REVISED 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 23, 2011

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 Mel Alonzo, ADA Coordinator, at 951.413.3027 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

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

REVISED AGENDA *
CITY COUNCIL OF THE CITY OF MORENO VALLEY
August 23, 2011

CALL TO ORDER

SPECIAL PRESENTATIONS

1. Officer of the Quarter - Investigator Duke Viveros

2. Employee of the Quarter - Patty Posey

3. Recognition of 2011 Summer Reading Program Super Readers, by Moreno Valley Friends of the Library

REVISED 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 23, 2011

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 - Pastor O. J. Philpot - Christ Community Church

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 MINUTES - REGULAR MEETING OF JULY 12, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

A.3 MINUTES - SPECIAL MEETING OF JULY 26, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

A.4 CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES (Report of: City Clerk Department)

Recommendation:
Receive and file the Reports on Reimbursable Activities for the period of July 6 - August 16, 2011.

A.5 AMENDMENT TO THE RULE 20A UTILITY-FUNDED OVERHEAD UTILITY EQUIPMENT CONVERSION POLICY AND REPRIORITIZATION OF THE RULE 20A PRIORITY LIST (Report of: Public Works Department)

Recommendation:

1. Approve and adopt the amended General Management Policy # 2.33 Rule 20A Utility-Funded Overhead Utility Equipment Conversion Policy; and

2. Approve the reprioritized Rule 20A priority list.

A.6 NOTICE OF COMPLETION AND ACCEPTANCE OF IMPROVEMENTS FOR PROJECT NO'S. MVU-0003, 0006, 0008, 0010, 0011, 0012, 0014: THE INSTALLATION OF ELECTRICAL CONDUITS, MANHOLES, VAULTS AND SWITCHES AND/OR THE INSTALLATION AND ENERGIZING OF 1000 KCMIL, 12KV CABLE ON THE FOLLOWING STREETS: COTTONWOOD AVENUE–MORENO BEACH DRIVE/QUINCY STREET; JOHN F. KENNEDY DRIVE–PERRIS BOULEVARD/LASSELLE

STREET; LASSELLE STREET–JOHN F. KENNEDY DRIVE/CACTUS AVENUE; CACTUS AVENUE-LASSELLE STREET/NASON STREET; NASON STREET–CACTUS AVENUE/ALESSANDRO BOULEVARD; AND ALESSANDRO BOULEVARD–MORRISON STREET/MORENO BEACH DRIVE. (Report of: Public Works Department)

Recommendation:

1. Accept the work as complete for: Project No's. MVU-0003, 0006, 0008, 0010, 0011, 0012, 0014, the installation of electrical conduits, manholes, vaults and switches and/or the installation and energizing of 1000 KCMIL, 12kV cable on the following streets: Cottonwood Avenue–Moreno Beach Drive to Quincy Street; John F. Kennedy Drive–Perris Boulevard to Lasselle Street; Lasselle Street–John F. Kennedy Drive to Cactus Avenue; Cactus Avenue–Lasselle Street to Nason Street; Nason Street–Cactus Avenue to Alessandro Boulevard; and Alessandro Boulevard–Morrison Street to Moreno Beach Drive. All construction has been completed by H & H General Contractors, Inc., P. O. Box 536, Highland, CA 92346-0536;

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 H & H General Contractors, 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 electric utility system.

A.7 APPROVAL OF CHECK REGISTER FOR MAY, 2011 (Report of: Financial & Administrative Services Department)

Recommendation:

Adopt Resolution No. 2011-85, approving the Check Register for the month of May, 2011 in the amount of $10,409,143.31.

Resolution No. 2011-85

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Check Register for the Month of May, 2011

A.8 APPROVAL OF CHECK REGISTER FOR JUNE, 2011 (Report of: Financial & Administrative Services Department)

Recommendation:
Adopt Resolution No. 2011-86, approving the Check Register for the month of June, 2011 in the amount of $16,100,598.73.

Resolution No. 2011-86

A Resolution of the City Council of the City Of Moreno Valley, California, Approving the Check Register for the Month of June, 2011

A.9 RECEIPT OF QUARTERLY INVESTMENT REPORT - QUARTER ENDED JUNE 30, 2011 (Report of: Financial & Administrative Services Department)

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

A.10 ACCEPTANCE OF GRANT AWARD FROM THE SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS (SCAG) OF CONSULTANT SERVICES FOR THE COMPASS BLUEPRINT STRATEGY STUDY ENTITLED "ALESSANDRO BOULEVARD CORRIDOR IMPLEMENTATION PROJECT - CITY OF MORENO VALLEY" AND ADOPTION OF THE RESOLUTION FOR PARTICIPATION WITH SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS (SCAG) AS A COMPASS BLUEPRINT DEMONSTRATION COMMUNITY (Report of: Community & Economic Development Department)

Recommendation:

1. Authorize the acceptance of the Compass Blueprint Demonstration Project Grant Award from the Southern California Association of Governments (SCAG) of consultant services for the Compass Blueprint Strategy study entitled "Alessandro Boulevard Corridor Implementation Project - City of Moreno Valley"; and

2. Adopt Resolution No. 2011-87 to certify the approval of the City of Moreno Valley's support of and participation with the Southern California Association of Governments (SCAG) as a Compass Blueprint Demonstration Community.

Resolution No. 2011-87

A Resolution of the City Council of the City of Moreno Valley, California, in Support of and Participation with the Southern California Association of Governments as a Compass Blueprint Strategy Demonstration Community.

A.11 ADOPT A RESOLUTION FOR THE NOTICE OF INTENT TO VACATE MOTOR WAY BETWEEN AUTO MALL DRIVE AND EUCALYPTUS AVENUE - PROJECT NO. 08-89791725 (Report of: Public Works Department)

Recommendation:

1. Adopt Resolution No. 2011-88 for the notice of intent to vacate the right-of-way of Motor Way, between Auto Mall Drive and Eucalyptus Avenue, accepting and reserving any easement for existing public utilities and public access in conformance with California Streets and Highway Code - Chapter 3: Sections 8320 and 8321;

   Resolution No. 2011-88

   A Resolution of the City Council of the City of Moreno Valley, California, Declaring its Intent to Vacate Motor Way Between Auto Mall Drive and Eucalyptus Avenue

2. Set the date of the public hearing for vacation proceedings as September 27, 2011, in the City Council Chambers starting at 6:30 p.m. in conformance with California Streets and Highway Code - Chapter 3: Sections 8322 and 8323;

3. Direct the City Engineer to post Motor Way giving notice of the date time of the public hearing in conformance with California Streets and Highway Code - Chapter 3: Section 8323; and

4. Direct the City Clerk to publish and advertise the hearing notice and to certify to said resolution and transmit a copy of the resolution to the office of the County Recorder for recordation as required by California Streets and Highway Code - Chapter 3: Section 8322 and 8325.

A.12 ADOPT RESOLUTION NO. 2011-89, APPOINTING MAYOR RICHARD A. STEWART AS THE CITY'S VOTING DELEGATE AND MAYOR PRO TEM JESSE L. MOLINA AS THE CITY'S ALTERNATE DELEGATE TO THE LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE BUSINESS MEETING –SEPTEMBER 23, 2011 (Report of: City Clerk's Department)

Recommendation:

Adopt Resolution No. 2011-89 appointing Mayor Richard A. Stewart as the City's Voting Delegate and Mayor Pro Tem Jesse L. Molina as alternate delegate to the League of California Cities 2011 Annual Conference Business Meeting.

Resolution No. 2011-89

A Resolution of the City Council of the City of Moreno Valley, California, Designating a Voting Delegate to the League of California Cities 2011 Annual Conference

A.13 PERMIT PARKING FOR THE RESIDENTS OF PATTILYN DRIVE, CHALLIS COURT, AND ROLANDA DRIVE (Report of: Public Works Department)

Recommendation:

Approve and adopt proposed Resolution No. 2011-90 and direct staff to implement permit parking on Pattilyn Drive, Challis Court and Rolanda Drive.

Resolution No. 2011-90

A Resolution of the City Council of the City of Moreno Valley, California, Approving and Authorizing Installation of Permit Parking on Pattilyn Drive, Challis Court and Rolanda Drive.

A.14 PA06-0152 (PM 35150) – ACCEPT DEVELOPMENT IMPACT FEE (DIF) IMPROVEMENT CREDIT AGREEMENT #D07-007 FOR PARCEL MAP NO. 35150 IMPROVEMENTS; BETWEEN SAN MICHELE ROAD AND NANDINA AVENUE, AND INDIAN STREET AND HEACOCK STREET DEVELOPER: IDS REAL ESTATE GROUP, LOS ANGELES, CA 90071 (Report of: Community & Economic Development Department)

Recommendation:

1. Accept the Development Impact Fee Improvement Credit Agreement #D07-007 (DIF Agreement) for Parcel Map No. 35150 improvements;

2. Authorize the Mayor to execute the DIF Agreement in the form; and

3. Authorize the Financial and Administrative Services Director to release a developer cash deposit paid pursuant to an Agreement for Deposit of Cash Security to Defer Payment of Development Impact Fee (DIF) and Transportation Uniform Mitigation Fee (TUMF) Obligations for Parcel Map No. 35150.

A.15 ORDINANCE NO. 832, AN ORDINANCE OF THE CITY OF MORENO VALLEY ELECTING TO COMPLY WITH AND PARTICIPATE IN THE ALTERNATIVE VOLUNTARY REDEVELOPMENT PROGRAM CONTAINED IN PART 1.9 OF DIVISION 24 OF THE CALIFORNIA HEALTH AND SAFETY CODE (RECEIVED FIRST READING AND INTRODUCTION ON JULY 26, 2011, BY A 5-0 VOTE) (Report of: Community & Economic Development Department)

Recommendation:

Adopt Ordinance No. 832, an Ordinance of the City of Moreno Valley electing to comply with and participate in the Alternative Voluntary Redevelopment Program contained in Part 1.9 of Division 24 of the California Health and Safety Code.

Ordinance No. 832

An Ordinance of the City of Moreno Valley Electing to Comply With and Participate in the Alternative Voluntary Redevelopment Program Contained in Part 1.9 of Division 24 of the California Health and Safety Code

A.16 AWARD THE PURCHASE OF LIGHT EMITTING DIODE (LED) LIGHT ENGINES TO ARCHIPELAGO LIGHTING FOR RETROFITTING EXISTING INTERNALLY ILLUMINATED STREET NAME SIGNS (IISNS) AT SIGNALIZED INTERSECTIONS - PROJECT NO. LED-229-80510 (Report of: Public Works Department)

Recommendation:

1. Award the contract for the purchase of Light Emitting Diode (LED) light engines for Project No. LED-229-80510 to Archipelago Lighting, 4615 State Street, Montclair, CA. 91763; and

2. Authorize the Purchasing & Facilities Division Manager to execute a Purchase Order to the Archipelago Lighting, 4615 State Street, Montclair, Ca. 91763, in the amount of $156,457.00.00, (Account No. 229.80510.7200).

A.17 APPROVAL OF SUCCESSOR MEMORANDA OF UNDERSTANDING BETWEEN THE CITY OF MORENO VALLEY AND THE MORENO VALLEY MANAGEMENT ASSOCIATION AND MORENO VALLEY CONFIDENTIAL MANAGEMENT EMPLOYEES FOR FISCAL YEAR 2011-12 (ATTACHMENT A TO BE PROVIDED UNDER SEPARATE COVER) (Report of: Human Resources Department)

Recommendation:
Approve the successor Memoranda of Understanding (MOU's) between the City of Moreno Valley and the Moreno Valley Management Association (Attachment A) and Moreno Valley Confidential Management Employees (Attachment B) for Fiscal Year 2011-12.

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 JULY 12, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

B.3 MINUTES - SPECIAL MEETING OF JULY 26, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

B.4 EXTENSION OF CONTRACT - APPROVE SECOND AMENDMENT TO AGREEMENT FOR CONTRACT MOWING OF PARKS AND EASEMENTS OF COMMUNITY SERVICES DISTRICT ZONE A AND COMMUNITY FACILITIES DISTRICT #1 TO DLS LANDSCAPE, INC. (Report of: Parks and Community Services Department)

Recommendation:

1. Approve the Second Amendment to Agreement for contract mowing of parks and easements to DLS Landscape, Inc. of Redlands, CA, in the total amount of $148,680.00; $122,760.00 for Community Services District ("CSD") Zone A and $25,920.00 for Community Facilities District ("CFD") #1, extending contract for an additional one-year period;

2. Authorize the President to execute the Second Amendment to Agreement for contract mowing of parks and easements with DLS Landscape, Inc. of Redlands, CA; and

3. Authorize the Purchasing and Facilities Division Manager to issue open purchase orders to DLS Landscape, Inc., in the amounts of:

   ONE HUNDRED TWENTY-TWO THOUSAND SEVEN HUNDRED SIXTY AND NO/100 DOLLARS ($122,760.00) for CSD Zone A for twelve months, and; TWENTY-FIVE THOUSAND NINE HUNDRED TWENTY AND NO/100 DOLLARS ($25,920.00) for CFD #1 for twelve months.

B.5 ACCEPTANCE OF GRANT MONIES FROM THE CALIFORNIA DEPARTMENT OF EDUCATION, CHILD DEVELOPMENT SERVICES, FOR CHILD CARE SERVICES AND ADOPTION OF THE RESOLUTION TO CERTIFY THE APPROVAL OF THE GOVERNING BOARD (Report of: Parks and Community Services Department)

Recommendation:

1. Authorize the acceptance of grant money in the amount of $605,496 for Fiscal Year (FY) 2011/2012 from the California Department of Education, Child Development Division, for the purpose of providing school age child care and development services; and

2. Adopt Resolution No. CSD 2001-23 to certify the approval of the governing board to enter into this transaction with the California Department of Education for the purpose of providing child care and development services and to authorize the designated personnel, as shown on the resolution, to sign contract documents for FY 2011/2012.

Resolution No. CSD 2011-23

A Resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, Certifying the Approval of the Governing Board to Enter into a Transaction with the California Department of Education for the Purpose of Providing Child Care and Development Services and to Authorize Designated Personnel to Sign Contract Documents for FY 2011/12

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 12, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

C.3 MINUTES - SPECIAL MEETING OF JULY 26, 2011 (Report of: City Clerk 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 12, 2011 (Report of: City Clerk

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 A PUBLIC HEARING FOR PA11- 0021, AN APPLICATION TO DE-ANNEX PARCELS 302-170-002 AND 302-170-004, A TOTAL OF 1.4 ACRES LOCATED ON THE SOUTH SIDE OF THE PERRIS VALLEY CHANNEL FROM THE CITY OF MORENO VALLEY TO FACILITATE ANNEXATION TO THE CITY OF PERRIS. THE APPLICANT IS MISSION PACIFIC LAND COMPANY (Report of: Community & Economic Development Department)

Recommendation: That the City Council:

1. Adopt Resolution No. 2011-91 approving PA11-0021, a De-annexation of 1.4 acres;

Resolution No. 2011-91

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Detachment of two Parcels (302-170-002 & 302-170-004) with a total of 1.4 acres from the City of Moreno Valley to allow for Concurrent Annexation to the City of Perris

2. Staff recommends that the Mayor and City Council, acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board") Adopt Resolution No. CSD 2011-24 requesting the Riverside Local Agency Formation Commission initiate proceedings for a City boundary amendment involving a detachment of parcels; and

Resolution No. CSD 2011-24

A Resolution of the Moreno Valley Community Services District Board of Directors of the City of Moreno Valley, California to request the Riverside Local Agency Formation Commission Initiate Proceedings for a City Boundary Amendment involving a Detachment of Parcels from the Moreno Valley Community Services District

3. Staff recommends that the Mayor and City Council Adopt Resolution

No. 2011-92 approving the property tax transfer for the detachment of two parcels, 302-170-002 and 302-170-004, 1.4 acres.

Resolution No. 2011-92

A Resolution of the City Council of the City of Moreno Valley, California, approving a Property Tax Transfer Agreement between the City of Moreno Valley and City of Perris regarding the Detachment of Two Parcels (302-170-002 & 302-170-004) with a total of 1.4 acres from the City of Moreno Valley and concurrent Annexation to the City of Perris

E.2 PUBLIC HEARING ON RESOLUTION NO. 2011-74 DECLARING CERTAIN REAL PROPERTY AS EXCESS AND AUTHORIZING SALE FOR REMAINDER OF PARCEL - APN 475-272-054 (PART OF IRONWOOD AVENUE IMPROVEMENTS FROM HEACOCK STREET TO PERRIS BOULEVARD) (Report of: Public Works Department)

Recommendation:

1. Conduct a public hearing on Resolution No. 2011-74 declaring certain real property as excess and authorizing sale for remainder of parcel – APN 475-272-054 and allowing public citizens to appear and protest the proposed sale of excess property; and

2. Authorize staff to solicit offers for the purchase of said real property.

E.3 A PUBLIC HEARING REGARDING AN APPEAL OF THE PLANNING COMMISSION DENIAL OF A ZONE CHANGE (PA08-0098) FROM BUSINESS PARK (BP) TO LIGHT INDUSTRIAL (LI) FOR A 55 ACRE SITE FOR THE WEST RIDGE COMMERCE CENTER PROJECT. THE PROJECT ALSO INCLUDES A PLOT PLAN (PA08-0097) FOR A 937,260 SQUARE FOOT WAREHOUSE FACILITY; TENTATIVE PARCEL MAP NO. 36207 (PA09-0022) TO CREATE A SINGLE PARCEL; AND A MUNICIPAL CODE AMENDMENT TO PROVIDE A MINIMUM SEPARATION/BUFFERING OF WAREHOUSE/INDUSTRIAL FACILITIES OVER 50,000 SQUARE FEET FROM ADJACENT RESIDENTIAL DISTRICTS. AN ENVIRONMENTAL IMPACT REPORT HAS BEEN PREPARED FOR THE PROJECT. THE PROJECT SITE IS LOCATED ON THE SOUTH SIDE OF STATE ROUTE 60, ON THE NORTH SIDE OF EUCALYPTUS AVENUE AND APPROXIMATELY 650 FEET WEST OF REDLANDS BOULEVARD. THE APPLICANT IS RIDGE RANCHO BELAGO, LLC (ITEM CONTINUED FROM JULY 12, 2011 BY A 5-0 VOTE) (Report of: Community & Economic Development Department)

Recommendation: That the City Council:

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

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

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

   Resolution No. 2011-76

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

2. OR

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

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

   Resolution No. 2011-77

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

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

   Ordinance No. 829

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

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

Ordinance No. 830

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

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

Resolution No. 2011-78

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

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

Resolution No. 2011-79

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

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. Mayor Richard A. Stewart report on March Joint Powers Commission (MJPC)
b. Council Member Robin N. Hastings report on Western Riverside Council of Governments (WRCOG)

G.2 RESOLUTION ESTABLISHING CRITERIA TO GUIDE THE PROCESS OF REVISING THE BOUNDARIES OF COUNCILMANIC DISTRICTS (Report of: City Clerk's Department)

Recommendation: That the City Council:

Adopt Resolution No. 2011-93 establishing criteria to guide the process of revising the boundaries of the districts from which members of the City Council are elected.

Resolution No. 2011-93

A Resolution of the City Council of the City of Moreno Valley, California, Establishing Criteria to Guide the Process of Revising the Boundaries of the Districts from which Members of the City Council are Elected

G.3 CITIZENS' PARTICIPATION ON-LINE REDISTRICTING (PRESENTATION BY NATIONAL DEMOGRAPHICS CONSULTANT, ALAN HESLOP)

G.4 APPOINTMENT TO THE PARKS AND RECREATION COMMISSION (TEENAGE MEMBER) (Report of: City Clerk Department)

Recommendation: That the City Council:

1. Appoint Sierra Marrero to the Parks and Recreation Commission as a teenage member for a term expiring January 27, 2013, or until high school graduation, whichever comes first; or

2. If an appointment is not made, declare the position vacant and authorize the City Clerk to re-notice the position as vacant.

