Planning Commission of the City of Moreno Valley held a meeting to consider a General Plan Amendment (PA08-0057). At said meeting, the Planning Commission recommended approval of General Plan Amendment PA08-0057 to the City Council, and;

ATTACHMENT 2

WHEREAS, on May 26, 2009, the City Council of the City of Moreno Valley held a public hearing to consider the consider the subject General Plan Amendment;

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred;

WHEREAS, all of the facts set forth in this Resolution are true and correct.

BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, HEREBY FINDS AS FOLLOWS WITH RESPECT TO PA08-0057:

Based upon substantial evidence presented during the above-referenced public hearing, including written and oral staff reports, and the record from the public hearing, the City Council hereby finds that:

1. Conformance with General Plan Policies – The proposed general plan amendment is consistent with the General Plan, and its goals, objectives, policies and programs.

   FACT: This General Plan Amendment (GPA) would revise the designation and design of Krameria Avenue as follows:

   - The existing design of Krameria Avenue from future "A" Street to Heacock Street would be modified;
   - The segment of Krameria Avenue from Indian Avenue to Heacock Street would be changed from Minor Arterial to Industrial Collector designation.

   The City of Moreno Valley General Plan Circulation Element and Moreno Valley Industrial Area Specific Plan (Specific Plan 208) shows Krameria Avenue as ultimately being constructed to Heacock Street. The proposed GPA would remove the existing curvilinear design of the street which would extend along the Perris Valley Channel from future "A" Street to Heacock Street and replaces it with a left turn from future "A" Street.

   The proposed realigning of Krameria Avenue will enable project to develop the site more efficiently while creating a functional and safe circulation system. The existing design has the potential of promoting high vehicle speeds from Indian Avenue to Heacock Street. A vehicle driving down the proposed Krameria Street will be required to make a left turn onto future "A" Street, slowing down its speed, thus creating a safer environment. The redesign would also reduce the likelihood of mixing industrial truck traffic with residential commuter traffic.

Since the proposed General Plan Amendment meets the current General Plan's goals of a circulation system that fosters traffic safety and the efficient movement of vehicles, the project would not conflict with the goals, objectives, policies or programs of the General Plan.

2. Health, Safety and Welfare – The proposed general plan amendment will not be detrimental to the public health, safety or welfare.

   FACT: The proposed General Plan Amendment will not adversely affect the public health, safety or general welfare. An initial study of the potential environmental impacts of the amendment has been conducted in accordance with the provisions of the California Environmental Quality Act (CEQA). A Mitigated Negative Declaration has been considered and prepared, as there is no evidence that the proposed land use change will have a significant affect on public health or be materially injurious to surrounding properties or the environment as a whole.

3. Redevelopment Plan – The proposed general plan amendment conforms to applicable provisions of the City's redevelopment plan.

   FACT: This project is not located within the boundaries of the City of Moreno Valley Redevelopment Project Area, so conformance with applicable provisions of the redevelopment plan is not a requirement.

BE IT FURTHER RESOLVED that the City Council of the City of Moreno Valley HEREBY APPROVES Resolution No. 2009-_____ approving PA08-0057, thereby establishing General Plan Land Use and Circulation Element designations as described in the Resolution, and the revised General Plan maps attached to the Resolution as Exhibits A and B.

APPROVED AND ADOPTED this _____ day of _____ 2009.

_____
Mayor

Resolution No. 2009-44
Date Adopted:

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

Resolution No. 2009-44
Date Adopted:

RESOLUTION JURAT

[Clerk's office will prepare]

[NOTE: Any attachments or exhibits to this resolution should follow this jurat.]

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ORDINANCE NO. 793

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING P08-060 (SPECIFIC PLAN AMENDMENT) TO REALIGN KRAMERIA AVENUE BETWEEN IRIS AVENUE AND HEACOCK STREET AND DOWNGRADE KRAMERIA AVENUE FROM A MINOR ARTERIAL TO AN INDUSTRIAL COLLECTOR IN THE MORENO VALLEY INDUSTRIAL SPECIFIC PLAN (SP 208) AS DESCRIBED IN THE RESOLUTION, AND THE REVISED SPECIFIC PLAN MAPS ATTACHED TO THE RESOLUTION AS EXHIBITS A, B, C AND D.

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1:

1.1 Pursuant to the provisions of law, public hearings were held before the City of Moreno Valley Planning Commission and the City Council.

1.2 The matter was fully discussed and the public and other agencies presented testimony and documentation.

1.3. An Initial Study has been completed for P08-060 (Specific Plan Amendment). Based upon the Initial Study, a determination has been made that this project will not result in the potential for significant impacts to the environment. Therefore, the adoption of a Mitigated Negative Declaration is appropriate.

SECTION 2: FINDINGS

2.1 Based upon substantial evidence presented to the City Council during the public hearing on May 26, 2009, including written and oral staff reports, and the record from the public hearing, the City Council hereby specifically finds as follows:

1. Conformance with General Plan Policies – The proposed use is consistent with the General Plan, and its goals, objectives, policies and programs.

   FACT: This Specific Plan Amendment (SPA) would revise the designation and design of Krameria Avenue as follows:

   - The existing design of Krameria Avenue from future "A" Street to Heacock Street would be modified;

- The segment of Krameria Avenue from Indian Avenue to Heacock Street would be changed from Minor Arterial to Industrial Collector designation.

The City of Moreno Valley General Plan Circulation Element and Moreno Valley Industrial Area Specific Plan (Specific Plan 208) shows Krameria Avenue as ultimately being constructed to Heacock Street. The proposed GPA would remove the existing curvilinear design of the street which would extend along the Perris Valley Channel from future "A" Street to Heacock Street and replaces it with a left turn from future "A" Street.

The proposed realigning of Krameria Avenue will enable project to develop the site more efficiently while creating a functional and safe circulation system. The existing design has the potential of promoting high vehicle speeds from Indian Avenue to Heacock Street. A vehicle driving down the proposed Krameria Street will be required to make a left turn onto future "A" Street, slowing down its speed, thus creating a safer environment. The redesign would also reduce the likelihood of mixing industrial truck traffic with residential commuter traffic.

Since the proposed Specific Plan Amendment meets the current General Plan's goals of a circulation system that fosters traffic safety and the efficient movement of vehicles, the project would not conflict with the goals, objectives, policies or programs of the General Plan.

2. Conformance with Specific Plan Policies – The proposed use is consistent with any applicable Specific Plan.

FACT: This Specific Plan Amendment (SPA) would revise the designation and design of Krameria Avenue as follows:

- The existing design of Krameria Avenue from future "A" Street to Heacock Street would be modified;
- The segment of Krameria Avenue from Indian Avenue to Heacock Street would be changed from Minor Arterial to Industrial Collector designation.

The City of Moreno Valley General Plan Circulation Element and Moreno Valley Industrial Area Specific Plan (Specific Plan 208) shows Krameria Avenue as ultimately being constructed to Heacock Street. The proposed GPA would remove the existing curvilinear design of the street which would extend along the Perris Valley Channel from future "A" Street to Heacock Street and replaces it with a left turn from future "A" Street.

The proposed realigning of Krameria Avenue will enable project to develop the site more efficiently while creating a functional and safe circulation system. The existing design has the potential of promoting high vehicle speeds from Indian Avenue to Heacock Street. A vehicle driving down the proposed Krameria Street will be required to make a left turn onto future "A" Street, slowing down its speed, thus creating a safer environment. The redesign would also reduce the likelihood of mixing industrial truck traffic with residential commuter traffic.

Since the proposed Specific Plan Amendment meets the current General Plan's goals of a circulation system that fosters traffic safety and the efficient movement of vehicles, the project would not conflict with the goals, objectives, policies or programs of the General Plan.

3. Health, Safety and Welfare – The proposed use will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity.

FACT: The proposed Specific Plan Amendment will not adversely affect the public health, safety or general welfare. An initial study of the potential environmental impacts of the amendment has been conducted in accordance with the provisions of the California Environmental Quality Act (CEQA). A Mitigated Negative Declaration has been considered and prepared, and there is no evidence that the proposed Specific Plan Amendment will have a significant effect on public health or be materially injurious to surrounding properties or the environment as a whole.

4. Conformance with Title 9 – The proposed amendment to change the zoning atlas is consistent with the purposes and intent of Title 9.

FACT: The applicant has met requirements of the City's Municipal Code and other regulations applicable to a Specific Plan Amendment. With the proposed Specific Plan Amendment, the proposal is to would remove the existing curvilinear design of the street which would extend along the Perris Valley Channel from future "A" Street to Heacock Street and replaces it with a left turn from future "A" Street in the Moreno Valley Industrial Specific Plan (SP 208). As proposed, the Specific Plan Amendment is consistent with the purposes and intent of Title 9.

SECTION 3 : SPECIFIC PLAN AMENDED

3.1 On Page IV-7, Section d. (Minor Arterials), the Moreno Valley Industrial Specific Plan (SP 208) minor arterials will include the following:

- Nandina Avenue (between Indian Street to Perris Boulevard)

- Indian Street

3.2 On Page IV-8, Section e. (Collector Streets), the Moreno Valley Industrial Specific Plan (SP 208) minor arterials will include the following:

Collector streets planned for the construction and improvement within the Project site include:

- Krameria Avenue (between Indian Street to Heacock Street)

3.3 On Page V-14, under Minor Arterials (88' ROW):

- Nandina Avenue (between Indian Street to Kitching Street Perris Boulevard)
- Indian Street

3.4 On Page V-14, under Industrial Collector (78' ROW)

- Krameria Avenue (between Indian Street to Heacock Street)

SECTION 4: EFFECT OF ENACTMENT

4.1 Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

SECTION 5: NOTICE OF ADOPTION

5.1 Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be posted in three public places within the city.

SECTION 6: EFFECTIVE DATE

6.1 This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this ____ day of ____, 2009.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

ORDINANCE JURAT

[Clerk's office will prepare]

[NOTE: Any attachments or exhibits to this ordinance should follow this jurat.]

RESOLUTION NO. 2009-45

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING PLOT PLAN APPLICATIONS PA07-0152, PA07-0153, PA07-0154, PA07-0155 AND PA07-0156 AND TENTATIVE PARCEL MAP 35879 (PA07-0151). THE PROJECT IS LOCATED AT THE SOUTHEAST CORNER OF IRIS AVENUE AND HEACOCK STREET.

Section 1:

WHEREAS, the applicant, Western RealCo, has filed an application for approval of Master Plot Plan (PA07-0152) and four plot plans (PA07-0153, 0154, 0155 and 0156) for the proposed development of a 66.9 acre industrial complex. The project site is located southeast of Iris Avenue and Heacock Street. A General Plan Amendment (PA08-0057) is being processed concurrently along with a Specific Plan Amendment (P08-060) and Tentative Parcel Map 35879 (PA07-0151).

WHEREAS, there is hereby imposed on the associated development projects certain fees, dedications, reservations and other exactions pursuant to state law and City ordinances;

WHEREAS, pursuant to Government Code Section 66020(d)(1), NOTICE IS HEREBY GIVEN that the associated development projects are subject to certain fees, dedications, reservations and other exactions as provided herein;

WHEREAS, an environmental assessment, including an Environmental Initial Study, has been prepared to address the environmental impacts associated with application PA08-0057 as described above and a Mitigated Negative Declaration has been adopted pursuant to the California Environmental Quality Act (CEQA), as there is no evidence that the proposed General Plan Amendment, and related development applications, as designed and conditioned, will have a significant effect on public health or be materially injurious to surrounding properties or the environment as a whole.

WHEREAS, on January 22, 2009, the Planning Commission of the City of Moreno Valley held a meeting to consider an industrial complex project including applications PA07-0151(Tentative Parcel Map 35879), PA07-0152 (Master Plot Plan), PA07-0153, PA07-0154, PA07-0155 and PA07-0156 (Plot Plans). At said meeting, the Planning Commission recommended approval of PA07-0151, PA07-0152, PA07-0153, PA07-0154, PA07-0155 and PA07-0156 to the City Council, and;

WHEREAS, on May 26, 2009, the City Council of the City of Moreno Valley held a public hearing to consider the consider the subject General Plan Amendment;

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred;

WHEREAS, all of the facts set forth in this Resolution are true and correct.

BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, HEREBY FINDS AS FOLLOWS WITH RESPECT TO PA07-0152, PA07-0153, PA07-0154, PA07-0155 and PA07-0156:

Based upon substantial evidence presented during the above-referenced public hearing, including written and oral staff reports, and the record from the public hearing, the City Council hereby finds that:

1. **Conformance with General Plan Policies** – The proposed general plan amendment is consistent with the General Plan, and its goals, objectives, policies and programs.

   FACT: The Plot Plans would propose an industrial building complex on approximately 66.9 acres. PA07-0152, PA07-0153, PA07-0154, PA07-0155 and PA07-0156 proposes a four building (1,103,003 sq ft, 16,732 sq ft, 87,429 sq ft and 277,243 sq ft for a total of 1,484,407 sq ft) industrial complex. Both a General Plan and specific plan amendment application are being processed to be consistent with the proposed site plan (the realignment of Krameria Avenue between Heacock Street and Indian Street). If approved, the proposed use would be consistent with the goals, objectives, policies and programs of the General Plan.

2. **Conformance with the Zoning Regulations –** The proposed specific plan amendment is consistent with the purposes and intent of Title 9 of the City of Moreno Valley Municipal Code.

   FACT: The proposed project site is located in an "I" (Industrial) land use district within the Moreno Valley Industrial Plan (SP 208). The design of the proposed industrial building complex is in conformance with the "I" (Industrial) zone design standards of the City.

3. **Health, Safety and Welfare –** The proposed use will not be detrimental to the public health, safety or welfare or materially injurious to properties or improvements in the vicinity.

   FACT: The proposed Plot Plan will not be detrimental to the public health, safety or welfare. Initial environmental study was conducted in accordance with the provisions of the California Environmental Quality Act (CEQA). There is no evidence that the proposed

changes will have a significant affect on public health, safety or the environment.

4. **Location, Design and Operation** – The location, design and operation of the proposed project will be compatible with existing and planned land uses in the vicinity.

   FACT: As designed and conditioned, the project will be constructed and operated to be compatible with surrounding uses.

   The proposed project is consistent with the purposes and intent of Title 9 of the Moreno Valley Municipal Code as well as the Moreno Valley Industrial Specific Plan (SP 208).

Section 2:

WHEREAS, the applicant, Western RealCo, has filed an application for approval of Tentative Parcel Map 35879 (PA07-0151). The project site is located southeast of Iris Avenue and Heacock Street. A General Plan Amendment (PA08-0057) is being processed concurrently along with a Specific Plan Amendment (P08-060) and Master Plot Plan (PA07-0152) and four plot plans (PA07-0153, 0154, 0155 and 0156).

WHEREAS, there is hereby imposed on the associated development projects certain fees, dedications, reservations and other exactions pursuant to state law and City ordinances;

WHEREAS, pursuant to Government Code Section 66020(d)(1), NOTICE IS HEREBY GIVEN that the associated development projects are subject to certain fees, dedications, reservations and other exactions as provided herein;

WHEREAS, an environmental assessment, including an Environmental Initial Study, has been prepared to address the environmental impacts associated with application PA08-0057 as described above and a Mitigated Negative Declaration has been adopted pursuant to the California Environmental Quality Act (CEQA), as there is no evidence that the proposed General Plan Amendment, and related development applications, as designed and conditioned, will have a significant effect on public health or be materially injurious to surrounding properties or the environment as a whole.

WHEREAS, on January 22, 2009, the Planning Commission of the City of Moreno Valley held a meeting to consider an industrial complex project including applications PA07-0151(Tentative Parcel Map 35879), PA07-0152 (Master Plot Plan), PA07-0153, PA07-0154, PA07-0155 and PA07-0156 (Plot Plans). At said meeting, the Planning Commission recommended approval of PA07-0151, PA07-0152, PA07-0153, PA07-0154, PA07-0155 and PA07-0156 to the City Council, and;

WHEREAS, on May 26, 2009, the City Council of the City of Moreno Valley held a public hearing to consider the consider the subject General Plan Amendment;

WHEREAS, all legal prerequisites to the adoption of this Resolution have occurred;

WHEREAS, all of the facts set forth in this Resolution are true and correct.

BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, HEREBY FINDS AS FOLLOWS WITH RESPECT TO PA07-0151:

Based upon substantial evidence presented during the above-referenced public hearing, including written and oral staff reports, and the record from the public hearing, the City Council hereby finds that:

1. That the proposed land division is consistent with applicable general and specific plans;

   FACT: Tentative Parcel Map 35879 will create four parcels, one for each building from the existing five parcels (Assessor's Parcel Number(s) 316-020-001, 006, 007, 028, 010). The proposed project is consistent with the General Plan designation. The project is located within the Moreno Valley Industrial Specific Plan (SP 208) and is zoned Industrial (I). The project, as designed, is consistent with "I" zoning requirements.

2. That the site of the proposed land division is physically suitable for the type of development;

   FACT: Tentative Parcel Map 35879 will create four parcels, one for each building from the existing five parcels (Assessor's Parcel Number(s) 316-020-001, 006, 007, 028, 010). The proposed project is consistent with the General Plan designation. The project is located within the Moreno Valley Industrial Specific Plan (SP 208) and is zoned Industrial (I). The project, as designed, is consistent with "I" zoning requirements.

3. That the design of the proposed land division or the proposed improvements are not likely to cause substantial environmental damage or substantially and unavoidably injure fish or wildlife or their habitat;

   FACT: Staff has evaluated the design and potential environmental impacts of the proposed project, and prepared an environmental initial study. As conditioned, mitigated and designed, the proposed tentative parcel map would not cause significant environmental impacts. The proposed tentative parcel map will not adversely

affect the public health, safety or general welfare. Therefore, a Mitigated Negative Declaration has been prepared for this project.

4. That the design of the proposed land division or the type of improvements are unlikely to cause serious public health problems;

   FACT: As conditioned, the proposed land division would not cause serious public health problems. There are no known hazardous conditions associated with the property, the design of the land division or the type of improvements.

5. That the design of the land division or the type of improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision;

   FACT: There are no conflicts with easements on the subject site. The City Engineer has appropriately placed conditions of approval for Tentative Parcel Map No. 35879 regarding various project improvements.

6. That the design of the land division provides, to the extent feasible, for future passive or natural heating and cooling opportunities in the subdivision; and

   FACT: The size, configuration and orientation of the parcels in this land division allow solar access for passive heating and opportunities for placement of shade trees and other vegetation for cooling.

7. That the effect of the proposed land division on the housing needs of the region were considered and balanced against the public service needs of the residents of Moreno Valley and available fiscal and environmental resources.

   FACT: Subject to approval of a General Plan and Specific Plan Amendment, the project does not exceed the planned density, the associated public service demand, or the demand for environmental resources envisioned by the Moreno Valley General Plan. The project will supplement the City's fiscal resources by paying impact fees for public facilities. Additionally, future businesses will pay Community Services District fees, property tax, sales tax and other taxes and fees that will be used to provide landscape maintenance as well as police, fire and other public services.

BE IT FURTHER RESOLVED that the City Council of the City of Moreno Valley HEREBY APPROVES Resolution No. 2009-_____ approving PA07-0151, PA07-0152, PA07-0153, PA07-0154, PA07-0155 and PA07-0156; subject to the attached conditions of approval included as Exhibits A and B.

APPROVED AND ADOPTED this _____ day of _____ 2009.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

Resolution No. 2009-45
Date Adopted:

RESOLUTION JURAT

[Clerk's office will prepare]

[**NOTE:** **Any attachments or exhibits to this resolution should follow this jurat.**]

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CITY OF MORENO VALLEY
CONDITIONS OF APPROVAL
FOR
MASTER PLOT PLAN
Case No. PA07-0152
AND PLOT PLANS
Case No. (s) PA07-0153, PA07-0154, PA07-0155 and PA07-0156
A.P.N.(s): 316-020-001, 006, 007, 028, 010

Approval Date: **January 22, 2009**
Expiration Date: **January 22, 2012**

_X__ Planning (P), including School District (S), Post Office (PO), Building (B)
_X__ Fire Prevention Bureau (F)
_X__ Public Works, Land Development (LD)
_X__ Public Works, Moreno Valley Utilities (MVU)
_X__ Public Works, Special Districts (SD)
_X__ Public Works, Transportation (TE)
_X__ Police (PD)

Note: All Special conditions are in bold lettering. All other conditions are standard to all or most development projects.

COMMUNITY DEVELOPMENT DEPARTMENT

Planning Division

GENERAL CONDITIONS

P1. This approval shall expire three years after the approval date of this project unless used or extended as provided for by the City of Moreno Valley Municipal Code; otherwise it shall become null and void and of no effect whatsoever. Use means the beginning of substantial construction contemplated by this approval within the three-year period, which is thereafter pursued to completion, or the beginning of substantial utilization contemplated by this approval. (MC 9.02.230)

EXHIBIT A

Timing Mechanisms for Conditions (see abbreviation at beginning of affected condition):

R - Map Recordation	GP - Grading Permits	CO - Certificate of Occupancy or building final
WP - Water Improvement Plans	BP - Building Permits	P - Any permit

Governing Document (see abbreviation at the end of the affected condition):

GP - General Plan	MC - Municipal Code	CEQA - California Environmental Quality Act
Ord - Ordinance	DG - Design Guidelines	Ldscp - Landscape Development Guidelines and Specs
Res - Resolution	UFC - Uniform Fire Code	UBC - Uniform Building Code
	SBM - Subdivision Map Act	

P2. This project is located within the Moreno Valley Industrial Area Plan (Specific Plan 208). The provisions of the specific plan, the design manual, their subsequent amendments, and the Conditions of Approval shall prevail unless modified herein. (MC 9.13)

P3. The site shall be developed in accordance with the approved plans on file in the Community Development Department - Planning Division, the Municipal Code regulations, General Plan, and the conditions contained herein. Prior to any use of the project site or business activity being commenced thereon, all Conditions of Approval shall be completed to the satisfaction of the City Planning Official. (MC 9.14.020)

P4. The developer, or the developer's successor-in-interest, shall be responsible for maintaining any undeveloped portion of the site in a manner that provides for the control of weeds, erosion and dust. (MC 9.02.030)

P5. A drought tolerant, low water using landscape palette shall be utilized throughout the project to the extent feasible.

P6. All landscaped areas shall be maintained in a healthy and thriving condition, free from weeds, trash and debris. (MC 9.02.030)

P7. Any signs indicated on the submitted plans are not included with this approval. Any signs proposed for this development shall be designed in conformance with the sign provisions of the Development Code or approved sign program, if applicable, and shall require separate application and approval by the Community Development Department - Planning Division. (MC 9.12.020)

P8. (GP) All site plans, grading plans, landscape and irrigation plans, fence/wall plans, lighting plans and street improvement plans shall be coordinated for consistency with this approval.

Special Conditions

P9. The proposed industrial development will meet the required minimum parking standards for office, manufacturing, and warehouse and distribution uses. The parking standards are as follows: Office requires a minimum 1 parking space for 250 square feet of gross floor area, Manufacturing requires a minimum 1 parking space for 500 square feet of gross floor area, and Warehouse and Distribution requires a minimum 1 parking space for 1,000 square feet of gross floor area for the first 20,000 square feet: 1 parking space for 2,000 square feet of gross floor area for the second 20,000 square feet; 1 parking space for 4,000 square feet of gross floor area for areas in excess of the initial 40,000 square feet. Parking stalls for trailers shall be fifty feet (50') by fourteen feet (14'). Building 1 as proposed requires 10 parking spaces for office space and 390 for warehouse use for Building 1. Building 1 will provide

418 parking spaces and 166 truck bays. Building 2 as proposed requires 10 parking spaces for office space and 32 for warehouse use. Building 2 is providing 42 parking spaces and 2 truck bays. Building 3 as proposed requires 8 parking spaces for office space and 67 for warehouse use. Building 3 is providing 86 parking spaces and 21 truck bays. Building 4 as proposed requires 6 parking spaces for office space and 125 for warehouse use. Building 4 is providing 132 parking spaces and 39 truck bays.

P10. (GP) Prior to issuance of precise grading permits, the developer shall submit wall/fence/security gate system plans shall be submitted to the Community Development Department - Planning Division for review and approval.

P11. (CO) Prior to the issuance of Certificates of Occupancy or building final, all required and proposed wall/fence/security gate system shall be constructed according to the approved plans on file in the Community Development Department – Planning Division.

P12. A focused Burrowing Owl preconstruction survey needs to be conducted within 30 days prior to the initiation of any ground disturbances. If a Burrowing Owl is found present on the project site, the protocol of the Multi Species Habitat Conservation Program shall be followed.

P13. The perimeter of the parking lot shall have a planter with a minimum width of five feet, interior dimension, exclusive of footings, curbs and step-outs.

Prior to Issuance of Grading Permits

P14. (GP) If potential historic, archaeological, or paleontological resources are uncovered during excavation or construction activities at the project site, work in the affected area will cease immediately and a qualified person (meeting the Secretary of the Interior's standards (36CFR61)) shall be consulted by the applicant to evaluate the find, and as appropriate recommend alternative measures to avoid, minimize or mitigate negative effects on the historic, prehistoric, or paleontological resource. Determinations and recommendations by the consultant shall be implemented as deemed appropriate by the Community Development Director, in consultation with the State Historic Preservation Officer (SHPO) and any and all affected Native American Tribes before any further work commences in the affected area.

If human remains are discovered, work in the affected area shall cease immediately and the County Coroner shall be notified. If it is determined that the remains are potentially Native American, the California Native American Heritage Commission and any and all affected Native American Indians tribes such as the Morongo Band of Mission Indians or the Pechanga Band of Luiseno Indians shall be notified and appropriate measures provided by State law shall be implemented.

P15. (GP) Prior to issuance of grading permits, the developer shall pay the applicable Stephens' Kangaroo Rat (SKR) Habitat Conservation Plan mitigation fee. (Ord)

P16. (GP) Prior to approval of any grading permits, plans for any security gate system shall be submitted to the Community Development Department - Planning Division for review and approval.

P17. (GP) Prior to the issuance of any grading permits and prior to any physical disturbance of any natural drainage course, for any area determined to contain riparian vegetation, the applicant shall obtain a stream bed alteration agreement or permit, or a written waiver of the requirement for such an agreement or permit, from both the California Department of Fish and Game and the U.S. Army Corps of Engineers. Written verification of such a permit or waiver shall be provided to the Community Development Department - Planning Division and the Public Works Department - Land Development Division. (CEQA, State and Federal codes)

P18. (GP) Prior to the issuance of building permits, the site plan shall show enhanced paving for all driveways for ingress/egress locations of the project.

P19. (GP) Prior to issuance of grading permits, the developer shall submit wall/fence plans to the Planning Division for review and approval as follows:

A. Proposed screening walls for truck loading areas and required loading docks shall also include decorative walls with pilasters with a height up to fourteen (14) feet to fully screen trucks (industrial and some situations with commercial uses).

PRIOR TO BUILDING PERMITS

P20. (BP) Prior to issuance of building permits, the Community Development Department - Planning Division shall review and approve the location and method of enclosure or screening of transformer cabinets, commercial gas meters and back flow preventers as shown on the final working drawings. Location and screening shall comply with the following criteria: transformer cabinets and commercial gas meters shall not be located within required setbacks and shall be screened from public view either by architectural treatment or with landscaping; multiple electrical meters shall be fully enclosed and incorporated into the overall architectural design of the building(s); back-flow preventers shall be screened by landscaping that will provide complete screening upon maturity. (GP Objective 43.30, DG)

P21. (BP) Prior to issuance of building permits, screening details shall be addressed on plans for roof top equipment and trash enclosures submitted for Community

Development Department - Planning Division review and approval. All equipment shall be completely screened so as not to be visible from public view, and the screening shall be an integral part of the building. For trash enclosures, landscaping shall be included on at least three sides. The trash enclosure, including any roofing, shall be compatible with the architecture for the building(s). (GP Objective 43.6, DG)

P22. (BP) Prior to issuance of building permits, two copies of a detailed, on-site, computer generated, point-by-point comparison lighting plan, including exterior building, parking lot, and landscaping lighting, **shall be submitted to the Community Development Department - Planning Division for review and approval**. The lighting plan shall be generated on the plot plan and shall be integrated with the final landscape plan. The plan shall indicate the manufacturer's specifications for light fixtures used and shall include style, illumination, location, height and method of shielding. The lighting shall be designed in such a manner so that it does not exceed 0.5 foot candles illumination beyond at the property line. The lighting level for all parking lots or structures shall be a minimum coverage of one foot-candle of light with a maximum of eight foot-candles. After the third plan check review for lighting plans, an additional plan check fee will apply. (MC 9.08.100, DG)

P23. (BP) Prior to issuance of building permits, the developer or developer's successor-in-interest shall pay all applicable impact fees, including but not limited to Transportation Uniform Mitigation fees (TUMF), Multi-species Habitat Conservation Plan (MSHCP) mitigation fees, and the City's adopted Development Impact Fees. (Ord)

P24. (BP) Prior to issuance of building permits, final landscaping and irrigation plans shall be submitted to the Community Development Department - Planning Division for review. All landscape plans shall be approved prior to the release of any building permits for the site. After the third plan check review for landscape plans, an additional plan check fee shall apply. The plans shall be prepared in accordance with the City's Landscape Standards and Specifications and shall include:

A. A landscape berm, hedge or a maximum 3 foot decorative wall is required adjacent to parking areas along public right-of-way.
B. All finger and end planters shall be included at an interval of one per 12 parking stalls, be a minimum 5' x 16', and include additional 12" concrete step-outs and 6" curbing. (MC9.08.230, City's Landscape Standards)

C. All diamond planters shall be included at an interval of one per 3 parking stalls.
D. Drought tolerant landscape shall be provided. Sod shall be limited to

public gathering areas only and not be included along the perimeter of the project site.

E. Trees shall be planted at an equivalent of one (1) tree per thirty (30) linear feet of building dimension. Trees may be massed for pleasing aesthetic effects.

F. Enhanced landscaping shall be included at all driveway and corner locations (i.e. Iris Avenue and Heacock Street and Heacock Avenue and Krameria Street).

G. All site perimeter and parking lot landscape and irrigation shall be installed prior to the release of certificate of any occupancy permits for the site or pad in question (master plot plan).

H. The review of all utility boxes, transformers etc. shall be coordinated to provide adequate screening from public view. (Landscape Guidelines)

I. Landscaping on three sides of trash enclosure shall be provided.

P25. Prior to the issuance of building permits, landscape and irrigation plans for areas maintained by the Property's Association or other private entity shall be submitted to the Community Development Department – Planning Division. All landscape plans shall be approved prior to the release of any building permits for the site. The plans shall be prepared in accordance with the City's Landscape Development Guidelines. Landscaping is required for the sides and or slopes of all water quality basin and drainage areas, while a hydroseed mix w/irrigation is acceptable for the bottom of the basin areas. All detention basins shall include trees, shrubs and groundcover up to the concreted portion of the basin. A solid decorative wall with pilasters, tubular steel fence or other fence or wall approved by the Community Development Director is required to secure all water quality and detention basins.

P26. (BP) Prior to the issuance of building permits, the master site plan shall include landscape for trash enclosures to include landscape on three sides, while elevation plans for trash enclosures shall be provided that include decorative enhancements such as an enclosed roof and other decorative features that are consistent with the architecture of the proposed commercial buildings on the site, subject to the approval of the Community Development.

P27. (BP) Prior to the issuance of building permits, the elevation plans shall be revised to include more use of the accent color (color and materials board has listed as "Burnt Red") on all four buildings, especially focusing on elevations that have street frontage.

P28. (BP) Prior to the issuance of building permits, the plot plan shall include

decorative paving for all driveway ingress/egress locations for the project.

PRIOR TO CERTIFICATE OF OCCUPANCY

P29. (CO) Prior to issuance of Certificates of Occupancy or building final, the required landscaping and irrigation shall be installed. (DC 9.03.040)

P30. (CO) Prior to the issuance of Certificates of Occupancy or building final, all required and proposed fences and walls shall be constructed according to the approved plans on file in the Community Development Department – Planning Division. (MC 9.080.070).

P31. (BP/CO) Prior to issuance of Certificate of Occupancy or building final, installed landscaping and irrigation shall be reviewed by the Community Development Department - Planning Division. The landscaping shall be installed in accordance with the City's Landscape Standards and the approved landscape plans, and shall include:

A. A landscape berm, hedge or a maximum 3 foot decorative wall is required adjacent to parking areas along public right-of-way.
B. All finger and end planters shall be included at an interval of one per 12 parking stalls, be a minimum 5' x 16' in diameter, and include additional 12" concrete step-outs and curbing.
C. All diamond planters shall be included at an interval of one per 3 parking stalls.
D. Drought tolerant landscape shall be provided. Limit the use of sod on the entire site.
E. Trees shall be planted at an equivalent of one (1) tree per thirty (30) linear feet of building dimension. Trees may be massed for pleasing aesthetic effects.
F. Enhanced landscaping shall be included at all driveway and corner locations.
G. All site perimeter and parking lot landscape and irrigation shall be installed prior to the release of certificate of any occupancy permits for the site or pad in question (master plot plan). (Ldscp)
H. Landscaping for detention basins maintained by Applicant.
I. Site clean-up shall be completed.

P32. (BP) Prior to the issuance of a building permit, show that all downspouts are

integrated into the architecture of the building or provide interior downspouts.

P33. Use low emission mobile construction equipment and utilize existing power sources whenever feasible.

P34. Maintain construction equipment engines by keeping them tuned.

P35. Use low sulfur fuel for stationary construction equipment (required by SCAQMD Rules 431.1 and 431.2).

P36. Configure construction parking to minimize traffic interference.

P37. The Traffic Control Plan required by Transportation Engineering shall include the following:

a. Develop a traffic plan to minimize traffic flow interference from construction activities and minimize obstruction of through traffic lanes to the extent feasible.

b. Schedule construction operations affecting traffic for off-peak hours.

P38. Improve thermal integrity of the buildings and reduce thermal load with the use ofautomated time clocks or occupant sensors.

P39. Install energy efficient street lighting subject to review and approval by City.

P40. If applicable, waste heat will be captured and reemployed in nonresidential buildings.

P41. Landscape shall include native drought resistant species to reduce water consumption and provide solar benefits.

P42. Provide lighter color roofing and road materials to deflect heat and if feasible, tree planting programs, to comply with AQMP Miscellaneous Sources MSC-01 measure.

P43. Construct and build with materials that do not require painting where feasible.

P44. Use pre-painted construction materials where possible.

P45. Based on the City's Grading Ordinance and requirements of SCAQMD, the following shall be administered by the Public Work's Department:

a. Water active construction sites a minimum of three times a day.
b. Pave or provide soil stabilizers according to manufactures' specifications for parking areas and construction roads.
c. Suspend all excavating and grading operations when wind speeds exceed instantaneous gusts exceeding 25 mph.
d. Replace ground cover in disturbed areas inactive for 15 days or more.
e. Trucks hauling dirt, sand, gravel or soil shall be covered or should maintain at least two feet of freeboard in accordance with Section 23114 of the California Vehicle Code, while truck drivers shall be informed of this requirement prior to entering the site.

P46. The applicant shall appoint a construction relation officer, or the contractor's project superintendent shall be available during regular working hours to address and resolve community issues concerning on-site construction activity related to PM 10 generation.

P47. Restrict idling emissions by using auxiliary power units/electrification and prohibit idling in excess of 5 minutes.

P48. Provide temporary traffic controls such as a flag person during all phases of construction as reasonably necessary to maintain traffic flow.

P49. Maintain equipment and vehicle engines in good condition and in proper tune as per manufacturers' specifications.

P50. Encourage the use of alternative clean fuel such as compressed natural gas-powered equipment with oxidation catalysis instead of diesel powered engines, or if diesel equipment has to be used, encourage use of particulate filters, oxidation catalysts and low sulfur diesel as defined in AQMD Rule 431.2, i.e., with less than 15 ppm sulfur content.

P51. Electrify auxiliary power units.

P52. Use low-sulfur diesel fuel with particulate traps whenever feasible.

P53. Use alternative-fueled yard tractors or other off-road equipment whenever feasible.

P54. Conduct air quality monitoring at sensitive receptors if required by SCAQMD.

P55. Redirect truck traffic to avoid residential areas or schools.

P56. Provide electrical sources for service equipment and docking of trucks.

P57. Install solar panels on building roof to supply electricity for office use.

P58. Use double paned windows to reduce thermal loss, and/or provide high performance glass and window coverings at office areas to reduce HVAC loads.

P59. Install central water heating systems and energy efficient appliances to reduce energy consumption.

P60. Flyers and pamphlets shall be provided to truck drivers stipulating the health effects of diesel particulate and importance of being a good neighbor.

P61. Establish overnight parking within the center where trucks associated with the project tenants can rest be parked overnight.

P62. All truck parking restrictions shall be enforced by the owner.

P63. Mitigation measures contained in the Mitigation Monitoring Program approved with this project shall be implemented as provided therein. The applicant shall submit the mitigation-monitoring fee, as provided by City Ordinance, to the Planning Division. No City permit or approval shall be issued until such fee is paid. (CEQA)

P64. The project site is located within Area II of the March ARB Influence Area. Uses involving the following characteristics shall be prohibited:

- **Lighting that would direct a steady light toward aircraft.**
- **Lighting that would direct flashing light of colors associated with airport operations (red, green, white, or amber) toward aircraft.**
- **Any use which would cause sunlight to be reflected toward aircraft.**
- **Generate smoke or water vapor, attract large concentrations of birds, or otherwise affect safe air navigation.**
- **Generate electrical interference that may be detrimental to operation of aircraft or aircraft instrumentation.**

P65. Project Applicant shall provide construction site electrical hook ups for electric hand tools such as saws, drills, and compressors, to eliminate the need for diesel powered electric generators or provide evidence that electrical hook ups at construction sites are not practical or prohibitively expensive.

P66. If construction is to commence during the raptor breeding season (January 15–July 30), a preconstruction survey for nesting raptors will be required three days prior to ground disturbance. No construction activities may occur within 500 feet of an active raptor nest unless the activity has been authorized by a qualified biologist as having no potential to interfere with nesting activity or until the biologist determines that the nest is no longer active.

P67. A pre-construction burrowing owl survey will be conducted within the development footprint and a 500-foot buffer within 30 days of grading or other significant site disturbance.

Building and Safety Division

B1. The above project shall comply with the current California Codes (CBC, CEC, CMC and the CPC) as well as all other city ordinances. All new projects shall provide a soils report. Plans shall be submitted to the Building Department as a separate submittal.

COMMERCIAL, INDUSTRIAL, MULTI-FAMILY PROJECTS INCLUDING CONDOMINIUMS, TOWNHOMES, DUPLEXES AND TRIPLEX BUILDINGS REQUIRE THE FOLLOWING.

Prior to final inspection, all plans will be placed on a CD Rom for reference and verification. Plans will include "as built" plans, revisions and changes. The CD will also include Title 24 energy calculations, structural calculations and all other pertinent information. It will be the responsibility of the developer and or the building or property owner(s) to bear all costs required for this process. The CD will be presented to the Building Department for review prior to final inspection and building occupancy. The CD will become the property of the Moreno Valley Building Department at that time. In addition, a site plan showing the path of travel from public right of way and building to building access with elevations will be required.

B3. All projects that will be serviced by a private sewage disposal system shall obtain approval from the Riverside County Environmental Health Department prior to submitting plans to the Building Department.

B4. (BP) Prior to the issuance of a building permit, the applicant shall submit a properly completed "Waste Management Plan" (WMP), as required, to the Compliance Official (Building Official) as a portion of the building or demolition permit process.

SCHOOL DISTRICT

S1. (BP) Prior to issuance of building permits, the developer shall provide to the Community Development Director a written certification by the affected school district that either: (1) the project has complied with the fee or other exaction levied on the project by the governing board of the district, pursuant to Government Code Section 65996; or (2) the fee or other requirement does not apply to the project.

UNITED STATES POSTAL SERVICE

PO1. (BP) Prior to the issuance of building permits, the developer shall contact the U.S. Postal Service to determine the appropriate type and location of mailboxes.

CITY OF MORENO VALLEY
CONDITIONS OF APPROVAL
Case No: PA07-0152 (Master PP), PA07-0153 (PP for an industrial building), PA07-0154 (PP for an industrial building), PA07-0155 (PP for an industrial building), and PA07-0156 (PP for an industrial building)
APN: 316-020-001, -006, -007, -010, and -028

PUBLIC WORKS DEPARTMENT

Special Districts Division

Note: All Special Conditions, Modified Conditions, or Clarification of Conditions are in bold lettering. All other conditions are standard to all or most development projects.

Acknowledgement of Conditions

The following items are Special Districts' Conditions of Approval for project **PA07-0152 through PA07-0156**; these projects shall be completed at no cost to any Government Agency. All questions regarding Special Districts' Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from the Special Districts Division of the Public Works Department 951.413.3480. The applicant is fully responsible for communicating with each designated Special Districts staff member regarding their conditions.

General Conditions

SD-1 The parcel(s) associated with this project have been incorporated into the Moreno Valley Community Services Districts Zones A (Parks & Community Services) and C (Arterial Street Lighting). All assessable parcels therein shall be subject to annual Zone A and Zone C charges for operations and capital improvements.

SD-2 Plans for parkway, median, slope, and/or open space landscape areas designated on the tentative map or in these Conditions of Approval for incorporation into Moreno Valley Community Services District **Zone M**, shall be prepared and submitted in accordance with the *City of Moreno Valley Public Works Department Landscape Design Guidelines*. Contact the Special Districts Division of the Public Works Department to obtain copies of this document.

SD-3 The developer, or the developer's successors or assignees shall be responsible for all parkway and/ or median landscaping maintenance until such time as the District accepts maintenance duties.

SD-4 Any damage to existing landscape easement areas due to project construction shall be repaired/replaced by the developer, or developer's successors in interest, at no cost to the Moreno Valley Community Services District.

Prior to Building Permit Issuance

SD-5 (BP) This project has been identified to be included in the formation of a Community Facilities District (Mello-Roos) for **Public Safety** services, including but not limited to Police, Fire Protection, Paramedic Services, Park Rangers, and Animal Control services. The property owner(s) shall not protest the formation; however, they retain the right to object to the rate and method of maximum special tax. In compliance with Proposition 218, the developer shall agree to approve the mail ballot proceeding (special election) for either formation of the CFD or annexation into an existing district that may already be established. The Developer must notify Special Districts of intent to request building permits 70 days prior to their issuance. (California Government Code)

SD-6 (BP) This project is conditioned to provide a funding source for the capital improvements and/or maintenance for the **Iris Avenue and Heacock Street** median landscape. In order for the Developer to meet the financial responsibility to maintain the defined service, one of the following options shall be selected:

a. Participate in the mail ballot proceeding in compliance with Proposition 218, for Moreno Valley Community Services District **Zone M** (Commercial, Industrial and Multifamily Improved Median Maintenance), and pay all associated costs with the ballot process; or
b. Establish an endowment to cover the future maintenance costs of the landscaped area.

The developer must notify Special Districts of intent to request building permits 70 days prior to their issuance and the financial option selected to fund the continued maintenance.

SD-7 **Commercial** (BP) If Land Development, a Division of the Public Works Department, requires this project to supply a funding source necessary to provide, but not limited to, stormwater utilities services for the monitoring of on site facilities and performing annual inspections of the affected areas to

ensure compliance with state mandated stormwater regulations, the developer must notify Special Districts 70 days prior to the City's issuance of a building permit and the financial option selected to fund the continued maintenance. (California Government Code)

SD-8 (BP) Prior to release of building permit, the developer, or the developer's successors or assignees, shall record with the County Recorder's Office a **Declaration of Covenant and Acknowledgement of Assessments** for each assessable parcel therein, whereby the developer covenants and acknowledges the existence of the Moreno Valley Community Services District, its established benefit zones, and that said parcel(s) is (are) liable for payment of annual benefit zone charges and the appropriate National Pollutant Discharge Elimination System (NPDES) maximum regulatory rate schedule when due. A copy of the recorded Declaration of Covenant and Acknowledgement of Assessments shall be submitted to the Special Districts Division.

**For a copy of the Declaration of Covenant and Acknowledgement of the Assessments form, please contact Special Districts, phone 951.413.3480.

SD-9 (BP) Final median, parkway, slope, and/or open space landscape/irrigation plans for those areas designated on the tentative map or in these Conditions of Approval for inclusion into Community Services District shall be reviewed and approved by the Community Development Department – Planning Division, and the Public Works Department – Special Districts and Transportation Divisions prior to the issuance of the first Building Permit.

Prior to Certificate of Occupancy

SD-10 (CO) Prior to issuance of a Certificate of Occupancy or building final, the developer shall submit a letter to Special Districts from the Utility service responsible for providing final electrical energy connections and energization of the streetlights for the development project. The letter must identify, by pole number, each streetlight in the development and state the corresponding date of its electrical energization.

SD-11 (CO) All parkway and/or median landscaping specified in the tentative map or in these Conditions of Approval shall be constructed prior to the issuance of the Certificate of Occupancy/Building Final for the **1st building** for this project.

Moreno Valley Utilities

Note: All Special Conditions, Modified Conditions, or Clarification of Conditions are in bold lettering. All other conditions are standard to all or most development projects.

Acknowledgement of Conditions

The following items are Moreno Valley Utility's Conditions of Approval for project(s) PA07-0151 through PA07-0156; this project shall be completed at no cost to any Government Agency. All questions regarding Moreno Valley Utility's Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from Moreno Valley Utility (the Electric Utility Division) of the Public Works Department 951.413.3512. The applicant is fully responsible for communicating with Moreno Valley Utility staff regarding their conditions. Listed after each individual condition is a contact name of who can be reached for specific questions.

PRIOR TO RECORDATION OF FINAL MAP

MVU-1 (R) For single family subdivisions, a three foot easement along each side yard property line shall be shown on the final map and offered for dedication to the City of Moreno Valley for public utility purposes, unless otherwise approved by the City Engineer. If the project is a multi-family development, townhome, condominium, apartment, commercial or industrial project, and it requires the installation of electric distribution facilities within common areas, a non-exclusive easement shall be provided to Moreno Valley Utility to include all such common areas. All easements shall include the rights of ingress and egress for the purpose of operation, maintenance, facility repair, and meter reading.

PRIOR TO ISSUANCE OF BUILDING PERMIT

MVU-2 (BP) **City of Moreno Valley Municipal Utility Service – Electrical Distribution**: Prior to issuance of building permit, the developer shall submit a detailed engineering plan showing design, location and schematics for the utility system to be approved by the City Engineer. In accordance with Government Code Section 66462, the Developer **shall** execute an agreement with the City providing for the installation, construction, improvement and dedication of the utility system following recordation of final map and concurrent with trenching operations and other subdivision improvements so long as said agreement incorporates the approved engineering plan and provides financial security to guarantee completion and dedication of the utility system.

The Developer **shall** coordinate and receive approval from the City Engineer to install, construct, improve, and dedicate to the City, or the City's designee, all utility infrastructure (including but not limited to conduit, equipment, vaults, ducts,

wires, switches, conductors, transformers, resistors, amplifiers, and "bring-up" facilities including electrical capacity to serve the identified development and other adjoining/abutting/ or benefiting projects as determined by Moreno Valley Utility) – collectively referred to as "utility system" (to and through the development), along with any appurtenant real property easements, as determined by the City Engineer to be necessary for the distribution and /or delivery of any and all "utility services" to each lot and unit within the Tentative Map. For purposes of this condition, "utility services" shall mean electric, cable television, telecommunication (including video, voice, and data) and other similar services designated by the City Engineer. "Utility services" shall not include sewer, water, and natural gas services, which are addressed by other conditions of approval. Properties within development will be subject to an electrical system capacity charge and that contribution will be collected prior to issuance of building permits.

The City, or the City's designee, shall utilize dedicated utility facilities to ensure safe, reliable, sustainable and cost effective delivery of utility services and maintain the integrity of streets and other public infrastructure. Developer shall, at developer's sole expense, install or cause the installation of such interconnection facilities as may be necessary to connect the electrical distribution infrastructure within the project to the Moreno Valley Utility owned and controlled electric distribution system. Alternatively, developer may cause the project to be included in or annexed to a community facilities district established or to be established by the City for the purpose of financing the installation of such interconnection and distribution facilities. The project shall be deemed to have been included in or annexed to such a community facilities district upon the expiration of the statute of limitations to any legal challenges to the levy of special taxes by such community facilities district within the property. The statute of limitations referred to above will expire 30 days after the date of the election by the qualified electors within the project to authorize the levy of special taxes and the issuance of bonds.

MVU-3 This project may be subject to a Reimbursement Agreement. The project may be responsible for a proportionate share of costs associated with electrical distribution infrastructure previously installed that directly benefits the project. The project may be subject to a system wide capacity charge in addition to the referenced reimbursement agreement. Payment(s) shall be required prior to issuance of building permit(s).

CITY OF MORENO VALLEY

CONDITIONS OF APPROVAL

PA07-0151/0152/0153/0154/0155/0156

Proposal for four industrial buildings totaling approximately 1.5 million square feet located on the southeast corner of Heacock Street and Iris Avenue.

Note: All Special conditions are in bold lettering. All other conditions are standard to all or most development projects.

Transportation Engineering Division – Conditions of Approval

Based on the information contained in our standard review process we recommend the following conditions of approval be placed on this project:

GENERAL CONDITIONS

TE1. Conditions of approval may be modified if project is phased or altered from any approved plans.

TE2. Cul-de-sacs shall be designed and constructed per City Standard Plan No. 123 and/or 124.

TE3. During construction activity, developer is responsible for regularly scheduled street sweeping per approved street sweeping schedule. Failure to provide regularly scheduled street sweeping during construction activity at the approved times shall result in re-inspection fees (amounts to be determined by City Engineer) and/or project suspension until street sweeping is provided.

TE4. Iris Avenue is classified as an Arterial (100'RW/76'CC) per City Standard Plan No. 104A. Design/construction shall include the following:

- **A Class III Bikeway shall be provided along Iris Avenue.**
- **Traffic Signal Interconnect shall be installed along Iris Avenue per City Standard Plan No. 421.**
- **A raised median shall be constructed from Heacock Street to approximately 50 feet east of the westernmost driveway.**

TE5. Heacock Street is classified as an Arterial (100' RW/76' CC) per City Standard Plan No. 104A, modified as necessary due to MARB perimeter. Design/construction shall include the following:

- **A Class III Bikeway shall be provided along Heacock Street.**
- **Traffic Signal Interconnect shall be installed along Heacock Street per City Standard Plan No. 421.**
- **A raised landscape median shall be constructed on the south leg of the Heacock Street/Iris Avenue intersection (approximately 50 to 100 feet in length).**
- **A northbound right turn lane at the Heacock Street/Iris Avenue intersection.**
- **Metal Beam Guardrail shall be installed as required by the City Engineer.**

TE6. Krameria Avenue is reclassified as an Industrial Collector (78'RW/56'CC) per City Standard Plan No. 106.

TE7. "A" Street is designated as an Industrial Collector (78'RW/56'CC) per City Standard Plan No. 106.

PRIOR TO GRADING PERMIT

TE8. (GP) Prior to issuance of a grading permit, the project applicant shall submit an engineer's cost estimate for a raised landscape median along Iris Avenue (from 50' east of the westernmost driveway to the eastern property boundary) for the City Engineer's approval.

TE9. (GP) Prior to issuance of a grading permit, the project applicant shall submit conceptual striping plans for improvements identified in conditions TE15, TE16, and TE17 for the City Traffic Engineer's approval.

PRIOR TO IMPROVEMENT PLAN APPROVAL OR CONSTRUCTION PERMIT

TE10. The driveways less than 40 feet in width shall conform to Section 9.16.250, and Table 9.16.250A of the City's Development Code - Design Guidelines, and City Standard Plan No. 118C. Driveways wider than 40' shall be designed as intersections with pedestrian access ramps per City standards.

TE11. Prior to the final approval of the street improvement plans, a signing and striping plan shall be prepared per City of Moreno Valley Standard Plans - Section 4 for all streets with a cross section of 66'/44' and wider.

TE12. Prior to final approval of the street improvement plans, the developer shall submit to the City a contract between the developer and a street sweeping company for sweeping the streets during the warranty period, for the day shown on the posted street sweeping signage. The contract shall include a contact person and phone number for said contact person.

TE13. Prior to issuance of a construction permit, construction traffic control plans prepared by a qualified, Registered Civil or Traffic engineer may be required.

TE14. Sight distance at driveways and on streets shall conform to City of Moreno Valley Standard No. 125 A, B, and C at the time of preparation of final grading, landscape, and street improvements. The southernmost Heacock Street driveway requires a minimum sight distance of 580' per City Standard Plan No. 125. The existing bridge structure over the Perris Valley Storm Drain Channel may restrict sight distance and result in the need for temporary access restriction (until such time that the bridge is widened) or bridge modification.

TE15. Prior to the final approval of the street improvement plans, the project applicant shall design the intersection of Heacock Street and Krameria Avenue to provide the following geometrics:

Northbound: One through lane, one shared through/right turn lane
Southbound: One left turn lane, two through lanes
Eastbound: NA
Westbound: One left turn lane, one right turn lane

NOTE: All curb return radii shall be 50 feet.

TE16. Prior to the final approval of the street improvement plans, the project applicant shall design the intersection of Heacock Street and Iris Avenue to provide the following geometrics:

Northbound: Two through lanes, one right turn lane
Southbound: Two left turn lanes, two through lanes
Eastbound: NA
Westbound: Two left turn lanes, one right turn lane

NOTE: All curb return radii shall be 50 feet. Design shall include a raised landscape median on the south leg of the intersection. The median shall be approximately 50 to 100 feet in length. A raised landscape median shall also be required on the east leg of the intersection to a point approximately 50 feet east of the westernmost driveway.

TE17. Prior to final approval of the street improvement plans, the project applicant shall design a bus bay per City Standard Plan No. 121 for eastbound Iris Avenue, east of Heacock Street.

PRIOR TO BUILDING PERMIT

TE18. (BP) Prior to issuance of a building permit, the project applicant shall pay all applicable DIF and TUMF.

TE19. (BP) Prior to issuance of a building permit, traffic signal plans shall be prepared by a registered civil or electrical engineer and shall be submitted to the City Traffic Engineer for the following intersections:

- **Heacock Street at Iris Avenue.**
- **Heacock Street at Krameria Street.**

TE20. (BP) Prior to issuance of a building permit, the project applicant shall make a fair-share contribution in the amount of $42,805 to the City of Moreno Valley for the construction of a traffic signal at Perris Boulevard and Suburban Lane. As this traffic signal is not in any existing fee program, payment of DIF and/or TUMF are not considered satisfaction of this obligation.

TE21. (BP) Prior to issuance of a building permit, the project applicant shall pay to the City of Moreno Valley 50 percent of the estimated cost for a raised median along Iris Avenue (from 50' east of the westernmost driveway to the eastern property boundary) as established by condition TE8. As this raised median is not in any existing fee program, payment of DIF and/or TUMF are not considered satisfaction of this obligation. The raised median will be constructed at a future date when warranted.

PRIOR TO CERTIFICATE OF OCCUPANCY OR BUILDING FINAL

TE22. (CO) Prior to issuance of a certificate of occupancy, all approved signing and striping shall be installed per current City Standards and the approved plans.

TE23. (CO) The Heacock gated entrances shall be provided with the following, or as approved by the City Traffic Engineer:

a) A storage lane with a minimum of 75 feet queuing length for entering traffic.
b) Appropriate signing and striping.

All of these features must be kept in working order.

TE24. (CO) Prior to the issuance of a certificate of occupancy, the project applicant shall construct the traffic signals identified in TE20. Construction shall be completed per the approved plans and coordinated with the street improvements.

TE25. (CO) Prior to issuance of a certificate of occupancy, the project applicant shall construct the intersection/roadway improvements identified in TE15, TE16, TE17, and TE18 per the approved plans.

TE26. (CO) Prior to the issuance of a certificate of occupancy for the project, driveway access at the following locations will be installed as follows:

- **Westernmost Iris Avenue driveway: Right-in, right-out access restricted by means of a raised median.**
- **Center and Easternmost Iris Avenue driveways: Full access, restricted to right-in, right-out access in the future when a raised median is warranted.**
- **Heacock Street driveways: Full Access. See TE14 regarding the Southernmost driveway.**
- **Krameria Avenue Driveways: Full access.**
- **"A" Street Driveways: Full Access.**

NOTE: All truck driveways shall have curb return radii of 50 feet.

PRIOR TO ACCEPTANCE OF STREETS INTO THE CITY-MAINTAINED ROAD SYSTEM

TE27. Prior to the acceptance of streets into the City-maintained road system, all approved traffic control and signing and striping shall be installed per current City Standards and the approved plans.

FIRE PREVENTION BUREAU

1. The following Standard Conditions shall apply.

With respect to the conditions of approval, the following fire protection measures shall be provided in accordance with Moreno Valley City Ordinances and/or recognized fire protection standards:

F1. Final fire and life safety conditions will be addressed when the Fire Prevention Bureau reviews building plans. These conditions will be based on occupancy, use, California Building Code (CBC), California Fire Code (CFC), and related codes, which are in force at the time of building plan submittal.

F2. The Fire Prevention Bureau is required to set a minimum fire flow for the remodel or construction of all commercial buildings per CFC Appendix B and Table B105.1. The applicant/developer shall provide documentation to show there exists a water system capable of delivering 4000 GPM for 4 hour(s) duration at 20-PSI residual operating pressure. The required fire flow may be adjusted during the approval process to reflect changes in design, construction type, or automatic fire protection measures as approved by the Fire Prevention Bureau. Specific requirements for the project will be determined at time of submittal. (CFC 508.3, Appendix B and MVMC 8.36.100 Section D) . **The 50% reduction in fire flow was granted for the use of fire sprinklers throughout the facility. The reduction shall only apply to fire flow, hydrant spacing shall be per the fire flow requirements listed in CFC Appendix B and C.**

F3. Industrial, Commercial, Multi-family, Apartment, Condominium, Townhouse or Mobile Home Parks. A combination of on-site and off-site super fire hydrants (6" x 4" x 2 ½") and super enhanced fire hydrants (6" x 4" x 4" x 2 ½") shall not be closer than 40 feet and more than 150 feet from any portion of the building as measured along approved emergency vehicular travel ways. The required fire flow shall be available from any adjacent fire hydrant(s) in the system. Where new water mains are extended along streets where hydrants are not needed for protection of structures or similar fire problems, super or enhanced fire hydrants as determined by the fire code official shall be provided at spacing not to exceed 500 feet of frontage for transportation hazards. (CFC 508.5.7 & MVMC 8.36.050 Section O and 8.36.100 Section E)

F4. Maximum cul-de-sac or dead end road length shall not exceed 660 feet. The Fire Chief, based on City street standards, shall determine minimum turning radius for fire apparatus based upon fire apparatus manufacture specifications. (CFC 503.1)

F5. During phased construction, dead end roadways and streets which have not been completed shall have a turn-around capable of accommodating fire apparatus. (CFC 503.1 and 503.2.5)

F6. Prior to issuance of Building Permits, the applicant/developer shall provide the Fire Prevention Bureau with an approved site plan for Fire Lanes and signage. (MVMC 8.36.050 and CFC 501.3)

F7. Prior to construction and issuance of building permits, all locations where structures are to be built shall have an approved Fire Department emergency vehicular access road (all weather surface) capable of sustaining an imposed load of 80,000 lbs. GVW, based on street standards approved by the Public Works Director and the Fire Prevention Bureau. (CFC 501.4 and MVMC 8.36.050 Section A)

F8. Prior to construction and issuance of Building Permits, fire lanes and fire apparatus access roads shall have an unobstructed width of not less the twenty–four (24) or thirty (30) feet as approved by the Fire Prevention Bureau and an unobstructed vertical clearance of not less the thirteen (13) feet six (6) inches. (CFC 503.2.1.1 and MVMC 8.36.050)

F9. Prior to construction, all roads, driveways and private roads shall not exceed 12 percent grade. (CFC 503.2.7 and MVMC 8.36.050)

F10. If construction is phased, each phase shall provide an approved emergency vehicular access way for fire protection prior to any building construction. (CFC 501.4 and MVMC 8.36.050 Section A)

F11. Prior to construction, all locations where structures are to be built shall have an approved Fire Department access based on street standards approved by the Public Works Director and the Fire Prevention Bureau. (CFC 501.3 and MVMC 8.36.050)

F12. Prior to building construction, dead end roadways and streets which have not been completed shall have a turnaround capable of accommodating fire apparatus. (CFC 503.2.5 and MVMC 8.36.050)

F13. Prior to issuance of Building Permits, the applicant/developer shall participate in the Fire Impact Mitigation Program. (Fee Resolution as adopted by City Council)

F14. Prior to issuance of Building Permits, the applicant/developer shall furnish one copy of the water system plans to the Fire Prevention Bureau for review. Plans shall:

a) Be signed by a registered civil engineer or a certified fire protection engineer;

b) Contain a Fire Prevention Bureau approval signature block; and
c) Conform to hydrant type, location, spacing of new and existing hydrants and minimum fire flow required as determined by the Fire Prevention Bureau.

After the local water company signs the plans, the originals shall be presented to the Fire Prevention Bureau for signatures. The required water system, including fire hydrants, shall be installed, made serviceable, and be accepted by the Moreno Valley Fire Department prior to beginning construction. They shall be maintained accessible.

Existing fire hydrants on public streets are allowed to be considered available. Existing fire hydrants on adjacent properties shall not be considered available unless fire apparatus access roads extend between properties and easements are established to prevent obstruction of such roads. (CFC 508.1 and MVMC 8.36.100)

F15. Prior to issuance of Certificate of Occupancy or Building Final, all commercial buildings shall display street numbers in a prominent location on the street side and rear access locations. The numerals shall be a minimum of twelve (12) inches in height for buildings and six (6) inches in height for suite identification on a contrasting background. Unobstructed lighting of the address(s) shall be by means approved by the Fire Prevention Bureau and Police Department. In multiple suite centers (strip malls), businesses shall post the name of the business on the rear door(s). (CFC 505.1)

F16. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall install a fire sprinkler system based on square footage and type of construction, occupancy or use. Fire sprinkler plans shall be submitted to the Fire Prevention Bureau for approval prior to installation. (CFC Chapter 9)

F17. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall install a fire alarm system monitored by an approved Underwriters Laboratory listed central station based on a requirement for monitoring the sprinkler system, occupancy or use. Fire alarm panel shall be accessible from exterior of building in an approved location. Plans shall be submitted to the Fire Prevention Bureau for approval prior to installation. (CFC Chapter 9 and MVMC 8.36.070)

F18. Prior to issuance of a Certificate of Occupancy or Building Final, a "Knox Box Rapid Entry System" shall be provided. The Knox-Box shall be installed in an accessible location approved by the Fire Chief. The Knox-Box shall be supervised by the alarm system and all exterior security emergency access gates shall be electronically operated and be provided with Knox key switches for access by emergency personnel. (CFC 506.1)

F19. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall be responsible for obtaining underground and/or above ground tank permits for the storage of combustible liquids, flammable liquids, or any other hazardous materials from both the County of Riverside Community Health Agency Department of Environmental Health and the Fire Prevention Bureau. (CFC 3401.4 and 2701.5)

F20. Prior to issuance of Certificate of Occupancy, approval shall be required from the County of Riverside Community Health Agency (Department of Environmental Health) and Moreno Valley Fire Prevention Bureau to maintain, store, use, handle materials, or conduct processes which produce conditions hazardous to life or property, and to install equipment used in connection with such activities. (CFC 2701.5)

F21. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer must submit a simple plot plan, a simple floor plan, and other plans as requested, each as an electronic file in .dwg format, to the Fire Prevention Bureau. Alternate file formats may be acceptable with approval by the Fire Chief.

F22. The angle of approach and departure for any means of Fire Department access shall not exceed 1 ft drop in 20 ft (0.3 m drop in 6 m), and the design limitations of the fire apparatus of the Fire Department shall be subject to approval by the AHJ. (CFC 503.2.7 and MVMC 8.36.050 Section I)

F23. Prior to issuance of the building permit for development, independent paved access to the nearest paved road, maintained by the City shall be designed and constructed by the developer within the public right of way in accordance with City Standards. (MVMC 8.36.050)

F24. Prior to construction, "private" driveways over 150 feet in length shall have a turn-around as determined by the Fire Prevention Bureau capable of accommodating fire apparatus. Driveway grades shall not exceed 12 percent. (CFC 503 and MVMC 8.36.050)

F25. Complete plans and specifications for fire alarm systems, fire-extinguishing systems (including automatic sprinklers or standpipe systems), clean agent systems (or other special types of automatic fire-extinguishing systems), as well as other fire-protection systems and appurtenances thereto shall be submitted to the Moreno Valley Fire Prevention Bureau for review and approval prior to system installation. Submittals shall be in accordance with CFC Chapter 9 and associated accepted national standards.

F26. A permit is required to maintain, store, use or handle materials, or to conduct processes which produce conditions hazardous to life or property, or to install equipment used in connection with such activities. Such permits shall not be construed as authority to violate, cancel or set aside any of the provisions of this code. Such permit shall not take the place of any license required by law. Applications for permits shall be made to the Fire Prevention Bureau in such form and detail as prescribed by the Bureau. Applications for permits shall be accompanied by such plans as required by the Bureau. Permits shall be kept on the premises designated therein at all times and shall be posted in a conspicuous location on the premises or shall be kept on the premises in a location designated by the Fire Chief. Permits shall be subject to inspection at all times by an officer of the fire department or other persons authorized by the Fire Chief in accordance with Appendix Chapter 1 and MVMC 8.36.100.

F27. Approval of the safety precautions required for buildings being constructed, altered or demolished shall be required by the Fire Chief in addition to other approvals required for specific operations or processes associated with such construction, alteration or demolition. (CFC Chapter 14)

F28. Prior to issuance of Certificate of Occupancy, permits are required to store, dispense, use or handle hazardous material. Each application for a permit shall include a hazardous materials management plan (HMMP). The location of the HMMP shall be posted adjacent to (other) permits when an HMMP is provided. The HMMP shall include a facility site plan designating the following:

a) Storage and use areas;
b) Maximum amount of each material stored or used in each area;
c) Range of container sizes;
d) Locations of emergency isolation and mitigation valves and devises;
e) Product conveying piping containing liquids or gases, other than utility-owned fuel gas lines and low-pressure fuel gas lines;
f) On and off positions of valves for valves which are of the self-indicating type;
g) Storage plan showing the intended storage arrangement, including the location and dimensions of aisles. The plans shall be legible and approximately to scale. Separate distribution systems are allowed to be shown on separate pages; and
h) Site plan showing all adjacent/neighboring structures and use.

NOTE: Each application for a permit shall include a hazardous materials inventory statement (HMIS).

F29. Before a Hazardous Materials permit is issued, the Fire Chief shall inspect and approve the receptacles, vehicles, buildings, devices, premises, storage spaces or areas to be used. In instances where laws or regulations are enforceable by departments other than the Fire Prevention Bureau, joint approval shall be obtained from all departments concerned. (CFC Appendix H)

F30. Construction or work for which the Fire Prevention Bureau's approval is required shall be subject to inspection by the Fire Chief and such construction or work shall remain accessible and exposed for inspection purposes until approved. (CFC Section 106)

F31. The Fire Prevention Bureau shall maintain the authority to inspect, as often as necessary, buildings and premises, including such other hazards or appliances designated by the Fire Chief for the purpose of ascertaining and causing to be corrected any conditions which would reasonably tend to cause fire or contribute to its spread, or any violation of the purpose or provisions of this code and of any other law or standard affecting fire safety. (CFC Section 106)

F32. Permit requirements issued, which designate specific occupancy requirements for a particular dwelling, occupancy, or use, shall remain in effect until such time as amended by the Fire Chief. (CFC Section 104)

F33. In accordance with the California Fire Code Appendix Chapter 1, where no applicable standards or requirements are set forth in this code, or contained within other laws, codes, regulations, ordinances or bylaws adopted by the jurisdiction, compliance with applicable standards of the National Fire Protection Association or other nationally recognized fire safety standards as are approved shall be deemed as prima facie evidence of compliance with the intent of this code as approved by the Fire Chief. (CFC Section 102.7)

F34. Any alterations, demolitions, or change in design, occupancy and use of buildings or site will require plan submittal to the Fire Prevention Bureau with review and approval prior to installation. (CFC Appendix Chapter 1)

F35. Emergency and Fire Protection Plans shall be provided when required by the Fire Prevention Bureau. (CFC Section 105)

F36. Prior to Certificate of Occupancy all locations where medians are constructed and prohibit vehicular ingress/egress into or away from the site, provisions must be made to construct a median-crossover at all locations determined by the Fire Marshal and the City Engineer. Prior to the construction, design plans will be submitted for review and approval by the City Engineer and all applicable inspections conducted by Land Development Division.

F37. Prior to construction, all traffic calming designs/devices must be approved by the Fire Marshal and City Engineer.

CITY OF MORENO VALLEY
PUBLIC WORKS DEPARTMENT - LAND DEVELOPMENT DIVISION
CONDITIONS OF APPROVAL
Four Building Industrial Park Complex
APNs 316-020-001, -006, -007, -028, -010
PA07-0151 Tentative Parcel Map 35879
PA07-0152 Master Plot Plan
PA07-0153 Plot Plan
PA07-0154 Plot Plan
PA07-0155 Plot Plan
PA07-0156 Plot Plan

Note: All Special Conditions are in **Bold** lettering and follow the standard conditions.

PUBLIC WORKS DEPARTMENT – LAND DEVELOPMENT DIVISION

The following are the Public Works Department – Land Development Division Conditions of Approval for this project and shall be completed at no cost to any government agency. All questions regarding the intent of the following conditions shall be referred to the Public Works Department – Land Development Division.

General Conditions

LD1. (G) The developer shall comply with all applicable City ordinances and resolutions including the City's Municipal Code (MC) and if subdividing land, the Government Code (GC) of the State of California, specifically Sections 66410 through 66499.58, said sections also referred to as the Subdivision Map Act (SMA). (MC 9.14.010)

LD2. (G) If the project involves the subdivision of land, maps may be developed in phases with the approval of the City Engineer. Financial security shall be provided for all improvements associated with each phase of the map. The boundaries of any multiple map increment shall be subject to the approval of the City Engineer. The City Engineer may require the dedication and construction of necessary utilities, streets or other improvements outside the area of any particular map, if the improvements are needed for circulation, parking, access, or for the welfare or safety of the public. (MC 9.14.080, GC 66412 and 66462.5) If the project does not involve the subdivision of land and it is necessary to dedicate right-of-way/easements, the developer shall make the appropriate offer of dedication by separate instrument. The City Engineer may require the construction of necessary utilities, streets or other improvements beyond the project boundary, if the improvements are needed for circulation, parking, access, or for the welfare or safety of the public.