G.5 PUBLIC MEETING REGARDING THE MAIL BALLOT PROCEEDINGS FOR OASIS COMMUNITY CHURCH—APNs 296-300-005 and 296-300-007 AND BUDDHADHAMMO TEMPLE—APN 488-210-014 BALLOTING FOR NPDES (Report of: Public Works Department)

Recommendation: That the City Council:
Accept public comments regarding the mail ballot proceedings for Oasis

Community Church—Assessor Parcel Numbers (APNs) 296-300-005 and 296-300-007 and Buddhadhammo Temple—APN 488-210-014 for approval of the National Pollutant Discharge Elimination System (NPDES) maximum commercial/industrial regulatory rate.

G.6 PUBLIC MEETING REGARDING THE MAIL BALLOT PROCEEDINGS FOR OASIS COMMUNITY CHURCH—APNS 296-300-005 and 296-300-007 AND BUDDHADHAMMO TEMPLE—APN 488-210-014 BALLOTING FOR CSD ZONE M (Report of: Public Works Department)

Recommendation: That the City Council:
Acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board") accept public comments regarding the mail ballot proceedings for Oasis Community Church—APNs 296-300-005 and 296-300-007 and Buddhadhammo Temple—APN 488-210-014 for inclusion into and approval of the annual charge for CSD Zone M (Commercial, Industrial, and Multifamily Improved Median Maintenance).

G.7 PUBLIC MEETING TO CONSIDER PUBLIC COMMENTS REGARDING A MAIL BALLOT PROCEEDING FOR TRACT 31129 FOR A PROPOSED INCREASE IN THE CSD ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE (Report of: Public Works Department)

Recommendation: That the City Council:
Acting in their capacity as President and Members of the Board of Directors of the Moreno Valley CSD ("CSD Board"), accept public comments regarding the mail ballot proceeding for a proposed increase in the CSD Zone D annual parcel charge to fund an increase in the area of landscaping maintained for Tract 31129. The increase in the annual charge will ensure there is adequate funding to provide landscape maintenance services at the same level.

*G.8 ADOPTION OF A RESOLUTION OF INTENTION TO APPROVE AN AMENDMENT TO THE CALPERS CONTRACT TO PROVIDE THE 2% AT AGE 55 AND THREE-YEAR FINAL COMPENSATION CALCULATION RETIREMENT BENEFITS FOR NEWLY HIRED EMPLOYEES STARTING ON SEPTEMBER 30, 2011 AND CONDUCT THE FIRST READING OF THE RELATED ORDINANCE AS REQUIRED BY CALPERS (Report of: Human Resources Department)

Recommendation:

1. Adopt Resolution No. 2011- 59, to announce the City's intention to approve an amendment to the CalPERS Contract to provide the 2% at Age 55 and Three-Year Final Compensation Calculation Retirement Benefits for newly hired employees starting on or after

September 30, 2011, and conduct the first reading of the related ordinance as required by CALPERS.

Resolution No. 2011-59

A Resolution of Intention to Approve an Amendment to Contract Between the Board of Administration California Public Employees' Retirement System and the City Council of the City of Moreno Valley, California

2. Introduce Ordinance No. 828.

Ordinance No. 828

An Ordinance of the City Council of the City of Moreno Valley, California, Authorizing an Amendment to the Contract Between the City of Moreno Valley and the Board of Administration of the California Public Employees' Retirement System

*G.9 A RESOLUTION OF THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY APPROVING AN ENFORCEABLE OBLIGATION PAYMENT SCHEDULE (Report of: Community & Economic Development Department)

Recommendation: That the RDA:

Adopt Resolution No. RDA 2011-12, approving an Enforceable Obligation Payment Schedule.

Resolution No. RDA 2011-12

A Resolution of the Community Redevelopment Agency of the City of Moreno Valley Approving an Enforceable Obligation Schedule

G.10 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.

***Revision to Agenda**

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: 5

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

Number of Cases: 5

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

ADJOURNMENT

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 12, 2011

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 Diane Gardner

ROLL CALL

Council:

Richard A. Stewart	Mayor
Jesse L. Molina	Mayor Pro Tem
William H. Batey II	Council Member
Marcelo Co	Council Member
Robin N. Hastings	Council Member (via conference call)

Staff:

Jane Halstead	City Clerk
Juliene Clay	Administrative Assistant
Henry T. Garcia	City Manager
Richard Teichert	Financial and Administrative Services Director
Robert Hansen	City Attorney
Michelle Dawson	Assistant City Manager
John Anderson	Police Chief
Steve Curley	Fire Chief
Barry Foster	Community & Economic Development Director
Chris Vogt	Public Works Director
Sonny Morkus	Human Resources Director
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 Pete Bleckert (Item A23) and Deanna Reeder (Items A5, A17, A18, and A19).

A. CONSENT CALENDAR-CITY COUNCIL

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

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

Recommendation:
Approve as submitted.

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

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

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

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

Company, Inc., 4225 Garner Road, Riverside, CA 92501;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days after the Public Works Director/City Engineer accepts the improvements as complete 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 Riverside Construction Company, 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. Authorize the Public Works Director/City Engineer to accept the improvements into the City's maintained system upon acceptance of the improvements as complete.

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

Recommendation:

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

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

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

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

A.6 P07-144 – APPROVE TRACT MAP NO. 35760, A SIX-LOT RESIDENTIAL SUBDIVISION OF TRACT MAP NO. 31129. DEVELOPER - WESTERN

PACIFIC HOUSING, INC. IRVINE, CA 92606 (Report of: Public Works Department)

Recommendation:

1. Approve Tract Map No. 35760; and

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

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

Recommendation:

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

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

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

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

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

Recommendation:

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

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

3. Authorize an appropriation of $100,000 from the unencumbered fund

balance of Parkland Facilities DIF (Fund 205) to Account No. 461.65325 to allow for said increase to Purchase Order No. 36928.

A.9 TRACT MAP 32707 - REDUCE FAITHFUL PERFORMANCE BOND AND ADOPT THE RESOLUTION AUTHORIZING ACCEPTANCE OF THE PUBLIC IMPROVEMENTS AS COMPLETE AND ACCEPTING THE PORTION OF LASSELLE STREET ASSOCIATED WITH THE PROJECT INTO THE CITY'S MAINTAINED STREET SYSTEM - DEVELOPER: REDHAWK COMMUNITIES, INC. A CALIFORNIA CORPORATION, TEMECULA, CA 92590 (Report of: Public Works Department)

Recommendation:

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

   Resolution No. 2011-72

   A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the Acceptance of the Public Improvements as Complete within Tract Map 32707 and Accepting the Portion of Lasselle Street 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.10 AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE WHEN DETERMINED THAT ALL CONTRACT REQUIREMENTS AND PUNCH-LIST ITEMS ARE COMPLETED FOR THE 2011 CITYWIDE BRIDGE MAINTENANCE PROGRAM, PROJECT NO. 11-22679828, DIRECT THE CITY CLERK TO GIVE NOTICE OF SAME, AUTHORIZE THE FINANCIAL AND ADMINISTRATIVE SERVICES DIRECTOR TO RELEASE THE CONTRACT RETENTION TO THE CONTRACTOR, AND ACCEPT THE IMPROVEMENTS INTO THE CITY MAINTAINED SYSTEM (Report of: Public Works Department)

Recommendation:

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

2. Direct the City Clerk to record the Notice of Completion within ten (10) alendar days after the Public Works Director/City Engineer accepts the improvements as complete 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 Beador Construction Company, 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. Authorize the Public Works Director/City Engineer to accept the improvements into the City's maintained road system upon acceptance of the improvements as complete.

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

Recommendation:

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

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days after the Public Works Director/City Engineer accepts the improvements as complete 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 San Pedro Sign 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. Authorize the Community and Economic Development Director to release the Pylon Sign to the Moreno Valley Dealers Advertising Association.

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

Recommendation:

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

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

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

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

Recommendation:

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

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days after the Public Works Director/City Engineer accepts the improvements as complete 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 Riverside Construction Company, 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. Authorize the Public Works Director/City Engineer to accept the improvements into the City's maintained system upon acceptance of the improvements as complete.

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

Recommendation:

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

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days after the Public Works Director/City Engineer accepts the improvements as complete 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 SoCal Engineers, 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. Authorize the Public Works Director/City Engineer to accept the improvements into the City's maintained system upon acceptance of the improvements as complete.

A.15 AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE WHEN DETERMINED THAT ALL CONTRACT REQUIREMENTS AND PUNCH-LIST ITEMS ARE COMPLETED FOR THE DAY STREET ROADWAY IMPROVEMENTS

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

Recommendation:

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

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days after the Public Works Director/City Engineer accepts the improvements as complete 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 Hillcrest Contracting, 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. Authorize the Public Works Director/City Engineer to accept the improvements into the City's maintained road system upon acceptance of the improvements as complete.

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

Recommendation:

Adopt Resolution No. 2011-73, rescinding Resolution No. 2005-30, and designating and authorizing certain City officials to execute applications and documents for purposes of obtaining financial assistance under Section 404 of Public Law 93-288, as amended by the Robert T. Stafford Disaster Relief and Emergency Act of 1988, and/or financial assistance under the California Disaster Assistance Act.

Resolution No. 2011-73

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

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

Recommendation:

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

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

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

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

Recommendation:

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

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

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

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

Public Works Department)

Recommendation:

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

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

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

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

Recommendation:

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

Resolution No. 2011-74

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

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

Recommendation:

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

Resolution No. 2011-75

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

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

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

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

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

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

Recommendation:

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

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days after the Public Works Director/City Engineer accepts the improvements as complete 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 he retention to Hardy & Harper, 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. Authorize the Public Works Director/City Engineer to accept the improvements into the City's maintained road system upon acceptance of the improvements as complete.

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

Recommendation:

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

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days after the Public Works Director/City Engineer accepts the improvements as complete 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 Hardy & Harper, 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. Authorize the Public Works Director/City Engineer to accept the improvements into the City's maintained road system upon acceptance of the improvements as complete.

A.26 CORPORATE YARD OFFICE BUILDING PHASE 1 – OFFER OF DEDICATION – PROJECT NO. 05-4166522 LOCATED ON SANTIAGO STREET EAST OF PERRIS BOULEVARD, DEVELOPER: CITY OF MORENO VALLEY, MORENO VALLEY, CA 92552 (Report of: Public Works Department)

Recommendation:

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

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

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

Recommendation:

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

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

Recommendation:

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

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

Recommendation:

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

2. Authorize the Public Works Director/City Engineer, upon approval and acceptance of the improvements by the Public Works Director/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.30 PA07-0090 – EUCALYPTUS SEWER IMPROVEMENTS – AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE BUT NOT INTO THE CITY'S MAINTAINED STREET SYSTEM WHEN DETERMINED THAT ALL REMAINING PUBLIC IMPROVEMENTS AND PUNCH-LIST ITEMS ARE COMPLETED; BETWEEN STATE ROUTE 60 AND EUCALYPTUS AVENUE, AND REDLANDS BOULEVARD AND THEODORE STREET; DEVELOPER: HF LOGISTICS – SKX T1, LLC, MORENO VALLEY, CA 92553 (Report of: Public Works Department)

Recommendation:

1. Authorize the Public Works Director/City Engineer to accept the work as complete but not into the City's maintained street system once the

remaining public improvements are completed and punch-list items have been addressed; and

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

Recommendation:

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

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

3. Authorize the Public Works Director/City Engineer, upon approval and acceptance of the improvements by the Public Works Director/City Engineer, to enter said improvements into the 12 month guarantee and warranty period, 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.

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 28, 2011 (Report of: City Clerk 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 28, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

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

Recommendation:

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

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days after the Public Works Director/City Engineer accepts the improvements as complete 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 Riverside Construction Company, 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. Authorize the Public Works Director/City Engineer to accept the improvements into the City's maintained system upon acceptance of the improvements as complete.

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

Recommendation:

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

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days after the Public Works Director/City Engineer accepts the improvements as complete 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 San Pedro Sign 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. Authorize the Community and Economic Development Director to release the Pylon Sign to the Moreno Valley Dealers Advertising Association.

C.5 AUTHORIZE THE PUBLIC WORKS DIRECTOR/CITY ENGINEER TO ACCEPT THE WORK AS COMPLETE WHEN DETERMINED THAT ALL CONTRACT REQUIREMENTS AND PUNCH-LIST ITEMS ARE COMPLETED FOR THE IRONWOOD AVENUE IMPROVEMENTS FROM DAY STREET TO BARCLAY DRIVE PROJECT NO. 10-41570027, AUTHORIZE THE CITY CLERK TO GIVE NOTICE OF SAME,

AUTHORIZE THE FINANCIAL AND ADMINISTRATIVE SERVICES DIRECTOR TO RELEASE THE CONTRACT RETENTION TO THE CONTRACTOR, AND ACCEPT THE IMPROVEMENTS INTO THE CITY MAINTAINED SYSTEM (ALSO LISTED AS AGENDA ITEM A.13) (Report of: Public Works Department)

Recommendation:

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

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days after the Public Works Director/City Engineer accepts the improvements as complete 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 Riverside Construction Company, 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. Authorize the Public Works Director/City Engineer to accept the improvements into the City's maintained system upon acceptance of the improvements as complete.

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

Recommendation:

1. Authorize the Public Works Director/City Engineer to accept the work as complete when all contract requirements and punch-list items are completed for the Day Street Roadway Improvements from Alessandro

Boulevard to Cottonwood Avenue, which was constructed by Hillcrest Contracting, Inc., 1467 Circle City Drive, Corona, CA 92879;

2. Direct the City Clerk to record the Notice of Completion within ten (10) calendar days after the Public Works Director/City Engineer accepts the improvements as complete 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 Hillcrest Contracting, 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. Authorize the Public Works Director/City Engineer to accept the improvements into the City's maintained road system upon acceptance of the improvements as complete.

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

Recommendation:

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

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

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 28, 2011 (Report of: City Clerk Department)

Recommendation:
Approve as submitted.

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

E. PUBLIC HEARINGS

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

Recommendation:

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

Ordinance No. 823

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

Motion to Continue to October 11, 2011, by m/Mayor Pro Tem Jesse L. Molina, s/Council Member William H. Batey II
Approved by a vote of 5-0.

E.2 PUBLIC HEARING REGARDING THE MAIL BALLOT PROCEEDING FOR FIRST INDUSTRIAL—APNS 316-200-003, 316-200-009, 316-200-010, 316-200-011, 316-200-012, 316-200-013, 316-200-014, 316-200-018, 316-200-028, AND 316-200-029 BALLOTING FOR NPDES AND CSD ZONE M (Report of: Public Works Department)

Mayor and President Richard A. Stewart opened the public testimony portion of the public hearing; there being none, public testimony was closed.

Recommendation: That the City Council:

After conducting the individual Public Hearings and accepting public testimony:

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

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

10 – "yes" 0 – "no", 0 – "invalid"

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

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

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

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

President Richard A. Stewart opened the public testimony portion of the public hearing; there being none, public testimony was closed.

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

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

Zone M ballot for First Industrial;

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

8,490.43 – "Yes", 0 – "no", 0 – "invalid"

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 APNs) 316-200-003, 316-200-009, 316-200-010, 316-200-011, 316-200-012, 316-200-013, 316-200-014, 316-200-018, 316-200-028, and 316-200-029.

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

E.3 A PUBLIC HEARING REGARDING AN APPEAL OF THE PLANNING COMMISSION DENIAL OF A ZONE CHANGE (PA08-0098) FROM BUSINESS PARK (BP) TO LIGHT INDUSTRIAL (LI) FOR A 55 ACRE SITE FOR THE WEST RIDGE COMMERCE CENTER PROJECT. THE PROJECT ALSO INCLUDES A PLOT PLAN (PA08-0097) FOR A 937,260 SQUARE FOOT WAREHOUSE FACILITY; TENTATIVE PARCEL MAP NO. 36207 (PA09-0022) TO CREATE A SINGLE PARCEL; AND A MUNICIPAL CODE AMENDMENT TO PROVIDE A MINIMUM SEPARATION/BUFFERING OF WAREHOUSE/INDUSTRIAL FACILITIES OVER 50,000 SQUARE FEET FROM ADJACENT RESIDENTIAL DISTRICTS. AN ENVIRONMENTAL IMPACT REPORT HAS BEEN PREPARED FOR THE PROJECT. THE PROJECT SITE IS LOCATED ON THE SOUTH SIDE OF STATE ROUTE 60, ON THE NORTH SIDE OF EUCALYPTUS AVENUE AND APPROXIMATELY 650 FEET WEST OF REDLANDS BOULEVARD. THE APPLICANT IS RIDGE RANCHO BELAGO, LLC. (Report of: Community & Economic Development Department)

Recommendation: That the City Council:

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

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

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

Resolution No. 2011-76

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

2.

OR

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

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

Resolution No. 2011-77

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

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

Ordinance No. 829

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

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

Ordinance No. 830

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

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

Resolution No. 2011-78

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

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

Resolution No. 2011-79

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

Motion to Continue to August 23, 2011, by m/Mayor Pro Tem Jesse L. Molina, s/Council Member William H. Batey II
Approved by a vote of 5-0.

E.4 A PUBLIC HEARING FOR CONSIDERATION OF THE REVISION OF TITLE 9, CHAPTER 9.08, SECTION 9.08.100, "LIGHTING", SECTION 9.08.190, "STREET LIGHTING", CHAPTER 9.16, ARTICLE IV, "APPLICATIONS FOR HILLSIDE DEVELOPMENT, SECTION 9.16.235 "HILLSIDE DESIGN GUIDELINES" ARTICLE VI, APPLICATIONS FOR LIGHTING, SECTION 9.16.280 "GENERAL REQUIREMENTS, AND CHAPTER 9.15 SECTION 9.15.030, "DEFINITIONS" RELATING TO DARK

SKY PROVISIONS FOR GENERAL ON-SITE, STREET AND ATHLETIC FIELD/PARK LIGHTING CITYWIDE. THE APPLICANT IS THE CITY OF MORENO VALLEY (Report of: Community & Economic Development Department)

Recommendation: That the City Council:

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

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

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

   Ordinance No. 831

   An Ordinance of the City Council of the City of Moreno Valley, California Approving PA10-0022 to Amend Title 9 of the Moreno Valley Municipal Code, Chapter 9.08, Section 9.08.100 "Lighting" and Section 9.08.190 "Street Lighting", Chapter 9.16, Article IV Applications for Hillside Development Section 9.16.235 "Hillside Design Guidelines", Article VI Applications for Lighting and Section 9.16.280, "General Requirements" and Chapter 9.15, Section 9.15.030 "Definitions" Relating to Modifications of General Site, Street and Athletic Field/Park Lighting with an Emphasis on Dark Sky Standards Citywide

Bring back to a Study session after the implementation of the new Federal law, incorporate any changes in the use of LED or solar and include a review of the impact, if any, of the Federal law.

Motion to Approve to continue to March 2012 Study Session by m/Council Member William H. Batey II, s/Mayor Pro Tem Jesse L. Molina
Approved by a vote of 5-0.

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

An audit is being conducted. The contract management of the residential area of Green Acres was dismissed, and now there is in-house management. The first part of the agreement with March Health Care is being looked at for approval. There is no specific timeline for the dedication of a fire station or a funding mechanism for funding of fire fighters. A fire station will be built. There is no decision on when and where it will be located. The developer needs to pick a site before all the land is dedicated away. A fire protection district might be formed.

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

President Stewart opened the agenda item for public comments, which were received from Rick Madott, Mick Rood, Kenny Bell, L. T. Duffy, and Tom Jerele, Sr.

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

Motion to Approve as amended between the Moreno Valley Community Services District and Pacifica University, Inc. to maintain and operate the City's Cottonwood Golf Center and adjacent banquet facility by m/Board Member William H. Batey II, s/Vice-President Jesse L. Molina
Approved by a vote of 5-0.

G.3 "BEST PLACE TO DO BUSINESS" ACTION STEPS (Report of: Community & Economic Development Department)
Recommendation: That the City Council:
Approve the Action Steps formulated to help establish a foundation for making Moreno Valley a "Best Place to do Business".

Mayor Stewart opened the agenda item for public comments, which were received

from Tom Jerele, Sr.