LD3. (G) It is understood that the tentative map correctly shows all existing easements, traveled ways, and drainage courses, and that their omission may require the map or plans associated with this application to be resubmitted for further consideration. (MC 9.14.040)

LD4. (G) In the event right-of-way or offsite easements are required to construct offsite improvements necessary for the orderly development of the surrounding area to meet the public health and safety needs, the developer shall make a good faith effort to acquire the needed right-of-way in accordance with the Land Development Division's administrative policy. In the event that the developer is unsuccessful, he shall enter into an agreement with the City to acquire the necessary right-of-way or offsite easements and complete the improvements at such time the City acquires the right-of-way or offsite easements which will permit the improvements to be made. The developer shall be responsible for all costs associated with the right-of-way or easement acquisition. (GC 66462.5)

LD5. (G) If improvements associated with this project are not initiated within two years of the date of approval of the Public Improvement Agreement, the City Engineer may require that the improvement cost estimate associated with the project be modified to reflect current City construction costs in effect at the time of request for an extension of time for the Public Improvement Agreement or issuance of a permit.

LD6. (G) The developer shall monitor, supervise and control all construction and construction supportive activities, so as to prevent these activities from causing a public nuisance, including but not limited to, insuring strict adherence to the following:

(a) Removal of dirt, debris, or other construction material deposited on any public street no later than the end of each working day.

(b) Observance of working hours as stipulated on permits issued by the Public Works Department.

(c) The construction site shall accommodate the parking of all motor vehicles used by persons working at or providing deliveries to the site.

(d) All dust control measures per South Coast Air Quality Management District (SCAQMD) requirements shall be adhered to during the grading operations.

Violation of any condition or restriction or prohibition set forth in these conditions shall subject the owner, applicant, developer or contractor(s) to remedies as noted in the City Municipal Code 8.14.090. In addition, the City Engineer or Building Official may suspend all construction related activities for violation of any condition,

restriction or prohibition set forth in these conditions until such time as it has been determined that all operations and activities are in conformance with these conditions.

LD7. (G) The developer shall protect downstream properties from damage caused by alteration of drainage patterns, i.e., concentration or diversion of flow. Protection shall be provided by constructing adequate drainage facilities, including, but not limited to, modifying existing facilities or by securing a drainage easement. (MC 9.14.110)

LD8. (G) Public drainage easements, when required, shall be a minimum of 25 feet wide and shall be shown on the map and plan, and noted as follows: "Drainage Easement – no structures, obstructions, or encroachments by land fills are allowed." In addition, the grade within the easement area shall not exceed a 3:1 (H:V) slope, unless approved by the City Engineer.

LD9. (G) A detailed drainage study shall be submitted to the City Engineer for review and approval at the time of any improvement or grading plan submittal. The study shall be prepared by a registered civil engineer and shall include existing and proposed hydrologic conditions. Hydraulic calculations are required for all drainage control devices and storm drain lines. (MC 9.14.110)

LD10. (G) Prior to final map approval, commencing applicable street improvements, or obtaining the first building permit, the developer shall enter into a Development Impact Fee (DIF) Improvement Credit Agreement to secure credit and reimbursement for the construction of applicable arterial street, traffic signal, and/or interchange improvements. If the developer fails to complete this agreement prior to the timing as specified above, no credits or reimbursements will be given. The applicant shall pay Arterial Streets, Traffic Signals, and Interchange Improvements development impact fees adopted by the City Council by resolution. (Ord. 695 § 1.1 (part), 2005) (MC 3.38.030, .040, .050)

LD11. (G) Prior to final map approval, commencing applicable street improvements, or obtaining the first building permit, the developer shall enter into a Transportation Uniform Mitigation Fee (TUMF) Improvement Credit Agreement to secure credit and reimbursement for the construction of applicable improvements. If the developer fails to complete this agreement by the timing as specified above, no credits or reimbursements will be given for any work. Prior to approval of the TUMF Improvement Credit Agreement, an approved engineer's cost estimate and street improvement plan are required.

LD12. (G) The final conditions of approval issued by the Planning Division subsequent to Planning Commission approval shall be photographically or electronically placed on mylar sheets and included in the Grading and Street Improvement plan sets on

twenty-four (24) inch by thirty-six (36) inch mylar and submitted with the plans for plan check. These conditions of approval shall become part of these plan sets and the approved plans shall be available in the field during grading and construction.

LD13. (G) Upon approval of the tentative tract map or plot plan by the Planning Commission, the Developer shall submit the approved tentative tract map or plot plan on compact disk in (.dxf) digital format to the Land Development Division of the Public Works Department.

Prior to Grading Plan Approval or Grading Permit

LD14. (GPA) Prior to approval of the grading plans, plans shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer and other registered/licensed professional as required.

LD15. (GPA) Prior to approval of grading plans, the developer shall ensure compliance with the City Grading ordinance, these Conditions of Approval and the following criteria:

a. The project street and lot grading shall be designed in a manner that perpetuates the existing natural drainage patterns with respect to tributary drainage area and outlet points. Unless otherwise approved by the City Engineer, lot lines shall be located at the top of slopes.

b. Any grading that creates cut or fill slopes adjacent to the street shall provide erosion control, sight distance control, and slope easements as approved by the City Engineer.

c. A grading permit shall be obtained from the Public Works Department – Land Development Division prior to commencement of any grading outside of the City maintained road right-of-way.

d. All improvement plans are substantially complete and appropriate clearance and at-risk letters are provided to the City. (MC 9.14.030)

e. The developer shall submit a soils and geologic report to the Public Works Department – Land Development Division. The report shall address the soil's stability and geological conditions of the site.

LD16. (GPA) Prior to grading plan approval, the developer shall select and implement treatment control best management practices (BMPs) that are medium to highly effective for treating Pollutants of Concern (POC) for the project. Projects where National Pollution Discharge Elimination System (NPDES) mandates water quality

treatment control best management practices (BMPs) shall be designed per the City of Moreno Valley guidelines or as approved by the City Engineer.

LD17. (GPA) Prior to approval of the grading plans for project sites which are one acre or larger, the developer shall obtain the WQMP number from the City's Land Development Division, if a WQMP is required, and as a condition of the State Water Quality Control Board, a Notice of Intent (NOI) for an NPDES permit must be filed and a Waste Discharge Identification (W.D.I.D.) permit number obtained from the State Water Quality Control Board. (Clean Water Act)

LD18. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall submit two (2) copies of the final project-specific Water Quality Management Plan (WQMP) for review by the City Engineer that :

a. Addresses Site Design Best Management Practices (BMPs) such as minimizing impervious areas, maximizing permeability, minimizes directly connected impervious areas to the City's street and storm drain systems, and conserves natural areas;
b. Incorporates Source Control BMPs and provides a detailed description of their implementation;
c. Incorporates Treatment Control BMPs and provides information regarding design considerations;
d. Describes the long-term operation and maintenance requirements for BMPs requiring maintenance; and
e. Describes the mechanism for funding the long-term operation and maintenance of the BMPs.

A copy of the final WQMP template can be obtained on the City's Website or by contacting the Land Development Division of the Public Works Department – at 951.413.3110

LD19. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall record a "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant," to provide public notice of the requirement to implement the approved final project-specific WQMP and the maintenance requirements associated with the WQMP.

A boilerplate copy of the "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant," can be obtained by contacting the Land Development Division of the Public Works Department - at 951.413.3110

LD20. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall secure approval of the final project-specific WQMP from the City Engineer.

LD21. (GPA) Prior to the grading plan approval, or issuance of a building permit as determined by the City Engineer, the approved final project-specific WQMP shall be incorporated by reference or attached to the project's Storm Water Pollution Prevention Plan as the Post-Construction Management Plan.

LD22. (GPA) Prior to grading plan approval, the developer shall prepare a Storm Water Pollution Prevention Plan (SWPPP) in conformance with the state's Construction Activities Storm Water General Permit. A copy of the current SWPPP shall be kept at the project site and be available for review upon request. The SWPPP shall be submitted to the Storm Water Program Manager on compact disk(s) in Microsoft Word format.

LD23. (GPA) Prior to the approval of the grading plans, the developer shall pay applicable remaining grading plan check fee.

LD24. (GPA/MA) Prior to the later of either grading plan or final map approval, resolution of all drainage issues shall be as approved by the City Engineer.

LD25. (GP) Prior to issuance of a grading permit, if the fee has not already been paid prior to map approval or prior to issuance of a building permit if a grading permit is not required, the developer shall pay Area Drainage Plan (ADP) fees. The developer shall provide a receipt to the City showing that ADP fees have been paid to Riverside County Flood Control and Water Conservation District. (MC 9.14.100)

LD26. (GP) Prior to issuance of a grading permit, security, in the form of a cash deposit (preferable), letter of credit, or performance bond shall be required to be submitted as a guarantee of the completion of the grading required as a condition of approval of the project.

LD27. (GP) Prior to issuance of a grading permit, the developer shall pay the applicable grading inspection fees.

Prior to Map Approval or Recordation

LD28. (MA) Prior to approval of the map, all street dedications shall be irrevocably offered to the public and shall continue in force until the City accepts or abandons such offers, unless otherwise approved by the City Engineer. All dedications shall be free of all encumbrances as approved by the City Engineer.

LD29. (MA) Prior to approval of the map, security shall be required to be submitted as a guarantee of the completion of the improvements required as a condition of approval of the project. A public improvement agreement will be required to be executed.

LD30. (MR) Prior to recordation of the map, if the developer chooses to construct the project in construction phases, a Construction Phasing Plan for the construction of on-site public and private improvements shall be reviewed and approved by the City Engineer.

LD31. (MR) Prior to recordation of the final map, this project is subject to requirements under the current permit for storm water activities required as part of the National Pollutant Discharge Elimination System **(NPDES)** as mandated by the Federal Clean Water Act. In compliance with Proposition 218, the developer shall agree to approve the City of Moreno Valley NPDES Regulatory Rate Schedule that is in place at the time of recordation. Following are the requirements:

a. Select one of the following options to meet the financial responsibility to provide storm water utilities services for the required operation and maintenance monitoring and system evaluations in accordance with Resolution No. 2002-46.
    i. Participate in the mail ballot proceeding in compliance with Proposition 218, for the Common Interest, Commercial, Industrial and Quasi-Public Use NPDES Regulatory Rate Schedule and pay all associated costs with the ballot process; or
    ii. Establish an endowment to cover future City costs as specified in the Common Interest, Commercial, Industrial and Quasi-Public Use NPDES Regulatory Rate Schedule.
b. Notify the Special Districts Division of the intent to record the final map 70 days prior to City Council action authorizing recordation of the final map and the financial option selected. (California Government Code & Municipal Code)

LD32. (MR) Prior to recordation of the Final Map, the Rough Grading Plan (s) and Landscape and Irrigation Plan (s) prepared for the "Water Quality Ponds/Bio-Swales" shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer or other registered/licensed professional as required. The developer, or the developer's successors or assignees shall secure the initials of the Engineering Division Manager or his designee on the mylars prior to the plans being approved by the City Engineer. (MC 9.14.100.C.2)

LD33. (MR) Prior to recordation of the map, the developer shall submit the map, on compact disks, in (.dxf) digital format to the Land Development Division of the Public works Department.

Prior to Improvement Plan Approval or Construction Permit

LD34. (IPA) Prior to approval of the improvement plans, the improvement plans shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer and other registered/licensed professional as required.

LD35. (IPA) Prior to approval of the improvement plans, the developer shall submit clearances from all applicable agencies, and pay all outstanding plan check fees. (MC 9.14.210)

LD36. (IPA) All public improvement plans prepared and signed by a registered civil engineer in accordance with City standards, policies and requirements shall be approved by the City Engineer in order for the Public Improvement Agreement and accompanying security to be executed.

LD37. (IPA) Prior to approval of the improvement plans, securities and a public improvement agreement shall be required to be submitted and executed as a guarantee of the completion of the improvements required as a condition of approval of the project.

LD38. (IPA) The street improvement plans shall comply with all applicable City standards and the following design standards throughout this project:

a. Corner cutbacks in conformance with City Standard 208 shall be shown on the final map or, if no map is to be recorded, offered for dedication by separate instrument.

b. Lot access to major thoroughfares shall be restricted except at intersections and approved entrances and shall be so noted on the final map. (MC 9.14.100)

c. The minimum centerline and flow line grades shall be one percent unless otherwise approved by the City Engineer. (MC 9.14.020)

d. All street intersections shall be at ninety (90) degrees plus or minus five (5) degrees or as approved by the City Engineer. (MC 9.14.020)

e. All reverse curves shall include a minimum tangent of one hundred (100) feet in length.

LD39. (IPA) Prior to approval of the improvement plans, the plans shall be based upon a centerline profile, extending beyond the project boundaries a minimum distance of 300 feet at a grade and alignment approved by the City Engineer. Design plan and

profile information shall include the minimum 300 feet beyond the project boundaries.

LD40. (IPA) Prior to approval of the improvement plans, the developer is required to bring any existing access ramps adjacent to and fronting the project to current ADA (Americans with Disabilities Act)requirements. However, when work is required in an intersection that involves or impacts existing access ramps, those access ramps in that intersection shall be retrofitted to comply with current ADA requirements, unless approved otherwise by the City Engineer.

LD41. (IPA) Prior to approval of the improvement plans, drainage facilities with sump conditions shall be designed to convey the tributary 100-year storm flows. Secondary emergency escape shall also be provided. (MC 9.14.110)

LD42. (IPA) Prior to the approval of the improvement plans, the hydrology study shall show that the 10-year storm flow will be contained within the curb and the 100-year storm flow shall be contained within the street right-of-way. In addition, one lane in each direction shall not be used to carry surface flows during any storm event for street sections equal to or larger than a minor arterial. When any of these criteria is exceeded, additional drainage facilities shall be installed. (MC 9.14.110 A.2)

LD43. (IPA) The project shall be designed to accept and properly convey all off-site drainage flowing onto or through the site. All storm drain design and improvements shall be subject to review and approval of the City Engineer. In the event that the City Engineer permits the use of streets for drainage purposes, the provisions of the Development Code will apply. Should the quantities exceed the street capacity or the use of streets be prohibited for drainage purposes, the developer shall provide adequate facilities as approved by the Public Works Department – Land Development Division. (MC 9.14.110)

LD44. (CP) All work performed within the City right-of-way requires a construction permit. As determined by the City Engineer, security may be required for work within the right-of-way. Security shall be in the form of a cash deposit or other approved means. The City Engineer may require the execution of a public improvement agreement as a condition of the issuance of the construction permit. All inspection fees shall be paid prior to issuance of construction permit. (MC 9.14.100)

LD45. (CP) Prior to issuance of a construction permit, all public improvement plans prepared and signed by a registered civil engineer in accordance with City standards, policies and requirements shall be approved by the City Engineer.

LD46. (CP) Prior to issuance of construction permits, the developer shall submit all improvement plans on compact disks, in (.dxf) digital format to the Land Development Division of the Public Works Department.

LD47. (CP) Prior to issuance of construction permits, the developer shall pay all applicable inspection fees.

Prior to Building Permit

LD48. (BP) Prior to issuance of a building permit (excluding model homes), an approval by the City Engineer is required of the water quality control basin(s). The developer shall provide certification to the line, grade, flow test and system invert elevations.

LD49. (BP) Prior to issuance of a building permit, all pads shall meet pad elevations per approved plans as noted by the setting of "Blue-top" markers installed by a registered land surveyor or licensed engineer.

LD50. (BP) Prior to issuance of a building permit, the developer shall submit for review and approval, a Waste Management Plan (WMP) that shows data of waste tonnage, supported by original or certified photocopies of receipts and weight tags or other records of measurement from recycling companies and/or landfill and disposal companies. The Waste Management Plan shall contain the following:

a. The estimated volume or weight of project waste to be generated by material type. Project waste or debris may consist of vegetative materials including trees, tree parts, shrubs, stumps, logs, brush, or any other type of plants that are cleared from a site. Project waste may also include roadwork removal, rocks, soils, concrete and other material that normally results from land clearing.
b. The maximum volume or weight of such materials that can be feasibly diverted via reuse and recycling
c. The vendor(s) that the applicant proposes to use to haul the materials
d. Facility(s) the materials will be hauled to, and their expected diversion rates
e. Estimated volume or weight of clearing, grubbing, and grading debris that will be landfilled

Approval of the WMP requires that at least fifty (50) percent of all clearing, grubbing, and grading debris generated by the project shall be diverted, unless the developer is granted an exemption. Exemptions for diversions of less than fifty (50) percent will be reviewed on a case by case basis. (AB939, MC 8.80)

LD51. (BP) The City of Moreno Valley has an adopted Development Impact Fee (DIF) nexus study. All projects unless otherwise exempted shall be subject to the

payment of the DIF prior to issuance of building permits. The fees are subject to the provisions of the enabling ordinance and the fee schedule in effect at the time of building permit issuance.

LD52. (BP) The City of Moreno Valley has an adopted area wide Transportation Uniform Mitigation Fee (TUMF). All projects unless otherwise exempted shall be subject to the payment of the TUMF prior to issuance of building permits. The fees are subject to the provisions of the enabling ordinance and the fee schedule in effect at the time of building permit issuance.

Prior to Certificate of Occupancy

LD53. (CO) Prior to issuance of the last certificate of occupancy or building final, the developer shall pay all outstanding fees.

LD54. (CO) Prior to issuance of a certificate of occupancy or building final, the developer shall construct all public improvements in conformance with applicable City standards, except as noted in the Special Conditions, including but not limited to the following applicable improvements:

a. Street improvements including, but not limited to: pavement, base, curb and/or gutter, cross gutters, spandrel, sidewalks, drive approaches, pedestrian ramps, street lights, signing, striping, under sidewalk drains, landscaping and irrigation, medians, redwood header boards, pavement tapers/transitions and traffic control devices as appropriate.

b. Storm drain facilities including, but not limited to: storm drain pipe, storm drain laterals, open channels, catch basins and local depressions.

c. City-owned utilities.

d. Sewer and water systems including, but not limited to: sanitary sewer, potable water and recycled water.

e. Under grounding of existing and proposed utility lines less than 115,000 volts.

f. Relocation of overhead electrical utility lines including, but not limited to: electrical, cable and telephone.

LD55. (CO) Prior to issuance of a certificate of occupancy or building final, all existing and new utilities adjacent to and on-site shall be placed underground in accordance with City of Moreno Valley ordinances. (MC 9.14.130)

LD56. (CO) Prior to issuance of a certificate of occupancy or building final, in order to treat for water quality the sub-area tributary to the basin, the Developer must comply with the following:

a. The water quality basin and all associated treatment control BMPs and all hardware per the approved civil drawing must be constructed, certified and approved by the City Engineer including, but not limited to, piping, forebay, aftbay, trash rack, etc.) Landscape and irrigation plans are not approved for installation at this time.
b. Provide the City with an Engineer's Line and Grade Certification.
c. Perform and pass a flow test per City test procedures.

LD57. (CO) Prior to issuance of a certificate of occupancy or building final for the last 20% of the permitted structures or the last five (5) permitted units (whichever is greater) for any Phase of the development , the Developer shall:

a. Notify City Staff (Land Development Division) prior to construction and installation of all structural BMPs so that an inspection(s) can be performed.
b. Demonstrate that all structural BMPs described in the approved final project-specific WQMP have been constructed and installed in conformance with the approved plans and specifications;
c. Demonstrate that Developer is prepared to implement all non-structural BMPs described in the approved final project-specific WQMP; and
d. Demonstrate that an adequate number of copies of the approved final project-specific WQMP are available for future owners/occupants.
e. Clean and repair the water quality basin, including regrading to approved civil drawing if necessary.
f. Provide City with updated Engineer's Line and Grade Certification.
g. Obtain approval from City to install irrigation and landscaping.
h. Complete installation of irrigation and landscaping.

LD58. (CO) Prior to issuance of a certificate of occupancy or building final for any Commercial/Industrial facility, whichever occurs first, the owner may have to secure coverage under the State's General Industrial Activities Storm Water Permit as issued by the State Water Resources Control Board.

<u>Prior to Acceptance of Streets into the City Maintained Road System</u>

LD59. (AOS) Aggregate slurry, as defined in Section 203-5 of Standard Specifications for Public Works Construction, may be required just prior to acceptance of the entire tract street(s) into the City maintained road system at the discretion of the City Engineer. If slurry is required, the developer/contractor must provide a slurry mix design submittal for City Engineer approval. The latex additive shall be Ultra Pave 70 (for anionic – per project geotechnical report) or Ultra Pave 65 K (for cationic – per project geotechnical report) or an approved equal. The latex shall be added at the emulsion plant after weighing the asphalt and before the addition of mixing water. The latex shall be added at a rate of two to two-and-one-half (2 to 2½) parts to one-hundred (100) parts of emulsion by volume. Any existing striping shall be removed prior to slurry application and replaced per City standards.

SPECIAL CONDITIONS

LD60. (GPA) Prior to rough grading plan approval, this project shall demonstrate, via a final drainage study, that either the downstream facilities are capable of handling this development's increased runoff or that the increased runoff resulting from the development of this site is mitigated. Unless the downstream facilities are adequate, during no storm event shall the flow leaving the site in the developed condition be larger than that of the pre-developed condition. The drainage study shall analyze the following events: 1, 3, 6 and 24-hour duration events for the 2, 5, 10 and 100-year storm events. The applicant understands that additional detention measures, beyond those shown on the tentative map and preliminary drainage study, may be required.

LD61. (GPA) Prior to precise grading plan approval, this project shall meet all FEMA (Federal Emergency Management Agency) and City requirements for building in a 100 year floodzone (Zone A and Zone AO). This project shall submit for review and approval to FEMA a CLOMR-F (conditional letter of map revision based on fill). All requirements, as set forth by FEMA shall be adhered to, particularly the completion and submittal of FEMA application form MT-1, as well as all City Ordinance 8.12.130 requirements. The CLOMR-F shall be approved by FEMA prior to precise grading plan. The LOMR-F shall be acquired by FEMA after construction. The developer shall contact FEMA for CLOMR-F / LOMR-F requirements. As an alternative to the submittal of a CLOMR-F / LOMR-F, the developer may opt to floodproof the building per all City department requirements and City Ordinance 8.12.170 and as approved by FEMA. See FEMA Technical Bulletins TB 1-93, TB 3-93, and TB 7-93. Website: http://www.fema.gov/ Ph: 1-877-336-2627

LD62. (GPA) Prior to precise grading plan approval, the developer shall submit for review and approval a final soils report including site grading

recommendations, especially pertaining to any import/fill relating to the CLOMR-F / LOMR-F requirement. See LD61.

LD63. (GPA) Prior to precise grading plan approval, the grading plans shall clearly demonstrate that drainage is properly collected and conveyed. The plans shall show all necessary on-site and off-site drainage improvements to properly collect and convey drainage entering, within and leaving the project. This may include, but not be limited to on-site and perimeter drainage improvements to properly convey drainage within and along the project site, and downstream off-site improvements. The developer will be required to obtain the necessary permission for offsite construction including easements, including an encroachment permit for the connection(s) to the Riverside County Flood Control and Water Conservation District (RCFC&WCD) channel.

LD64. (GPA) Prior to precise grading plan approval, emergency overflow areas shall be shown at all applicable drainage improvement locations in the event that the drainage improvement fails or exceeds full capacity. This may include, but not be limited to, an emergency spillway in the basins and an emergency overflow at any sump catch basin location. Alternatively, the engineer may submit for review and approval oversized catch basin inlets, or other acceptable design, as approved by the City Engineer.

LD65. (GPA) Prior to precise grading plan approval, the plans shall clearly demonstrate that all applicable recommendations from the geotechnical investigation prepared by NorCal Engineering on January 3, 2007 (NorCal Project Number 13461-06), and/or any subsequent report, have been adhered to including, but not limited to, grading operation procedures, structural section design, slab design, wall design, etc.

LD66. (GPA) Prior to precise grading plan approval, the grading plans shall show any proposed trash enclosure as dual bin trash enclosures, one bin for trash and one bin for recyclables. The trash enclosure shall be per City Standard Plan 627, modified to include a fully covered, solid roof.

LD67. (GPA) Prior to precise grading plan approval, the grading plans shall clearly show that the parking lot conforms to City standards. The parking lot shall be 5% maximum, 1% minimum for AC pavement, 0.50% for PCC, 2% maximum at or near any disabled parking stall and travel way. Ramps, curb openings and travel paths shall all conform to current ADA standards as outlined in Department of Justice's "ADA Standards for Accessible Design", Excerpt from 28 CFR Part 36. (www.usdoj.gov).

LD68. (GPA) Prior to precise grading plan or improvement plan approval, as applicable, the plans shall show all driveway approaches where truck movements are anticipated to be constructed per City Standard Plan 118C, Option 2, modified. The driveways shall have a minimum radius of 50 feet and transition from an 8" curb height to a 0" curb height at the conventional right-of-way 12' behind the curb line, or as approved by the City Engineer. There shall be 4' wide pedestrian sidewalk area at 2% maximum behind the conventional right-of-way. A 4-foot pedestrian right-of-way dedication shall be made on the final parcel map PM 35879. See LD71h.

LD69. (IPA) Prior to improvement plan approval, this developer shall acquire the required clearances and permits from all applicable agencies, particularly RCFC&WCD.

LD70. (IPA) Prior to improvement plan approval, additional catch basins may be required by the City Engineer along project perimeter streets where street grades are less than 1%. Spacing, sizing and location shall be determined per the final drainage study as approved by the City Engineer.

LD71. (MA) Prior to parcel map approval, the map shall show the following:

a. A 78' street right-of-way dedication, 39' north and south of proposed future Krameria Avenue centerline between "A" Street and Heacock Street, south of Parcel 1, to ensure a right-of-way distance of 78' for an Industrial Collector Street, City Standard 106.

b. A 39' street right-of-way dedication and half-width cul-de-sac right-of-way on the west side of "A" Street along this project's east frontage to ensure a centerline to west right-of-way distance of 39' for an Industrial Collector Street, City Standard 106.

c. The appropriate street right-of-way dedication for a cul-de-sac at the northern terminus of "A" Street per City Standard 123.

d. A 20' street right-of-way dedication on the south side of Iris Avenue along this project's north frontage to ensure a centerline to south right-of-way distance of 50' for an Arterial, City Standard 104A.

e. The appropriate street right-of-way dedication (varies) on the east side of Heacock Street along this project's west frontage to ensure a centerline to east right-of-way distance of 50' for an Arterial, City Standard 104A modified. See LD79.

f. The appropriate additional right-of-way required for a dedicated north-bound right turn lane on Heacock Street, as conditioned by the City's Transportation Department.

g. The appropriate additional right-of-way on the south side of Iris Avenue necessary for the proposed bus turnout, as required by the City's Transportation Department, per City Standard 121.

h. A 4' pedestrian right-of-way dedication behind any driveway approach per City Standard 118C.

i. Corner cutbacks per City Standard 208.

j. A 2' sidewalk easement behind the right-of-way for all perimeter streets where the sidewalk is to be curb-separated: The east side of Heacock Street, the South side of Iris Avenue, and the north and south side of Proposed Krameria Avenue.

k. The vacation of existing Krameria Avenue 44' of right-of-way along the south property line of Parcels 2 and 4.

l. The vacation of an unnamed cul-de-sac traversing proposed Parcels 2 and 3 as shown on the tentative parcel map.

LD72. (MA) Prior to parcel map approval, the Developer shall guarantee the construction of the following improvements by entering into a public improvement agreement and posting security. The improvements shall be completed prior to occupancy of the first building or as otherwise determined by the City Engineer.

a. **Heacock Street, Arterial, City Standard 104A modified (100' RW / 76' CC) shall be constructed to full-width along the entire project's west frontage. The appropriate right-of-way dedication on the east side of the street, along the project's west property line, shall be shown on the parcel map. Improvements shall consist of, but not be limited to, pavement, base, curb, gutter, sidewalk (modified to be curb-separated with the back of walk 2' behind the traditional right-of-way) (east side only), raised median, a guardrail on the west side of Heacock Street as required by the City's Transportation Department, a dedicated northbound right turn lane, driveway approaches, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, and dry and wet utilities. See LD79.**

b. Iris Avenue, Arterial, City Standard 104A (100' RW / 76' CC) shall be constructed to half-width plus an additional 18' north of the construction/proposed centerline, along the entire project's north frontage. A 20' right-of-way dedication on the south side of the street, along the project's north property line, shall be shown on the parcel map. Improvements shall consist of, but not be limited to, pavement, base, curb, gutter, sidewalk (modified to be curb-separated with the back of walk 2' behind the traditional right-of-way), bus turnout (City Standard 121) as conditioned by the City's Transportation Department, raised median, driveway approaches, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, and dry and wet utilities.

c. "A" Street, Industrial Collector, City Standard 106 (78' RW / 56' CC) shall be constructed to half-width plus an additional 18' east of the centerline, along the entire project's east frontage. A 39' right-of-way dedication on the west side of the street, along the project's east property line, shall be shown on the parcel map. The 18' of right-of-way on the east side of the centerline shall be acquired if not already dedicated by the adjacent property. Improvements shall consist of, but not be limited to, pavement, base, curb, gutter, sidewalk, driveway approaches, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, and dry and wet utilities.

d. Future Krameria Avenue, Industrial Collector, City Standard 106 (78' RW / 56' CC) shall be constructed to full-width, along the entire project's southerly property line of Parcel 1. A 78' right-of-way dedication shall be shown on the parcel map. Improvements shall consist of, but not be limited to, pavement, base, curb, gutter, sidewalk (modified to be curb-separated with the back of walk 2' behind the traditional right-of-way) (both north and south sides), driveway approaches, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, and dry and wet utilities.

e. Driveway approaches shall be constructed per City Standard No. 118C. The parcel map shall show an additional 4-foot right-of-way dedication behind driveway approaches. No decorative pavers shall be placed within the public right-of-way. See LD68.

f. Pavement core samples of existing pavement may be taken and findings submitted to the City for review and consideration of a lesser

width of pavement improvements. The City will determine the adequacy of the existing pavement structural section. If the existing pavement section is found to be adequate, then a lesser width than that specified above for street pavement improvements may be allowed, as approved by the City Engineer. If the existing pavement section is found to be inadequate, the Developer shall construct the streets to the limits as listed above.

g. The cul-de-sac at the north end of the "A" Street terminus shall be constructed per City Standard 123.

h. All curb returns and driveway aprons where truck movements are expected shall have a radius of 50' minimum. This shall include the curb return at the southeast corner of Heacock Street and Iris Avenue, both curb returns at the "T" intersection of Heacock Street and proposed Krameria Avenue and all driveways along Heacock Street, or as otherwise directed by the City's Transportation Department.

LD73. (IPA) The developer shall install redwood headers at any edge-of-pavement locations in the public right-of-way. This shall include, but not be limited to, the following locations:

e. Along the project frontage, west side of Heacock Street, west of the south bound travel lane, if necessary due to proposed pavement exceeding the westerly extents of the existing pavement.

f. Along the project frontage, east side of "A" Street, east of the north bound travel lane, if this project develops before TPM 35672.

g. As required by the City Public Works Inspector.

LD74. (MA) Prior to parcel map approval, a recorded copy of a reciprocal access agreement between Parcels two (2) and three (3) shall be submitted to the City for review.

LD75. (MA) Prior to parcel map approval, written permission must be obtained from off-site property owner(s) for all off-site grading and easements. All on-site and off-site easements shall be shown on the final map. This shall include, but not be limited to, the proposed driveway which straddles this project's southeast corner of APN 316-020-028 and the off-site property to the south, APN 316-100-036.

LD76. (MA) Prior to parcel map approval, this project shall submit for review a reciprocal access agreement between Parcel 2 and the off-site property south of Parcel 2, APN 316-100-036, if the intention is for reciprocal access amongst parcels, else this project shall submit for review and approval an access easement from off-site APN 316-100-036 in favor of this project's Parcel 2, via separate instrument.

LD77. (MA) Prior to parcel map approval, the map shall show all necessary proposed easements including, but not limited to, an easement for storm drain purposes shown as Proposed Easement Note "B" across Parcel 2 on the tentative map. All public storm drain easements shall be a minimum of 25' in width. See LD8.

LD78. (MA) Prior to parcel map approval, the plans shall clearly show the extents of all existing easements on the property. All building structures shall be constructed outside of existing easements. Any conflicting easements and/or utilities shall be relocated and/or quitclaimed, as appropriate, via the final map and/or separate instrument, as necessary.

LD79. This project shall coordinate closely with the City's current CIP (Capital Improvement Project) Heacock Street Improvement Project for the design and construction of Heacock Street. (951) 413-3130.

LD80. This project shall coordinate closely with the project to the east, TPM 35672, for the design and construction of "A" Street.

LD81. (OC) Prior to occupancy, sale, or lease, the parcel map shall record in accordance with the subdivision map act.

LD82. In accordance with the City of Moreno Valley standards, the Double Ring Infiltrometer field testing method shall be utilized to perform in-situ percolation testing in the location of proposed infiltration area treatment control Best Management Practice (BMP) and the results included in the Final WQMP.

LD83. The Preparer shall provide complete and documented calculations for the proposed treatment control BMPs.

LD84. **The Applicant shall prepare and submit for approval a Project Specific Final Water Quality Management Plan (F-WQMP) for PA07-0151 -March Business Center. The F-WQMP shall be consistent with the approved P-WQMP and in full conformance with the document; "Riverside County Water Quality**

Management Plan for Urban Runoff" dated July 24, 2006. The F-WQMP shall be submitted and approved prior to application for and issuance of grading or building permits. At a minimum, the F-WQMP shall include the following: Site Design BMPs; Source Control BMPs; Treatment Control BMPs; Operation and Maintenance requirements for BMPs; and sources of funding for BMP implementation.

LD85. The Applicant shall select and implement treatment control BMPs that are medium to highly effective for treating Pollutants of Concern (POC) for the project. POC include project pollutants associated with a 303(d) listing or a Total Maximum Daily Load (TMDL) for receiving waters. Project pollutants of concern include: sediment/turbidity, nutrients, organic compounds, oxygen demanding substances, and pathogens (bacteria and viruses).

LD86. Exhibit C of the document, "Riverside County Water Quality Management Plan for Urban Runoff" dated July 24, 2006 shall be consulted for determining the effectiveness of proposed treatment BMPs.

LD87. The Applicant has proposed to incorporate the use of catch basin 'filter inserts and infiltration basins with underdrain systems. Final design details of these filtration and infiltration systems must be provided in the first submittal of the F-WQMP. The size of the treatment control BMP is to be determined using the procedures set forth in Exhibit C of the Riverside County Guidance Document. The Applicant acknowledges that more area than currently shown on the plans may be required to treat site runoff as required by the WQMP Guidance.

LD88. The Applicant shall substantiate the applicable Hydrologic Condition of Concern (HCOC) (WQMP Section IV) in the F-WQMP. The HCOC designates that the project will comply with Condition A; therefore, the condition must be addressed in the F-WQMP.

LD89. The Applicant shall record with the County-Clerk Recorder a "Covenant and Agreement" that informs future property owners of the requirements to implement the approved F-WQMP and the associated Master F-WQMP. The "Covenant and Agreement" shall be in a form acceptable to the City of Moreno Valley. The Applicant may propose, subject to approval by the City of Moreno Valley, the recording of alternative documents to inform future owners of the requirements to implement the approved F-WQMP. Documents shall be approved by the City of Moreno Valley and recorded with the County-Clerk Recorder prior to issuance of building or grading permits.

LD90. The Applicant shall, prior to building or grading permit closeout or the issuance of a certificate of occupancy, demonstrate:

a. That all structural BMPs have been constructed and installed in conformance with the approved plans and specifications;

b. That all structural BMPs described in the F-WQMP have been implemented in accordance with approved plans and specifications;

c. That the Applicant is prepared to implement all non-structural BMPs included in the F-WQMP, conditions of approval, and building/grading permit conditions; and

d. That an adequate number of copies of the approved F-WQMP are available for the future owners/occupants of the project.

POLICE DEPARTMENT

Note: All Special conditions are in bold lettering. All other conditions are standard to all or most development projects

Standard Conditions

PD1. Prior to the start of any construction, temporary security fencing shall be erected. The fencing shall be a minimum of six (6) feet high with locking, gated access and shall remain through the duration of construction. Security fencing is required if there is: construction, unsecured structures, unenclosed storage of materials and/or equipment, and/or the condition of the site constitutes a public hazard as determined by the Public Works Department. If security fencing is required, it shall remain in place until the project is completed or the above conditions no longer exist. (DC 9.08.080)

PD2. (GP) Prior to the issuance of grading permits, a temporary project identification sign shall be erected on the site in a secure and visible manner. The sign shall be conspicuously posted at the site and remain in place until occupancy of the project. The sign shall include the following:

a. The name (if applicable) and address of the development.

b. The developer's name, address, and a 24-hour emergency telephone number. (DC 9.08.080)

PD3. (CO) Prior to the issuance of a Certificate of Occupancy, an Emergency Contact information Form for the project shall be completed at the permit counter of the Community Development Department - Building Division for routing to the Police Department. (DC 9.08.080)

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CITY OF MORENO VALLEY
CONDITIONS OF APPROVAL
FOR
TENTATIVE PARCEL MAP 35879
Case No: PA07-0151
A.P.N.(s): 316-020-001, 006, 007, 028, 010

Approval Date: **January 22, 2009**
Expiration Date: **January 22, 2012**

_X__ Planning (P), including School District (S), Post Office (PO), Building (B)
_X__ Fire Prevention Bureau (F)
_X__ Public Works, Land Development (LD)
_X__ Public Works, Moreno Valley Utilities (MVU)
_X__ Public Works, Special Districts (SD)
_X__ Public Works, Transportation (TE)

Note: All Special conditions are in bold lettering. All other conditions are standard to all or most development projects. (Include only those that apply)

COMMUNITY DEVELOPMENT DEPARTMENT

Planning Division

GENERAL CONDITIONS

P1. This approval shall comply with all applicable requirements of the City of Moreno Valley Municipal Code.

P2. This tentative map shall expire three years after the approval date of this tentative map unless extended as provided by the City of Moreno Valley Municipal Code; otherwise it shall become null and void and of no effect whatsoever in the event the applicant or any successor in interest fails to properly file a final map before the date of expiration. (MC 9.02.230, 9.14.050, 080)

P3. The site shall be developed in accordance with the approved tentative map on file in the Community Development Department -Planning Division, the Municipal Code regulations, General Plan, and the conditions contained herein. (MC 9.14.020)

EXHIBIT B

Timing Mechanisms for Conditions (see abbreviation at beginning of affected condition):

R - Map Recordation
WP - Water Improvement Plans
GP - Grading Permits
BP - Building Permits
CO - Certificate of Occupancy or building final
P - Any permit

Governing Document (see abbreviation at the end of the affected condition):

GP - General Plan
Ord - Ordinance
Res - Resolution
MC - Municipal Code
DG - Design Guidelines
UFC - Uniform Fire C
SBM - Subdivision Map Act
CEQA - California Environmental Quality Act
Ldscp - Landscape Development Guidelines and
UBC - Uniform Building Code

P4. A drought tolerant, low water using landscape palette shall be utilized throughout the tract to the extent feasible.

P5. All undeveloped portions of the site shall be maintained in a manner that provides for the control of weeds, erosion and dust. (MC 9.02.030)

P6. All landscaped areas shall be maintained in a healthy and thriving condition, free from weeds, trash and debris. (MC 9.02.030)

P7. All site plans, grading plans, landscape and irrigation plans, and street improvement plans shall be coordinated for consistency with this approval.

P8. **If the proposed project requires blasting, it shall be used only as a last resort. In such cases, it shall be approved by the Fire Marshall, and the developer shall comply with the current City ordinance governing blasting. (Ord)**

PRIOR TO GRADING

P9. (GP) Prior to approval of any grading permit, the developer shall submit a tree plan to the Planning Division for review and approval. The plan shall identify all mature trees (4 inch trunk diameter or larger) on the subject property and City right-of-way. Using the grading plan as a base, the plan shall indicate trees to be relocated, retained, and removed. Replacement trees shall be: shown on the plan; be a minimum size of 24 inch box; and meet a ratio of three replacement trees for each mature tree removed or as approved by the Community Development Director or designee. (GP Objective 4.4, 4.5, DG)

P10. (GP) Prior to issuance of grading permits, the developer shall pay the applicable Stephen's' Kangaroo Rat (SKR) Habitat Conservation Plan mitigation fee. (Ord)

P11. (GP) Prior to the issuance of grading permits, final erosion control landscape and irrigation plans for all cut or fill slopes over 3 feet in height shall be submitted to the Planning Division for review and approval for the phase in process. The plans shall be designed in accordance with the slope erosion plan as required by the City Engineer for that phase. Man-made slopes greater than 10 feet in height shall be "land formed" to conform to the natural terrain and shall be landscaped and stabilized to minimize visual scarring. (GP Objective 1.5, MC 9.08.080, DG)

P12. (GP) If potential historic, archaeological, or paleontological resources are uncovered during excavation or construction activities at the project site, work in the affected area will cease immediately and a qualified person (meeting the Secretary of the Interior's standards (36CFR61)) shall be consulted by the applicant to evaluate the find, and as appropriate recommend alternative measures to avoid, minimize or mitigate negative effects on the historic, prehistoric, or paleontological resource. Determinations and recommendations by the consultant shall be implemented as deemed appropriate by the Community Development Director, in consultation with the State Historic Preservation Officer (SHPO) and any and all affected Native American Tribes before any further work commences in the affected area.

If human remains are discovered, work in the affected area shall cease immediately and the County Coroner shall be notified. If it is determined that the remains are potentially Native American, the California Native American Heritage Commission and any and all affected Native American Indians tribes such as the Morongo Band of Mission Indians or the Pechanga Band of Luiseno Indians shall be notified and appropriate measures provided by State law shall be implemented. (GP Objective 23.3, DG, CEQA).

P13. (GP) Prior to the issuance of grading permits, a pre-construction Burrowing Owl survey shall be completed with written documentation provided to the Planning Division. The survey shall be completed in accordance with the Burrowing Owl Survey Instructions for the Western Riverside Multiple Species Habitat Conservation Area.

P14. **(GP) Prior to issuance of grading permits, plans for any security gate system shall be submitted to the Planning Division for review and approval.**

P15. **If potential historic, archaeological, or paleontological resources are uncovered during excavation or construction activities at the project site, a qualified archaeologist and or tribal monitors from any affected Native American Indian tribes shall be present during grading to evaluate and recommend appropriate actions for any archaeological deposits exposed by construction activity. The monitoring archaeologist shall be empowered to halt grading in the vicinity of an exposed archaeological deposit until that deposit can be fully evaluated. The consultant (i.e. archaeologist) shall consult with any and all affected Native American Indian tribes in the area on any Treatment Plan prepared for the project.**

P16. **GP) Prior to the issuance of any grading permits and prior to any physical disturbance of any natural drainage course, or any wetland determined to contain riparian vegetation, the applicant shall obtain a stream bed alteration agreement or permit, or a written waiver of the requirement for such an agreement or permit, from both the California Department of Fish and Game and the U.S. Army Corps of Engineers. Written verification of such a permit or waiver shall be provided to both the Planning Division and the Public Works Department - Land Development Division. (CEQA, State and Federal codes)**

P17. **(GP) Prior to the issuance of any grading permits, water well(s) on the site shall be closed or maintained in accordance with requirements of the Riverside County Health Department. (CEQA)**

P18. **(GP) Prior to the issuance of grading permits, mitigation measures contained in the Mitigation Monitoring Program approved with this project shall be implemented as provided therein. A mitigation monitoring fee, as provided by City ordinance, shall be paid by the applicant within 30 days of project or tentative map approval. No City permit or approval shall be issued until such fee is paid. (CEQA)**

P19. **(GP) Prior to issuance of grading permits, the developer shall submit wall/fence plans to the Planning Division for review and approval for a fourteen (14) foot high solid decorative perimeter wall along the eastern and western boundaries. (MC 9.08.070*)***

P21. **(GP) Prior to issuance of grading permits, landscape plans (trees, shrubs and groundcover) for basins maintained by an HOA or other private entity shall be submitted to the Planning Division for review and approval for the sides and/or slopes. A hydroseed mix w/irrigation is acceptable for the bottom of all the basin areas. All detention basins shall include trees, shrubs and groundcover up to the concreted portion of the basin. A solid decorative wall with pilasters, tubular steel fence or other fence or wall approved by the Community Development Director is required to secure all water quality and detention basins more than 18 inches in depth.**

PRIOR TO RECORDATION OF FINAL MAP

P22. (R) Prior to final map recordation, subdivision phasing (including any proposed common open space or improvement phasing, if applicable), shall be subject to the Planning Division approval. Any proposed phasing shall provide for adequate vehicular access to all lots in each phase as determined by the City Transportation Engineer or designee and shall substantially conform to all intent and purpose of the subdivision approval. (MC 9.14.080)

P23. **(R) Prior to recordation of the final map, final median enhancement/landscape/irrigation plans shall be reviewed and approved by the Planning Division, and Public Works Department - Special Districts Administration for review and approval by each division. (GP - Circulation Master Plan)**

P24. **(R) Prior to recordation of the final subdivision map, the developer shall submit for review and approval the following documents to the Planning Division which shall demonstrate that the project will be developed and maintained in accordance with the intent and purpose of the approval:**

a. The document to convey title
b. Deed restrictions, easements, or Covenants, Conditions and Restrictions to be recorded

The approved documents shall be recorded at the same time that the subdivision map is recorded. The documents shall contain provisions for general maintenance of the site, joint access to proposed parcels, open space use restrictions, conservation easements, guest parking, feeder trails, water quality basins, lighting, landscaping and common area use items such as general building maintenance (apartments, condominiums and townhomes) tot lot/public seating areas and other recreation facilities or buildings. The approved documents shall also contain a provision, which provides that they may not be terminated and/or substantially amended without the consent of the City and the developer's successor-in-interest. (MC 9.14.090)

In addition, the following deed restrictions and disclosures shall be included within the document and grant deed of the properties:

- **The developer and property association shall promote the use of native plants and trees and drought tolerant species to the extent feasible.**

- **(R) All lots designated for open space and or detention basins, shall be included as an easement to, and maintained by a Property Association (HOA) or other private maintenance entity. All reverse frontage landscape areas shall also be maintained by the onsite HOA. Language to this effect shall be included and reviewed within the required Covenant Conditions and Restrictions (CC&Rs) prior to the approval of the final map.**

- **Maintenance of any and all common facilities.**

PRIOR TO BUILDING PERMIT

P25. (BP) Prior to issuance of building permits, the developer or developer's successor-in-interest shall pay all applicable impact fees, including but not limited to Transportation Uniform Mitigation fees (TUMF), Multi-species Habitat Conservation Plan (MSHCP) mitigation fees, and the City's adopted Development Impact Fees. (Ord)

P26. (BP) Prior to issuance of building permits, final front and street side yard landscape and irrigation plans, and slope landscape plans and basin landscape plans, shall be approved.

P27. **(BP) Prior to issuance of building permits, landscape plans (trees, shrubs and groundcover) for basins maintained by a POA, or other private entity, shall be approved for the sides and or slopes of all water quality basins and drainage areas. A solid decorative wall with pilasters, tubular steel fence or other fence or wall approved by the Community Development Director is required to secure all water quality and detention basins more than 18 inches in depth.**

PRIOR TO CERTIFICATE OF OCCUPANCY

P28. (CO) Prior to the issuance of Certificates of Occupancy or building final, slope landscape and irrigation shall be installed. Landscaping on lots not yet having dwelling units shall be maintained by the developer weed and disease free. (MC 9.03.040)

P29. **(CO) Prior to the issuance of Certificates of Occupancy or building final, all required and proposed fences and walls shall be constructed per the approved plans on file in the Planning Division. (MC 9.080.070)**

P30. **(CO) For a basin maintained by a POA or other private entity, landscape (trees, shrubs and groundcover) and irrigation shall be installed, and maintained by the POA or other private entity.**

P31. Mitigation measures contained in the Mitigation Monitoring Program approved with this project shall be implemented as provided therein. The applicant shall submit the mitigation-monitoring fee, as provided by City Ordinance, to the Planning Division. No City permit or approval shall be issued until such fee is paid. (CEQA)

P32. The project site is located within Area II of the March ARB Influence Area. Uses involving the following characteristics shall be prohibited:

- **Lighting that would direct a steady light toward aircraft.**
- **Lighting that would direct flashing light of colors associated with airport operations (red, green, white, or amber) toward aircraft.**
- **Any use which would cause sunlight to be reflected toward aircraft.**
- **Generate smoke or water vapor, attract large concentrations of birds, or otherwise affect safe air navigation.**
- **Generate electrical interference that may be detrimental to operation of aircraft or aircraft instrumentation.**

Building and Safety Division

B-1 The above project shall comply with the current California Codes (CBC, CEC, CMC and the CPC) as well as all other city ordinances. All new projects shall provide a soils report. Plans shall be submitted to the Building Department as a separate submittal.

B-2 Prior to final inspection, all plans will be placed on a CD Rom for reference and verification. Plans will include "as built" plans, revisions and changes. The CD will also include Title 24 energy calculations, structural calculations and all other pertinent information. It will be the responsibility of the developer and or the building or property owner(s) to bear all costs required for this process. The CD will be presented to the Building Department for review prior to final inspection and building occupancy. The CD will become the property of the Moreno Valley Building Department at that time *(applies only to commercial, industrial, and multi-family projects).*

B-3 All projects that will be serviced by a private sewage disposal system shall obtain approval from the Riverside County Environmental Health Department prior to submitting plans to the Building Department.

B-4 (BP) Prior to the issuance of a building permit, the applicant shall submit a properly completed "Waste Management Plan" (WMP), as required, to the Compliance Official (Building Official) as a portion of the building or demolition permit process.

SCHOOL DISTRICT

S-1. (BP) Prior to issuance of building permits, the developer shall provide to the Community Development Director a written certification by the affected school district that either: (1) the project has complied with the fee or other exaction levied on the project by the governing board of the district, pursuant to Government Code Section 65996; or (2) the fee or other requirement does not apply to the project.

UNITED STATES POSTAL SERVICE

PO-1. (BP) Prior to the issuance of building permits, the developer shall contact the U.S. Postal Service to determine the appropriate type and location of mailboxes.

POLICE DEPARTMENT

Note: All Special conditions are in bold lettering. All other conditions are standard to all or most development projects

Standard Conditions

PD1. Prior to the start of any construction, temporary security fencing shall be erected. The fencing shall be a minimum of six (6) feet high with locking, gated access and shall remain through the duration of construction. Security fencing is required if there is: construction, unsecured structures, unenclosed storage of materials and/or equipment, and/or the condition of the site constitutes a public hazard as determined by the Public Works Department. If security fencing is required, it shall remain in place until the project is completed or the above conditions no longer exist. (DC 9.08.080)

PD2. (GP) Prior to the issuance of grading permits, a temporary project identification sign shall be erected on the site in a secure and visible manner. The sign shall be conspicuously posted at the site and remain in place until occupancy of the project. The sign shall include the following:

a. The name (if applicable) and address of the development.

b. The developer's name, address, and a 24-hour emergency telephone number. (DC 9.08.080)

PD3. (CO) Prior to the issuance of a Certificate of Occupancy, an Emergency Contact information Form for the project shall be completed at the permit counter of the Community Development Department - Building Division for routing to the Police Department. (DC 9.08.080)

PUBLIC WORKS DEPARTMENT

Special Districts Division

Note: All Special Conditions, Modified Conditions, or Clarification of Conditions are in bold lettering. All other conditions are standard to all or most development projects.

Acknowledgement of Conditions

The following items are Special Districts' Conditions of Approval for project **PA07-0151**; this project shall be completed at no cost to any Government Agency. All questions regarding Special Districts' Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from the Special Districts Division of the Public Works Department 951.413.3480. The applicant is fully responsible for communicating with each designated Special Districts staff member regarding their conditions.

General Conditions

SD-1 The parcel(s) associated with this project have been incorporated into the Moreno Valley Community Services Districts Zones A (Parks & Community Services) and C (Arterial Street Lighting). All assessable parcels therein shall be subject to annual Zone A and Zone C charges for operations and capital improvements.

SD-2 Plans for parkway, median, slope, and/or open space landscape areas designated on the tentative map or in these Conditions of Approval for incorporation into Moreno Valley Community Services District **Zone M**, shall be prepared and submitted in accordance with the *City of Moreno Valley Public Works Department Landscape Design Guidelines*. Contact the Special Districts Division of the Public Works Department to obtain copies of this document.

SD-3 The developer, or the developer's successors or assignees shall be responsible for all parkway and/ or median landscaping maintenance until such time as the District accepts maintenance duties.

SD-4 Any damage to existing landscape easement areas due to project construction shall be repaired/replaced by the developer, or developer's successors in interest, at no cost to the Moreno Valley Community Services District.

Prior to Recordation of Final Map

SD-5 (R) This project has been identified to be included in the formation of a Community Facilities District (Mello-Roos) for **Public Safety** services, including but not limited to Police, Fire Protection, Paramedic Services, Park Rangers, and Animal Control services. The property owner(s) shall not protest the formation; however, they retain the right to object to the rate and method of maximum special tax. In compliance with Proposition 218, the developer shall agree to approve the mail ballot proceeding (special election) for either formation of the CFD or annexation into an existing district that may already be established. The Developer must notify Special Districts of intent to record the final map 70 days prior to recordation of final map. (California Government Code)

SD-6 (R) This project is conditioned to provide a funding source for the capital improvements and/or maintenance for the **Iris Avenue and Heacock Street** median landscape. In order for the Developer to meet the financial responsibility to maintain the defined service, one of the following options shall be selected:

a. Participate in the mail ballot proceeding in compliance with Proposition 218, for Moreno Valley Community Services District **Zone M** (Commercial, Industrial and Multifamily Improved Median Maintenance), and pay all associated costs with the ballot process; or
b. Establish an endowment to cover the future maintenance costs of the landscaped area.

The Developer must notify Special Districts of the intent to record the final map within 70 days prior to recordation and the financial option selected to fund the continued maintenance.

SD-7 *Commercial* (R) If Land Development, a Division of the Public Works Department, requires this project to supply a funding source necessary to provide, but not limited to, stormwater utilities services for the monitoring of on site facilities and performing annual inspections of the affected areas to ensure compliance with state mandated stormwater regulations, the developer must notify Special Districts of intent to record final map 70 days prior to City Council action authorizing recordation of the map and the financial option selected to fund the continued maintenance. (California Government Code)

SD-8 (R) Prior to recordation of the final map, the developer, or the developer's successors or assignees, shall record with the County Recorder's Office a **Declaration of Covenant and Acknowledgement of Assessments** for each assessable parcel therein, whereby the developer covenants and acknowledges the existence of the Moreno Valley Community Services District, its established benefit zones, and that said parcel(s) is (are) liable for payment of annual benefit zone charges and the appropriate National Pollutant Discharge Elimination System (NPDES) maximum regulatory rate schedule when due. A copy of the recorded Declaration of Covenant and Acknowledgement of Assessments shall be submitted to the Special Districts Division.

**For a copy of the Declaration of Covenant and Acknowledgement of the Assessments form, please contact Special Districts, phone 951.413.3480.

Prior to Building Permit Issuance

SD-9 (BP) Final median, parkway, slope, and/or open space landscape/irrigation plans for those areas designated on the tentative map or in these Conditions of Approval for inclusion into Community Services District shall be reviewed and approved by the Community Development Department – Planning Division, and the Public Works Department – Special Districts and Transportation Divisions prior to the issuance of the first Building Permit.

Prior to Certificate of Occupancy

SD-10 (CO) Prior to issuance of a Certificate of Occupancy or building final, the developer shall submit a letter to Special Districts from the Utility service responsible for providing final electrical energy connections and energization of the streetlights for the development project. The letter must identify, by pole number, each streetlight in the development and state the corresponding date of its electrical energization.

SD-11 (CO) All parkway and/or median landscaping specified in the tentative map or in these Conditions of Approval shall be constructed prior to the issuance of the Certificate of Occupancy/Building Final for the **1st building** for this project.

SD-12 (CO) Prior to issuance of a Certificate of Occupancy or building final, the developer shall submit, in a form acceptable to Special Districts, the current list of all Assessor's Parcel Numbers assigned to the recorded map.

Please forward to:

City of Moreno Valley
Special Districts
14325 Frederick Street – Suite 9
P. O. Box 88005
Moreno Valley, CA 92552-0805

Moreno Valley Utilities

Note: All Special Conditions, Modified Conditions, or Clarification of Conditions are

in bold lettering. All other conditions are standard to all or most development projects.

Acknowledgement of Conditions

The following items are Moreno Valley Utility's Conditions of Approval for project(s) PA07-0151 through PA07-0156; this project shall be completed at no cost to any Government Agency. All questions regarding Moreno Valley Utility's Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from Moreno Valley Utility (the Electric Utility Division) of the Public Works Department 951.413.3512. The applicant is fully responsible for communicating with Moreno Valley Utility staff regarding their conditions. Listed after each individual condition is a contact name of who can be reached for specific questions.

PRIOR TO RECORDATION OF FINAL MAP

MVU-1 (R) For single family subdivisions, a three foot easement along each side yard property line shall be shown on the final map and offered for dedication to the City of Moreno Valley for public utility purposes, unless otherwise approved by the City Engineer. If the project is a multi-family development, townhome, condominium, apartment, commercial or industrial project, and it requires the installation of electric distribution facilities within common areas, a non-exclusive easement shall be provided to Moreno Valley Utility to include all such common areas. All easements shall include the rights of ingress and egress for the purpose of operation, maintenance, facility repair, and meter reading.

PRIOR TO ISSUANCE OF BUILDING PERMIT

MVU-2 (BP) **City of Moreno Valley Municipal Utility Service – Electrical Distribution**: Prior to issuance of building permit, the developer shall submit a detailed engineering plan showing design, location and schematics for the utility system to be approved by the City Engineer. In accordance with Government Code Section 66462, the Developer **shall** execute an agreement with the City providing for the installation, construction, improvement and dedication of the utility system following recordation of final map and concurrent with trenching operations and other subdivision improvements so long as said agreement incorporates the approved engineering plan and provides financial security to guarantee completion and dedication of the utility system.

The Developer **shall** coordinate and receive approval from the City Engineer to install, construct, improve, and dedicate to the City, or the City's designee, all utility infrastructure (including but not limited to conduit, equipment, vaults, ducts, wires, switches, conductors, transformers, resistors, amplifiers, and "bring-up" facilities including electrical capacity to serve the identified development and other adjoining/abutting/ or benefiting projects as determined by Moreno Valley

Utility) – collectively referred to as "utility system" (to and through the development), along with any appurtenant real property easements, as determined by the City Engineer to be necessary for the distribution and /or delivery of any and all "utility services" to each lot and unit within the Tentative Map. For purposes of this condition, "utility services" shall mean electric, cable television, telecommunication (including video, voice, and data) and other similar services designated by the City Engineer. "Utility services" shall not include sewer, water, and natural gas services, which are addressed by other conditions of approval. Properties within development will be subject to an electrical system capacity charge and that contribution will be collected prior to issuance of building permits.

The City, or the City's designee, shall utilize dedicated utility facilities to ensure safe, reliable, sustainable and cost effective delivery of utility services and maintain the integrity of streets and other public infrastructure. Developer shall, at developer's sole expense, install or cause the installation of such interconnection facilities as may be necessary to connect the electrical distribution infrastructure within the project to the Moreno Valley Utility owned and controlled electric distribution system. Alternatively, developer may cause the project to be included in or annexed to a community facilities district established or to be established by the City for the purpose of financing the installation of such interconnection and distribution facilities. The project shall be deemed to have been included in or annexed to such a community facilities district upon the expiration of the statute of limitations to any legal challenges to the levy of special taxes by such community facilities district within the property. The statute of limitations referred to above will expire 30 days after the date of the election by the qualified electors within the project to authorize the levy of special taxes and the issuance of bonds.

MVU-3 This project may be subject to a Reimbursement Agreement. The project may be responsible for a proportionate share of costs associated with electrical distribution infrastructure previously installed that directly benefits the project. The project may be subject to a system wide capacity charge in addition to the referenced reimbursement agreement. Payment(s) shall be required prior to issuance of building permit(s).

CITY OF MORENO VALLEY

CONDITIONS OF APPROVAL

PA07-0151/0152/0153/0154/0155/0156

Proposal for four industrial buildings totaling approximately 1.5 million square feet located on the southeast corner of Heacock Street and Iris Avenue.

Note: All Special conditions are in bold lettering. All other conditions are standard to all or most development projects.

Transportation Engineering Division – Conditions of Approval

Based on the information contained in our standard review process we recommend the following conditions of approval be placed on this project:

GENERAL CONDITIONS

TE1. Conditions of approval may be modified if project is phased or altered from any approved plans.

TE2. Cul-de-sacs shall be designed and constructed per City Standard Plan No. 123 and/or 124.

TE3. During construction activity, developer is responsible for regularly scheduled street sweeping per approved street sweeping schedule. Failure to provide regularly scheduled street sweeping during construction activity at the approved times shall result in re-inspection fees (amounts to be determined by City Engineer) and/or project suspension until street sweeping is provided.

TE4. Iris Avenue is classified as an Arterial (100'RW/76'CC) per City Standard Plan No. 104A. Design/construction shall include the following:

- **A Class III Bikeway shall be provided along Iris Avenue.**
- **Traffic Signal Interconnect shall be installed along Iris Avenue per City Standard Plan No. 421.**
- **A raised median shall be constructed from Heacock Street to approximately 50 feet east of the westernmost driveway.**

TE5. Heacock Street is classified as an Arterial (100' RW/76' CC) per City Standard Plan No. 104A, modified as necessary due to MARB perimeter. Design/construction shall include the following:

- **A Class III Bikeway shall be provided along Heacock Street.**
- **Traffic Signal Interconnect shall be installed along Heacock Street per City Standard Plan No. 421.**
- **A raised landscape median shall be constructed on the south leg of the Heacock Street/Iris Avenue intersection (approximately 50 to 100 feet in length).**
- **A northbound right turn lane at the Heacock Street/Iris Avenue intersection.**
- **Metal Beam Guardrail shall be installed as required by the City Engineer.**

TE6. Krameria Avenue is reclassified as an Industrial Collector (78'RW/56'CC) per City Standard Plan No. 106.

TE7. "A" Street is designated as an Industrial Collector (78'RW/56'CC) per City Standard Plan No. 106.

PRIOR TO GRADING PERMIT

TE8. (GP) Prior to issuance of a grading permit, the project applicant shall submit an engineer's cost estimate for a raised landscape median along Iris Avenue (from 50' east of the westernmost driveway to the eastern property boundary) for the City Engineer's approval.

TE9. (GP) Prior to issuance of a grading permit, the project applicant shall submit conceptual striping plans for improvements identified in conditions TE15, TE16, and TE17 for the City Traffic Engineer's approval.

PRIOR TO IMPROVEMENT PLAN APPROVAL OR CONSTRUCTION PERMIT

TE10. The driveways less than 40 feet in width shall conform to Section 9.16.250, and Table 9.16.250A of the City's Development Code - Design Guidelines, and City Standard Plan No. 118C. Driveways wider than 40' shall be designed as intersections with pedestrian access ramps per City standards.

TE11. Prior to the final approval of the street improvement plans, a signing and striping plan shall be prepared per City of Moreno Valley Standard Plans - Section 4 for all streets with a cross section of 66'/44' and wider.

TE12. Prior to final approval of the street improvement plans, the developer shall submit to the City a contract between the developer and a street sweeping company for sweeping the streets during the warranty period, for the day shown on the posted street sweeping signage. The contract shall include a contact person and phone number for said contact person.

TE13. Prior to issuance of a construction permit, construction traffic control plans prepared by a qualified, Registered Civil or Traffic engineer may be required.

TE14. Sight distance at driveways and on streets shall conform to City of Moreno Valley Standard No. 125 A, B, and C at the time of preparation of final grading, landscape, and street improvements. The southernmost Heacock Street driveway requires a minimum sight distance of 580' per City Standard Plan No. 125. The existing bridge structure over the Perris Valley Storm Drain Channel may restrict sight distance and result in the need for temporary access restriction (until such time that the bridge is widened) or bridge modification.

TE15. Prior to the final approval of the street improvement plans, the project applicant shall design the intersection of Heacock Street and Krameria Avenue to provide the following geometrics:

Northbound: One through lane, one shared through/right turn lane
Southbound: One left turn lane, two through lanes
Eastbound: NA
Westbound: One left turn lane, one right turn lane

NOTE: All curb return radii shall be 50 feet.

TE16. Prior to the final approval of the street improvement plans, the project applicant shall design the intersection of Heacock Street and Iris Avenue to provide the following geometrics:

Northbound: Two through lanes, one right turn lane
Southbound: Two left turn lanes, two through lanes
Eastbound: NA
Westbound: Two left turn lanes, one right turn lane

NOTE: All curb return radii shall be 50 feet. Design shall include a raised landscape median on the south leg of the intersection. The median shall be approximately 50 to 100 feet in length. A raised landscape median shall also be required on the east leg of the intersection to a point approximately 50 feet east of the westernmost driveway.

TE17. Prior to final approval of the street improvement plans, the project applicant shall design a bus bay per City Standard Plan No. 121 for eastbound Iris Avenue, east of Heacock Street.

PRIOR TO BUILDING PERMIT

TE18. (BP) Prior to issuance of a building permit, the project applicant shall pay all applicable DIF and TUMF.

TE19. (BP) Prior to issuance of a building permit, traffic signal plans shall be prepared by a registered civil or electrical engineer and shall be submitted to the City Traffic Engineer for the following intersections:

- **Heacock Street at Iris Avenue.**
- **Heacock Street at Krameria Street.**

TE20. (BP) Prior to issuance of a building permit, the project applicant shall make a fair-share contribution in the amount of $42,805 to the City of Moreno Valley for the construction of a traffic signal at Perris Boulevard and Suburban Lane. As this traffic signal is not in any existing fee program, payment of DIF and/or TUMF are not considered satisfaction of this obligation.

TE21. (BP) Prior to issuance of a building permit, the project applicant shall pay to the City of Moreno Valley 50 percent of the estimated cost for a raised median along Iris Avenue (from 50' east of the westernmost driveway to the eastern property boundary) as established by condition TE8. As this raised median is not in any existing fee program, payment of DIF and/or TUMF are not considered satisfaction of this obligation. The raised median will be constructed at a future date when warranted.

PRIOR TO CERTIFICATE OF OCCUPANCY OR BUILDING FINAL

TE22. (CO) Prior to issuance of a certificate of occupancy, all approved signing and striping shall be installed per current City Standards and the approved plans.

TE23. (CO) The Heacock gated entrances shall be provided with the following, or as approved by the City Traffic Engineer:

a) A storage lane with a minimum of 75 feet queuing length for entering traffic.
b) Appropriate signing and striping.

All of these features must be kept in working order.

TE24. (CO) Prior to the issuance of a certificate of occupancy, the project applicant shall construct the traffic signals identified in TE20. Construction shall be completed per the approved plans and coordinated with the street improvements.

TE25. (CO) Prior to issuance of a certificate of occupancy, the project applicant shall construct the intersection/roadway improvements identified in TE15, TE16, TE17, and TE18 per the approved plans.

TE26. (CO) Prior to the issuance of a certificate of occupancy for the project, driveway access at the following locations will be installed as follows:

- **Westernmost Iris Avenue driveway: Right-in, right-out access restricted by means of a raised median.**
- **Center and Easternmost Iris Avenue driveways: Full access, restricted to right-in, right-out access in the future when a raised median is warranted.**
- **Heacock Street driveways: Full Access. See TE14 regarding the Southernmost driveway.**
- **Krameria Avenue Driveways: Full access.**
- **"A" Street Driveways: Full Access.**

NOTE: All truck driveways shall have curb return radii of 50 feet.

PRIOR TO ACCEPTANCE OF STREETS INTO THE CITY-MAINTAINED ROAD SYSTEM

TE27. Prior to the acceptance of streets into the City-maintained road system, all approved traffic control and signing and striping shall be installed per current City Standards and the approved plans.

FIRE PREVENTION BUREAU

1. **Please complete and return attached fire flow letter to the Fire Prevention Bureau.**
2. **The following Standard Conditions shall apply.**

With respect to the conditions of approval, the following fire protection measures shall be provided in accordance with Moreno Valley City Ordinances and/or recognized fire protection standards:

F1. Final fire and life safety conditions will be addressed when the Fire Prevention Bureau reviews building plans. These conditions will be based on occupancy, use, California Building Code (CBC), California Fire Code (CFC), and related codes, which are in force at the time of building plan submittal.