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

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

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

Mayor Stewart opened the agenda item for public comments, which were received from Debra Craig, Pete Bleckert, Deanna Reeder, and Tom Jerele, Sr.

Motion to Approve appointment of Council Member Hastings and Mayor Pro Tem Molina to serve as City Council Ad Hoc Subcommittee by m/Mayor Richard A. Stewart, s/Council Member Marcelo Co
Approved by a vote of 5-0.

AGENDA ORDER

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

Deanna Reeder
1. August 2 National Night Out
2. Main Street Has Talent

Pete Bleckert
1. Chamber of Commerce

Susan Gilchrist
1. Sound Study

Tom Jerele, Jr.
1. 4th of July Committee
2. Joint Task Force Meetings

Jose Chavez
1. Fireworks

CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL,

COMMUNITY SERVICES DISTRICT, OR COMMUNITY REDEVELOPMENT AGENCY

Council Member Robin N. Hastings

1. Main Street Has Talent is located by Bob's Big Boy at Stoneridge. There are a variety of events to celebrate our young people and to provide a place for them to keep safe in the city. National Night Out will be held there.

2. Attended a Grab and Go event at the ABC Market on the corner of Perris and Alessandro. It is a partnership with the Department of Public Health, and they are putting fruits and vegetables in small convenience markets. Juvenile Diabetes is on the rise. The largest at risk group is our African American community, and they constitute 60% of obesity in the state.

3. In Washington, DC promoting the AB811 Energy Efficiency Program for Moreno Valley. The entire funding model was approved by the Court, and contractors will be trained starting August 2. Applications will be available in August. There is a link at WRCOG.ca.gov that will provide information, applications, what the program is about, and what is going to be available. There is $325M available that was bonded for Western Riverside County. It's the largest program of its type in the United States.

Council Member Marcelo Co

1. Will try very hard to provide the July 4 event. Please ask the business people to participate. They will be more likely to promote their business. Apologize for not having the event, but there weren't any funds. The committee will have a big task to make sure the next one is twice as good as the ones in the past. Everyone is asked to participate. Your help is needed.

Council Member William H. Batey II

1. On August 2 everyone is encouraged to get to know their neighbors and find out who lives in their neighborhood. That's what National Night Out is about. If you know who your neighbors are, you know who does and doesn't belong in your neighborhood. There are three groups getting together in District 5 that evening.

Mayor Pro Tem Jesse L. Molina

1. There will be a Prayer Walk for Hearts for Victims on Friday, July 15, at 5:00 p.m. at Stoneridge on Main Street at Bob's Big Boy in honor of Norma Lopez. (Mayor Pro Tem Molina speaks in Spanish.) Somebody out there knows something, and anyone with information, please go to the police. No one will rest until it is solved.

2. On July 1 the new city of Jurupa Valley held its first council meeting.

3. Still recuperating.

Mayor Richard A. Stewart

1. Impressed with the Golf Course Committee and the way they operated.

2. The Police Department received an Office Traffic Safety grant for approximately $190,000.

3. Through the California Law Enforcement Challenge, the Traffic Division took First Place in Traffic Safety.

4. The International Association of Chiefs of Police notified the Police Department they received First Place at the national level in a category dealing with Traffic Safety.

AGENDA ORDER

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

None

H. LEGISLATIVE ACTIONS

Meeting Resumed

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

None

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at _9:42_ p.m. by unanimous informal consent.

CLOSED SESSION

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

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

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

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

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

None

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 10:02 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 Stewart, Mayor
President, Moreno Valley Community Services District
Chairperson, Community Redevelopment Agency of the City of Moreno Valley
Chairperson, Board of Library Trustees

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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 – 5:00 PM
July 26, 2011

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 5:03 p.m. by Mayor Stewart in the Council Chamber located at 14177 Frederick Street.

PLEDGE OF ALLEGIANCE

Pledge of Allegiance was led by Mayor Pro Tem Jesse Molina

INVOCATION – Mayor Stewart

ROLL CALL

Council:

Richard A. Stewart	Mayor
Jesse L. Molina	Mayor Pro Tem (left at 9:15 p.m.)
William H. Batey II	Council Member
Marcelo Co	Council Member
Robin N. Hastings	Council Member

Staff:

Jane Halstead	City Clerk
Ewa Lopez	Deputy City Clerk
Henry T. Garcia	City Manager
Richard Teichert	Financial and Administrative Services Director
Robert Hansen	City Attorney
Michelle Dawson	Assistant City Manager
Steve Curley	Fire Chief
Chris Vogt	Public Works Director
Barry Foster	Community and Economic Development Director
Sonny Morkus	Human Resources Director
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 (A5), and Ruthee Goldkorn (A.3).

A. CONSENT CALENDAR-CITY COUNCIL

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

A.3 PM 35629 – APPROVAL OF PROPOSED RESOLUTION FOR A SUMMARY VACATION FOR A PORTION OF A PEDESTRIAN ACCESS AND SIDEWALK EASEMENT DESIGNATED AS EASEMENT NOTE "B" DEDICATED ON PARCEL MAP NO. 35629 RECORDED AS INSTRUMENT NO. 2010-0408448 LOCATED ON LOTS B, C, AND D OF PARCEL MAP NO. 35629 AND APPROVAL OF AN OFFER OF DEDICATION OF A PEDESTRIAN ACCESS AND SIDEWALK EASEMENT REPLACING THE ONE BEING SUMMARILY VACATED ASSOCIATED WITH THE HIGHLAND FAIRVIEW LOGISTICS CORPORATE PARK; BETWEEN STATE ROUTE 60 AND EUCALYPTUS AVENUE AND REDLANDS BOULEVARD AND THEODORE STREET; DEVELOPER: HF LOGISTICS – SKX T1, LLC MORENO VALLEY, CA 92553 (Report of: Public Works Department)

Recommendation:

1. Adopt the proposed Resolution, a summary vacation of a portion of the pedestrian access and sidewalk easement designated as Easement Note "B" dedicated on Parcel Map No. 35629 recorded as Instrument No. 2010-0408448 located on Lots B, C, and D of Parcel Map No. 35629;

Resolution No. 2011-80

A Resolution of the City Council of the City of Moreno Valley, California, Ordering the Summary Vacation of a Portion of a Pedestrian Access and Sidewalk Easement Designated as Easement "B" Dedicated on Parcel Map No. 35629 Recorded as Instrument No. 2010-0408448 Located on Lots B, C, and D of Parcel Map No. 35629

2. Direct the City Clerk to certify said resolution and transmit a copy of the resolution to the County Recorder's office for

recording;

3. Approve the Offer of Dedication of a pedestrian access and sidewalk easement as described in the Offer of Dedication; and

4. Direct the City Clerk to forward the Offer of Dedication to the City Engineer to execute the Acceptance Certificate.

A.5 APPROVAL OF SUCCESSOR MEMORANDA OF UNDERSTANDING BETWEEN THE CITY OF MORENO VALLEY AND THE MORENO VALLEY CITY EMPLOYEES' ASSOCIATION FOR FISCAL YEAR 2011-12 (Report of: Human Resources Department)

Recommendation:
Approve the successor Memoranda of Understanding (MOU) between the City of Moreno Valley and the Moreno Valley City Employees Association (MVCEA) for Fiscal Year 2011-12 (Attachment A).

A.6 CREATION OF NEW FIRE PREVENTION JOB TITLE (Report of: Fire Department)

Recommendation:
Approve the position title, description and salary schedule for the temporary part-time position of Fire Prevention Technician within the Fire Prevention Bureau.

A.7 RELOCATION AGREEMENT FOR THE EASTERN MUNICIPAL WATER DISTRICT (EMWD) BOOSTER STATION LOCATED AT THE NORTHWEST CORNER OF NASON STREET AND DRACAEA AVENUE (Report of: Public Works Department)

Recommendation:
1. Approve the Relocation Agreement for the relocation of the existing Eastern Municipal Water District (EMWD) booster station at the northwest corner of Nason Street and Dracaea Avenue;

2. Authorize the City Manager to execute the Relocation Agreement; and

3. Direct the City Clerk to forward the signed Relocation Agreement to Eastern Municipal Water District for execution.

A.8 CREATION OF AN NSP-FUNDED HOMEBUYER ASSISTANCE PROGRAM (NSP-HAP) (Report of: Community & Economic

Development Department)

Recommendation:

1. Approve the creation of an Neighborhood Stabilization Program (NSP) grant-funded Homebuyer's Assistance Program (HAP), modeled after the existing Community Redevelopment Agency (RDA) funded HAP; and

2. Appropriate $250,000 from the NSP fund balance for the NSP-HAP.

Motion to Approve Joint Consent Calendar Items A.1 through D.2, except Items A.2 and A.4 pulled for a separate vote by m/Council Member William H. Batey II, s/Council Member Robin N. Hastings
Approved by a vote of 5-0.

AGENDA ORDER

A.2 APPROVAL OF TELECOMMUNICATION NETWORK LICENSE AND ENCROACHMENT AGREEMENT BETWEEN NEXTG NETWORKS OF CALIFORNIA AND THE CITY OF MORENO VALLEY; APPLICANT: NEXTG NETWORKS OF CALIFORNIA, INC., A DELAWARE CORP. MILPITAS, CA (Report of: Public Works Department)

Recommendation:

1. Approve the Telecommunication Network License and Encroachment Agreement between NextG Networks of California and the City of Moreno Valley;

2. Authorize the City Manager to execute the Agreement, subject to City Attorney approval; and

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

Motion to Approve Item A.2 contingent upon the satisfactory submission of insurance and security in the form acceptable to the City by m/Mayor Pro Tem Jesse L. Molina, s/Council Member William H. Batey II
Approved by a vote of 5-0.

A.4 PARCEL MAP NO. 35859 – FIRST SAN MICHELLE LOGISTICS COMPLEX – APPROVE FINAL MAP AND ACCEPT THE AGREEMENT, AND SECURITY FOR PUBLIC IMPROVEMENTS; WEST SIDE OF PERRIS BOULEVARD, EAST SIDE OF KNOX STREET, NORTH SIDE OF NANDINA AVENUE, SOUTH SIDE OF SAN MICHELLE ROAD;

DEVELOPER: FIRST INDUSTRIAL, L.P., A DELAWARE LIMITED PARTNERSHIP, EL SEGUNDO, CA 90245 (Report of: Public Works Department)

Mayor Stewart opened the Agenda Item A.4 for public comments, which were received from George Acosta, Deanna Reeder and Ruthee Goldkorn.

Recommendation:

1. Approve Parcel Map 35859, authorize the City Clerk to sign the map and transmit said map to the County Recorder's Office for recordation;

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

2. Accept the Agreement and Security 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 timeframe.

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

AGENDA ORDER

G.2 RESOLUTION TO CREATE A JULY 4TH ADVISORY BOARD (MATERIALS TO BE PROVIDED UNDER SEPARATE COVER) (Report of: City Manager's Office)

Recommendation: That the City Council:

1. Adopt Resolution No. 2011-82 creating the July 4th Advisory Committee; and

Resolution No. 2011-82

A Resolution of the City Council of the City of Moreno Valley, California, to Create a July 4th Advisory Committee

2. Establish trust account 00359.359.2239.16 for receiving donations from the community to fund the City's July 4th Festivities.

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

Motion to Approve as amended to change the name from "Board" to "Committee" by m/Mayor Pro Tem Jesse L. Molina, s/Council Member Robin N. Hastings
Approved by a vote of 5-0.

AGENDA ORDER

E. PUBLIC HEARINGS

E.1 PUBLIC HEARING AND AUTHORIZATION RESOLUTION FOR EXECUTION AND DELIVERY OF CALIFORNIA COMMUNITIES GAS TAX REVENUE CERTIFICATES OF PARTICIPATION, SERIES 2011B TOTAL ROAD IMPROVEMENT PROGRAM (TRIP)

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

Recess;
Reconvened

Recommendation: That the City Council:

1. Adopt Resolution No. 2011-81 approving the sale, execution, and delivery of not more than $20 million in principal amount of California Communities Gas Tax Revenue Certificates of Participation, Series 2011B (TRIP – Total Road Improvement Program) (the "COPs" or "Certificates") and approving certain actions in connection therewith, and authorizing judicial validation proceedings relating thereto;

Resolution No. 2011-81

Approving the Execution and Delivery of California Communities Gas Tax Revenue Certificates of Participation, Series 2011b (T.R.I.P. – Total Road Improvement Program) Pursuant to a Trust Agreement, Authorizing the Execution and Delivery of a Trust Agreement, Certificate Purchase Agreement and an Installment Sale Agreement, Authorizing the Distribution of an Official Statement in Connection with the Offering and Sale of

Such Certificates, and Authorizing the Filing of a Validation Action and Other Matters Relating Thereto

Motion to Approve including amended page 8 (providing code section number 2103) by m/Council Member Robin N. Hastings, s/Council Member Marcelo Co
Approved by a vote of 4-1, Council Member William H. Batey II opposed.

2. Approve the proposed budget adjustments as identified on Attachment 6 for Gas Tax and Measure A funded projects/programs as a modification of the approved FY 2011-12 and FY 2012-13 Operating Budget and FY 2011-12 Capital Improvement Plan (CIP);

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

3. Approve the annual transfer of $1,256,000 from the Measure A Fund to the COP Series 2011B Principal and Interest Payment Fund to fund the Installment Payments and reflect the following in Riverside County Transportation Commission's (RCTC) Measure A 5-year Local Streets and Roads CIP:

   a) Transfer from Measure A to the COP Series 2011B Principal and Interest Payment Fund;
   b) Proposed budget adjustments for Measure A funded projects/programs as identified on Attachment 6;

Motion to Approve by m/Council Member Robin N. Hastings, s/Council Member Marcelo Co
Approved by a vote of 4-1, Council Member William H. Batey II opposed.

4. Authorize the Public Works Director / City Engineer to submit an amended FY 2012-2016 Measure "A" Local Streets and Roads Five-Year CIP to the Riverside County Transportation Commission (RCTC) to include the addition of the Nason Street Project from Fir Avenue to Cactus Avenue;

Motion to Approve by m/Council Member Robin N. Hastings, s/Council Member Marcelo Co
Approved by a vote of 4-1, Council Member William H. Batey II opposed.

5. Appropriate $1,256,000 in the COP Series 2011 B Principal and Interest Payment Fund expense budget for installment payments; and

Motion to Approve by m/Council Member Robin N. Hastings, s/Council Member Marcelo Co
Approved by a vote of 4-1, Council Member William H. Batey II opposed.

6. Authorization the addition of the Nason Street Project from Fir Avenue to Cactus Avenue in the FY 2011-12 CIP and authorize the appropriation of up to $15,000,000 for this project.

Motion to Approve by m/Council Member Robin N. Hastings, s/Council Member Marcelo Co
Approved by a vote of 4-1, Council Member William H. Batey II opposed.

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

G. REPORTS

G.1 REDISTRICTING PRESENTATION BY NATIONAL DEMOGRAPHICS CORPORATION FOUNDER ALAN HESLOP (ORAL PRESENTATION) (MATERIALS TO BE PROVIDED UNDER SEPARATE COVER) (Report of: City Clerk's Department)

Mayor Stewart opened the agenda item for public comments, which were received from Ruthie Goldkorn, Deanna Reeder, Pete Bleckert, Tom Jerele, and Christopher Baca.

No action required.

G.3 RESOLUTION OF THE CITY COUNCIL DECLARING ITS INTENTION TO ENACT AN ORDINANCE WHEREBY THE CITY SHALL ELECT TO COMPLY WITH AND PARTICIPATE IN THE ALTERNATIVE VOLUNTARY REDEVELOPMENT PROGRAM; INTRODUCTION OF AN ORDINANCE OF THE CITY COUNCIL AUTHORIZING THE CITY TO PARTICIPATE IN THE ALTERNATIVE VOLUNTARY REDEVELOPMENT PROGRAM; AND RESOLUTIONS OF THE CITY COUNCIL AND OF THE COMMUNITY REDEVELOPMENT AGENCY APPROVING THE AGREEMENT TO TRANSFER TAX INCREMENT (Report of: Community & Economic Development Department)

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

Recommendation: That the City Council:

1. Introduce an Ordinance No. 832 for first reading and schedule adoption of the Ordinance for August 23, 2011 whereby the City shall elect to Comply with and Participate in the Alternative Voluntary Redevelopment Program contained in Part 1.9 of Division 24 of the California Health and Safety Code;

Ordinance No. 832

An Ordinance of the City of Moreno Valley Electing to Comply With and Participate in the Alternative Voluntary Redevelopment Program Contained in Part 1.9 of Division 24 of the California Health and Safety Code

Motion to Amend the proposed Ordinance No. 832 to include the following language:

WHEREAS, the City reserves the right to appeal the California Director of Finance's determination of the Fiscal Year 2011-12 community remittance, as provided in Health and Safety Code Section 34194; and

WHEREAS, the City understands and believes that an action challenging the constitutionality of AB 1X 26 and AB 1X 27 will be or has been filed on behalf of cities, counties and redevelopment agencies; and

WHEREAS, while the City currently intends to make these community remittances, they shall be made under protest and without prejudice to the City's right to recover such amounts and interest thereon, to the extent there is a final determination that AB 1X 26 and AB 1X 27 are unconstitutional; and

WHEREAS, the City reserves the right, regardless of any community remittance made pursuant to this Ordinance, to challenge the legality of AB 1X 26 and AB 1X 27; and

WHEREAS, to the extent a court of competent jurisdiction enjoins, restrains, or grants a stay on the effectiveness of the Alternative Voluntary Redevelopment Program's payment obligation of AB 1X 26 and AB 1x 27, the City shall not be obligated to make any community remittance for the duration of such injunction, restraint, or stay.

Amend paragraph 3 to read as follows:

The City hereby ordains that the City, under protest, shall comply with the Constitution and the laws of the State of California, including Part 1.9 of Division 24 of the Health and Safety Code, including the determination of remittance amounts, appeal rights in relation thereto, and the making of the remittances referred to in CRL Section 34194(b) and (c) at the times and in the manner described in Part 1.9, without prejudice to the rights of the City (a) to challenge or join with other entities challenging the validity of the Dissolution Act and the Alternative Voluntary Redevelopment Program, (b) to review and appeal the amounts of community remittances required by the Alternative Voluntary Redevelopment Program, (c) in the event a court of competent jurisdiction grants an injunction or stay enjoining the effectiveness of the Dissolution Act and/or the Alternative Voluntary Redevelopment Program, to withhold community remittances while that injunction or stay is in effect, (d) in the event the Dissolution Act and/or the Alternative Voluntary Redevelopment Program is declared invalid by a court of competent jurisdiction, to obtain a refund of any community remittances paid pursuant to the Alternative Voluntary Redevelopment Program and this Ordinance and this Ordinance will immediately become null and void and have no further force or effect, and (e) to subsequently determine, based on circumstance and information then available to the City Council, including the amounts of required community remittances, that is not in the best interests of the City to continue to participate in the Alternative Voluntary Redevelopment Program, in which case the City Council shall formally repeal this Ordinance and the Agency shall be subject to the Dissolution Act. This Ordinance is that ordinance referred to in CRL Section 34193 and shall be interpreted and applied in all respects so as to fully comply with Part 1.9, to the fullest extent required by law.

Motion to Approve the amendment to the proposed Ordinance No. 832 by m/Robin N. Hastings, s/William H. Batey II
Approved by a vote of 5-0.

Motion to Introduce Ordinance No. 832 as amended by m/Robin N. Hastings, s/Marcelo Co
Approved by a vote of 5-0.