F2. The Fire Prevention Bureau is required to set a minimum fire flow for the remodel or construction of all commercial buildings per CFC Appendix B and Table B105.1. The applicant/developer shall provide documentation to show there exists a water system capable of delivering 4000 GPM for 4 hour(s) duration at 20-PSI residual operating pressure. The required fire flow may be adjusted during the approval process to reflect changes in design, construction type, or automatic fire protection measures as approved by the Fire Prevention Bureau. Specific requirements for the project will be determined at time of submittal. (CFC 508.3, Appendix B and MVMC 8.36.100 Section D) . **The 50% reduction in fire flow was granted for the use of fire sprinklers throughout the facility. The reduction shall only apply to fire flow, hydrant spacing shall be per the fire flow requirements listed in CFC Appendix B and C.**

F3. Industrial, Commercial, Multi-family, Apartment, Condominium, Townhouse or Mobile Home Parks. A combination of on-site and off-site super fire hydrants (6" x 4" x 2 ½") and super enhanced fire hydrants (6" x 4" x 4" x 2 ½") shall not be closer than 40 feet and more than 150 feet from any portion of the building as measured along approved emergency vehicular travel ways. The required fire flow shall be available from any adjacent fire hydrant(s) in the system. Where new water mains are extended along streets where hydrants are not needed for protection of structures or similar fire problems, super or enhanced fire hydrants as determined by the fire code official shall be provided at spacing not to exceed 500 feet of frontage for transportation hazards. (CFC 508.5.7 & MVMC 8.36.050 Section O and 8.36.100 Section E)

F4. Maximum cul-de-sac or dead end road length shall not exceed 660 feet. The Fire Chief, based on City street standards, shall determine minimum turning radius for fire apparatus based upon fire apparatus manufacture specifications. (CFC 503.1)

F5. During phased construction, dead end roadways and streets which have not been completed shall have a turn-around capable of accommodating fire apparatus. (CFC 503.1 and 503.2.5)

F6. Prior to issuance of Building Permits, the applicant/developer shall provide the Fire Prevention Bureau with an approved site plan for Fire Lanes and signage. (MVMC 8.36.050 and CFC 501.3)

F7. Prior to construction and issuance of building permits, all locations where structures are to be built shall have an approved Fire Department emergency vehicular access road (all weather surface) capable of sustaining an imposed load of 80,000 lbs. GVW, based on street standards approved by the Public Works Director and the Fire Prevention Bureau. (CFC 501.4 and MVMC 8.36.050 Section A)

F8. Prior to construction and issuance of Building Permits, fire lanes and fire apparatus access roads shall have an unobstructed width of not less the twenty–four (24) or thirty (30) feet as approved by the Fire Prevention Bureau and an unobstructed vertical clearance of not less the thirteen (13) feet six (6) inches. (CFC 503.2.1.1 and MVMC 8.36.050)

F9. Prior to construction, all roads, driveways and private roads shall not exceed 12 percent grade. (CFC 503.2.7 and MVMC 8.36.050)

F10. If construction is phased, each phase shall provide an approved emergency vehicular access way for fire protection prior to any building construction. (CFC 501.4 and MVMC 8.36.050 Section A)

F11. Prior to construction, all locations where structures are to be built shall have an approved Fire Department access based on street standards approved by the Public Works Director and the Fire Prevention Bureau. (CFC 501.3 and MVMC 8.36.050)

F12. Prior to building construction, dead end roadways and streets which have not been completed shall have a turnaround capable of accommodating fire apparatus. (CFC 503.2.5 and MVMC 8.36.050)

F13. Prior to issuance of Building Permits, the applicant/developer shall participate in the Fire Impact Mitigation Program. (Fee Resolution as adopted by City Council)

F14. Prior to issuance of Building Permits, the applicant/developer shall furnish one copy of the water system plans to the Fire Prevention Bureau for review. Plans shall:

a) Be signed by a registered civil engineer or a certified fire protection engineer;
b) Contain a Fire Prevention Bureau approval signature block; and
c) Conform to hydrant type, location, spacing of new and existing hydrants and minimum fire flow required as determined by the Fire Prevention Bureau.

After the local water company signs the plans, the originals shall be presented to the Fire Prevention Bureau for signatures. The required water system, including fire hydrants, shall be installed, made serviceable, and be accepted by the Moreno Valley Fire Department prior to beginning construction. They shall be maintained accessible.

Existing fire hydrants on public streets are allowed to be considered available. Existing fire hydrants on adjacent properties shall not be considered available unless fire apparatus access roads extend between properties and easements are established to prevent obstruction of such roads. (CFC 508.1 and MVMC 8.36.100)

F15. Prior to issuance of Certificate of Occupancy or Building Final, all commercial buildings shall display street numbers in a prominent location on the street side and rear access locations. The numerals shall be a minimum of twelve (12) inches in height for buildings and six (6) inches in height for suite identification on a contrasting background. Unobstructed lighting of the address(s) shall be by means approved by the Fire Prevention Bureau and Police Department. In multiple suite centers (strip malls), businesses shall post the name of the business on the rear door(s). (CFC 505.1)

F16. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall install a fire sprinkler system based on square footage and type of construction, occupancy or use. Fire sprinkler plans shall be submitted to the Fire Prevention Bureau for approval prior to installation. (CFC Chapter 9)

F17. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall install a fire alarm system monitored by an approved Underwriters Laboratory listed central station based on a requirement for monitoring the sprinkler system, occupancy or use. Fire alarm panel shall be accessible from exterior of building in an approved location. Plans shall be submitted to the Fire Prevention Bureau for approval prior to installation. (CFC Chapter 9 and MVMC 8.36.070)

F18. Prior to issuance of a Certificate of Occupancy or Building Final, a "Knox Box Rapid Entry System" shall be provided. The Knox-Box shall be installed in an accessible location approved by the Fire Chief. The Knox-Box shall be supervised by the alarm system and all exterior security emergency access gates shall be electronically operated and be provided with Knox key switches for access by emergency personnel. (CFC 506.1)

F19. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer shall be responsible for obtaining underground and/or above ground tank permits for the storage of combustible liquids, flammable liquids, or any other hazardous materials from both the County of Riverside Community Health Agency Department of Environmental Health and the Fire Prevention Bureau. (CFC 3401.4 and 2701.5)

F20. Prior to issuance of Certificate of Occupancy, approval shall be required from the County of Riverside Community Health Agency (Department of Environmental Health) and Moreno Valley Fire Prevention Bureau to maintain, store, use, handle materials, or conduct processes which produce conditions hazardous to life or property, and to install equipment used in connection with such activities. (CFC 2701.5)

F21. Prior to issuance of Certificate of Occupancy or Building Final, the applicant/developer must submit a simple plot plan, a simple floor plan, and other plans as requested, each as an electronic file in .dwg format, to the Fire Prevention Bureau. Alternate file formats may be acceptable with approval by the Fire Chief.

F22. The angle of approach and departure for any means of Fire Department access shall not exceed 1 ft drop in 20 ft (0.3 m drop in 6 m), and the design limitations of the fire apparatus of the Fire Department shall be subject to approval by the AHJ. (CFC 503.2.7 and MVMC 8.36.050 Section I)

F23. Prior to issuance of the building permit for development, independent paved access to the nearest paved road, maintained by the City shall be designed and constructed by the developer within the public right of way in accordance with City Standards. (MVMC 8.36.050)

F24. Prior to construction, "private" driveways over 150 feet in length shall have a turn-around as determined by the Fire Prevention Bureau capable of accommodating fire apparatus. Driveway grades shall not exceed 12 percent. (CFC 503 and MVMC 8.36.050)

F25. Complete plans and specifications for fire alarm systems, fire-extinguishing systems (including automatic sprinklers or standpipe systems), clean agent systems (or other special types of automatic fire-extinguishing systems), as well as other fire-

protection systems and appurtenances thereto shall be submitted to the Moreno Valley Fire Prevention Bureau for review and approval prior to system installation. Submittals shall be in accordance with CFC Chapter 9 and associated accepted national standards.

F26. A permit is required to maintain, store, use or handle materials, or to conduct processes which produce conditions hazardous to life or property, or to install equipment used in connection with such activities. Such permits shall not be construed as authority to violate, cancel or set aside any of the provisions of this code. Such permit shall not take the place of any license required by law. Applications for permits shall be made to the Fire Prevention Bureau in such form and detail as prescribed by the Bureau. Applications for permits shall be accompanied by such plans as required by the Bureau. Permits shall be kept on the premises designated therein at all times and shall be posted in a conspicuous location on the premises or shall be kept on the premises in a location designated by the Fire Chief. Permits shall be subject to inspection at all times by an officer of the fire department or other persons authorized by the Fire Chief in accordance with Appendix Chapter 1 and MVMC 8.36.100.

F27. Approval of the safety precautions required for buildings being constructed, altered or demolished shall be required by the Fire Chief in addition to other approvals required for specific operations or processes associated with such construction, alteration or demolition. (CFC Chapter 14)

F28. Prior to issuance of Certificate of Occupancy, permits are required to store, dispense, use or handle hazardous material. Each application for a permit shall include a hazardous materials management plan (HMMP). The location of the HMMP shall be posted adjacent to (other) permits when an HMMP is provided. The HMMP shall include a facility site plan designating the following:

a) Storage and use areas;
b) Maximum amount of each material stored or used in each area;
c) Range of container sizes;
d) Locations of emergency isolation and mitigation valves and devises;
e) Product conveying piping containing liquids or gases, other than utility-owned fuel gas lines and low-pressure fuel gas lines;
f) On and off positions of valves for valves which are of the self-indicating type;
g) Storage plan showing the intended storage arrangement, including the location and dimensions of aisles. The plans shall be legible and approximately to scale. Separate distribution systems are allowed to be shown on separate pages; and
h) Site plan showing all adjacent/neighboring structures and use.

NOTE: Each application for a permit shall include a hazardous materials inventory statement (HMIS).

F29. Before a Hazardous Materials permit is issued, the Fire Chief shall inspect and approve the receptacles, vehicles, buildings, devices, premises, storage spaces or areas to be used. In instances where laws or regulations are enforceable by departments other than the Fire Prevention Bureau, joint approval shall be obtained from all departments concerned. (CFC Appendix H)

F30. Construction or work for which the Fire Prevention Bureau's approval is required shall be subject to inspection by the Fire Chief and such construction or work shall remain accessible and exposed for inspection purposes until approved. (CFC Section 106)

F31. The Fire Prevention Bureau shall maintain the authority to inspect, as often as necessary, buildings and premises, including such other hazards or appliances designated by the Fire Chief for the purpose of ascertaining and causing to be corrected any conditions which would reasonably tend to cause fire or contribute to its spread, or any violation of the purpose or provisions of this code and of any other law or standard affecting fire safety. (CFC Section 106)

F32. Permit requirements issued, which designate specific occupancy requirements for a particular dwelling, occupancy, or use, shall remain in effect until such time as amended by the Fire Chief. (CFC Section 104)

F33. In accordance with the California Fire Code Appendix Chapter 1, where no applicable standards or requirements are set forth in this code, or contained within other laws, codes, regulations, ordinances or bylaws adopted by the jurisdiction, compliance with applicable standards of the National Fire Protection Association or other nationally recognized fire safety standards as are approved shall be deemed as prima facie evidence of compliance with the intent of this code as approved by the Fire Chief. (CFC Section 102.7)

F34. Any alterations, demolitions, or change in design, occupancy and use of buildings or site will require plan submittal to the Fire Prevention Bureau with review and approval prior to installation. (CFC Appendix Chapter 1)

F35. Emergency and Fire Protection Plans shall be provided when required by the Fire Prevention Bureau. (CFC Section 105)

F36. Prior to Certificate of Occupancy all locations where medians are constructed and prohibit vehicular ingress/egress into or away from the site, provisions must be made to construct a median-crossover at all locations determined by the Fire Marshal and the City Engineer. Prior to the construction, design plans will be submitted for review and approval by the City Engineer and all applicable inspections conducted by Land Development Division.

F37. Prior to construction, all traffic calming designs/devices must be approved by the Fire Marshal and City Engineer.

FIRE FLOW LETTER

Date:		**Address:**	
Case Number:	PA07-0151, 0152, 0153, 0154, 0155, 0156	**A.P.N.:**	316-020-001, 006, 007, 028, 010

This is certification the water system is capable of meeting the following required fire flows
as determined by the Uniform Fire Code Appendix III-A.

Based on the information provided on the above referenced case. The fire flow required for this project will be 4000 G.P.M. for duration of 4 -HOURS measured at 20-psi residual pressure.

The required fire flow may be adjusted during the approval process to reflect changes in design, construction type or automatic fire protection measures as approved by the Fire Prevention Bureau.

Applicant/ Developer: _____

By: _____ **Date:** _____

Title: _____

WATER AGENCY APPROVAL

Name of Agency: _____

Address: _____

Telephone: _____ **Date:** _____

By: _____ **Title:** _____

NOTE: THE COMPLETION AND SUBMITTAL OF THIS LETTER TO THE FIRE PREVENTION BUREAU SHALL NOT BE CONSTRUED AS APPROVAL FOR THE INSTALLATION OF THE REQUIRED FIRE HYDRANT (S) AND/OR WATER SYSTEM.

CITY OF MORENO VALLEY
PUBLIC WORKS DEPARTMENT - LAND DEVELOPMENT DIVISION
CONDITIONS OF APPROVAL
Four Building Industrial Park Complex
APNs 316-020-001, -006, -007, -028, -010
PA07-0151 Tentative Parcel Map 35879
PA07-0152 Master Plot Plan
PA07-0153 Plot Plan
PA07-0154 Plot Plan
PA07-0155 Plot Plan
PA07-0156 Plot Plan

Note: All Special Conditions are in **Bold** lettering and follow the standard conditions.

PUBLIC WORKS DEPARTMENT – LAND DEVELOPMENT DIVISION

The following are the Public Works Department – Land Development Division Conditions of Approval for this project and shall be completed at no cost to any government agency. All questions regarding the intent of the following conditions shall be referred to the Public Works Department – Land Development Division.

General Conditions

LD1. (G) The developer shall comply with all applicable City ordinances and resolutions including the City's Municipal Code (MC) and if subdividing land, the Government Code (GC) of the State of California, specifically Sections 66410 through 66499.58, said sections also referred to as the Subdivision Map Act (SMA). (MC 9.14.010)

LD2. (G) If the project involves the subdivision of land, maps may be developed in phases with the approval of the City Engineer. Financial security shall be provided for all improvements associated with each phase of the map. The boundaries of any multiple map increment shall be subject to the approval of the City Engineer. The City Engineer may require the dedication and construction of necessary utilities, streets or other improvements outside the area of any particular map, if the improvements are needed for circulation, parking, access, or for the welfare or safety of the public. (MC 9.14.080, GC 66412 and 66462.5) If the project does not involve the subdivision of land and it is necessary to dedicate right-of-way/easements, the developer shall make the appropriate offer of dedication by separate instrument. The City Engineer may require the construction of necessary

utilities, streets or other improvements beyond the project boundary, if the improvements are needed for circulation, parking, access, or for the welfare or safety of the public.

LD3. (G) It is understood that the tentative map correctly shows all existing easements, traveled ways, and drainage courses, and that their omission may require the map or plans associated with this application to be resubmitted for further consideration. (MC 9.14.040)

LD4. (G) In the event right-of-way or offsite easements are required to construct offsite improvements necessary for the orderly development of the surrounding area to meet the public health and safety needs, the developer shall make a good faith effort to acquire the needed right-of-way in accordance with the Land Development Division's administrative policy. In the event that the developer is unsuccessful, he shall enter into an agreement with the City to acquire the necessary right-of-way or offsite easements and complete the improvements at such time the City acquires the right-of-way or offsite easements which will permit the improvements to be made. The developer shall be responsible for all costs associated with the right-of-way or easement acquisition. (GC 66462.5)

LD5. (G) If improvements associated with this project are not initiated within two years of the date of approval of the Public Improvement Agreement, the City Engineer may require that the improvement cost estimate associated with the project be modified to reflect current City construction costs in effect at the time of request for an extension of time for the Public Improvement Agreement or issuance of a permit.

LD6. (G) The developer shall monitor, supervise and control all construction and construction supportive activities, so as to prevent these activities from causing a public nuisance, including but not limited to, insuring strict adherence to the following:

(a) Removal of dirt, debris, or other construction material deposited on any public street no later than the end of each working day.

(b) Observance of working hours as stipulated on permits issued by the Public Works Department.

(c) The construction site shall accommodate the parking of all motor vehicles used by persons working at or providing deliveries to the site.

(d) All dust control measures per South Coast Air Quality Management District (SCAQMD) requirements shall be adhered to during the grading operations.

Violation of any condition or restriction or prohibition set forth in these conditions shall subject the owner, applicant, developer or contractor(s) to remedies as noted in the City Municipal Code 8.14.090. In addition, the City Engineer or Building Official may suspend all construction related activities for violation of any condition, restriction or prohibition set forth in these conditions until such time as it has been determined that all operations and activities are in conformance with these conditions.

LD7. (G) The developer shall protect downstream properties from damage caused by alteration of drainage patterns, i.e., concentration or diversion of flow. Protection shall be provided by constructing adequate drainage facilities, including, but not limited to, modifying existing facilities or by securing a drainage easement. (MC 9.14.110)

LD8. (G) Public drainage easements, when required, shall be a minimum of 25 feet wide and shall be shown on the map and plan, and noted as follows: "Drainage Easement – no structures, obstructions, or encroachments by land fills are allowed." In addition, the grade within the easement area shall not exceed a 3:1 (H:V) slope, unless approved by the City Engineer.

LD9. (G) A detailed drainage study shall be submitted to the City Engineer for review and approval at the time of any improvement or grading plan submittal. The study shall be prepared by a registered civil engineer and shall include existing and proposed hydrologic conditions. Hydraulic calculations are required for all drainage control devices and storm drain lines. (MC 9.14.110)

LD10. (G) Prior to final map approval, commencing applicable street improvements, or obtaining the first building permit, the developer shall enter into a Development Impact Fee (DIF) Improvement Credit Agreement to secure credit and reimbursement for the construction of applicable arterial street, traffic signal, and/or interchange improvements. If the developer fails to complete this agreement prior to the timing as specified above, no credits or reimbursements will be given. The applicant shall pay Arterial Streets, Traffic Signals, and Interchange Improvements development impact fees adopted by the City Council by resolution. (Ord. 695 § 1.1 (part), 2005) (MC 3.38.030, .040, .050)

LD11. (G) Prior to final map approval, commencing applicable street improvements, or obtaining the first building permit, the developer shall enter into a Transportation Uniform Mitigation Fee (TUMF) Improvement Credit Agreement to secure credit and reimbursement for the construction of applicable improvements. If the developer fails to complete this agreement by the timing as specified above, no credits or reimbursements will be given for any work. Prior to approval of the TUMF Improvement Credit Agreement, an approved engineer's cost estimate and street improvement plan are required.

LD12. (G) The final conditions of approval issued by the Planning Division subsequent to Planning Commission approval shall be photographically or electronically placed on mylar sheets and included in the Grading and Street Improvement plan sets on twenty-four (24) inch by thirty-six (36) inch mylar and submitted with the plans for plan check. These conditions of approval shall become part of these plan sets and the approved plans shall be available in the field during grading and construction.

LD13. (G) Upon approval of the tentative tract map or plot plan by the Planning Commission, the Developer shall submit the approved tentative tract map or plot plan on compact disk in (.dxf) digital format to the Land Development Division of the Public Works Department.

Prior to Grading Plan Approval or Grading Permit

LD14. (GPA) Prior to approval of the grading plans, plans shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer and other registered/licensed professional as required.

LD15. (GPA) Prior to approval of grading plans, the developer shall ensure compliance with the City Grading ordinance, these Conditions of Approval and the following criteria:

a. The project street and lot grading shall be designed in a manner that perpetuates the existing natural drainage patterns with respect to tributary drainage area and outlet points. Unless otherwise approved by the City Engineer, lot lines shall be located at the top of slopes.

b. Any grading that creates cut or fill slopes adjacent to the street shall provide erosion control, sight distance control, and slope easements as approved by the City Engineer.

c. A grading permit shall be obtained from the Public Works Department – Land Development Division prior to commencement of any grading outside of the City maintained road right-of-way.

d. All improvement plans are substantially complete and appropriate clearance and at-risk letters are provided to the City. (MC 9.14.030)

e. The developer shall submit a soils and geologic report to the Public Works Department – Land Development Division. The report shall address the soil's stability and geological conditions of the site.

LD16. (GPA) Prior to grading plan approval, the developer shall select and implement treatment control best management practices (BMPs) that are medium to highly effective for treating Pollutants of Concern (POC) for the project. Projects where National Pollution Discharge Elimination System (NPDES) mandates water quality treatment control best management practices (BMPs) shall be designed per the City of Moreno Valley guidelines or as approved by the City Engineer.

LD17. (GPA) Prior to approval of the grading plans for project sites which are one acre or larger, the developer shall obtain the WQMP number from the City's Land Development Division, if a WQMP is required, and as a condition of the State Water Quality Control Board, a Notice of Intent (NOI) for an NPDES permit must be filed and a Waste Discharge Identification (W.D.I.D.) permit number obtained from the State Water Quality Control Board. (Clean Water Act)

LD18. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall submit two (2) copies of the final project-specific Water Quality Management Plan (WQMP) for review by the City Engineer that :

a. Addresses Site Design Best Management Practices (BMPs) such as minimizing impervious areas, maximizing permeability, minimizes directly connected impervious areas to the City's street and storm drain systems, and conserves natural areas;
b. Incorporates Source Control BMPs and provides a detailed description of their implementation;
c. Incorporates Treatment Control BMPs and provides information regarding design considerations;
d. Describes the long-term operation and maintenance requirements for BMPs requiring maintenance; and
e. Describes the mechanism for funding the long-term operation and maintenance of the BMPs.

A copy of the final WQMP template can be obtained on the City's Website or by contacting the Land Development Division of the Public Works Department – at 951.413.3110

LD19. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall record a "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant," to provide public notice of the requirement to implement the approved final project-specific WQMP and the maintenance requirements associated with the WQMP.

A boilerplate copy of the "Stormwater Treatment Device and Control Measure Access and Maintenance Covenant," can be obtained by contacting the Land Development Division of the Public Works Department - at 951.413.3110

LD20. (GPA) Prior to the grading plan approval, or issuance of a building permit, if a grading permit is not required, the Developer shall secure approval of the final project-specific WQMP from the City Engineer.

LD21. (GPA) Prior to the grading plan approval, or issuance of a building permit as determined by the City Engineer, the approved final project-specific WQMP shall be incorporated by reference or attached to the project's Storm Water Pollution Prevention Plan as the Post-Construction Management Plan.

LD22. (GPA) Prior to grading plan approval, the developer shall prepare a Storm Water Pollution Prevention Plan (SWPPP) in conformance with the state's Construction Activities Storm Water General Permit. A copy of the current SWPPP shall be kept at the project site and be available for review upon request. The SWPPP shall be submitted to the Storm Water Program Manager on compact disk(s) in Microsoft Word format.

LD23. (GPA) Prior to the approval of the grading plans, the developer shall pay applicable remaining grading plan check fee.

LD24. (GPA/MA) Prior to the later of either grading plan or final map approval, resolution of all drainage issues shall be as approved by the City Engineer.

LD25. (GP) Prior to issuance of a grading permit, if the fee has not already been paid prior to map approval or prior to issuance of a building permit if a grading permit is not required, the developer shall pay Area Drainage Plan (ADP) fees. The developer shall provide a receipt to the City showing that ADP fees have been paid to Riverside County Flood Control and Water Conservation District. (MC 9.14.100)

LD26. (GP) Prior to issuance of a grading permit, security, in the form of a cash deposit (preferable), letter of credit, or performance bond shall be required to be submitted as a guarantee of the completion of the grading required as a condition of approval of the project.

LD27. (GP) Prior to issuance of a grading permit, the developer shall pay the applicable grading inspection fees.

Prior to Map Approval or Recordation

LD28. (MA) Prior to approval of the map, all street dedications shall be irrevocably offered to the public and shall continue in force until the City accepts or abandons such offers, unless otherwise approved by the City Engineer. All dedications shall be free of all encumbrances as approved by the City Engineer.

LD29. (MA) Prior to approval of the map, security shall be required to be submitted as a guarantee of the completion of the improvements required as a condition of approval of the project. A public improvement agreement will be required to be executed.

LD30. (MR) Prior to recordation of the map, if the developer chooses to construct the project in construction phases, a Construction Phasing Plan for the construction of on-site public and private improvements shall be reviewed and approved by the City Engineer.

LD31. (MR) Prior to recordation of the final map, this project is subject to requirements under the current permit for storm water activities required as part of the National Pollutant Discharge Elimination System **(NPDES)** as mandated by the Federal Clean Water Act. In compliance with Proposition 218, the developer shall agree to approve the City of Moreno Valley NPDES Regulatory Rate Schedule that is in place at the time of recordation. Following are the requirements:

a. Select one of the following options to meet the financial responsibility to provide storm water utilities services for the required operation and maintenance monitoring and system evaluations in accordance with Resolution No. 2002-46.
    i. Participate in the mail ballot proceeding in compliance with Proposition 218, for the Common Interest, Commercial, Industrial and Quasi-Public Use NPDES Regulatory Rate Schedule and pay all associated costs with the ballot process; or
    ii. Establish an endowment to cover future City costs as specified in the Common Interest, Commercial, Industrial and Quasi-Public Use NPDES Regulatory Rate Schedule.
b. Notify the Special Districts Division of the intent to record the final map 70 days prior to City Council action authorizing recordation of the final map and the financial option selected. (California Government Code & Municipal Code)

LD32. (MR) Prior to recordation of the Final Map, the Rough Grading Plan (s) and Landscape and Irrigation Plan (s) prepared for the "Water Quality Ponds/Bio-Swales" shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer or other registered/licensed professional as

required. The developer, or the developer's successors or assignees shall secure the initials of the Engineering Division Manager or his designee on the mylars prior to the plans being approved by the City Engineer. (MC 9.14.100.C.2)

LD33. (MR) Prior to recordation of the map, the developer shall submit the map, on compact disks, in (.dxf) digital format to the Land Development Division of the Public works Department.

Prior to Improvement Plan Approval or Construction Permit

LD34. (IPA) Prior to approval of the improvement plans, the improvement plans shall be drawn on twenty-four (24) inch by thirty-six (36) inch mylar and signed by a registered civil engineer and other registered/licensed professional as required.

LD35. (IPA) Prior to approval of the improvement plans, the developer shall submit clearances from all applicable agencies, and pay all outstanding plan check fees. (MC 9.14.210)

LD36. (IPA) All public improvement plans prepared and signed by a registered civil engineer in accordance with City standards, policies and requirements shall be approved by the City Engineer in order for the Public Improvement Agreement and accompanying security to be executed.

LD37. (IPA) Prior to approval of the improvement plans, securities and a public improvement agreement shall be required to be submitted and executed as a guarantee of the completion of the improvements required as a condition of approval of the project.

LD38. (IPA) The street improvement plans shall comply with all applicable City standards and the following design standards throughout this project:

a. Corner cutbacks in conformance with City Standard 208 shall be shown on the final map or, if no map is to be recorded, offered for dedication by separate instrument.

b. Lot access to major thoroughfares shall be restricted except at intersections and approved entrances and shall be so noted on the final map. (MC 9.14.100)

c. The minimum centerline and flow line grades shall be one percent unless otherwise approved by the City Engineer. (MC 9.14.020)

d. All street intersections shall be at ninety (90) degrees plus or minus five (5) degrees or as approved by the City Engineer. (MC 9.14.020)

e. All reverse curves shall include a minimum tangent of one hundred (100) feet in length.

LD39. (IPA) Prior to approval of the improvement plans, the plans shall be based upon a centerline profile, extending beyond the project boundaries a minimum distance of 300 feet at a grade and alignment approved by the City Engineer. Design plan and profile information shall include the minimum 300 feet beyond the project boundaries.

LD40. (IPA) Prior to approval of the improvement plans, the developer is required to bring any existing access ramps adjacent to and fronting the project to current ADA (Americans with Disabilities Act)requirements. However, when work is required in an intersection that involves or impacts existing access ramps, those access ramps in that intersection shall be retrofitted to comply with current ADA requirements, unless approved otherwise by the City Engineer.

LD41. (IPA) Prior to approval of the improvement plans, drainage facilities with sump conditions shall be designed to convey the tributary 100-year storm flows. Secondary emergency escape shall also be provided. (MC 9.14.110)

LD42. (IPA) Prior to the approval of the improvement plans, the hydrology study shall show that the 10-year storm flow will be contained within the curb and the 100-year storm flow shall be contained within the street right-of-way. In addition, one lane in each direction shall not be used to carry surface flows during any storm event for street sections equal to or larger than a minor arterial. When any of these criteria is exceeded, additional drainage facilities shall be installed. (MC 9.14.110 A.2)

LD43. (IPA) The project shall be designed to accept and properly convey all off-site drainage flowing onto or through the site. All storm drain design and improvements shall be subject to review and approval of the City Engineer. In the event that the City Engineer permits the use of streets for drainage purposes, the provisions of the Development Code will apply. Should the quantities exceed the street capacity or the use of streets be prohibited for drainage purposes, the developer shall provide adequate facilities as approved by the Public Works Department – Land Development Division. (MC 9.14.110)

LD44. (CP) All work performed within the City right-of-way requires a construction permit. As determined by the City Engineer, security may be required for work within the right-of-way. Security shall be in the form of a cash deposit or other approved

means. The City Engineer may require the execution of a public improvement agreement as a condition of the issuance of the construction permit. All inspection fees shall be paid prior to issuance of construction permit. (MC 9.14.100)

LD45. (CP) Prior to issuance of a construction permit, all public improvement plans prepared and signed by a registered civil engineer in accordance with City standards, policies and requirements shall be approved by the City Engineer.

LD46. (CP) Prior to issuance of construction permits, the developer shall submit all improvement plans on compact disks, in (.dxf) digital format to the Land Development Division of the Public Works Department.

LD47. (CP) Prior to issuance of construction permits, the developer shall pay all applicable inspection fees.

Prior to Building Permit

LD48. (BP) Prior to issuance of a building permit (excluding model homes), an approval by the City Engineer is required of the water quality control basin(s). The developer shall provide certification to the line, grade, flow test and system invert elevations.

LD49. (BP) Prior to issuance of a building permit, all pads shall meet pad elevations per approved plans as noted by the setting of "Blue-top" markers installed by a registered land surveyor or licensed engineer.

LD50. (BP) Prior to issuance of a building permit, the developer shall submit for review and approval, a Waste Management Plan (WMP) that shows data of waste tonnage, supported by original or certified photocopies of receipts and weight tags or other records of measurement from recycling companies and/or landfill and disposal companies. The Waste Management Plan shall contain the following:

a. The estimated volume or weight of project waste to be generated by material type. Project waste or debris may consist of vegetative materials including trees, tree parts, shrubs, stumps, logs, brush, or any other type of plants that are cleared from a site. Project waste may also include roadwork removal, rocks, soils, concrete and other material that normally results from land clearing.
b. The maximum volume or weight of such materials that can be feasibly diverted via reuse and recycling
c. The vendor(s) that the applicant proposes to use to haul the materials
d. Facility(s) the materials will be hauled to, and their expected diversion rates
e. Estimated volume or weight of clearing, grubbing, and grading debris that will be landfilled

Approval of the WMP requires that at least fifty (50) percent of all clearing, grubbing, and grading debris generated by the project shall be diverted, unless the developer is granted an exemption. Exemptions for diversions of less than fifty (50) percent will be reviewed on a case by case basis. (AB939, MC 8.80)

LD51. (BP) The City of Moreno Valley has an adopted Development Impact Fee (DIF) nexus study. All projects unless otherwise exempted shall be subject to the payment of the DIF prior to issuance of building permits. The fees are subject to the provisions of the enabling ordinance and the fee schedule in effect at the time of building permit issuance.

LD52. (BP) The City of Moreno Valley has an adopted area wide Transportation Uniform Mitigation Fee (TUMF). All projects unless otherwise exempted shall be subject to the payment of the TUMF prior to issuance of building permits. The fees are subject to the provisions of the enabling ordinance and the fee schedule in effect at the time of building permit issuance.

Prior to Certificate of Occupancy

LD53. (CO) Prior to issuance of the last certificate of occupancy or building final, the developer shall pay all outstanding fees.

LD54. (CO) Prior to issuance of a certificate of occupancy or building final, the developer shall construct all public improvements in conformance with applicable City standards, except as noted in the Special Conditions, including but not limited to the following applicable improvements:

a. Street improvements including, but not limited to: pavement, base, curb and/or gutter, cross gutters, spandrel, sidewalks, drive approaches, pedestrian ramps, street lights, signing, striping, under sidewalk drains, landscaping and irrigation, medians, redwood header boards, pavement tapers/transitions and traffic control devices as appropriate.

b. Storm drain facilities including, but not limited to: storm drain pipe, storm drain laterals, open channels, catch basins and local depressions.

c. City-owned utilities.

d. Sewer and water systems including, but not limited to: sanitary sewer, potable water and recycled water.

e. Under grounding of existing and proposed utility lines less than 115,000 volts.

f. Relocation of overhead electrical utility lines including, but not limited to: electrical, cable and telephone.

LD55. (CO) Prior to issuance of a certificate of occupancy or building final, all existing and new utilities adjacent to and on-site shall be placed underground in accordance with City of Moreno Valley ordinances. (MC 9.14.130)

LD56. (CO) Prior to issuance of a certificate of occupancy or building final, in order to treat for water quality the sub-area tributary to the basin, the Developer must comply with the following:

a. The water quality basin and all associated treatment control BMPs and all hardware per the approved civil drawing must be constructed, certified and approved by the City Engineer including, but not limited to, piping, forebay, aftbay, trash rack, etc.) Landscape and irrigation plans are not approved for installation at this time.
b. Provide the City with an Engineer's Line and Grade Certification.
c. Perform and pass a flow test per City test procedures.

LD57. (CO) Prior to issuance of a certificate of occupancy or building final for the last 20% of the permitted structures or the last five (5) permitted units (whichever is greater) for any Phase of the development , the Developer shall:

a. Notify City Staff (Land Development Division) prior to construction and installation of all structural BMPs so that an inspection(s) can be performed.
b. Demonstrate that all structural BMPs described in the approved final project-specific WQMP have been constructed and installed in conformance with the approved plans and specifications;
c. Demonstrate that Developer is prepared to implement all non-structural BMPs described in the approved final project-specific WQMP; and
d. Demonstrate that an adequate number of copies of the approved final project-specific WQMP are available for future owners/occupants.
e. Clean and repair the water quality basin, including regrading to approved civil drawing if necessary.
f. Provide City with updated Engineer's Line and Grade Certification.
g. Obtain approval from City to install irrigation and landscaping.
h. Complete installation of irrigation and landscaping.

LD58. (CO) Prior to issuance of a certificate of occupancy or building final for any Commercial/Industrial facility, whichever occurs first, the owner may have to secure coverage under the State's General Industrial Activities Storm Water Permit as issued by the State Water Resources Control Board.

Prior to Acceptance of Streets into the City Maintained Road System

LD59. (AOS) Aggregate slurry, as defined in Section 203-5 of Standard Specifications for Public Works Construction, may be required just prior to acceptance of the entire tract street(s) into the City maintained road system at the discretion of the City Engineer. If slurry is required, the developer/contractor must provide a slurry mix design submittal for City Engineer approval. The latex additive shall be Ultra Pave 70 (for anionic – per project geotechnical report) or Ultra Pave 65 K (for cationic – per project geotechnical report) or an approved equal. The latex shall be added at the emulsion plant after weighing the asphalt and before the addition of mixing water. The latex shall be added at a rate of two to two-and-one-half (2 to 2½) parts to one-hundred (100) parts of emulsion by volume. Any existing striping shall be removed prior to slurry application and replaced per City standards.

SPECIAL CONDITIONS

LD60. (GPA) Prior to rough grading plan approval, this project shall demonstrate, via a final drainage study, that either the downstream facilities are capable of handling this development's increased runoff or that the increased runoff resulting from the development of this site is mitigated. Unless the downstream facilities are adequate, during no storm event shall the flow leaving the site in the developed condition be larger than that of the pre-developed condition. The drainage study shall analyze the following events: 1, 3, 6 and 24-hour duration events for the 2, 5, 10 and 100-year storm events. The applicant understands that additional detention measures, beyond those shown on the tentative map and preliminary drainage study, may be required.

LD61. (GPA) Prior to precise grading plan approval, this project shall meet all FEMA (Federal Emergency Management Agency) and City requirements for building in a 100 year floodzone (Zone A and Zone AO). This project shall submit for review and approval to FEMA a CLOMR-F (conditional letter of map revision based on fill). All requirements, as set forth by FEMA shall be adhered to, particularly the completion and submittal of FEMA application form MT-1, as well as all City Ordinance 8.12.130 requirements. The CLOMR-F shall be approved by FEMA prior to precise grading plan. The LOMR-F shall be acquired by FEMA after construction. The developer shall contact FEMA for

CLOMR-F / LOMR-F requirements. As an alternative to the submittal of a CLOMR-F / LOMR-F, the developer may opt to floodproof the building per all City department requirements and City Ordinance 8.12.170 and as approved by FEMA. See FEMA Technical Bulletins TB 1-93, TB 3-93, and TB 7-93. Website: http://www.fema.gov/ Ph: 1-877-336-2627

LD62. (GPA) Prior to precise grading plan approval, the developer shall submit for review and approval a final soils report including site grading recommendations, especially pertaining to any import/fill relating to the CLOMR-F / LOMR-F requirement. See LD61.

LD63. (GPA) Prior to precise grading plan approval, the grading plans shall clearly demonstrate that drainage is properly collected and conveyed. The plans shall show all necessary on-site and off-site drainage improvements to properly collect and convey drainage entering, within and leaving the project. This may include, but not be limited to on-site and perimeter drainage improvements to properly convey drainage within and along the project site, and downstream off-site improvements. The developer will be required to obtain the necessary permission for offsite construction including easements, including an encroachment permit for the connection(s) to the Riverside County Flood Control and Water Conservation District (RCFC&WCD) channel.

LD64. (GPA) Prior to precise grading plan approval, emergency overflow areas shall be shown at all applicable drainage improvement locations in the event that the drainage improvement fails or exceeds full capacity. This may include, but not be limited to, an emergency spillway in the basins and an emergency overflow at any sump catch basin location. Alternatively, the engineer may submit for review and approval oversized catch basin inlets, or other acceptable design, as approved by the City Engineer.

LD65. (GPA) Prior to precise grading plan approval, the plans shall clearly demonstrate that all applicable recommendations from the geotechnical investigation prepared by NorCal Engineering on January 3, 2007 (NorCal Project Number 13461-06), and/or any subsequent report, have been adhered to including, but not limited to, grading operation procedures, structural section design, slab design, wall design, etc.

LD66. (GPA) Prior to precise grading plan approval, the grading plans shall show any proposed trash enclosure as dual bin trash enclosures, one bin for trash and one bin for recyclables. The trash enclosure shall be per City Standard Plan 627, modified to include a fully covered, solid roof.

LD67. (GPA) Prior to precise grading plan approval, the grading plans shall clearly show that the parking lot conforms to City standards. The parking lot shall be 5% maximum, 1% minimum for AC pavement, 0.50% for PCC, 2% maximum at or near any disabled parking stall and travel way. Ramps, curb openings and travel paths shall all conform to current ADA standards as outlined in Department of Justice's "ADA Standards for Accessible Design", Excerpt from 28 CFR Part 36. (www.usdoj.gov).

LD68. (GPA) Prior to precise grading plan or improvement plan approval, as applicable, the plans shall show all driveway approaches where truck movements are anticipated to be constructed per City Standard Plan 118C, Option 2, modified. The driveways shall have a minimum radius of 50 feet and transition from an 8" curb height to a 0" curb height at the conventional right-of-way 12' behind the curb line, or as approved by the City Engineer. There shall be 4' wide pedestrian sidewalk area at 2% maximum behind the conventional right-of-way. A 4-foot pedestrian right-of-way dedication shall be made on the final parcel map PM 35879. See LD71h.

LD69. (IPA) Prior to improvement plan approval, this developer shall acquire the required clearances and permits from all applicable agencies, particularly RCFC&WCD.

LD70. (IPA) Prior to improvement plan approval, additional catch basins may be required by the City Engineer along project perimeter streets where street grades are less than 1%. Spacing, sizing and location shall be determined per the final drainage study as approved by the City Engineer.

LD71. (MA) Prior to parcel map approval, the map shall show the following:

a. A 78' street right-of-way dedication, 39' north and south of proposed future Krameria Avenue centerline between "A" Street and Heacock Street, south of Parcel 1, to ensure a right-of-way distance of 78' for an Industrial Collector Street, City Standard 106.

b. A 39' street right-of-way dedication and half-width cul-de-sac right-of-way on the west side of "A" Street along this project's east frontage to ensure a centerline to west right-of-way distance of 39' for an Industrial Collector Street, City Standard 106.

c. The appropriate street right-of-way dedication for a cul-de-sac at the northern terminus of "A" Street per City Standard 123.

d. A 20' street right-of-way dedication on the south side of Iris Avenue along this project's north frontage to ensure a centerline to south right-of-way distance of 50' for an Arterial, City Standard 104A.

e. The appropriate street right-of-way dedication (varies) on the east side of Heacock Street along this project's west frontage to ensure a centerline to east right-of-way distance of 50' for an Arterial, City Standard 104A modified. See LD79.

f. The appropriate additional right-of-way required for a dedicated north-bound right turn lane on Heacock Street, as conditioned by the City's Transportation Department.

g. The appropriate additional right-of-way on the south side of Iris Avenue necessary for the proposed bus turnout, as required by the City's Transportation Department, per City Standard 121.

h. A 4' pedestrian right-of-way dedication behind any driveway approach per City Standard 118C.

i. Corner cutbacks per City Standard 208.

j. A 2' sidewalk easement behind the right-of-way for all perimeter streets where the sidewalk is to be curb-separated: The east side of Heacock Street, the South side of Iris Avenue, and the north and south side of Proposed Krameria Avenue.

k. The vacation of existing Krameria Avenue 44' of right-of-way along the south property line of Parcels 2 and 4.

l. The vacation of an unnamed cul-de-sac traversing proposed Parcels 2 and 3 as shown on the tentative parcel map.

LD72. (MA) Prior to parcel map approval, the Developer shall guarantee the construction of the following improvements by entering into a public improvement agreement and posting security. The improvements shall be completed prior to occupancy of the first building or as otherwise determined by the City Engineer.

a. **Heacock Street, Arterial, City Standard 104A modified (100' RW / 76' CC) shall be constructed to full-width along the entire project's west frontage. The appropriate right-of-way dedication on the east side of the street, along the project's west property line, shall be shown on the**

parcel map. Improvements shall consist of, but not be limited to, pavement, base, curb, gutter, sidewalk (modified to be curb-separated with the back of walk 2' behind the traditional right-of-way) (east side only), raised median, a guardrail on the west side of Heacock Street as required by the City's Transportation Department, a dedicated northbound right turn lane, driveway approaches, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, and dry and wet utilities. See LD79.

b. Iris Avenue, Arterial, City Standard 104A (100' RW / 76' CC) shall be constructed to half-width plus an additional 18' north of the construction/proposed centerline, along the entire project's north frontage. A 20' right-of-way dedication on the south side of the street, along the project's north property line, shall be shown on the parcel map. Improvements shall consist of, but not be limited to, pavement, base, curb, gutter, sidewalk (modified to be curb-separated with the back of walk 2' behind the traditional right-of-way), bus turnout (City Standard 121) as conditioned by the City's Transportation Department, raised median, driveway approaches, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, and dry and wet utilities.

c. "A" Street, Industrial Collector, City Standard 106 (78' RW / 56' CC) shall be constructed to half-width plus an additional 18' east of the centerline, along the entire project's east frontage. A 39' right-of-way dedication on the west side of the street, along the project's east property line, shall be shown on the parcel map. The 18' of right-of-way on the east side of the centerline shall be acquired if not already dedicated by the adjacent property. Improvements shall consist of, but not be limited to, pavement, base, curb, gutter, sidewalk, driveway approaches, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, and dry and wet utilities.

d. Future Krameria Avenue, Industrial Collector, City Standard 106 (78' RW / 56' CC) shall be constructed to full-width, along the entire project's southerly property line of Parcel 1. A 78' right-of-way dedication shall be shown on the parcel map. Improvements shall consist of, but not be limited to, pavement, base, curb, gutter, sidewalk (modified to be curb-separated with the back of walk 2' behind the traditional right-of-way) (both north and south sides), driveway approaches, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, and dry and wet utilities.

e. Driveway approaches shall be constructed per City Standard No. 118C. The parcel map shall show an additional 4-foot right-of-way dedication behind driveway approaches. No decorative pavers shall be placed within the public right-of-way. See LD68.

f. Pavement core samples of existing pavement may be taken and findings submitted to the City for review and consideration of a lesser width of pavement improvements. The City will determine the adequacy of the existing pavement structural section. If the existing pavement section is found to be adequate, then a lesser width than that specified above for street pavement improvements may be allowed, as approved by the City Engineer. If the existing pavement section is found to be inadequate, the Developer shall construct the streets to the limits as listed above.

g. The cul-de-sac at the north end of the "A" Street terminus shall be constructed per City Standard 123.

h. All curb returns and driveway aprons where truck movements are expected shall have a radius of 50' minimum. This shall include the curb return at the southeast corner of Heacock Street and Iris Avenue, both curb returns at the "T" intersection of Heacock Street and proposed Krameria Avenue and all driveways along Heacock Street, or as otherwise directed by the City's Transportation Department.

LD73. (IPA) The developer shall install redwood headers at any edge-of-pavement locations in the public right-of-way. This shall include, but not be limited to, the following locations:

e. Along the project frontage, west side of Heacock Street, west of the south bound travel lane, if necessary due to proposed pavement exceeding the westerly extents of the existing pavement.

f. Along the project frontage, east side of "A" Street, east of the north bound travel lane, if this project develops before TPM 35672.

g. As required by the City Public Works Inspector.

LD74. (MA) Prior to parcel map approval, a recorded copy of a reciprocal access agreement between Parcels two (2) and three (3) shall be submitted to the City for review.

LD75. (MA) Prior to parcel map approval, written permission must be obtained from off-site property owner(s) for all off-site grading and easements. All on-site and off-site easements shall be shown on the final map. This shall include, but not be limited to, the proposed driveway which straddles this project's southeast corner of APN 316-020-028 and the off-site property to the south, APN 316-100-036.

LD76. (MA) Prior to parcel map approval, this project shall submit for review a reciprocal access agreement between Parcel 2 and the off-site property south of Parcel 2, APN 316-100-036, if the intention is for reciprocal access amongst parcels, else this project shall submit for review and approval an access easement from off-site APN 316-100-036 in favor of this project's Parcel 2, via separate instrument.

LD77. (MA) Prior to parcel map approval, the map shall show all necessary proposed easements including, but not limited to, an easement for storm drain purposes shown as Proposed Easement Note "B" across Parcel 2 on the tentative map. All public storm drain easements shall be a minimum of 25' in width. See LD8.

LD78. (MA) Prior to parcel map approval, the plans shall clearly show the extents of all existing easements on the property. All building structures shall be constructed outside of existing easements. Any conflicting easements and/or utilities shall be relocated and/or quitclaimed, as appropriate, via the final map and/or separate instrument, as necessary.

LD79. This project shall coordinate closely with the City's current CIP (Capital Improvement Project) Heacock Street Improvement Project for the design and construction of Heacock Street. (951) 413-3130.

LD80. This project shall coordinate closely with the project to the east, TPM 35672, for the design and construction of "A" Street.

LD81. (OC) Prior to occupancy, sale, or lease, the parcel map shall record in accordance with the subdivision map act.

LD82. In accordance with the City of Moreno Valley standards, the Double Ring Infiltrometer field testing method shall be utilized to perform in-situ percolation testing in the location of proposed infiltration area treatment control Best Management Practice (BMP) and the results included in the Final WQMP.

LD83. The Preparer shall provide complete and documented calculations for the proposed treatment control BMPs.

LD84. **The Applicant shall prepare and submit for approval a Project Specific Final Water Quality Management Plan (F-WQMP) for PA07-0151 -March Business Center. The F-WQMP shall be consistent with the approved P-WQMP and in full conformance with the document; "Riverside County Water Quality Management Plan for Urban Runoff" dated July 24, 2006. The F-WQMP shall be submitted and approved prior to application for and issuance of grading or building permits. At a minimum, the F-WQMP shall include the following: Site Design BMPs; Source Control BMPs; Treatment Control BMPs; Operation and Maintenance requirements for BMPs; and sources of funding for BMP implementation.**

LD85. The Applicant shall select and implement treatment control BMPs that are medium to highly effective for treating Pollutants of Concern (POC) for the project. POC include project pollutants associated with a 303(d) listing or a Total Maximum Daily Load (TMDL) for receiving waters. Project pollutants of concern include: sediment/turbidity, nutrients, organic compounds, oxygen demanding substances, and pathogens (bacteria and viruses).

LD86. Exhibit C of the document, "Riverside County Water Quality Management Plan for Urban Runoff" dated July 24, 2006 shall be consulted for determining the effectiveness of proposed treatment BMPs.

LD87. The Applicant has proposed to incorporate the use of catch basin 'filter inserts and infiltration basins with underdrain systems. Final design details of these filtration and infiltration systems must be provided in the first submittal of the F-WQMP. The size of the treatment control BMP is to be determined using the procedures set forth in Exhibit C of the Riverside County Guidance Document. The Applicant acknowledges that more area than currently shown on the plans may be required to treat site runoff as required by the WQMP Guidance.

LD88. The Applicant shall substantiate the applicable Hydrologic Condition of Concern (HCOC) (WQMP Section IV) in the F-WQMP. The HCOC designates that the project will comply with Condition A; therefore, the condition must be addressed in the F-WQMP.

LD89. The Applicant shall record with the County-Clerk Recorder a "Covenant and Agreement" that informs future property owners of the requirements to implement the approved F-WQMP and the associated Master F-WQMP. The "Covenant and Agreement" shall be in a form acceptable to the City of Moreno

Valley. The Applicant may propose, subject to approval by the City of Moreno Valley, the recording of alternative documents to inform future owners of the requirements to implement the approved F-WQMP. Documents shall be approved by the City of Moreno Valley and recorded with the County-Clerk Recorder prior to issuance of building or grading permits.

LD90. The Applicant shall, prior to building or grading permit closeout or the issuance of a certificate of occupancy, demonstrate:

a. That all structural BMPs have been constructed and installed in conformance with the approved plans and specifications;

b. That all structural BMPs described in the F-WQMP have been implemented in accordance with approved plans and specifications;

c. That the Applicant is prepared to implement all non-structural BMPs included in the F-WQMP, conditions of approval, and building/grading permit conditions; and

d. That an adequate number of copies of the approved F-WQMP are available for the future owners/occupants of the project.

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PLANNING COMMISSION STAFF REPORT

Cases:	PA07-0151(Tentative Parcel Map 35879), PA07-0152 (Master Plot Plan), PA07-0153, PA07-0154, PA07-0155 and PA07-0156 (Plot Plans) PA08-0057 (General Plan Amendment) P08-060 (Specific Plan Amendment)
Date:	December 4, 2008
Applicant:	Western RealCo
Representative:	Hogle-Ireland, Inc. (Chris Stamps)
Location:	Southeast corner of Iris Avenue and Heacock Street
Proposal:	The proposed project is for an industrial complex with four buildings (1,484,407 total sq ft) on 66.9 net acres. The Tentative Parcel Map 35879 will create four parcels. The General Plan and Specific Plan Amendments are required for the realignment of Krameria Street and will amend the Circulation Element of the General Plan and in the Moreno Valley Industrial Specific Plan (SP 208).
Redevelopment Area:	No
Recommendation:	Approval

SUMMARY

The applicant, Western RealCo, is requesting the approval of a tentative parcel map, master plot plan and four plot plans. Both a General Plan and Specific Plan Amendment are required for the realignment of Krameria Street and will amend the Circulation Element of the General Plan and in the Moreno Valley Industrial Specific Plan (SP 208).

ATTACHMENT 5

PROJECT DESCRIPTION

This proposed project includes eight applications — a General Plan amendment, Specific Plan amendment, tentative parcel map, master plot plan and four plot plans — for approximately 66.9 acres at the southeast corner of Iris Avenue and Heacock Street (Assessor's Parcel Number(s) 316-020-001, 006, 007, 028, 010). The project proposes an industrial complex with four buildings (1,103,003 sq ft, 16,732 sq ft, 87,429 sq ft and 277,243 sq ft for a total of 1,484,407 sq ft). The proposed uses are consistent with the type and intensity of use envisioned under Moreno Valley Industrial Area Specific Plan (SP 208) and the Industrial land use district.

The project is directly west of another industrial complex (Iris Avenue/Indian Street project - PA07-0079, PA07-0080, P07-121, PA07-0093 and PA08-0018) that was approved by the City Council on July 8, 2008. The Iris Avenue/Indian Street project approval included future "A" Street, which will run along the eastern property boundary of this proposed project.

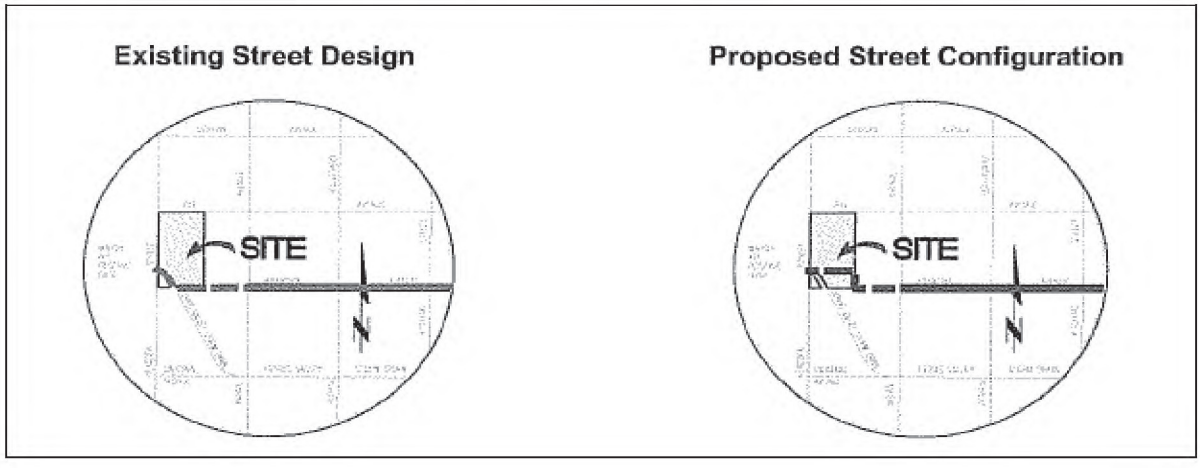
General Plan Amendment

The proposed General Plan Amendment will consist of amending the circulation element in regarding to Krameria Avenue. The proposed changes to Krameria Avenue's design include:

1. Change the proposed physical location of the west end of Krameria Avenue from the east property line of the project site (future "A" Street) to Heacock Street;

2. Change the designation of the above mentioned section of Krameria Avenue from Indian Avenue to Heacock Street from Minor Arterial to Industrial Collector.

Currently, Krameria Avenue is constructed on the east side of Indian Avenue. The City's General Plan Circulation Element shows Krameria Avenue as ultimately being constructed to Heacock Street. The proposed amendment to the circulation element would remove the existing curvilinear design from future "A" Street to Heacock Street and replace it with a straight design (see diagram below).



The proposed realigning of Krameria Avenue will enable project to develop the site more efficiently while creating a functional and safe circulation system. The existing design has the potential of promoting high vehicle speeds from Indian Avenue to Heacock Street. A vehicle driving down the proposed Krameria Street will be required to make a left turn onto future "A" Street, slowing down its speed, thus creating a safer environment. The redesign would also reduce the likelihood of mixing industrial truck traffic with residential commuter traffic.

Kunzman Associates prepared a traffic study (June 17, 2008) for the project. Analyses indicated that enough capacity would be provided with a two lane Industrial Collector between Heacock Street and Indian Street. The study found that with less intensive uses proposed by the project than were evaluated in the City's Traffic Model, as well as diverted trips avoiding the realigned Krameria Avenue, supports downsizing this section of Krameria Avenue from a Minor Arterial to an Industrial Collector.

Specific Plan Amendment

The Specific Plan Amendment also proposes changing the location of Krameria Avenue between Indian Street and Heacock Street as well as downgrading the designation from Minor Arterial to Industrial Collector. The Moreno Valley Industrial Specific Plan (SP 208) document will be revised to include these changes. Proposed deletions are shown as stricken text and additions are underlined.

Text Changes

On Page IV-7, Section d. (Minor Arterials), the Moreno Valley Industrial Specific Plan (SP 208) minor arterials will include the following:

- Nandina Avenue (between Indian Street to ~~Kitching Street~~ Perris Boulevard)
- Indian Street

On Page IV-8, Section e. (Collector Streets), the Moreno Valley Industrial Specific Plan (SP 208) minor arterials will include the following:

Collector streets planned for the construction and improvement within the Project site include:

- Krameria Avenue (between Indian Street to Heacock Street)

On Page V-14, under Minor Arterials (88' ROW):

- Nandina Avenue (between Indian Street to ~~Kitching Street~~ Perris Boulevard)
- Indian Street

On Page V-14, under Industrial Collector (78' ROW)

- Krameria Avenue (between Indian Street to Heacock Street)

Tentative Parcel Map

Tentative Parcel Map 35879 will create four parcels from the existing five parcels.

Master Plot Plan & Plot Plans

PA07-0152 (Master Plot Plan) proposes a four building (1,103,003 sq ft, 16,732 sq ft, 87,429 sq ft and 277,243 sq ft for a total of 1,484,407 sq ft) industrial complex. PA07-0153 (Building 1), PA07-0154 (Building 2), PA07-0155 (Building 3) and PA07-0156 (Building 4) are the individual plot plan reviews of each building within the master plot plan.

Site and Surrounding Area

The site is currently zoned Specific Plan 208 Moreno Valley Industrial Area Plan (SP208I). The project site is currently vacant and relatively flat. The project is located at the southeast corner of Iris Avenue and Heacock Street.

The area within immediate proximity to the subject site is zoned predominately for industrial development. The zoning surrounding the proposed project site is Specific Plan 208 Moreno Valley Industrial Area Plan (SP208I) zone to the south, east, and north. Northeast of the site is zoned Residential Single-Family 10 (RS 10) and developed with a tract of small lot single-family homes that are approximately 20 years old. The nearest proposed truck bay, from the northeast corner of Parcel 1/Building 1, to the single-family homes is approximately 500 feet.

The project is directly west of another industrial complex (Iris Avenue/Indian Street project - PA07-0079, PA07-0080, P07-121, PA07-0093 and PA08-0018) that was approved by the City Council on July 8, 2008. The Iris Avenue/Indian Street project approval included future "A" Street, which will run along the eastern property boundary of this proposed project. Directly north of the proposed project is an industrial complex (PA07-0035 and 0039), which is currently under review by Planning.

Overall, the proposed industrial warehouse development is compatible with the current zone and the City's General Plan.

Access/Parking

The project has been designed to separate truck and employee traffic and to keep truck traffic off of Iris Avenue. Truck access from the site to freeway (Interstate 215) will be from Heacock Street north to Cactus Avenue or via Nandina Avenue to Indian Street from the south. In the future, additional access to the freeway will be available via Krameria Avenue to Indian Street.

Future employees (in Building 1) will be able to get to the project from an automobile only access off of Iris Avenue as well as the end of the cul-de sac of future "A" Street. Other employee only access points include one on the southwest side of Krameria Avenue into Building 3 and top driveway along Building 4's future "A" Street boundary. Trucks will have access to the site from three driveways along Heacock St (two for Building 1 and one for Building 2). Access to Building 3 will be from one driveway off Krameria Avenue, in the southeast corner of the Parcel 3. Building 4 will have access points from Krameria (one driveway) and future "A" Street (one driveway in the southeast corner of Parcel 4). Building 1 will also has access from Krameria Avenue (two driveways) and future "A" Street (two driveways).

The proposed industrial development will meet the required minimum parking standards for office, warehouse and distribution uses. The parking standards are as follows: Office requires a minimum 1 parking space for 250 square feet of gross floor area, and Warehouse and Distribution requires a minimum 1 parking space for 1,000 square feet of gross floor area for the first 20,000 square feet: 1 parking space for 2,000 square feet of gross floor area for the second 20,000 square feet; 1 parking space for 4,000 square feet of gross floor area for areas in excess of the initial 40,000 square feet.

The project as proposed requires 10 parking spaces for office space and 390 for warehouse use for Building 1. Building 1 will provide 418 parking spaces and 166 truck bays. Building 2 as proposed requires 10 parking spaces for office space and 32 for warehouse use. Building 2 is providing 42 parking spaces and 2 truck bays. Building 3 as proposed requires 8 parking spaces for office space and 67 for warehouse use. Building 3 is providing 86 parking spaces and 21 truck bays. Building 4 as proposed requires 6 parking spaces for office space and 125 for warehouse use. Building 4 is providing 132 parking spaces and 39 truck bays. Together all the buildings exceed the minimum parking requirements for a warehouse/office use.

All trailer parking spaces are screened from view of the public right of way by a 14 feet high decorative screen wall. The standard parking spaces are not enclosed by a screen wall.

Design/Landscaping

This project has been reviewed and the design of the proposed industrial project conforms to all development standards of the SP208I zone as required within the Moreno Valley Municipal Code.

All four buildings being proposed are concrete tilt-ups with the two largest being rectangular in shape. The smaller two buildings have an angled wall along their frontage with the existing Riverside County Flood Control Channel. All the buildings are approximately 36 feet in height and the more decorative architectural features of the building reaching heights between 38 and 45 feet. The buildings have the same architecture and are using neutral earth tone colors with a darker accent color (Burnt red) as the color scheme. Planning has conditioned the project to use more of the accent color on all four buildings, especially focusing on elevations that have street frontage. The buildings are concrete tilt-ups rectangular in shape with flat roofs, and

the proposed windows have a greenish reflective glazing finish. The more decorative architectural features of the building are located at entrances to the offices. The building wall heights vary to make the buildings less monotonous. The project is also providing concrete tilt-up walls along Heacock Street, Iris Avenue, Krameria Avenue and Proposed "Street A", so that the loading docks are not visible from the public right of way. The proposed screen walls will be 14 feet in height to fully screen trucks and trailers, and will match the architecture of the buildings.

The proposed project also conforms to the requirements of the City's Design Guidelines. The project is conditioned, so that landscape plans be prepared in accordance with the City's Landscape Development Guidelines and Specifications which includes street trees and enhanced landscaping at street corners and entries in the project.

REVIEW PROCESS

The first staff review of this project took place at the Pre-PRSC meeting on January 8, 2008, and staff met with the applicants at the January 23, 2008 PRSC meeting. Revisions were later submitted in May and June 2008. The project was scheduled for Planning Commission after identified issues had been addressed.

ENVIRONMENTAL

An initial study was prepared to support the recommend environmental finding that a mitigated negative declaration is appropriate for this project. In reviewing the environmental aspects of the proposed Industrial warehouse complex, it was determined that the following studies were required: A General Habitat Assessment with a focus on Burrowing Owls, Acoustical Impact Analysis, Air Quality Impact Analysis, Health Risk Assessment, and a Traffic Impact Analysis.

General Habitat Assessment

According to the General Habitat Assessment performed on the project site by URS Corporation, the report stated that "No direct observations or burrowing owl signs (feathers, pellets, fecal material, prey remains, etc.) were recorded during the general biological assessment conducted in July 2007. No potentially suitable burrows were recorded on site due to extensive site disturbance associated with recent disking activities, which can have substantial negative impacts on potential habitat.

Given the potential suitability of the property to be used by Burrowing Owls, the MSHCP requires that a pre-construction survey be conducted within 30 days prior to ground disturbances to avoid direct take of Burrowing Owls. With compliance with the preconstruction survey, impacts to Burrowing Owls will be less than significant.

Noise Impact Analysis

According to the Noise Analysis Report done for the project site by Jones and Stokes in June 2008, temporary noise impacts from project construction are considered to be less than significant by compliance with City regulations, which restrict the hours of construction.

The on-site generated by truck turning movements will not adversely affect any sensitive receptor and are considered less than significant. The project's employees will not be exposed to excessive noise levels. The project will result in area-wide noise level increase of less than 5 dB along all road segments in the project vicinity. Therefore, the project's area-wide noise impacts are considered less than significant.

Air Quality Impact Analysis

According to the Air Quality Impact Analysis dated May 20, 2008 done for the project site by Jones and Stokes, emissions of all criteria air pollutants from both project construction (short-term) and project operation (long-term) will not exceed the SCAQMD established regional thresholds of significance.

Estimate of Operational Emissions for Project Build-out phase (pounds per day)

	ROC (lbs/day)	**NO_x** (lbs/day)	**CO** (lbs/day)	**SO_x** (lbs/day)	**PM_{10}** (lbs/day)	**$PM_{2.5}$** (lbs/day)
Mobile Source	16	45	108	<1	23	5
Area Source	10	10	10	<1	<1	<1
Total Project	26	55	118	<1	23	5
SCAQMD Daily Significance Threshold	55	55	550	150	150	55
Exceeds Significance Threshold?	**No**	**No**	**No**	**No**	**No**	**No**

URBEMIS 2007 output sheets are provided in the air quality appendix.
Source: ICF Jones & Stokes, July 2008.

Health Risk Assessment

According to the Health Risk Assessment done for the project site by Jones and Stokes from October 2008, the cancer risks to sensitive receptors within the project vicinity will be less than 3 in 1 million due to diesel particulate matter (DPM) emissions from project-generated truck traffic, which is less than the established threshold of significance. Non-cancer risks are also less than the SCAQMD recommended threshold.

The initial study has been made available for a 30-day public review period ending on December 1st, including State Clearinghouse submittal and direct mailing to potentially affected servicing agencies, responsible agencies, and trustee agencies. No comments were received as of the date of publication of this report. Any comments received by close of the review period will be addressed at the Planning Commission hearing.

NOTIFICATION

Public notice was sent to all property owners of record within 300' of the project. The public hearing notice for this project was also posted on the project site and published in the local newspaper.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission take the following action:

APPROVE Resolution No. 2008-50 and thereby:

1. **RECOMMEND** that the City Council adopt a Mitigated Negative Declaration for PA07-0151(Tentative Parcel Map 35879), PA07-0152 (Master Plot Plan), PA07-0153, PA07-0154, PA07-0155 and PA07-0156 (Plot Plans), PA08-0057 (General Plan Amendment) and P08-060 (Specific Plan Amendment) pursuant to the California Environmental Quality Act (CEQA) Guidelines; and

2. **RECOMMEND** that the City Council approve PA07-0151(Tentative Parcel Map 35879), PA07-0152 (Master Plot Plan), PA07-0153, PA07-0154, PA07-0155 and PA07-0156 (Plot Plans), PA08-0057 (General Plan Amendment) and P08-060 (Specific Plan Amendment); subject to the attached conditions of approval included as Exhibits A and B.

Prepared by:

Claudia Manrique
Associate Planner

Approved by:

John C. Terell, AICP
Planning Official

ATTACHMENTS:

1. Public Hearing Notice
2. Planning Commission Resolution No. 2008-50 with Conditions of Approval (Exhibit A and B)
3. Negative Declaration
4. Initial Study
5. Land Use
6. Aerial Photo
7. General Plan and Specific Plan Amendment - Krameria Avenue Realignment
8. Site Plan
9. Elevations – Building 1
10. Elevations – Building 2
11. Elevations – Building 3
12. Elevations – Building 4
13. Tentative Parcel Map 35879

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PA07-0151	**Tentative Parcel Map No. 35879**
PA07-0152	**Master Plot Plan**
PA07-0153	**Plot Plan**
PA07-0154	**Plot Plan**
PA07-0155	**Plot Plan**
PA07-0156	**Plot Plan**
PA08-0057	**General Plan Amendment**
P08-060	**Specific Plan Amendment**

(Item continued from Planning Commission Hearing of December 4th, 2008)

CHAIR DE JONG – Staff Report please

ASSOCIATE PLANNER MANRIQUE – Good evening. I'm Claudia Manrique, the Project Planner. This proposed project includes eight applications; a General Plan Amendment, Specific Plan Amendment, Tentative Parcel Map, Master Plot Plan and four Plot Plans. The project is on the southeast corner of Iris Avenue and Heacock Street on approximately 66.9 acres. The project proposes an Industrial Complex with four buildings totaling 1,484,407 square feet. The proposed uses are consistent with the type and intensity of use envisioned under the Moreno Valley Industrial Area Specific Plan.

The proposed General Plan Amendment will consist of amending the Circulation Element in regards to Krameria Avenue. The proposed changes to Krameria include change of the proposed physical location of the west end of Krameria Avenue from the east property line of the project, which is future "A" Street to Heacock Street and second change the designation of the above mentioned section of Krameria Avenue from Indian Avenue to Heacock Street from a minor arterial to an industrial collector.

The Specific Plan Amendment also proposes changing the location of Krameria Avenue and downgrading the designation of minor arterial to industrial collector.

The project has been designed to separate truck and employee traffic and to keep truck traffic off of Iris Avenue. Truck access to the site and from the site to the freeway Interstate 215 will be from Heacock Street, north to Cactus Avenue or via Nandina Avenue to Indian Avenue from the south. In the future, additional access to the freeway will be available via Krameria Avenue to Indian Street.

All four buildings being proposed are concrete tilt-ups, with the two largest being rectangular in shape. The two smaller buildings have angular walls along their frontage with the existing Riverside County flight control channel.

ATTACHMENT 6

An Initial Study was prepared to support the project. Various studies were also completed and include a General Habitat Assessment, Burrowing Owl Survey, Acoustic Impact Analysis, Air Quality Impact Analysis, Health Risk Assessment and Traffic Impact. The Initial Study was made available for a 30 day Public Hearing which ended in December of 2008. As of today, I didn't receive any comments from any of the State Agencies.

And Staff recommends that the Planning Commission Approve Resolution No. 2008-50 recommending that the City Council adopt a Negative Mitigated Declaration for the project and recommend approval.

There are a few changes to the Conditions of Approval. The blue sheet has two changes to Transportation Conditions. The coral sheet was a couple of changes to Planning and that's it. Thank you.

CHAIR DE JONG – Thank you… Commissioner questions of Staff?

COMMISSIONER RIECHERS – Yes it wasn't immediately clear to me what the implications of the Traffic changes on the blue sheet were and if you could summarize those for me.

SENIOR TRANSPORTATION ENGINEER LLOYD – The changes were at the request of the Applicant and Transportation Engineering agreed with their request. The first was the deletion of TE17 which had included geometric improvements primarily turning lanes along Indian Street at Krameria. This was deleted because the project does not front the roadway. Just as an aside, with the project that you've already approved; the first industrial site immediately adjacent to it were at one time running concurrently, so we we're looking at the projects, even though they're two separate projects, we were looking at them as a whole to ensure that Krameria could be downsized and this was an artifact; it was a mistake on our part and it was called to our attention by the Applicant, so that's we agreed to delete it. The second change TE24 was a change in wording from each gated entrance to the Heacock Street gated entrances and that was done again at the request of the Applicant and we felt that it was appropriate that we needed to only ensure the 75 feet of cueing length at the gates along Heacock Street since it's an arterial. We felt that the other gated locations which I believe are along Street "A" which is an industrial collector, there was enough stacking space provided on the Site Plan and didn't feel it was necessary to condition it.

COMMISSIONER RIECHERS – So what is the status of the other project which we thought was going to be concurrent?

SENIOR TRANSPORTATION ENGINEER LLOYD – As I mentioned it was approved at some point last year and I don't recall at what point but it's an approved project at this point and I believe they are in plan check as of now.
COMMISSIONER RIECHERS – So it is moving forward?

SENIOR TRANSPORTATION ENGINEER LLOYD – Yes it is moving forward

COMMISSIONER RIECHERS – Okay so it's roughly a year or a little more ahead of this project?

SENIOR TRANSPORTATION ENGINEER LLOYD – The Applicant could probably give you a better indication, but I would say at least six months, possibly nine.
COMMISSIONER RIECHERS – Okay, thank you…

CHAIR DE JONG – You're welcome. Any other Commissioner questions of Staff? I have a question regarding P19… P19 calls out for decorative block up on the exterior wall. How does the City define decorative block? Is it a split face or is it smooth or is there…

PLANNING OFFICIAL TERELL – Is there a fixed definition no… it's not precision, but …

CHAIR DE JONG – It's not precision?

PLANNING OFFICIAL TERELL – It's not precision but what some people… it's been done in different ways and usually its split face, sometimes it's slump stone, sometimes it is precision with bands of different types of block which can be very attractive, but the one thing it definitely is not is just straight precision block.

CHAIR DE JONG – Good, that's what I was getting at… Would the City entertain panelized or otherwise decorated tilt-up?

PLANNING OFFICIAL TERELL – Yes, yes because we would look at the architecture of the building and see if we can fit in with the architecture of the building.

CHAIR DE JONG – Do the Conditions of Approval need to be changed for that or is that just a given?

PLANNING OFFICIAL TERELL – I think it's subject to planning… my review, but I believe that it gives enough leeway.

CHAIR DE JONG – Okay good, thank you. I see no more questions so at this point I'll open Public Testimony and call the Applicant forward.

PLANNING OFFICIAL TERELL – I'm sorry, before we do that Land Development had one change that they wanted to read into the record.

CHAIR DE JONG – Let me close Public Testimony

SENIOR LAND DEVELOPMENT ENGINEER JIMENEZ – Good evening Chair and Planning Commissioners. Land Development does have one request to change LD72 (d) in reference to Krameria Avenue improvements. We had written the requirement for curb separated sidewalks. Krameria Avenue is being requested to be reclassified as a industrial collector and the sidewalk is typically adjacent to the curb, so we propose to strike the following from LD72 (d) right after the word sidewalk we would strike modified to be curb separated with the back walk two feet behind the traditional right-of-way both north and south sides. Thank you.

CHAIR DE JONG – Thank you… Any other additions? Okay, at this time I will open Public Testimony and call the Applicant forward. Please state your name and address for the record.

APPLICANT STEELE – Good evening Chairman and Commissioners. My name is Pam Steele with Hogle-Ireland here representing the developer Western RealCo and we have a brief PowerPoint presentation just to walk through some of the elements of the project. As I said, we will be brief. Well while we are waiting for that to warm up I would just like to say that we do appreciate your Staff working with us and mainly clarifying the Conditions that we had questions about and then revising those that they have already addressed with you to help us understand and to develop a better project. The March Business Center is proposed by Western RealCo and just to give you a sense of who Western RealCo is… Western RealCo has been in business for over 37 years and has successfully developed over 100 buildings in excess… not in excess of almost 15 million square feet throughout Southern California and Gary Edwards is on this project for Western RealCo. He's been with Western RealCo for 20 years now and is himself responsible for over 7 million square feet of development with Western RealCo. Prior to that, he was with Cushman Wakefield and active in NAOP. He is also a graduate of Stanford University and is available here this evening if you have questions; specific questions you'd like to ask of the developer.

In reviewing the Site Plan as Claudia mentioned, the project proposes four buildings and as you can see the sizes of the buildings vary significantly from the largest building of 1.1 million square feet to the smallest of 16,732. The four buildings we'd just like to briefly go over the architecture; from the view; from Iris Street. I'm sorry; it's slower than we thought it would be. As you can see, the buildings are in rich browns; kind of earth tones with rust red accent and then green glazing in the windows. The next elevation is on Heacock and that's the long side of the building, so as you can see the elevations are varied and with a

lot of articulation both vertical and horizontal on the building frontages. Okay the elevations that you see on the top are long along Heacock and the architect has taken great pains to make sure there is a lot of articulation along the building frontage and then the screen wall that you see at the bottom also has the same coloring; the same accents and those rust red vertical accents are also repeated in the screen wall in the front of where they will be on the building to add a cohesive look and that's what you'll see closest to the street is that screen wall.

The screen wall will only be eight feet in height because of the berm that you'll see; the visible eight feet in height because of the landscape berm that will cover the rest of it. The smallest building then just to show you a cohesive architecture throughout the site also carries forth the same architectural style and the same coloring to keep it a consistent look throughout the entire project. Street improvements required for the site go all the way from Heacock, Iris Avenue, Krameria and then the "A" Street which is the cul-de-sac between our project and the project to the east as was mentioned.

Just briefly, the economic benefits to the community consist of the impact fees. We recognize that that's not what the Planning Commission makes their determination on is the economic benefits, but these are mitigation measures, therefore they help mitigate potential impacts from everything from transportation to the environmental; certainly school fees and other City programs such Fire, Police and the City corporate yard. The project will also provide the beneficial construction of those streets and sidewalks and traffic signals and then of course increase property tax to help pay for City services that are beyond the project as well. Just in summarizing the project the varying size buildings allow for a wide variety of possible uses in the project. The California friendly drought tolerant landscaping and the project is designed to meet LEAD standards.

We don't have which standard we are going to meet yet; right now we are still working with that, but that's being designed into the plans for the construction. And as Claudia mentioned the General Plan Amendment and the Specific Plan amendment is simply to amend the circulation for that one portion of Krameria. Our project team; we have our Architect, our Project Architect is here as well, Mike McAndrew with Bastion Associates. If you have questions that you have of the Architect and certainly Gary Edwards is here; the developer in case you have specific questions you'd like to ask him, and with that we have as I mentioned worked through the Conditions with your Staff; we appreciate that. We understand them and agree to those and would like to ask for your approval of the project.

CHAIR DE JONG – Thank you… Commissioner questions of the Applicant?

VICE CHAIR MERKT – Just out of curiosity more than anything else, are you intending to build these buildings immediately or are you going to wait until you have potential tenants for it?

APPLICANT STEELE – Gary do you want to answer that or shall I just answer for you? Why don't you come ahead…Gary Edwards with Western RealCo?
SPEAKER EDWARDS – Good evening Commissioners. To answer the question, it will be a speculative project. The timing of that is a function of the economy we're in. We are optimistic we will be moving ahead sooner rather than later, but it is something we will be looking at. We will not wait for a specific tenant. Should we get one in the process as we move through with the building permit process, it would be exciting and we definitely want to move forward with that, but absent that if we anticipate that it will be a speculative development.

VICE CHAIR MERKT – Thank you

CHAIR DE JONG – And you mentioned that the eight foot tall wall; the screen wall is going to sitting on top of a berm. How tall is the berm going to be?

APPLICANT STEELE – The site actually dips down into the… from the street, so it's a little bit lower, so the berm will be anywhere from 6 feet at the highest to less than that because to support the wall in order to screen the trucks, needs to be 14 feet on the inside.

CHAIR DE JONG – On the inside… so from the sidewalk; from the street side are we looking at 14 feet or less that that?

APPLICANT STEELE – No that's a good point. You will see eight feet of screen wall with the berm going up to cover whatever it is that is from the street and I don't know the exact… it varies a little bit on the dimension on how low the site goes into from Heacock.

PLANNING OFFICIAL TERELL – Yes as I understood it, in order to balance the site there is this dirt already there. You're not importing dirt to do this are you?

APPLICANT STEELE – No

CHAIR DE JONG – Okay, so the top of the screen wall; that's what I'm trying to get at. The top of the screen wall from the street or from the sidewalk view is eight feet above?

PLANNING OFFICIAL TERELL – Well it's 14 feet tall, but you'll only see 8 feet of it, so it will be roughly 14 feet; approximately 14 feet above street level, but you'll only see 8 feet because there is a landscape berm that backs up it, so it will be softened by the berm and the landscaping so it doesn't look so massive. Is that fair?

APPLICANT STEELE – Yes… so you'll six feet of landscape

CHAIR DE JONG – Perfect

COMMISSIONER MARZOEKI – You talked about this project being LEAD certified. What elements are you looking to include?

APPLICANT STEELE – Well the ones that we're already looking at the drought tolerant landscaping and the use of materials that will… the interior lighting and natural lighting and I don't have a comprehensive list. We're still really looking into those, but we have identified several that we're certain we're going to use and then others that we're looking at the possibility of using.

COMMISSIONER MARZOEKI – Okay, thank you

CHAIR DE JONG – Okay, are there any other Commissioner questions of the Applicant? I see none and I have no Speaker Slips. Thank you.

APPLICANT STEELE – Thank you

CHAIR DE JONG – I'm going to close Public Testimony and open Commissioner Debate. Who would like to go first?

COMMISSIONER RIECHERS – Well as I see it, this is a good project in the right location. I would be tickled pink if they had a tenant lined up, but in the absence of that it is quite understandable in this market. I'm happy that they are willing to go forward with their proposal in anticipation of the change in the market to be ready with their approval when the market does change. I see no reason to not give them their approvals at this time, so that when the market does change, they are ready to move forward post haste. That said I will be ready to support the project when a motion is made.

CHAIR DE JONG – Thank you George

VICE CHAIR MERKT – I like the architecture on the project. I think it's absolutely located in the correct location. If we approve this, it will give prospective tenants a veritable smorgasbord of size of buildings available for their use ranging from small to medium size to actually very large; the biggest building 1 million square feet plus. To compare that, Fresh N Easy is around 800,000 square feet in meridian, so that's a good size building and has the potential to draw a good size company here with substantial needs. The fact that it's not being built immediately is not really a concern because I recognize the economy isn't that great to begin with right now, but having it ready give us a step up on the competition when the economy changes as it will inevitably do, so I will be in support of this project.

CHAIR DE JONG – Thank you. Are there any other Commissioner Comments?

COMMISSIONER GELLER – I have to tell you I'm sitting here listening and I'm amazed. I don't where the AQMD is today. I don't where the Lung Association is. I don't see letters from them. I haven't heard and seen the people from Mira Loma complaining about air quality. The Sierra Club is conspicuously absent. It's absolutely amazing to me that last week one of our Commissioners was grilling the Applicant on financial statements and here we know it's not going to be built and nobody cares. We didn't ask for a list of all the completed projects. We didn't ask anything about how many jobs are going to be created; no one cares. There is no third degree to this developer. As a matter of fact there wasn't one opponent; talk about nimbyism, and to the Applicant I apologize; some of this is for the benefit of City Council.

I'm in support of the project. I'm making a point. Unbelievable… the belching fumes; the same fumes that these Commissioners were complaining about and all the smog and all the diesel particulate matter; not one statement was made today. This is a lot closer to a lot more houses than anything that Highland Fairview ever proposed. It's fine. It's what it is. Yes this is the industrial area but these people that live right adjacent on Iris, there is a lot of houses there; far closer than were ever proposed in the Highland Fairview, yet these same Commissioners went on and on about all the diesel particulate matter and how bad the air was going to be. It's like the air just sits over the warehouse district and doesn't move around. It's a clear case of nimbyism to the ultimate degree and it disgusts me quite frankly.

That being said, I'm not going to take out my issues on this developer. Well I mean there is still General Plan Amendments; it's really exactly the same issues that we had m9last week and all of a sudden it's a whole different world and whatever the reason is; whatever the reason is. The Commissioners are entitled to vote the way they want. I just want to point the hypocrisy of all the people or many of the anti-speakers from two weeks ago and last week, how it's just absolutely incredible to me how much hypocrisy there is among the so called environmentalists and all the other people that whine about these projects. Not one person came to speak against this project. So that being said, I'm in support of it and I'll support the motion when it's made.

COMMISSIONER DOZIER – I don't know where to start. I'm for this project. I'll let you know that up front. It's where we approved it really in the beginning and zoned properly to be there. I live not too far from where this is going to be and I understand the AQMD. I understand the kind of truck traffic it's going to generate. I understand the traffic it's going to create and I'm for it because there are a lot of economic development reasons why it would be healthy for our City to have it to try to attract tenants to create jobs in the community. The thing that bothers me is if we considered putting this in another part of the City, even with a tenant, the outcry that you saw from a week ago was just tremendous. Well what about us down where we are. I live probably less than a quarter of a mile from where this is all going to be developed. You are not concerned about my kids or

my grand kids or me. I don't see the Sierra Club. I don't see the people that were really against these projects because they thought they were going to pollute the air, strangle our traffic and it bothers me.

I really was disappointed last week at some of the positions that we took as a Planning Commission and I want to go on record to say that. I think that you know kill our kids down at this end of town because it's in the General Plan; because we decided to pollute the air at this end of town and don't be upset that we are putting it at this end of town and the kids are going to have asthma problems or the particulate is going to be high and to the Sierra Club, I say you are conspicuously absent today. You either are for clean air or you're not. You can't pick where you want to have your clean air. Either you are an environmentalist who wants to protect the environment or you're not, so having said that, I think I'm not going to go any further because I'm just very, very disappointed in the direction that we took.

We should never be asking a developer or the tenant. We've never done it in the past, but we did a week ago. We didn't ask one question today and I'm happy about that, but it speaks to the inconsistency; not one question about pollution; not one question about the traffic; not one question about whether you can pay for this project or how financially stable are you; not one. I'm not going to say anymore, but I am for this project because we did approve it in the right place at the right location and one other thing I did forget. Someone said this General Plan is like our constitution and it is the constitution of the City. How many times have we amended the constitution of the United States? It is a living, breathing document and I stand by that. We do not have to be bound by decisions that were made about that plan just because we sat down and decided yesterday this is what we thought we wanted to do and this is the kind of City we wanted to plan out. It's not that simple.

The constitution had we not amended it, there were bad things that we did in our own American constitution that we corrected as we grew as a nation and as a people. Cities are no different. We grow and we change. We just voted down the largest single development project in Southern California as a Planning Commission a week ago. It was the largest potential single development project in Southern California and we don't where it's going to go. We don't know which way the City Council will go but it could leave us and we had an opportunity and what it meant was taking a relatively small portion of all the land that's left on the east end of town and creating the jobs; creating the economic development synergy; there were a lot of things that we would lose and we could very well lose them depending on which way the Council will go. That saddens me at a time where we're talking about in economic depression that we've not seen in the history of the United States probably since the 20's to turn someone who already had a tenant; already had a tenant... They were going to pay something like 788,000 dollars a month in rent for 12 years. Gimme a break... What are we doing? What are we thinking?

People need jobs today, not tomorrow and all we had to do was on a certain part of town make a decision to change our minds about what's really good for us today and we didn't have to give up everything. We weren't asking everybody to give up a complete lifestyle on that end of town. We used the term nimbyism; Yes it was partly that and then we threw in a little bit of social cat calling and we threw in a lot of things. We threw in have and have nots. We threw in a lot of stuff into that argument, but really what it boils down to is that end of town, you don't want to give up anything to create the jobs for the rest of the community. You saw them line up here one after the other… help us; employ us; give us an opportunity; give us a job and this was an opportunity to do so and all you had to do was give up a little strip of your land along the 60 Freeway in that end of town and make a General Plan Amendment to make it happen. Now the same issue.

We've got a warehouse but it's going down to the south end of town. You don't care about the kids down there. You don't care about the air pollution down there. I don't see you today, so don't tell me that you care. Don't tell me that you're doing this because you want to protect the kids because you think it's not going to create any traffic. Don't tell me that. I'm not buying that because you're not here today and I wanted to ask the Applicant…. You know I don't know how many truck trips because you don't have a tenant so you don't really know, but I know how many bays there are potentially and I know that that building is one point whatever it is million. It is only 600,000 square feet less than the building we were talking about the other week, but I hear nothing; hear nothing; absolutely nothing. Now I got my frustration out. Thank you for the time but I wanted to make those points. God Bless you on your project.

CHAIR DE JONG – Thank you

COMMISSIONER MARZOEKI – I have to follow that. I'm always concerned about the air quality; our children; the traffic. I know any project like this we're going to have the increased traffic and air quality issues and I also spoke about visual impacts last time too. It is part of the project. It is what it is, but you know it's hard to mitigate some of that stuff and I understand that. It is very difficult to mitigate that stuff, but this project is an area of the City that it does make sense whether I like it or not, it's zoned for it. The project is a good project and so I am in favor of the project.

CHAIR DE JONG – Thank you. As we have said many times on this Commission if something is zoned correctly, we really don't have a whole lot of discussion about it in terms of whether it can go there or not and this is one of those particular projects. I do happen to be for it. I think this is a project as we have certainly alluded to; this is where I think it belongs. I like the architecture. I like the colors of it. I like the way the façade is articulated; it pops in and out. That being said, I like that portion of the project. We had mentioned that we had not really discussed jobs and of course we can' really when it's a speculative

building. We understand that. We don't know who the tenant is going to be and the same thing with truck traffic and trips and that type of pollution although being in the industrial area that's where it has to be and that being said we have set aside a portion of our City for that, so that's where it's going to be. I will support the project. Are we ready for a motion?

COMMISSIONER RIECHERS – I just very briefly want to take a few moments to rebut some of the comments which have been made by some of my fellow Commissioners. I want to say that I'm offended by some of those comments. I don't feel that this is… Well I guess what I want to say is that I am offended by their assumptions on my motives for my votes last week and this week. I don't feel that they have the right to presume that they understand why I voted the way I did last week and the way I'm voting last week. I don't believe they were listening very carefully to what I said about why I voted the way I did last week and the way I'm voting this week. I can perhaps explain a little better why I'm voting the way I am this week. This industrial area where we are putting this project this week has been zoned Industrial for 15 years or 18 years…

PLANNING OFFICIAL TERELL – Twenty

COMMISSIONER RIECHERS – Twenty years. We have been working for most if not all of those 20 years to ensure that the proper infrastructure to support that industrial area has been developed along with the industrial area. That includes proper access to the industrial area to keep the trucks flowing freely into the industrial area; keep them out of residential areas. Freeway 215 is much better equipped to handle the truck traffic than is the east end of Freeway 60. The overpasses are equipped to handle truck traffic. The exchanges out there on the east end of 60 are not at all equipped to handle truck traffic. There are a plethora of reasons why this is a much better reason for large industrial complex than what was proposed last week. I could go on and on and on but I won't. I don't believe it's necessary for me to go into all of my reasons for objecting to the plan last week and supporting the plan this week, but I will reiterate that I find it offensive that some of my fellow Commissioners presume to understand all of my reasons for voting against the project and frankly insult me by calling me a nimby for supporting one project and denying another and I hope that in the future they will refrain from doing so and with that I am ready to make a motion.

CHAIR DE JONG – Are there any other comments? Please continue…

COMMISSIONER RIECHERS – I would move that the Planning Commission **APPROVE** Resolution No. 2008-50 and thereby:

1. **RECOMMEND** that the City Council adopt a Mitigated Negative Declaration for PA07-0151 Tentative Parcel Map No. 35879, PA07-0152 Master Plot Plan, PA07-0153, PA07-0154, PA07-0155 and PA07-0156 Plot Plans, PA08-0057 General Plan Amendment and P08-060 Specific Plan Amendment, pursuant to the California Environmental Quality Act (CEQA)

Guidelines; and,

2. **RECOMMEND** that the City council approve PA07-0151 Tentative Parcel Map NO. 35879, PA0-0152 Master Plot Plan, PA07-0153, PA07-0154, PA07-0155 and PA07-0156 Plot Plans, PA08-0057 General Plan Amendment and P08-060 Specific Plan Amendment, subject to the Attached Conditions of Approval as amended, included as Exhibits A and B.

COMMISSIONER MARZOEKI – I'll second

CHAIR DE JONG – Thank you… is there any discussion? All those in favor?

Opposed – 0

Motion carries 6 – 0

CHAIR DE JONG – Staff wrap up please

PLANNING OFFICIAL TERELL – Yes this item shall be forwarded to the City Council for final review and action.

CHAIR DE JONG – Thank you. Good luck. Okay, moving on to Item 720

NEGATIVE DECLARATION

PROJECT TITLE AND FILE NUMBERS: PA07-0151(Tentative Parcel Map 35879), PA07-0152 (Master Plot Plan), PA07-0153, PA07-0154, PA07-0155 and PA07-0156 (Plot Plans) PA08-0057 (General Plan Amendment) and P08-060 (Specific Plan Amendment)
PROJECT APPLICANT: Western RealCo **TELEPHONE NUMBER:** (949) 720-3787
PROJECT LOCATION: Southeast corner of Iris Avenue and Heacock Street (APN(s): 316-020-001, 006, 007, 028, 010)
PROJECT DESCRIPTION: This proposed project includes eight applications — a General Plan amendment, Specific Plan amendment, tentative parcel map, master plot plan and four plot plans — for approximately 66.9 acres at the southeast corner of Iris Avenue and Heacock Street (Assessor's Parcel Number(s) 316-020-001, 006, 007, 028, 010). The project proposes an industrial complex with four buildings (1,103,003 sq ft, 16,732 sq ft, 87,429 sq ft and 277,243 sq ft for a total of 1,484,407 sq ft). The proposed uses are consistent with the type and intensity of use envisioned under Moreno Valley Industrial Area Specific Plan (SP 208) and the Industrial land use district.

FINDING

The City of Moreno Valley has reviewed the above project in accordance with the City of Moreno Valley's Guidelines for the Implementation of the California Environmental Quality Act, and has determined that an Environmental Impact Report need not be prepared because:

[ ] The proposed project will not have a significant effect on the environment.

[X] Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because mitigation measures described in the attached Initial Study and hereby made a part of this Negative Declaration have been added to the project. The Final Conditions of Approval contain the final form and content of all mitigation measures.

This determination is based upon an Initial Study. The project file, including the Initial Study and related documents is available for review during normal business hours (8:00 a.m. to 5:00 p.m. Monday through Friday) at the City of Moreno Valley, Community Development Department, Planning Division, 14177 Frederick Street, Moreno Valley, California 92553, Telephone (951) 413-3206.

PREPARED BY: Claudia Manrique, Associate Planner	DATE:

NOTICE

The public is invited to comment on the Negative Declaration. The appropriateness and adoption of the Negative Declaration is considered at the time of project approval in light of comments received.

DATE ADOPTED:	BY: City Council

Chapter 3
Environmental Checklist and Analysis

INITIAL STUDY/
ENVIRONMENTAL CHECKLIST FORM
CITY OF MORENO VALLEY

1. Project Title: March Business Center Project

2. Lead Agency Name and Address: City of Moreno Valley
   14177 Frederick Street
   P.O. Box 88005
   Moreno Valley, CA 92552-0805

3. Contact Person and Phone Number: City of Moreno Valley
   Claudia Manrique, Project Planner
   (951) 413-3206

4. Project Location: The proposed project is located south of Iris Avenue and east of Hancock Street, within the City of Moreno Valley. The site includes the following Assessor Parcel Numbers: 316-020-001, -006, -007, -010, -028, and –030.

5. Project Sponsor's Name and Address: Western Realco
   500 Newport Center Drive, Suite 630
   Newport Beach, CA 92625
   Contact: Gary Edwards

6. General Plan Designation: BP (Business Park/Light Industrial).

7. Zoning: I (Industrial)

8. Description of the Project: (Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation. Attach additional sheets if necessary.)

The proposed project involves the grading, construction, and operation of a 66.92-acre business park for light industrial and warehouse distribution uses. The business park would consist of four buildings totaling approximately 1,484,407 square feet, and ranging in size from 16,732 square feet (Parcel 2) to approximately 1,103,003 square feet (Parcel 1). The remaining two buildings are proposed to be 87,429 square feet (Parcel 3) and 277,243 square feet (Parcel 4) in size for a total site coverage of 50.92%.

The proposed project includes construction of the east-west extension of Krameria Street, which would bisect the business park. Additionally, the project proposes construction of "A" Street, which would extend along the eastern boundary of the business park from Krameria Street and terminate in a cul-de-sac at the northeast corner of the site. Access to the business park would be provided via driveways on Heacock Street, Iris Street, Krameria Street, and "A" Street. Stormwater would be directed into one of four water detention basins constructed to treat onsite runoff and contain flood flows, prior to discharging to the Perris Valley Stormdrain.

9. Surrounding Land Uses and Setting: (Briefly describe the project's surroundings)

The project site is surrounded by Heacock Street and March Air Reserve Base to the west, and vacant lots and business park/industrial buildings associated with the Moreno Valley Industrial Area Specific Plan are located to the north, south, and east. Existing residential development occurs within the area, north of Iris Avenue and east of Indian Street. In addition, one single-family residence (vacant) is located west of Indian Street at Goertzen Court within an adjacent parcel planned for industrial development. Two commercial centers including retail stores, restaurants, and a gas station are located on Perris Boulevard, east of the project site.

10. Other public agencies whose approval is required (e.g. permits, financing approval, or participation agreement).

- Section 404 Authorization from the United States Army Corps of Engineers.
- Water Quality Certification from the Santa Ana Regional Water Quality Control Board.
- Streambed Alteration Agreement from the California Department of Fish and Game.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below(■) would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

	Aesthetics		Hazards & Hazardous Materials		Public Services
	Agricultural Resources		Hydrology/Water Quality		Recreation
	Air Quality		Land Use/Planning		Transportation/Traffic
	Biological Resources		Mineral Resources		Utilities/Service Systems
	Cultural Resources		Noise		Mandatory Findings of Significance
	Geology/Soils		Population/Housing		

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.	
I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.	■
I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.	
I find that the proposed project MAY have a "potential significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect (1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.	
I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.	

Signature Date

Printed Name For

EVALUATION OF ENVIRONMENTAL IMPACTS

1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g. the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g. the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

4) "Negative Declaration: Potentially Significant Unless Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section 17, "Earlier Analysis," may be cross-referenced).

5) Earlier analysis may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063 (c) (3) (d). In this case, a brief discussion should identify the following:

   (a) Earlier Analysis Used. Identify and state where they are available for review.

   (b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.

   (c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g. general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.

9) The analysis of each issue should identify: (a) the significance criteria or threshold used to evaluate each question; and (b) the mitigation measure identified, if any, to reduce the impact to less than significance.

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
1. **AESTHETICS.** Would the project:				
a) Have a substantial adverse effect on a scenic vista?				X

1a. Response: *(Sources: City of Moreno Valley General Plan, Figure 7.2 – Major Scenic Resources, City of Moreno Valley General Plan FEIR)*

Less-Than-Significant Impact. The proposed project site is located within the City of Moreno Valley, which lies within a relatively flat valley floor surrounded by rugged hills and mountains. Scenic vistas within the city include views of and from Mount Russell, the Badlands, the Foothills, and the Box Springs Mountains. According to Figure 7-2 of the City of Moreno Valley General Plan, the proposed project is not located within close proximity to these features, nor is it located within an identified view corridor. Therefore, the proposed project would not have an adverse effect on a scenic vista.

b) Substantially damage scenic resources, including, but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?				X

1b. Response: *(Sources: City of Moreno Valley General Plan, Figure 7.2 – Major Scenic Resources, City of Moreno Valley General Plan FEIR, Moreno Valley Industrial Area Specific Plan)*

No Impact. According to Figure 7-2 of the City of Moreno Valley General Plan, the nearest scenic highway to the site is State Route (SR) 60, which is located approximately 3.65 miles to the north (City of Moreno Valley 2006b). The proposed project site is not visible from SR 60. Therefore, no impacts to scenic resources within a state scenic highway would occur.

c) Substantially degrade the existing visual character or quality of the site and its surroundings?			X	

1c. Response: *(Sources: City of Moreno Valley General Plan, Chapter 7 Conservation, Section 7.7 Scenic Resources, City of Moreno Valley General Plan FEIR, Moreno Valley Industrial Area Specific Plan)*

Less-Than-Significant Impact. The proposed project site is a flat, vacant lot located adjacent to the east boundary of MARB. The proposed project would result in a change of the existing visual character from a vacant lot to a developed site. However, existing conditions on the site have little visual value due to ongoing site disturbance. In addition to MARB, surrounding land uses include existing industrial/business park uses and residential developments. The proposed development represents an extension of existing and planned development in the area.

Additionally, Objective 2.10 of the Moreno Valley General Plan and the associated policies ensure that new developments, including new buildings, walls and landscaping, are visually attractive. The site would be landscaped in accordance with the City's standards in areas zoned for industrial/business park uses. Therefore, impacts to the visual character or quality of the site would be less than significant.

d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			X	

1d. Response: *(Sources: City of Moreno Valley General Plan, Chapter 7 Conservation, Section 7.7 Scenic Resources, City of Moreno Valley General Plan FEIR, Moreno Valley Industrial Area Specific Plan)*

Less-Than-Significant Impact. The two major causes of light pollution are glare and spill light. Glare occurs when one sees a bright object against a darker background, such as when a person experiences oncoming headlights while driving at night. Spill light is caused by misdirected light that illuminates areas outside the area intended.

Introduction of the proposed project in the area would create new lighting sources associated with the addition of the four buildings and access, loading, and parking lot lighting. In accordance with Policy 2.10.7 of the Moreno Valley General Plan, which discourages lighting that causes excessive light and glare on adjacent properties, as well as with the Moreno Valley Municipal Zoning Code, all lighting fixtures within the proposed project would be fully shielded cut-off fixtures to avoid emitting glare onto adjacent properties or above the lowest part of the fixture (City of Moreno Valley 2005a). In parking areas, the lighting would be designed in accordance with the City's zoning code and Specific Plan lighting requirements to minimize spillover and

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact

glare effects on adjacent properties, including the MARB. Impacts associated with the creation of light or glare would be less than significant.

2. **AGRICULTURE RESOURCES**: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project?

a) Convert Prime Farmland, Unique Farmland or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency to non-agricultural use?			X	

2a. Response: *(Sources: City of Moreno Valley General Plan, Chapter 7 Conservation, Section 7.1 Agricultural Resources, City of Moreno Valley General Plan FEIR, Figure 5.8-1- Important Farmlands, Moreno Valley Industrial Area Specific Plan)*

Less-Than-Significant Impact. The California Department of Conservation's Farmland Mapping and Monitoring Program identifies categories of agricultural resources that are significant and therefore require special consideration. According to Exhibit 5.8-1 of the City of Moreno Valley General Plan FEIR, which is based on information from the California Department of Conservation, approximately 22 acres of the project site are designated as Farmland of Local Importance. Farmland of Local Importance is generally used in dryland farming or is under agricultural zoning or contract. The subject property is not currently under active farming use and the existing land designation and zoning of the property is for industrial use, which does not allow agricultural use. Existing uses adjacent to the project site include the MARB and properties planned for industrial development under the Moreno Valley Industrial Area Specific Plan. Therefore, implementation of the proposed project would not result in a conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to nonagricultural use.

b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X

2b. Response: *(Sources: City of Moreno Valley General Plan, Chapter 7 Conservation, Section 7.1 Agricultural Resources, Figure 2-2 Land Use, City of Moreno Valley General Plan FEIR, Moreno Valley Industrial Area Specific Plan)*

No Impact. The proposed project site is zoned I (Industrial) and is surrounded by land zoned for industrial, residential, and commercial use (City of Moreno Valley 2007). The nearest land under an active Williamson Act contract is located approximately 7 miles east of the project site on the south side of Gilman Springs Road, east of Jack Rabbit Trail, which is outside of the City limits and its sphere of influence (City of Moreno Valley 2005b). Based upon the existing zoning designations and distance from the nearest land parcel under active Williamson Act contract, implementation of the project would not result in conflicts with existing agricultural zoning or a Williamson Act contract.

c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?			X	

2c. Response: *(Sources: City of Moreno Valley General Plan, Chapter 7 Conservation, Section 7.1 Agricultural Resources, Figure 2-2 Land Use, City of Moreno Valley General Plan FEIR, Moreno Valley Industrial Area Specific Plan)*

Less-Than-Significant Impact. The proposed project does not include other changes to the existing environment that could result in conversion of farmland to nonagricultural use. Development of land is considered more significant when the zone of influence[1] surrounding the property contains a higher percentage of land in agricultural production. When surrounding lands are already built up, development of the property would be more consistent with growth patterns and would have fewer impacts on surrounding properties. Although approximately 22 acres of the project site are designated as locally important farmland, the proposed project would not be located on or adjacent to land that is currently under agricultural production. Additionally, the project site is located in a developing area adjacent to MARB, within an approved Specific Plan that designates the site and surrounding properties for industrial/business park uses (City of Moreno Valley 2006a, 2007). Therefore, impacts to farmland would be considered less than significant.

[1] zone of influence is land adjoining and within 0.25 mile of the subject project site that is likely to influence and be influenced by the agricultural land use (California Department of Conservation 1997.)

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
3. **AIR QUALITY/CLIMATE CHANGE:** Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?			X	

3a. Response: *(Sources: City of Moreno Valley General Plan, City of Moreno Valley General Plan FEIR,Chapter5.3: Air, Moreno Valley Industrial Area Specific Plan, Jones & Stokes 2008d)*

Less Than Significant Impact. The Southern California Associated of Governments (SCAG) is the regional planning agency for Los Angeles, Orange, Ventura, Riverside, San Bernardino, and Imperial Counties, and addresses regional issues relating to transportation, economy, community development, and environment. With regard to air quality planning, SCAG has prepared the Regional Comprehensive Plan and Guide (RCPG), which includes Growth Management and Regional Mobility chapters that form the basis for the land use and transportation control portions of the Air Quality Management Plan (AQMP). These documents are utilized in the preparation of the air quality forecasts and consistency analysis included in the AQMP. Both the RCPG and AQMP are based, in part, on projections originating with County and City General Plans.

The proposed project is located within the adopted Moreno Valley Industrial Area Specific Plan, which acts as a community plan of the City of Moreno Valley General Plan. The zoning established for the site by the Specific Plan designates the property as Industrial (I). The project site is classified as Business Park/Light Industrial in the Land Use Element of the General Plan. The proposed project is consistent with these classifications, as the whole of the project would consist of distribution warehousing and manufacturing land uses. A Specific Plan Amendment and General Plan Amendment is proposed to change the designation of the onsite extension of Krameria Street from minor arterial to industrial collector and to remove the curvilinear design of Krameria Street from the proposed "A" Street to Heacock Street to better accommodate traffic flow within the business park. These amendments do not represent changes in land use intensity or transportation that would conflict with the region's AQMP.

Because the project is consistent with the land use designations of local general plan and specific plan, pursuant to SCAQMD guidelines, the proposed project is considered consistent with the region's AQMP. As such, proposed project-related emissions are accounted for in the AQMP, which is crafted to bring the Basin into attainment for all criteria pollutants. Accordingly, the proposed project would be consistent with the projections in the AQMP, thus resulting in a less than significant impact.

b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation.		X		

3b. Response: *(Sources: City of Moreno Valley General Plan, City of Moreno Valley General Plan FEIR,Chapter5.3: Air, Moreno Valley Industrial Area Specific Plan, Jones & Stokes 2008d)*

Less Than Significant Impact. The proposed project would involve the construction and operation of a business park for light industrial and warehouse/distribution uses. Air pollutant emissions associated with the project could occur over the short-term during site preparation and construction activities. In addition, emissions could result from the long-term operation of the completed project. Therefore, the proposed project has the potential to contribute to the possible violation of an existing air quality standard or an existing or projected air quality violation. The findings of an air quality analysis conducted by Jones & Stokes in 2008 (refer to Appendix A) indicate that the proposed project's criteria pollutant emissions would fall below all respective SCAQMD significance thresholds. As such the proposed project would result in a less than significant impact, as discussed below.

Construction Emissions

Major sources of emissions during construction include exhaust generated from the use of heavy equipment and on-road vehicles, and fugitive dust generated as a result of soil disturbance during excavation and grading activities. Construction of the proposed project is expected to be carried out in two phases. Phase 1 would comprise constructing the 1,187,585 square foot warehouse on parcel 1, as well as the site work and underground utility installations required for parcels 2, 3 and 4. Phase 1 construction is anticipated to commence in July 2009 and require approximately 10 months to complete. As indicated in Table 3-1, below, daily emissions of all criteria pollutants for projected Phase I short-term construction emissions (12-months) are below SCAQMD-suggested thresholds.

Table 3-1. Phase I Construction Emissions

	ROC	NOx	CO	SOx	PM10	PM2.5
Maximum Daily Emissions (lbs/day)	67	63	119	<1	109	24
Localized Significance Threshold	------	601	4,801	-----	216	-----
Exceeds Threshold?	No	No	No	No	No	No
Regional Significance Threshold	75	100	550	150	150	55
Exceeds Threshold?	No	No	No	No	No	No

Source: Jones & Stokes 2008d

Phase 2 would include construction the remaining three buildings (381,404 square feet) of the proposed project on Parcels 2, 3 and 4. Phase 2 construction would commence approximately 12 to 18 months after completion of Phase 1construction, and would require approximately 5 months for completion. Because Phase 1 is expected to be operational during Phase 2 construction, the projected Phase 1 operations-period emissions have been added to Phase 2 construction emissions. As indicated in Table 3-2, below, daily emissions of all criteria pollutants for projected Phase 2 short-term construction emissions (5-months) are below SCAQMD-suggested thresholds.

Table 3-2. Phase 2 Construction Emissions

	ROC	NOx	CO	SOx	PM10	PM2.5
Maximum Daily Emissions (lbs/day)	28	98	145	2	21	7
Localized Significance Threshold	------	601	4,801	-----	216	-----
Exceeds Threshold?	No	No	No	No	No	No
Regional Significance Threshold	75	100	550	150	150	55
Exceeds Threshold?	No	No	No	No	No	No

Source: Jones & Stokes 2008d

Operational Emissions

Long-term air quality impacts are those associated with the emissions produced from mobile source emissions, such as project-generated truck and other vehicle trips; stationary source emissions from the use of electricity and natural gas; and area sources, such as landscape equipment emissions. Projected operations emissions are included in Table 3-3, below. As shown in Table 3, the project's net regional emissions would not exceed regional SCAQMD thresholds for any criteria pollutant. Therefore, regional operations emissions would result in a less than significant long-term regional air quality impact.

Table 3-3. Operational Emissions

	ROC	NOx	CO	SOx	PM10	PM2.5
Mobile Sources	16	45	108	<1	23	5
Area Sources	10	10	10	<1	<1	<1
Total	26	55	118	<1	23	5
SCAQMD Daily Threshold	55	55	550	150	150	55
Exceeds Threshold?	No	No	No	No	No	No

Source: Jones & Stokes 2008d

Greenhouse Gas Emissions

Table 3-4 presents an estimate of project-related GHG emissions of CO_2, CH_4, and N_2O in the form of CO_2e (carbon dioxide equivalent). Because quantitative GHG guidelines, including thresholds, have not been developed by the SCAQMD, these emissions are provided for information purposes only. According to a recent white paper by the Association of Environmental Professionals, "an individual project does not generate enough GHG emissions to significantly influence global climate change. Global climate change is a cumulative impact; a project participates in this potential impact through its incremental contribution combined with the cumulative increase of all other sources of GHG emissions." Project-related impacts are expected to be less than significant because climate change would not occur directly from project emissions. Nevertheless, mitigation measures to reduce project-related GHG emissions by the greatest extent feasible are prescribed below.

Table 3-4. Estimate of Project-Related Greenhouse Gas Emissions (pounds per day)[a]

	CO_2e
California Statewide Average Daily Emissions (year 2004)	2,972,314,499
Project Emissions	
Maximum Phase I Construction-Period Emissions	15,820.80
Maximum Concurrent Phase I Operations-Period and Phase II Construction-Period Emissions	42,086.84
Project Build-out Operations-Period Emissions	
Mobile Source	962,061
Stationary Source	12,555
Area Source	15,455
Total Operations-Period Emissions	990,071
SCAQMD Daily Significance Threshold	NA
Exceed Significance Threshold?	NA

[a] URBEMIS 2007 output and energy emissions calculation worksheets are provided in the air quality appendix.

Construction-Period Emissions

The proposed project's worst case GHG emissions during Phase 1 construction would be approximately 15,821 CO_2e pounds per day. This amount represents approximately 0.0005% of the statewide total daily GHG emissions. The proposed project's concurrent Phase 1 operations-period and Phase 2 construction-period worst-case GHG emissions would be approximately 42,087 CO_2e pounds per day, which represents approximately 0.0014% of the statewide total daily GHG emissions. Existing ARB regulations (Title 13 of the California Code of Regulations, Sections 2480 and 2485), which limit idling of diesel-fueled commercial motor vehicles, would help to limit GHG emissions associated with project-related construction vehicles. In addition, ARB's proposed Early Action Measures (pursuant to the California Global Warming Solutions Act of 2006) include other emission reduction measures for diesel trucks and diesel off-road equipment. ARB will review and adopt Early Action Measures by January 1, 2010, and equipment used for construction of the project after 2010 could be subject to these requirements. Once such measures go into effect, construction contractors would be subject to these requirements. Nevertheless, project-specific measures to further reduce GHG emissions during construction are prescribed below.

Operations-Period Emissions

Vehicular trip generation and energy demands related to the proposed new development would result in direct and indirect emissions of GHG emissions. As shown in Table 3-4, GHG emissions that would occur during project build-out long-term operations would be approximately 990,071 CO_2e pounds per day. This amount represents approximately 0.033% of the statewide total daily GHG emissions.

No federal, state, or regional air quality agency has adopted a methodology or quantitative threshold that can be applied to evaluate the significance of an individual project's contribution to GHG emissions, such as the ones that exist for criteria pollutants. Nevertheless, project-specific measures to reduce GHG emissions during long-term project operations are prescribed below.

Mitigation Measures

The following mitigation measures are recommended to reduce project-related GHG emissions.

Construction-period Measures

AQ-1: Project Applicant shall provide construction site electrical hook ups for electric hand tools such as saws, drills, and compressors, to eliminate the need for diesel powered electric generators or provide evidence that electrical hook ups at construction sites are not practical or prohibitively expensive.

AQ-2: Project Applicant shall ensure that construction equipment is properly maintained, including proper tuning and timing of the engines.

AQ-3: Idling of construction equipment on site shall be limited to no more than ten minutes.

AQ-4: Utilize alternative fuels in construction equipment and require construction equipment to utilize the best available technology to reduce emissions or provide evidence that it is prohibitively expensive.

Operations-period Measures

AQ-5: Use high efficient windows in office areas.

AQ-6: Use high-efficient parking lot lights.

AQ-7: Use lighting controls and energy-efficient lighting.

AQ-8: Use light-colored roof materials to reflect heat.

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact

AQ-9: Use alternative fuels and measures to maximize fleet efficiency for vehicles that will serve the proposed project on a frequent basis (e.g., forklifts, switcher tractors/hostelling units) or provide evidence that it is prohibitively expensive.

AQ-10: Use native and/or drought-resistant planting and efficient irrigation systems.

AQ-11: Use permeable paving materials to reduce water runoff and promote natural filtering of precipitation and irrigation waters.

AQ-12: Install recycling bins and provide space for storage and collection of recyclables within development site.

c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?			X	

3c. Response: *(Sources: City of Moreno Valley General Plan, City of Moreno Valley General Plan FEIR,Chapter5.3: Air, Moreno Valley Industrial Area Specific Plan, Jones & Stokes 2007, Jones & Stokes 2008d)*

Less Than Significant Impact. The SCAQMD's approach for assessing cumulative impacts is based on the AQMP forecasts of attainment of ambient air quality standards in accordance with the requirements of the Federal and State Clean Air Acts. As previously discussed (Response 3a.), the proposed project would be consistent with the AQMP, which is intended to bring the Basin into attainment for all criteria pollutants.

In addition, the mass regional emissions calculated for the proposed project and presented earlier in Response 3b., are less than the applicable SCAQMD daily significance thresholds, which are designed to assist the region in attaining the applicable state and national ambient air quality standards. As such, cumulative impacts would be less than significant.

d) Expose sensitive receptors to substantial pollutant concentrations?			X	

3d. Response: *(Sources: City of Moreno Valley General Plan, City of Moreno Valley General Plan FEIR,Chapter5.3: Air, Moreno Valley Industrial Area Specific Plan, Jones & Stokes 2007, Jones & Stokes 2008d)*

Less than Significant Impact. The results of the air quality analysis, conducted by Jones & Stokes in 2008, are summarized below.

Construction Emissions

The results of the dispersion modeling conducted by ICF Jones and Stokes are presented in Table 3-5. As shown therein, CO, NO_X, PM_{10}, and $PM_{2.5}$ concentrations would not exceed SCAQMD localized significance criteria. As such, localized impacts during project construction will be less than significant.

Table 3-5. Estimate of Phase I and Phase II Localized Construction Emissions (pounds per day)

	Estimated Emissions and Concentrations			
Phase (Duration)	**CO**	**NO_x**	**PM_{10}**	**$PM_{2.5}$**
Phase 1 Grading (2 months)	16	30	79	18
Phase 1 Building Construction (8 months)	20	30	2	2
Phase 1 Concurrent Building Construction, Asphalt Paving and Architectural Coatings Application (2 months)	30	48	4	4
Phase 2 Building Construction (5 weeks)	11	17	1	1
Phase 2 Concurrent Building Construction , Architectural Coatings Application and Paving (1 month)	11	23	1	1
Maximum Emissions (pounds/day)	30	48	79	18
Maximum Pollutant Concentration [a]	3.65 ppm (1-hour) 2.17 ppm (8-hour)	0.12 ppm (1-hour)	9.01 $\mu g/m^3$ (24-hour)	2.06 $\mu g/m^3$ (24-hour)
SCAQMD Significance Criteria	20 ppm (1-hour) 9.0 ppm (8-hour)	0.18 ppm (1-hour)	10.4 $\mu g/m^3$ (24-hour)	10.4 $\mu g/m^3$ (24-hour)
Exceed Significance Criteria?	No	No	No	No

Notes:

URBEMIS 2007 and ISCST3 output data sheets are provided in Appendix A to this AQIA report.

[a] Consistent with SCAQMD prescribed methodology, CO and NO_X concentrations include ambient background concentrations. PM_{10} and $PM_{2.5}$ concentrations do not.

Source: ICF Jones & Stokes, July 2008.

Operational Emissions

The project was evaluated using the Caltrans CO analysis protocol, as described in the ICF Jones and Stokes report. The CO protocol includes two flowcharts that illustrate when a detailed CO analysis needs to be prepared. The first flowchart is used to ascertain the CO modeling requirements for new projects. On the basis of the answers to the first flowchart, the second flowchart is used to determine the level of local CO impact analysis required for the project.

Because project implementation would not result in higher CO concentrations than those existing within the region at the time of attainment demonstration, on the basis of protocol analysis methodology, no further analysis is needed.

Because significant impacts would not occur at the intersections with the highest traffic volumes located adjacent to sensitive receptors, no significant impacts are anticipated to occur at any other locations in the study area because the conditions yielding CO hotspots would not be worse than those occurring at the analyzed intersections. Consequently, the sensitive receptors in the project area would not be significantly affected by CO emissions generated by the net increase in traffic that would occur under the project. Because the project does not cause an exceedance or exacerbate an existing exceedance of an AAQS, the project's localized operational air quality impacts would therefore be less than significant. No mitigation measures are necessary.

With respect to project build out phase's onsite mass emissions, Table 3-6 shows that onsite operations-period emissions would be below SCAQMD's localized significance thresholds. Impacts would be less than significant and no mitigation measures are necessary.

Table 3-6. Estimate of Operation-Period Localized (Onsite) Emissions

	NO_X	CO	PM_{10}	$PM_{2.5}$
Onsite Area Source Emissions [a]	11	10	<1	<1
SCAQMD Daily Significance Threshold (lbs/day)[b]	**378**	**2,178**	**10**	**3**
Exceed Significance Threshold?	**No**	**No**	**No**	**No**

Notes:

[a]Onsite emissions calculated using the URBEMIS 2007 emissions model (area-source emissions). Model output sheets are provided in the air quality appendix.

[b]The project site is located in SCAQMD SRA No. 24. These LSTs are based on the site location SRA and a distance to the nearest sensitive-receptor location of 50 meters.

Source: ICF Jones & Stokes, April 2008.

Toxic Air Contaminants

The SCAQMD recommends that health risk assessments be conducted for substantial sources of diesel particulate emissions (e.g., truck stops and warehouse distribution facilities) and has provided guidance for analyzing mobile source diesel emissions (South Coast Air Quality Management District 2002). Since the proposed 1,484,407-square foot warehouse facility is expected to generate a relatively large number of daily truck trips, a human health risk assessment (HRA) that evaluates the potential cancer risks to nearby sensitive receptor locations that may result from the onsite diesel particulate matter emissions associated with long-term facility operations was prepared for the project.

The annual diesel particulate matter (DPM) concentration and carcinogenic risk values for both the residential and nonresidential (i.e., Rainbow Ridge Elementary School) maximally exposed individual (MEI) receptor locations are shown below in Table 3-7[2]. The cancer risks estimated are based on residential exposure, which assumes that receptors are continuously exposed to the DPM concentrations for 70 years. As shown therein, the carcinogenic exposure risk at both MEI receptor locations would be less than the SCAQMD significance threshold of 1 in one million (1.0×10^{-5}). It should be noted that according to the SCAQMD's MATES III study, the background cancer risk in the project vicinity is approximately 406 in 1,000,000. Approximately 83.6% of such cancer risk is related to DPM emissions sources. Therefore, the health effects from local air quality on sensitive receptor locations present within the general project vicinity would not be substantially different as a result of the proposed project and DPM emissions from project-generated diesel truck traffic will not result in significant cancer risks to residents in the project vicinity (Jones & Stokes 2008d).

[2] Maximally Exposed Individual (MEI): A hypothetical individual who, because of proximity, activities, or living habits, could potentially receive the maximum possible dose of radiation or of a hazardous chemical from a given event or process.

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact

Table 3-7. Annual DPM Concentration and Cancer Risk Values

	Residence Maximum Exposure	School Maximum Exposure
Estimation of Cancer Risks		
Annual DPM concentration at MEI ($\mu g/m^3$)	0.00922	0.00223
Lifetime Exposure Adjustment	1.0	1.0
Cancer Risk from DPM at MEI	2.9 in 1 million	0.7 in 1 million
Exceed 10 in 1 Million Threshold?	No	No
Estimation of Noncancer Risks		
Hazard Index	0.002	0.0004
Exceed Hazard Index Threshold (i.e., value greater than 1.0)?	No	No
Source: ICF Jones & Stokes, July 2008; Complete Air Toxics Health Risk Assessment provided in Appendix B.		

e) Create objectionable odors affecting a substantial number of people?				

3e. Response: *(Sources: City of Moreno Valley General Plan, City of Moreno Valley General Plan FEIR,Chapter5.3: Air, Moreno Valley Industrial Area Specific Plan, Jones & Stokes 2007, Jones & Stokes 2008d)*

Less Than Significant Impact. Although offensive odors seldom cause physical harm, they can cause agitation and concern to the general public. Most people determine an odor to be offensive (objectionable) if it is sensed longer than a human breath; typically 2 to 5 seconds. Potential odors associated with the project would include equipment exhaust and application of asphalt during the temporary construction period. During the operations phase of the project, diesel truck exhaust associated with onsite warehouse distribution facilities could produce odors. These emissions would rapidly dissipate and be diluted by the atmosphere downwind of the emission sources. Recognizing the dispersion of the pollutants and distance from the project site to the nearest residence (approximately 1,500 feet), implementation of the project would not subject a substantial number of people to objectionable odors. Impacts would be less than significant.

4. **BIOLOGICAL RESOURCES**. Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U. S. Fish and Wildlife Service?		X		

4a. Response: *(Sources: City of Moreno Valley General Plan, Chapter 7 Conservation, Section 7.1 Biological Resources, City of Moreno Valley General Plan FEIR, Moreno Valley Industrial Area Specific Plan, Jones & Stokes 2007, Jones & Stokes 2008a)*

Less-Than-Significant Impact with Mitigation. Jones & Stokes conducted a biological resources survey within the project site that included a burrowing owl habitat assessment, vegetation mapping, and an assessment of riverine/riparian species covered under the MSHCP (refer to Appendix B). The topography of the study area is generally flat. Elevation at the site is approximately between 1,483 and 1,506 feet above mean sea level. The project site is a vacant field vegetated by exotic or ruderal (weedy) plant species including newly germinating common mallow (*Malva neglecta*), Menzie's fiddleneck (*Amsinckia menziesii*), and filaree (*Erodium cicutarium* and *E. botrys*). During Jones & Stokes' habitat assessment and subsequent focused survey for burrowing owl (*Athena cunicularia*) (Jones & Stokes 2007a), 32 wildlife species were detected—two reptiles, 25 bird

species, and five mammals. Special-status species observed on the project site include loggerhead shrike (*Lanius ludovicianus*) and black-tailed jackrabbit (*Lepus californicus*). Both the loggerhead shrike and black-tailed jackrabbit are DFG species of special concern. There is no potential for listed riparian birds, fairy shrimp, or riparian-riverine/vernal pool resources on the project site.

The report concluded that suitable habitat for burrowing owl (BUOW) exists within the property. Focused surveys for BUOW were conducted within the property by Jones & Stokes during the Spring 2007 nesting season with negative results. Although no burrowing owls were detected, the study area consists of mostly flat open fields with bare ground and low-growing, emerging nonnative grasses. Furthermore, California ground squirrel burrows are present throughout the study area. The combination of these factors indicates that potential habitat for burrowing owl is present. In addition, three actively nesting raptors were observed within the study area. Nesting birds, including raptors, are protected under the California State Fish and Game Code and Federal Migratory Bird Treaty Act.

The only water feature identified on the project site is an unvegetated segment of the Perris Valley Storm Drain, which bisects the southwestern corner of the site. The bed and banks of the channel are concrete-lined from Heacock Street, 160 feet to the southeast. A 12-linear-foot segment of ungrouted rip-rap transitions the concrete lined channel to the earthen channel. Because this segment of the channel does not support riparian vegetation, nor does it provide habitat for species associated with riverine-riparian resources, preparation of a Determination of Biologically Equivalent or Superior Preservation (DBESP) would not be required.

The City is a participant in and permittee under the Riverside County Habitat Conservation Agency Stephens' Kangaroo Rat (SKR) Habitat Conservation Plan (HCP) and the Western Riverside Multiple Species Habitat Conservation Plan (MSHCP). All special-status species potentially affected by the project are covered by these plans, and implementation of the applicable provisions of those plans would reduce any potentially significant impacts to less than significant. In addition to the payment of fees prior to issuance of a grading permit under these plans, the MSHCP requires pre-construction surveys for burrowing owl conducted within 30 days prior to ground disturbance to avoid direct take of burrowing owls on all project sites containing burrows or suitable habitat whether owls were found or not.

Implementation of the following mitigation measures would reduce the potential for significant impacts to special status species and their habitats to less than significant. Additionally, with implementation and payment of MSHCP mitigation fees, the project would be consistent with and complying with all policies of the MSHCP.

Mitigation Measures

BIO -1: A pre-construction burrowing owl survey will be conducted within the development footprint and a 500-foot buffer within 30 days of grading or other significant site disturbance.

BIO -2: If construction is to commence during the raptor breeding season (January 15–July 30), a preconstruction survey for nesting raptors will be required three days prior to ground disturbance. No construction activities may occur within 500 feet of an active raptor nest unless the activity has been authorized by a qualified biologist as having no potential to interfere with nesting activity or until the biologist determines that the nest is no longer active.

b) Have a substantially adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U. S. Wildlife Service?				X

4b. Response: *(Sources: City of Moreno Valley General Plan, Chapter 7 Conservation, Section 7.1 Biological Resources, City of Moreno Valley General Plan FEIR, Moreno Valley Industrial Area Specific Plan, Jones & Stokes 2007, Jones & Stokes 2008a)*

No Impact. The biological resources survey conducted by Jones & Stokes in 2007 indicates that vegetation on the project site is dominated by nonnative species such as short-pod mustard and Russian thistle. Other frequently encountered plant species include barley, oat, and common horseweed. The only trees occurring on the project site are located along the northern border and in the southwest corner of the project site and included nonnative eucalyptus, Peruvian peppertree, and an unidentified ornamental tree. No riparian habitat or other sensitive natural community occurs onsite (Jones & Stokes 2007). Therefore, the proposed project

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
would not have a substantial adverse effect on any sensitive natural community.				
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?		X		

4c. Response: *(Sources: City of Moreno Valley General Plan, Chapter 7 Conservation, Section 7.1 Biological Resources, City of Moreno Valley General Plan FEIR, Moreno Valley Industrial Area Specific Plan, Jones & Stokes 2008a)*

Less than Significant Impact with Mitigation. A wetland delineation was conducted within the development footprint by Jones & Stokes on February 5, 2008 (refer to Appendix C). According to the jurisdictional delineation report, implementation of the proposed project would result in permanent impacts to 0.05 acre (90 linear feet) of nonwetland Waters of the United States and Waters of the State associated with construction of a stormdrain outlet from the proposed project to the Perris Valley Storm Channel. Additionally, temporary impacts to 0.04 acres of Waters of the State would occur during construction within the channel.

Project review and issuance of permits for temporary and permanent impacts to state and federal waters would be required from the California Department of Fish and Game, State Water Quality Control Board, and U.S. Army Corps of Engineers. Mitigation for impacts to these waters would include on- or offsite restoration, enhancement, or creation of state and federal jurisdictional waters at a 1:1 ratio. The following mitigation measures are incorporated to reduce this impact to a less-than-significant level.

Mitigation Measures

BIO-3: Prior to grading within the limits of jurisdictional waters, the applicant shall obtain regulatory permits under Section 1602 of the Fish and Game Code and Section 401 and 404 of the Clean Water Act.

BIO-4: Prior to grading within the limits of jurisdictional waters, temporary and permanent impacts to state and federally jurisdictional waters will be mitigated at a ratio of 1:1 through offsite restoration, enhancement, or creation of state and federal jurisdictional waters or the purchase of mitigation credits from a resource agency approved mitigation bank.

d) Interfere substantially with the movement of any resident or migratory fish or wildlife species or with established native resident migratory wildlife corridors, or impede the use of native wildlife nursery sites?			X	

4d. Response: *(Sources: City of Moreno Valley General Plan, Chapter 7 Conservation, Section 7.1 Biological Resources, City of Moreno Valley General Plan FEIR, Moreno Valley Industrial Area Specific Plan, Jones & Stokes 2007)*

The proposed project would not interfere with the movement of any fish or wildlife, wildlife corridors, or nursery sites. The proposed project site provides for limited wildlife movement on a local scale because it is currently undeveloped. However, the proposed project site does not connect large areas of open space and is surrounded by existing development. Therefore, the proposed project site does not function as a regional wildlife corridor. In addition, the MSHCP does not identify the site as being located within a core or special linkage area. Impacts to wildlife movement as a result of the proposed project are considered less than significant.

e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				X

4e. Response: *(Sources: City of Moreno Valley General Plan, Chapter 7 Conservation, Section 7.1 Biological Resources, City of Moreno Valley General Plan FEIR, Moreno Valley Industrial Area Specific Plan, Jones & Stokes 2007)*

The project site consists of flat, disced land dominated by nonnative grasses and other ruderal vegetation. There are no native trees or other resources within the site that would be protected under local biological ordinances. Therefore, implementation of the proposed project would not conflict with local policies or ordinances protecting biological resources.

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, other approved local, regional, or state habitat conservation plan?		X		

4f. Response: *(Sources: City of Moreno Valley General Plan, Chapter 7 Conservation, Section 7.1 Biological Resources, City of Moreno Valley General Plan FEIR, Moreno Valley Industrial Area Specific Plan, Jones & Stokes 2007)*

Less-Than-Significant Impact with Mitigation. The proposed project site is within the plan areas for the SKR HCP and the Western Riverside MSHCP. The City is a participant in and permittee under both plans. The project site is located within the fee area of the SKR HCP; therefore, compliance with the plan is achieved through fee payment. As identified in the Specific Plan for the project area, any development within the Specific Plan Area is required to pay a fee of $500 per acre for the SKR HCP. With payment of the fees as required by City Ordinance, the proposed project would be in compliance with the SKR HCP. In accordance with the requirements of the MSCHP for the subject property (APNs 316-020-001, -006, -007, -010, -028, and -030), a habitat assessment for burrowing owl is required on the proposed project site. The proposed project site is not located within survey areas for amphibian species, mammalian species, criteria area species, or narrow endemic plant species, and is not located in a special linkage area. As stated above in Response 4a, Jones & Stokes conducted focused surveys for burrowing owl during the Spring 2007 nesting season. Survey results were negative for the presence of burrowing owl; however, suitable habitat is present on site (Jones & Stokes 2007). With implementation of Mitigation Measure BIO-1, listed above, and payment of the fees as required by City Ordinance, the proposed project would comply with the MSHCP. There are no other other applicable local, regional, and state habitat conservation plans.

Mitigation Measures

Refer to Mitigation Measure, BIO -1, above.

5. **CULTURAL RESOURCES**. Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?				X

5a. Response: *(Sources: City of Moreno Valley General Plan, Chapter 7 Conservation, Section 7.2 Cultural Resources, City of Moreno Valley General Plan FEIR, Moreno Valley Industrial Area Specific Plan, Jones & Stokes 2008b)*

No Impact. Jones & Stokes conducted a Phase I cultural resources inventory of the proposed project site in 2008 (refer to Appendix D). The inventory identified no previously identified historical resources nor were any recorded during the pedestrian survey. According to the City of Moreno Valley General Plan, there are no sites within the city that are listed as a state landmark or included on the National Register of Historic Places.

Historic period maps depict two structures on the project parcel by 1942, and ten structures, a running track for horses, and the Perris Valley Storm Drain by 1980. The ten structures and the running track were subsequently demolished and removed, and the area plowed for agricultural use. Evidence of the structures once present on the property is limited to a utility pole, small chunks of wood, and one modern porcelain toilet scattered on the ground surface in the northeastern corner of the property. The Perris Valley Storm Drain remains in place. The Perris Valley Storm Drain, built between 1945 and 1967—likely in the 1950s when this type of reclamation work was common—is a typical earth and concrete lined drainage channel. It possesses no distinctive features and is recommended as not eligible for the California Register of Historic Resources.. Therefore, implementation of the proposed project would not result in a substantial adverse change to historic resources.

b) Cause a substantial adverse change in the significance of an archaeological resources pursuant to Section 15064.5?			X	

5b. Response: *(Sources: City of Moreno Valley General Plan, Chapter 7 Conservation, Section 7.2 Cultural Resources, City of Moreno Valley General Plan FEIR, Moreno Valley Industrial Area Specific Plan, Jones & Stokes 2008b)*

Less-Than-Significant Impact. Jones & Stokes conducted a Phase I cultural resources inventory of the proposed project site in 2008 that included a records search at the Eastern Information Center, University of California at Riverside, and a pedestrian survey of the site. According to the archival research, no previously identified archeological resources were recorded within the

project area, and no new resources were identified during the field survey. Therefore, there is a low likelihood of encountering archeological resources during grading and construction of the proposed project. However, buried resources may exist within the project areas that do not possess surface indicators. It is possible, although unlikely, that resources could be unearthed during project excavation activities. If cultural materials (e.g., bone, chipped stone, ground stone, shell, glass, ceramics, metal) are located below surface during the construction of the project, work should be halted in that area so that a qualified archaeologist can determine the significance of the find. The City's Planning Conditions of Approval require that "if potential historic, archaeological, or paleontological resources are uncovered during excavation or construction activities at the project site, work in the affected area will cease immediately and a qualified person (meeting the Secretary of the Interior's standards (36CFR61)) shall be consulted by the applicant to evaluate the find, and as appropriate recommend alternative measures to avoid, minimize or mitigate negative effects on the historic, prehistoric, or paleontological resource. Determinations and recommendations by the consultant shall be implemented as deemed appropriate by the Community Development Director, in consultation with the State Historic Preservation Officer (SHPO) and any and all affected Native American Tribes before any further work commences in the affected area. If human remains are discovered, work in the affected area shall cease immediately and the County Coroner shall be notified. If it is determined that the remains are potentially Native American, the California Native American Heritage Commission and any and all affected Native American Indians tribes such as the Morongo Band of Mission Indians or the Pechanga Band of Luiseno Indians shall be notified and appropriate measures provided by State law shall be implemented. (GP Objective 23.3, DG, CEQA)." Compliance with this condition of approval will reduce the potential for impacts to archeological resources to a less-than-significant level.

c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?			X	

5c. Response: *(Sources: City of Moreno Valley General Plan, Chapter 7 Conservation, Section 7.2 Cultural Resources, City of Moreno Valley General Plan FEIR, Moreno Valley Industrial Area Specific Plan, Jones & Stokes 2008b)*

Less-Than-Significant Impact. According to the City of Moreno Valley General Plan, one area within the city, known as the Badlands, is considered a place of paleontological importance. The proposed project site is not located within or adjacent to this sensitive area. However, construction activities could result in the uncovering and disturbance of previously unidentified subsurface paleontological resources. As described in Response 5b compliance with the City's Planning Conditions of Approval will reduce this impact to a less-than-significant level.

d) Disturb any human remains, including those interred outside of formal cemeteries?			X	

5d. Response: *(Sources: City of Moreno Valley General Plan, Chapter 7 Conservation, Section 7.2 Cultural Resources, City of Moreno Valley General Plan FEIR, Moreno Valley Industrial Area Specific Plan, Jones & Stokes 2008b)*

Less-Than-Significant Impact. The Phase I cultural resources inventory conducted by Jones & Stokes concluded that the potential for archeological resources is considered low. No evidence of use by aboriginal or historic peoples or indication of formal or informal burial grounds was observed. Additionally, contact with the Native American Heritage Commission initiated during the cultural resources records search and review of the sacred lands file indicates that the project site does not include sacred lands or traditional cultural properties. As described in Response 5b compliance with the City's Planning Conditions of Approval will reduce impacts to less than significant.

6. **GEOLOGY AND SOILS**. Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving:				
(i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.				X

6a(i). Response: *(Sources: City of Moreno Valley General Plan, Chapter 6 Safety, Section 6.5 Geologic Hazards, Figure 5.6-2: Seismic Hazards, City of Moreno Valley General Plan FEIR, Moreno Valley Industrial Area Specific Plan)*

No Impact. The Alquist-Priolo Earthquake Fault Zoning Act was passed in 1972 to mitigate the hazard of surface faulting to

structures for human occupancy. The primary purpose of the Alquist-Priolo Earthquake Fault Zoning Act is to prevent the construction of buildings used for human occupancy on the surface trace of active faults. Unlike damage from ground shaking, which can occur at great distances from the fault, impacts from fault rupture are limited to the immediate area of the fault zone where the fault breaks along the surface.

According to Figure 5.6-2 of the Moreno Valley FEIR, the nearest mapped fault is the San Jacinto fault, which is located approximately 7.1 miles east of the project site. (City of Moreno Valley 2006c). Given the distance of the San Jacinto fault from the proposed project site, implementation of the proposed project would not result substantial adverse effects associated with rupture of a known earthquake fault.

(ii) Strong seismic ground shaking?			X	

6a(ii). Response: *(Sources: City of Moreno Valley General Plan, Chapter 6 Safety, Section 6.5 Geologic Hazards, Figure 5.6-2: Seismic Hazards, City of Moreno Valley General Plan FEIR, Moreno Valley Industrial Area Specific Plan)*

Less Than Significant Impact. The project site is located within the seismically active region of southern California, and may be subject to ground-shaking events. The potential severity of ground shaking depends on many factors, including the distance from the originating fault, the earthquake magnitude, and the nature of the earth materials beneath the site. The closest known active regional faults to the project site are the San Jacinto Fault to the east, the Elsinore Fault to the southwest, and the San Andreas Fault to the northeast. Seismic shaking of the site can be expected during the lifetime of the proposed development; however, the seismic hazards within the project area are not significantly different from most regions within the southern California area.

Compliance with the 1997 Uniform Building Code, including incorporation of seismic safety features, would minimize the potential for significant impacts. Compliance with the Uniform Building Code is required for development of all structures in the city. Project plans would be reviewed during the plan check process, which would ensure that these seismic safety measures are incorporated. As a result, potential impacts associated with seismic ground shaking would be less than significant.

(iii) Seismic-related ground failure, including liquefaction?			X	

6a(iii). Response: *(Sources: City of Moreno Valley General Plan, Chapter 6 Safety, Section 6.5 Geologic Hazards, Figure 5.6-2: Seismic Hazards, City of Moreno Valley General Plan FEIR, Moreno Valley Industrial Area Specific Plan, Norcal Engineering 2007)*

Less Than Significant Impact. Liquefaction is the temporary transformation of a soil or sediment to a fluid mass and is initiated by ground shaking, such as from earthquakes. Soils and sediment most susceptible to liquefaction are low cohesion silty or sandy materials that are saturated by groundwater within 50 feet of the surface. However, other sediments, such as some gravelly and some cohesive materials, may also be subject to liquefaction. Additionally, ground shaking of sufficient magnitude must be present for liquefaction to occur. Soil and sediment that are liquefied result in a loss of support for structures, utilities, and paving.

The site is expected to experience ground shaking and earthquake activity that is typical of the southern California area. However, according to Figure 5.6-2 of the Moreno Valley FEIR, the project site is not located inside of a boundary of potential liquefaction. Additionally, the project geotechnical report states that the potential for liquefaction is considered low due to the depth of groundwater in the area, which exceeds 50 feet (Norcal Engineering 2007). The project would be in conformance with the latest Uniform Building Code provisions for earthquake design, which is expected to provide mitigation of ground shaking hazards that are typical to southern California. Therefore, potential impacts associated with seismic ground failure, including liquefaction, would be less than significant.

(iv) Landslides?				X

6a(iv). Response: *(Sources: City of Moreno Valley General Plan, Chapter 6 Safety, Section 6.5 Geologic Hazards, Figure 5.6-2: Seismic Hazards, City of Moreno Valley General Plan FEIR, Moreno Valley Industrial Area Specific Plan)*

Less Than Significant Impact. The City of Moreno Valley FEIR identifies the steep porous soils in the Badlands-San Timoteo

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact

and San Emigdio-Grangeville-Metz soil series as potentially unstable and subject to slide or mudflow. These soil series are found near the foothills and mountains at the northern and southern margins of the city. The proposed project site is located within a relatively flat and developed area within the southeastern area of the city that is not adjacent to hillsides, slopes, or other areas of potential landslide. Therefore, no impacts would occur.

(b) Result in substantial soil erosion or the loss of topsoil?		X		

6b. Response: *(Source: SWRCB 2004)*

Construction of the proposed project would result in the temporary exposure of ground surfaces, which could increase the potential for erosion during grading, excavation, and hauling materials on and off the site. Because the project involves more than one acre of soil disturbance, the contractor will be required to submit a Notice of Intent to the State Water Resources Control Board for coverage under the General Permit for Discharges of Storm Water Associated with Construction Activity (99-08-DWQ). As part of the requirements associated with the permit, a Stormwater Pollution Prevention Plan (SWPPP) will be prepared that sets forth the type and location of standard best management practices (BMPs) that will be used to reduce potential impacts to water quality during construction. BMPs typically include temporary catchment basins, silt fencing and/or installation of sandbags to control runoff and contain sediment transport in the project site. Following construction, ground surfaces will be stabilized with buildings, paving, and landscaping. With incorporation of mitigation measure GEO-1, below, impacts would be less than significant.