2. Adopt Resolution No. 2011-83 declaring its intention to enact an Ordinance whereby the City shall elect to Comply with and Participate in the Alternative Voluntary Redevelopment Program contained in Part 1.9 of Division 24 of the California Health and Safety Code;

Resolution No. 2011-83

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

Declaring its Intention to Enact an Ordinance Whereby the City Shall
Elect Comply with and Participate in the Alternative Voluntary Redevelopment Program Contained in Part 1.9 of Division 24 of the California Health and Safety Code

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

3. Adopt Resolution No. 2011-84, a resolution of the City of Moreno Valley approving an Agreement to transfer tax increment by and between the City of Moreno Valley and the Community Redevelopment agency of the City of Moreno Valley dated as of August 23, 2011 and making certain findings in connection therewith;

Resolution No. 2011-84

A Resolution of the City of Moreno Valley Approving an Agreement to Transfer Tax Increment by and Between the City of Moreno Valley and the Community Redevelopment Agency of the City of Moreno Valley Dated as of August 30, 2011 and Making Certain Findings in Connection Therewith

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

4. That the Community Redevelopment Agency Board of Directors adopt RDA Resolution No. 2011-11, a resolution of the Community Redevelopment Agency approving an Agreement to transfer tax increment by and between the City of Moreno Valley and the Community Redevelopment Agency of the City of Moreno Valley dated as of August 23, 2011 and making certain findings in connection therewith;

Resolution No. RDA 2011-11

A Resolution Of The Community Redevelopment Agency Of The City Of Moreno Valley Approving The Agreement To Transfer Tax Increment By And Between The Agency And The City Of Moreno Valley Dated As Of August 30, 2011 And Making Certain Findings In Connection Therewith

Motion to Approve by m/Agency Member Robin N. Hastings, s/Agency Member Marcelo Co

Approved by a vote of 5-0.

5. That the City Council and the Redevelopment Agency Board of Directors authorize the City Manager, the Executive Director of the Redevelopment Agency and the Finance and Administrative Services Director to execute documents necessary to comply with the adopted Resolutions and Ordinance;

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

6. Authorize the transfer of $6,169,642 from RDA Tax Increment fund balance to General Fund fund balance to comply with and Participate in the Alternative Voluntary Redevelopment Program contained in Part 1.9 of Division 24 of the California Health and Safety Code; and

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

7. Authorize the appropriation of $6,169,642 from General Fund fund balance and remit payments to the County Auditor-Controller, as stated per ABX1 27.

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

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

Ray Hicks
1. Relocation of steam generators emitting very low radiation

Pete Bleckert
1. Improvement of roads

Ruthie Goldkorn
1. Infrastructure of Nason area

Deanna Reeder
1. Public record request regarding City Manger's expenditure
2. Spending on infrastructure

Adolf Kruger
1. Enforcing Ordinance 740, which regulate excessive noise

Susan Gilchrist
1. Enforcement of Moreno Valley Municipal Code
2. Sketchers

Narem Qureshi
1. Selective enforcement of Code Compliance

Kenny Bell
1. Attracting businesses; action of the Planning Commissioners

Tom Jerele on behalf of himself and Sundance Plaza Shopping Center
1. Thanked the Council for voting on Item G.3 (redevelopment program)
2. Burglary at the Sundae Center
3. State of the City Address - a great event
4. Edison company bringing radioactive materials

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

Mayor Stewart
1. Responded to speaker's comments: portion that is going to be changed is not part of the original Aquabella senior housing project
2. Suggested setting up a seminar to educate new Planning Commissioners about their roles and responsibilities
3. Infrastructure on Nason was overlooked in the past; big users didn't pay for infrastructure

CLOSED SESSION - canceled

ADJOURNMENT

Motion to Adjourn: there being no further business to conduct, the meeting was adjourned at 9:34 p.m. by unanimous informal consent by Council Member Robin N. Hastings, s/Council Member Marcelo Co. Molina

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

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Report to City Council

TO: Mayor and City Council

FROM: Jane Halstead, City Clerk

AGENDA DATE: August 23, 2011

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 6 – August 16, 2011.

Reports on Reimbursable Activities July 6 – August 16, 2011		
Council Member	Date	Meeting
William H. Batey II	8/16/11	Lori Schiefelbein's Retirement Lunch
Marcelo Co	8/16/11	Lori Schiefelbein's Retirement Lunch
Robin N. Hastings	8/16/11	Lori Schiefelbein's Retirement Lunch
Jesse L. Molina		None
Richard A. Stewart	7/27/11	Moreno Valley Chamber of Commerce Wake-Up Moreno Valley
	8/2/11	Moreno Valley Hispanic Chamber of Commerce Adelante

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:

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APPROVALS	
BUDGET OFFICER	caf
CITY ATTORNEY	RLH
CITY MANAGER	MSO

Report to City Council

TO: Mayor and City Council

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

AGENDA DATE: August 23, 2011

TITLE: AMENDMENT TO THE RULE 20 UTILITY-FUNDED OVERHEAD UTILITY EQUIPMENT CONVERSION POLICY AND REPRIORITIZATION OF THE RULE 20A PRIORITY LIST

RECOMMENDED ACTION

Staff recommends that the City Council:

1) Approve and adopt the amended General Management Policy # 2.33 Rule 20A Utility-Funded Overhead Utility Equipment Conversion Policy; and

2) Approve the reprioritized Rule 20A priority list.

ADVISORY BOARD/COMMISSION RECOMMENDATION

N/A

BACKGROUND

The California Public Utilities Commission (CPUC) Rule 20 establishes the policies and procedures for the conversion of overhead power lines and facilities to underground lines and facilities in a process called "undergrounding". Within the CPUC's Rule 20, is Rule 20A, which is a program that allows conversion projects to be paid through a utility provider's utility rate funds. Using CPUC formulas, Southern California Edison (SCE) designates to each city and county government in its service territory an annual monetary allowance for the purpose of undergrounding overhead electric facilities through the Rule 20A program. The City identifies overhead power line project sites for SCE consideration. If SCE concurs that the project site meets a minimum of one of the approved CPUC Rule 20A project criteria, steps may proceed toward the establishment of an underground utility district and construction of the project. Currently there are

several locations throughout the City that qualify for undergrounding overhead facilities. In 1999, in an effort to determine a priority of the project areas, the City Council approved the Rule 20A Utility-Funded Overhead Utility Equipment Conversion Policy (General Management Policy # 2.33) along with a priority list of project areas.

DISCUSSION

On October 12, 1999, the City Council adopted General Policy # 2.33, Rule 20A Utility-Funded Overhead Utility Equipment Conversion Policy.

In an effort to further refine and define the Rule 20A policy, the following modifications are being proposed to the General Management Policy # 2.33 (See Exhibit A for the redline copy):

1. Modifying the policy to incorporate the CPUC's addition of a fourth qualifying criteria to the Rule 20 tariff. This qualification allows any arterial or major collector road in a local government's general plan to qualify for Rule 20A funding of overhead utilities. By adding this qualifying criterion, the policy can accurately reflect all the current options that satisfy a project for the possibility of Rule 20A funding;

2. Modifying the policy to provide the City Council the ability to prioritize the undergrounding of overhead utilities as necessary to meet the current goals of the Capital Improvement Plan (CIP) and the Economic Development Action Plan adopted by the City Council on April 26, 2011. By allowing the City Council the ability to provide direction in the selection of overhead utility areas to be undergrounded, the City has the flexibility to proceed with the selection of undergrounding projects that are in the best interests of the City at large; and

3. Modifying the policy to include clarity to certain procedural requirements for the creation of an underground district and to account for updated SCE estimates and scheduling changes that have developed over time.

Additionally, the Rule 20A priority list has been revised to reflect the removal of those areas where conversions of overhead utility equipment have been completed, along with reordering to accommodate the goals as outlined in the CIP and Economic Development plans. This revised priority list provides a current overview of the areas throughout the City that will benefit from the undergrounding of overhead utilities.

ALTERNATIVES

1. Approve and adopt the amended General Management Policy # 2.33 (Rule 20A Utility-Funded Overhead Utility Equipment Conversion Policy) and approve the revised Rule 20A project priority list. *By adopting the proposed amendments to General Management Policy # 2.33 and approving the revised priority list, the City Council will bring the policy current and in accordance with the CPUC*

approved Rule 20A guidelines, which will provide the City Council flexibility within Policy # 2.33 guidelines to select areas to receive Rule 20A funding of overhead facilities. These modifications will help to support the goals as outlined in the CIP and Economic Development plans, and as may be amended from time to time.

2. Do not adopt the proposed amends to the General Management Policy # 2.33 (Rule 20A Utility-Funded Overhead Utility Equipment Conversion Policy) and do not approve the revised Rule 20A project priority list. *By not approving and adopting the proposed amendments nor approving the revised priority list, the City Council will continue to operate in accordance with the current criteria and guidelines of General Management Policy # 2.33, which is deficient in listing all CPUC approved qualifying Rule 20A criteria for the selection of underground project areas. Additionally the policy in the present form contains outdated cost and scheduling estimates for project completion and limits Council's flexibility in determining project selection, which may run contrary to the City's goals as outlined in the current, or as may be amended, CIP and Economic Development plans.*

FISCAL IMPACT

Using CPUC formulas, SCE designates an annual Rule 20A allocation of funds to city and county governments within their service territory for the purpose of undergrounding overhead facilities. The designation of funds is based on several factors and can vary from year to year. In accordance with CPUC guidelines, to accommodate the completion of larger projects, local governments may, with SCE approval, borrow up to five years of anticipated Rule 20A allocations based on anticipated future year allocations, to complete a Rule 20A project. There is **no fiscal impact** on the General Fund for approving and adopting the amended policy or the priority list.

CITY COUNCIL GOALS

Community Image, Neighborhood Pride, and Cleanliness

The Rule 20A program helps to promote a sense of pride in the community and foster an excellent image by placing necessary utility lines and facilities underground where they will continue to provide the community with essential services, yet provide an uncluttered and unobtrusive appearance.

SUMMARY

The action before the City Council is to approve and adopt the proposed amendments to the Rule 20A Utility-Funded Overhead Utility Equipment Conversion Policy and approve the revised Rule 20A priority list.

NOTIFICATION

Not Applicable

EXHIBITS

Exhibit A – Amended Policy # 2.33 Rule 20A Utility-Funded Overhead Utility Equipment Conversion Policy (Redline copy)

Exhibit B – Amended Rule 20A Utility-Funded Overhead Utility Equipment Conversion Policy (Clean copy)

Exhibit C – Revised Rule 20A Priority List

Prepared By
Sharon Sharp
Senior Management Analyst

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

Concurred By
Candace E. Cassel
Special Districts Division Manager

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

RULE 20 UTILITY-FUNDED OVERHEAD UTILITY EQUIPMENT CONVERSION POLICY

PURPOSE: To establish procedures and criteria for prioritizing electric utility-funded projects pertaining to overhead utility equipment conversion to underground service.

POLICY:

I. Definition of Overhead Utility Equipment Conversion

The California Public Utilities Commission requires Southern California Edison (SCE) to designate funds for each county and city in its service territory to fund~~spend~~ the ~~replacing~~ replacement of overhead electrical lines and associated power poles with underground equipment. SCE refers to the utility-funded overhead utility equipment conversion program as "Rule 20A". Funds are allocated to the City of Moreno Valley for expenditures on City-identified projects, provided that the City Council has:

A. Determined that such undergrounding is in the general public interest by satisfying ~~for~~ one or more of the following reasons to qualify for funding under Rule 20A:

1. The proposed undergrounding will avoid or eliminate an unusually heavy concentration of overhead electric facilities;

2. The street or road or right-of-way is extensively used by the general public and carries a heavy volume of pedestrian or vehicular traffic; ~~or~~

3. The street or road or right-of-way adjoins or passes through a civic area, public recreation area, or an area of unusual scenic interest to the general public; or

4. The location qualifies as an arterial or major collector road in a local government's general plan.

B. Adopted an ordinance creating an underground district in the area in which both the existing and new facilities are and will be located.

II. Process

The responsible City department will:

A. Develop a list of potential projects by identifying streets, civic areas, or public recreation areas near overhead utility equipment. Categorize streets as Image Corridors (primary priority) or Transportation Corridors (secondary priority) classifications.

At the discretion of the City Council, projects located on either primary or secondary roadways may be given a higher priority if they are located within areas of the City that promote the goals of the City's Capital Improvement Plan (CIP) and/or the City's Economic Development Plan, as may be subsequently amended.

Approved by: City Council
October 12, 1999
Revised 8/23/11

Exhibit A

RULE 20 UTILITY-FUNDED OVERHEAD UTILITY EQUIPMENT CONVERSION POLICY

B. Projects not receiving a high priority status from the City Council (per Section IIA) will be evaluated ~~Evaluate streets on primary~~ and prioritized ~~priority list~~ according to the following weighted criteria.

1. Traffic Counts: 15% of total score

   This category recognizes the benefit received by citizens passing proposed utility line conversion sites. Streets with higher traffic counts receive higher scores.

2. Percent Commercial/Parkway Land Uses: 15% of total score

   This category recognizes the benefit received by property owners and citizens visiting parcels adjacent to proposed utility line conversion sites. Commercial land uses directly facing the street receive higher scores because traffic to a commercial property is typically higher than to a similarly situated residential property. Therefore, more citizens benefit from the improved aesthetic environment near commercial property or in a neighborhood. Streets with higher proportions of adjacent commercial and/or parkway land uses receive higher scores.

3. Percent Drops/Parcels Benefited: 15% of total score

   A drop is any structure that receives power directly from the overhead power distribution line to be undergrounded. If the distribution line is converted, SCE must change the way the structure receives power. SCE may hang a new overhead line to the building (usually from a pole set back from the street). However, if another overhead power source cannot be secured, the structure's electrical panel and power connection would be converted/undergrounded. Rule 20A funds cannot pay for upgrades to individual parcels so the City would have to identify another funding source.

   Project sites with fewer drops receive higher scores.

4. Estimated Cost @ $500~~250~~ per linear foot: 15% of total score

   SCE staff currently estimate construction costs at approximately $500~~250~~ per linear foot of overhead line to be undergrounded. Potential sites shall be measured and estimated costs shall be calculated. Project completion time from site selection through construction is approximately ~~two~~four years~~. In two years, the City of Moreno Valley receives approximately $500,000. Projects estimated to cost less than $500,000 receive higher scores.~~

5. Percent of Front Footage Fully Improved 10% of total score

   Projects along fully improved streets (including curb and gutter) receive higher scores.

6. Percent of Parcels Developed 10% of total score

   Underground electrical cable adjacent to a fully developed parcel is less likely to later interfere with construction and/or require relocation. Projects with greater percentages of developed adjacent parcels receive higher scores.

7. Availability of Outside Participation (In-Lieu fees): 10% of total score

Approved by: City Council
October 12, 1999
Revised 8/23/11

Exhibit A

Newly developing parcels are usually required to install electrical facilities underground. However, where neighboring parcels have not yet converted electrical facilities, developers/property owners often prefer to deposit funds with the City in lieu of paying to convert a small distance of overhead line. Project sites with available "In-Lieu" fees receive higher scores.

8. Coordinates with Other Improvements 5% of total score

Projects that coincide with another public improvement project receive higher scores.

9. Conflicting Utilities: 5% of total score

Other utility companies use Edison power poles to suspend overhead lines. Projects without other utility involvement receive higher scores.

C. Establish a priority list based on City Council priorities first and then based on calculated scores per Section II B (if applicable). Projects will be ~~.S~~scheduled ~~projects~~ according to City Council priorities and then based on the ~~to~~highest average group score.

D. As SCE Rule 20A funding accumulates, pursue conversion of overhead utility equipment to underground facilities according to the established priority list as determined by the City Council.

1 Communicate City consideration of a selected site with all utilities.

2 Adopt an ordinance or resolution creating an underground utility district.

E. Re-evaluate potential project sites as City Council priorities and project site conditions change.

F. Survey and score project sites on the ~~secondary~~ priority lists as ~~the primary list~~ projects near~~s~~ completion.

Approved by: City Council
October 12, 1999
Revised 8/23/11

Exhibit A

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RULE 20 UTILITY-FUNDED OVERHEAD UTILITY EQUIPMENT CONVERSION POLICY

PURPOSE: To establish procedures and criteria for prioritizing electric utility-funded projects pertaining to overhead utility equipment conversion to underground service.

POLICY:

I. Definition of Overhead Utility Equipment Conversion

The California Public Utilities Commission requires Southern California Edison (SCE) to designate funds for each county and city in its service territory to fund the replacement of overhead electrical lines and associated power poles with underground equipment. SCE refers to the utility-funded overhead utility equipment conversion program as "Rule 20A". Funds are allocated to the City of Moreno Valley for expenditures on City-identified projects, provided that the City Council has:

A. Determined that such undergrounding is in the general public interest by satisfying one or more of the following reasons to qualify for funding under Rule 20A:

1. The proposed undergrounding will avoid or eliminate an unusually heavy concentration of overhead electric facilities;

2. The street or road or right-of-way is extensively used by the general public and carries a heavy volume of pedestrian or vehicular traffic;

3. The street or road or right-of-way adjoins or passes through a civic area, public recreation area, or an area of unusual scenic interest to the general public; or

4. The location qualifies as an arterial or major collector road in a local government's general plan.

B. Adopted an ordinance creating an underground district in the area in which both the existing and new facilities are and will be located.

II. Process

The responsible City department will:

A. Develop a list of potential projects by identifying streets, civic areas, or public recreation areas near overhead utility equipment. Categorize streets as Image Corridors (primary priority) or Transportation Corridors (secondary priority) classifications.

At the discretion of the City Council, projects located on either primary or secondary roadways may be given a higher priority if they are located within areas of the City that promote the goals of the City's Capital Improvement Plan (CIP) and/or the City's Economic Development Plan, as may be subsequently amended.

Approved by: City Council
October 12, 1999
Revised 8/23/11

Exhibit B

B. Projects not receiving a high priority status from the City Council (per Section IIA) will be evaluated and prioritized according to the following weighted criteria.

1. Traffic Counts: 15% of total score

   This category recognizes the benefit received by citizens passing proposed utility line conversion sites. Streets with higher traffic counts receive higher scores.

2. Percent Commercial/Parkway Land Uses: 15% of total score

   This category recognizes the benefit received by property owners and citizens visiting parcels adjacent to proposed utility line conversion sites. Commercial land uses directly facing the street receive higher scores because traffic to a commercial property is typically higher than to a similarly situated residential property. Therefore, more citizens benefit from the improved aesthetic environment near commercial property or in a neighborhood. Streets with higher proportions of adjacent commercial and/or parkway land uses receive higher scores.

3. Percent Drops/Parcels Benefited: 15% of total score

   A drop is any structure that receives power directly from the overhead power distribution line to be undergrounded. If the distribution line is converted, SCE must change the way the structure receives power. SCE may hang a new overhead line to the building (usually from a pole set back from the street). However, if another overhead power source cannot be secured, the structure's electrical panel and power connection would be converted/undergrounded. Rule 20A funds cannot pay for upgrades to individual parcels so the City would have to identify another funding source.

   Project sites with fewer drops receive higher scores.

4. Estimated Cost @ $500 per linear foot: 15% of total score

   SCE staff currently estimate construction costs at approximately $500 per linear foot of overhead line to be undergrounded. Potential sites shall be measured and estimated costs shall be calculated. Project completion time from site selection through construction is approximately four years.

5. Percent of Front Footage Fully Improved 10% of total score

   Projects along fully improved streets (including curb and gutter) receive higher scores.

6. Percent of Parcels Developed 10% of total score

   Underground electrical cable adjacent to a fully developed parcel is less likely to later interfere with construction and/or require relocation. Projects with greater percentages of developed adjacent parcels receive higher scores.

7. Availability of Outside Participation (In-Lieu fees): 10% of total score

   Newly developing parcels are usually required to install electrical facilities underground. However, where neighboring parcels have not yet converted electrical facilities, developers/property owners often prefer to deposit funds with the City in lieu of paying to

convert a small distance of overhead line. Project sites with available "In-Lieu" fees receive higher scores.

8. Coordinates with Other Improvements 5% of total score

Projects that coincide with another public improvement project receive higher scores.

9. Conflicting Utilities: 5% of total score

Other utility companies use Edison power poles to suspend overhead lines. Projects without other utility involvement receive higher scores.

C. Establish a priority list based on City Council priorities first and then based on calculated scores per Section II B (if applicable). Projects will be scheduled according to City Council priorities and then based on the highest average group score.

D. As SCE Rule 20A funding accumulates, pursue conversion of overhead utility equipment to underground facilities according to the established priority list as determined by the City Council.

1 Communicate City consideration of a selected site with all utilities.

2 Adopt an ordinance or resolution creating an underground utility district.

E. Re-evaluate potential project sites as City Council priorities and project site conditions change.

F. Survey and score project sites on the priority lists as projects near completion.

Approved by: City Council
October 12, 1999
Revised 8/23/11

Exhibit B

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Rule 20A Priority List

High Priority

STREET NAME	STRETCH TO BE UNDERGROUNDED
Cactus Avenue	Lasselle Street to Moreno Beach Drive
Nason Street	State Highway 60 to Alessandro Boulevard
Nason Street	Alessandro Boulevard to Cactus Avenue

Medium Priority*

STREET NAME	STRETCH TO BE UNDERGROUNDED
Alessandro Boulevard	Old State Highway 215 to Day Street
Alessandro Boulevard	Day Street to Elsworth Street
Alessandro Boulevard	Elsworth Street to Frederick Street
Alessandro Boulevard**	Nason Street to Wilmont Street
Cottonwood Avenue**	Day Street to Elsworth Street
Cottonwood Avenue**	Morrison Street to Moreno Beach Drive
Frederick Street	Cottonwood Avenue to Bay Avenue
Frederick Street	Bay Avenue to Alessandro Boulevard
Indian Street**	Iris Avenue to the Southern City Limits
Perris Boulevard	Fir Avenue to Eucalyptus Avenue
Perris Boulevard	Eucalyptus Avenue to Dracaea Avenue
Perris Boulevard	Dracaea Avenue to Cottonwood Avenue
Perris Boulevard	W/S Cottonwood Avenue to Bay Avenue
Perris Boulevard	W/S Bay Avenue to Alessandro Avenue
Redlands Boulevard**	Most of Redlands Boulevard from Ironwood Ave to Bay Avenue and Brodiaea Avenue to John F. Kennedy Drive
Sunnymead Boulevard	S/S Heacock Street to Indian Street
Sunnymead Boulevard	S/S Indian Street to Perris Boulevard

Low Priority*

STREET NAME	STRETCH TO BE UNDERGROUNDED
Alessandro Boulevard	Perris Boulevard to Lasselle Street
Alessandro Boulevard	Nason Street to the Eastern City Limits
Alessandro Boulevard**	Perris Boulevard to Kitching Street (small stretches)
Alessandro Boulevard**	Kitching Street to Lasselle Street
Alessandro Boulevard**	Merwin Street to the Eastern City Limits
Cactus Avenue	Indian Street to Perris Boulevard
Cactus Avenue	Kitching Street to Lasselle Street

Approved by:
Date:

Rule 20A Priority List

Low Priority List (Continued)*

STREET NAME	STRETCH TO BE UNDERGROUNDED
Cactus Avenue**	Ponder Street to Perris Boulevard
Cottonwood Avenue**	Perris Boulevard to Silver Lane
Cottonwood Avenue**	W/O Lasselle Street to E/O Lasselle Street (small stretch)
Cottonwood Avenue	State Highway 215 to W/O Heacock Street
Cottonwood Avenue	E/O Heacock Street to Moreno Beach Drive
Eucalyptus Avenue	Heacock to E/O Perris Boulevard
Eucalyptus Avenue	Kitching Street to Lasselle Street
Graham Street	Dracaea Avenue to Cottonwood Avenue
Graham Street**	Alessandro Boulevard to Cactus
Heacock Street	Between Reche Vista & Sunnymead Ranch Parkway
Heacock Street**	Between Reche Vista and Mountainside Road
Indian Street	Manzanita Avenue to Bay Avenue
Indian Street	Alessandro Boulevard to the Southern City Limits
Indian Street**	Dracaea Avenue to Cottonwood Avenue
Indian Street**	Iris Avenue to the Southern City Limits
Iris Avenue**	Most of Iris Avenue Indian Street to Perris Boulevard
Ironwood Avenue	Morton Road to Clark Street
Ironwood Avenue	Kitching Street to Pettit Street
Ironwood Avenue**	Morton Road to Clark Street
Ironwood Avenue**	W/O Nason Street to Moreno Beach Drive
Locust Street **	Various stretches between Moreno Beach Drive and Redlands Boulevard
Nandina Avenue**	Indian Avenue to Perris Boulevard
Perris Boulevard**	Select stretches: Manzanita Avenue to Ironwood Avenue Cactus Avenue to Delphinium Avenue John F. Kennedy Drive to Filaree Avenue Gentian Avenue to Iris Avenue Krameria Avenue to Northern Dancer Drive Suburban Lane to the City Limits

* Street Names sorted alphabetically. Project selection will be determined based on General Management Policy #2.33, once funding is available.

** Portions adjacent to undeveloped parcels may involve property owner participation.

Approved by:
Date:

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 23, 2011

TITLE: NOTICE OF COMPLETION AND ACCEPTANCE OF IMPROVEMENTS FOR PROJECT NO'S. MVU-0003, 0006, 0008, 0010, 0011, 0012, 0014: THE INSTALLATION OF ELECTRICAL CONDUITS, MANHOLES, VAULTS AND SWITCHES AND/OR THE INSTALLATION AND ENERGIZING OF 1000 KCMIL, 12KV CABLE ON THE FOLLOWING STREETS: COTTONWOOD AVENUE–MORENO BEACH DRIVE/QUINCY STREET; JOHN F. KENNEDY DRIVE–PERRIS BOULEVARD/LASSELLE STREET; LASSELLE STREET–JOHN F. KENNEDY DRIVE/CACTUS AVENUE; CACTUS AVENUE-LASSELLE STREET/NASON STREET; NASON STREET–CACTUS AVENUE/ALESSANDRO BOULEVARD; AND ALESSANDRO BOULEVARD–MORRISON STREET/MORENO BEACH DRIVE.

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Accept the work as complete for: Project No's. MVU-0003, 0006, 0008, 0010, 0011, 0012, 0014, the installation of electrical conduits, manholes, vaults and switches and/or the installation and energizing of 1000 KCMIL, 12kV cable on the following streets: Cottonwood Avenue–Moreno Beach Drive to Quincy Street; John F. Kennedy Drive–Perris Boulevard to Lasselle Street; Lasselle Street–John F. Kennedy Drive to Cactus Avenue; Cactus Avenue–Lasselle Street to Nason Street; Nason Street–Cactus Avenue to Alessandro Boulevard; and Alessandro Boulevard–Morrison Street to Moreno Beach Drive.

   All construction has been completed by H & H General Contractors, Inc., P. O. Box 536, Highland, CA 92346-0536.

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 H & H General Contractors, Inc., 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 electric utility system.

BACKGROUND

On October 12, 2010, the City Council awarded the construction contract to H & H General Contractors, Inc., for Project No's. MVU-0003, 0006, 0008, 0010, 0011, 0012, 0014, (Account Numbers are listed under Fiscal Impact) and authorized the issuance of a Purchase Order in the amount of $2,413,664.00 (the base bid amount plus 10% contingency) was issued to the Contractor.

To ensure the safety and reliability of the MVU electric grid, it was necessary to construct a new electric distribution line extension circuit to accommodate the increased demand on the system.

DISCUSSION

H & H Contractors, Inc. completed construction on June 7, 2011, of the electrical conduits, manholes, vaults and switches and/or installation and energizing of 1000 KCMIL, 12kV cable on the following Projects:

Project No's. MVU-0003, 0006, and 0008:
Cottonwood Ave – Moreno Beach Drive to Quincy Street;

Project No's. MVU-0010, 0011, 0012, 0014:
John F. Kennedy Drive – Perris Boulevard to Lasselle Street;
Lasselle Street – John F Kennedy Drive to Cactus Avenue;
Cactus Avenue – Lasselle Street to Nason Street;
Nason Street – Cactus Avenue to Alessandro Boulevard;
Alessandro Boulevard – Morrison Street to Moreno Beach Drive

The Contractor completed the project at a total construction cost of $2,176,673.66, inclusive of Contract Change Order No. 1 and Change Order No. 2 (Final) in the amount of $110,548.86. The improvements were completed on schedule, within budget and in accordance with the approved contract documents.

ALTERNATIVES

1. Accept the work as complete for Project No's. MVU-0003, 0006, 0008, 0010, 0011, 0012, 0014: the installation of electrical conduits, manholes, vaults and switches and/or the installation and energizing of 1000 KCMIL, 12kV cable on the following streets: Cottonwood Avenue–Moreno Beach Drive to Quincy Street; John F. Kennedy Drive–Perris Boulevard to Lasselle Street; Lasselle Street–John F. Kennedy Drive to Cactus Avenue; Cactus Avenue–Lasselle Street to Nason Street; Nason Street–Cactus Avenue to Alessandro Boulevard; and Alessandro Boulevard–Morrison Street to Moreno Beach Drive, which was constructed by H & H General Contractors, Inc., P. O. Box 536, Highland, CA 92346-0536. 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 and Administrative Services Director to release the retention to H & H General Contractors, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project. Accept the improvements into the City's maintained electric utility system. *This alternative will result in payment to the contractor and acceptance of the improvements into the City's maintained electric utility system.*

2. Do not accept the work as complete for Project No's. MVU-0003, 0006, 0008, 0010, 0011, 0012, 0014: the installation of electrical conduits, manholes, vaults and switches and/or the installation and energizing of 1000 KCMIL, 12kV cable on the following streets: Cottonwood Avenue–Moreno Beach Drive to Quincy Street; John F. Kennedy Drive–Perris Boulevard to Lasselle Street; Lasselle Street–John F. Kennedy Drive to Cactus Avenue; Cactus Avenue–Lasselle Street to Nason Street; Nason Street–Cactus Avenue to Alessandro Boulevard; and Alessandro Boulevard–Morrison Street to Moreno Beach Drive, which was constructed by H & H General Contractors, Inc., P. O. Box 536, Highland, CA 92346-0536. 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 and Administrative Services Director to release the retention to H & H General Contractors, Inc., thirty-five (35) calendar days after the date of recordation of the Notice of Completion, if no claims are filed against the project. Do not accept the improvements into the City's maintained electric utility system. *This alternative will result in delaying payment to the contractor, delaying acceptance of the improvements into the City's maintained electric utility system, and incurring extra cost to the City.*

FISCAL IMPACT

This project is included in the Fiscal Year 2010-2011 Capital Improvements Project Budget. This project is funded through the 2007 Lease Revenue Bonds approved by the City Council on March 13, 2007. MVU will receive various reimbursements from other development for some of the capital costs.

Fiscal Year 2010/2011 Capital Improvement Budget:

MVU – 0003 (Account No. 602.61829)	$489,814
MVU – 0006 (Account No. 602.61832)	$ 32,367
MVU – 0008 (Account No. 602.61827)	$482,099
MVU – 0010 (Account No. 602.61835)	$806,260
MVU – 0011 (Account No. 602.61836)	$525,500
MVU – 0012 (Account No. 602.61837)	$551,660
MVU – 0014 (Account No. 602.61839)	$448,907
Total Budgeted Funds	**$3,336,607**

FINAL CONSTRUCTION RELATED COSTS:

Construction Contract	$2,176,674
Project Administration and Inspection (City Staff and Consultant)	$ 137,376
Total Project Construction Costs	$2,314,050

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.*

SUMMARY

H & H Contractors, Inc. completed the construction of the required structures, conduits, conductors, switches, and related electrical apparatus necessary to transfer load from the Cactus, Lasselle, Iris, and Globe 12kV interconnections and provide operational flexibility within the MVU electric grid on June 7, 2011. The City Council is requested to accept the work as complete, direct the City Clerk to record the Notice of Completion, authorize the release of retention to H & H General Contractors, Inc., and accept the improvements into the City's maintained electric utility system.

ATTACHMENTS

Attachment “A” – Location Map

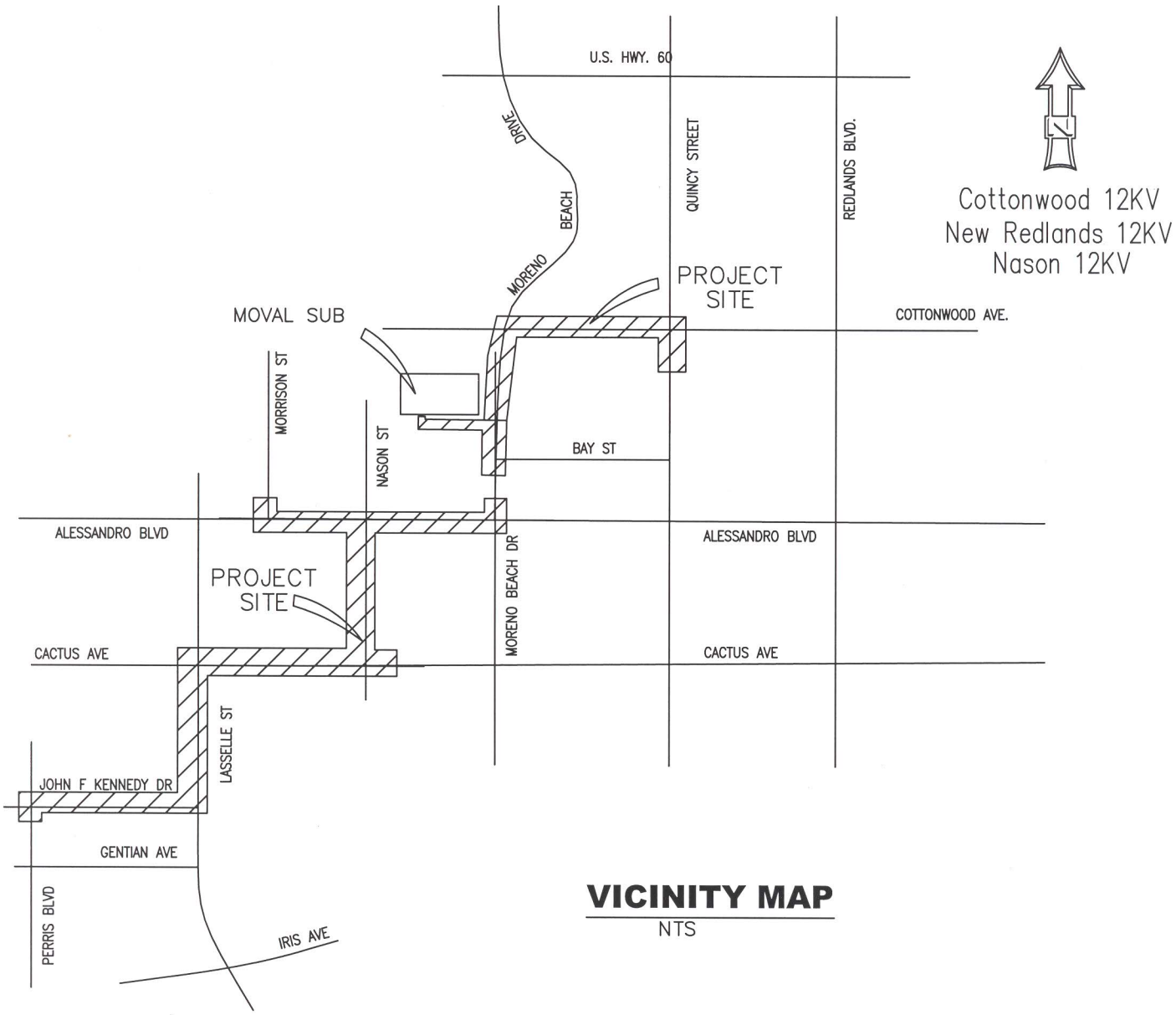
Prepared By:
Bruce E. Blank, P.E., L.S.
Consultant Project Manager

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

Concurred By:
Jeanette Olko
Electric Utility Manager

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

MVU-0003,MVU-0006 ,MVU-0008 MVU-0010,MVU-0011,MVU-0012 & MVU-0014



VICINITY MAP
NTS

Attachment "A"

Item No. A.6

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APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Richard Teichert, Financial & Administrative Services Director

AGENDA DATE: August 23, 2011

TITLE: APPROVAL OF CHECK REGISTER FOR MAY, 2011

RECOMMENDED ACTION

Staff recommends that the City Council adopt Resolution No. 2011-85, approving the Check Register for the month of May, 2011 in the amount of $10,409,143.31.

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 2010-11 budgets. Therefore, there is no fiscal impact other than the expenditure of budgeted funds.

ATTACHMENTS/EXHIBITS

Resolution No. 2011-85
Check Register for Month of May, 2011

Prepared By:
Cynthia A. Fortune
Financial Operations Division Manager

Department Head Approval:
Richard Teichert
Financial & Administrative Services Director

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

RESOLUTION NO. 2011-85

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING THE CHECK REGISTER FOR THE MONTH OF MAY, 2011

WHEREAS, the Financial & Administrative Services Department has prepared and provided the Check Register for the period May 1, 2011 through May 31, 2011, for review and approval by the City Council of the City of Moreno Valley; and

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 May 1, 2011 through May 31, 2011, in the total amount of $10,409,143.31 is approved.

APPROVED AND ADOPTED this 23rd day of August, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

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

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

City of Moreno Valley

Check Register

For Period 5/1/2011 through 5/31/2011

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)

CHECKS IN THE AMOUNT OF $25,000 OR GREATER

A N R INDUSTRIES, INC				Remit to: **SANTA FE SPRINGS**	**CA**
	5/16/2011	207795	35,418.28		
				REHAB COSTS-14131 ST TROPEZ CT	15,585.51
				REHAB COSTS-25263 DRAKE DR	19,832.77
	Vendor Total		**35,418.28**		
FYTD for A N R INDUSTRIES, INC			**382,295.79**		
AFTERSCHOOL STORE.COM				Remit to: **PALMDALE**	**CA**
	5/2/2011	207603	44,826.18		
				AFTERSCHOOL SNACKS-STARS	33,563.18
				AFTERSCHOOL SNACKS-STARS	11,263.00
	Vendor Total		**44,826.18**		
FYTD for AFTERSCHOOL STORE.COM			**321,570.52**		
ALL AMERICAN ASPHALT, INC.				Remit to: **CORONA**	**CA**
	5/23/2011	207904	248,346.99		
				SR-60/NASON ST INTRCHNG PROJ	198,677.59
				SR-60/NASON ST INTRCHNG PROJ	49,669.40
	Vendor Total		**248,346.99**		
FYTD for ALL AMERICAN ASPHALT, INC.			**248,346.99**		
BANC OF AMERICA PUBLIC CAPITAL CORP				Remit to: **ATLANTA**	**GA**
	5/2/2011	110503	32,556.40		
				DBT SVC-2011 PRIV PL REF 97LRB	32,556.40
	Vendor Total		**32,556.40**		
FYTD for BANC OF AMERICA PUBLIC CAPITAL CORP			**32,556.40**		

City of Moreno Valley

Check Register

For Period 5/1/2011 through 5/31/2011

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
BEMUS LANDSCAPE, INC.				Remit to: **SAN CLEMENTE** **CA**	
	5/31/2011	882802	40,899.18		
				LANDSCAPE MAINT-E4	15,650.96
				LANDSCAPE MAINT-E4A	367.64
				LANDSCAPE MAINT-S AQDCT B	735.00
				LANDSCAPE MAINT-SENIOR CTR	262.50
				LANDSCAPE MAINT-N AQDCT	525.00
				LANDSCAPE MAINT-S AQDCT A	850.50
				LANDSCAPE MAINT-SCE/OLD LAKE D	1,785.00
				LANDSCAPE MAINT-PAN AM SECT	600.00
				LANDSCAPE MAINT-CFD #1	400.00
				LANDSCAPE MAINT-CFD #1	1,900.00
				LANDSCAPE MAINT-CFD #1	400.00
				LANDSCAPE MAINT-STARS BLDG	300.00
				LANDSCAPE MAINT-MVU SUB	630.00
				LANDSCAPE MAINT-MVU	480.00
				LANDSCAPE MAINT-LIBRARY	520.00
				LANDSCAPE MAINT-CONF & REC CTR	1,900.00
				LANDSCAPE MAINT-PSB	1,197.58
				LANDSCAPE MAINT-ANML SHLTR	520.00
				LANDSCAPE MAINT-CITY YARD	250.00
				LANDSCAPE MAINT-E3	10,625.00
				LANDSCAPE MAINT-E3A	1,000.00
	Vendor Total		**40,899.18**		
FYTD for BEMUS LANDSCAPE, INC.			**519,366.45**		
CITY OF RIVERSIDE				Remit to: **RIVERSIDE** **CA**	
	5/31/2011	208026	125,000.00		
				TRAFFIC SIG COORD/SYNC PROJECT	125,000.00
	Vendor Total		**125,000.00**		
FYTD for CITY OF RIVERSIDE			**133,610.09**		
COUNTY OF RIVERSIDE AUDITOR				Remit to: **RIVERSIDE** **CA**	
	5/31/2011	208031	29,927.35		
				PARKING CONTROL FEES	26,895.35
				PARKING CONTROL FEES	3,032.00
	Vendor Total		**29,927.35**		
FYTD for COUNTY OF RIVERSIDE AUDITOR			**243,752.62**		
COUNTY OF RIVERSIDE AUDITOR CONTROLLER				Remit to: **RIVERSIDE** **CA**	
	5/10/2011	110504	1,082,578.00		
				SERAF PAYMENT FOR F/Y2010-11	1,082,578.00
	Vendor Total		**1,082,578.00**		
FYTD for COUNTY OF RIVERSIDE AUDITOR CONTROLLER			**1,082,578.00**		