Mitigation Measure

GEO-1. The following measures shall be included on the project plans and specifications, and shall be required as conditions of approval for implementation by the contractor: Prior to issuance of any grading permits, the applicant shall prepare a Stormwater Pollution Prevention Plan (SWPPP) and provide proof to the City Community Development Department that a Notice of Intent (NOI) was filed with the State Water Resources Control Board (SWRCB) for coverage under the state National Pollution Discharge Elimination System Permit (NPDES) for construction related discharges. This evidence shall consist of the Waste Discharge Identification Number (WDID) issued by the SWRCB.

(c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?			X	

6c. Response: *(Sources: City of Moreno Valley General Plan, Chapter 6 Safety, Section 6.5 Geologic Hazards, Figure 5.6-2: Seismic Hazards, City of Moreno Valley General Plan FEIR, Moreno Valley Industrial Area Specific Plan, Norcal Engineering 2007)*

Based upon review of the City of Moreno Valley General Plan, Geology and Soils Section and Figure 5.6-2: Seismic Hazards, the project site is not located within an area of the City where the potential for landslide, subsidence, liquefaction, or collapse has been identified. Additionally, the project geotechnical report states that soils and geotechnical conditions within the site exhibit a low potential for slope instability, liquefaction, expansive soils (Norcal Engineering 2007). Therefore, the potential for impacts associated with geologic or soil instability as a result of the project would be less than significant.

(d) Be located on expansive soil, as defined in Table 18-a-B of the Uniform Building Code (1994), creating substantial risks to life or property?				X

6d. Response: *(Sources: City of Moreno Valley General Plan, Chapter 6 Safety, Section 6.5 Geologic Hazards, Figure 5.6-2: Seismic Hazards, City of Moreno Valley General Plan FEIR, Moreno Valley Industrial Area Specific Plan, Norcal Engineering 2007)*

Expansiveness is the potential of the soil to swell and shrink with repeated cycles of wetting and drying. Expansive soils are not suitable for building foundations as they tend to be compressible and do not provide adequate support. The City General Plan, Geology and Soils section identifies soils within the project area as Hanford-Tujunga-Greenfield soils in the City's General Plan. This association of soils consists of well drained to somewhat excessively drained soils, developed in granitic alluvium, which are not generally associated with expansive soils. Additionally, the project geotechnical report states that upper soils on the site are

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact

considered very low in expansion potential (Norcal Engineering 2007). Therefore, implementation of the proposed project would not result in substantial risks to life or property as a result of expansive soil hazards.

(e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?				X

6e. Response: *(Source: Project Plans)*

Less Than Significant Impact. Domestic wastewater disposal service will be provided by Eastern Municipal Water District. The installation of septic tanks or other alternative wastewater disposal systems will not be required. Therefore, implementation of the proposed project will not result in impacts related to inadequate soils.

7. **HAZARDS AND HAZARDOUS MATERIALS.** Would the project?

a) Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials?			X	

7a. Response: *(Sources: City of Moreno Valley General Plan, Chapter 6 Safety, Section 6.9 Hazardous Materials, City of Moreno Valley General Plan FEIR, Chapter 5.5 Hazards Moreno Valley Industrial Area Specific Plan)*

The Moreno Valley Industrial Area Specific Plan permits light manufacturing and warehouse distribution uses within areas of the specific plan designated as (I) Industrial, which includes the proposed project. Light manufacturing or warehouse distribution tenants could use and/or store hazardous materials, such as oil, pesticides, and other materials. Any business that handles or generates hazardous waste over a certain threshold within the city are monitored by the U.S. Environmental Protection Agency (EPA).

Locally, the City falls within the jurisdiction of the County of Riverside, Health Services Agency, Department of Environmental Health, Hazardous Materials Division (DEH). DEH has established the Riverside County Area Plan for emergency response to a release or threatened release of hazardous materials within the County. The Hazardous Materials Program and Response Plan within the Area Plan serves the majority of the cities in Riverside County, including Moreno Valley. The Area Plan incorporates the State of California Accidental Release Prevention Program (CalARP) to identify and manage hazards. The goal of the CalARP is to make all facilities that handle regulated substances free of catastrophic incidents. Any business within the city that handles hazardous materials exceeding designated threshold quantities must prepare and submit a Business Emergency Plan (BEP) to the County of Riverside Health Department, Environmental Health Division, which is the City's designated Certified Unified Program Agency (CUPA). A BEP contains information that may be utilized to minimize the effects and extent of a threatened release of hazardous materials. The information is also used by emergency response personnel to determine potential risks and hazards while developing a strategy for handling an emergency involving hazardous materials. (City of Moreno Valley. 2005c.) Any use, disposal, transport and/or storage of hazardous materials that may occur as a result of the proposed project would be conducted in accordance with the existing regulatory framework described above and would not result in a significant hazard to the public. Impacts would be less than significant.

b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment?		X		

7b. Response: *(Sources: City of Moreno Valley General Plan, Chapter 6 Safety, Section 6.9 Hazardous Materials, City of Moreno Valley General Plan FEIR, Chapter 5.5 Hazards Moreno Valley Industrial Area Specific Plan)*

Implementation of the proposed project could result in accidental release of petroleum products or other construction materials in sufficient quantities to pose a significant hazard to people and the environment. The potential for this impact is restricted to the construction period when construction vehicles, paints, solvents and other construction materials would be present onsite. Mitigation Measure GEO-1, above, requires preparation of a Storm Water Pollution Prevention Plan which would include measures to ensure that good housekeeping measures and safe storage of construction materials is implemented and remediation of petroleum product leaks or spills takes place, if required, in accordance with applicable state and local regulations.

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact

Use, transport, and disposal of hazardous materials during the operations phase of the project would be subject to the regulatory requirements described in Response 7a, above, which require governmental oversight of facilities that use hazardous materials and sets forth a strategy for handling any potential emergencies. Therefore, with implementation of Mitigation Measure GEO-1, the potential impact of accidental release of hazardous substances is less than significant.

Mitigation Measure

Implement Mitigation Measure GEO-1, described above.

c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an exiting or proposed school?			X	

7c. Response: *(Sources: City of Moreno Valley General Plan, Chapter 2: Community Development, City of Moreno Valley General Plan FEIR, Chapter 5.13 Public Services and Utilities, Moreno Valley Industrial Area Specific Plan)*

The proposed project may be occupied by light manufacturing or warehouse distribution tenants that could use and/or store hazardous materials. However, the nearest school to the proposed project site is Rainbow Ridge Elementary School, which is located at 15950 Indian Avenue, approximately 0.35 miles from the site. Based upon the distance of the school from the project site and the regulatory oversight that is provided to businesses using or storing hazardous materials by the City of Moreno Valley, County of Riverside Health Department and EPA, the potential for impacts associated with the emission or handling of hazardous materials one-quarter mile of an existing or proposed school would be less than significant.

d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result would it create a significant hazard to the public or the environment?			X	

7d. Response: *(Sources: City of Moreno Valley General Plan, Chapter 6: Safety, City of Moreno Valley General Plan FEIR, Chapter 5.5 Hazards, Figure 5.5-1 Hazardous Materials Sites, Moreno Valley Industrial Area Specific Plan, SCS Engineers 2006)*

According to Figure 5.5-1 of the City of Moreno Valley General Plan FEIR, the site is not located on a known hazardous material site (City of Moreno Valley 2005c). A Phase I Environmental Site Assessment was conducted within the project site by SCS Engineers in 2006. The assessment included a public records search, site inspection, and historic land use evaluation. No evidence of past or current use, storage, or disposal of hazardous materials was observed on the property.

The search of regulatory databases indicates that the project site is not identified as a known or suspected hazardous materials contamination site. The only site of potential concern within one mile of the project site is the March ARB, which includes identified areas of groundwater contamination. A contaminated groundwater interception and treatment system is in operation to remove volatile organic compounds (VOCs) such as TCE and PCE from the groundwater and prevent their further migration off base. It is possible that vapors from the VOC impacted groundwater could migrate into nearby buildings under certain circumstances and may create a health risk to building occupants if exposure occurs over an extended period of time. However, given the reported groundwater depth of the area, soil type and SCS Engineers experience with similar sites, the report concluded that there is no significant potential for vapor intrusion into current or future buildings on the project site from the March ARB plume (SCS Engineers 2006). Therefore, potential impacts associated with construction of the project on a hazardous materials site is considered less than significant.

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?			X	

7e. Response: *(Sources: City of Moreno Valley General Plan, Chapter 6: Safety, Figure 6-5: Air Crash Hazards, City of Moreno Valley General Plan FEIR, Chapter 5.5 Hazards, Moreno Valley Industrial Area Specific Plan, USAF 2005)*

The March Air Reserve Base is located west of Heacock Street, immediately adjacent to the project site. The potential for safety hazards was addressed in the Air Installation Compatibility Use Zone report (AICUZ) prepared by the Air Force in 2005. This study identifies areas subject to aircraft safety concerns and identifies appropriate land uses for those areas subject to these concerns. The MARB accident potential zones include APZ 1, APZ II, and the Clear Zone, which are established based upon statistical analysis of past aircraft accidents. The AICUZ sets forth restrictions on the development type, height, and lot coverage for each APZ.

According to Figure 6-5 of the City of Moreno Valley General Plan and Map 3-1 of the Moreno Valley Industrial Area Specific Plan, the project site is not located within aircraft hazard zones APZ I, APZ II, or the Clear Zone (City of Moreno Valley 2007f). Due to the proximity of the project site to the March Air Reserve Base, and in accordance with the development guidelines of the Specific Plan, building heights within the project site would be restricted to 150 feet or less to avoid interference with March Air Reserve Base operations. Therefore, the potential for impacts associated with airport safety hazards is considered less than significant.

f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				X

7f. Response: *(Sources: City of Moreno Valley General Plan, Chapter 6: Safety, Figure 6-5: Air Crash Hazards, City of Moreno Valley General Plan FEIR, Chapter 5.5 Hazards, Moreno Valley Industrial Area Specific Plan)*

The proposed project is not located within the vicinity of a private airstrip. Therefore, no impacts would occur.

g) Impair implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan?			X	

7g. Response: *(Source: Project Plan)*

The proposed project involves construction of a business park on a vacant parcel. All offsite improvements to existing roadways would be constructed in a manner that allows continued traffic movement. The proposed project also would not require the closure of streets or affect potential emergency response routes. Following construction, emergency access to the site and the surrounding area would be improved through the construction and extension of roadways intended to serve the project, such as Krameria Avenue and "A" Street. Therefore, the potential for impacts associated with interference with an adopted emergency response or evacuation plan is considered less than significant.

h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?				X

7h. Response: *(Sources: City of Moreno Valley General Plan, Chapter 6: Safety, City of Moreno Valley General Plan FEIR, Chapter 5.5 Hazards, Figure 5.5-2: Floodplains and High Fire Hazard Areas, Moreno Valley Industrial Area Specific Plan)*

According to City of Moreno Valley General Plan FEIR, Figure 5.5-2: Floodplains and High Fire Hazard Areas, areas of substantial and very high fire risk are limited to the mountains and foothills within the southern, eastern, and northern area of the City. The proposed project site is located within an urbanizing area of the City that is not characterized by large areas of dense natural vegetation susceptible to wildfires. Therefore, the potential for exposure of people or structures to a loss or injury involving wildfires is considered less than significant.

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
8. **HYDROLOGY AND WATER QUALITY**. Would the project:				
a) Violate any water quality standards or waste discharge requirements?		X		

8a. Response: *(Source: SWRCB 2004)*

As discussed above under Section 6: Geology and Soils, grading and construction activities have the potential to expose soil within the project footprint that could increase the potential for erosion and sedimentation. Potential impacts related to erosion or discharge of sediment during construction will be minimized through preparation of a stormwater pollution prevention plan (SWPPP) and use of standard best management practices, such as silt fencing, gravel bags, and temporary seeding on slopes. Implementation of Mitigation Measure GEO-1 will reduce potential impacts related to construction period discharges to a level of less than significant.

The long-term operation of the proposed project is expected to increase the potential for runoff to come into contact with oil, grease, pesticides, fertilizers, litter, and sediment from operation of trucks and other vehicles, landscaping, and general use of the business park facilities. Stormwater generated within the project site will be directed into the stormdrain system and the proposed detention basins. In accordance the Riverside County Municipal Stormwater National Pollutant Discharge Elimination System (NPDES) permit, the basins would be sized to retain and treat the first 0.75-inches of runoff associated with each storm, also referred to as the "first flush" prior to discharge to Perris Valley Channel Lateral A. Therefore, the potential for the project to violate any water quality standards or waste discharge requirements during operation would be considered less than significant.

Mitigation Measure

Implement Mitigation Measure GEO-1, described above.

b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?			X	

8b. Response: *(Source: City of Moreno Valley General Plan, City of Moreno Valley General Plan FEIR, Figure 5.7-2: Groundwater Basins, Moreno Valley Industrial Area Specific Plan)*

The proposed project does not involve the use of groundwater resources or geotechnical work (i.e., tunneling) that could result in significant dewatering or groundwater consumption that would reduce the amount of local groundwater. According to City of Moreno Valley General Plan FEIR Figure 5.7-2: Groundwater Basins, the project site is located within the Perris North Groundwater Basin. There are currently few domestic uses for groundwater in the watershed since the City primarily relies on imported water from the Eastern Municipal Water District. Additionally, there is a documented issue with groundwater quality in the Perris North Groundwater Basin associated with high salinity. Implementation of the proposed project would result in an increase in the amount of impermeable surface within the project site, which could result in an incremental reduction in localized groundwater recharge rates. However, the amount of impervious area (approximately 34.3 acres) associated with paved areas and buildings within the proposed business center is not considered significant, nor would the reduction result in a significant impact to domestic water supplies which are provided by EMWD. Therefore, the potential for project impacts associated with the depletion or interference with groundwater recharge would be considered less than significant.

c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?		X		

8c. Response: *(Source: City of Moreno Valley General Plan, City of Moreno Valley General Plan FEIR, Moreno Valley Industrial Area Specific Plan, Thienes Engineering n.d., Jones & Stokes 2008a)*

The project would result in minor changes in the drainage pattern of the site through grading and construction of impervious surfaces. According to the jurisdictional delineation conducted by Jones & Stokes in 2008, the Perris Valley Storm Channel is the only water feature within the project site. There are no natural streams or rivers that would be altered through grading or

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact

changes in drainage patterns.

In the finished condition, ground surfaces within the project site will be stabilized with landscaping and paving. The project includes construction of underground stormdrain facilities and four onsite detention basins to convey, retain, and treat stormwater runoff generated within the site, prior to releasing it to the Perris Valley Storm Channel. Therefore, implementation of the proposed project does not represent a significant change to the existing drainage pattern that could result in significant erosion or siltation.

d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate of surface runoff in a manner which would result in flooding on- or off site?			X	

8d. Response: *(Source: City of Moreno Valley General Plan, City of Moreno Valley General Plan FEIR, Moreno Valley Industrial Area Specific Plan, Thienes Engineering n.d., Jones & Stokes 2008a)*

The project would increase the impermeable area of the site and result in a change in the absorption surface runoff rates. As described above under the response to 8c, the proposed project includes construction of underground stormdrain facilities and four onsite detention basins to convey stormwater runoff generated within the site to the Perris Valley Storm Channel. The basins will be sized to discharge stormwater into Perris Channel at a rate that does not exceed pre-construction conditions. Implementation of the proposed project will not result in a substantial change to existing drainage patterns that could result in flooding on- or offsite.

e) Create or contribute runoff which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?		X		

8e. Response: *(Source: Thienes Engineering n.d.)*

During post-construction operation of the project, stormwater runoff will be directed to one of four onsite basins through catch basins located throughout the development, and discharge to the Perris Valley Stormdrain. The Hydrology Calculations prepared by Thienes Engineering indicate that stormwater runoff generated by the project would increase by a maximum of 6.86 acre-feet, north of the Perris Valley Channel, and 0.17 acre-feet south of the Perris Valley Channel, due to the change from existing to built conditions; this condition would occur during the 10-year, 24-hour storm event. All other storm events would result in a smaller increase in discharge volumes (Thienes Engineering n.d.). Therefore, 6.68 acre-feet of storage in the three detention basins north of the Perris Valley Channel is required to detain this increase in stormwater runoff and 0.17 acre-feet of storage is required in the one detention basin located south of the Perris Valley Channel. The conceptual grading plan for the basins provides a total of 6.79 acre-feet of storage in the northern three basins and 0.20 acre-feet of storage in the southern basin. The water quality basins would be used to detain stormwater runoff such that the runoff generated in the built condition would not exceed existing conditions. The ultimate design of the stormdrain system and basins would be completed prior to final project design review, and would be subject to the review and approval of the City of Moreno Valley and the Riverside County Flood Control Department (RCFCWCD).

Consistent with RCFCWCD requirements, metered release of stormwater discharges from the developed project site will not exceed predevelopment, 100-year peak flows from the subject property. Therefore, potential impacts associated with creation or contribution of runoff that would exceed the capacity of existing or planned stormwater management systems is considered less than significant.

f) Otherwise substantially degrade water quality?				X

8f. Response: *(Source:)*

The proposed project does not include any components that could otherwise substantially degrade water quality. No impacts would occur.

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
g) Place housing within a 100-year floodplain, as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				X

8g. Response: *(Sources: Site Plan)*

No Impact. The proposed project does not include construction of housing. No impacts would occur.

h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?			X	

8h. Response: *(Source: City of Moreno Valley General Plan, Chapter 5.5 Hazards, Figure 5.5-2: Floodplains and High Fire Hazard Areas, City of Moreno Valley General Plan FEIR, Moreno Valley Industrial Area Specific Plan, Thienes Engineering n.d.)*

According to City of Moreno Valley General Plan FEIR Figure 5.5-2: Floodplains and High Fire Hazard Areas and the Federal Emergency Management Agency, the western portion of the project site is located within the 100-year floodplain. Additionally, the Federal Emergency Management Agency (FEMA) Flood Rate Insurance Map (FIRM) (Community-Panel No. 0650740025B, dated May 17, 1993) indicates that the western portion of the project site is located within Zone AH. In 1996, a Letter of Map Revision for a channel modification project was applied to the FIRM, which changed a portion of the area designated as Zone AH to Zone AO (Thienes Engineering n.d.). However, both of these zones represent areas inundated by the base flood with flood depths of 1 to 3 feet. Therefore, these areas are susceptible to flooding during a 100-year storm event (FEMA 2004).

Areas within the site mapped as occurring within Zone AH and AO are limited to the western portion the property. This portion of the site within the floodplain will be elevated a minimum of 1 foot above calculated water surface elevation during grading. The raised elevation of the site will effectively remove the building pads within these areas from the 100-year floodplain. Flood flows within the project site currently drain to the Perris Valley Storm Drain Channel. The project stormdrain system will be designed to capture flows following construction of the project and convey them to the Perris Valley Storm Drain Channel. Prior to issuance of a grading permit, City review and approval of the project hydrology report and grading plan will be required. Therefore, significant impacts associated with impediment or redirection of flood flows would be less than significant.

i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?				X

8i. Response: *(Sources: City of Moreno Valley General Plan, Chapter 6 Safety, Section 6.5 Geologic Hazards, Figure 6-4: Flood Hazards, City of Moreno Valley General Plan FEIR, Moreno Valley Industrial Area Specific Plan)*

The nearest dam is located at Lake Perris, which is located approximately 2.75 miles southeast of the project site. According to Figure 6-4 of the Moreno Valley FEIR, the project site is not identified within the Lake's mapped inundation area (City of Moreno Valley 2006a). Therefore, implementation of the proposed project would not result in significant risk associated with the failure of a levee or dam.

j) Inundation by seiche, tsunami, or mudflow?				X

8j. Response: *(Sources: City of Moreno Valley General Plan, Chapter 6 Safety, Section 6.5 Geologic Hazards, Figure 6-4: Flood Hazards, City of Moreno Valley General Plan FEIR, Moreno Valley Industrial Area Specific Plan)*

Less Than Significant Impact. A *seiche* is the oscillation of the surface of a landlocked body of water, such as a lake or reservoir. This can occur as a result of ground shaking from an earthquake and requires a large amount of water to be a significant hazard. Seiches impact dams, docks, waterfront property, and downstream facilities. The nearest large body of water is Lake Perris, which is located approximately 2.75 miles southeast of the project site. As discussed in Section 8i, above, the project site is not identified within the Lake's mapped inundation area (City of Moreno Valley 2006a). Given the distance of the site from the ocean and the flat topography of the project area, no impacts are expected from tsunami or mudflow. Therefore, implementation of the proposed project would not result in significant impacts associated with inundation by seiche, tsunami, or mudflow.

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
9. **LAND USE AND PLANNING.** Would the project:				
a) Physically divide an established community?				X

9a. Response: *(Source: Project Plan, Moreno Valley Industrial Area Specific Plan)*

The proposed project would be constructed on a 66.92-acre vacant parcel located adjacent to the March Air Reserve Base and existing and planned industrial development associated with the Moreno Valley Industrial Area. The project site is designated by the Moreno Valley Industrial Area Specific Plan for industrial use and represents a planned extension of the existing specific plan development. Therefore, the project would not physically divide an established community.

b) Conflict with an applicable land use plan, policy or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?			X	

9b. Response: *(Source: City of Moreno Valley General Plan, City of Moreno Valley General Plan FEIR, Moreno Valley Industrial Area Specific Plan, Kunzman 2008)*

The project area is designated Business Park/Light Industrial (BP) as defined in the City General Plan. The BP designation is intended to allow for light industrial uses that can meet high performance standards (City of Moreno Valley Municipal Code). Uses typical to a BP designation generally include but are not limited to research and development, light manufacturing, warehousing and distribution, and multitenant industrial uses. The proposed project is consistent with the existing General Plan land use designation.

Zoning is generally considered the primary tool for implementing the general plan by focusing on the immediate uses of land. The zoning of property is intended to control the location, density, and intensity of various land uses and to result in compatible land use relationships. The proposed project is located within the Moreno Valley Industrial Area Specific Plan, which includes specific zoning designations and standards for development in the Specific Plan area. The zoning established for the site by the Specific Plan designates the property as Industrial (I). The I zone permits a wide range of industrial and industrial/business related support uses, including light manufacturing and storage and distribution facilities. The proposed project is consistent with the existing zoning designation.

The applicant is requesting a General Plan Amendment and Specific Plan Amendment to revise the designation and design of Krameria Avenue as follows:

- The existing design of Krameria Avenue from future "A" Street to Heacock Street would be modified;
- The segment of Krameria Avenue from Indian Avenue to Heacock Street would be changed from Minor Arterial to Industrial Collector designation.

The existing design of Krameria Street has the potential to promote higher vehicle speeds from Indian Street to Heacock Street. The proposed redesign would require that vehicles driving on the extension of Krameria Street make a left turn onto proposed "A" Street, which will slow speeds (See Figure 2-6). Furthermore, it reduces the likelihood of mixing industrial truck traffic with residential commuter traffic since the redesigned extension of Krameria Street bisects the proposed business park development. The project specific traffic study indicates that the proposed extension of Krameria Street will operate within capacity at Level of Service B, which is considered acceptable by the City of Moreno Valley General Plan Circulation Element. Because the proposed change in land use would not significantly worsen environmental impacts, or result in impacts that would otherwise be avoided or mitigated by the current General Plan and Specific Plan, impacts are considered less than significant. Approval of the proposed GPA and SPA would remove any inconsistency with the General Plan Circulation Element and Specific Plan.

As discussed in Response 4f, above, the project is located within the SKR HCP and Western Riverside MSHCP plan boundaries and would be consistent with both plans with implementation of Mitigation fees and BIO-1. The subject property is not subject to other land use plans, policies, or programs adopted for the purpose of avoiding or mitigating an environmental effect.

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?		X		

9c. Response: *(Sources: City of Moreno Valley General Plan, Chapter 7 Conservation, Section 7.1 Biological Resources, City of Moreno Valley General Plan FEIR, Moreno Valley Industrial Area Specific Plan, Jones & Stokes 2007)*

As discussed above, in the response to item 4f, the proposed project site is within the plan areas for the SKR HCP and the Western Riverside MSHCP and the City of Moreno Valley is a participant in and permittee under both plans. The project site is located within the fee area of the SKR HCP; therefore, compliance with the plan is achieved through a mitigation fee payment. As identified in the Specific Plan for the project area, any development within the Specific Plan Area that requires the grading is required to pay a fee of $500 per acre for the SKR HCP. With implementation of the MSHCP mitigation fee and mitigation measure BIO-1, listed above, the proposed project would be in compliance with the SKR HCP. This impact is less than significant with mitigation.

In accordance with the requirements of the MSCHP for the subject property, a habitat assessment and focused surveys for burrowing owl were conducted by Jones & Stokes in 2007. Survey results were negative for the presence of burrowing owl; however, suitable habitat is present on site (Jones & Stokes 2007). With implementation of the MSHCP mitigation fee and mitigation measure BIO-1, listed above, the proposed project would be in compliance with the MSHCP. There are no other applicable local, regional, and state habitat conservation plans.

Mitigation Measures

Implement Mitigation Measure, BIO -1, above.

10. **MINERAL RESOURCES.** Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				X

10a. Response: *(Sources: City of Moreno Valley General Plan, Chapter 7 Conservation, Section 7.8 Mineral Resources, City of Moreno Valley General Plan FEIR, Moreno Valley Industrial Area Specific Plan)*

No Impact. According to the City of Moreno General Plan FEIR, the California Department of Conservation, Division of Mines and Geology has not identified significant mineral resources within the City Planning Area (City of Moreno Valley 2005e). Therefore, implementation of the proposed project would not result in the loss of regionally or statewide significant mineral resources.

b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				X

10b. Response: *(Sources: City of Moreno Valley General Plan, Chapter 7 Conservation, Section 7.8 Mineral Resources, City of Moreno Valley General Plan FEIR, Moreno Valley Industrial Area Specific Plan)*

No Impact. According to the City of Moreno Valley General Plan, mineral resources known to be located within the city include sand, gravel, and rock. Sand and gravel resources have been identified along Gilman Springs Road within the City of Moreno Valley sphere of influence, and a rock products resource is located within the central area of the city, north of Highway 60. Additionally, a nonoperational sand and gravel quarry is located at the corner of Gilman Springs Road and Jack Rabbit Trail. However, the proposed project is not located on or within the vicinity of these resource areas; therefore, implementation of the proposed project would not result in loss of a locally important mineral resource.

11. **NOISE.** Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?		X		

11a. Response: *(Source: City of Moreno Valley General Plan, Chapter 9: Safety, City of Moreno Valley General Plan FEIR,*

Moreno Valley Industrial Area Specific Plan, Jones & Stokes 2008c)

Less Than Significant with Mitigation. The City of Moreno Valley General Plan and City of Moreno Valley Municipal Codes regulate land uses and noise creating activities within the proposed project area. Noise standards are addressed in Section 6.4 of the Safety Element of the City's General Plan. Chapter 9 (Goals and Objectives) sets forth goals and policies to ensure land use compatibility with respect to noise. Among these is the goal that excessive noise levels do not significantly affect citizens and other noise-sensitive land uses within the city. Noise levels at residential land uses are considered to be acceptable where exterior noise levels are 65 dBA CNEL or lower in order to ensure that interior levels in habitable living areas do not exceed 45 dBA CNEL. Policy 6.5.1 states that "new commercial and industrial activities (including the placement of mechanical equipment) shall be evaluated and designed to mitigate noise impacts on adjacent uses." Additionally, Policy 6.5.2 states, "Construction activities shall be operated in a manner that limits noise impacts on surrounding uses."

The City's Municipal Code (Title 11.80, Noise Regulation) also contains noise standards that are used to limit noises from sources within its control (traffic noise, for example, is regulated by federal and state law and is thus preempted from regulation by local noise ordinance). Residential land uses are limited to an exterior noise level not exceeding 60 dBA during daytime hours or 55 dBA during nighttime hours. Commercial land uses are limited to an exterior noise level not exceeding 65 dBA during daytime hours or 60 dBA during nighttime hours, when measured at a distance of 200 feet or more from the property line (Section 11.80.03(C). Noise from construction activities is also regulated by the City's Municipal Code. Section 11.80.030(D)(7) restricts construction noise by placing limits on the hours of construction operations. Noise-generating construction activities are not permitted between the hours of 8:00 p.m. and 7:00 a.m.

Jones & Stokes conducted a noise analysis in 2008 which included construction and operations period modeling and traffic noise modeling (Jones & Stokes 2008) (refer to Appendix E). Sensitive receptors identified by the study included single family homes and Rainbow Ridge Elementary School to the northeast of the project site across Iris Avenue, residential uses east of Indian Street, and residences located to the south along San Miguel Road and to the north east of Heacock Avenue.

Construction Noise

Project construction is anticipated to increase noise levels temporarily at noise-sensitive locations near the project site. The magnitude of the increases would depend on the type of construction activity, the noise level generated by various pieces of construction equipment, site geometry (i.e., shielding from intervening terrain or other structures), and the distance between the noise source and receiver. Noise levels associated with various construction phases where all pertinent equipment is present and operating, at a reference distance of 50 feet, are shown in Table 3-8. This information indicates that the overall average noise level generated on a construction site could be 89 dBA at a distance of 50 feet during excavation and finishing phases. The noise levels presented are value ranges; the magnitude of construction noise emission typically varies over time because construction activity is intermittent and the power demands on construction equipment (and the resulting noise output) are cyclical.

Table 3-8. Typical Noise Levels from Construction Activities for Large Commercial Projects

Construction Activity	Average Sound Level at 50 feet (dBA L_{eq})[a]	Standard Deviation (dB)
Ground Clearing	84	7
Excavation	89	6
Foundations	78	3
Erection	87	6
Finishing	89	7

[a] Sound level with all pertinent equipment operating.

Source: U.S. Environmental Protection Agency 1971.

Noise levels generated by construction equipment (or by any point source) decrease at a rate of approximately 6 dBA per doubling of distance from the source (Harris 1979). Therefore, if a particular construction activity generated average noise levels of 89 dBA at 50 feet, the Leq would be 83 dBA at 100 feet, 77 dBA at 200 feet, 71 dBA at 400 feet, and so on.

The closest noise-sensitive receptors to the project are existing residential land uses to the northeast across Iris Avenue. The closest point of construction activities to the nearest residence would be approximately 150 feet and the furthest would be approximately 3,000 feet. The nearest residence is located approximately 650 feet away from the acoustic center of construction activity. A construction noise level of 89 dBA Leq at 50 feet would attenuate to approximately 67 dBA Leq 650 feet from the source. This noise level is substantially higher than the typical ambient daytime noise levels measured in the area (ST-3). Noise levels of this magnitude would be readily audible and would dominate the noise environment in the area during construction operations. During short periods of time, construction activities would take place within approximately 150 feet of the nearest residential properties; during these periods, noise levels could be as high as 79 dBA Leq.

The City's noise ordinance exempts construction activities from the noise standard (providing that such activities take place between the hours of 7:00 a.m. to 8:00 p.m.). The construction hours would not exceed the City's permitted hours of operation, and therefore construction noise would be a less-than-significant impact. However, noise from construction would be loud at times at nearby noise-sensitive land uses, and, although temporary, could be disruptive. Mitigation Measure Noise-1 is provided below to reduce noise levels to the extent practicable.

Offsite Traffic Noise

Traffic noise modeling was performed using the Federal Highway Administration's (FHWA's) Traffic Noise Model (TNM®). Table 3-9 summarizes the traffic noise modeling results expressed in terms of PM Peak Hour for existing conditions and 2009/2035 design-year conditions with and without the project at noise sensitive uses.

Table 3-9. Modeled Traffic Noise Levels at Noise Sensitive Receptors

Receptor #	Receptor Location	Modeled1 Existing Noise Level (dBA CNEL)	Modeled1 Opening Year (2012) without Project Noise Level (dBA CNEL)	Modeled1 Opening Year (2012) with Project Noise Level (dBA CNEL)	Estimated Increase: Modeled Opening Year with Project – Modeled Opening Year without Project (dBA)	Criterion Noise Level (dBA CNEL)	Existing Traffic Noise Level Exceeds City of Moreno Valley General Plan Guidelines?	Future Traffic Noise Level Exceeds City of Moreno Valley General Plan Guidelines?
ST-1	North side of San Michele Rd, 26480 San Michele	58	64	65	1	65	No	No
ST-2	Northwest portion of the project site	64	65	66	1	NA	No	No
ST-3	Rainbow Ridge Elementary School, 15950 Indian Street	66	67	67	0	65	Yes	Yes
ST-4	16180 Indian Street, South of intersection of Indian and Iris	53	54	54	0	65	No	No

ST-5	15429 Fugate. North of project site immediately off of Heacock	67	69	69	0	65	Yes	Yes
MR-1	Residences on the north side of Iris Street to the west of the project site.	58	59	59	0	65	No	No
MR-2	Residences along Indian Street to the southeast of the project site	56	56	56	0	65	No	No
MR-3	Residence to the northeast of the project site between Indian and Heacock Streets	41	43	43	0	65	No	No

As indicated in Table 3-9, existing modeled traffic noise levels at noise-sensitive land uses were found to range from approximately 41 dBA CNEL at MR-3 (residences northeast of the project site between Indian and Heacock Streets) to approximately 67 dBA CNEL at ST-5 (a residence on the east side of Heacock north of the project site).

Opening Year With-Project predicted noise levels would range from approximately 43 dBA CNEL at MR-3 to 69 dBA CNEL at ST-5. According to the noise modeling results, several of the receptors (ST-2, ST-3, and ST-5) would exceed the City's General Plan noise standards in the future without the project. ST-3 and ST-5 currently exceed the City's General Plan noise standards at 66 and 77 dBA CNEL, respectively. Implementation of the proposed project would result in an incremental increase in noise levels of less than 1 dBA or less. This increase in traffic noise would not cause a significant impact.

Receptor ST-2 (representative of the project site) would experience increased noise levels associated with increases in traffic volumes. This increase would be approximately 1 dBA CNEL, from 65 CNEL to 66 CNEL (when rounded to the nearest whole number). This increase would not represent a significant impact because ST-2 is located within the project site, which does not represent a sensitive land use. Therefore, impacts associated with traffic noise would be less than significant.

Onsite Operations Noise

Trucks, passenger vehicles, and ancillary equipment such as forklifts and HVAC machinery would create noise during onsite operations that is typical of warehouse use. Based on information from the project applicant, operations on site could take place 24 hours per day. The nearest residential property line is located approximately 155 feet northeast of the proposed project site and 400 feet northeast of the main building. The closest sensitive receptor is separated from the street and project site by a solid 6-foot-high residential wall.

In order to ensure that noise from onsite operations meets noise standards contained in the City of Moreno Valley Municipal Code, modeling was conducted to determine the level of noise from activities such as trucks maneuvering in and out of loading docks, trucks driving by, trash compactors, and HVAC noise at each of the three nearest noise-sensitive receptor locations. The study concluded that noise levels from project activities would not exceed City of Moreno Valley noise standards at sensitive receptors, either for daytime or nighttime operations (Jones & Stokes 2008). Therefore, the potential for onsite operations noise is considered less than significant.

Mitigation Measures

NOISE-1 Construction Noise Control Measures

- All noise-producing construction equipment and vehicles using internal combustion engines will be equipped with mufflers, air-inlet silencers where appropriate, and any other shrouds, shields, or other noise-reducing features in good operating condition that meet or exceed original factory specification. Mobile or fixed

"package" equipment (e.g., arc-welders, air compressors) will be equipped with shrouds and noise control features that are readily available for that type of equipment.

- Material stockpiles and mobile equipment staging, parking, and maintenance areas will be located as far as practicable from adjacent residential development.
- Construction site and access road speed limits will be established and enforced during the construction period.
- The Public Works Department has a standard condition of approval regarding the public nuisance aspect of the construction activities. The construction operations including building related activities and deliveries shall be restricted to Monday through Friday from 6:00 AM to 8:00 PM, excluding holidays, and from 7:00 AM to 8:00 PM on weekends and holidays, in accordance with City Municipal Code 8.14.040, unless otherwise extended or shortened by the City Engineer or Building Official.

b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?			X	

11b. Response: *(Source: City of Moreno Valley General Plan, Chapter 9: Safety, City of Moreno Valley General Plan FEIR, Moreno Valley Industrial Area Specific Plan, Jones & Stokes 2008c)*

Less-Than-Significant Impact. Construction activities may result in minor ground vibration. Vibration from construction activity is typically below the threshold of perception when the activity is more than approximately 50 feet from receiver, and it is below the level where damage to structures may occur within a considerably shorter distance. The closest sensitive receptor is approximately 150 feet from the proposed project site, therefore, vibration levels would be virtually undetectable. Additionally, vibration from these activities would be short-term and would end when construction is completed. There are no high impact activities such as pile driving or blasting proposed. Therefore, the potential for exposure of persons to or generation of excessive groundborne vibration or noise levels is considered less than significant.

c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?			X	

11c. Response: *(Source: City of Moreno Valley General Plan, Chapter 9: Safety, City of Moreno Valley General Plan FEIR, Moreno Valley Industrial Area Specific Plan, Jones & Stokes 2008c)*

As indicated in Table 3-9 above, the existing modeled traffic noise levels at noise-sensitive land uses were found to range from approximately 41 dBA CNEL at MR-3 (residences northeast of the project site between Indian and Heacock Streets) to approximately 67 dBA CNEL at ST-5 (a residence on the east side of Heacock north of the project site).

Opening Year With-Project predicted noise levels would range from approximately 43 dBA CNEL at MR-3 to 69 dBA CNEL at ST-5. According to the noise modeling results, several of the receptors (ST-2, ST-3, and ST-5) would exceed the City's General Plan noise standards in the future without the project. ST-3 and ST-5 currently exceed the City's General Plan noise standards at 66 and 77 dBA CNEL, respectively. Implementation of the proposed project would result in an incremental increase in noise levels of less than 1 dBA or less at each of these receptor locations. Therefore, implementation of the proposed project would not result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project.

d) A substantially temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?		X		

11d. Response: *(Source: City of Moreno Valley General Plan, Chapter 9: Safety, City of Moreno Valley General Plan FEIR, Moreno Valley Industrial Area Specific Plan, Jones & Stokes 2008c)*

Less Than Significant with Mitigation. As indicated above in response 11a, project construction is anticipated to increase noise levels temporarily at noise-sensitive locations near the project site. The closet sensitive receptor (ST-3) is located approximately 650 feet away from the acoustic center of construction activity (the idealized point from which the energy sum of all construction activity noise near and far would be centered). A construction noise level of 89 dBA Leq at 50 feet would attenuate to

approximately 67 dBA Leq 650 feet from the source.

This noise level is substantially higher than the typical ambient daytime noise levels measured in the area. Noise levels of this magnitude would be readily audible and would dominate the noise environment in the area during construction operations. During short periods of time, construction activities would take place within approximately 150 feet of the nearest residential properties; during these periods, noise levels could be as high as 79 dBA Leq.

The City's noise ordinance exempts construction activities from the noise standard (providing that such activities take place between the hours of 7:00 a.m. to 8:00 p.m.). The construction hours would not exceed the City's permitted hours of operation, and therefore construction noise would be a less-than-significant impact. However, noise from construction would be loud at times at nearby noise-sensitive land uses, and, although temporary, could be disruptive. Mitigation Measure NOISE-1 would be implemented to reduce the noise levels to the extent practicable.

Mitigation Measures

Implement Mitigation Measure NOISE-1 above.

e) For a project located within an airport land use plan, or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?			X	

11e. Response: *(Source: City of Moreno Valley General Plan, Chapter 9: Safety, City of Moreno Valley General Plan FEIR, Moreno Valley Industrial Area Specific Plan)*

Less-Than-Significant Impact. The March Air Reserve Base is located west of Heacock Street, immediately adjacent to the project site. According to Figure 6-5 of the City of Moreno Valley General Plan and Map 2-1 of the Moreno Valley Industrial Area Specific Plan, the project site is located outside the 60 dBA CNEL noise contour for the March Air Reserve Base.

The project is in compliance with the Moreno Valley Industrial Area Specific Plan, which acknowledges that industrial, manufacturing, and business related support services are compatible to 70 dBA CNEL, but incompatible at noise levels above 80 dBA CNEL. The Specific Plan identifies Compatible Use Districts (CUDs) established by March Air Reserve where noise levels are at or above 70 dBA CNEL and the recommended uses for these properties. The proposed project is not located within a CUD, nor are any potential aircraft noise issues identified by the Specific Plan for the project site. Therefore, the potential for impacts associated with excessive airport noise levels are less than significant.

f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				X

11f. Response: *(Sources: City of Moreno Valley General Plan, Chapter 6: Safety, City of Moreno Valley General Plan FEIR, Chapter 5.5 Hazards, Moreno Valley Industrial Area Specific Plan)*

No Impact. The proposed project is not located within the vicinity of a private airstrip. Therefore, no impacts would occur.

12. **POPULATION AND HOUSING.** Would the project:

a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?			X	

12a. Response: *(Source: City of Moreno Valley General Plan, City of Moreno Valley General Plan FEIR, Section 5.12: Population and Housing, Moreno Valley Industrial Area Specific Plan)*

Substantial population growth occurs directly when new homes are constructed, resulting in additional persons moving to the area, or indirectly when new businesses are constructed in areas that lack an existing workforce to fill the jobs created by the new businesses. The proposed project does not include construction of any new homes and, therefore, will not result in direct

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact

population growth. However, the project would include construction of a business center that would generate employment opportunities that could result in local population growth. Based upon Southern California Association of Government (SCAG) employment projections[3], the proposed project is expected to create 2,485 jobs[4]. The Specific Plan has been included in the City General Plan in lieu of a community plan for this area of Moreno Valley and the proposed project is consistent with existing Specific Plan land use designations. The General Plan land use designations are used in City General Plan population projections. Therefore, the proposed project would be consistent with the City of Moreno Valley General Plan and the growth projections contained therein.

Indirect population growth can also occur when infrastructure is expanded, resulting in a capacity for the area to serve a larger population. The proposed project would utilize existing roadways and associated infrastructure. All roadway improvements and extensions would be constructed to serve the project's needs only and do not provide new access to previously inaccessible areas. Impacts would be less than significant.

b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X

12b. Response: *(Sources: Site Visit)*

No Impact. The project site is currently vacant; therefore, the project would not displace any housing or people. No construction of replacement housing would be necessary. No impacts would occur.

c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X

12c. Response: *(Sources: Site Visit)*

No Impact. See response to 12b above.

13. **PUBLIC SERVICES**. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

a) Fire protection?			X	

13a. Response: *(Source: City of Moreno Valley General Plan, Chapter 6 Safety Element, Section 6.2 Fire and Emergency Services, City of Moreno Valley General Plan FEIR, Moreno Valley Industrial Area Specific Plan)*

Less Than Significant. The City of Moreno Valley Fire Service contracts with the Riverside County Fire Department for services. The Riverside County Fire Department provides the city's fire protection, fire prevention, and emergency medical services through a cooperative contractual agreement. (City of Moreno Valley 2006c.) The city is protected by six fire stations. The project site would be served by Station No. 65, which is located approximately 1.40 miles northeast of the property at 15111 Indian Avenue. If necessary, emergencies at the project site may also receive service from Stations No. 91 and 6, which are located 2.92 miles east and 4.53 miles southeast of the project site, respectively (Riverside County Fire Department 2008).

The proposed project is included within the approved Moreno Valley Industrial Area Plan (SP 208), which is included in the City General Plan in lieu of a community plan and has been addressed in city service planning efforts. The project is consistent with existing land use designations, therefore, additional fire staffing or equipment for different or more dense land uses beyond those already projected by the City would not be required. Prior to final site approval, the applicant would submit design plans to the City for review of compliance with applicable safety regulations. Potential impacts associated with fire protection would be less

[3] SCAG 2001. Employee Density Study Summary Report, Table II-B. Prepared by The Natelson Company, Yorba Linda, CA. October 31.

[4] Calculation: 51,590.7 square feet of low-rise office space/ 1 employee per 481 square feet; 1 employee per 12,549 square feet of light manufacturing space/ 1 employees per 1548 square feet; and 1,420,267.3 square foot of warehouse space/ 1 employeeper 581square feet.

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
than significant.				
b) Police protection?			X	

13b. Response: *(Source: City of Moreno Valley General Plan, Chapter 6 Safety Element, Section 6.1 Police Protection and Crime Prevention, City of Moreno Valley General Plan FEIR, Moreno Valley Industrial Area Specific Plan)*

The proposed project will be served by the City of Moreno Valley Police Department (MVPD), which is a contracted unit of the Los Angeles Sheriff's Department. MVPD operates out of the Public Safety Building located at 22850 Calle San Juan de Los Lagos and maintains satellite offices at businesses around the city. As of July 2006, the MVPD employed 162 sworn officers and 16 volunteer reserve officers. As of December 31, 2004, the officer to population ratio was 0.9 to 1000. Life-threatening Priority One calls are assigned the most urgency, and police officers respond to calls of this nature in an average of seven minutes.

MVPD staffing is based upon city growth projections. The City of Moreno Valley General Plan Safety Element, Objective 6.8 is to strive for police staffing of at least 1 officer per 1,000 residents, as feasible given budget restraints. (City of Moreno Valley. 2006c.) As discussed above in Section 13a, the Moreno Valley Industrial Area Park is an approved specific plan that is included in the City General Plan in lieu of a community plan and is used in addressing city service planning efforts, including police staffing. The project is consistent with existing land use designations, therefore, additional police staffing for different or more dense land uses beyond those already projected by the City would not be required. Prior to final site approval, the applicant will submit design plans to the City for review of compliance with applicable safety regulations. Potential impacts associated with police protection would be less than significant.

c) Schools?			X	

13c. Response: *(Source: City of Moreno Valley General Plan, Chapter 2 Community Development, Figure 2-3 School District Boundaries, City of Moreno Valley General Plan FEIR, Moreno Valley Industrial Area Specific Plan)*

According to Figure 2-3: School District Boundaries, the proposed project is located within the boundaries of the Val Verde School District. However, because the proposed project involves the construction of a business park, its location would not dictate which schools could be impacted since future employees are expected to live within commuting distance of the site which could incorporate several western Riverside County school districts. The City General Plan acknowledges that enrollment at Val Verde schools within the City currently exceed capacity.

As discussed in Sections 13a and 13b, above, the Moreno Valley Industrial Area Specific Plan is an approved plan that is addressed in the City General Plan, city service planning efforts and population projections. Prior to issuance of a permit of occupancy, the applicant will be required to pay SB 50 school impact fees, which are used to fund the construction of new schools and school equipment. Impacts would be less than significant.

d) Parks?			X	

13d. Response: *(Source: City of Moreno Valley General Plan, Chapter 2 Community Development, Figure 2-3 School District Boundaries, City of Moreno Valley General Plan FEIR, Moreno Valley Industrial Area Specific Plan)*

The nearest parks to the project site are March Field Park and Valley Skate Park located approximately 0.5 mile north of the site at the intersection of W Street and 6th Street. Increase in demand for neighborhood or regional parks or other recreational facilities generally occurs due to population increase. Because the proposed project is expected to draw on employees currently living in the City and the surrounding Western Riverside areas (see explanation in Section 12, Population and Housing) and using existing recreational facilities, a significant increase in park use is not expected as a result of the proposed project. Impacts would be less than significant.

e) Other public facilities?			X	

13e. Response: *(Source: City of Moreno Valley General Plan, Chapter 2 Community Development, City of Moreno Valley General Plan FEIR, Moreno Valley Industrial Area Specific Plan)*

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact

Other public facilities that could be impacted by new development include libraries. Similar to parks and recreational facilities, increase in demand for libraries generally occurs due to population increase. As discussed in Section 12, Population and Housing, the proposed project is not expected to result in a significant population increase that would require the construction of new libraries. The proposed project is not expected to result in impacts to any other public facilities. Impacts would be less than significant.

14. **RECREATION.**

a) Would the project increase the use of existing neighborhood or regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?			X	

14a. Response: *(Source: City of Moreno Valley General Plan, City of Moreno Valley General Plan FEIR, Moreno Valley Industrial Area Specific Plan)*

Increase in demand for neighborhood or regional parks or other recreational facilities generally occurs due to population increase. The proposed project is expected to draw on employees currently living in the City of Moreno Valley and surrounding Western Riverside areas (see explanation in Section 12, Population and Housing) and using existing recreational facilities. Additionally, the project site is located within the approved Moreno Valley Industrial Park Specific Plan, which is included in the City General Plan in lieu of a community plan, and is consistent with the land use designations and policies of the Specific Plan. These land use designations are used in City General Plan population projections and in planning for public services and amenities, including parks and recreational facilities. Therefore, a significant increase in the use of parks and other recreational facilities is not expected.

b) Des the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?			X	

14b. Response: *(Source: City of Moreno Valley General Plan, City of Moreno Valley General Plan FEIR, Moreno Valley Industrial Area Specific Plan)*

The proposed project involves the construction of an industrial business park and does not include recreational facilities. Additionally, as stated above in section 13d, the proposed project would not result in significant population increase in the area and would, therefore, not require construction or expansion of recreational facilities. Although impacts are expected to be less than significant, the project is subject to the Quimby Act (California Government Code Section 66477), which requires payment of in-lieu fees to support acquisition and construction of parks and recreational facilities. Impacts would be less than significant.

15. **TRANSPORTATION/TRAFFIC.** Would the project:

a) Cause an increase in the traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?		X		

15a. Response: *(Source: Kunzman Associates 2008a, 2008b, 2008c, Moreno Valley Industrial Area Specific Plan)*

The project would result in additional traffic on the local roadway network in the vicinity of the project site. The traffic study addresses existing conditions, future baseline conditions without the project (which include proposed future developments and a 2 percent, area-wide, annual growth rate), and future conditions with the project. The average daily traffic (ADT) characteristics were used to evaluate the potential traffic-related impacts associated with anticipated area growth and project development. The proposed project would generate a total of 3,479 daily vehicle trips in passenger car equivalents, 246 passenger car equivalents of which will occur during the morning peak hour and 283 passenger car equivalents of which will occur during the evening peak hour. Existing and Project generated traffic is illustrated in Table 3-10, below.

Table 3-10. Existing and Project Traffic

Roadway	Segment	Existing+Ambient Growth+Cumul. Proj.+Proj. Daily Traffic (ADT;V/C)	Project Daily Traffic (ADT;V/C)	Change due to Proposed Project	Volume Exceed Capacity?	Significant?
Heacock Street	North of Cactus	21,200; 0.57	300; 0.008	1.4%	No	No
	Cactus to JFK	36,500; 0.97	400; 0.011	1.1%	No	No
	JFK to Gentian	26,100; 1.19	500; 0.023	1.9%	Yes	
	Gentian to Iris	23,900; 1.09	500; 0.023	2.1%	Yes	
	Iris to Krameria	13,600; 1.09	1,400; 0.11	9.3%	Yes	
	Krameria to San Michele	17,000; 1.36	2,100; 0.168	11%	Yes	
Indian Street	North of JFK	7,700; 0.21	-	None	No	No
	JFK to Gentian	8,500; 0.34	-	None	No	No
	Gentian to Iris	9,200; 0.74	-	None	No	No
	Iris to Krameria	7,600; 0.61	-	None	No	No
	Krameria to San Michele	6,000; 0.48	-	None	No	No
Cactus Avenue	West of Heacock	45,000; 1.20	100; 0.0027	0.22%	Yes	
	East of Heacock	11,800; 0.67	100; 0.0027	0.84%	No	No
Meyer Drive/JFK Drive	West of Heacock	7,200; 0.19	-	None	No	No
	Heacock to Indian	11,500; 0.31	100; 0.0027	0.86%	No	No
	East of Indian	11,800; 0.47	100; 0.004	0.84%	No	No
Gentian Avenue	Heacock to Indian	2,700; 0.11	-	None	No	No
Iris Avenue	Heacock to Indian	14,600; 0.78	900; 0.048	5.8%	No	
	Indian to Perris	21,875; 0.90	900; 0.041	4.0%	No	
Krameria Avenue	Indian to Perris	3,600; 0.29	-	None	No	No
San Michele Road	Heacock to Indian	13,700; 0.73	2,100; 0.112	13%	No	
Source: Kunzman Associates 2008a, 2008b, 2008c						

The traffic study completed for the proposed project indicates that level of service at 14 intersections would have unacceptable ratings with the proposed project. However, these ratings would be improved to acceptable ratings with incorporation of the recommendations in the traffic report. (Kunzman Associates 2008a, 2008b, 2008c). Therefore, potential impacts associated with existing traffic load and capacity would be considered less than significant with the implementation of Mitigation Measures TRANS-1 through TRANS-9, below.

Mitigation Measures

TRANS-1: Heacock Street from Iris Avenue to the south project boundary will be constructed to its ultimate half-section width as an Arterial (100 foot right-of-way) in conjunction with development, including landscaping and parkway improvements as necessary.

TRANS -2: Iris Avenue from Heacock Street to Street "A" will be constructed at its ultimate half-section width as an Arterial (100 foot right-of-way) in conjunction with development, including landscaping and parkway improvements as necessary.

TRANS -3: Street "A" from Iris Avenue to the south project boundary will be constructed at its ultimate cross-section width in conjunction with development, including landscaping and parkway improvements as necessary.

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact

TRANS -4: Traffic signal mitigation fees will be paid for the phased construction of off-site traffic signals. The traffic signals within the study area at buildout will specifically include an interconnect of the traffic signals to function in a coordinated system.

b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?		X		

15b. Response: *(Source: Kunzman Associates 2008a, 2008b, 2008c, Moreno Valley Industrial Area Specific Plan)*

As stated in response 15a, above, the proposed project would generate a total of 3,479 daily vehicle trips in passenger car equivalents, 246 passenger car equivalents of which will occur during the morning peak hour and 283 passenger car equivalents of which will occur during the evening peak hour. Level of service (LOS) investigations for the AM and PM peak hour at key intersections were completed to determine the project's impact on LOS. The traffic study completed for the proposed project indicates that level of service at 14 intersections would have unacceptable ratings with the proposed project. (Kunzman Associates. 2008a and 2008b.) Additionally, these levels of service would be improved to acceptable ratings with incorporation of the recommendations in the traffic report. With incorporation of Mitigation Measures TRANS-1 through TRANS-9, impacts to LOS from the proposed project would be less than significant.

Mitigation Measures

Implement Mitigation Measures TRANS -1 through TRANS-9, described above.

c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?			X	

15c. Response: *(Sources: City of Moreno Valley General Plan, Chapter 6: Safety, City of Moreno Valley General Plan FEIR, Chapter 5.5 Hazards, Moreno Valley Industrial Area Specific Plan, USAF 2005)*

The March Air Reserve Base is located west of Heacock Street, immediately adjacent to the project site. Due to the proximity of the project site to the March Air Reserve Base, and in accordance with the development guidelines of the Specific Plan, building heights within the project site would be restricted to 150 feet or less to avoid interference with March Air Reserve Base operations. However, there are no components of the project that would affect air traffic patterns, levels or locations. Therefore, the potential for impacts associated with a change in air traffic patterns is considered less than significant.

d) Substantially increase hazards to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?			X	

15d. Response: *(Source: Kunzman Associates 2008a, 2008b, 2008c, Moreno Valley Industrial Area Specific Plan, Project Plan)*

The proposed project involves the planned construction of a business center within the existing Moreno Valley Industrial Plan Area. Access to the site would be provided via Heacock Street, Iris Avenue, Krameria Street, and Street "A". The project involves the construction of a new public street (Street "A") to the south of the project site; however, the street is designed to serve the proposed development and does not have any design features, such as sharp turns or dangerous intersections that could result in a hazard. All traffic recommendations made by the traffic engineer, Kunzman Associates, have been incorporated as Mitigation Measures TRANS-1 through TRANS-9. The proposed project is consistent with the planned industrial development within the Specific Plan area and will not result in incompatible uses. Impacts would be less than significant.

e) Result in inadequate emergency access?			X	

15e. Response: *(Source: City of Moreno Valley General Plan, Chapter 6: Safety, City of Moreno Valley General Plan FEIR, Project Plan, Moreno Valley Industrial Area Specific Plan)*

The proposed project would not affect emergency access routes. No streets would be closed for construction, and internal project circulation would incorporate City of Moreno Valley Fire Department design standards to allow access to the proposed buildings. Impacts would be less than significant.

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
f) Result in inadequate parking capacity?				X

15f. Response: *(Source: Project Plans, City of Moreno Valley Municipal Code Section 9.11.040, Moreno Valley Industrial Area Specific Plan)*

The project will include onsite parking to accommodate employees, delivery or warehouse trucks, and other business park users. The proposed project is subject to the parking requirements set forth in Section 9.11.040 of the City of Moreno Valley Municipal Code, which include the following:

- Manufacturing Uses - one space per 250 square feet of floor area
- Business and Professional Office Uses - one space per 1000 square feet of floor area
- Warehouse Uses – one parking space per 1,000 square feet of floor area for the first 20,000 square feet; one parking space per 2,000 square feet of floor area for the second 20,000 square feet; and one parking space per 4,000 square feet of floor area for areas in excess of the initial 40,000 square feet.

The project plans include 12,549 square feet of manufacturing uses, 51,590 square feet of office uses, and 1,420,267 square feet of warehouse uses. Based upon the City parking requirements described above, the project will require 587 parking spaces. Project plans indicate that the project will include 699 off-street parking spaces, which includes 112 additional parking spaces than required under the City Municipal Code. Therefore, implementation of the proposed project will not result in inadequate parking supply.

g) Conflict with adopted policies or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?				X

15g. Response: *(Source: City of Moreno Valley General Plan, Chapter 5: Circulation, City of Moreno Valley General Plan FEIR, Moreno Valley Industrial Area Specific Plan, Project Plans, Kunzman Associates 2008)*

The project would not conflict with adopted policies, plans, or programs supporting alternative transportation. The project site is served by the Riverside Transit Agency Routes 18, 18a, and 19 (Kunzman Associates 2008). Project plans include a bus stop on Iris Avenue and sidewalks and landscaping in accordance with the policies set forth in the Moreno Valley Industrial Area Plan. There are no existing bus turnouts, bicycle lanes or other forms of alternative transportation that would be closed or removed as part of the project. Therefore, implementation of the proposed project will not conflict with adopted policies or programs supporting alternative transportation.

16. **UTILITIES AND SERVICE SYSTEMS.** Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?			X	

16a. Response: *(Source: City of Moreno Valley General Plan, Chapter 2 Community Development, City of Moreno Valley General Plan FEIR, Moreno Valley Industrial Area Specific Plan)*

The project site is located within the boundary of the California Regional Water Quality Control Board, Santa Ana (Region 8). Wastewater collection and treatment services would be provided by Eastern Municipal Water District (EMWD). Wastewater generated by the project would be conveyed to the Moreno Valley Regional Water Reclamation Facility (MVRWRF) for treatment, which is operated by EMWD in compliance with the waste discharge requirements set forth by the RWQCB for that treatment facility (City of Moreno Valley 2005g). Therefore, implementation of the proposed project would not exceed wastewater treatment requirements of the RWQCB.

b) Require or result in construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			X	

16b. Response: *(Source: City of Moreno Valley General Plan, Chapter 2 Community Development, City of Moreno Valley General Plan FEIR, Moreno Valley Industrial Area Specific Plan, Thienes Engineering n.d, Thienes Engineering 2008, EMWD*

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact

2008, Lee 2008)

The proposed project is located within the service area for the Eastern Municipal Water District (EMWD). EMWD would provide both domestic water service and wastewater collection and treatment for the proposed business park project.

EMWD prepared a Water Supply Assessment for the proposed project in 2008, which determined that the projected water demand for the proposed business park would be 52.5-acre-feet per year (EMWD 2008). The results of the WSA indicate that EMWD will be able to provide adequate water supply and delivery to meet the potable water demand for the project.

Based upon the Conceptual Utility and Stormdrain Plan prepared by Thienes Engineering for the proposed project, existing domestic waterlines in Iris Avenue and Heacock Street will be extended onsite to serve the project's domestic water needs (Thienes Engineering 2008). The project engineer has confirmed that existing 18" and 20" waterlines are sized sufficiently to serve the project (Lee 2008). As required by EMWD, the project applicant would be required to pay the appropriate water connection fee to EMWD. The water connection fees will be used by EMWD to cover expenses, in part, for connecting potable water required for the proposed project

Based on EMWD wastewater generation rates (industrial at 500 gallons per day [gpd]/1000 gross square feet), it is estimated that the proposed project would generate an average of approximately 742,203 gpd of wastewater. All wastewater within the City of Moreno Valley is collected and conveyed to the Moreno Valley Regional Water Reclamation Facility (MVRWRF) located within the southwestern area of the City. In regards to wastewater treatment, implementation of the proposed project would not significantly increase the service demands on the Moreno Valley Regional Water Reclamation Facility (MVRWRF). The current capacity of this plant is 16 mgd with ultimate planned expansion to 41 mgd. The current average flow is 11.5 mgd. With an estimated flow of 742,203 gpd (0.74 mgd) from the proposed project, the percent increase of the average flow at the plant would be approximately 4.6%. Therefore, the treatment plant is considered to have sufficient capacity to accommodate wastewater from the proposed project, and no significant impacts would occur.

Based upon the Conceptual Utility and Stormdrain Plan prepared by Thienes Engineering for the proposed project, wastewater service for Parcels 1, 3, and 4 will be provided through connection to an existing 30" sewer main, located north of the Perris Valley Storm Drain Channel. Wastewater service for Parcel 2 will be provided through connection to existing 8" wastewater lines in Heacock Street. The 8" wastewater lines in Heacock Street will be extended approximately 1,400 linear feet from the southern boundary of the site to connect to existing waste waterlines in Cardinal Street (Thienes Engineering 2008). The project engineer has confirmed that existing sewer mains are sized sufficiently to serve the project (Lee 2008). Before the project could be connected to the trunk sewer line, EMWD would require payment of a connection fee. This connection fee is required to construct an incremental expansion of the sewage system to accommodate the proposed project and is required before EMWD would be able to issue a permit to connect to the trunk line.

c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?		X		

16c. Response: *(Source: City of Moreno Valley General Plan, Chapter 7 Conservation, Section 7.1 Biological Resources, City of Moreno Valley General Plan FEIR, Moreno Valley Industrial Area Specific Plan, Jones & Stokes 2008a)*

The proposed project includes construction of underground stormdrain facilities and four onsite detention basins to convey, retain, and treat stormwater runoff generated within the site, prior to releasing it to the Perris Valley Storm Channel via two stabilized outlets. The two outlets would require installation of a headwall and a stabilized rip-rap pad to prevent erosion. As discussed in response 4c, above, the wetland delineation conducted by Jones & Stokes on February 5, 2008, indicates that construction of the stormdrain outlets would result in permanent impacts to 0.05 acre (90 linear feet) of nonwetland Waters of the United States and Waters of the State and, temporary impacts to 0.04 acres of Waters of the State. With implementation of Mitigation Measures BIO-5 and BIO-6, impacts associated with the construction of new storm water drainage facilities would be less than significant.

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact

Mitigation Measures

Implement Mitigation Measures BIO-5 and BIO-6, described above.

d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?			X	

16d. Response: *(Source: EMWD 2008)*

In accordance with the requirements of California Senate Bill 610, a water supply assessment (WSA) was prepared by EMWD for the proposed project in 2008 to determine whether the projected water demand of the project could be met in addition to EMWD's existing and projected water demand. Projected water demand for the proposed business park is 52.5-acre-feet per year (EMWD 2008). The results of the WSA indicate that EMWD will be able to provide adequate water supply to meet the potable water demand for the project, in addition to existing and future users. As required by EMWD, the project applicant would be required to pay the appropriate water connection fee to EMWD. The water connection fees will be used by EMWD to cover expenses for connecting and storing potable water required for the proposed project. Therefore, potential project impacts to local or regional water supplies will be less than significant.

e) Result in a determination by the wastewater treatment provider which serves or may serve the project determined that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?			X	

16e. Response: *(Source: EMWD 2008)*

As discussed above in response 16b, the existing wastewater lines and sewer mains within the vicinity of the project site are sufficiently sized to convey wastewater generated within the project site (Lee 2008). Additionally, the Moreno Valley Regional Water Reclamation Facility (MVRWRF) is expected to have sufficient capacity to serve the wastewater treatment needs of the project. On [will serve letter forthcoming from Hogle-Ireland, to be completed], EMWD issued a project specific will serve letter to provide sewer service for the proposed project indicating that the wastewater treatment services will be provided to the project. Service is contingent upon plan check by EMWD, facility construction, inspection, and payment of financial participation charges (EMWD 2008).

f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?			X	

16f. Response: *(Source: City of Moreno Valley General Plan, City of Moreno Valley General Plan FEIR, Moreno Valley Industrial Area Specific Plan, Section 5.13: Public Services and Utilities, California Integrated Waste Management Board 2008)*

Implementation of the proposed project would result in an increase in nonhazardous municipal solid waste. Solid waste generated within the Moreno Valley planning area is primarily deposited in the Riverside County Waste Management Department's (RCWMD) Badlands Landfill, located approximately 1.5 miles north of SR-60 near Ironwood Avenue and Theodore Street. The City's contracted waste hauler may also use other County landfills in the area such as the Lamb Canyon Landfill and El Sobrante Landfill (City of Moreno Valley 2005g). The Badlands Landfill currently has the capacity to receive up to 4,000 tons of waste per day, with a remaining disposal capacity of approximately 21,866,092 cubic yards as of May 2005 (CIWMB 2008a). In 2007, the landfill received approximately 1703.92 tons of waste per day (CIWMB 2008b), resulting in a remaining capacity of 2296.08 tons per day. Based upon California Integrated Waste Management Board 2004 generation rates of 12.2 lbs per employee per day, the proposed project is expected to generate approximately 30,317 pounds (approximately 15.16 tons) of solid waste per day[5], which represents approximately 0.66% of the remaining daily capacity for the Badlands Landfill (CIWMB 2008c). Given the remaining capacity of the landfill and the estimated solid waste generation of the project, implementation of the proposed project is not expected to exceed the permitted capacities of the landfills that serve the project area. Impacts would be less than significant.

[5] Based on calculation 2485 employees x 12.2 lbs/employee/day.

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
g) Comply with federal, state, and local statues and regulations related to solid waste?			X	

16g. Response: *(Source: City of Moreno Valley General Plan, Chapter 2 Community Development, City of Moreno Valley General Plan FEIR, Section 5.13: Public Services and Utilities, Moreno Valley Industrial Area Specific Plan)*

The City of Moreno Valley currently implements a state-mandated solid waste reduction program to ensure that impacts on landfills are reduced. Current regulations require Cities to divert 50% of the waste stream through recycling programs. The City of Moreno Valley currently exceeds this requirement through the enactment of its recycling and other waste diversion programs. The proposed project and future tenants of the business park would be required to comply with the City's programs for waste diversion and recycling. Impacts would be less than significant.

17. **MANDATORY FINDINGS OF SIGNIFICANCE.**				
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of an endangered, rare or threatened plant or animal, or eliminate important examples of the major periods of California history or prehistory?			X	

17a. Response: *(Source: Above Checklist)*

The preceding analysis supports a conclusion that the proposed project would not result in any significant impacts in these respects. Project-specific surveys within the property documented the absence of rare, threatened, or endangered species within the project impact areas. The proposed project will comply with MSHCP terms and conditions, and no further mitigation is required.

The project area has been assessed and tested for the presence of historic and prehistoric resources, and the resulting data recorded. The potential for project-related impacts to such resources is considered less than significant with the mitigation incorporated. Therefore, the proposed project does not have potential to substantially degrade the quality of the environment; substantially reduce the habitat of a fish or wildlife species; cause a fish or wildlife population to drop below self-sustaining levels; threaten to eliminate a plant or animal community; reduce the number or restrict the range of an endangered, rare, or threatened species; or eliminate important examples of the major periods of California history or prehistory.

b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of the past projects, the effects of other current projects, and the effects of probable future projects)?			X	

17b. Response: *(Source: Above Checklist)*

The proposed project consists of a planned development within the approved Moreno Valley Industrial Area Specific Plan. The project is consistent with the land use designations, policies, and design guidelines set forth by the Specific Plan, as well as the provisions of the Stephan's Kangaroo Rat HCP and the Western Riverside MSHCP. The analysis for air quality, noise, and transportation/traffic included impacts associated with the project and projected growth. Potential impacts associated with air quality, biological resources, noise, and transportation/traffic would be mitigated to a level of less than significant with mitigation incorporated.

With regard to climate change and GHG emissions, the amounts of construction- and operations-period GHG emissions that would result from development of the proposed project are negligible. The proposed project's amount of emissions, without considering other cumulative global emissions, would be insufficient to cause climate change. Nevertheless, the project would be required to implement project-specific GHG-reducing mitigation measures. With implementation of prescribed mitigation measures, the proposed project would be consistent with the state's goals of reducing GHG emissions to 1990 levels by 2020. As such, the proposed project's contribution to climate change/worldwide GHG emissions would be less than significant.

Issues and Supporting Information	Potentially Significant Impact	Less than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Implementation of the proposed project would not result in cumulatively considerable impacts.				
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?			X	

17c. Response: *(Source: Above Checklist)*

The proposed project involves the development of a business park that would provide employment opportunity for the local area. As noted in the preceding checklist, potential impacts related to air quality, hazards and hazardous materials, geology and soils, noise, and transportation/traffic associated with the proposed project would be mitigated to a level of less than significant. Therefore, the proposed project is not expected to result in substantial adverse effects on human beings.