City of Moreno Valley

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
COUNTY OF RIVERSIDE FIRE DEPT				Remit to: **PERRIS** **CA**	
	5/31/2011	882807	3,035,253.64		
				FPARC-MV 230920,10-11,Q3	3,035,253.64
	Vendor Total		**3,035,253.64**		
FYTD for COUNTY OF RIVERSIDE FIRE DEPT			**12,744,604.32**		
DATA TICKET, INC.				Remit to: **NEWPORT BEACH** **CA**	
	5/16/2011	882738	36,862.28		
				CITATION PRCSSNG SVCS-CODE	14,408.16
				CITATION PRCSSNG SVCS-CODE	22,454.12
	Vendor Total		**36,862.28**		
FYTD for DATA TICKET, INC.			**241,885.62**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
EASTERN MUNICIPAL WATER DISTRICT				Remit to: **PERRIS** **CA**	
	5/16/2011	207822	38,247.25		
				WATER CHARGES	488.74
				WATER CHARGES	193.77
				WATER CHARGES	257.29
				WATER CHARGES	2,000.26
				WATER CHARGES	33.60
				WATER CHARGES	660.57
				WATER CHARGES	2,195.53
				WATER CHARGES	95.26
				WATER CHARGES	11,015.75
				WATER CHARGES	942.47
				WATER CHARGES	5,384.64
				WATER CHARGES	3,245.14
				WATER CHARGES	2,829.22
				WATER CHARGES	3,738.70
				WATER CHARGES	1,023.79
				WATER CHARGES	1,302.35
				WATER CHARGES	702.41
				WATER CHARGES	426.21
				WATER CHARGES	319.15
				WATER CHARGES	219.06
				WATER CHARGES	799.63
				WATER CHARGES	373.71
	5/23/2011	207934	35,064.14		
				WATER CHARGES	1,117.91
				WATER CHARGES	635.96
				WATER CHARGES	488.31
				WATER CHARGES	9,153.60
				WATER CHARGES	1,632.23
				WATER CHARGES	1,704.82
				WATER CHARGES	2,701.45
				WATER CHARGES	7,004.05
				WATER CHARGES	520.46
				WATER CHARGES	248.48
				WATER CHARGES	52.62
				WATER CHARGES	1,510.65
				WATER CHARGES	2,391.75
				WATER CHARGES	205.35
				WATER CHARGES	1,777.94
				WATER CHARGES	1,230.78
				WATER CHARGES	345.84
				WATER CHARGES	219.74
				WATER CHARGES	297.43
				WATER CHARGES	1,330.83
				WATER CHARGES	493.94
	Vendor Total		**73,311.39**		
FYTD for EASTERN MUNICIPAL WATER DISTRICT			**1,287,449.35**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
ECONOMIC DEVELOPMENT AGENCY			Remit to: **RIVERSIDE** **CA**	
5/9/2011	207722	33,275.00		
			AUTOMATION SVCS-LIBRARY	33,275.00
Vendor Total		**33,275.00**		
FYTD for ECONOMIC DEVELOPMENT AGENCY		**127,050.00**		
EMPLOYMENT DEVELOPMENT DEPARTMENT			Remit to:	
5/6/2011	2855	34,213.77		
			STATE INCOME TAX W/H 5/6/11	34,213.77
5/20/2011	2863	34,186.81		
			STATE INCOME TAX W/H 5/20/11	34,186.81
Vendor Total		**68,400.58**		
FYTD for EMPLOYMENT DEVELOPMENT DEPARTMENT		**976,215.46**		
ENCO UTILITY SERVICES MORENO VALLEY LLC			Remit to: **ANAHEIM** **CA**	
5/9/2011	882655	192,533.98		
			DISTRIBUTION CHARGES	168,447.20
			SPCL/TEMP CHARGES	8,842.00
			BAD DEBT REDUCTION	-4,241.93
			ONLINE UTILITY SERVICES	199.20
			ELECTRIC METER CHARGES-UT	7,215.00
			ELECTRIC METER CHARGES-UT	425.00
			WORK AUTH SVCS-WASTE MGT	1,744.53
			WORK AUTH SVCS-HIGHLAND FRVW	5,432.08
			WORK AUTH SVCS-HIGHLAND FRVW	222.23
			WORK AUTH SVCS-DSP	1,466.85
			WORK AUTH SVCS-HARBOR FREIGHT	1,214.34
			WORK AUTH SVCS-BEAZER TR 36340	1,567.48
5/31/2011	882810	35,174.70		
			WORK AUTH SVCS-HIGHLAND FRVW	7,487.92
			WORK AUTH SVCS-DSP	1,135.39
			WORK AUTH SVCS-TR 36340	24.64
			ELECT METER CHARGES	4,890.00
			CORP YARD ADM BLDG ELECTR WORK	118.52
			12KV NEW REDLAND CKT WORK	21,044.23
			METER FEES-SOLAR CUST	474.00
Vendor Total		**227,708.68**		
FYTD for ENCO UTILITY SERVICES MORENO VALLEY LLC		**2,058,519.17**		
FLEMING ENVIRONMENTAL, INC.			Remit to: **FULLERTON** **CA**	
5/16/2011	207827	110,036.25		
			PREFAB RESTROOM-SHADOW MTN PRK	110,036.25
Vendor Total		**110,036.25**		
FYTD for FLEMING ENVIRONMENTAL, INC.		**110,036.25**		

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For Period 5/1/2011 through 5/31/2011

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
H & H GENERAL CONTRACTORS			Remit to: **HIGHLAND** **CA**	
5/2/2011	207634	434,340.00		
			MV UTIL. PROJ CONSTRUCT. SVCS	21,611.82
			MV UTIL. PROJ CONSTRUCT. SVCS	289,903.09
			MV UTIL. PROJ CONSTRUCT. SVCS	14,199.18
			MV UTIL. PROJ CONSTRUCT. SVCS	2,838.21
			MV UTIL. PROJ CONSTRUCT. SVCS	44,352.77
			MV UTIL. PROJ CONSTRUCT. SVCS	61,434.93
5/31/2011	208110	435,380.67		
			MV UTIL. PROJ CONSTRUCT. SVCS	413,383.85
			MV UTIL. PROJ CONSTRUCT. SVCS	21,996.82
	Vendor Total	**869,720.67**		
FYTD for H & H GENERAL CONTRACTORS		**1,714,649.31**		
INTERNAL REVENUE SERVICE			Remit to:	
5/6/2011	2854	144,300.39		
			FED INCOME TAX W/H 5/6/11	144,300.39
5/20/2011	2862	146,860.40		
			FED INCOME TAX W/H 5/20/11	146,860.40
	Vendor Total	**291,160.79**		
FYTD for INTERNAL REVENUE SERVICE		**3,212,602.33**		
NOBLE AMERICAS ENERGY SOLUTIONS			Remit to: **PASADENA** **CA**	
5/23/2011	207960	117,616.64		
			ENERGY PURCHASE	25,033.36
			ENERGY PURCHASE	92,583.28
	Vendor Total	**117,616.64**		
FYTD for NOBLE AMERICAS ENERGY SOLUTIONS		**357,491.28**		
PERS HEALTH INSURANCE			Remit to: **SACRAMENTO** **CA**	
5/6/2011	110502	215,675.33		
			EMPLOYEE HEALTH INS 5/6/11	215,675.33
	Vendor Total	**215,675.33**		
FYTD for PERS HEALTH INSURANCE		**2,247,353.58**		
PERS RETIREMENT			Remit to: **SACRAMENTO** **CA**	
5/13/2011	2856	202,371.65		
			PERS RETIREMENT 5/13/11	202,371.65
5/27/2011	2864	202,825.11		
			PERS RETIREMENT 5/27/11	202,825.11
	Vendor Total	**405,196.76**		
FYTD for PERS RETIREMENT		**4,802,210.68**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
RIVERSIDE CONSTRUCTION COMPANY, INC			Remit to: **RIVERSIDE** **CA**	
5/9/2011	882704	121,531.50		
			IRONWD AVE-DAY TO BARCLAY PROJ	121,531.50
5/16/2011	882751	272,449.80		
			IRONWOOD AVE/STORM DRAIN PROJ	49,299.75
			IRONWOOD AVE/STORM DRAIN PROJ	54,716.39
			IRONWOOD AVE/STORM DRAIN PROJ	15,196.52
			IRONWOOD AVE/STORM DRAIN PROJ	153,237.14
5/19/2011	110506	30,272.20		
			RETENTN PYMT PER ESCROW AGRMNT	30,272.20
	Vendor Total	**424,253.50**		
FYTD for RIVERSIDE CONSTRUCTION COMPANY, INC		**3,393,302.50**		
SHELL ENERGY NORTH AMERICA (US) L.P.			Remit to: **PHILADELPHIA** **PA**	
5/2/2011	207660	451,052.00		
			ELECTRIC ENERGY PURCHASE	451,052.00
5/31/2011	208086	455,537.60		
			ENERGY PURCHASE	455,537.60
	Vendor Total	**906,589.60**		
FYTD for SHELL ENERGY NORTH AMERICA (US) L.P.		**5,942,469.20**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
SOUTHERN CALIFORNIA EDISON			Remit to: **ROSEMEAD**	**CA**
5/16/2011	207875	30,600.30		
			WDAT CHARGES-IRIS	2,625.22
			WDAT CHARGES-GRAHAM	4,312.93
			WDAT CHARGES-GLOBE	8,321.85
			WDAT CHARGES-NANDINA	2,647.31
			WDAT CHARGES-FREDERICK	2,245.68
			WDAT CHARGES-SUBSTATION	10,447.31
5/16/2011	207876	161,216.02		
			IFA CHARGES-SUBSTATION	14,146.73
			ELECTRICITY	791.26
			ELECTRICITY	22.97
			ELECTRICITY	307.54
			ELECTRICITY	44.76
			ELECTRICITY	741.27
			ELECTRICITY	134.08
			ELECTRICITY	767.06
			ELECTRICITY	1,016.96
			ELECTRICITY	2,046.55
			ELECTRICITY	2,395.73
			ELECTRICITY	1,089.02
			ELECTRICITY	21.84
			ELECTRICITY	95,531.38
			ELECTRICITY	37,276.15
			ELECTRICITY	4,518.94
			ELECTRICITY	66.97
			ELECTRICITY	22.05
			ELECTRICITY	23.01
			ELECTRICITY	23.68
			ELECTRICITY	71.60
			ELECTRICITY	112.77
			ELECTRICITY	43.70
	Vendor Total	**191,816.32**		
FYTD for SOUTHERN CALIFORNIA EDISON		**4,062,356.10**		
SPECTRUM CARE			Remit to: **FOOTHILL RANCH**	**CA**
5/31/2011	882828	27,739.17		
			LANDSCAPE MAINT-E1	10,540.00
			LANDSCAPE MAINT-E1	1,793.33
			PALM TREE INSTALL-E1	15,405.84
	Vendor Total	**27,739.17**		
FYTD for SPECTRUM CARE		**155,648.52**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
STANDARD INSURANCE CO			Remit to: **PORTLAND**	**OR**
5/9/2011	207772	30,118.95		
			LIFE & DISABILITY INSURANCE	11,803.49
			LIFE & DISABILITY INSURANCE	18,420.25
			LIFE & DISABILITY INSURANCE	-104.79
5/31/2011	208091	30,087.09		
			LIFE & DISABILITY INSURANCE	11,770.46
			LIFE & DISABILITY INSURANCE	18,368.44
			LIFE & DISABILITY INSURANCE	-51.81
	Vendor Total	**60,206.04**		
FYTD for STANDARD INSURANCE CO		**386,673.79**		
STRADLING, YOCCA, CARLSON & RAUTH			Remit to: **NEWPORT BEACH**	**CA**
5/16/2011	207877	37,638.15		
			LEGAL SERVICES-RDA	960.00
			LEGAL SERVICES-RDA	3,675.00
			LEGAL SERVICES-NSP	325.00
			LEGAL SERVICES-HOUSING	2,625.00
			LEGAL SERVICES-HOUSING	3,700.00
			LEGAL SERVICES	14,873.15
			LEGAL SERVICES	11,480.00
5/31/2011	208093	25,440.15		
			PROF SERVICES-SPCL DIST	18,120.15
			PROF SERVICES-SPCL DIST	7,320.00
	Vendor Total	**63,078.30**		
FYTD for STRADLING, YOCCA, CARLSON & RAUTH		**117,202.08**		
U.S. BANK/CALCARDS			Remit to: **ST. LOUIS**	**MO**
5/24/2011	110507	138,275.95		
			CALCARD PYMT CYCLE END 5/9/11	138,275.95
	Vendor Total	**138,275.95**		
FYTD for U.S. BANK/CALCARDS		**1,874,349.12**		
	Subtotal	**8,935,729.27**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)

CHECKS LESS THAN $25,000

FORREST CORMANY				Remit to: **RIVERSIDE**	**CA**
	5/2/2011	207601	200.00		
				BAGPIPER FOR MEMORIAL DAY 5/30	200.00
	Vendor Total		**200.00**		
FYTD for FORREST CORMANY			**200.00**		
LEAL, ANAHI				Remit to: **RIVERSIDE**	**CA**
	5/9/2011	207688	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for LEAL, ANAHI			**20.00**		
NIELSEN LLC, CLARITAS				Remit to: **CHARLOTTE**	**NC**
	5/31/2011	208014	3,090.00		
				MEMBERSHIP RNWL-EDD	3,090.00
	Vendor Total		**3,090.00**		
FYTD for NIELSEN LLC, CLARITAS			**3,090.00**		
SHEPARD, SUZIE				Remit to: **MORENO VALLEY**	**CA**
	5/9/2011	207689	175.00		
				REFUND-RNTL DEP 4/16/11	175.00
	Vendor Total		**175.00**		
FYTD for SHEPARD, SUZIE			**175.00**		
A & I REPROGRAPHICS	**2406362**			Remit to: **ONTARIO**	**CA**
	5/23/2011	207898	152.52		
				RPRGRPHC SVCS-SPEED HUMP PRGM	152.52
	Vendor Total		**152.52**		
FYTD for A & I REPROGRAPHICS	**2406362**		**25,313.07**		
A & R WHOLESALE DISTRIBUTORS, INC				Remit to: **ANAHEIM**	**CA**
	5/9/2011	207690	202.02		
				COOKING CLUB SNACKS-STARS	202.02
	Vendor Total		**202.02**		
FYTD for A & R WHOLESALE DISTRIBUTORS, INC			**202.02**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
ABILITY COUNTS, INC			Remit to: **CORONA** **CA**	
5/2/2011	207602	2,880.00		
			LANDSCAPE MAINT-AQDCT BKWY	1,440.00
			LANDSCAPE MAINT-AQDCT BKWY	1,440.00
5/23/2011	207899	1,440.00		
			LANDSCAPE MAINT-AQDCT BKWY	1,440.00
	Vendor Total	**4,320.00**		
FYTD for ABILITY COUNTS, INC		**4,320.00**		
ADAMS, MARK L.			Remit to: **REDLANDS** **CA**	
5/9/2011	882640	318.73		
			RETIREE MED MAY '11	318.73
	Vendor Total	**318.73**		
FYTD for ADAMS, MARK L.		**3,506.03**		
ADLERHORST INTERNATIONAL INC.			Remit to: **RIVERSIDE** **CA**	
5/23/2011	882760	283.34		
			TRAINING FOR PD K-9	283.34
5/31/2011	882798	1,500.00		
			K-9 TRACKING SEMINAR	750.00
			K-9 TRACKING SEMINAR	750.00
	Vendor Total	**1,783.34**		
FYTD for ADLERHORST INTERNATIONAL INC.		**21,527.43**		
ADMINSURE			Remit to: **DIAMOND BAR** **CA**	
5/16/2011	207796	2,600.00		
			WORKMANS COMP ADMIN SVCS-RM	2,600.00
	Vendor Total	**2,600.00**		
FYTD for ADMINSURE		**28,600.00**		
ADRIATICO, ISABELITA			Remit to: **MORENO VALLEY** **CA**	
5/16/2011	207797	30.00		
			REFUND-FALSE ALARM FEE	30.00
	Vendor Total	**30.00**		
FYTD for ADRIATICO, ISABELITA		**30.00**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
ADVANCE REFRIGERATION & ICE SYSTEMS, INC			Remit to: **RIVERSIDE** **CA**	
5/9/2011	882641	717.00		
			ICE MACHINE MAINT-CONF & REC C	195.00
			ICE MACHINE MAINT-FS #58	195.00
			ICE MACHINE MAINT-SENIOR CTR	195.00
			ICE MACHINE MAINT-FS #48	132.00
5/31/2011	882799	875.00		
			ICE MACH MAINT-FS #6	195.00
			ICE MACH MAINT-PSB	195.00
			ICE MACH MAINT-CITY YARD	290.00
			ICE MACH MAINT-TOWNGATE	195.00
Vendor Total		**1,592.00**		
FYTD for ADVANCE REFRIGERATION & ICE SYSTEMS, INC		**18,188.00**		
ADVANCED ELECTRIC			Remit to: **RIVERSIDE** **CA**	
5/9/2011	207691	1,914.00		
			ELECT REPAIRS-PSB	124.00
			ELECT REPAIRS-PSB	186.00
			ELECT REPAIRS-PSB	124.00
			BULBS/LIGHT RPLCMNT-PSB	1,480.00
5/23/2011	207901	11,278.00		
			ELECT SVCS-AUTO SHOP	1,261.00
			ELECT SVCS/RPRS-PSB	194.00
			ELECT SVCS/RPRS-CONF & REC CTR	218.00
			ELECT SVCS/RPRS-CITY HALL	951.00
			ELECT SVCS/RPRS-PARKS	1,491.00
			ELECT SVCS/RPRS-PARKS	236.00
			ELECT SVCS/RPRS-PARKS	243.00
			ELECT SVCS/RPRS-PARKS	282.00
			ELECT SVCS/RPRS-PARKS	238.00
			ELECT SVCS/RPRS-PARKS	212.00
			ELECT SVCS/RPRS-PARKS	687.00
			ELECT SVCS/RPRS-PARKS	361.00
			ELECT SVCS/RPRS-PARKS	401.00
			ELECT SVCS/RPRS-PARKS	367.00
			ELECT SVCS/RPRS-PARKS	820.00
			ELECT SVCS/RPRS-CFD #1	362.00
			ELECT SVCS/RPRS-CFD #1	368.00
			ELECT SVCS/RPRS-CFD #1	217.00
			ELECT SVCS/RPRS-CFD #1	217.00
			ELECT SVCS/RPRS-CFD #1	421.00
			ELECT SVCS/RPRS-FS #48	582.00
			ELECT SVC/REPAIRS-FS #48	870.00
			ELECT SVC/REPAIRS-FS #65	279.00
5/31/2011	208015	532.00		
			ELECTRICAL REPAIRS-PSB	127.00
			POWER CIRCUITS FOR GYM-EDD	405.00
Vendor Total		**13,724.00**		
FYTD for ADVANCED ELECTRIC		**93,562.60**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
AEI-CASC ENGINEERING				Remit to: **COLTON** **CA**	
	5/2/2011	882616	1,451.05		
				CONSULTING SVCS-WQMP	958.80
				CONSULTING SVCS-WQMP	492.25
	5/31/2011	882800	6,085.05		
				IRONWD AVE/DAY ST-BARCLAY PROJ	596.70
				IRONWD AVE/DAY ST-BARCLAY PROJ	5,488.35
	Vendor Total		**7,536.10**		
FYTD for AEI-CASC ENGINEERING			**232,139.79**		
AHLERS, ROSCEAL				Remit to: **HEMET** **CA**	
	5/23/2011	207902	228.00		
				INSTRUCTION SVCS-6 DAYS	228.00
	Vendor Total		**228.00**		
FYTD for AHLERS, ROSCEAL			**1,444.00**		
ALBERTO'S MEXICAN FOOD				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	207692	32.79		
				REFUND-BUS LIC OVRPMT	32.79
	Vendor Total		**32.79**		
FYTD for ALBERTO'S MEXICAN FOOD			**88.76**		
ALICEA, RICHARD				Remit to: **MORENO VALLEY** **CA**	
	5/23/2011	207903	81.09		
				MILEAGE REIMBURSEMENT	81.09
	Vendor Total		**81.09**		
FYTD for ALICEA, RICHARD			**1,040.19**		
ALLIANCE BUS LINES INC				Remit to: **ONTARIO** **CA**	
	5/16/2011	207798	257.64		
				BUS SERVICES-PARKS	257.64
	Vendor Total		**257.64**		
FYTD for ALLIANCE BUS LINES INC			**11,545.41**		
ALLIANT INSURANCE SERVICES, INC.				Remit to: **NEWPORT BEACH** **CA**	
	5/16/2011	207799	2,199.36		
				INSURANCE PREMIUM	2,199.36
	Vendor Total		**2,199.36**		
FYTD for ALLIANT INSURANCE SERVICES, INC.			**2,199.36**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
ALLIANZ LIFE INSURANCE CO				Remit to: **NEWARK** **NJ**	
	5/9/2011	207693	75.00		
				NON-EXEMPT ANNUITY	75.00
	Vendor Total		**75.00**		
FYTD for ALLIANZ LIFE INSURANCE CO			**825.00**		
ALPHA AUTOMATION				Remit to: **LOS ANGELES** **CA**	
	5/16/2011	207800	46.38		
				FUEL TANK MONITORING	46.38
	Vendor Total		**46.38**		
FYTD for ALPHA AUTOMATION			**46.38**		
ALVAREZ, JUAN C				Remit to: **RIVERSIDE** **CA**	
	5/2/2011	207604	70.00		
				SPORTS OFFICIATING SVCS	70.00
	5/23/2011	207905	70.00		
				SPORTS OFFICIATING SVCS	70.00
	Vendor Total		**140.00**		
FYTD for ALVAREZ, JUAN C			**350.00**		
AMERICAN FORENSIC NURSES				Remit to: **PALM SPRINGS** **CA**	
	5/23/2011	882761	3,439.80		
				BLOOD DRAWS-PD	3,439.80
	5/31/2011	882801	1,427.40		
				BLOOD DRAWS-PD	1,427.40
	Vendor Total		**4,867.20**		
FYTD for AMERICAN FORENSIC NURSES			**33,939.54**		
AMERICAN TOWERS				Remit to: **CHARLOTTE** **NC**	
	5/9/2011	207694	2,573.48		
				ATC TOWER LEASE-TECH SVCS	2,573.48
	Vendor Total		**2,573.48**		
FYTD for AMERICAN TOWERS			**20,587.84**		
AMTECH ELEVATOR SERVICES				Remit to: **ANAHEIM** **CA**	
	5/9/2011	207695	121.92		
				ELEVATOR SVC-CITY HALL	121.92
	Vendor Total		**121.92**		
FYTD for AMTECH ELEVATOR SERVICES			**1,866.10**		