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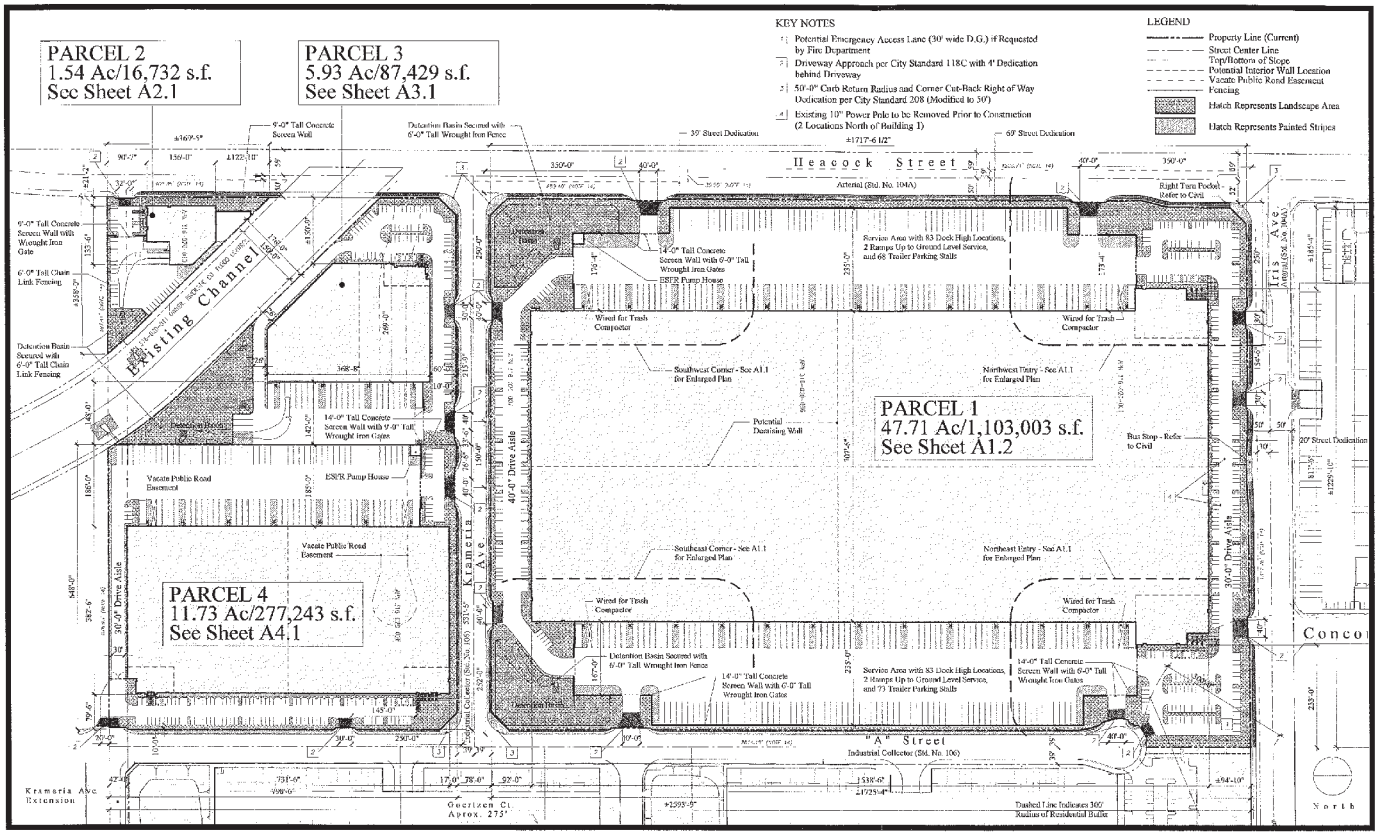
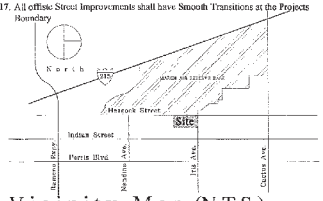


MASTERPLAN SUMMARY

PARCEL 1		
Site Area	47.71 Acres	2,078,286 s.f.
Building Area		1,103,003 s.f.
Site Coverage		53.07%
Parking Required (2.5% Office/97.5% Warehouse)		400 Spaces
Parking Provided		418 Spaces
Parking Ratio		.38/1,000
Landscape Area	9.59%	199,214 s.f.
PARCEL 2		
Site Area	1.54 Acres	67,135 s.f.
Building Area		16,732 s.f.
Site Coverage		24.92%
Parking Required (25% Office/75% Manufacturing)		42 Spaces
Parking Provided		42 Spaces
Parking Ratio		2.51/1,000
Landscape Area	22.17%	14,887 s.f.
PARCEL 3		
Site Area	5.93 Acres	258,420 s.f.
Building Area		87,429 s.f.
Site Coverage		33.83%
Parking Required (10% Office/90% Warehouse)		75 Spaces
Parking Provided		86 Spaces
Parking Ratio		.98/1,000
Landscape Area	23.27%	60,143 s.f.
PARCEL 4		
Site Area	11.73 Acres	511,130 s.f.
Building Area		277,243 s.f.
Site Coverage		54.24%
Parking Required (4% Office/96% Warehouse)		131 Spaces
Parking Provided		132 Spaces
Parking Ratio		.48/1,000
Landscape Area	7.14%	36,475 s.f.
MASTERPLAN TOTALS		
Site Area	66.92 Acres	2,914,971 s.f.
Building Area		1,484,407 s.f.
Site Coverage		50.93%
Landscape Area	10.66%	310,719 s.f.

General Notes

1. For Property Line Information, Refer to Conceptual Grading Plan.
2. For Grade Elev's and Contour Lines, Refer to Conceptual Grading Plan.
3. All Lighting to Conform with Municipal Standards.
4. All Signage and Graphics to Conform with Municipal Standards.
5. All Parking Stalls shall be 9' x 18' and Double Striped.
6. All Landscape Fingers shall have Minimum Interior Dim of 5' wide by 16' long, Exclusive of Curbs, Step Outs and Other Hard Surfaces.
7. For all Landscape Fingers and End Planters adjacent to a Park. Stall, a 12" Conc Stepout, in addition to the required Curbs, Shall be Provided.
8. Each Gated Entrance shall be Provided with Presence Loop Detectors (or other device) within 1 or 2 feet of the Gate.
9. Trash enclosures shall be designed per modified City standards to include a fully covered roof over the enclosure and accommodate two trash bins, one for trash and the other for recyclables.
10. All Roofs to be Class-A
11. Series 1200 Knox Boxes to be Installed at all Gate Locations and Entry Doors
12. Utility Purveyors:
    Water: Eastern Municipal Water District, 909-928-6111
    Sewer: Eastern Municipal Water District, 909-928-6111
    Gas: Southern California Gas Company-Redlands, 562-699-7411
    Electrical: SCE-Santa Ana
    Telephone: Verizon-Hemet, 951-929-9412
    Cable: Time Warner Comm.-Ontario, 909/951-929-9412
13. Subject Site is Zoned "I" (Industrial)
    Specific Plan "SP-208" (Oleander Specific Plan)
14. PL Distances provided for Reference Only - Refer to Civil Drawings for Property Line Bearings and Distances and for Horizontal Control
15. FEMA Flood Zone Designations are X-Unshaded, X-Shaded, AO, and AH - Refer to Tentative Parcel Map for Additional Information
16. See Sheet A0.2 for Typical Street Sections
17. All offsite Street Improvements shall have Smooth Transitions at the Projects Boundary



Vicinity Map (N.T.S.)

Sheet List

A0.1 - Conceptual Masterplan
A0.2 - Site Plan Photos / Street Sections

A1.1 - Building 1 Enlarged Site Plans
A1.2 - Building 1 Floor Plan
A1.3 - Building 1 Roof Plan
A1.4 I-1.44 - Building 1 Elevations

A2.1 - Building 2 Site, Floor, Roof Plans
A2.2 - Building 2 Elevations

A3.1 - Building 3 Enlarged Site Plan
A3.2 - Building 3 Floor and Roof Plans
A3.3 - Building 3 Elevations

A4.1 - Building 4 Enlarged Site Plan
A4.2 - Building 4 Floor Plan
A4.3 - Building 4 Roof Plan
A4.4 I-1.42 - Building 4 Elevations

Civil 1 of 3 - Conceptual Grading Plan
Civil 2 of 3 - Conceptual Grading Plan
Civil 3 of 3 - Conceptual Utility Plan

LS 1 of 7 - Landscape Plan - Bldg 2
LS 2 of 7 - Landscape Plan - Bldg 3
LS 3 of 7 - Landscape Plan - Bldg 4
LS 4 of 7 - Landscape Plan - Bldg 1, Quad 1
LS 5 of 7 - Landscape Plan - Bldg 1, Quad 2
LS 6 of 7 - Landscape Plan - Bldg 1, Quad 3
LS 7 of 7 - Landscape Plan - Bldg 1, Quad 4

A.P.N.

316-020-001
316-020-006
316-020-007
316-020-010
316-020-028

Project Directory

OWNER/DEVELOPER:
WESTERN REALCO, LLC
500 Newport Center Drive, Suite 630
Newport Beach, California 92660
Telephone: 949 720 3787
Contact: Gary Edwards, Vance Mapo

ARCHITECT:
BASTIEN AND ASSOCIATES, INC.
2961 Edinger Avenue
Tustin, California 92780
Telephone: 949 857 0001
Contact: Mike McAndrew

ENTITLEMENT COORDINATOR:
HOGLE-IRELAND
1500 Iowa Avenue, Suite 110
Riverside, CA 92507
Telephone: 951 787 9222
Contact: Pam Steele, Chris Stamps

CIVIL:
THIENES ENGINEERING
14349 Firestone Blvd.
La Mirada, CA 90638
Telephone: 714 521 4811
Contact: Brian Thienes

LANDSCAPE:
EMERALD DESIGN
305 N. Harbor Blvd., Suite 218
Fullerton, CA 92832
Telephone: 714 680 0417
Contact: Charles Lamb

CONCEPTUAL MASTERPLAN

0 100 200 300 400
Scale: 1"=100'-0"

Legal Description

The land referred to hereon is situated in the State of California, County of Riverside, City of Moreno Valley, described as follows:

Lot(s) 12 and 13 in block 2 of Riverside Alfalfa Acres, in the City of Moreno Valley, in the County of Riverside, State of California, as shown by map on file in book 8 page(s) 21, of maps, records of Riverside County, California;

Excepting therefrom that portion conveyed to the Riverside County Flood Control and Water Conservation District, by deed recorded may 8, 1953 in book 1470 page 215 and re-recorded may 13, 1955 in book 1737 page 140, both of official records of Riverside County, California;

Also excepting therefrom the westerly 30 feet as conveyed to the County of Riverside, by deed recorded July 8, 1974 as instrument no. 84961 of official records of Riverside County, California;

Also excepting therefrom that portion conveyed to the Riverside County Flood Control and Water Conservation District, by deed recorded march 13, 1995 as instrument no. 79418 and re-recorded April 4, 1995 as instrument no. 102439 of official records of Riverside County, California.

Lot(s) 4 and 5 in block 2 of Riverside Alfalfa Acres, in the City of Moreno Valley, in the County of Riverside, State of California, as shown by map on file in book 8 page(s) 21, of maps, records of Riverside County, California.

WESTERN REALCO

Drawings, specifications and other documents, including those in other media, prepared by the Architect and the Architect's consultants are instruments of Service for use solely with respect to this Project. The Architect and the Architect's consultants shall be deemed the authors and owners of their respective instruments of Service and shall retain all common law, statutory and other reserved rights, including copyright.

MARCH BUSINESS CENTER

Moreno Valley, California

A 0.1

ATTACHMENT 8

March Business Center
A0.1 - Conceptual Masterplan
December 04, 2008

BASTIEN AND ASSOCIATES, INC.
ARCHITECTURE AND PLANNING
2361 EDINGER AVENUE
TUSTIN, CALIFORNIA 92780-7268
Phone: (949) 857-0001 FAX: (949) 857-0110
Web Address: www.BastienArchitects.com

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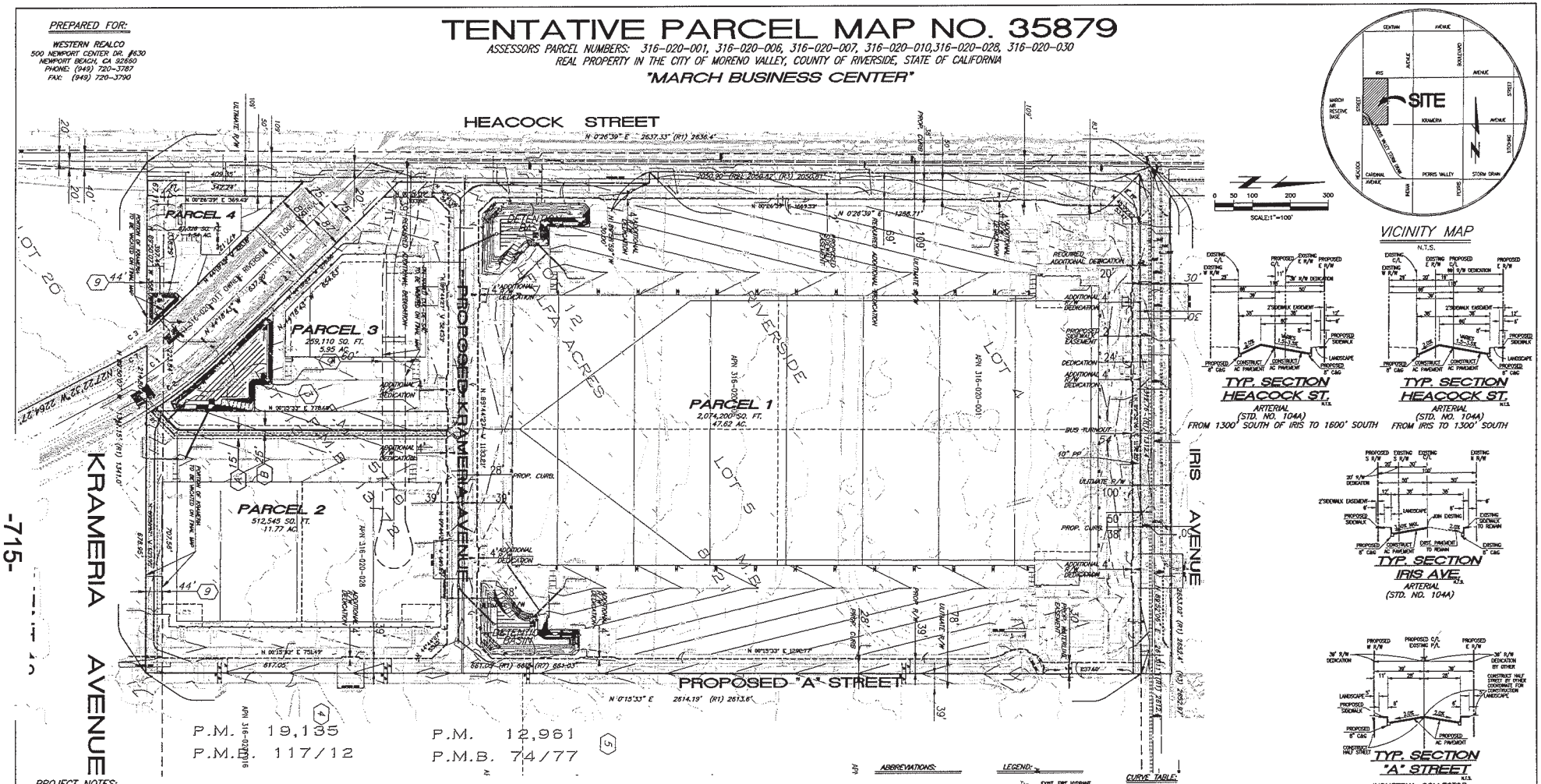
TENTATIVE PARCEL MAP NO. 35879

ASSESSORS PARCEL NUMBERS: 316-020-001, 316-020-006, 316-020-007, 316-020-010,316-020-028, 316-020-030
REAL PROPERTY IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

"MARCH BUSINESS CENTER"

PREPARED FOR:
WESTERN REALCO
500 NEWPORT CENTER DR. #630
NEWPORT BEACH, CA 92660
PHONE: (949) 720-1787
FAX: (949) 720-3790



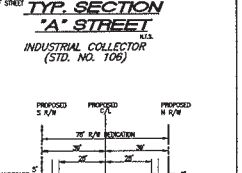
VICINITY MAP
N.T.S.

TYP. SECTION HEACOCK ST.
ARTERIAL (STD. NO. 104A)
FROM 1300' SOUTH OF IRIS TO 1600' SOUTH

TYP. SECTION HEACOCK ST.
ARTERIAL (STD. NO. 104A)
FROM IRIS TO 1300' SOUTH

TYP. SECTION IRIS AVE.
ARTERIAL (STD. NO. 104A)

TYP. SECTION "A" STREET
INDUSTRIAL COLLECTOR (STD. NO. 106)



TYP. SECTION KRAMERIA AVE.
INDUSTRIAL COLLECTOR (STD. NO. 106)

PROJECT NOTES:

1. THE LAND SHOWN HEREON IS TO BE SUBDIVIDED INTO FOUR (4) PARCELS EACH CONTAINING ONE (1) BUILDING FOR INDUSTRIAL PURPOSES. SEE SITE PLAN FOR FULL BUILDING PARTICULARS.
2. TITLE TO SAID ESTATE OR INTEREST AT THE DATE HEREOF IS VESTED IN: RANDY H. ZEMKER AND NORMA B. ZEMKER, TRUSTEES, OF THE RANDY & NORMA ZEMKER TRUST, U.T.D. 5/21/92, SUBJECT TO TITLE REPORT EXCEPTION 11 SHOWN HEREON.
3. PROJECT ADDRESS: 24013 IRIS AVENUE, MORENO VALLEY, CALIFORNIA
4. ASSESSOR'S PARCEL NUMBERS: 316-020-001, 316-020-006 316-020-007, 316-020-010 316-020-028, 316-020-030
5. SUBJECT SITE IS ZONED: "I" (INDUSTRIAL) "SP-208" (SPECIFIC PLAN 208) (CLEARANCE SPECIFIC PLAN) PER MAP 88-1 CONTAINED IN MORENO VALLEY INDUSTRIAL AREA PLAN (SPECIFIC PLAN 208) OF THE CITY OF MORENO VALLEY. (MOST RECENTLY AMENDED BY ORDINANCE NO. 598, MARCH 12, 2002).
6. SUBJECT SITE IS ENCUMBERED BY THE EFFECT OF AN INSTRUMENT RECLAIMING SAID LAND TO BE WITHIN THE MARCH AIR FORCE BASE REDEVELOPMENT PROJECT AREA, RECORDED FEBRUARY 6, 2004 AS INST. NO. 04-86467, O.R.
7. THE PROPERTY INDICATED HEREON IS SITUATED WITHIN THE FLOOD INSURANCE RATE MAP (F.I.R.M.) PANEL NO. 0800744-0029B, DATED MAY 17, 1983. THE SOUTHERLY PORTION OF SAID LAND IS SITUATED WITHIN 'A' AND, REVISED BY A LETTER OF MAP REVISION (LOMR), DATED OCTOBER 16, 1996. SAID PROPERTY IS LOCATED IN FOUR DIFFERENT FLOOD ZONES. THE LOCATION OF THE LINES SEPARATING SAID FLOOD ZONES IS VERY APPROXIMATE IN NATURE DUE TO THE SMALL SCALE OF SAID FLOOD AND LAND LINE. SAID APPROXIMATE LINES ARE SHOWN HEREON. THE FOUR DIFFERENT FLOOD ZONES ARE AS FOLLOWS:
   ZONE "X—UNSHADED" (AREAS DETERMINED TO BE OUTSIDE 500—YEAR FLOOD PLAIN);
   ZONE "X—SHADED" (AREAS BETWEEN LIMITS OF THE 100—YEAR FLOOD AND 500—YEAR FLOOD, OR CERTAIN AREAS SUBJECT TO 100—YEAR FLOODING WITH AVERAGE DEPTHS LESS THAN ONE (1) FOOT);
   ZONE "AO" DEPTH 1 FOOT" (SPECIAL FLOOD HAZARD AREAS INUNDATED BY 100—YEAR FLOOD, REVISED 100—YEAR FLOODPLAIN);
   ZONE "AH" SPECIAL FLOOD HAZARD AREAS INUNDATED BY 100—YEAR FLOOD, FLOOD DEPTHS OF 1 TO 3 FEET (USUALLY AREAS OF PONDING), BASE FLOOD ELEVATIONS DETERMINED).
   SUBJECT SITE IS CURRENTLY AN OPEN FIELD WITHOUT STRUCTURES EXCEPT FOR A COUPLE OF FARM STRUCTURES AND THERE ARE ZERO TOTAL PAVED AND MARKED PARKING SPACES.
   ALL DRIVEWAY APPROACHES ARE PER CITY STANDARD 118C
   PRELIMINARY WQMP IS INCLUDED IN THE SUBMITTAL PACKAGE ADDRESSING STORM WATER RUNOFF — SELECTED BMP'S ARE SHOWN HEREON. SEE WQMP FOR FULL DETAILS.
   SUBJECT SITE CONTAINS NO KNOWN EXISTING SEPTIC, SEWER, IRRIGATION, OR UNDERGROUND STORM DRAIN FACILITIES.

PROPOSED EASEMENTS

PRIVATE INGRESS, EGRESS, MAINTENANCE, UTILITY, AND DRAINAGE EASEMENTS OVER ALL DRIVE AISLES AS NECESSARY TO PROVIDE FOR PHASING, CROSS ACCESS, MAINTENANCE, OPERATION, & WATER QUALITY BMP'S USE AND MAINTENANCE, AND UTILITY CONNECTIONS.

(4) PROPOSED 15' WIDE EASEMENT FOR SANITARY SEWER PURPOSES TO BE DEDICATED TO THE CITY OF MORENO VALLEY ON FINAL MAP

(5) PROPOSED 25' WIDE EASEMENT FOR STORM DRAIN PURPOSES TO BE DEDICATED TO THE CITY OF MORENO VALLEY ON FINAL MAP

AREA SUMMARY

PARCEL 1	2,078,379 S.F. 47.71 AC.
PARCEL 2	511,455 S.F. 11.74 AC.
PARCEL 3	258,158 S.F. 5.93 AC.
PARCEL 4	67,139 S.F. 1.54 AC.
TOTAL PARCEL AREA	2,915,062 S.F. 66.93 AC.
DEDICATIONS:	
PROPOSED KRAMERIA	98,747 S.F. 2.27 AC.
HEACOCK (TOTAL)	134,620 S.F. 3.09 AC.
IRIS	28,395 S.F. 0.61 AC.
STREET "A"	94,546 S.F. 2.17 AC.
TOTAL DEDICATIONS	354,308 S.F. 8.13 AC.
TOTAL PROJECT AREA (DEDICATIONS + PARCELS)	3,269,370 S.F. 75.05 AC.
VACATIONS (AREAS INCLUDED IN AREAS ABOVE)	
PORTION OF KRAMERIA	47,039 S.F. 1.08 AC.
CUL-DE-SAC	64,203 S.F. 1.47 AC.
TOTAL ABANDONMENT	111,533 S.F. 2.55 AC.

ABANDONMENT NOTE: VACATIONS SHOWN ON THIS MAP ARE VACATIONS OF OFFERS OF DEDICATION. THE OFFERS WERE NEVER ACCEPTED BY THE CITY OF MORENO VALLEY.

EASEMENTS & TITLE EXCEPTIONS:

(3) PERTAINS TO THE EFFECT OF PARCEL MAP NO. 5779 ON FILE IN BOOK 13 PAGE 12, OF PARCEL MAPS. (PARCEL MAP NO. 19135 PLOTTED HEREON).

(4) PERTAINS TO THE EFFECT OF PARCEL MAP NO. 19135 ON FILE IN BOOK 117 PAGE 32, OF PARCEL MAPS. (PARCEL MAP NO. 19135 PLOTTED HEREON, LOCATION IS OFFSITE).

(5) PERTAINS TO THE EFFECT OF PARCEL MAP NO. 12961 ON FILE IN BOOK 74 PAGE 77, OF PARCEL MAPS. (PARCEL MAP NO. 12961 PLOTTED HEREON, LOCATION IS OFFSITE).

(6) PERTAINS TO THE EFFECT OF A RECORD OF SURVEY ON FILE IN BOOK 93 PAGE 34, OF RECORDS OF SURVEY, WHICH PURPORTS TO SHOW THE HEREON DESCRIBED PROPERTY.

(7) PERTAINS TO THE EFFECT OF A RECORD OF SURVEY ON FILE IN BOOK 97 PAGE 28, OF RECORDS OF SURVEY, WHICH PURPORTS TO SHOW THE HEREON DESCRIBED PROPERTY.

(8) PERTAINS TO THE EFFECT OF A RECITAL AS CONTAINED ON PARCEL MAP NO. 5779, AS FOLLOWS: "NATURAL WATERCOURSE SHALL BE KEPT FREE OF ALL BUILDINGS, OBSTRUCTIONS AND ENCROACHMENTS BY LAND FILLS. ANY BUILDINGS WITHIN 300 FEET OF THE NATURAL WATER COURSE SHALL HAVE PADS AT LEAST 2 FEET ABOVE THE NATURAL GROUND."

(9) PERTAINS TO THE EFFECT OF A DECLARATION OF DEDICATION RECORDED JUNE 15, 2007 AS INSTR. NO. 2007-0376179 OF OFFICIAL RECORDS, PURPORTING TO IRREVOCABLY DEDICATE IN PERPETUITY FOR PUBLIC ROAD PURPOSES, INCLUDING PUBLIC UTILITY AND PUBLIC SERVICE USES. (DEDICATION OF DEDICATION PLOTTED HEREON)

(10) TO BE VACATED ON FINAL MAP

(11) PERTAINS TO ANY INFIRMITY OR DEFECT IN THE TITLE OF THE VESTEES IN THE EVENT THAT THE TRUST REFERRED TO IN THE VESTING PORTION OF SCHEDULE A IS INVALID OR FAILS TO GRANT SUFFICIENT POWERS TO THE TRUSTEE(S) OR IN THE EVENT THERE IS A LACK OF COMPLIANCE WITH THE TERMS AND PROVISIONS OF THE TRUST INSTRUMENT.

BASIS OF BEARINGS:

THE BEARINGS SHOWN HEREON ARE BASED ON THE CENTERLINE OF HEACOCK ST. BEING N 00°26'39" E AS PER RECORD OF SURVEY R.S. 97/29—36, IN THE CITY OF MORENO VALLEY, RECORDS OF COUNTY OF RIVERSIDE, STATE OF CALIFORNIA.

BENCHMARK:

CITY OF MORENO VALLEY DESIGNATION:
M—33,REset 11/14/89

BRASS CAP IN CURB, 79 FT. NORTH AND 45 FT. EAST OF THE CENTERLINE PERRIS BLVD. AND JOHN F. KENNEDY DR. INTERSECTION SET IN TOP OF CURB 5 FT. NORTH OF THE E.C.R. AND STAMPED M—33 RESET.

ELEVATION = 1533.10' (NGVD '29/ SUNNYMEAD QUAD)

LEGAL DESCRIPTION:

THE LAND REFERRED TO HEREON IS SITUATED IN THE STATE OF CALIFORNIA, COUNTY OF RIVERSIDE, CITY OF MORENO VALLEY, DESCRIBED AS FOLLOWS:

LOT(S) 12 AND 13 IN BLOCK 2 OF RIVERSIDE ALFALFA ACRES, IN THE CITY OF MORENO VALLEY, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS SHOWN BY MAP ON FILE IN BOOK 8 PAGE(S) 21, OF MAPS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA.

EXCEPTING THEREFROM THAT PORTION CONVEYED TO THE RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, BY DEED RECORDED MAY 8, 1953 IN BOOK 1470 PAGE 215 AND RE—RECORDED MAY 13, 1953 IN BOOK 1537 PAGE 140, BOTH OF OFFICIAL RECORDS OF RIVERSIDE COUNTY, CALIFORNIA.

ALSO EXCEPTING THEREFROM THE WESTERLY 30 FEET AS CONVEYED TO THE COUNTY OF RIVERSIDE, BY DEED RECORDED JULY 8, 1974 AS INSTRUMENT NO. 84991 OF OFFICIAL RECORDS OF RIVERSIDE COUNTY, CALIFORNIA.

ALSO EXCEPTING THEREFROM THAT PORTION CONVEYED TO THE RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, BY DEED RECORDED MARCH 15, 1985 AS INSTRUMENT NO. 75418 AND RE—RECORDED APRIL 4, 1985 AS INSTRUMENT NO. 102438 OF OFFICIAL RECORDS OF RIVERSIDE COUNTY, CALIFORNIA.

LOT(S) 4 AND 5 IN BLOCK 2 OF RIVERSIDE ALFALFA ACRES, IN THE CITY OF MORENO VALLEY, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS SHOWN BY MAP ON FILE IN BOOK 8 PAGE(S) 21, OF MAPS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA.

MAP & OTHER REFERENCES:

MAP REFERENCES:			
R1	RIVERSIDE ALFALFA ACRES	08-09-1911	M.B. 8 PG. 21
R2	RECORD OF SURVEY	08-13-1979	R.S. 65 PG. 54—58
R3	RECORD OF SURVEY	08-16-1984	R.S. 97 PG. 29—36
R4	RECORD OF SURVEY	02-15-2001	R.S. 110 PG. 30—40
R5	PARCEL MAP 5779	06-25-1974	P.M.B. 13 PG. 72
R6	PARCEL MAP 11,912	04-12-1978	P.M.B. 91 PG. 37
R7	PARCEL MAP 12,961	06-04-1980	P.M.B. 74 PG. 77
R8	PARCEL MAP 19,135	08-26-1983	P.M.B. 117 PG. 12
R9	RECORD OF SURVEY	11-16-1988	R.S. 82 PG. 72

ABBREVIATIONS:

A.C.	—ASPHALT CONCRETE
APN	—ASSESSOR'S PARCEL NUMBER
B.W.	—BACK OF WALK
BLDG.	—BUILDING
C.L.F.	—CHAIN LINK FENCE
C.B.	—CATCH BASIN
C/L	—CENTERLINE
C.B.	—CURB FACE
CONC.	—CONCRETE
(C.O.)	—CONSTR'D. ELEVATION
E.P.	—EDGE OF PAVEMENT
EXIST.	—EXISTING
F.H.	—FIRE HYDRANT
F.G.	—FINISH GRADE
F.S.	—FINISH SURFACE
F.F.	—FINISH FLOOR
G.L.	—GRADE LINE
H.C.	—HANDICAP
H.	—HEIGHT OF RETAINING
H.P.	—HIGH POINT
INV.	—INVERT
L.P.	—LOW POINT
M.H.	—MANHOLE
N.G.	—NATURAL GRADE
P.V.C.	—POLYVINYLCHLORIDE
P.P.	—POWER POLE
P.W.D.	—PAVEMENT DRAIN
R/W	—RIGHT OF WAY
R.B.	—RADIUS POINT
R.D.	—ROOF DRAIN
R.C.P.	—REINFORCED CONCRETE PIPE
ST.LT.	—STREET LIGHT
S	—SLOPE
S.D.	—STORM DRAIN
S.F.	—SQUARE FEET
T.C.	—TOP OF CURB
T.S.	—TOP OF CONCRETE SLAB
T.O.P.	—TOP OF PIPE
T.F.	—TOP OF FOOTING
T.W.	—TOP OF WALL
T.R.	—TOP OF RAIL
T.G.	—TOP OF GRATE
TOP	—TOP OF SLOPE
TOE	—TOE OF SLOPE
T.B.	—TOP OF BERM
TRANS PAD	—TRANSFORMER PAD

LEGEND:

	EXIST. FIRE HYDRANT
	EXIST. WATER METER
	EXIST. WATER VALVE
	EXIST. GAS VALVE
	CITY WHC/HEXAMAN
	EXIST. POWER POLE
	EXIST. TRAFFIC SIGNAL
	EXIST. CROSSWALK SIGNAL
	STREET LIGHTING BOX
	EXIST. STREET LIGHT
	EXIST. STORMDRAIN MANHOLE
	EXIST. SEWER MANHOLE
	EXIST. VALVE
	EXIST. SIGN
	TREE
	EXIST. TRAFFIC SIGNAL BOX
	EXIST. GAS METER
	EXIST. MAIL BOX
	EXIST. TELEPHONE MANHOLE
	EXIST. GRADE ELEVATION
	EXIST. EDGE OF A.C. PAVEMENT
	EXIST. CURB AND GUTTER
	EXIST. SANITARY SEWER
	EXIST. STORM DRAIN
	EXIST. GAS LINE
	EXIST. TELEPHONE CONDUIT
	EXIST. WATER LINE
	R/W LINE
	PROPERTY LINE
	EASEMENT LINE

CURVE TABLE:

NO.	DELTA	RADIUS	LENGTH
C1	16°36'11"	1000.00'	295.60'
C1	16°36'11"	1000.00'	295.60'
C2	16°36'11"	1087.00'	321.31'
C3	16°36'11"	911.00'	269.29'
C4	10°07'31"	1087.00'	192.09'
C5	6°46'50"	1087.00'	128.22'
C6	2°09'21"	911.00'	34.35'
C7	14°46'50"	911.00'	235.01'

TANGENT TABLE:

NO.	DISTANCE	BEARING
T1	61.08'	S 00°26'39" W
T2	32.75'	S 44°57'25" E

UTILITY PURVEYORS:

WATER:
EASTERN MUNICIPAL WATER DISTRICT
2270 TRUMBLE ROAD
PERRIS, CA 92585
909—226—6111

CABLE:
TIME WARNER COMM. — ONTARIO
3281 GUASTI ROAD, STE. 350
ONTARIO, CA 91761
909—351—220—9412

TELEPHONE:
VERIZON — HEMET
730 S. JUANITA ST.
HEMET, CA 92543
951—929—9412

SEWER:
EASTERN MUNICIPAL WATER DISTRICT
2270 TRUMBLE ROAD.
PERRIS, CA 92585
909—226—6111

GAS:
SOUTHERN CALIFORNIA GAS COMPANY—REDLANDS
1981 N. LINDSAY AV. PO. BOX 3003
REDLANDS, CA 92374
(992) 699—7411

ELECTRICAL:
SCE — SANTA ANA
P.O. BOX 11982
SANTA ANA, CA, 92711

SURVEYOR:

PREPARED UNDER THE SUPERVISION OF:

BRIAN L. THIENES
P.L.S. NO. 5750
REG. EXP. DEC. 31, 2009

DATE

DATE OF PREPARATION: 3/10/2008

Thienes Engineering, Inc.
CIVIL ENGINEERING • LAND SURVEYING
14545 FIRESTONE BOULEVARD
LA MIRADA, CALIFORNIA 90638
PH.(714)521-4811 FAX(714)521-4173

-715-

Item No. E.2

ATTACHMENT 9

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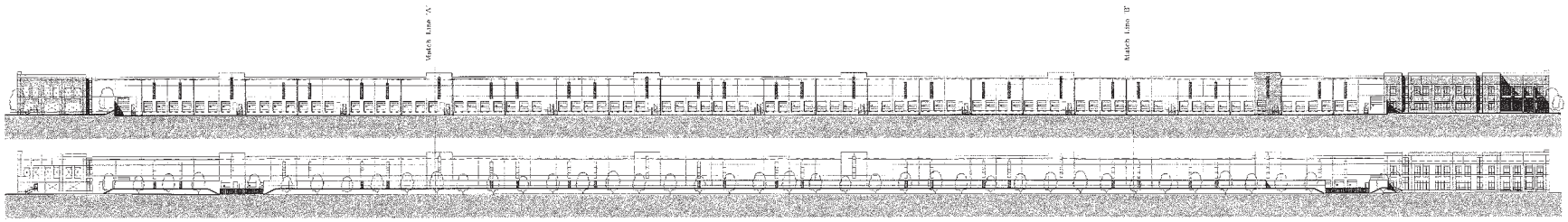
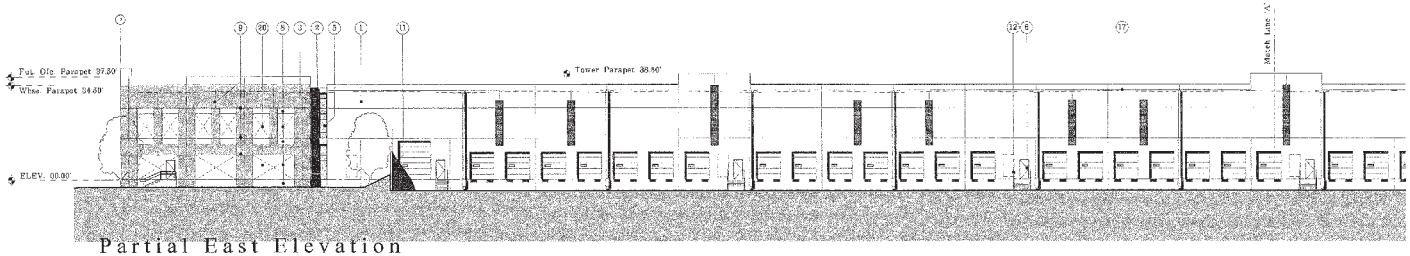
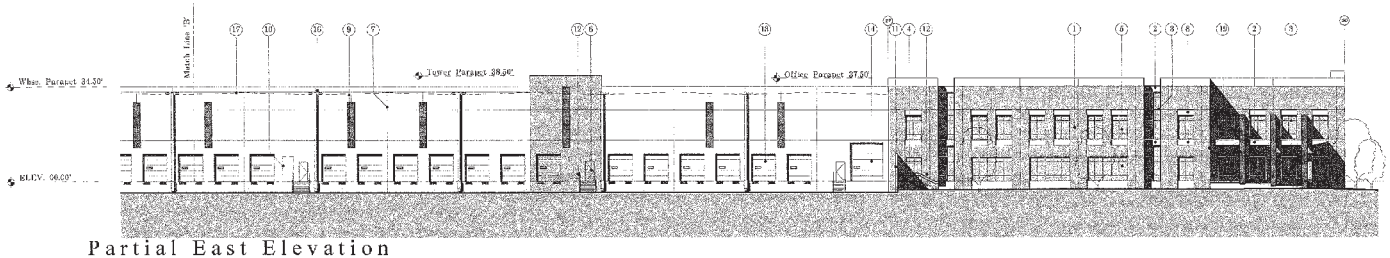


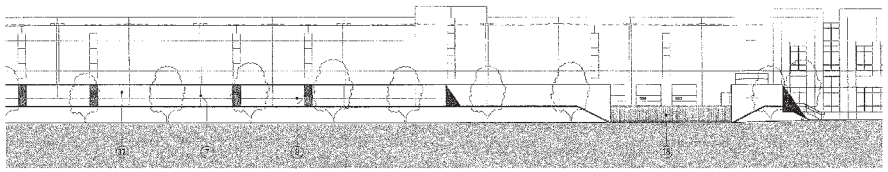
Overall East Elevation (Scale: 1"=40'-0")



Partial East Elevation



Partial East Elevation



Typical Screen Wall Elevation

Elevation Notes

1. Concrete Tilt-up panels with joints and reveals as indicated. Painted. Typical
2. Canopy: Brut .090" Thick Aluminum Panel w/ Kawneer 'Silver' Finish over Steel Frame - Typ
3. Clear Anodized, Center Glazed, Aluminum Mullion System (6" System at 2-Story Glazing, 4" System at Punched Openings)
4. 7'-0" High Medium Stile Entry Doors - Typ.
5. Medium performance Reflective Green Glass - Typ.
6. 3'x7' Galvanized Steel Man Door and Frame Painted to Match Adjacent Wall Surface
7. Panel Joint - Typ.
8. 3/4" Recess - Typ.
9. 3/4" Reveal - Typ.
10. Potential Louvered Air Intake Vent - Painted to Match Adjacent Wall Surface - Precise Location T.B.D.
11. 14'-0" High Concrete Screen Wall - Painted (Street Side of Wall will Incorporate Landscape Berm to Reduce Visual Wall Height to 8'-0")
12. Metal Hand and Guardrails Painted to Match Adjacent Wall Surface - Typ.
13. 9'x10' Steel Panel Sectional Door and Frame Painted to Match Adjacent Wall Surface
14. 12'x14' Steel Panel Sectional Door and Frame Painted to Match Adjacent Wall Surface
15. 3" Recess in Thickened Panel. Brut .090 Thick Alum. forms set into Recess.
16. External Down Spout and Overflow Scupper Painted to Match Adjacent Wall within Dock Area (All Other Locations to be Internally Routed)
17. Dashed Line Represents Roof Line Beyond
18. 9'-0" High, Rolling Wrought Iron Gate
19. Decorative Light Fixture to be Incorporated at Entry
20. Crossed Dashed Lines Represents Future Knock-Out Panels

Paint Legend

- Paint 1 - Beige (Dunn Edwards, or Equal - DE6139, Finest Silk, LRV 74)
- Paint 2 - Light Brown (Dunn Edwards, or Equal - DEC747, Sahara, LRV 32)
- Paint 3 - Medium Brown (Dunn Edwards, or Equal - DE6096, Homestead, LRV 26)
- Paint 4 - Burnt Red (Dunn Edwards, or Equal - DE5153, Iron Ore, LRV 16)

0 16 32 48 64
Graphic Scale
Scale: 1/16" = 1'-0"

CONCEPTUAL ELEVATIONS - BUILDING 1

WESTERN REALCO

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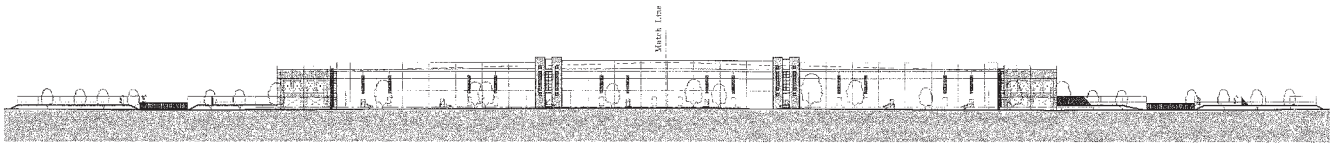
MARCH BUSINESS CENTER
Moreno Valley, California

A 1.41
04 December 2008
ATTACHMENT 10

March Business Center
A1.41 - Conceptual Elevations - Building 1
December 04, 2008

BASTIEN AND ASSOCIATES, INC.
ARCHITECTURE AND PLANNING
2961 EDinger AVENUE
TUSTIN, CALIFORNIA 92780-7256
Phone:(714) 557-3001 FAX:(714) 557-3115
Web: www.BastienArchitects.com



Overall South Elevation
(Scale: 1" = 40'-0")

Paint Legend

Paint 1 - Beige (Dunn Edwards, or Equal - DE5127, Finest Silk, LRV 74)

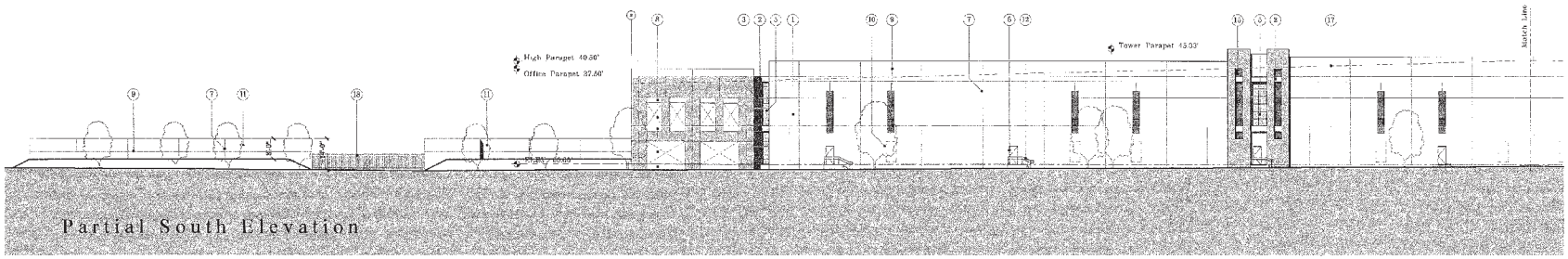
Paint 2 - Light Brown (Dunn Edwards, or Equal - DEC747, Sahara, LRV 42)

Paint 3 - Medium Brown (Dunn Edwards, or Equal - DE6096, Homestead, LRV 26)

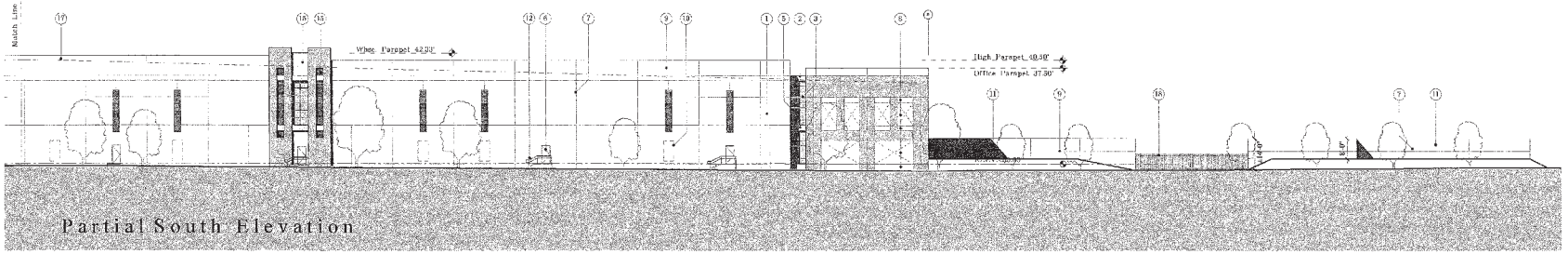
Paint 4 - Burnt Red (Dunn Edwards, or Equal - DE5153, Iron Ore, LRV 16)

Elevation Notes

1. Concrete Tilt-up panels with joints and reveals as indicated. Painted. Typical
2. Canopy: Bent .096" Thick Aluminum Panel w/ Kawneer "Silver" Finish over Steel Frame - Typ.
3. Clear Anodized, Center Glazed, Aluminum Mullion System (6" System at 2-Story Glazing, 4" System at Punched Openings)
4. 7'-0" High Medium Stile Entry Doors - Typ.
5. Medium performance Reflective Green Glass - Typ.
6. 3'x7' Galvanized Steel Man Door and Frame Painted to Match Adjacent Wall Surface
7. Panel Joint - Typ.
8. 3/4" Recess - Typ.
9. 3/4" Reveal - Typ.
10. Potential Louvered Air Intake Vent - Painted to Match Adjacent Wall Surface - Exact Location T.B.D.
11. 14'-0" High Concrete Screen Wall - Painted (Street Side of Wall will Incorporate Landscape Berm to Reduce Visual Wall Height to 8'-0")
12. Metal Hand and Guardrails Painted to Match Adjacent Wall Surface - Typ.
13. 9'x40' Steel Panel Sectional Door and Frame Painted to Match Adjacent Wall Surface
14. 12'x14' Steel Panel Sectional Door and Frame Painted to Match Adjacent Wall Surface
15. 3" Recess in Fractured Panel. Bent .090 Thick Alum. frame set into Recess.
16. External Drain Spout and Overflow Scupper Painted to Match Adjacent Wall within Deck Area (All Other Locations to be Internally Drained)
17. Dashed Line Represents Roof Line Beyond
18. 8'-0" High, Rolling Wrought Iron Gate
19. Decorative Light Fixture to be Incorporated at Entry
20. Crossed Dashed Lines Represents Future Knock-Out Panels



Partial South Elevation



Partial South Elevation

CONCEPTUAL ELEVATIONS - BUILDING 1

0 16 32 48 64
Graphic Scale
Scale: 1/16" = 1'-0"

WESTERN REALCO

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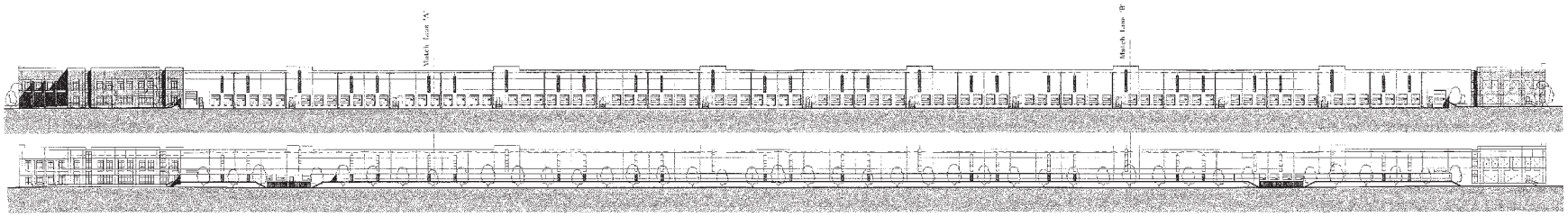
MARCH BUSINESS CENTER
Moreno Valley, California

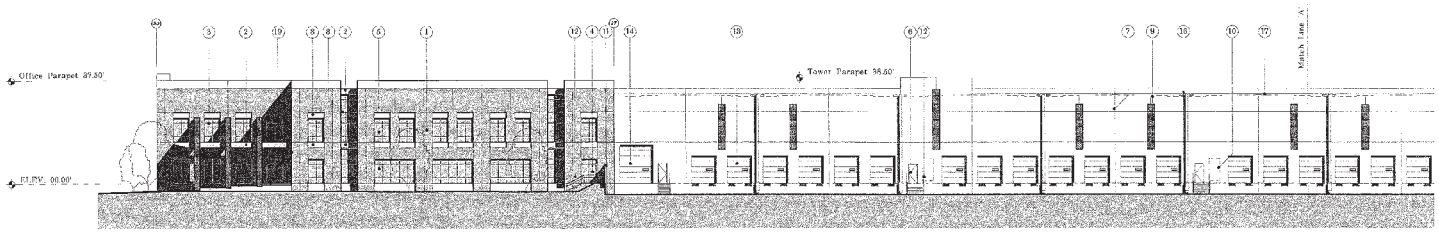
A 1.42
04 December 2008

March Business Center
A1.42 - Conceptual Elevations - Building 1
December 04, 2008

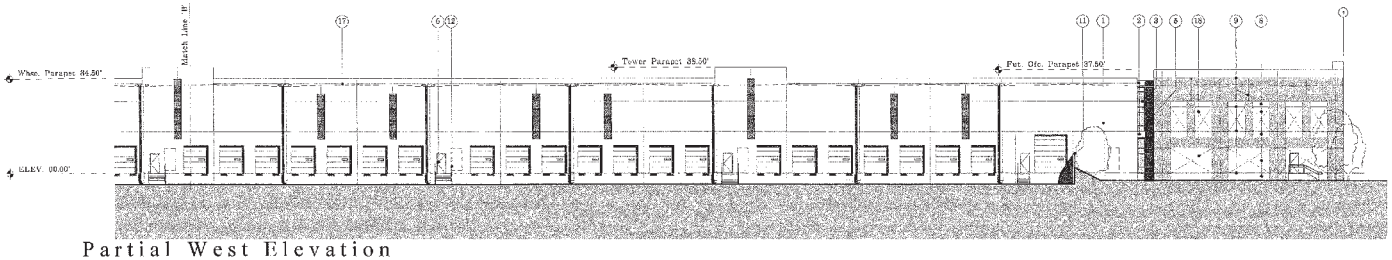
BASTIEN AND ASSOCIATES, INC.
ARCHITECTURE AND PLANNING
2161 EDINGER AVENUE
TUSTIN, CALIFORNIA 92780-7258
Phone (949) 957-9001 FAX (949) 957-0118
Web Address: www.BastienArchitects.com



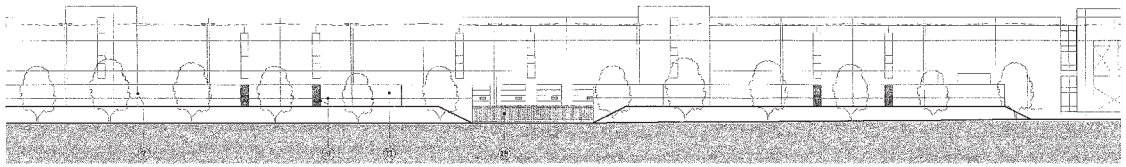
Overall West Elevation (Scale: 1" = 40'-0")



Partial West Elevation



Partial West Elevation



Typical Screen Wall Elevation

Elevation Notes

1. Concrete Tilt-up panels with joints and reveals as indicated. Painted. Typical
2. Canopy: Bent .090" Thick Aluminum Panel w/ Kawneer "Silver" Finish over Steel Frame - Typ
3. Clear Anodized, Center Glazed, Aluminum Mullion System
   6" System at 2-Story Glazing, 4" System at Punched Openings
4. 7'-0" High Medium Stile Entry Doors - Typ.
5. Medium performance Reflective Green Glass - Typ.
6. 8'x7' Galvanized Steel Man Door and Frame Painted to Match Adjacent Wall Surface
7. Panel Joint - Typ.
8. 3/4" Recess - Typ.
9. 3/4" Reveal - Typ.
10. Potential Louvered Air Intake Vent - Painted to Match Adjacent Wall Surface - Exact Location T.B.D.
11. 14'-0" High Concrete Screen Wall - Painted (Street Side of Wall will Incorporate Landscape Berm to Reduce Visual Wall Height to 8'-0")
12. Metal Hand and Guardrails Painted to Match Adjacent Wall Surface - Typ.
13. 9'x10' Steel Panel Sectional Door and Frame Painted to Match Adjacent Wall Surface
14. 12'x14' Steel Panel Sectional Door and Frame Painted to Match Adjacent Wall Surface
15. 3" Recess in Thickened Panel. Bent .090 Thick Alum. forms set into Recess.
16. External Down Spout and Overflow Scupper Painted to Match Adjacent Wall within Dock Area (All Other Locations to be Internally Drained)
17. Dashed Line Represents Roof Line Beyond
18. 6'-0" High, Rolling Wrought Iron Gate
19. Decorative Light Fixture to be Incorporated at Entry
20. Crossed Dashed Lines Represents Future Knock-Out Panels

Paint Legend

Paint 1 - Beige (Dunn Edwards, or Equal - DEC127, Finest Silk, LRV 74)

Paint 2 - Light Brown (Dunn Edwards, or Equal - DEC747, Sahara, LRV 52)

Paint 3 - Medium Brown (Dunn Edwards, or Equal - DE6286, Homestead, LRV 26)

Paint 4 - Barrel Red (Dunn Edwards, or Equal - DE2453, Iron Ore, LRV 16)

0 16 32 48 64
Graphic Scale
Scale: 1/16" = 1'-0"

CONCEPTUAL ELEVATIONS - BUILDING 1

WESTERN REALCO

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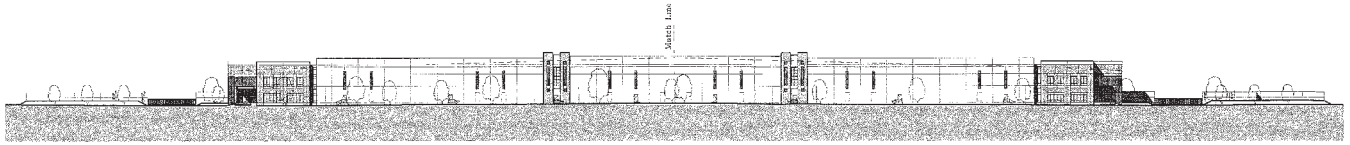
MARCH BUSINESS CENTER
Moreno Valley, California

A 1.43
04 December 2008

March Business Center
A1.43 - Conceptual Elevations - Building 1
December 04, 2008

BASTIEN AND ASSOCIATES, INC.
ARCHITECTURE AND PLANNING
2061 CONCER AVENUE
VISTIN, CALIFORNIA, 92140-7356
Phone:(949) 757-1001 FAX:(949) 757-8110
Web Address:www.BastienArchitects.com



Overall North Elevation

(Scale: 1"=40'-0")

Paint Legend

Paint 1 - Beige (Dunn Edwards, or Equal - DE6127, Finest Silk, LRV 74)

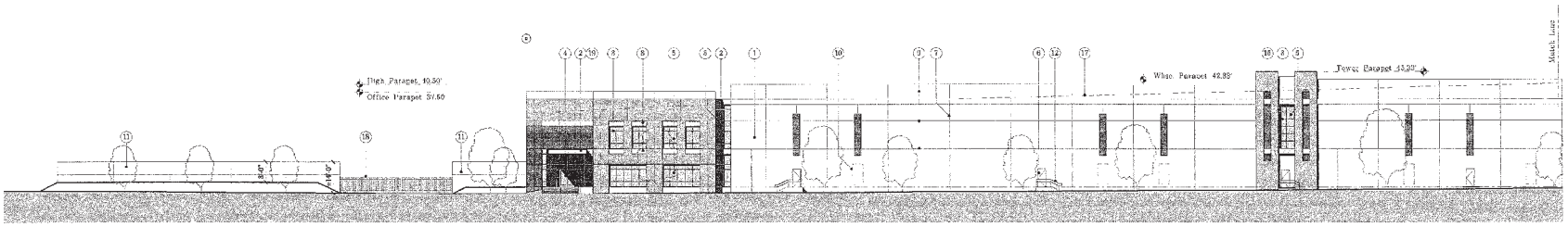
Paint 2 - Light Brown (Dunn Edwards, or Equal - DEC749, Sahara, LRV 32)

Paint 3 - Medium Brown (Dunn Edwards or Equal - DE6006, Homestead, LRV 26)

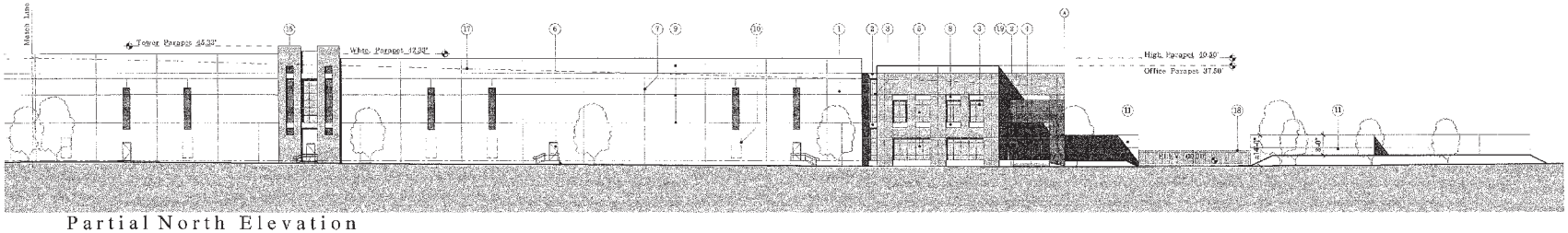
Paint 4 - Burnt Red (Dunn Edwards, or Equal - DE5368, Iron Ore, LRV 16)

Elevation Notes

1. Concrete Tilt-up panels with joints and reveals as indicated. Painted. Typical
2. Canopy: Brst .099" Thick Aluminum Panel w/ Kawneer 'Silver' Brush over Steel Frame - Typ.
3. Clear Anodized, Center Glazed, Aluminum Mullion System (6" System at 2-Story Glazing, 4" System at Punched Openings)
4. 7'-0" High Medium Stile Entry Doors - Typ.
5. Medium performance Reflective Green Glass - Typ.
6. 3'x7' Galvanized Steel Man Door and Frame Painted to Match Adjacent Wall Surface
7. Panel Joint - Typ.
8. 3/4" Recess - Typ.
9. 3/4" Reveal - Typ.
10. Potential Louvered Air Intake Vent - Painted to Match Adjacent Wall Surface - Exact Location T.B.D.
11. 14'-0" High Concrete Screen Wall - Painted (Street Side of Wall will Incorporate Landscape Berm to Reduce Visual Wall Height to 8'-0")
12. Metal Hand and Guardrails Painted to Match Adjacent Wall Surface - Typ.
13. 9'x10' Steel Panel Sectional Door and Frame Painted to Match Adjacent Wall Surface
14. 12'x14' Steel Panel Sectional Door and Frame Painted to Match Adjacent Wall Surface
15. 8" Recess in Thickened Panel. Rent .050 Thick Alum forms set into Recess.
16. External Down Spout and Overflow Scupper Painted to Match Adjacent Wall within Dock Area (All Other Locations to be Internally Drained)
17. Dashed Line Represents Roof Line Beyond
18. 6'-0" High Rolling Wrought Iron Gate
19. Decorative Light Fixture to be Incorporated at Entry
20. Crossed Dashed Lines Represents Future Knock-Out Panels



Partial North Elevation



Partial North Elevation

CONCEPTUAL ELEVATIONS - BUILDING 1

0 16 32 48 64
Graphic Scale
Scale: 1/16" = 1'-0"

WESTERN REALCO

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MARCH BUSINESS CENTER

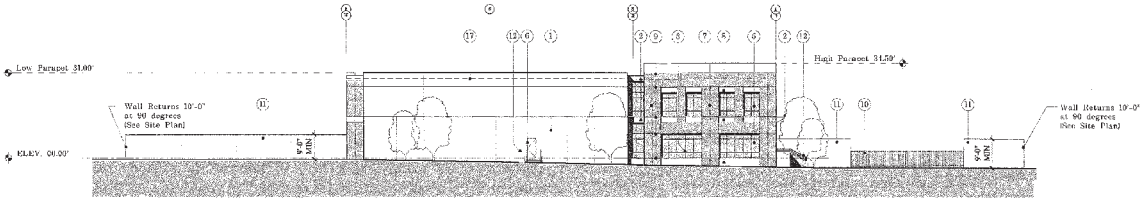
Moreno Valley, California

A 1.44

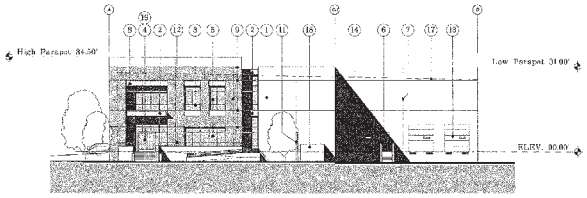
04 December 2008

March Business Center
A1.44 - Conceptual Elevations - Building 1
December 04, 2008

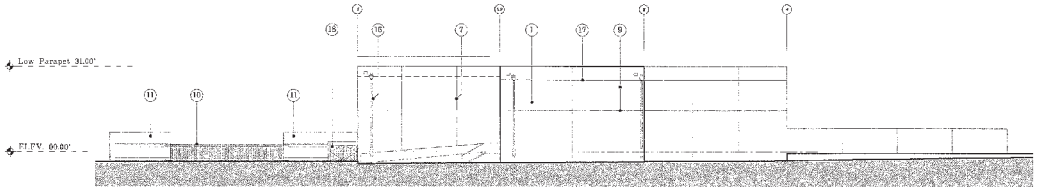
BASTIEN AND ASSOCIATES, INC.
ARCHITECTURE AND PLANNING
2601 EDWARDS AVENUE
IRVINE, CALIFORNIA 92614-7250
Phone:(949) 567-8637 FAX:(949) 567-8114
Web Address:www.BastienArchitects.com



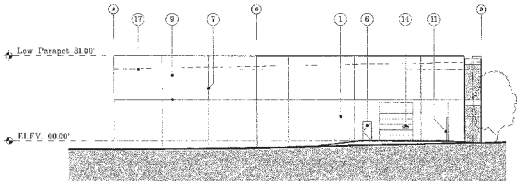
West Elevation



South Elevation



East Elevation



North Elevation

Elevation Notes

1. Concrete Tilt-up panels with joints and reveals as indicated. Painted. Typical
2. Canopy. Gage .080" Thick Aluminum Panel w/ Kawneer "Silver" Finish over Steel Frame - Typ.
3. Clear Anodized, Center Glazed, Aluminum Mullion System. (6" System at 2-Story Glazing, 4" System at Punched Openings)
4. 7'-0" High Medium Stile Entry Doors - Typ.
5. Medium performance Reflective Green Glass - Typ.
6. 3'x7' Galvanized Steel Man Door and Frame Painted to Match Adjacent Wall Surface
7. Panel Joint - Typ.
8. 3/4" Recess - Typ.
9. 3/4" Reveal - Typ.
10. 6'-0" High, Rolling Wrought Iron Gate
11. 9' High (Min) Concrete Screen Wall - Painted
12. Metal Hand and Guardrails Painted to Match Adjacent Wall Surface - Typ.
13. 9'x10' Steel Panel Sectional Door and Frame Painted to Match Adjacent Wall Surface
14. 12'x14' Steel Panel Sectional Door and Frame Painted to Match Adjacent Wall Surface
15. Not Used
16. External Down Spout and Overflow Scupper Painted to Match Adjacent Wall at East Side (All Other Locations to be Internally Drained)
17. Dashed Line Represents Roof Line Beyond
18. 2-Bin, Concrete Trash Enclosure w/ Roof and 6' High Walls Painted to Match Adjacent Wall Surface - Typ. Refer to Site Plan for Location
19. Decorative Light Fixtures to be Incorporated at Entry

Paint Legend

Paint 1 - Beige (Dunn Edwards, or Equal - DE5127, Finest Silk, LRV 74)

Paint 2 - Light Brown (Dunn Edwards, or Equal - DEC747, Sahara, LRV 62)

Paint 3 - Medium Brown (Dunn Edwards, or Equal - DE6096, Homestead, LRV 26)

CONCEPTUAL ELEVATIONS - BUILDING 2

0 16 32 48 64
Graphic Scale
Scale: 1/16" = 1'-0"

WESTERN REALCO

Drawings, specifications and other documents, and the ideas, designs or arrangements presented therein, prepared by the Architect and the Architect's consultants are instruments of Service for use solely with respect to this Project. The Architect and the Architect's consultants shall be deemed the authors and owners of their respective instruments of Service and shall retain all common law, statutory and other reserved rights, including copyright.

MARCH BUSINESS CENTER
Moreno Valley, California

A2.2

ATTACHMENT 11

March Business Center
A2.2 - Conceptual Elevations - Building 2
December 04, 2008

BASTIEN AND ASSOCIATES, INC.
ARCHITECTURE AND PLANNING
2161 EDINGER AVENUE
TUSTIN, CALIFORNIA 92780-7259
Phone:(949) 757-0067 FAX:(949) 757-0110
Web Address:www.BastienArchitects.com

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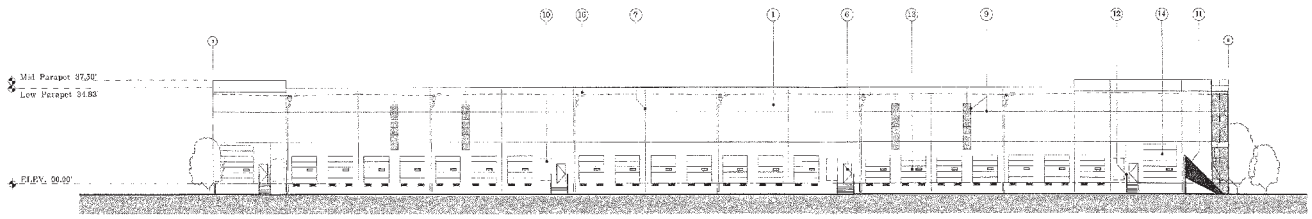
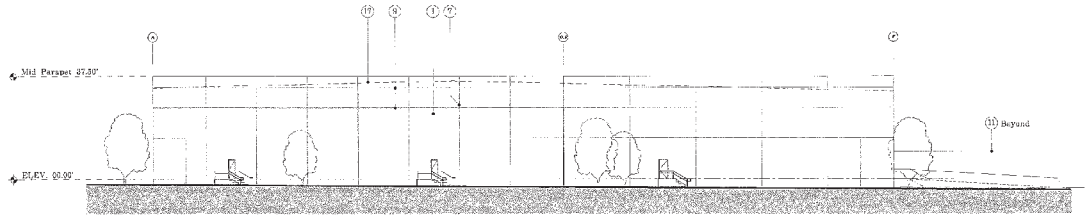
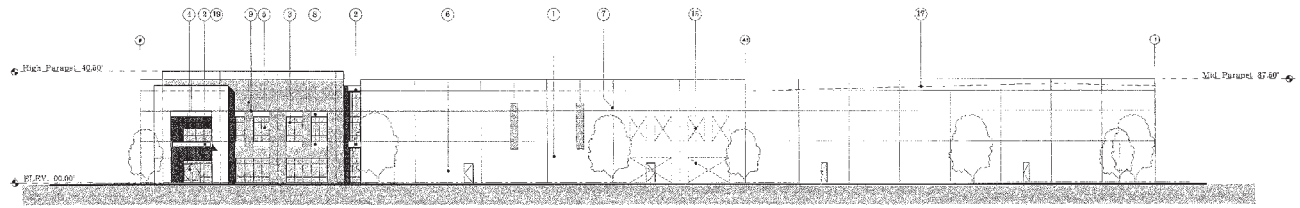


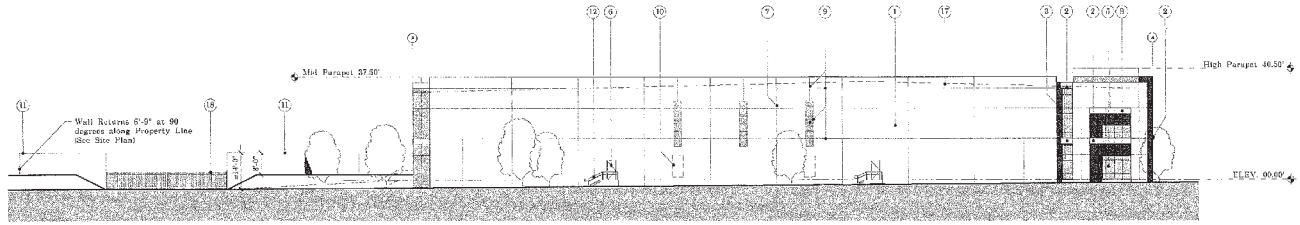
East Elcvation



South Elevation



West Elevation



North Elevation

Elevation Notes

1. Concrete Tilt-up panels with joints and reveals as indicated. Painted. Typical
2. Canopy: Base .090" Thick Aluminum Panel w/ Kawneer "Silver" Finish over Steel Frame - Typ.
3. Clear Anodized, Center Glazed, Aluminum Mullion System
   (6" System at 2-Story Glazing, 4" System at Punched Openings)
4. 7'-0" High Medium Stile Entry Doors - Typ.
5. Medium performance Reflective Green Glass - Typ.
6. 3'x7' Galvanized Steel Man Door and Frame Painted to Match Adjacent Wall Surface
7. Panel Joint - Typ.
8. 3/4" Recess - Typ.
9. 3/4" Reveal - Typ.
10. Potential Louvered Air Intake Vent - Painted to Match Adjacent Wall Surface - Exact Location T.B.D.
11. 14'-0" High Concrete Screen Wall - Painted (Street Side of Wall will Incorporate Landscape Berm to Reduce Visual Wall Height to 8'-0")
12. Metal Hand and Guardrails Painted to Match Adjacent Wall Surface. - Typ.
13. 9'x10' Steel Panel Sectional Door and Frame Painted to Match Adjacent Wall Surface
14. 12'x14' Steel Panel Sectional Door and Frame Painted to Match Adjacent Wall Surface
15. Knockout Panel for Potential Future Office Use
16. External Down Spout and Overflow Scupper Painted to Match Adjacent Wall within Each Area (All Other Locations to be Internally Drained)
17. Dashed Line Represents Roof Line Beyond
18. 6'-0" High, Rolling Wrought Iron Gate
19. Decorative Light Fixture to be Incorporated as Entry

Paint Legend

Paint 1 - Beige (Dunn Edwards, or Equal - DE6192, Finest Silk, LRV 74)

Paint 2 - Light Brown (Dunn Edwards, or Equal - DEC747, Sahara, LRV 52)

Paint 3 - Medium Brown (Dunn Edwards, or Equal - DE6096, Homestead, LRV 26)

CONCEPTUAL ELEVATIONS - BUILDING 3

0 16 32 48 64
Graphic Scale
Scale: 1/16" = 1'-0"

WESTERN REALCO

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MARCH BUSINESS CENTER
Moreno Valley, California

A3.3
04 December 2008

ATTACHMENT 12

March Business Center
A3.3 - Conceptual Elevations - Building 3
December 04, 2008

BASTIEN AND ASSOCIATES, INC.
ARCHITECTURE AND PLANNING
2081 GOMPERS AVENUE
TUSTIN, CALIFORNIA 92705-7554
Phone:(949) 857-0091 FAX:(949) 857-0310
Net Address:www.BastienArchitects.com

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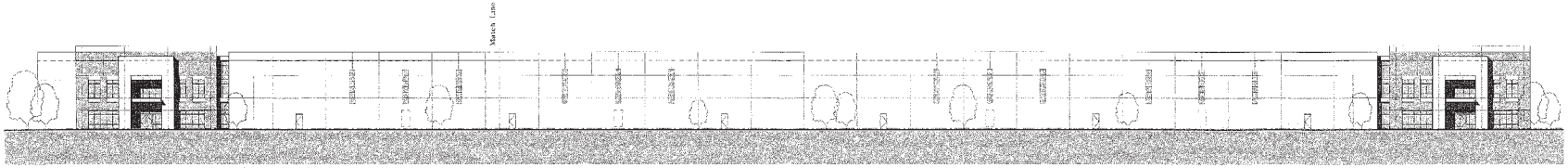
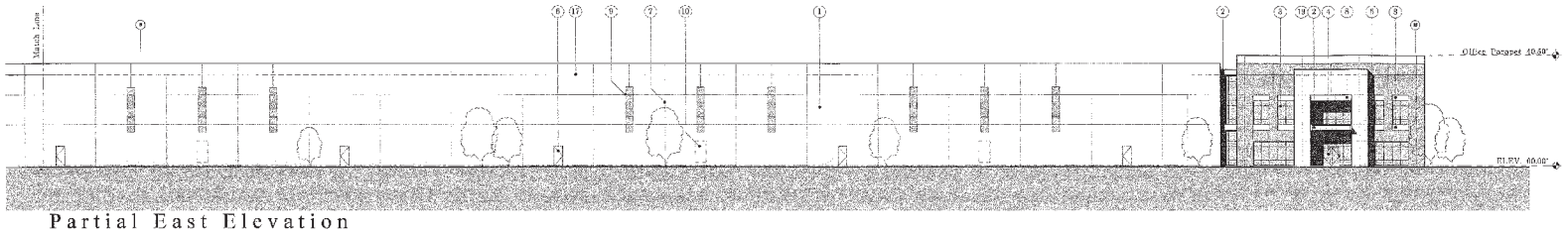
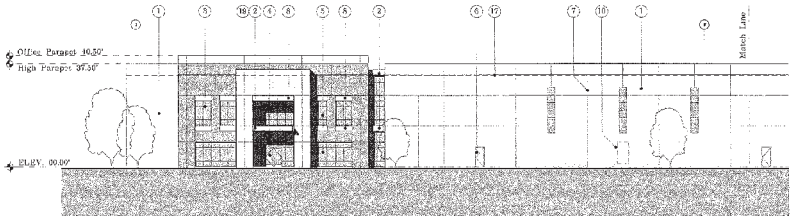


Overall East Elevation (Scale: 1"=20'-0")



Partial East Elevation



Partial East Elevation

Paint Legend

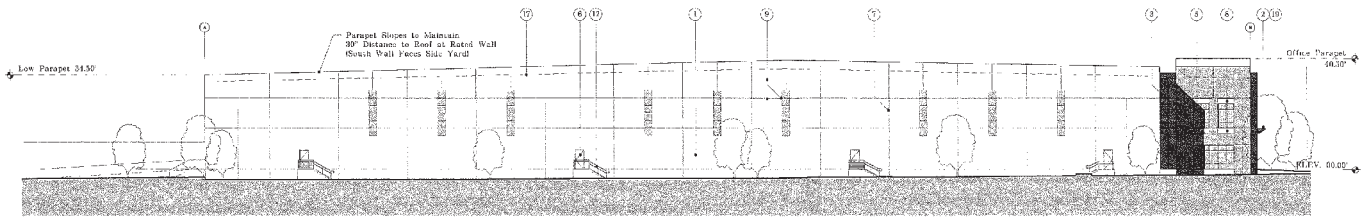
Paint 1 - Beige (Dunn Edwards, or Equal - DE5127, Finest Silk, LRV 74)

Paint 2 - Light Brown (Dunn Edwards, or Equal - DEC747, Sahara, LRV 32)

Paint 3 - Medium Brown (Dunn Edwards or Equal - DE6088, Homestead, LRV 26)

Elevation Notes

1. Concrete Tilt-up panels with joints and reveals as indicated. Painted. Typical
2. Canopy: Dept .090" Thick Aluminum Panel w/ 'Silver' Kawneer Finish over Steel Frame - Typ.
3. Clear Anodized, Center Glazed, Aluminum Mullion System (6" System at 2-Story Glazing, 4" System at Punched Openings)
4. 7'-0" High Medium Stile Entry Doors - Typ.
5. Medium performance Reflective Green Glass - Typ.
6. 3'x7' Galvanized Steel Man Door and Frame Painted to Match Adjacent Wall Surface
7. Panel Joint - Typ.
8. 3/4" Recess - Typ.
9. 3/4" Reveal - Typ.
10. Potential Louvered Air Intake Vent - Painted to Match Adjacent Wall Surface - Exact Location T.B.D.
11. 14'-0" High Concrete Screen Wall - Painted (Street Side of Wall will Incorporate Landscape Berm to Reduce Visual Wall Height to 8'-0")
12. Metal Hand and Guardrails Painted to Match Adjacent Wall Surface - Typ.
13. 9'x10' Steel Panel Sectional Door and Frame Painted to Match Adjacent Wall Surface
14. 12'x14' Steel Panel Sectional Door and Frame Painted to Match Adjacent Wall Surface
15. Not Used
16. External Down Spout and Overflow Scupper Painted to Match Adjacent Wall within Back Area (All Other Locations to be Internally Drained)
17. Dashed Line Represents Roof Line Beyond
18. 8'-0" High, Rolling Wrought Iron Gate
19. Decorative Light Fixture to be Incorporated at Entry



South Elevation

CONCEPTUAL ELEVATIONS - BUILDING 4

0 16 32 48 64
Graphic Scale
Scale: 1/16" = 1'-0"

WESTERN REALCO

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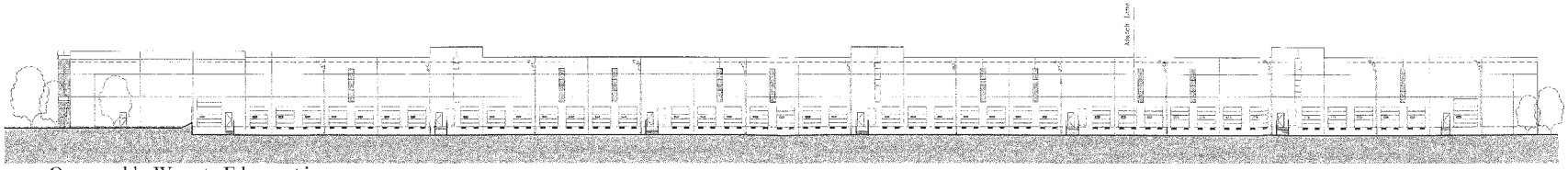
MARCH BUSINESS CENTER
Moreno Valley, California

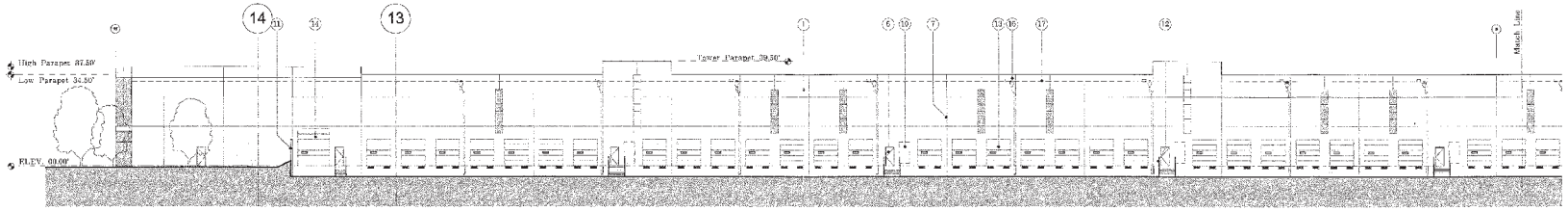
A 4.41
ATTACHMENT 13

March Business Center
A4.41 - Conceptual Elevations - Building 4
December 04, 2008

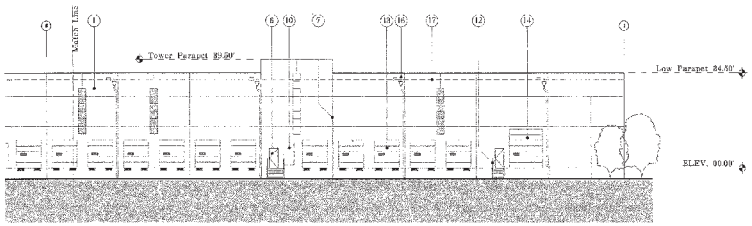
BASTIEN AND ASSOCIATES, INC.
ARCHITECTURE AND PLANNING
2561 EDINGER AVENUE
TUSTIN, CALIFORNIA 92780-7258
Phone (949) 851-1601 FAX (949) 851-0158
Web Address: www.BastienArchitects.com



Overall West Elevation (Scale: 1"=20'-0")



Partial West Elevation



Partial West Elevation

Paint Legend

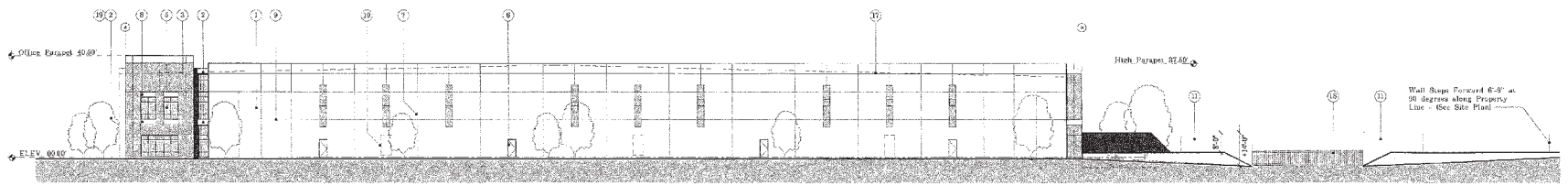
Paint 1 - Beige (Dunn Edwards, or Equal - DE6127, Finest Silk, LRV 74)

Paint 2 - Light Brown (Dunn Edwards, or Equal - DEC747, Sahara, LRV 52)

Paint 3 - Medium Brown (Dunn Edwards, or Equal - DE6206, Homestead, LRV 26)

Elevation Notes

1. Concrete Tilt-up panels with joints and reveals as indicated. Painted - Typical
2. Canopy, Beat .090" Thick Aluminum Panel w/ "Silver" Kawneer Finish over Steel Frame - Typ.
3. Clear Anodized, Center Glazed, Aluminum Mullion System (5" System at 2-Story Glazing, 4" System at Punched Openings)
4. 7'-0" High Medium Stile Entry Doors - Typ.
5. Medium performance Reflective Green Glass - Typ.
6. 3'x7' Galvanized Steel Man Door and Frame Painted to Match Adjacent Wall Surface
7. Panel Joint - Typ.
8. 3/4" Reveal - Typ.
9. 3/4" Reveal - Typ.
10. Potential Louvered Air Intake Vent - Painted to Match Adjacent Wall Surface - Exact Location TBD
11. 34'-0" High Concrete Screen Wall - Painted (Street Side of Wall will Incorporate Landscape Berm to Reduce Visual Wall Height to 8'-0")
12. Metal Hand and Guardrails Painted to Match Adjacent Wall Surface - Typ.
13. 9'X10' Steel Panel Sectional Door and Frame Painted to Match Adjacent Wall Surface
14. 12'x14' Steel Panel Sectional Door and Frame Painted to Match Adjacent Wall Surface
15. Not Used
16. External Down Spout and Overflow Scupper Painted to Match Adjacent Wall within Dock Area (All Other Locations to be Internally Drained)
17. Dashed Line Represents Roof Line Beyond
18. 6'-0" High, Rolling Wrought Iron Gate
19. Decorative Light Fixture to be Incorporated at Entry



North Elevation

CONCEPTUAL ELEVATIONS - BUILDING 4

Graphic Scale
0 16 32 48 64
Scale: 1/16" = 1'-0"

WESTERN REALCO

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MARCH BUSINESS CENTER
Moreno Valley, California

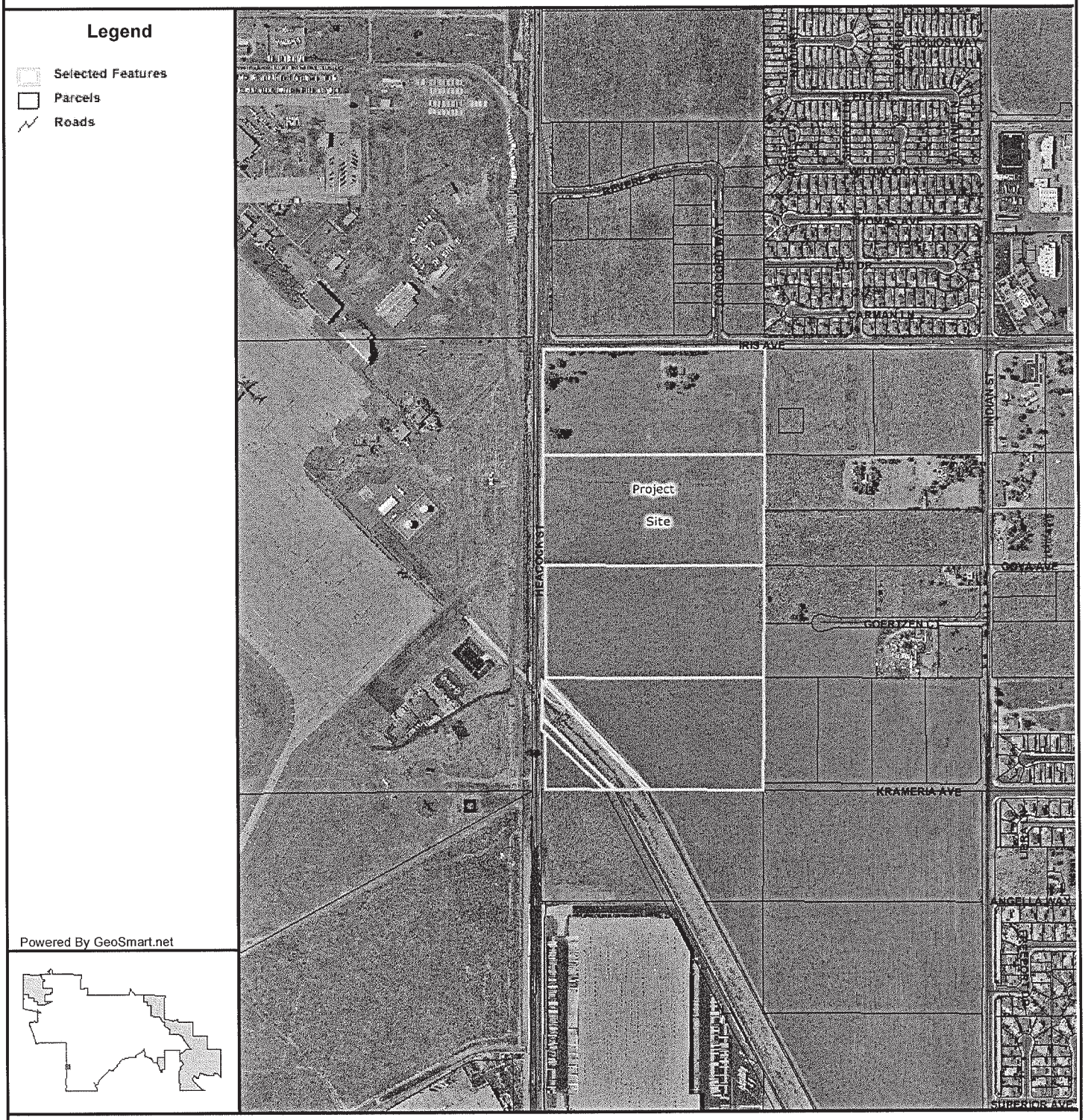
A 4.42
04 December 2008

March Business Center
A4.42 - Conceptual Elevations - Building 4
December 04, 2008

BASTIEN AND ASSOCIATES, INC.
ARCHITECTURE AND PLANNING
2301 DOLINGER AVENUE
TUSTIN, CALIFORNIA 92782-7225
Phone:(949) 551-1601 FAX:(949) 867-8119
Web Address:www.BastienArchitects.com

Aerial Photograph

PA07-0151, 0152, 0153, 0154, 0155, 0156



City of Moreno Valley
14177 Frederick St
Moreno Valley, CA 92553

DISCLAIMER: The information shown on this map was compiled from the Riverside County GIS and the City of Moreno Valley GIS. The land base and facility information on this map is for display purposes only and should not be relied upon without independent verification as to its accuracy. Riverside County and City of Moreno Valley will not be held responsible for any claims, losses, or damages resulting from the use of this map.

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MORENO VALLEY
WHERE DREAMS SOAR

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APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

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

AGENDA DATE: August 25, 2009

TITLE: HEARING ON PROPOSED RESOLUTIONS OF NECESSITY, TO MAKE FINDINGS AND DETERMINATIONS AND TO AUTHORIZE EMINENT DOMAIN PROCEEDINGS TO ACQUIRE NECESSARY RIGHT-OF-WAY FOR THE SR-60/NASON STREET INTERCHANGE IMPROVEMENT PROJECT -- PROJECT NO. 98-25897

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Conduct hearing, allowing testimony, including property owners who have requested the right to appear and be heard. Close the hearing.

2. Approve and adopt the Planning Division's finding that the project is consistent with the General Plan.

3. Find the adoption of the proposed Resolutions of Necessity and acquisition of the fee and easement interests necessary for the Project are exempt from CEQA in that under §15061 (b) (3) of the CEQA Guidelines, this activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant impact on the environment and it can be seen with certainty that there is no possibility this activity would have a significant effect on the environment and is excluded from NEPA in that this activity cannot individually or cumulatively have a significant effect on the human environment and no environmental assessment is required. Further, it has been determined that the proposed activity is within the scope of and is consistent with the approved Categorical Exclusion/Categorical Exemption (CE/CE) prepared for the SR-60/Nason Street Interchange Improvement Project, respectively by the FHWA and Caltrans, that there have been no changes to the approved project since

the approval of the CE/CE, and no changes to the circumstances under which the project is to be undertaken which would alter the determination the project is exempt.

4. Find that the proposed "Factual Summary to Support Findings Required in the Resolutions," is true and correct as to each of the proposed Resolutions of Necessity.

5. Find and determine that each of the statements, findings and facts in each of the proposed Resolutions of Necessity is true and correct.

6. If the City has not approved the "Agreements for Conveyance of Property" for the properties necessary for the project, adopt the following Resolution by a vote of two-thirds of all members of the City Council, Resolution No. 2009-80 A Resolution Of The City Council Of The City Of Moreno Valley, California, Finding And Determining That The Public Interest And Necessity Require The Acquisition Of Property For Public Street And Highway Purposes Including Related Improvements And Facilities; That The Acquisition And Taking Of The Fee And The Easements In The Herein-Described Property Is Necessary For The State Route 60/Nason Street Interchange Improvement Project; That The Project Is Planned In A Manner That Is Most Compatible With The Greatest Public Good And The Least Private Injury; Authorizing Proceedings To Be Commenced In Eminent Domain; And Authorizing The Deposit Of Necessary Funds And The Payment Of Necessary Expenses And Fees For Acquisition Of Said Property; And Authorizing Counsel To Obtain An Order For Prejudgment Possession Of The Subject Property [APN: 487-250-004].

7. If the City has not approved the "Agreements for Conveyance of Property" for the properties necessary for the project, adopt the following Resolution by a vote of two-thirds of all members of the City Council, Resolution No. 2009-81 A Resolution Of The City Council Of The City Of Moreno Valley, California, Finding And Determining That The Public Interest And Necessity Require The Acquisition Of Property For Public Street And Highway Purposes Including Related Improvements And Facilities; That The Acquisition And Taking Of The Fee And The Easements In The Herein-Described Property Is Necessary For The State Route 60/Nason Street Interchange Improvement Project; That The Project Is Planned In A Manner That Is Most Compatible With The Greatest Public Good And The Least Private Injury; Authorizing Proceedings To Be Commenced In Eminent Domain; And Authorizing The Deposit Of Necessary Funds And The Payment Of Necessary Expenses And Fees For Acquisition Of Said Property; And Authorizing Counsel To Obtain An Order For Prejudgment Possession Of The Subject Property [APN: 488-090-031 And 488-090-051].

8. If the City has not approved the "Agreements for Conveyance of Property" for the properties necessary for the project, adopt the following Resolution by a vote of

two-thirds of all members of the City Council, Resolution No. 2009-82 A Resolution Of The City Council Of The City Of Moreno Valley, California, Finding And Determining That The Public Interest And Necessity Require The Acquisition Of Property For Public Street And Highway Purposes Including Related Improvements And Facilities; That The Acquisition And Taking Of The Fee And The Easements In The Herein-Described Property Is Necessary For The State Route 60/Nason Street Interchange Improvement Project; That The Project Is Planned In A Manner That Is Most Compatible With The Greatest Public Good And The Least Private Injury; Authorizing Proceedings To Be Commenced In Eminent Domain; And Authorizing The Deposit Of Necessary Funds And The Payment Of Necessary Expenses And Fees For Acquisition Of Said Property; And Authorizing Counsel To Obtain An Order For Prejudgment Possession Of The Subject Property [APN: 488-100-002].

9. If the City has not approved the "Agreements for Conveyance of Property" for the properties necessary for the project, adopt the following Resolution by a vote of two-thirds of all members of the City Council, Resolution No. 2009-83 A Resolution Of The City Council Of The City Of Moreno Valley, California, Finding And Determining That The Public Interest And Necessity Require The Acquisition Of Property For Public Street And Highway Purposes Including Related Improvements And Facilities; That The Acquisition And Taking Of The Fee And The Easements In The Herein-Described Property Is Necessary For The State Route 60/Nason Street Interchange Improvement Project; That The Project Is Planned In A Manner That Is Most Compatible With The Greatest Public Good And The Least Private Injury; Authorizing Proceedings To Be Commenced In Eminent Domain; And Authorizing The Deposit Of Necessary Funds And The Payment Of Necessary Expenses And Fees For Acquisition Of Said Property; And Authorizing Counsel To Obtain An Order For Prejudgment Possession Of The Subject Property [APN: 488-100-050].

10. Direct the City Attorney or retained counsel for the City to file appropriate actions in Eminent Domain, including Making Deposits of Probable Compensation and for Orders for Prejudgment Possession and for all other appropriate orders.

BACKGROUND

The overall purpose of the project is to improve the SR-60/Nason Street Interchange ramps through reconstruction and realignment, while providing a design that accommodates future bridge improvements. The project includes changes to the intersection geometry at Elder Avenue/Nason Street westbound on- and off-ramps, realignment of the westbound on- and off-ramps, a new traffic signal at the Elder Avenue/Nason Street westbound ramp intersection, a new eastbound entrance ramp, realignment of an eastbound exit ramp, a new traffic signal at the Nason Street eastbound ramp intersection, implementation of high occupancy vehicle bypass lanes on the ramps, the addition of eastbound and westbound auxiliary lanes on SR-60 to the

east of the Nason Street interchange, shoulder additions, a pedestrian walkway, new drainage features and associated utility relocations.

This project is within the State of California (Caltrans) jurisdiction and, therefore, is subject to Caltrans procedures and requirements. On October 30, 2003, the environmental document, which is a Categorical Exemption/Categorical Exclusion (CE/CE), was approved by Caltrans and the Federal Highway Administration (FHWA). On August 24, 2004, the City Council approved a Design Cooperative Agreement with the State of California and later amended the agreement on May 26, 2009, to extend the expiration date. The Cooperative Agreement provided the City the authority to purchase right-of-way for the project. The City Council has taken several other actions to complete the design of the project.

In closed sessions on October 7, 2008 and November 4, 2008, the City Council approved appraisals for the fair market value of the right of way for all properties sought to be acquired, and the City Council authorized staff to proceed with negotiations to purchase the fee and easement interests.

On June 9, 2009 the City Council adopted a resolution to request Caltrans to allow the Council to later hear Resolutions of Necessity to acquire property by eminent domain, if necessary, for the project. Caltrans approved the request on June 22, 2009.

Negotiations to acquire right-of-way have not been successfully completed with all of the property owners. Consequently it is necessary to consider proceeding with eminent domain actions seeking to acquire the fee and easement interests.

DISCUSSION

The City has been progressing in the steps necessary for the completion of design and acquisition of right-of-way in order to begin construction of the interchange by February 2010.

According to the Cooperative Agreement, the City is required to follow Caltrans requirements in acquiring property. The Caltrans Right-of-Way Manual details the steps necessary to initiate eminent domain actions, including conducting a hearing and adopting Resolutions of Necessity. Caltrans requires the adoption of a separate Resolution of Necessity and the filing of a separate eminent domain action for each property ownership interest.

Following the Council's authorizations on October 7 and November 4, 2008, offer letters required under Government Code § 7267.2 were sent to the property owners for acquisition of fee and easement interests necessary for the project. To date the City has approved an "Agreement for Conveyance of Property" with three (3) owners. City staff is continuing good faith negotiations in an attempt to reach agreement with the remaining owners, including the owners of the following properties identified by Assessor Parcel Numbers: APN: 488-100-002 (FJL-MVP, LLC), APN: 488-100-050

(Bank of America, NA), APN: 487-250-004 (Donald W. Callendar Family Trust) and APN: 488-090-031 and 488-090-051 (Target Corporation). If any additional owner executes an "Agreement for Conveyance of Property," staff will present the agreement to the City for approval, and if one or more such additional agreements are approved, it will eliminate the need to adopt Resolutions of Necessity for those properties.

At the hearing on the proposed Resolutions of Necessity, the City Council will consider evidence presented by staff, property owners and other interested parties and decide if the requirements set out below are met. The Council may elect to adopt the Resolutions of Necessity by a two-thirds vote of all members of the City Council. The amount of compensation to be paid will not be an issue at the hearing nor in determining whether to adopt the Resolutions of Necessity. The issues the City Council must consider to adopt the Resolutions of Necessity are whether:

(a) The public interest and necessity require the project (the SR-60/Nason Street Interchange Improvement Project).

(b) The project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury.

(c) The property sought to be acquired is necessary for the project.

(d) The offer required by Government Code § 7267.2 has been made to the owner of record.

There is no requirement for the City Council to consider concerns from property owners who do not request to appear at the hearing in a timely manner and who have been advised with notification that failure to file a written request in a timely manner to appear and to be heard will result in waiver of that right.

Counsel for one owner, APN 487-250-004 (Donald W. Callender Family Trust), advised staff in writing on July 22, 2009, that the Trust will not appear at the hearing and does not oppose the adoption of the Resolution of Necessity.

Staff has carefully analyzed the requirement for the proposed SR-60/Nason Street Interchange Improvement project and, based on that analysis, has concluded the acquisition of the fee and easement interests as identified in the proposed Resolutions of Necessity are necessary to implement the project.

It is also necessary that the Council find that the adoption of the proposed Resolutions of Necessity and acquisition of the fee and easement interests necessary for the Project are exempt from CEQA in that under §15061 (b) (3) of the CEQA Guidelines, this activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant impact on the environment and it can be seen with certainty that there is no possibility this activity would have a significant effect on the environment and is excluded from NEPA in that this activity cannot individually or

cumulatively have a significant effect on the human environment and no environmental assessment is required. Further, it has been determined that the proposed activity is within the scope of and is consistent with the approved Categorical Exclusion/Categorical Exemption (CE/CE) prepared for the SR-60/Nason Street Interchange Improvement Project, respectively by the FHWA and Caltrans, that there have been no changes to the approved project since the approval of the CE/CE, and no changes to the circumstances under which the project is to be undertaken which would alter the determination the project is exempt.

It is also necessary to obtain orders for possession from the Court prior to judgment to allow the work to commence in or about February 2010. Recent changes in the state eminent domain law have increased the advance time necessary to obtain possession prior to judgment. To be able to commence the work in a timely manner, the City Council will have to authorize counsel to deposit funds equal to the appraised fair market value of the interests to be acquired and to seek and obtain orders for possession prior to judgment. All the property in question is vacant and no residents, business or agricultural use will be displaced by the action.

Staff is requesting the adoption of the proposed Resolutions of Necessity for those properties necessary for which the City Council has not approved an "Agreement for Conveyance of Property," authorizing the filing of eminent domain proceedings, obtaining orders for the deposit of funds for the probable amount of compensation and seeking orders for possession prior to judgment to allow the work to proceed in a timely manner. Staff is providing the City Council with a proposed "Factual Summary to Support Findings Required" (Attachment "E") in each of the Resolutions of Necessity, attached to this report as Attachments “A” through "F" to support the findings necessary for the adoption of each respective Resolution of Necessity.

The City has retained the law firm of Singer & Coffin, APC to act as its Special Eminent Domain Counsel relating to preparation and recommended approval of the Resolutions of Necessity and related documents prerequisite to filing the eminent domain actions.

ALTERNATIVES

1. Conduct hearing, allowing testimony, including property owners who have requested the right to appear and be heard. Close the hearing, approve and adopt the Planning Division’s finding that the project is consistent with the General Plan, find the adoption of the proposed Resolutions of Necessity and acquisition of the fee and easement interests necessary for the Project are exempt from CEQA in that under §15061 (b) (3) of the CEQA Guidelines, this activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant impact on the environment and it can be seen with certainty that there is no possibility this activity would have a significant effect on the environment and is excluded from NEPA in that this activity cannot individually or cumulatively have a significant effect on the human environment and no environmental assessment is required. Further, it has been

determined that the proposed activity is within the scope of and is consistent with the approved Categorical Exclusion/Categorical Exemption (CE/CE) prepared for the SR-60/Nason Street Interchange Improvement Project, respectively by the FHWA and Caltrans, that there have been no changes to the approved project since the approval of the CE/CE, and no changes to the circumstances under which the project is to be undertaken which would alter the determination the project is exempt, find that the proposed "Factual Summary to Support Findings Required in the Resolutions," is true and correct as to each of the proposed Resolutions of Necessity, find and determine that each of the statements, findings and facts in each of the proposed Resolutions of Necessity is true and correct, if the City has not approved the "Agreements for Conveyance of Property" for the properties necessary for the project, adopt the following Resolution by a vote of two-thirds of all members of the City Council, Resolution No. 2009-80 A Resolution Of The City Council Of The City Of Moreno Valley, California, Finding And Determining That The Public Interest And Necessity Require The Acquisition Of Property For Public Street And Highway Purposes Including Related Improvements And Facilities; That The Acquisition And Taking Of The Fee And The Easements In The Herein-Described Property Is Necessary For The State Route 60/Nason Street Interchange Improvement Project; That The Project Is Planned In A Manner That Is Most Compatible With The Greatest Public Good And The Least Private Injury; Authorizing Proceedings To Be Commenced In Eminent Domain; And Authorizing The Deposit Of Necessary Funds And The Payment Of Necessary Expenses And Fees For Acquisition Of Said Property; And Authorizing Counsel To Obtain An Order For Prejudgment Possession Of The Subject Property [APN: 487-250-004], if the City has not approved the "Agreements for Conveyance of Property" for the properties necessary for the project, adopt the following Resolution by a vote of two-thirds of all members of the City Council, Resolution No. 2009-81 A Resolution Of The City Council Of The City Of Moreno Valley, California, Finding And Determining That The Public Interest And Necessity Require The Acquisition Of Property For Public Street And Highway Purposes Including Related Improvements And Facilities; That The Acquisition And Taking Of The Fee And The Easements In The Herein-Described Property Is Necessary For The State Route 60/Nason Street Interchange Improvement Project; That The Project Is Planned In A Manner That Is Most Compatible With The Greatest Public Good And The Least Private Injury; Authorizing Proceedings To Be Commenced In Eminent Domain; And Authorizing The Deposit Of Necessary Funds And The Payment Of Necessary Expenses And Fees For Acquisition Of Said Property; And Authorizing Counsel To Obtain An Order For Prejudgment Possession Of The Subject Property [APN: 488-090-031 And 488-090-051], if the City has not approved the "Agreements for Conveyance of Property" for the properties necessary for the project, adopt the following Resolution by a vote of two-thirds of all members of the City Council, Resolution No. 2009-82 A Resolution Of The City Council Of The City Of Moreno Valley, California, Finding And Determining That The Public Interest And Necessity Require The Acquisition Of Property For Public Street And Highway Purposes Including Related Improvements And

Facilities; That The Acquisition And Taking Of The Fee And The Easements In The Herein-Described Property Is Necessary For The State Route 60/Nason Street Interchange Improvement Project; That The Project Is Planned In A Manner That Is Most Compatible With The Greatest Public Good And The Least Private Injury; Authorizing Proceedings To Be Commenced In Eminent Domain; And Authorizing The Deposit Of Necessary Funds And The Payment Of Necessary Expenses And Fees For Acquisition Of Said Property; And Authorizing Counsel To Obtain An Order For Prejudgment Possession Of The Subject Property [APN: 488-100-002], if the City has not approved the "Agreements for Conveyance of Property" for the properties necessary for the project, adopt the following Resolution by a vote of two-thirds of all members of the City Council, Resolution No. 2009-83 A Resolution Of The City Council Of The City Of Moreno Valley, California, Finding And Determining That The Public Interest And Necessity Require The Acquisition Of Property For Public Street And Highway Purposes Including Related Improvements And Facilities; That The Acquisition And Taking Of The Fee And The Easements In The Herein-Described Property Is Necessary For The State Route 60/Nason Street Interchange Improvement Project; That The Project Is Planned In A Manner That Is Most Compatible With The Greatest Public Good And The Least Private Injury; Authorizing Proceedings To Be Commenced In Eminent Domain; And Authorizing The Deposit Of Necessary Funds And The Payment Of Necessary Expenses And Fees For Acquisition Of Said Property; And Authorizing Counsel To Obtain An Order For Prejudgment Possession Of The Subject Property [APN: 488-100-050], and direct the City Attorney or retained counsel for the City to file appropriate actions in Eminent Domain, including Making Deposits of Probable Compensation and for Orders for Prejudgment Possession and for all other appropriate orders. *This alternative will allow the filing of an eminent domain action(s) to acquire property necessary so the project will proceed without interruption.* **Staff recommends this alternative.**

2. Council may refuse to take the above-described actions. This would jeopardize the completion of the project as proposed and prevent accomplishing the City's goals under the General Plan. *This alternative will delay the construction of needed improvements.* **Staff does not recommend this alternative.**

FISCAL IMPACT

The Court action(s) authorized by the proposed Resolutions of Necessity will require a deposit of funds equal to the amounts of the projected just compensation for the easement and fee interests sought in the eminent domain action (the probable compensation). The final just compensation will be determined through further negotiations and settlement or by the final disposition of the court proceeding through entry of judgments and final orders of condemnation in the action after trial. Additional court costs, appraisal and legal expenses for the eminent domain filing will also accrue.

This project is funded through Measure "A" (Fund 125). Additionally the City has successfully obtained approximately $7.4 million of federal matching funds, which consist of Congestion Management and Air Quality ($700,000), Surface Transportation Program ($2.2 million) and Transportation Efficiency Act of the 21st Century ($4.5 million) demonstration funds.

Right-of-way costs are eligible for reimbursement from federal matching funds. There is no impact to the General Fund.

Acquisition costs were budgeted in FY 2008/2009. The costs to proceed with filing the Resolutions of Necessity can be paid from the existing budget. If any of the properties goes to trial, the expenses for such will be estimated and addressed at the appropriate time.

BUDGETED FUNDS:

Fiscal Year 2008/2009 (Account No. 125.89720)	$5,207,000
Total Available Funds	**$5,207,000**

ESTIMATED DESIGN//RIGHT-OF-WAY COSTS

Program Management & Utility Relocation (Phase 1 & 2)	$ 824,000
Design Costs	$1,400,000
Remaining Right-of-Way	$2,980,000
Total Estimated Design and Right-of-Way Costs	**$5,204,000**

ANTICIPATED PROJECT SCHEDULE

Complete Right-of-Way Acquisition Phase*	July 2009
Advance Utility Relocation Phase	May - December 2009
Interchange Construction Start Date**	February 2010
Interchange Construction End Date	February 2011

**contingent upon agreement with all owners*

*** contingent on obtaining agreement with the property owners and if not attained commencing eminent domain action and successfully obtaining orders for possession prior to judgment.*

CITY COUNCIL GOALS

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

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

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

SUMMARY

Staff is requesting the above recommended actions relating to and including adoption of the Resolutions of Necessity to authorize eminent domain proceedings for the SR-60/Nason Street Interchange Improvement Project because settlements with all property owners have not been reached to date.

NOTIFICATION

Notification of the August 25, 2009 City Council hearing to adopt the Resolutions of Necessity was mailed to the property owners on July 9, 2009 as required by Caltrans. Property owners were required to submit a written request to appear at the hearing to the City Clerk within 15 calendar days of the mailing date of the notice of hearing. The City Clerk advised the City Council if one or more owners requested to appear at the hearing.

ATTACHMENTS

Attachment "A" - Resolution No. 2009-80 A Resolution Of The City Council Of The City Of Moreno Valley, California, Finding And Determining That The Public Interest And Necessity Require The Acquisition Of Property For Public Street And Highway Purposes Including Related Improvements And Facilities; That The Acquisition And Taking Of The Fee And The Easements In The Herein-Described Property Is Necessary For The State Route 60/Nason Street Interchange Improvement Project; That The Project Is Planned In A Manner That Is Most Compatible With The Greatest Public Good And The Least Private Injury; Authorizing Proceedings To Be Commenced In Eminent Domain; And Authorizing The Deposit Of Necessary Funds And The Payment Of Necessary Expenses And Fees For Acquisition Of Said Property; And Authorizing Counsel To Obtain An Order For Prejudgment Possession Of The Subject Property [APN: 487-250-004]

Attachment "B" - Resolution No. 2009-81 A Resolution Of The City Council Of The City Of Moreno Valley, California, Finding And Determining That The Public Interest And Necessity Require The Acquisition Of Property For Public Street And Highway Purposes Including Related Improvements And Facilities; That The Acquisition And Taking Of The Fee And The Easements In The Herein-Described Property Is Necessary For The State Route 60/Nason Street Interchange Improvement Project; That The Project Is Planned In A Manner That Is Most Compatible With The Greatest Public Good And The Least Private Injury; Authorizing Proceedings To Be Commenced In Eminent Domain; And Authorizing The Deposit Of Necessary Funds And The Payment Of Necessary Expenses And Fees For

Acquisition Of Said Property; And Authorizing Counsel To Obtain An Order For Prejudgment Possession Of The Subject Property [APN: 488-090-031 And 488-090-051]

Attachment "C" - Resolution No. 2009-82 A Resolution Of The City Council Of The City Of Moreno Valley, California, Finding And Determining That The Public Interest And Necessity Require The Acquisition Of Property For Public Street And Highway Purposes Including Related Improvements And Facilities; That The Acquisition And Taking Of The Fee And The Easements In The Herein-Described Property Is Necessary For The State Route 60/Nason Street Interchange Improvement Project; That The Project Is Planned In A Manner That Is Most Compatible With The Greatest Public Good And The Least Private Injury; Authorizing Proceedings To Be Commenced In Eminent Domain; And Authorizing The Deposit Of Necessary Funds And The Payment Of Necessary Expenses And Fees For Acquisition Of Said Property; And Authorizing Counsel To Obtain An Order For Prejudgment Possession Of The Subject Property [APN: 488-100-002]

Attachment "D" - Resolution No. 2009-83 A Resolution Of The City Council Of The City Of Moreno Valley, California, Finding And Determining That The Public Interest And Necessity Require The Acquisition Of Property For Public Street And Highway Purposes Including Related Improvements And Facilities; That The Acquisition And Taking Of The Fee And The Easements In The Herein-Described Property Is Necessary For The State Route 60/Nason Street Interchange Improvement Project; That The Project Is Planned In A Manner That Is Most Compatible With The Greatest Public Good And The Least Private Injury; Authorizing Proceedings To Be Commenced In Eminent Domain; And Authorizing The Deposit Of Necessary Funds And The Payment Of Necessary Expenses And Fees For Acquisition Of Said Property; And Authorizing Counsel To Obtain An Order For Prejudgment Possession Of The Subject Property [APN: 488-100-050]

Attachment "E" - Factual Summary to Support Findings Required in Each of the Respective Resolutions of Necessity

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

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

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

Concurred By:
John Terell
Planning Division Manager/Planning
Official

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

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RESOLUTION N0. 2009-80

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, FINDING AND DETERMINING THAT THE PUBLIC INTEREST AND NECESSITY REQUIRE THE ACQUISITION OF PROPERTY FOR PUBLIC STREET AND HIGHWAY PURPOSES INCLUDING RELATED IMPROVEMENTS AND FACILITIES; THAT THE ACQUISITION AND TAKING OF THE FEE AND THE EASEMENTS IN THE HEREIN-DESCRIBED PROPERTY IS NECESSARY FOR THE STATE ROUTE 60/NASON STREET INTERCHANGE IMPROVEMENT PROJECT; THAT THE PROJECT IS PLANNED IN A MANNER THAT IS MOST COMPATIBLE WITH THE GREATEST PUBLIC GOOD AND THE LEAST PRIVATE INJURY; AUTHORIZING PROCEEDINGS TO BE COMMENCED IN EMINENT DOMAIN; AND AUTHORIZING THE DEPOSIT OF NECESSARY FUNDS AND THE PAYMENT OF NECESSARY EXPENSES AND FEES FOR ACQUISITION OF SAID PROPERTY; AND AUTHORIZING COUNSEL TO OBTAIN AN ORDER FOR PREJUDGMENT POSSESSION OF THE SUBJECT PROPERTY

Owner	Assessor Parcel Number
Donald W. Callendar Family Trust	487-250-004

WHEREAS, notice and a reasonable opportunity to appear and be heard has been given to the persons who appear to be the owners of the hereinafter described parcels of property in compliance with and as required by Code of Civil Procedure Section 1245.235, relating to whether the public interest and necessity require the herein-described project; whether the project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury; whether the property sought to be acquired is necessary for the project; whether the offer required by Government Code Section 7267.2 has been made to the owner or owners of record; and said hearing was held and conducted before the City Council on August 25, 2009, at the time and place indicated in the notice of hearing; and

WHEREAS, the City Council has considered all matters necessary to be considered and duly presented at said hearing; and

WHEREAS, at least two-thirds of the City Council do hereby vote to adopt this Resolution:

NOW, THEREFORE, THE CITY COUCIL DOES HEREBY FIND, DETERMINE, RESOLVE, DECLARE AND ORDER AS FOLLOWS:

Section 1. Pursuant to the provisions of the California Constitution, including Article 1, Section 19 thereof, and as authorized by California Government Code Sections 37350, 37350.5, 37351, 40401 and 40404 and pursuant to the applicable provisions of California Code of Civil Procedure Section 1230.010, et seq, and other applicable provisions of law, the City of Moreno Valley is authorized to acquire the fee and the permanent and temporary easement interests in the parcels of real property which are described more fully in the legal descriptions attached hereto and shown on the map or maps attached hereto as follows:

Ownership	Assessor Parcel No.	Exhibit Prefix	Interest to be Taken
Donald W. Callendar Family Trust	487-250-004	"A" & "B"	Fee Temporary Construction Easement

As referenced in the table above, all legal descriptions of the property interests to be acquired have an "A" prefix and all maps have a "B" prefix. The fee interest and all easement interests, other than temporary construction easements, are permanent. The temporary construction easements as described above will be in effect from the date the City of Moreno Valley obtains possession of the property which is subject to the temporary construction easements and shall run from the date of possession until January 1, 2014 or until the filing of the Notice of Completion of the Project, whichever occurs first. Generally all property interests to be acquired are sometimes referred to later in this Resolution as "the property." In relation to the hereinafter described project the said Exhibits, as attached hereto and incorporated herein by this reference, describe the location and extent of the parcels of property, including any fee and any permanent and temporary easement interests therein, being taken.

Section 2. Acquisition of the hereinabove described parcels of property sought to be condemned herein or of one or more interest therein, is for a public use, to wit: State Route 60/Nason Street Interchange Improvement Project and for the construction, reconstruction, operation, removal, replacement, widening, relocation, repair and maintenance of public street and highway and incidental improvements, uses and purposes, including drains, sewers and utilities, utility relocation and all improvements described in the construction plans, including any modifications thereof, and for uses and purposes consistent therewith and related thereto, and including, without limitation by this reference, the right to enter upon and for ingress and egress upon, to and from said parcels of real property, said proposed acquisition and use being herein referred to as the "Project".

Section 3. The interests in the parcels of property sought to be condemned herein, which constitute only a portion of larger parcels of real property, are described herein, and the property to be condemned is situated in the City of Moreno Valley, County of Riverside, State of California.

Section 4. The City Council further hereby declares, finds, determines and resolves as follows:

(a) The public interest and necessity require the Project;

(b) The Project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury;

(c) The parcels of real property, or the interests to be acquired therein, are necessary for the Project; and

(d) The offer required by Section 7267.2 of the California Government Code has been made to the owner or owners of record.

Section 5. In the event any of the property or the interests to be acquired therein is already appropriated to an existing and different public use, the City Council hereby finds and determines that the herein-described public use or uses are more necessary than said existing public use, and acquisition hereby is permitted under the provisions of California Code of Civil Procedure, Sections 1240.610, et seq.

Section 6. The City Attorney is authorized to make such minor changes in the descriptions of the property, and in the pleadings to be filed which have been authorized herein, as deemed necessary, for the conduct of the condemnation action or other proceedings required to acquire the property.

Section 7. The City Council finds and determines that the purposes for which the above-described property is to be taken are public purposes and the uses therefore are authorized by law, and the taking of said property or property interests is necessary to such uses.

Section 8. The City Council hereby authorizes and directs the preparation and prosecution of proceedings in the name of the City of Moreno Valley in the Superior Court of the State of California, for the County of Riverside, or in any other court having jurisdiction thereof, as may be necessary for the acquisition of the property and property interests by condemnation in accordance with the provisions of the Constitution and laws of the State of California relating to eminent domain, to obtain the fee interest and/or easements in, over, under, across, along, through, and within the property, as described herein, and to obtain an order permitting the City, as plaintiff, to take possession of the property prior to judgment for use in construction and completion

of the Project, and to obtain all other proper orders and judgments as may be necessary.

Section 9. The City Attorney and the law firm retained as counsel to represent the City in the proceedings, are hereby authorized to prepare and prosecute in the name of the City such proceeding or proceedings as are necessary to such acquisition; and to prepare and file such pleadings, briefs and other documents, and to make such arguments and to take such actions as may be necessary in the opinion of said attorneys to acquire for said City possession including prejudgment possession and title and ownership of the property and real property interests sought herein. Said attorneys are specifically authorized to take whatever steps and procedures are available to them under the eminent domain law of the State of California (Code of Civil Procedure, Title 7, Chapters 1-12, Sections 1230.010 and following).

Section 10. The deposit and payment of money out of proper funds of the City for probable just compensation according to law, for jury fees, reporter's fees, and other litigation expenses, is hereby authorized and directed.

APPROVED AND ADOPTED this 25th day of August, 2009.

_____

Richard A. Stewart, Mayor

ATTEST:

_____

City Clerk

APPROVED AS TO FORM:

_____

City Attorney

Exhibit "A-1"
Fee

That portion of the East Half of the Northeast Quarter of the Southeast Quarter of Section 4, Township 3 South, Range 3 West, San Bernardino Meridian, in the City of Moreno Valley, County of Riverside, State of California, according to the Official Plat thereof, on file in the District Land Office, said portion described as follows;

BEGINNING at the Northwesterly corner of Parcel 1 in deed to Donald W. Callender recorded June 25, 1986 as Document No. 147477 in Official Records of Riverside County, California;
thence South 86° 35' 33" East, along the Northerly line of said parcel, 70.213 meters (230.36 feet) to the beginning of a curve concave Southwesterly and having a radius of 46.330 meters (152.00 feet);
thence continuing Easterly and Southerly along the Northerly and Easterly line of said parcel, along said curve, 70.397 meters (230.96 feet) through a central angle of 87° 03' 31";
thence South 00° 27' 58" West, along the Easterly line of said parcel, 24.207 meters (79.42 feet);
thence North 60° 59' 33" West, 97.393 meters (319.53 feet);
thence North 79° 13' 51" West, 29.009 meters (95.17 feet), to the Westerly line of said parcel;
thence North 00° 31' 49" East, along said Westerly line, 22.357 meters (73.35 feet) to the **POINT OF BEGINNING.**

This conveyance is made for the purpose of a freeway and the grantor hereby releases and relinquishes to the grantee any and all abutter's rights including access rights, appurtenant to grantor's remaining property, in and to said freeway.

The bearings and distances used in the above description are based on the California Coordinate System of 1983, Zone 6.

Multiply all distances shown by 1.00006355 to obtain ground level distances.

This real property description has been prepared by me, or under my direction, in conformance with the Professional Land Surveyors Act.

Signature _____
JAMES L. ELLIOTT, L.S. 6334
Expires 12/31/10

LICENSED LAND SURVEYOR
JAMES L. ELLIOTT
NO. 6334
Exp. 12-31-10
STATE OF CALIFORNIA

Date 2-06-2009

08-RIV-60-KP 29.43-20783 (20783-1)

Exhibit "A-2"
Temporary Construction Easement

That portion of the East Half of the Northeast Quarter of the Southeast Quarter of Section 4, Township 3 South, Range 3 West, San Bernardino Meridian, in the City of Moreno Valley, County of Riverside, State of California, according to the Official Plat thereof on file in the District Land Office, said portion described as follows:

COMMENCING at the Northwesterly corner of Parcel 1 as described in deed to Donald W. Callender recorded June 25, 1986 as Document No. 147477 in Official Records of Riverside County, California;
thence South 00° 31' 49" West, along the westerly line of said parcel, 22.357 meters (73.35 feet);
thence South 79° 13' 51" East, 19.225 meters (63.07 feet) to the **POINT OF BEGINNING**;
thence South 79° 13' 51" East, 9.784 meters (32.10 feet);
thence South 60° 59' 33" East, 97.393 meters (319.53 feet) to the easterly line of said parcel;
thence South 00° 27' 58" West along said easterly line, 87.734 meters (287.84 feet) to the beginning of a curve, concave easterly, having a radius of 60.351 meters (198.00 feet);
thence Southerly along the arc of said curve, through a central angle of 20°40'56", a distance of 21.785 meters (71.47 feet) to the southerly line of said parcel;
thence North 84°48'16" West along said southerly line, 3.742 meters (12.28 feet) to the beginning point of a non-tangent curve, concave easterly, having a radius of 63.751 (209.16 feet), a radial through said point bears South 71°13'38" West;
thence Northerly along the arc of said curve, through a central angle of 19°14'20", a distance of 21.406 meters (70.23 feet);
thence North 00° 27' 58" East, 83.891 meters (275.23 feet);
thence North 60° 59' 33" West, 8.100 meters (26.57 feet);
thence North 29° 00' 27" East, 1.600 meters (5.25 feet);
thence North 60° 59' 33" West, 87.596 meters (287.39 feet);
thence North 79° 13' 52" West, 9.239 meters (30.31 feet);
thence North 10° 46' 08" East, 3.400 meters (11.15 feet) to the **POINT OF BEGINNING.**

The easement herein granted shall become effective upon the execution of this document and shall terminate on January 1, 2014 or upon filing of Notice of Completion, which ever first occurs.

The bearings and distances used in the above description are based on the California Coordinate System of 1983, Zone 6.

Multiply all distances shown by 1.00006355 to obtain ground level distances.

This real property description has been prepared by me, or under my direction, in conformance with the Professional Land Surveyors Act.

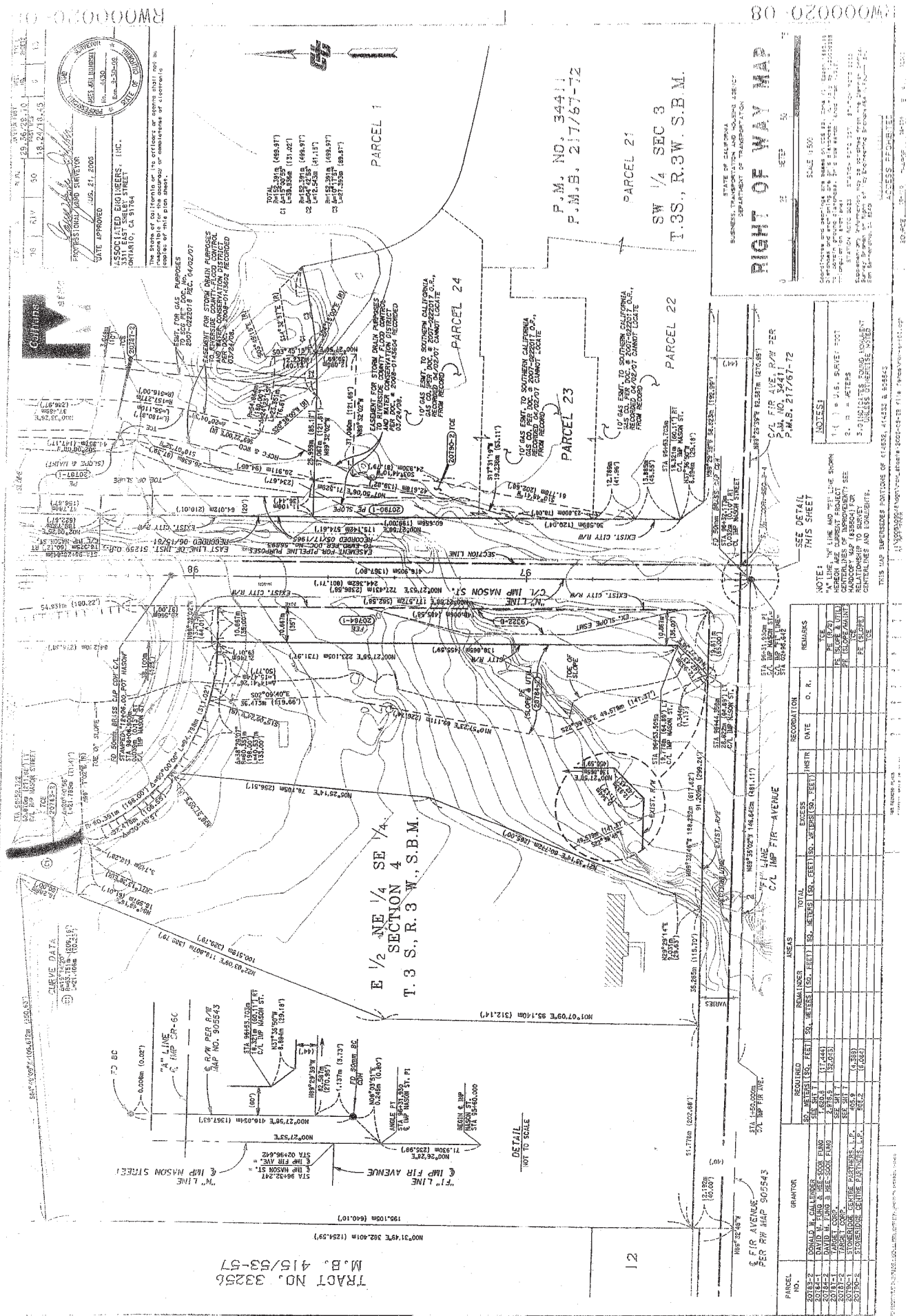
Signature _____
JAMES L. ELLIOTT, L.S. 6334
Expires 12/31/10

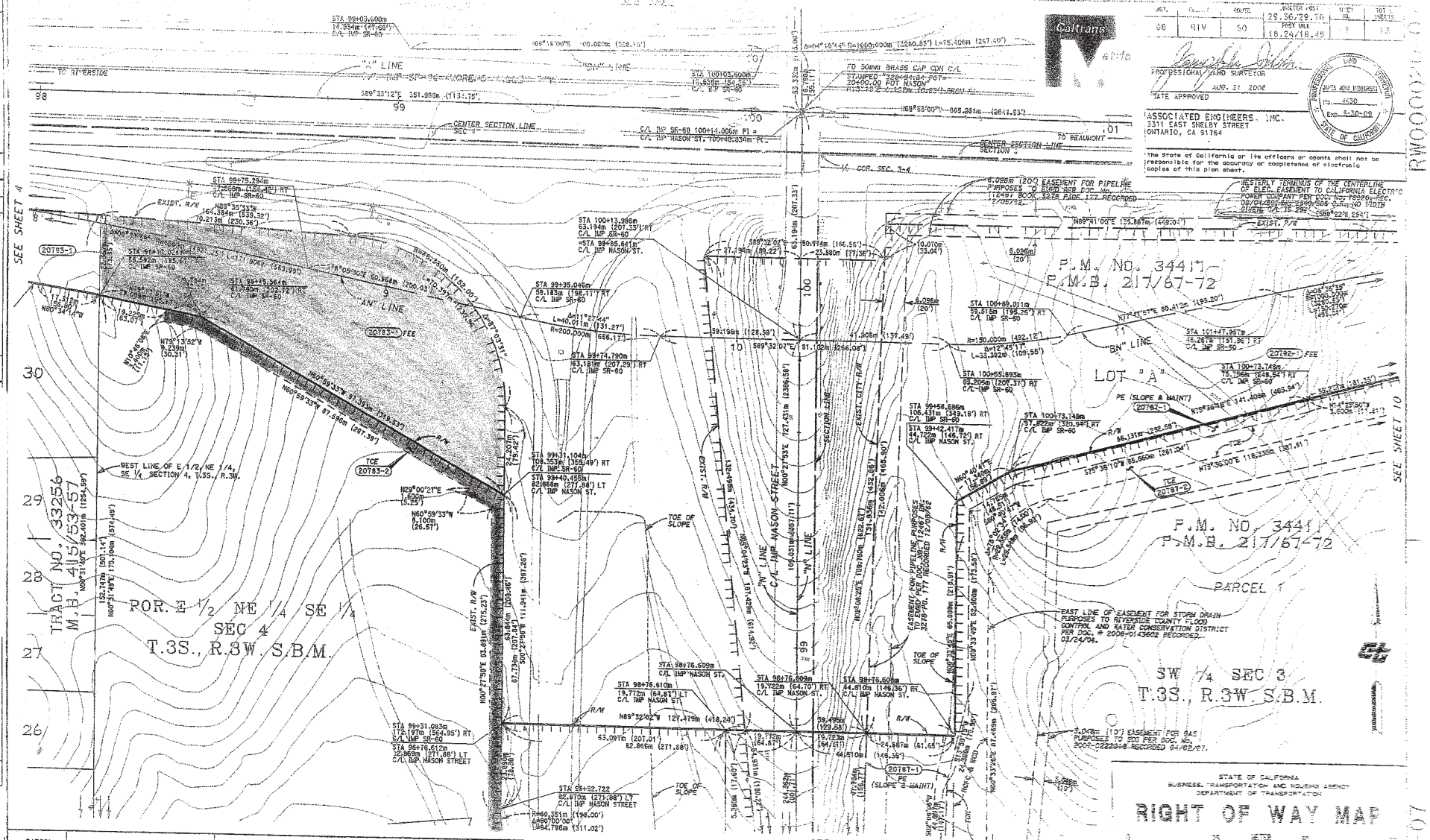
LICENSED LAND SURVEYOR
JAMES L. ELLIOTT
NO. 6334
Exp. 12-31-10
STATE OF CALIFORNIA

Date 2-06-2009

08-RIV-60-KP 29.43-20783 (20783-2)

Exhibit "A-2"
APN: 487-250-004


RIGHT OF WAY MAP
P.M. NO. 34411
P.M.B. 217/67-72
PARCEL 1
PARCEL 21
PARCEL 22
PARCEL 23
PARCEL 24
SW 1/4 SEC 3
T.3S., R.3W. S.B.M.
E 1/2 NE 1/4 SE 1/4
SECTION 4
T. 3 S., R. 3 W., S.B.M.
TRACT NO. 33256
M.B. 415/53-57
"N" LINE
"F" LINE
DETAIL
NOT TO SCALE
NOTES:
SEE DETAIL THIS SHEET
RECORDATION
AREAS
PARCEL NO.
GRANTOR
REMAINDER
EXCESS
REMARKS
Exhibit "B-1"
APN: 487-250-004
-747-
Item No. E.3


SEE SHEET 4
SEE SHEET 10
SEE SHEET 8
"A" LINE
"AN" LINE
"N" LINE
"BN" LINE
C/L IMP NASON ST.
NASON STREET
EXIST. R/W
TOE OF SLOPE
TCE
FEE
PE (SLOPE & MAINT)
LOT "A"
PARCEL 1
P.M. NO. 34417
P.M.B. 217/67-72
TRACT NO. 33256
M.B. 415/53-57
POR. E 1/2 NE 1/4 SE 1/4
SEC 4
T.3S., R.3W. S.B.M.
SW 1/4 SEC 3
T.3S., R.3W. S.B.M.
EAST LINE OF EASEMENT FOR STORM DRAIN PURPOSES TO RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT PER DOC. # 2008-0143602 RECORDED 03/24/08.
5.088m (20') EASEMENT FOR PIPELINE PURPOSES TO SCE PER DOC. NO. 12467 BOOK 3275 PAGE 177 RECORDED 12/07/32
WESTERLY TERMINUS OF THE CENTERLINE OF ELEC. EASEMENT TO CALIFORNIA ELECTRIC POWER COMPANY PER DOC. No. 79920, REC. 09/04/1906 SHOWN AS 60' WIDE ON MAP GIVEN C/L TO 2982
5.026m (10') EASEMENT FOR GAS PURPOSES TO SCG PER DOC. NO. 2001-0222344 RECORDED 04/02/01.
WEST LINE OF E 1/2 NE 1/4 SE 1/4 SECTION 4, T.3S., R.3W.
EXISTING CITY R/W
TO RIVERSIDE
TO BEAUMONT
CENTER SECTION LINE
1/4 COR. SEC. 3-4
N89°55'00"E 905.881m (2644.83')
S89°33'12"E 351.989m (1134.75')
N89°32'02"E 81.102m (266.08')
N89°41'00"E 25.867m (148.04')
N77°43'57"E 80.412m (193.20')
S75°56'10"E 85.660m (281.04')
N75°55'00"E 118.256m (387.91')
N29°00'27"E 1.600m (5.25')
N60°59'33"W 8.100m (26.57')
N60°59'33"W 97.596m (287.39')
N89°32'02"W 127.479m (418.24')
N00°27'53"E 111.941m (367.26')
N00°27'50"E 63.691m (275.23')
S00°27'56"W 111.941m (367.26')
N00°27'53"E 63.194m (207.33')
N00°09'28"E 108.031m (354.43')
N00°33'40"E 65.000m (213.31')
N00°33'40"E 82.600m (270.99')
N00°40'41"E 136.607m (448.20')
N00°33'02"E 87.469m (286.97')
S00°31'40"W 392.401m (1287.49')
N00°31'40"E 175.194m (574.79')
N00°31'40"E 155.217m (509.17')
N00°31'40"E 9.225m (30.27')
N79°13'52"W 9.239m (30.31')
N10°45'08"E 5.000m (16.40')
N89°35'33"W 164.364m (539.32')
S89°33'12"E 164.364m (539.32')
S89°32'02"E 150.774m (494.70')
S89°32'02"E 21.194m (69.52')
S89°32'02"E 23.580m (77.36')
S89°32'02"E 59.196m (194.27')
S89°32'02"E 41.906m (137.49')
S89°32'02"E 59.196m (194.27')
S89°32'02"E 59.196m (194.27')
S89°32'02"E 59.196m (194.27

RESOLUTION N0. 2009-81

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, FINDING AND DETERMINING THAT THE PUBLIC INTEREST AND NECESSITY REQUIRE THE ACQUISITION OF PROPERTY FOR PUBLIC STREET AND HIGHWAY PURPOSES INCLUDING RELATED IMPROVEMENTS AND FACILITIES; THAT THE ACQUISITION AND TAKING OF THE FEE AND THE EASEMENTS IN THE HEREIN-DESCRIBED PROPERTY IS NECESSARY FOR THE STATE ROUTE 60/NASON STREET INTERCHANGE IMPROVEMENT PROJECT; THAT THE PROJECT IS PLANNED IN A MANNER THAT IS MOST COMPATIBLE WITH THE GREATEST PUBLIC GOOD AND THE LEAST PRIVATE INJURY; AUTHORIZING PROCEEDINGS TO BE COMMENCED IN EMINENT DOMAIN; AND AUTHORIZING THE DEPOSIT OF NECESSARY FUNDS AND THE PAYMENT OF NECESSARY EXPENSES AND FEES FOR ACQUISITION OF SAID PROPERTY; AND AUTHORIZING COUNSEL TO OBTAIN AN ORDER FOR PREJUDGMENT POSSESSION OF THE SUBJECT PROPERTY

Owner	Assessor Parcel Number
Target Corporation	488-090-031 488-090-051

WHEREAS, notice and a reasonable opportunity to appear and be heard has been given to the persons who appear to be the owners of the hereinafter described parcels of property in compliance with and as required by Code of Civil Procedure Section 1245.235, relating to whether the public interest and necessity require the herein-described project; whether the project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury; whether the property sought to be acquired is necessary for the project; whether the offer required by Government Code Section 7267.2 has been made to the owner or owners of record; and said hearing was held and conducted before the City Council on August 25, 2009, at the time and place indicated in the notice of hearing; and

WHEREAS, the City Council has considered all matters necessary to be considered and duly presented at said hearing; and

WHEREAS, at least two-thirds of the City Council do hereby vote to adopt this Resolution:

NOW, THEREFORE, THE CITY COUCIL DOES HEREBY FIND, DETERMINE, RESOLVE, DECLARE AND ORDER AS FOLLOWS:

Section 1. Pursuant to the provisions of the California Constitution, including Article 1, Section 19 thereof, and as authorized by California Government Code Sections 37350, 37350.5, 37351, 40401 and 40404 and pursuant to the applicable provisions of California Code of Civil Procedure Section 1230.010, et seq, and other applicable provisions of law, the City of Moreno Valley is authorized to acquire the fee and the permanent and temporary easement interests in the parcels of real property which are described more fully in the legal descriptions attached hereto and shown on the map or maps attached hereto as follows:

Ownership	Assessor Parcel No.	Exhibit Prefix	Interest to be Taken
Target Corporation	488-090-031 488-090-051	"A" & "B"	Slope Easement Temporary Construction Easement

As referenced in the table above, all legal descriptions of the property interests to be acquired have an "A" prefix and all maps have a "B" prefix. The fee interest and all easement interests, other than temporary construction easements, are permanent. The temporary construction easements as described above will be in effect from the date the City of Moreno Valley obtains possession of the property which is subject to the temporary construction easements and shall run from the date of possession until January 1, 2014 or until the filing of the Notice of Completion of the Project, whichever occurs first. Generally all property interests to be acquired are sometimes referred to later in this Resolution as "the property." In relation to the hereinafter described project the said Exhibits, as attached hereto and incorporated herein by this reference, describe the location and extent of the parcels of property, including any fee and any permanent and temporary easement interests therein, being taken.

Section 2. Acquisition of the hereinabove described parcels of property sought to be condemned herein or of one or more interest therein, is for a public use, to wit: State Route 60/Nason Street Interchange Improvement Project and for the construction, reconstruction, operation, removal, replacement, widening, relocation, repair and maintenance of public street and highway and incidental improvements, uses and purposes, including drains, sewers and utilities, utility relocation and all improvements described in the construction plans, including any modifications thereof, and for uses and purposes consistent therewith and related thereto, and including, without limitation by this reference, the right to enter upon and for ingress and egress upon, to and from said parcels of real property, said proposed acquisition and use being herein referred to as the "Project".

Section 3. The interests in the parcels of property sought to be condemned herein, which constitute only a portion of larger parcels of real property, are described herein, and the property to be condemned is situated in the City of Moreno Valley, County of Riverside, State of California.

Section 4. The City Council further hereby declares, finds, determines and resolves as follows:

(a) The public interest and necessity require the Project;

(b) The Project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury;

(c) The parcels of real property, or the interests to be acquired therein, are necessary for the Project; and

(d) The offer required by Section 7267.2 of the California Government Code has been made to the owner or owners of record.

Section 5. In the event any of the property or the interests to be acquired therein is already appropriated to an existing and different public use, the City Council hereby finds and determines that the herein-described public use or uses are more necessary than said existing public use, and acquisition hereby is permitted under the provisions of California Code of Civil Procedure, Sections 1240.610, et seq.

Section 6. The City Attorney is authorized to make such minor changes in the descriptions of the property, and in the pleadings to be filed which have been authorized herein, as deemed necessary, for the conduct of the condemnation action or other proceedings required to acquire the property.

Section 7. The City Council finds and determines that the purposes for which the above-described property is to be taken are public purposes and the uses therefore are authorized by law, and the taking of said property or property interests is necessary to such uses.

Section 8. The City Council hereby authorizes and directs the preparation and prosecution of proceedings in the name of the City of Moreno Valley in the Superior Court of the State of California, for the County of Riverside, or in any other court having jurisdiction thereof, as may be necessary for the acquisition of the property and property interests by condemnation in accordance with the provisions of the Constitution and laws of the State of California relating to eminent domain, to obtain the fee interest and/or easements in, over, under, across, along, through, and within the property, as described herein, and to obtain an order permitting the City, as plaintiff, to take possession of the property prior to judgment for use in construction and completion

of the Project, and to obtain all other proper orders and judgments as may be necessary.

Section 9. The City Attorney and the law firm retained as counsel to represent the City in the proceedings, are hereby authorized to prepare and prosecute in the name of the City such proceeding or proceedings as are necessary to such acquisition; and to prepare and file such pleadings, briefs and other documents, and to make such arguments and to take such actions as may be necessary in the opinion of said attorneys to acquire for said City possession including prejudgment possession and title and ownership of the property and real property interests sought herein. Said attorneys are specifically authorized to take whatever steps and procedures are available to them under the eminent domain law of the State of California (Code of Civil Procedure, Title 7, Chapters 1-12, Sections 1230.010 and following).