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ANDREAS, SHARISSA			Remit to: **MORENO VALLEY** **CA**	
5/9/2011	207696	95.00		
			REFUND-RABIES/SPAY DEPOSIT	20.00
			REFUND-RABIES/SPAY DEPOSIT	75.00
	Vendor Total	**95.00**		
FYTD for ANDREAS, SHARISSA		**95.00**		
ANIMAL EMERGENCY CLINIC, INC.			Remit to: **GRAND TERRACE** **CA**	
5/23/2011	882762	130.00		
			EMERGENCY VET SVCS-ANML SHLTR	75.00
			EMERGENCY VET SVCS-ANML SHLTR	55.00
	Vendor Total	**130.00**		
FYTD for ANIMAL EMERGENCY CLINIC, INC.		**2,465.00**		
ANIMAL PEST MANAGEMENT SERVICES, INC.			Remit to: **CHINO** **CA**	
5/23/2011	207906	1,790.00		
			PEST CONTROL SVCS-PARKS	665.00
			PEST CONTROL SVCS-PARKS	255.00
			PEST CONTROL SVCS-MVEC/MARCH F	330.00
			PEST CONTROL SVCS-PAL	100.00
			PEST CONTROL SVCS-CFD #1	160.00
			PEST CONTROL SVCS-GOLF COURSE	180.00
			PEST CONTROL SVCS-STARS	100.00
	Vendor Total	**1,790.00**		
FYTD for ANIMAL PEST MANAGEMENT SERVICES, INC.		**19,690.00**		
ARBY'S			Remit to: **MORENO VALLEY** **CA**	
5/9/2011	207697	60.78		
			REFUND-BUS LIC OVRPMT	60.78
	Vendor Total	**60.78**		
FYTD for ARBY'S		**60.78**		
ARCHIVE MANAGEMENT SERVICE			Remit to: **RIVERSIDE** **CA**	
5/16/2011	882733	1,229.26		
			OFFSITE STORAGE SVCS-CITY CLRK	1,229.26
	Vendor Total	**1,229.26**		
FYTD for ARCHIVE MANAGEMENT SERVICE		**15,129.83**		
ARELLANO, EDGAR			Remit to: **MORENO VALLEY** **CA**	
5/23/2011	207907	429.50		
			REFUND-CITATION DISMISSED	429.50
	Vendor Total	**429.50**		
FYTD for ARELLANO, EDGAR		**429.50**		

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ARROWHEAD WATER				Remit to: **COLTON** **CA**	
	5/2/2011	207605	365.78		
				WATER PURIF RNTL-CITY HALL	125.01
				WATER PURIF RNTL-CITY YARD	25.00
				WATER PURIF RNTL-TRFFC TRLR	25.00
				WATER PURIF RNTL-LIBRARY	25.00
				WATER PURIF RNTL-FS #6	25.00
				WATER PURIF RNTL-FS #48	25.00
				WATER PURIF RNTL-FS #2	25.00
				WATER PURIF RNTL-FS #58	15.77
				WATER PURIF RNTL-FS #91	25.00
				WATER PURIF RNTL-FS #65	25.00
				WATER PURIF RNTL-EOC	25.00
	5/23/2011	207908	175.01		
				WATER PURIF RNTL-SPCL DIST	25.00
				WATER PURIF RNTL-CONF & REC CT	25.00
				WATER PURIF RNTL-TS ANNEX	25.00
				WATER PURIF RNTL-SENIOR CTR	25.00
				WATER PURIF RNTL-ANML SHLTR	50.01
				WATER PURIF RNTL-FACILITIES	25.00
	Vendor Total		**540.79**		
FYTD for ARROWHEAD WATER			**6,131.22**		
ARROYAVE, KIARA				Remit to: **RIVERSIDE** **CA**	
	5/31/2011	208016	95.00		
				REFUND-SPAY DEPOSIT	95.00
	Vendor Total		**95.00**		
FYTD for ARROYAVE, KIARA			**95.00**		
AT&T MOBILITY				Remit to: **CAROL STREAM** **IL**	
	5/2/2011	207606	91.82		
				CELL PHONE SVCS-PD MBL COMM CT	91.82
	5/31/2011	208017	91.25		
				CELL PH CHARGES-PD MBL CMMND C	91.25
	Vendor Total		**183.07**		
FYTD for AT&T MOBILITY			**1,101.81**		
AT&T/MCI				Remit to: **WEST SACRAMENTO** **CA**	
	5/9/2011	207698	183.36		
				COMMUNICATION SVCS-PD	183.36
	Vendor Total		**183.36**		
FYTD for AT&T/MCI			**2,018.10**		

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ATOM, INC				Remit to: **HEMET** **CA**	
	5/2/2011	207607	1,397.90		
				RETENT RLS-SUNNYMD/FREDERICK	1,397.90
	Vendor Total		**1,397.90**		
FYTD for ATOM, INC			**13,979.00**		
BABUGLIA, SILVAVNA				Remit to: **MORENO VALLEY** **CA**	
	5/23/2011	207909	60.00		
				REFUND-OIL PAINTING CLASS	60.00
	Vendor Total		**60.00**		
FYTD for BABUGLIA, SILVAVNA			**60.00**		
BACHER, GRACE				Remit to: **HEMET** **CA**	
	5/9/2011	207699	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for BACHER, GRACE			**3,427.25**		
BALANCIER, EARL				Remit to: **PERRIS** **CA**	
	5/2/2011	207608	684.00		
				INSTRUCTION SVCS-18 DAYS	684.00
	5/23/2011	207910	608.00		
				INSTRUCTION SVCS-16 DAYS	608.00
	Vendor Total		**1,292.00**		
FYTD for BALANCIER, EARL			**2,584.00**		
BANK OF AMERICA, N.A.				Remit to: **CHARLOTTE** **NC**	
	5/16/2011	207801	90.00		
				REFUND-FALSE ALARM FEE	90.00
	5/23/2011	207911	30.00		
				REFUND-FALSE ALARM FEE	30.00
	Vendor Total		**120.00**		
FYTD for BANK OF AMERICA, N.A.			**410.00**		
BARRAZA/FLORES, BULMARO/ERNESTINA				Remit to: **PERRIS** **CA**	
	5/9/2011	207700	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for BARRAZA/FLORES, BULMARO/ERNESTINA			**20.00**		

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BARWINSKI, CHRISTOPHER				Remit to: **MORENO VALLEY CA**	
	5/2/2011	882617	70.00		
				SPORTS OFFICIATING SVCS	70.00
	5/23/2011	882763	35.00		
				SPORTS OFFICIATING SVCS	35.00
	Vendor Total		**105.00**		
FYTD for BARWINSKI, CHRISTOPHER			**1,417.50**		
BASIC BACKFLOW				Remit to: **SAN BERNARDINO CA**	
	5/9/2011	882642	137.20		
				BACKFLOW TESTING-PARKS	77.20
				BACKFLOW TESTING-PARKS	60.00
	Vendor Total		**137.20**		
FYTD for BASIC BACKFLOW			**2,753.26**		
BATE, CHERISE				Remit to: **MORENO VALLEY CA**	
	5/2/2011	207609	50.00		
				REFUND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for BATE, CHERISE			**100.00**		
BAYANI, CHRISTOPHER				Remit to: **MORENO VALLEY CA**	
	5/16/2011	207802	155.00		
				PER DIEM-VEH. HOMICIDE SEMINAR	155.00
	Vendor Total		**155.00**		
FYTD for BAYANI, CHRISTOPHER			**155.00**		
BAYER APPRAISALS				Remit to: **MORENO VALLEY CA**	
	5/31/2011	208018	250.00		
				RES APPRAISAL SVC-EDD	250.00
	Vendor Total		**250.00**		
FYTD for BAYER APPRAISALS			**2,400.00**		
BEAS, GABRIEL				Remit to: **MORENO VALLEY CA**	
	5/16/2011	207803	75.00		
				REFUND-NEUTER DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for BEAS, GABRIEL			**75.00**		

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BECKNER, PATRICK				Remit to: **MURRIETA** **CA**	
	5/9/2011	207701	796.56		
				RETIREE MED FEB-MAY '11	796.56
	Vendor Total		**796.56**		
FYTD for BECKNER, PATRICK			**2,810.49**		
BEMUS LANDSCAPE, INC.				Remit to: **SAN CLEMENTE** **CA**	
	5/9/2011	882643	4,868.50		
				LANDSCAPE MAINT-VETRNS MEM	250.00
				LANDSCAPE MAINT-FIRE STATIONS	3,150.00
				LANDSCAPE MAINT-CITY HALL	992.56
				LANDSCAPE MAINT-ANNEX #1	300.00
				LANDSCAPE MAINT-E4	74.35
				LANDSCAPE MAINT-E4	41.59
				LANDSCAPE MAINT-CFD #1	60.00
	5/23/2011	882764	854.30		
				LANDSCAPE MAINT-E3A	589.30
				LANDSCAPE MAINT-E3A	265.00
	Vendor Total		**5,722.80**		
FYTD for BEMUS LANDSCAPE, INC.			**519,366.45**		
BENESYST, INC.				Remit to: **MINNEAPOLIS** **MN**	
	5/16/2011	207895	415.30		
				FLEX ADMIN SVCS-HR	210.30
				COBRA ADMIN SVCS-HR	205.00
	5/31/2011	882803	415.30		
				COBRA ADMIN SVCS-HR	205.00
				FLEX ADMIN SVCS-HR	210.30
	Vendor Total		**830.60**		
FYTD for BENESYST, INC.			**6,138.70**		
BIO-TOX LABORATORIES				Remit to: **RIVERSIDE** **CA**	
	5/9/2011	207702	7,888.29		
				TOXICOLOGY TESTING-PD	930.59
				TOXICOLOGY TESTING-PD	6,957.70
	Vendor Total		**7,888.29**		
FYTD for BIO-TOX LABORATORIES			**68,075.03**		
BISHOP COMPANY				Remit to: **WHITTIER** **CA**	
	5/23/2011	207912	771.99		
				MISC TOOLS-PARKS MAINT	771.99
	Vendor Total		**771.99**		
FYTD for BISHOP COMPANY			**771.99**		

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BLAIR, CHERYL				Remit to: **RIVERSIDE** **CA**	
	5/2/2011	207610	81.00		
				INSTRUCTOR SVCS-BELLY DANCING	81.00
	Vendor Total		**81.00**		
FYTD for BLAIR, CHERYL			**1,971.00**		
BLANCO, MANNY				Remit to: **MORENO VALLEY** **CA**	
	5/16/2011	207804	3.00		
				REFUND-CITATION OVRPMT	3.00
	Vendor Total		**3.00**		
FYTD for BLANCO, MANNY			**3.00**		
BOBO II, FELIX				Remit to: **MORENO VALLEY** **CA**	
	5/23/2011	207913	100.98		
				MILEAGE REIMBURSEMENT	100.98
	Vendor Total		**100.98**		
FYTD for BOBO II, FELIX			**1,201.57**		
BOOKLETTERS				Remit to: **COLUMBUS** **OH**	
	5/9/2011	207703	3,450.00		
				WEB SITE SVCS-LIBRARY	3,450.00
	Vendor Total		**3,450.00**		
FYTD for BOOKLETTERS			**7,172.00**		
BOSE, TIFFANY				Remit to: **CORONA** **CA**	
	5/9/2011	207704	39.27		
				MILEAGE REIMBURSEMENT	39.27
	5/23/2011	207914	42.33		
				MILEAGE REIMBURSEMENT	42.33
	Vendor Total		**81.60**		
FYTD for BOSE, TIFFANY			**318.75**		
BRAY, JR., LYLE DEAN				Remit to: **CORONA** **CA**	
	5/31/2011	208019	608.00		
				INSTRUCTION SVCS-16 DAYS	608.00
	Vendor Total		**608.00**		
FYTD for BRAY, JR., LYLE DEAN			**1,824.00**		
BREITKREUZ, THOMAS F.				Remit to: **REDLANDS** **CA**	
	5/9/2011	207705	538.18		
				RETIREE MED FEB-MAR '11	538.18
	Vendor Total		**538.18**		
FYTD for BREITKREUZ, THOMAS F.			**2,255.25**		

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BROCKMUELLER, REGINA				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	207706	50.00		
				REFUND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for BROCKMUELLER, REGINA			**50.00**		

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
BRODART CO.				Remit to: **WILLIAMSPORT** **PA**	
	5/23/2011	882765	3,068.09		
				MISC BOOKS-LIBRARY	40.74
				MISC BOOKS-LIBRARY	144.53
				MISC BOOKS-LIBRARY	18.34
				MISC BOOKS-LIBRARY	443.76
				MISC BOOKS-LIBRARY	21.38
				MISC BOOKS-LIBRARY	204.66
				MISC BOOKS-LIBRARY	23.20
				MISC BOOKS-LIBRARY	23.17
				MISC BOOKS-LIBRARY	107.21
				MISC BOOKS-LIBRARY	214.55
				MISC BOOKS-LIBRARY	38.61
				MISC BOOKS-LIBRARY	23.19
				MISC BOOKS-LIBRARY	92.80
				MISC BOOKS-LIBRARY	50.66
				MISC BOOKS-LIBRARY	21.99
				MISC BOOKS-LIBRARY	23.19
				MISC BOOKS-LIBRARY	39.55
				MISC BOOKS-LIBRARY	112.91
				MISC BOOKS-LIBRARY	20.15
				MISC BOOKS-LIBRARY	17.74
				MISC BOOKS-LIBRARY	15.33
				MISC BOOKS-LIBRARY	41.34
				MISC BOOKS-LIBRARY	88.68
				MISC BOOKS-LIBRARY	185.13
				MISC BOOKS-LIBRARY	21.96
				MISC BOOKS-LIBRARY	28.44
				MISC BOOKS-LIBRARY	41.36
				MISC BOOKS-LIBRARY	22.57
				MISC BOOKS-LIBRARY	61.56
				MISC BOOKS-LIBRARY	32.14
				MISC BOOKS-LIBRARY	20.79
				MISC BOOKS-LIBRARY	22.57
				MISC BOOKS-LIBRARY	94.39
				MISC BOOKS-LIBRARY	212.65
				MISC BOOKS-LIBRARY	110.15
				MISC BOOKS-LIBRARY	293.70
				MISC BOOKS-LIBRARY	47.85
				MISC BOOKS-LIBRARY	23.19
				MISC BOOKS-LIBRARY	21.96
	5/31/2011	882804	5,057.59		
				MISC BOOKS-LIBRARY	21.99
				MISC BOOKS-LIBRARY	34.73
				MISC BOOKS-LIBRARY	52.16
				MISC BOOKS-LIBRARY	156.37
				MISC BOOKS-LIBRARY	22.59
				MISC BOOKS-LIBRARY	446.75
				MISC BOOKS-LIBRARY	79.52
				MISC BOOKS-LIBRARY	42.55
				MISC BOOKS-LIBRARY	1,960.10
				MISC BOOKS-LIBRARY	92.80
				MISC BOOKS-LIBRARY	41.36
				MISC BOOKS-LIBRARY	48.78

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
			MISC BOOKS-LIBRARY	23.85
			MISC BOOKS-LIBRARY	56.81
			MISC BOOKS-LIBRARY	24.79
			MISC BOOKS-LIBRARY	38.35
			MISC BOOKS-LIBRARY	164.52
			MISC BOOKS-LIBRARY	24.78
			MISC BOOKS-LIBRARY	427.96
			MISC BOOKS-LIBRARY	23.20
			MISC BOOKS-LIBRARY	26.59
			MISC BOOKS-LIBRARY	27.40
			MISC BOOKS-LIBRARY	21.98
			MISC BOOKS-LIBRARY	21.99
			MISC BOOKS-LIBRARY	286.15
			MISC BOOKS-LIBRARY	467.83
			MISC BOOKS-LIBRARY	24.78
			MISC BOOKS-LIBRARY	34.86
			MISC BOOKS-LIBRARY	41.17
			MISC BOOKS-LIBRARY	21.98
			MISC BOOKS-LIBRARY	21.99
			MISC BOOKS-LIBRARY	92.78
			MISC BOOKS-LIBRARY	21.38
			MISC BOOKS-LIBRARY	42.57
			MISC BOOKS-LIBRARY	70.89
			MISC BOOKS-LIBRARY	49.29
	Vendor Total	**8,125.68**		
FYTD for BRODART CO.		**41,966.88**		
BROWN, DANIEL			Remit to: **MORENO VALLEY**	**CA**
5/16/2011	207805	75.00		
			REFUND-NEUTER DEPOSIT	75.00
	Vendor Total	**75.00**		
FYTD for BROWN, DANIEL		**75.00**		
BROWN, TRACY			Remit to: **MORENO VALLEY**	**CA**
5/2/2011	207611	20.00		
			REFUND-RABIES DEPOSIT	20.00
	Vendor Total	**20.00**		
FYTD for BROWN, TRACY		**20.00**		
BUCKINGHAM, STAN			Remit to: **TEMECULA**	**CA**
5/9/2011	207707	318.73		
			RETIREE MED MAY '11	318.73
	Vendor Total	**318.73**		
FYTD for BUCKINGHAM, STAN		**3,506.03**		