Section 10. The deposit and payment of money out of proper funds of the City for probable just compensation according to law, for jury fees, reporter's fees, and other litigation expenses, is hereby authorized and directed.

APPROVED AND ADOPTED this 25th day of August, 2009.

_____

Richard A. Stewart, Mayor

ATTEST:

_____

City Clerk

APPROVED AS TO FORM:

_____

City Attorney

Exhibit "A-1"
Slope Easement

That portion of Parcel 1 of PARCEL MAP No. 34411, in the City of Moreno Valley, County of Riverside, State of California, as shown by map on file in Book 217 of Parcel Maps, pages 67 through 72 inclusive, Records of said County, described as a whole as follows:

COMMENCING at the intersection of the centerline of Nason Street and the westerly prolongation of the most southerly line of LOT "A" as shown on said Parcel Map No. 34411; thence at right angles to said centerline South 89°32'02" East 19.684 meters (64.58 feet) to the **POINT OF BEGINNING**, being a point in the easterly line of Nason Street, as described in Grant Deed to the State of California recorded June 15, 1961 as Instrument No. 51259, Official Records of said County, and as shown on Right-of-Map No.'s 414533 and 905543, on file in Caltrans' District 8 Office; thence continuing along said westerly prolongation and along the line common to said Parcel 1 and said LOT "A", South 89°32'02" East 24.887 meters (81.65 feet) to an angle point in the westerly line of said Parcel 1, thence along the westerly and northerly lines of said Parcel 1, the following three (3) courses;

North 00°33'45" East 65.808 meters (215.91 feet),
North 60°40'47" East 17.340 meters (56.89 feet),
North 75°36'10" East 86.131 meters (282.58 feet); thence leaving said northerly line,

South 14°23'50" East 3.600 meters (11.81 feet); thence South 75°36'10" West 85.660 meters (281.04 feet); thence South 60°40'47" West 14.785 meters (48.51 feet); thence South 00°33'45" West 52.908 meters (173.58 feet); thence South 13°59'15" West 24.369 meters (79.95 feet); thence South 02°08'08" West 44.857 meters (147.17 feet); thence South 18°07'32" West 26.638 meters (87.39 feet); thence South 07°50'06" West 28.911 meters (94.85 feet) to the southerly line of said Parcel 1; thence along said southerly line and the westerly prolongation thereof North 89°32'02" West 11.108 meters (36.44 feet) to a point in the easterly line of said Nason Street, said line being that certain Course "A", as described in said Instrument No. 51259, and as shown on said right-of-way maps, said easterly line being parallel and distant easterly 18.288 meters (60.00 feet) from the centerline of said Nason Street; thence along said easterly line North 00° 27' 58" East 64.012 meters (210.01 feet) to an angle point therein; thence continuing along said easterly line and along the right-of-way as described in said Instrument 51259 and as shown on said right-of-way maps North 02°08'25" East 47.784 meters (156.77 feet) to the **POINT OF BEGINNING**.

The bearings and distances used in the above description are based on the California Coordinate System of 1983, Zone 6.

Multiply all distances shown by 1.00006355 to obtain ground level distances.

This real property description has been prepared by me, or under my direction, in conformance with the Professional Land Surveyors Act.

Signature _____
JAMES L. ELLIOTT, L.S. 6334
Expires 12/31/10

Date 2-06-2009

LICENSED LAND SURVEYOR
JAMES L. ELLIOTT
NO. 6334
Exp. 12-31-10
STATE OF CALIFORNIA

08-RIV-60-KP 29.61-20787 (20787-1)

Exhibit "A-1"
APN: 488-090-031

L:\2005\05048\PARCELS_and_LEGALS\20787-Target\20787-1-PE.doc

Exhibit "A-2"
Temporary Construction Easement

That portion of Parcel 1 of PARCEL MAP No. 34411, in the City of Moreno Valley, County of Riverside, State of California, as shown by map on file in Book 217 of Parcel Maps, pages 67 through 72 inclusive, Records of said County, said portion described as follows:

COMMENCING at an angle point in the southerly line of said Parcel 1, said point being the most northerly corner of Parcel 24 as shown on said map, said southerly line being a curve concave northerly, having a radius of 152.391 meters (499.97 feet), a radial line to said point bears South 14°32'57" East; thence southwesterly along said southerly line and along said curve, through a central angle of 10°17'57", a distance of 27.393 meters (89.87 feet) to the **POINT OF BEGINNING**, a radial line to said point bears South 04°15'00" East; thence continuing along said curve and along said southerly line, through a central angle of 04°42'58", a distance of 12.543 meters (41.15 feet); thence continuing along the southerly line of said Parcel 1 North 89°32'02" West 25.959 meters (85.17 feet); thence leaving said southerly line North 07°50'06" East 28.911 meters (94.85 feet); thence North 18°07'32" East 26.638 meters (87.39 feet); thence North 02°08'08" East 44.857 meters (147.17 feet); thence North 13°59'15" East 24.369 meters (79.95 feet); thence North 00°33'45" East 52.908 meters (173.58 feet); thence North 60°40'47" East 14.785 meters (48.51 feet); thence North 75°36'10" East 85.660 meters (281.04 feet); thence North 14°23'50" West 3.600 meters (11.81 feet); thence North 75°36'10" East 55.277 meters (181.35 feet); thence North 80°30'12" East 42.133 meters (138.23 feet); thence North 83°02'20" East 36.113 meters (118.48 feet) to the most northerly corner of said Parcel 1; thence along the easterly line of said Parcel 1 South 12°25'53" East 8.726 meters (28.63 feet); thence South 83°02'20" West 21.769 meters (71.42 feet) to the beginning of a curve concave southeasterly, having a radius of 543.764 meters (1784.00 feet); thence westerly along said curve, through a central angle of 07°26'20" a distance of 70.598 meters (231.62 feet); thence South 75°36'00" West 118.235 meters (387.91 feet) to the beginning of a curve concave southeasterly, having a radius of 22.555 meters (74.00 feet); thence southwesterly along said curve, through a central angle of 75°02'34" a distance of 29.548 meters (96.94 feet); thence South 00°33'26" West 87.469 meters (286.97 feet) to the beginning of a curve concave westerly, having a radius of 157.277 meters (516.00 feet); thence southwesterly along said curve, through a central angle of 20°04'34" a distance of 55.110 meters (180.81 feet) to the beginning of a non-tangent curve concave northeasterly, having a radius of 54.864 meters (180.00 feet), a radial line to said point bears South 20°38'00" West; thence southeasterly along said curve, through a central angle of 24°23'15", a distance of 23.351 meters (76.61 feet); thence South 03°45'15" East along a radial line to said curve 12.232 meters (40.13 feet) to the **POINT OF BEGINNING**.

The easement herein granted shall become effective upon the execution of this document and shall terminate on January 1, 2014 or upon the filing of Notice of Completion, whichever first occurs.

The bearings and distances used in the above description are based on the California Coordinate System of 1983, Zone 6.

Multiply all distances shown by 1.00006355 to obtain ground level distances.

This real property description has been prepared by me, or under my direction, in conformance with the Professional Land Surveyors Act.

Signature _____
JAMES L. ELLIOTT, L.S. 6334
Expires 12/31/10

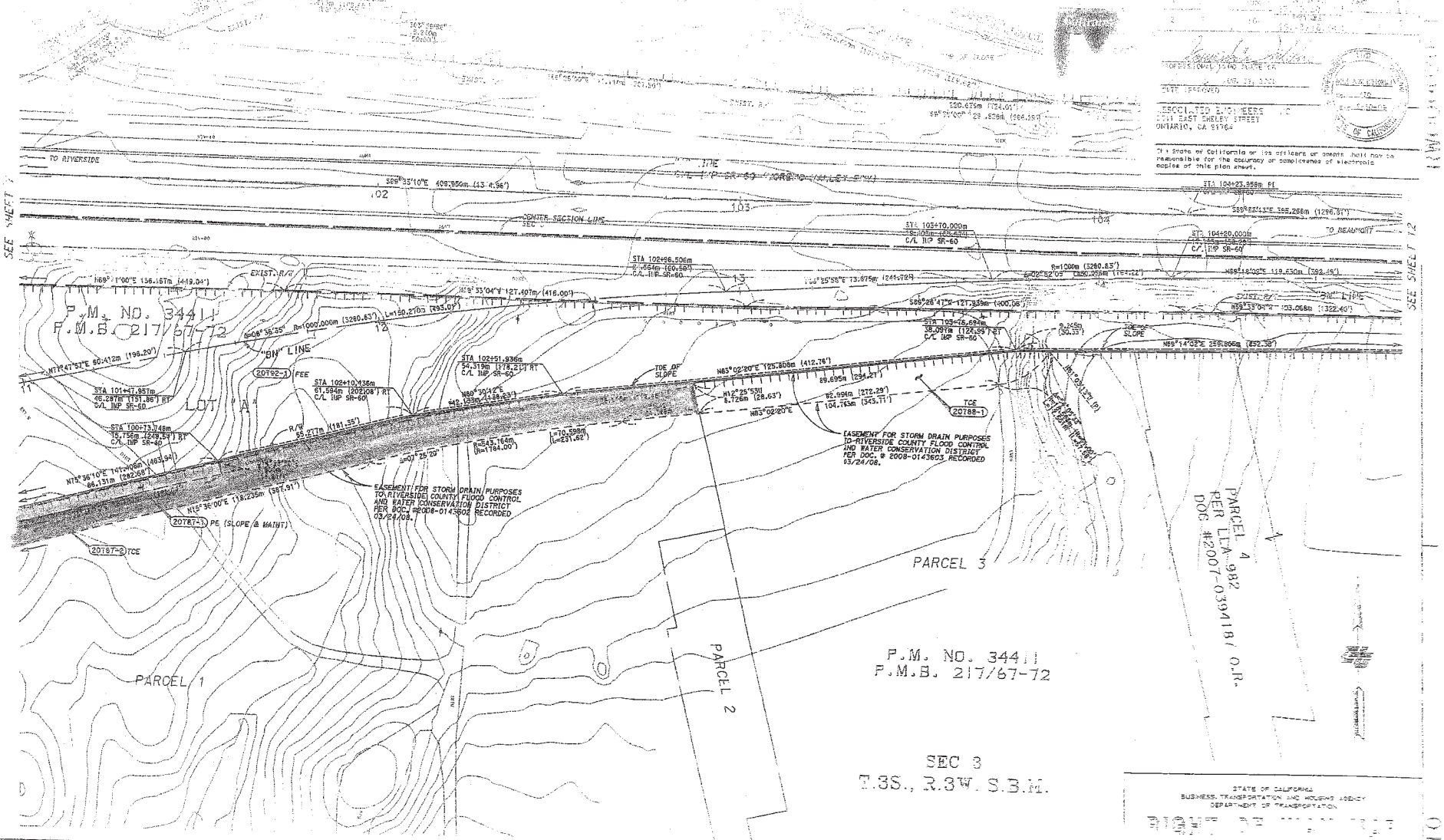
LICENSED LAND SURVEYOR
JAMES L. ELLIOTT
NO. 6334
Exp. 12-31-10
STATE OF CALIFORNIA

Date 2-06-2009

08-RIV-60-KP 29.61-20787 (20787-2)

L:\2005\05048\PARCELS_and_LEGALS\20787-Target\20787-2-TCE.doc

Exhibit "A-2"
APN: 488-090-031



PARCEL NO.	GRANTOR	AREAS REQUIRED (SQ. METERS)	(SQ. FEET)	REMAINDER (SQ. METERS)	(SQ. FEET)	TOTAL (SQ. METERS)	(SQ. FEET)	EXCESS (SQ. METERS)	(SQ. FEET)	RECORDATION INSTR	DATE	O. R.	REMARKS
20787-1, -2	TARGET CORP.	SEE SHT 1											PE (MAINT)
20788-1	KOHL'S DEPARTMENT STORES, INC	816.0	(8784)										TCE
20792-1	STONERIDGE CENTRE PARTNERS, L.P.	18,193.8	(195,836)	0	(0)	18,193.8	(195,836)						FEE

NOTE:
"A" LINE AND "H" LINE SHOWN HEREON ARE CURRENT PROJECT CENTERLINES OF IMPROVEMENTS SEE HARDCOPY MAP (6355041) FOR RELATIONSHIP TO SURVEY CENTERLINES AND MONUMENTS.

THIS MAP SUPERSEDES PORTION OF 614573

NOTES:
1. ' = U.S. SURVEY FOOT
2. M = METERS
3. INDICATES FOUND MONUMENT UNLESS OTHERWISE NOTED

SCALE 1:500

Coordinates and bearings are based on CCS 83, Zone VI, Epoch 1992.00 distances and coordinates are grid distances. All ties to monuments are shown as grid distances. Grid use factor = 0.99996888 Triangulation stations

STATION MONUMENT 3683 STATION MONUMENT 3677 STATION MONUMENT 3680

Documentation, information may be obtained from the Riverside County Survey Division, 4080 Lemon St. 6th Floor, P.O. Box 1090, Riverside, CA 92502

ACCESS PROHIBITED

SOURCE 154-412 CHARGE 154-500 S. F. 77210

STATE OF CALIFORNIA
BUSINESS, TRANSPORTATION AND HOUSING AGENCY
DEPARTMENT OF TRANSPORTATION

DATE APPROVED

ESCO, LTD ENGINEERS
111 EAST SHELEY STREET
ONTARIO, CA 91764

The State of California or its officers or agents shall not be responsible for the accuracy or completeness of electronic copies of this plan sheet.

REVISIONS

DATE	BY	DESCRIPTION
4/28/08	LJC	ADDED PARCEL 4
08/21/2008	LJC	ADDED PARCEL 3
08/21/2008	R.L.L.	ADDED PARCEL 3
08/21/2008	L.J.C.	ADDED PARCEL 3

DESIGNED L.J.C. 08/21/2008
DRAWN L.J.C. 08/21/2008
CHECKED R.L.L. 08/21/2008
QUANTITY CHK. L.J.C. 08/21/2008

Exhibit "B-1"
APN: 488-090-031
-755-

RW000020-10

Item No. E.3

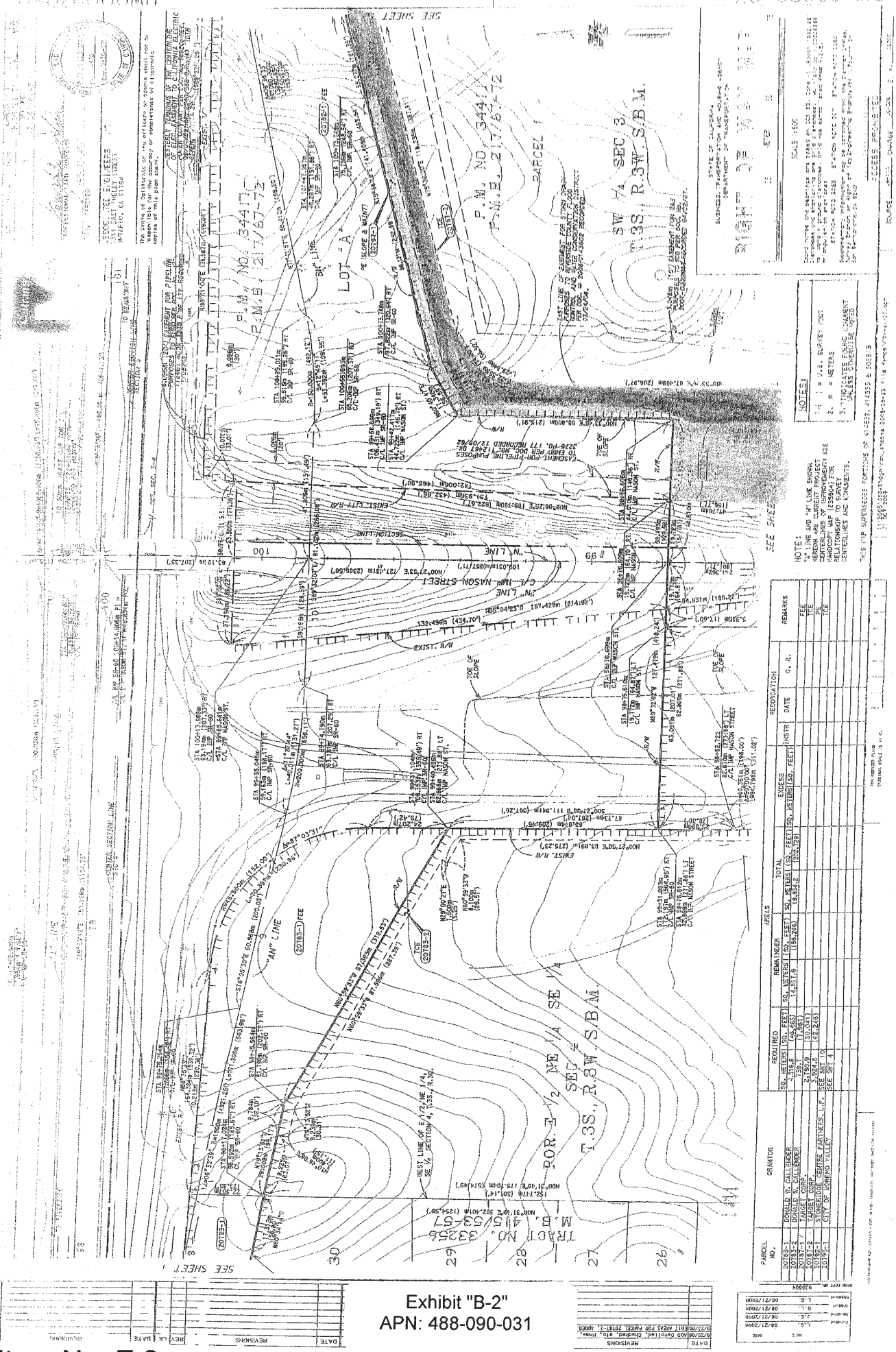
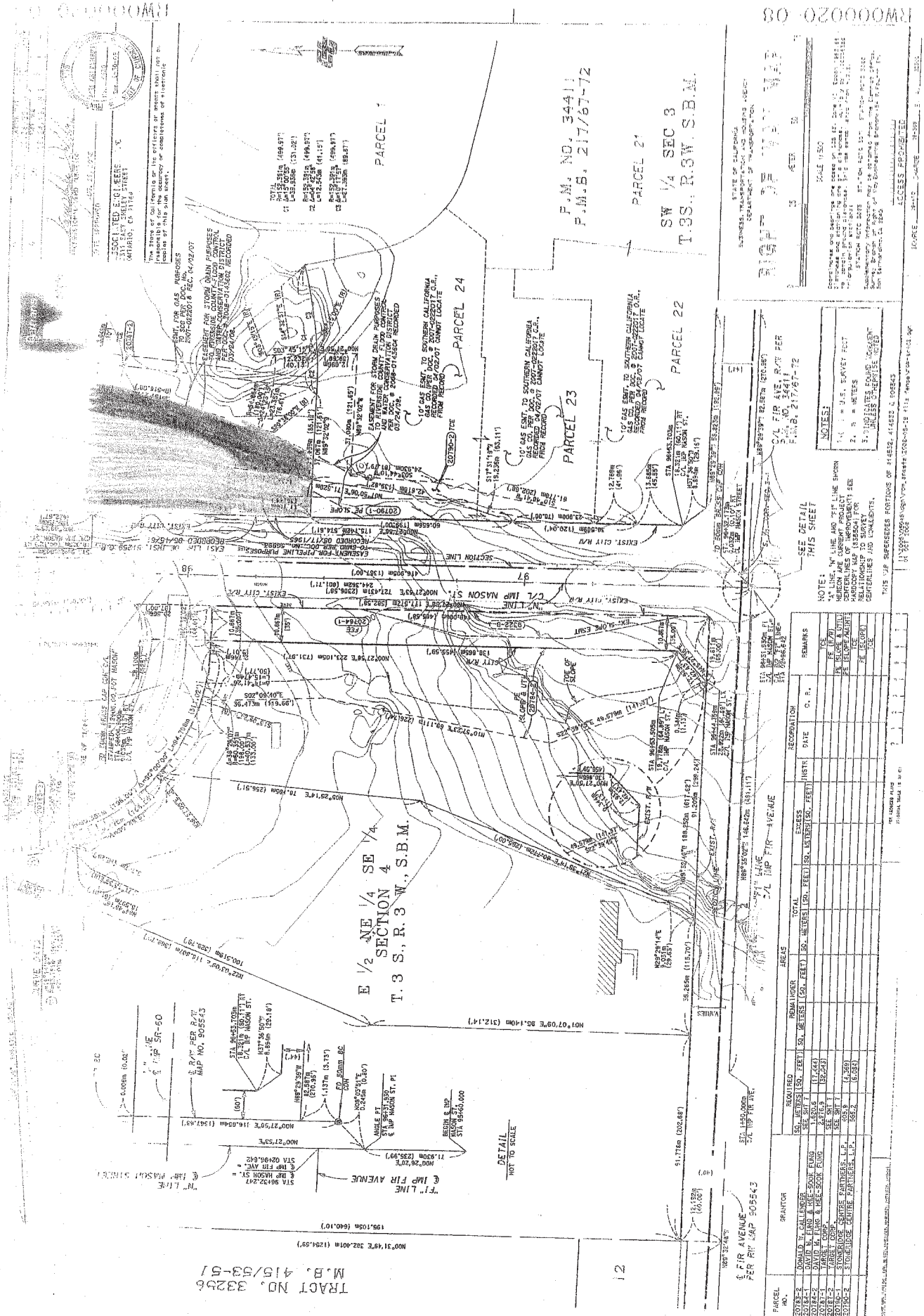


Exhibit "B-2"
APN: 488-090-031


PARCEL 1
PARCEL 21
PARCEL 24
PARCEL 23
PARCEL 22
P.M. NO. 3441
P.M.B. 217/67-72
SW 1/4 SEC 3
T.3S., R.3W. S.B.M.
E 1/2 NE 1/4 SE 1/4
SECTION 4
T. 3 S., R. 3 W., S.B.M.
TRACT NO. 33256
M.B. 415/53-57
DETAIL
NOT TO SCALE
SEE DETAIL THIS SHEET
NOTE:
"N" LINE, "W" LINE AND "FIR" LINE SHOWN HEREON ARE CURRENT PROJECT CENTERLINE MONUMENTS PER HARDCOPY MAP 1858504 FOR RELATIONSHIP TO SURVEY CENTERLINES AND MONUMENTS.
THIS MAP SUPERSEDES PORTIONS OF 414852, 414853 & 414854
ACCESS PROHIBITED
NOTES:
1. ft. = U.S. SURVEY FOOT
2. m = METERS
3. BEARINGS AND DISTANCES SHOWN HEREON ARE IN METERS UNLESS OTHERWISE NOTED
SOURCE
STATE OF CALIFORNIA
BUSINESS, TRANSPORTATION AND HOUSING AGENCY
DEPARTMENT OF TRANSPORTATION
RIGHT OF WAY MAP
SCALE 1:500
EASEMENT FOR GAS PURPOSES TO SCG PER DOC. NO. 2007-0222017 O.R. 03/24/08.
EASEMENT FOR STORM DRAIN PURPOSES TO RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT PER DOC. # 2008-0114824 RECORDED 03/04/08.
10' GAS EASMT. TO SOUTHERN CALIFORNIA GAS CO. PER DOC. # 2007-0222017 O.R., 03-24-08.
10' GAS EASMT. TO SOUTHERN CALIFORNIA GAS CO. PER DOC. # 2007-0222017 O.R., 03-24-08. CANNOT LOCATE FROM RECORD
EASEMENT FOR PIPELINE PURPOSES TO CHEVRON PIPE LINE CO. RECORDED 05/17/1965 IN BOOK 3458 PAGE 514 O.R.
EXIST. CITY R/W
EXIST. SLOPE ESMT
EXIST. 24" WATER LINE
EXIST. 8" SEWER LINE
EXIST. 12" WATER LINE
EXIST. 8" WATER LINE
EXIST. 6" WATER LINE
EXIST. 4" WATER LINE
EXIST. 2" WATER LINE
EXIST. 1" WATER LINE
EXIST. 12" RCP
EXIST. 18" RCP
EXIST. 24" RCP
EXIST. 30" RCP
EXIST. 36" RCP
EXIST. 42" RCP
EXIST. 48" RCP
EXIST. 54" RCP
EXIST. 60" RCP
EXIST. 72" RCP
EXIST. 84" RCP
EXIST. 96" RCP
EXIST. 108" RCP
EXIST. 120" RCP
EXIST. 132" RCP
EXIST. 144" RCP
EXIST. 156" RCP
EXIST. 168" RCP
EXIST. 180" RCP
EXIST. 192" RCP
EXIST. 204" RCP
EXIST.

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RESOLUTION N0. 2009-82

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, FINDING AND DETERMINING THAT THE PUBLIC INTEREST AND NECESSITY REQUIRE THE ACQUISITION OF PROPERTY FOR PUBLIC STREET AND HIGHWAY PURPOSES INCLUDING RELATED IMPROVEMENTS AND FACILITIES; THAT THE ACQUISITION AND TAKING OF THE FEE AND THE EASEMENTS IN THE HEREIN-DESCRIBED PROPERTY IS NECESSARY FOR THE STATE ROUTE 60/NASON STREET INTERCHANGE IMPROVEMENT PROJECT; THAT THE PROJECT IS PLANNED IN A MANNER THAT IS MOST COMPATIBLE WITH THE GREATEST PUBLIC GOOD AND THE LEAST PRIVATE INJURY; AUTHORIZING PROCEEDINGS TO BE COMMENCED IN EMINENT DOMAIN; AND AUTHORIZING THE DEPOSIT OF NECESSARY FUNDS AND THE PAYMENT OF NECESSARY EXPENSES AND FEES FOR ACQUISITION OF SAID PROPERTY; AND AUTHORIZING COUNSEL TO OBTAIN AN ORDER FOR PREJUDGMENT POSSESSION OF THE SUBJECT PROPERTY

Owner	Assessor Parcel Number
FJL-MVP, LLC	488-100-002

WHEREAS, notice and a reasonable opportunity to appear and be heard has been given to the persons who appear to be the owners of the hereinafter described parcels of property in compliance with and as required by Code of Civil Procedure Section 1245.235, relating to whether the public interest and necessity require the herein-described project; whether the project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury; whether the property sought to be acquired is necessary for the project; whether the offer required by Government Code Section 7267.2 has been made to the owner or owners of record; and said hearing was held and conducted before the City Council on August 25, 2009, at the time and place indicated in the notice of hearing; and

WHEREAS, the City Council has considered all matters necessary to be considered and duly presented at said hearing; and

WHEREAS, at least two-thirds of the City Council do hereby vote to adopt this Resolution:

NOW, THEREFORE, THE CITY COUCIL DOES HEREBY FIND, DETERMINE, RESOLVE, DECLARE AND ORDER AS FOLLOWS:

Section 1. Pursuant to the provisions of the California Constitution, including Article 1, Section 19 thereof, and as authorized by California Government Code Sections 37350, 37350.5, 37351, 40401 and 40404 and pursuant to the applicable provisions of California Code of Civil Procedure Section 1230.010, et seq, and other applicable provisions of law, the City of Moreno Valley is authorized to acquire the fee and the permanent and temporary easement interests in the parcels of real property which are described more fully in the legal descriptions attached hereto and shown on the map or maps attached hereto as follows:

Ownership	Assessor Parcel No.	Exhibit Prefix	Interest to be Taken
FJL-MVP, LLC	488-100-002	"A" & "B"	Fee

As referenced in the table above, all legal descriptions of the property interests to be acquired have an "A" prefix and all maps have a "B" prefix. The fee interest and all easement interests, other than temporary construction easements, are permanent. The temporary construction easements as described above will be in effect from the date the City of Moreno Valley obtains possession of the property which is subject to the temporary construction easements and shall run from the date of possession until January 1, 2014 or until the filing of the Notice of Completion of the Project, whichever occurs first. Generally all property interests to be acquired are sometimes referred to later in this Resolution as "the property." In relation to the hereinafter described project the said Exhibits, as attached hereto and incorporated herein by this reference, describe the location and extent of the parcels of property, including any fee and any permanent and temporary easement interests therein, being taken.

Section 2. Acquisition of the hereinabove described parcels of property sought to be condemned herein or of one or more interest therein, is for a public use, to wit: State Route 60/Nason Street Interchange Improvement Project and for the construction, reconstruction, operation, removal, replacement, widening, relocation, repair and maintenance of public street and highway and incidental improvements, uses and purposes, including drains, sewers and utilities, utility relocation and all improvements described in the construction plans, including any modifications thereof, and for uses and purposes consistent therewith and related thereto, and including, without limitation by this reference, the right to enter upon and for ingress and egress upon, to and from said parcels of real property, said proposed acquisition and use being herein referred to as the "Project".

Section 3. The interests in the parcels of property sought to be condemned herein, which constitute only a portion of larger parcels of real property, are

described herein, and the property to be condemned is situated in the City of Moreno Valley, County of Riverside, State of California.

Section 4. The City Council further hereby declares, finds, determines and resolves as follows:

(a) The public interest and necessity require the Project;

(b) The Project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury;

(c) The parcels of real property, or the interests to be acquired therein, are necessary for the Project; and

(d) The offer required by Section 7267.2 of the California Government Code has been made to the owner or owners of record.

Section 5. In the event any of the property or the interests to be acquired therein is already appropriated to an existing and different public use, the City Council hereby finds and determines that the herein-described public use or uses are more necessary than said existing public use, and acquisition hereby is permitted under the provisions of California Code of Civil Procedure, Sections 1240.610, et seq.

Section 6. The City Attorney is authorized to make such minor changes in the descriptions of the property, and in the pleadings to be filed which have been authorized herein, as deemed necessary, for the conduct of the condemnation action or other proceedings required to acquire the property.

Section 7. The City Council finds and determines that the purposes for which the above-described property is to be taken are public purposes and the uses therefore are authorized by law, and the taking of said property or property interests is necessary to such uses.

Section 8. The City Council hereby authorizes and directs the preparation and prosecution of proceedings in the name of the City of Moreno Valley in the Superior Court of the State of California, for the County of Riverside, or in any other court having jurisdiction thereof, as may be necessary for the acquisition of the property and property interests by condemnation in accordance with the provisions of the Constitution and laws of the State of California relating to eminent domain, to obtain the fee interest and/or easements in, over, under, across, along, through, and within the property, as described herein, and to obtain an order permitting the City, as plaintiff, to take possession of the property prior to judgment for use in construction and completion of the Project, and to obtain all other proper orders and judgments as may be necessary.

Section 9. The City Attorney and the law firm retained as counsel to represent the City in the proceedings, are hereby authorized to prepare and prosecute in the name of the City such proceeding or proceedings as are necessary to such acquisition; and to prepare and file such pleadings, briefs and other documents, and to make such arguments and to take such actions as may be necessary in the opinion of said attorneys to acquire for said City possession including prejudgment possession and title and ownership of the property and real property interests sought herein. Said attorneys are specifically authorized to take whatever steps and procedures are available to them under the eminent domain law of the State of California (Code of Civil Procedure, Title 7, Chapters 1-12, Sections 1230.010 and following).

Section 10. The deposit and payment of money out of proper funds of the City for probable just compensation according to law, for jury fees, reporter's fees, and other litigation expenses, is hereby authorized and directed.

APPROVED AND ADOPTED this 25th day of August, 2009.

Richard A. Stewart, Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

Exhibit "A"
Fee

That portion of Parcel "A" of Parcel Map No. 30882 in the City of Moreno Valley, County of Riverside, State of California, as shown on map filed in Book 208, pages 3 through 8, inclusive of Parcel Maps, records of said county, described as follows:

BEGINNING at the intersection of the westerly line of the southeast quarter of Section 3, Township 3 South, Range 3 West, San Bernardino Meridian and a line parallel and distant 26.518 meters (87.00 feet) southerly of the centerline of State Route 60 as shown on Caltrans Right-of-Way Map 414534 (VIII-Riv-19-C), said parallel line being the southerly right of way line of State Route 60 as described in document recorded June 22, 1961 in Book 2931, page 192 Official Records of said county, said intersection being the westerly terminus of that certain "Course (1)" designated therein; thence along said southerly right of way line and along said parallel line South 89°32'23" East 72.872 meters (239.08 feet); thence South 00°27'37" West 5.331 meters (17.49 feet); thence along a line parallel to said centerline North 89°32'23" West 47.409 meters (155.54 feet) to the intersection thereof with the southwesterly line of said Parcel "A"; thence along said southwesterly line North 77°54'34" West 25.997 meters (85.29 feet) to a point on the westerly line of said southeast quarter; thence along said westerly line North 00°31'51" East 0.090 meters (0.30 feet) to the **POINT OF BEGINNING**.

This conveyance is made for the purpose of a freeway and the grantor hereby releases and relinquishes to the grantee any and all abutter's rights including access rights, appurtenant to grantor's remaining property, in and to said freeway.

The bearings and distances used in the above description are based on the California Coordinate System of 1983, Zone 6.

Multiply all distances shown by 1.00006355 to obtain ground level distances.

This real property description has been prepared by me, or under my direction, in conformance with the Professional Land Surveyors Act.

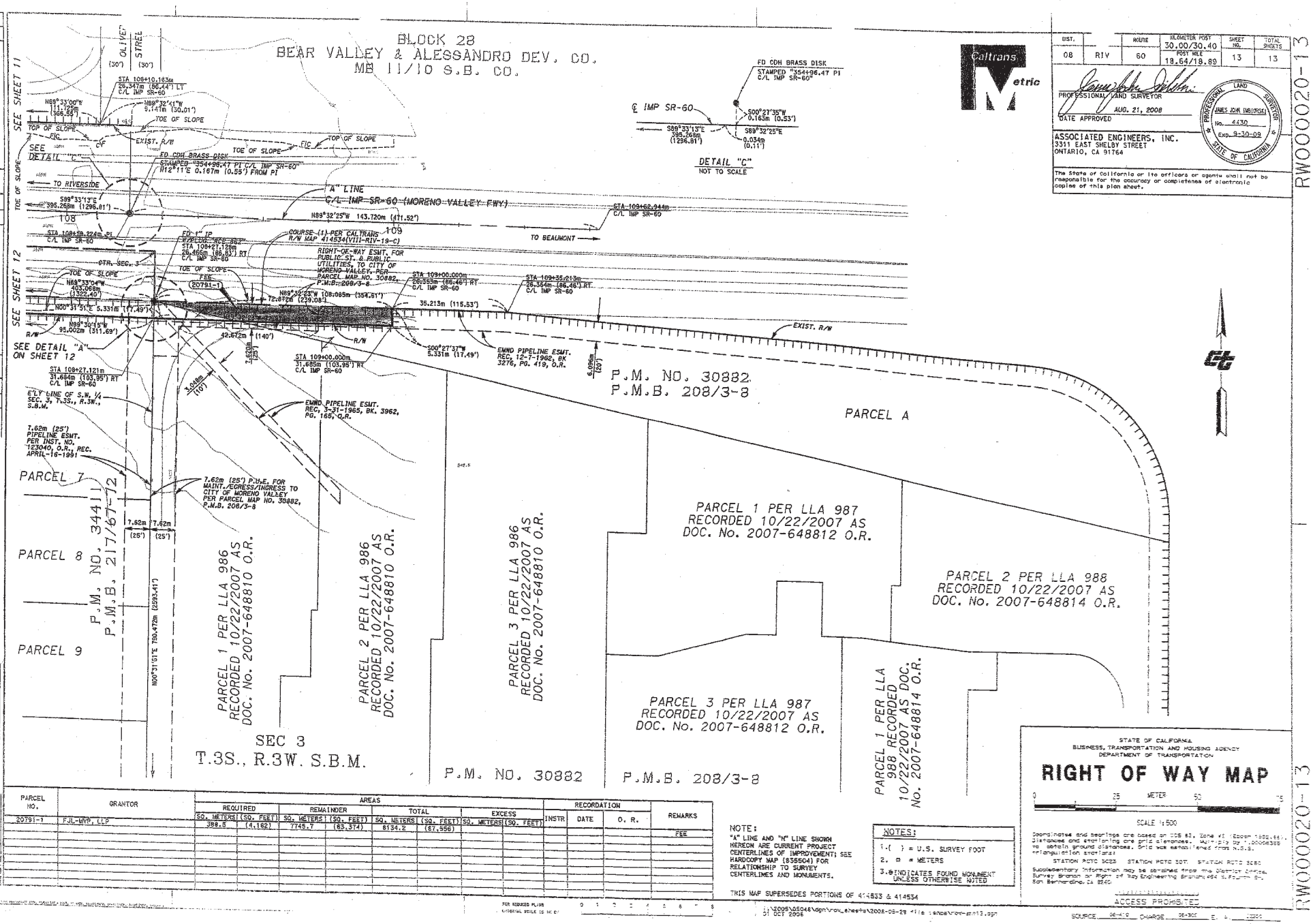
Signature _____

LARRY D. GILL, L.S. 7814
Expires 12/31/09

LICENSED LAND SURVEYOR
LARRY D. GILL
L.S. 7814
Exp. 12-31-09
STATE OF CALIFORNIA

Date JUNE 25, 2009

Item No. E.3
RW000020-13



Caltrans Metric

DIST.		ROUTE	ODOMETER POST 30.00/30.40 POST MILE 18.64/18.89	SHEET NO.	TOTAL SHEETS
08	RIV	60		13	13

PROFESSIONAL LAND SURVEYOR

AUG. 21, 2008
DATE APPROVED

PROFESSIONAL LAND SURVEYOR — JAMES JOHN DILLORIE — No. 4430 — Exp. 9-30-09 — STATE OF CALIFORNIA

ASSOCIATED ENGINEERS, INC.
3311 EAST SHELBY STREET
ONTARIO, CA 91764

The State of California or its officers or agents shall not be responsible for the accuracy or completeness of electronic copies of this plan sheet.

RW000020-13

Exhibit "B"
APN: 488-100-002
-764-

REVISIONS	REV CK	DATE

DESIGNED	J.C.	06/21/2008
DRAWN	J.C.	06/21/2008
CHECKED	R.L.	06/21/2008
QUANTITY	T.G.	06/21/2008

PARCEL NO.	GRANTOR	AREAS REQUIRED (SQ. METERS)	REQUIRED (SQ. FEET)	REMAINDER (SQ. METERS)	REMAINDER (SQ. FEET)	TOTAL (SQ. METERS)	TOTAL (SQ. FEET)	EXCESS (SQ. METERS)	EXCESS (SQ. FEET)	RECORDATION INSTR	DATE	O. R.	REMARKS
20791-1	FJL-MVP, LLP	388.5	(4,182)	7745.7	(83,374)	8134.2	(87,556)						FEE

NOTE:
"A" LINE AND "M" LINE SHOWN HEREON ARE CURRENT PROJECT CENTERLINES OF IMPROVEMENT; SEE HARDCOPY MAP (836504) FOR RELATIONSHIP TO SURVEY CENTERLINES AND MONUMENTS.

THIS MAP SUPERSEDES PORTIONS OF 414533 & 414534

NOTES:
1. ( ) = U.S. SURVEY FOOT
2. m = METERS
3. ⊕ INDICATES FOUND MONUMENT UNLESS OTHERWISE NOTED

STATE OF CALIFORNIA
BUSINESS, TRANSPORTATION AND HOUSING AGENCY
DEPARTMENT OF TRANSPORTATION

RIGHT OF WAY MAP

0 25 METER 50 75

SCALE 1:500

Coordinates and bearings are based on NAD 83, Zone VI (Epoch 1992.65); Distances and elevations are grid distances. Multiply by 1.0000658 to obtain ground distances. Grid was established from N.G.S. triangulation stations.

STATION POTC 3023 STATION POTC 3017 STATION POTC 3080

Supplementary information may be obtained from the District Office, Survey Branch or Right of Way Engineering Branch, 464 W. Fourth St., San Bernardino, CA 92401

ACCESS PROHIBITED

SOURCE 96-410 CHARGE 28-302 E. A. 12000

RW000020-13

ORIGINAL PLAN ORIGINAL SCALE IS IN cm
0 1 2 3 4 5 6 7 8
I:\2095\05046\dgn\row_sheets\2005-05-29 *file : sheet\row-exh13.dgn
31 OCT 2006

RESOLUTION N0. 2009-83

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, FINDING AND DETERMINING THAT THE PUBLIC INTEREST AND NECESSITY REQUIRE THE ACQUISITION OF PROPERTY FOR PUBLIC STREET AND HIGHWAY PURPOSES INCLUDING RELATED IMPROVEMENTS AND FACILITIES; THAT THE ACQUISITION AND TAKING OF THE FEE AND THE EASEMENTS IN THE HEREIN-DESCRIBED PROPERTY IS NECESSARY FOR THE STATE ROUTE 60/NASON STREET INTERCHANGE IMPROVEMENT PROJECT; THAT THE PROJECT IS PLANNED IN A MANNER THAT IS MOST COMPATIBLE WITH THE GREATEST PUBLIC GOOD AND THE LEAST PRIVATE INJURY; AUTHORIZING PROCEEDINGS TO BE COMMENCED IN EMINENT DOMAIN; AND AUTHORIZING THE DEPOSIT OF NECESSARY FUNDS AND THE PAYMENT OF NECESSARY EXPENSES AND FEES FOR ACQUISITION OF SAID PROPERTY; AND AUTHORIZING COUNSEL TO OBTAIN AN ORDER FOR PREJUDGMENT POSSESSION OF THE SUBJECT PROPERTY

Owner	Assessor Parcel Number
Bank of America, NA	488-100-050

WHEREAS, notice and a reasonable opportunity to appear and be heard has been given to the persons who appear to be the owners of the hereinafter described parcels of property in compliance with and as required by CCP Section 1245.235, relating to whether the public interest and necessity require the herein-described project; whether the project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury; and whether the property sought to be acquired is necessary for the project; and said hearing was held and conducted before the City Council on August 25, 2009, at the time and place indicated in the notice of hearing; and

WHEREAS, the City Council has considered all matters necessary to be considered and duly presented at said hearing; and

WHEREAS, at least two-thirds of the City Council do hereby vote to adopt this Resolution:

NOW, THEREFORE, THE CITY COUCIL DOES HEREBY FIND, DETERMINE, RESOLVE, DECLARE AND ORDER AS FOLLOWS:

Section 1. Pursuant to the provisions of the California Constitution, including Article a. Section 19 thereof, and as authorized by California Government Code, Sections 37350, 37350.5, 37351, 40401 and 40404 and pursuant to the applicable provisions of California Code of Civil Procedure, Section 1230.010, et seq, and other applicable provisions of law, the City of Moreno Valley is authorized to acquire the fee and the permanent and temporary easement interests in the parcels of real property which are shown on the maps attached hereto and described more fully in the legal descriptions attached hereto as follows:

Ownership	Assessor Parcel No.	Exhibit Prefix	Interest to be Taken
Bank of America, NA	488-100-050	"A" & "B"	Fee

As referenced in the table above, all legal descriptions of the property interests to be acquired have an A prefix and all maps have a B prefix. The fee interest and all easement interests, other than temporary construction easements, are permanent. The temporary construction easements as described above will be in effect from the date the City of Moreno Valley obtains possession of the property which is subject to the temporary construction easements which shall run from the date of possession until January 1, 2014 or until the filing of the Notice of Completion of the Project, whichever occurs first. Generally all property interests to be acquired are sometimes referred to later in this Resolution as "the property." In relation to the hereinafter described project the said Exhibits, as attached hereto and incorporated herein by this reference, describe the location and extent of the parcels of property, including the fee and the permanent and temporary easement interests therein, being taken.

Section 2. Acquisition of the hereinabove described parcels of property sought to be condemned herein or of one or more interest therein, is for a public use, to wit: State Route 60/Nason Street Interchange Improvement Project and for the construction, reconstruction, operation, removal, replacement, widening, relocation, repair and maintenance of public street and highway and incidental improvements, uses and purposes, including drains, sewers and utilities, utility relocation and all improvements described in the construction plans, including any modifications thereof, and for uses and purposes consistent therewith and related thereto, and including, without limitation by this reference, the right to enter upon and for ingress and egress upon, to and from said parcels of real property, said proposed acquisition and use being herein referred to as the "Project".

Section 3. The interests in the parcels of property sought to be condemned herein, which constitute only a portion of larger parcels of real property, are described herein, and the property to be condemned is situated in the City of Moreno Valley, County of Riverside, State of California.

Section 4. The City Council further hereby declares, finds, determines and resolves as follows:

(a) The public interest and necessity require the Project;

(b) The Project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury;

(c) The Parcels of real property, or the interests to be acquired therein, are necessary for the Project; and

(d) The offer required by Section 7267.2 of the California Government Code has been made to the owner or owners of record.

Section 5. In the event any of the property or the interests to be acquired therein is already appropriated to an existing and different public use, the City Council hereby finds and determines that the herein-described public use or uses are more necessary than said existing public use, and acquisition hereby is permitted under the provisions of California Code of Civil Procedure, Sections 1240.610, et seq.

Section 6. The City Attorney is authorized to make such minor changes in the descriptions of the property, and in the pleadings to be filed which have been authorized herein, as deemed necessary, for the conduct of the condemnation action or other proceedings required to acquire the property.

Section 7. The City Council finds and determines that the purposes for which the above-described property is to be taken are public purposes and the uses therefore are authorized by law, and the taking of said property or property interests is necessary to such uses.

Section 8. The City Council hereby authorizes and directs the preparation and prosecution of proceedings in the name of the City of Moreno Valley in the Superior Court of the State of California, for the County of Riverside, or in any other court having jurisdiction thereof, as may be necessary for the acquisition of the property and property interests by condemnation in accordance with the provisions of the Constitution and laws of the State of California relating to eminent domain, to obtain easements in, over, under, across, along, through, and within the property, as described herein, and to obtain an order permitting the City, as plaintiff, to take possession of the

property prior to judgment for use in construction and completion of the project, and to obtain all other proper orders and judgments as may be necessary.

Section 9. The City Attorney and the law firm retained as counsel to represent the City in the proceedings, are hereby authorized to prepare and prosecute in the name of the City such proceeding or proceedings as are necessary to such acquisition; and to prepare and file such pleadings, briefs and other documents, and to make such arguments and to take such actions as may be necessary in the opinion of said attorneys to acquire for said City possession including prejudgment possession and title and ownership of the property and real property interests sought herein. Said attorneys are specifically authorized to take whatever steps and procedures are available to them under the eminent domain law of the State of California (Code of Civil Procedure, Title 7, Chapters 1-12, Sections 1230.010 and following).

Section 10. Deposit and payment of money out of proper funds of the City for probable just compensation according to law, for jury fees, reporter's fees, and other litigation expenses, is hereby authorized.

APPROVED AND ADOPTED this 25th day of August, 2009.

_____

Richard A. Stewart, Mayor

ATTEST:

_____

City Clerk

APPROVED AS TO FORM:

_____

City Attorney

Exhibit "A"
Fee

That portion of Parcel Map No. 30882 in the City of Moreno Valley, County of Riverside, State of California, as per map filed in Book 208 of Parcel Maps, pages 3 through 8, inclusive, records of said county, said portion lying within that certain "PARCEL 1" as shown in document titled "LOT LINE ADJUSTMENT No. 986 and CERTIFICATE OF COMPLIANCE", recorded October 22, 2007 as Document No. 2007-0648810 Official Records of said county, said portion more particularly described as follows:

BEGINNING at the intersection of the westerly line of the southeast quarter of Section 3, Township 3 South, Range 3 West, San Bernardino Meridian and a line parallel and distant 26.518 meters (87.00 feet) southerly of the centerline of State Route 60 as shown on Caltrans Right-of-Way Map 414534 (VIII-Riv-19-C), said parallel line being the southerly right of way line of State Route 60, as described in document recorded June 22, 1961 in Book 2931, page 192 Official Records of said county, said intersection being the westerly terminus of that certain "Course (1)" designated therein; thence South 00°31'51" West 0.090 meters (0.30 feet) along the westerly line of said southeast quarter to the **POINT OF BEGINNING**, said point being the intersection of said westerly line and the southwesterly line of that certain Parcel "A" as shown on said Parcel Map No. 30882; thence continuing along said westerly line South 00°31'51" West 5.241 meters (17.19 feet); thence along a line parallel to said centerline South 89°32'23" East 25.470 meters (83.56 feet) to the intersection thereof with the southwesterly line of said Parcel "A"; thence along said southwesterly line North 77°54'34" West 25.997 meters (85.29 feet) to the **POINT OF BEGINNING**.

This conveyance is made for the purpose of a freeway and the grantor hereby releases and relinquishes to the grantee any and all abutter's rights including access rights, appurtenant to grantor's remaining property, in and to said freeway.

The bearings and distances used in the above description are based on the California Coordinate System of 1983, Zone 6.

Multiply all distances shown by 1.00006355 to obtain ground level distances.

This real property description has been prepared by me, or under my direction, in conformance with the Professional Land Surveyors Act.

Signature _____

LARRY D. GILL, L.S. 7814
Expires 12/31/09

LICENSED LAND SURVEYOR
LARRY D. GILL
L.S. 7814
Exp. 12-31-09
STATE OF CALIFORNIA

Date JUNE 25, 2009

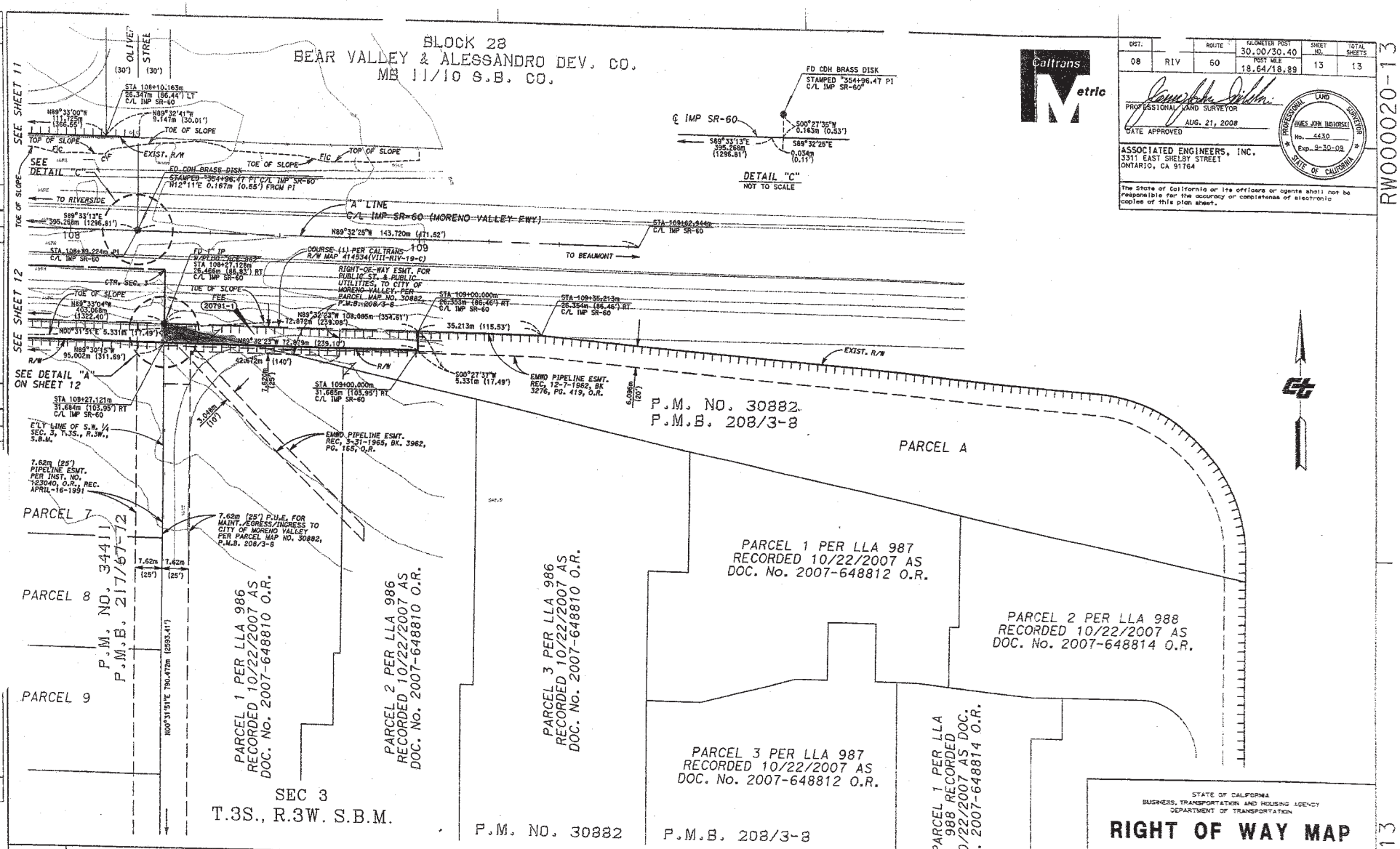
08-RIV-60-KP 30.41-21618 (21618-1)

Exhibit "A"
APN: 488-100-050

Item No. E.3
RW000020-13

Exhibit "B"
APN: 488-100-050
-770-

BLOCK 28
BEAR VALLEY & ALESSANDRO DEV. CO.
MB 11/10 S.B. CO.



Caltrans Metric

DIST.		ROUTE	KILOMETER POST / POST MILE	SHEET NO.	TOTAL SHEETS
08	RIV	60	30.00/30.40 / 18.64/18.89	13	13

PROFESSIONAL LAND SURVEYOR
AUG. 21, 2008
DATE APPROVED

PROFESSIONAL LAND SURVEYOR — JAMES JOHN TIBBORSKI — No. 4430 — Exp. 9-30-09 — STATE OF CALIFORNIA

ASSOCIATED ENGINEERS, INC.
3311 EAST SHELBY STREET
ONTARIO, CA 91764

The State of California or its officers or agents shall not be responsible for the accuracy or completeness of electronic copies of this plan sheet.

PARCEL NO.	GRANTOR	AREAS REQUIRED (SQ. METERS)	(SQ. FEET)	REMAINDER (SQ. METERS)	(SQ. FEET)	TOTAL (SQ. METERS)	(SQ. FEET)	EXCESS (SQ. METERS)	(SQ. FEET)	RECORDATION INSTR	DATE	O. R.	REMARKS
20791-1	FJL-MVP, LLP	386.5	(4,182)	7745.7	(83,374)	8134.2	(87,556)						FEE

NOTE:
"A" LINE AND "N" LINE SHOWN HEREON ARE CURRENT PROJECT CENTERLINES OF IMPROVEMENT; SEE HARDCOPY MAP (833504) FOR RELATIONSHIP TO SURVEY CENTERLINES AND MONUMENTS.

THIS MAP SUPERSEDES PORTIONS OF 414533 & 414534

NOTES:
1. ( ) = U.S. SURVEY FOOT
2. m = METERS
3. ● INDICATES FOUND MONUMENT UNLESS OTHERWISE NOTED

STATE OF CALIFORNIA
BUSINESS, TRANSPORTATION AND HOUSING AGENCY
DEPARTMENT OF TRANSPORTATION

RIGHT OF WAY MAP

0 25 METER 50 75
SCALE 1:500

Coordinates and bearings are based on CCS 83, Zone VI (Epoch 1992.66). Distances and stationing are grid distances. Multiply by 1.00006385 to obtain ground distances. Grid was established from N.G.S. triangulation stations:
STATION ROTC 3023 STATION ROTC 3071 STATION ROTC 3092
Supplementary information may be obtained from the Stanrad Section, Survey Branch or Right of Way Engineering Branch, 464 W. Fourth St., San Bernardino, CA 92401

ACCESS PROHIBITED

SOURCE 08-416 CHARGE 08-509 E. A. 723001

DATE	REVISIONS	REV. BY	CK.
6/26/08	ADD Bearings, Distances		

	NAME	DATE
Surveyed	L.G.	08/21/2008
Drawn	J.E.	08/21/2008
Checked	R.L.	08/21/2008
Designed	L.G.	08/21/2008
Checker ID: 835564		

FOR REDUCED PLANS ORIGINAL SCALE IS IN CM: 0 1 2 3 4 5 6 7 8

I:\2005\05048\dgn\row_sheets\2006-05-29 file fence\row-sht13.dgn
01 OCT 2008

RW000020-13

FACTUAL SUMMARY TO SUPPORT
FINDINGS REQUIRED IN THE RESOLUTION NOS. 2009-80 THROUGH 2009-83

a) Notice and reasonable opportunity to appear and be heard has been given to the property owners affected by the Resolution of Necessity by the mailing on the Notice of Intent to Adopt Resolution of Necessity to Acquire Certain Real Property or Interest in Property by Eminent Domain on July 9, 2009, in conformance with and as required by statute.

b) The public interest and necessity require this project:

The SR-60/Nason Street Interchange and the adjoining streets have experienced rapid and heavy increases in traffic volume and the heavy use of the existing street improvements creates severe traffic congestion and constitutes traffic safety hazards. Future growth of the region and development within the area will further add traffic volume to both SR-60 and the Nason Street Interchange. The existing right-of-way for the Interchange and for Nason Street in the area of the project is insufficient to allow the full interchange and street improvements as designed to be completed and to also accommodate a future bridge widening for the Nason Street bridge that is necessary to accommodate future increases in anticipate traffic volumes.

It is also necessary to complete the interchange improvements and to improve Nason Street to comply with the City's General Plan and Circulation Element and to provide for more efficient and safe vehicular travel.

The proposed acquisition of fee and easement interests will provide sufficient right-of-way to allow the improvement of the SR-60/Nason Street Interchange, to improve Nason Street and to accommodate the future widening of the Nason Street Bridge. Without the acquisition of the fee and easement interests the Project cannot be completed as planned and the goals and policies of the General Plan cannot be implemented.

The overall purpose of the SR- 60/Nason Street Interchange Improvements Project is to improve the SR-60/Nason Street Interchange ramps through reconstruction and realignment, while providing a design that accommodates future bridge improvements. The SR-60/Nason Street Interchange Improvement Project includes changes to the intersection geometry at Elder Avenue/Nason Street/westbound on and off ramps, realignment of the westbound on and off ramps, a new traffic signal at the Elder Avenue/Nason Street/westbound ramp intersection, a new eastbound entrance ramp, realignment of an eastbound exit ramp, a new traffic signal at the Nason Street/eastbound ramps intersection, implementation of high occupancy vehicle bypass lanes on the ramps, addition of east and west bound auxiliary lanes on SR-60 to the east of the Nason Street interchange, shoulder additions, pedestrian walkway, new drainage features, and associated utility relocations.

Attachment "E"

The implementation of this Project will implement the City's General Plan and the City Council's goals to create proper and free flowing streets and highways to further implement the Circulation Element of the General Plan.

It is further necessary to adopt the Resolution of Necessity to permit the City to file an eminent domain proceeding, deposit the amount of probable compensation and obtain an order for possession prior to judgment to allow possession to occur by February 2010, to meet the time schedule for the improvements to the SR-60/Nason Street Interchange.

c) The project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury:

The design of the improvements for SR-60/Nason Street Interchange Improvement Project in the area contemplated has been carefully considered to minimize the impact of the Project on adjacent privately owned property while addressing the need for proper traffic flow, circulation and safety and to accommodate future bridge improvements for the Nason Street bridge. The improvements contemplated by the Project to complete the work of the Project require the acquisition of the fee and the easement interests for the installation, operation and maintenance of the proposed interchange improvements, street improvements and for the future bridge improvements to the Nason Street bridge. The fee and easement interest acquisitions are designed to require the take of the minimum amount of property interests necessary to accomplish and permit the construction of the Project. The Project was planned and located in such a manner that the property to be taken in the action is vacant and no residents, businesses or agricultural uses will be displaced by the project - thereby minimizing private injury.

d) The fee and easement interests are necessary to the project:

The existing right-of-way for the SR-60/Nason Street Interchange is not large enough to allow for the construction of the proposed interchange improvements, street and highway and other planned public improvements and to accommodate the future Nason Street bridge improvements. The additional right-of-way is necessary to allow for the construction, operation and maintenance of the proposed interchange and street and highway and other planned public improvements. The project will improve traffic safety and circulation in the area.

e) All required offers have been made to the property owners in conformance with and in the manner required by § 7267.2 of the California Government Code.

CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES
August 25, 2009

a) Report by Mayor Richard A. Stewart on Joint Powers Authority (JPA)

b) Report by Council Member Robin N. Hastings on Western Riverside Council of Governments (WRCOG)

c) Report by Council Member Jesse L. Molina on Riverside County Transportation Commission (RCTC)

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APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

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

AGENDA DATE: August 25, 2009

TITLE: ORDINANCE AMENDING SECTION 12.36.010 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE RELATING TO THE DESIGNATION OF TRUCK ROUTES

RECOMMENDED ACTION

Staff recommends that the City Council introduce Ordinance No. 794, amending Section 12.36.010 of Chapter 12.36 of Title 12 of the Municipal Code to remove Ironwood Avenue from Moreno Beach Drive to Theodore Street, as well as, Moreno Beach Drive from Ironwood Avenue to the SR-60 westbound on/off ramp as designated "Truck Routes."

BACKGROUND

Ironwood Avenue between Moreno Beach Drive and Theodore Street, as well as, Moreno Beach Drive from Ironwood Avenue to the SR-60 westbound on/off ramps are currently designated as "Truck Routes" per the current Municipal Code. These areas are currently zoned RA2 and R1 consistent with the General Plan designations. In response to requests from residents and a local environmental advocacy group, staff reviewed the need of maintaining the "Truck Route" designations for the cited segments.

DISCUSSION

The area located in the northeastern area of Moreno Valley is predominantly zoned for large lot single family residential units. The currently designated "Truck Routes" within this area include Redlands Boulevard from the City Limits to SR-60, Ironwood Avenue from Moreno Beach Drive to Theodore Street, Moreno Beach Drive from Ironwood Avenue to SR-60, and Theodore Street from Ironwood Avenue to SR-60. The Redlands Boulevard designation is necessary since it is a regional facility designated as a "Truck

Route" by neighboring jurisdictions. The Theodore Street segment is necessary to maintain direct access to the landfill located at the terminus of Theodore Street. However, the remaining segments on Ironwood Avenue and Moreno Beach Drive do not serve a regional or local need. With the Alessandro Boulevard designation as a "Truck Route" serving as a parallel route to the SR-60 freeway, Ironwood Avenue is not needed for this purpose.

The Transportation Engineering Division staff recommends deleting Ironwood Avenue between Moreno Beach Drive and Theodore Street, as well as, Moreno Beach Drive from Ironwood Avenue to the SR-60 westbound on/off ramp as designated "Truck Routes." Removal of these segments should minimize the potential of trucks traveling through residential areas seeking an alternative route to their destination and will not impact regional continuity of truck routing.

ALTERNATIVES

1. Approve the proposed introduction and the subsequent adoption of the ordinance that would remove Ironwood Avenue between Moreno Beach Drive and Theodore Street, as well as, Moreno Beach Drive from Ironwood Avenue to the SR-60 westbound on/off ramp as designated "Truck Routes." *This should reduce the likelihood of trucks traveling through residential areas.*

2. Do not approve the proposed introduction and the subsequent adoption of the ordinance that would remove Ironwood Avenue between Moreno Beach Drive and Theodore Street, as well as, Moreno Beach Drive from Ironwood Avenue to the SR-60 westbound on/off ramp as designated "Truck Routes." *This would retain segments of the arterial system as designated truck routes and potentially increase the likelihood of truck drivers seeking alternate routes to and from their destination through residential areas.*

FISCAL IMPACT

Costs associated with any signing modifications required as part of this action are included in the annual budget of the Transportation Engineering Division for signing and striping maintenance (Account No. 121.55430).

CITY COUNCIL GOALS

Upon approval of this staff report, the following City Council Goals would be furthered:

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

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

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

SUMMARY

Staff recommends that the City Council introduce and subsequently adopt this ordinance amending Section 12.36.010 of Chapter 12.36 of Title 12 of the Municipal Code to remove Ironwood Avenue between Moreno Beach Drive and Theodore Street, as well as, Moreno Beach Drive from Ironwood Avenue to the SR-60 westbound on/off ramp as designated truck routes.

ATTACHMENTS

Attachment A - Proposed Ordinance
Attachment B - Existing Truck Route Map
Attachment C - Proposed Truck Route Map

Prepared By:
Michael Lloyd, P.E.
Senior Engineer

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

Concurred By:
Eric Lewis, P.E., T.E.
City Traffic Engineer

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

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ORDINANCE NO. 794

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING SECTION 12.36.010 OF CHAPTER 12.36 OF TITLE 12 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE, REVISING THE DESIGNATION OF TRUCK ROUTES.

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1. MUNICIPAL CODE AMENDED:

Section 12.36.010 of Chapter 12.36 of Title 12 of the City of Moreno Valley Municipal Code is amended in its entirety to read as follows:

"12.36.010 Truck Routes Established. The following Streets and portions thereof are designated and established as truck routes:

Street	Limits
Alessandro Boulevard	Interstate Route 215 to the Easterly City Limits
Cactus Avenue	Interstate Route 215 to Perris Boulevard
Elsworth Avenue	Alessandro Boulevard to Cactus Avenue
Frederick Street	Cactus Avenue to Sunnymead Boulevard
Gilman Springs Road	State Highway 60 to the Easter~~n~~ly City Limits
Graham Street	Alessandro Boulevard to Cactus Avenue
Heacock Street	San Michele Road to Reche Vista Drive
Indian Street	San Michele Road to the Southern~~n~~ly City Limits
Ironwood Avenue	Pigeon Pass Road to Perris Boulevard
	~~Moreno Beach Drive to Theodore Street~~
Moreno Beach Drive	Alessandro Boulevard to ~~Ironwood Avenue~~
	The SR-60 westbound on/off ramp

ATTACHMENT "A"

Nandina Avenue	Perris Boulevard to Indian Street
Perris Boulevard	Ironwood Avenue to ~~Oleander Avenue~~
	The Southerly City Limits
Pigeon Pass Road	Sunnymead Boulevard to Ironwood Avenue
Reche Vista Road	Heacock Street to Northern~~n~~ly City Limits
Redlands Boulevard	Alessandro Boulevard to Northern~~n~~ly City Limits
San Michele Road	Perris Boulevard to Heacock Street
Sunnymead Boulevard	Frederick Street to Perris Boulevard
Theodore Street	Alessandro Boulevard to Ironwood Avenue

The City does not intend by this chapter to regulate, or to attempt to regulate traffic or parking on any Federal or State highway."

SECTION 2. EFFECT OF ENACTMENT:

Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

SECTION 3. NOTICE OF ADOPTION:

Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be posted in three public places within the city.

SECTION 4. EFFECTIVE DATE:

This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this __ day of _____, 2009.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

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ATTACHMENT "B"

Item No. G.2

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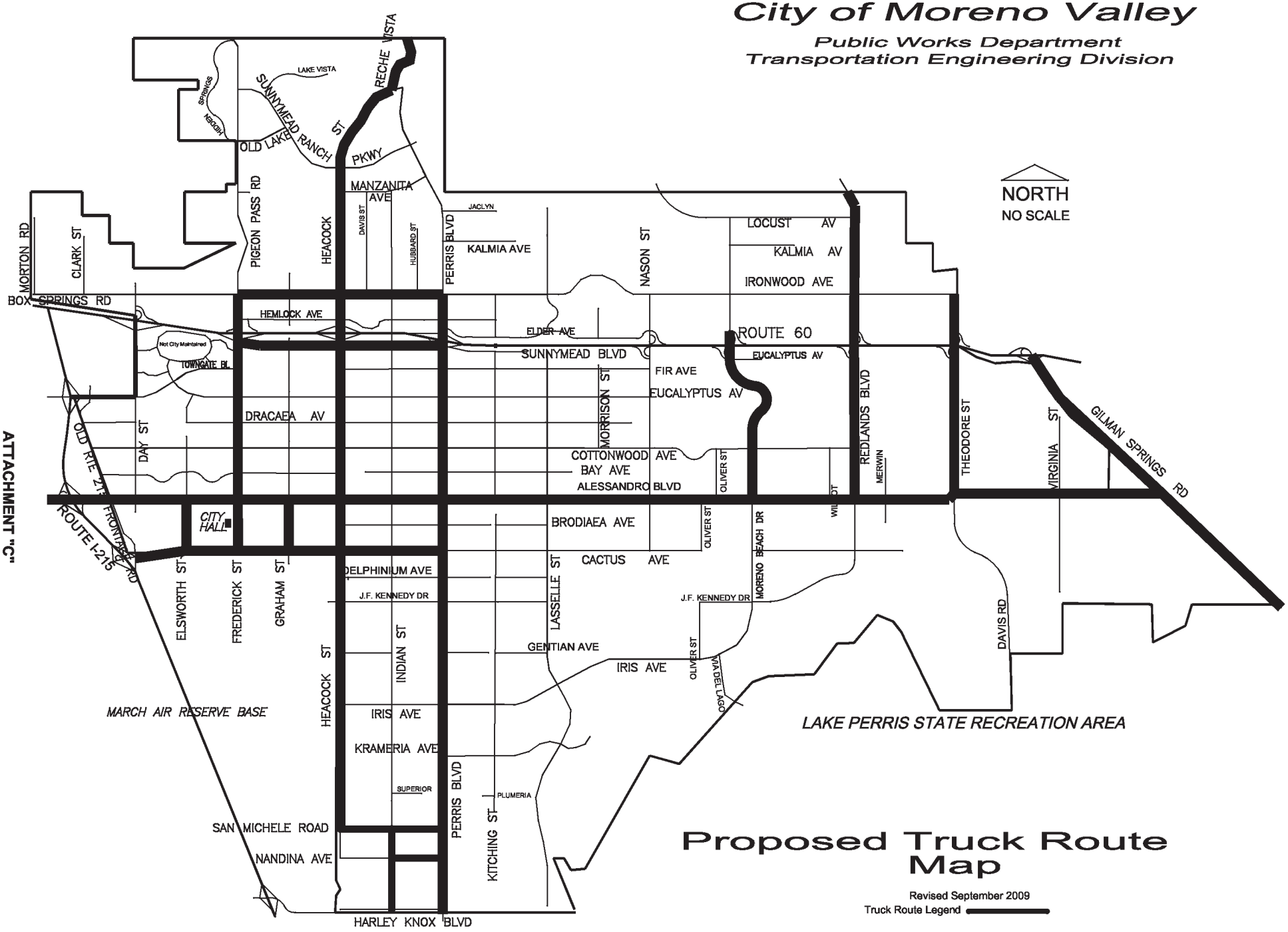
City of Moreno Valley

Public Works Department
Transportation Engineering Division



Proposed Truck Route Map

Revised September 2009

Truck Route Legend

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CITY MANAGER'S REPORT

**(Informational Oral Presentation only –
not for Council action)**

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