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BURKE, WILLIAMS & SORENSEN, LLP.			Remit to: **LOS ANGELES** **CA**	
5/16/2011	882735	3,923.10		
			LEGAL SERVICES-HR	1,277.00
			LEGAL SERVICES-HR	2,646.10
5/31/2011	882805	7,683.40		
			LEGAL SERVICES-HR	1,680.14
			LEGAL SERVICES-HR	3,383.76
			LEGAL SERVICES-HR	2,619.50
	Vendor Total	**11,606.50**		
FYTD for BURKE, WILLIAMS & SORENSEN, LLP.		**84,802.80**		
BWI - BOOK WHOLESALERS, INC.			Remit to: **MCHENRY** **IL**	
5/23/2011	207915	2,397.28		
			MISC BOOKS-LIBRARY	154.28
			MISC BOOKS-LIBRARY	226.47
			MISC BOOKS-LIBRARY	218.16
			MISC BOOKS-LIBRARY	41.90
			MISC BOOKS-LIBRARY	77.35
			MISC BOOKS-LIBRARY	118.73
			MISC BOOKS-LIBRARY	53.35
			MISC BOOKS-LIBRARY	13.05
			MISC BOOKS-LIBRARY	1,119.53
			MISC BOOKS-LIBRARY	374.46
5/31/2011	208020	1,621.10		
			MISC BOOKS-LIBRARY	67.96
			MISC BOOKS-LIBRARY	117.03
			MISC BOOKS-LIBRARY	439.81
			MISC BOOKS-LIBRARY	643.44
			MISC BOOKS-LIBRARY	117.02
			MISC BOOKS-LIBRARY	85.16
			MISC BOOKS-LIBRARY	18.70
			MISC BOOKS-LIBRARY	97.39
			MISC BOOKS-LIBRARY	34.59
	Vendor Total	**4,018.38**		
FYTD for BWI - BOOK WHOLESALERS, INC.		**20,516.95**		
CA CONSTRUCTION AND RUCKER TILE			Remit to:	
5/31/2011	208021	14,321.99		
			RETENT/STOP NOTICE PYMT-PSB PR	14,321.99
	Vendor Total	**14,321.99**		
FYTD for CA CONSTRUCTION AND RUCKER TILE		**14,321.99**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
CAD ZONE, THE				Remit to: **BEAVERTON** **OR**	
	5/23/2011	207916	1,140.00		
				CRIMEZONE-PD	1,130.00
				CRIMEZONE-PD	10.00
				CRIMEZONE-PD	99.75
				USED TAX ACCRUAL-PD	-99.75
	Vendor Total		**1,140.00**		
FYTD for CAD ZONE, THE			**1,140.00**		
CAIN, GREGORY				Remit to: **TAMPA** **FL**	
	5/9/2011	882644	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for CAIN, GREGORY			**3,506.03**		
CAL DEPT OF FORESTRY & FIRE PROTECTION				Remit to: **SACRAMENTO** **CA**	
	5/16/2011	207806	664.56		
				WEED ABATEMENT SVCS	664.56
	Vendor Total		**664.56**		
FYTD for CAL DEPT OF FORESTRY & FIRE PROTECTION			**664.56**		
CALIFORNIA CENTERS MAGAZINE, INC.				Remit to: **LAGUNA HILLS** **CA**	
	5/31/2011	208022	3,780.00		
				ADVERTISING SVCS-EDD	3,780.00
	Vendor Total		**3,780.00**		
FYTD for CALIFORNIA CENTERS MAGAZINE, INC.			**7,560.00**		
CALIFORNIA DEPARTMENT OF FISH AND GAME				Remit to: **LOS ALAMITOS** **CA**	
	5/31/2011	208023	168.00		
				STREAMBED ALT AGRMNT AMNDMNT	168.00
	Vendor Total		**168.00**		
FYTD for CALIFORNIA DEPARTMENT OF FISH AND GAME			**168.00**		
CALIFORNIA FACILITY SPECIALTIES				Remit to: **SAN DIMAS** **CA**	
	5/31/2011	208024	4,172.00		
				BASKETBALL EQUIP-PARKS	4,172.00
	Vendor Total		**4,172.00**		
FYTD for CALIFORNIA FACILITY SPECIALTIES			**10,685.00**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
CALIFORNIA STATE CONTROLLER'S OFFICE			Remit to: **SACRAMENTO** **CA**	
5/9/2011	207708	7.64		
			UNCLAIMED PROPERTY (WAGES)	7.64
	Vendor Total	**7.64**		
FYTD for CALIFORNIA STATE CONTROLLER'S OFFICE		**7.64**		
CALIFORNIA WATERSHED ENGINEERING CORP.			Remit to: **ANAHEIM** **CA**	
5/2/2011	882618	2,666.50		
			CONSULTING SVCS-WQMP	2,666.50
	Vendor Total	**2,666.50**		
FYTD for CALIFORNIA WATERSHED ENGINEERING CORP.		**12,134.00**		
CALVARY CHAPEL OF MORENO VALLEY			Remit to: **MORENO VALLEY** **CA**	
5/31/2011	208025	100.00		
			REFUND-RNTL DEP 4/24/11	100.00
	Vendor Total	**100.00**		
FYTD for CALVARY CHAPEL OF MORENO VALLEY		**100.00**		
CAMBERLY GILLMAN			Remit to: **MORENO VALLEY** **CA**	
5/2/2011	207612	11,827.20		
			SOLAR INCENTIVE REBATE	11,827.20
	Vendor Total	**11,827.20**		
FYTD for CAMBERLY GILLMAN		**11,827.20**		
CAMPBELL, LARRY			Remit to: **MORENO VALLEY** **CA**	
5/23/2011	207917	50.00		
			REFUND-TRAP DEPOSIT	50.00
	Vendor Total	**50.00**		
FYTD for CAMPBELL, LARRY		**100.00**		
CANNON, ANA M.			Remit to: **HASLET** **TX**	
5/9/2011	882645	318.73		
			RETIREE MED MAY '11	318.73
	Vendor Total	**318.73**		
FYTD for CANNON, ANA M.		**3,331.48**		
CANON BUSINESS SOLUTIONS, INC.			Remit to: **BURLINGTON** **NJ**	
5/9/2011	882646	7,250.88		
			COPY SERVICES	6,667.48
			COPY SERVICES	583.40
	Vendor Total	**7,250.88**		
FYTD for CANON BUSINESS SOLUTIONS, INC.		**35,503.75**		

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CANON FINANCIAL SERVICES, INC.			Remit to: **CHICAGO** **IL**	
5/9/2011	207709	7,590.68		
			COPIER LEASE	7,059.29
			COPIER LEASE	531.39
	Vendor Total	**7,590.68**		
FYTD for CANON FINANCIAL SERVICES, INC.		**83,497.48**		
CANTU, TRACY			Remit to: **ONTARIO** **CA**	
5/16/2011	207807	75.00		
			REFUND-SPAY DEPOSIT	75.00
	Vendor Total	**75.00**		
FYTD for CANTU, TRACY		**75.00**		
CAREER CARE INSTITUTE			Remit to: **LANCATER** **CA**	
5/23/2011	207918	500.00		
			REFUND-RNTL DEP 4/8/11	500.00
	Vendor Total	**500.00**		
FYTD for CAREER CARE INSTITUTE		**500.00**		
CARRERA, EFRAIN			Remit to: **PERRIS** **CA**	
5/23/2011	207919	646.00		
			INSTRUCTION SVCS-17 DAYS	646.00
	Vendor Total	**646.00**		
FYTD for CARRERA, EFRAIN		**646.00**		
CARTER, LINDA			Remit to: **MORENO VALLEY** **CA**	
5/16/2011	207808	54.50		
			REFUND-CITATION OVRPMT	54.50
	Vendor Total	**54.50**		
FYTD for CARTER, LINDA		**54.50**		
CARTER, ROSALYN			Remit to: **MORENO VALLEY** **CA**	
5/9/2011	882647	318.73		
			RETIREE MED APR '11	318.73
	Vendor Total	**318.73**		
FYTD for CARTER, ROSALYN		**3,600.10**		
CASA FOR RIVERSIDE COUNTY, INC.			Remit to: **INDIO** **CA**	
5/16/2011	882736	1,247.47		
			SPCL ADVOCATES PRGM-CDBG	757.91
			SPCL ADVOCATES PRGM-CDBG	489.56
	Vendor Total	**1,247.47**		
FYTD for CASA FOR RIVERSIDE COUNTY, INC.		**4,229.83**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
CATHCART, KATHERINE			Remit to: **BERMUDA DUNES** **CA**	
5/16/2011	207809	54.50		
			REFUND-CITATION DISMISSED	54.50
	Vendor Total	**54.50**		
FYTD for CATHCART, KATHERINE		**54.50**		
CATHOLIC CHARITIES			Remit to: **SAN BERNARDINO** **CA**	
5/16/2011	207810	22,366.80		
			RENTAL ASST SVCS-HPRP	22,366.80
	Vendor Total	**22,366.80**		
FYTD for CATHOLIC CHARITIES		**126,600.31**		
CAUTHEN, CHARLES			Remit to: **RIVERSIDE** **CA**	
5/16/2011	207811	404.50		
			REFUND-CITATION DISMISSED	404.50
	Vendor Total	**404.50**		
FYTD for CAUTHEN, CHARLES		**404.50**		
CELLEBRITE USA, CORP			Remit to: **GLEN ROCK** **NJ**	
5/23/2011	207920	9,072.00		
			UNIV FORENSIC EXT DEVICE-PD	4,499.00
			UNIV FORENSIC EXT DEVICE-PD	3,996.00
			UNIV FORENSIC EXT DEVICE-PD	65.00
			UNIV FORENSIC EXT DEVICE-PD	393.66
			UNIV FORENSIC EXT DEVICE-PD	737.32
			USED TAX ACCRUAL-PD	-618.98
	Vendor Total	**9,072.00**		
FYTD for CELLEBRITE USA, CORP		**9,072.00**		
CEMEX			Remit to: **ONTARIO** **CA**	
5/9/2011	207710	487.86		
			CEMENT PURCHASE	487.86
5/23/2011	207921	406.51		
			CEMENT PURCHASE	406.51
	Vendor Total	**894.37**		
FYTD for CEMEX		**9,035.59**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
CENTRAL OCCUPATIONAL MEDICINE PROVIDERS				Remit to: **RIVERSIDE** **CA**	
	5/2/2011	207613	4,558.00		
				PRE-EMPLOYMENT PHYSICALS-HR	25.00
				PRE-EMPLOYMENT PHYSICALS-STARS	709.00
				PRE-EMPLOYMENT PHYSICALS-STARS	3,824.00
	5/16/2011	207812	70.00		
				PRE-EMPLYMNT PHYSICALS-HR	45.00
				PRE-EMPLYMNT PHYSICALS-HR	25.00
	Vendor Total		**4,628.00**		
FYTD for CENTRAL OCCUPATIONAL MEDICINE PROVIDERS			**13,215.00**		
CHANCY, CHIZURU				Remit to: **MORENO VALLEY** **CA**	
	5/23/2011	207922	138.60		
				INSTRUCTOR SVCS-HAWAIIAN DANCE	93.60
				INSTRUCTOR SVCS-HAWAIIAN DANCE	45.00
	Vendor Total		**138.60**		
FYTD for CHANCY, CHIZURU			**1,443.45**		
CHANDLER ASSET MANAGEMENT, INC				Remit to: **SAN DIEGO** **CA**	
	5/23/2011	882766	8,861.00		
				INVESTMENT MGT SVCS	8,861.00
	Vendor Total		**8,861.00**		
FYTD for CHANDLER ASSET MANAGEMENT, INC			**96,999.00**		
CHAPMAN, STEVE				Remit to: **REDLANDS** **CA**	
	5/9/2011	207711	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for CHAPMAN, STEVE			**3,506.03**		
CHAPPELL, ISAAC				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	882648	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for CHAPPELL, ISAAC			**3,506.03**		
CHERRY VALLEY FEED				Remit to: **CHERRY VALLEY** **CA**	
	5/23/2011	207923	151.71		
				MISC FOOD FOR PD K-9	151.71
	Vendor Total		**151.71**		
FYTD for CHERRY VALLEY FEED			**1,091.11**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
CHRISTIAN, BRENDA				Remit to: **MORENO VALLEY** **CA**	
	5/16/2011	207813	72.00		
				REFUND-PICNIC SHLTR FEE	72.00
	Vendor Total		**72.00**		
FYTD for CHRISTIAN, BRENDA			**72.00**		
CHRISTIAN, OWEN				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	882649	229.88		
				RETIREE MED MAY '11	229.88
	Vendor Total		**229.88**		
FYTD for CHRISTIAN, OWEN			**2,316.58**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
CINTAS CORPORATION			Remit to: **ONTARIO**	**CA**
5/2/2011	882619	188.53		
			UNIFORM RNTL SVC-PARKS	54.39
			UNIFORM RNTL SVC-GRAFFITI RMVL	9.18
			UNIFORM RNTL SVC-EQUIP MAINT	24.10
			UNIFORM RNTL SVC-TREE MAINT	9.18
			UNIFORM RNTL SVC-CFD #1 STAFF	13.74
			UNIFORM RNTL SVC-ST SWEEPER	6.92
			UNIFORM RNTL SVC-DRAIN MAINT	3.46
			UNIFORM RNTL SVC-ST MAINT	57.98
			UNIFORM RNTL SVC-CONC MAINT	9.58
5/9/2011	882650	275.91		
			UNIFORM RNTL SVC-TRFFC MAINT	12.82
			UNIFORM RNTL SVC-TRFFC MAINT	12.82
			UNIFORM RNTL SVC-SIGNING STAFF	16.19
			UNIFORM RNTL SVC-SIGNING STAFF	16.19
			UNIFORM RNTL SVC-FAC MAINT	15.50
			UNIFORM RNTL SVC-FAC MAINT	15.50
			UNIFORM RNTL SVC-PARKS	50.19
			UNIFORM RNTL SVC-GRAFFITI RMVL	9.18
			UNIFORM RNTL SVC-EQUIP MAINT	24.10
			UNIFORM RNTL SVC-TREE MAINT	9.18
			UNIFORM RNTL SVC-CFD #1 STAFF	13.74
			UNIFORM RNTL SVC-ST SWEEPER OP	6.92
			UNIFORM RNTL SVC-DRAIN MAINT	3.46
			UNIFORM RNTL SVC-ST MAINT	54.98
			UNIFORM RNTL SVC-CONC MAINT	9.58
			UNIFORM RNTL SVC-GOLF COURSE	5.56
5/16/2011	882737	98.50		
			UNIFORM RNTL SVC-PARKS	50.19
			UNIFORM RNTL SVC-TRFFC SGNL	12.82
			UNIFORM RNTL SVC-SIGNING STAFF	16.19
			UNIFORM RNTL SVC-CFD #1	13.74
			UNIFORM RNTL SVC-GOLF COURSE	5.56
5/23/2011	882767	364.48		
			UNIFORM RNTL SVC-PURCHASING	3.92
			UNIFORM RNTL SVC-PURCHASING	3.92
			UNIFORM RNTL SVC-PURCHASING	3.92
			UNIFORM RNTL SVC-PURCHASING	3.92
			UNIFORM RNTL SVC-GRAFFITI RMVL	9.18
			UNIFORM RNTL SVC-GRAFFITI RMVL	9.18
			UNIFORM RNTL SVC-EQUIP MAINT	24.10
			UNIFORM RNTL SVC-EQUIP MAINT	24.10
			UNIFORM RNTL SVC-TREE MAINT	9.18
			UNIFORM RNTL SVC-TREE MAINT	9.18
			UNIFORM RNTL SVC-ST SWEEPER OP	6.92
			UNIFORM RNTL SVC-ST SWEEPER OP	6.92
			UNIFORM RNTL SVC-DRAIN MAINT	3.46
			UNIFORM RNTL SVC-DRAIN MAINT	3.46
			UNIFORM RNTL SVC-ST MAINT	54.98
			UNIFORM RNTL SVC-ST MAINT	54.98
			UNIFORM RNTL SVC-CONC MAINT	9.58
			UNIFORM RNTL SVC-CONC MAINT	9.58

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
			UNIFORM RNTL SVC-FAC MAINT	15.50
			UNIFORM RNTL SVC-PARKS	50.19
			UNIFORM RNTL SVC-TRFFC SGNL MA	12.82
			UNIFORM RNTL SVC-SIGNING STAFF	16.19
			UNIFORM RNTL SVC-CFD #1 STAFF	13.74
			UNIFORM RNTL SVC-GOLF COURSE	5.56
5/31/2011	882806	84.99		
			UNIFORM RNTL SVC-FAC MAINT	15.50
			UNIFORM RNTL SVC-PARKS STAFF	50.19
			UNIFORM RNTL SVC-CFD #1	13.74
			UNIFORM RNTL SVC-GOLF COURSE	5.56
	Vendor Total	**1,012.41**		
FYTD for CINTAS CORPORATION		**11,335.94**		
CITY OF MORENO VALLEY VEBA TRUST			Remit to: **MORENO VALLEY**	**CA**
5/9/2011	882651	4,212.50		
			EXEMPT VEBA	4,212.50
	Vendor Total	**4,212.50**		
FYTD for CITY OF MORENO VALLEY VEBA TRUST		**45,462.50**		
CITY OF RIVERSIDE PUBLIC UTILITIES DEPT.			Remit to: **RIVERSIDE**	**CA**
5/2/2011	207614	150.00		
			SPRING CONF.-CA MUNI RATES GRP	150.00
5/5/2011	207685	150.00		
			SPRING CONF.-CA MUNI RATES GRP	150.00
	Vendor Total	**300.00**		
FYTD for CITY OF RIVERSIDE PUBLIC UTILITIES DEPT.		**300.00**		
CITY OF TEMECULA			Remit to: **TEMECULA**	**CA**
5/5/2011	207686	150.00		
			LCC RIV CTY DIV MEMB MTG	30.00
			LCC RIV CTY DIV MEMB MTG	30.00
			LCC RIV CTY DIV MEMB MTG	30.00
			LCC RIV CTY DIV MEMB MTG	30.00
			LCC RIV CTY DIV MEMB MTG	30.00
	Vendor Total	**150.00**		
FYTD for CITY OF TEMECULA		**150.00**		
COASTLINE CONSTRUCTION & AWNING CO.			Remit to: **HUNTINGTON BEACH**	**CA**
5/2/2011	207615	18,750.00		
			MOBILE HOMES DEMO & DISPOSAL	18,750.00
	Vendor Total	**18,750.00**		
FYTD for COASTLINE CONSTRUCTION & AWNING CO.		**29,568.65**		

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COMMUNITY HEALTH CHARITIES			Remit to: **ANAHEIM** **CA**	
5/9/2011	207712	2.50		
			CHC CONTRIBUTIONS	2.50
5/9/2011	207713	183.81		
			CHC CONTRIBUTIONS	183.81
5/23/2011	207924	183.81		
			CHC CONTRIBUTIONS	183.81
	Vendor Total	**370.12**		
FYTD for COMMUNITY HEALTH CHARITIES		**6,181.18**		
COMPUTER POWER SOLUTIONS, INC.			Remit to: **LOS ALAMITOS** **CA**	
5/16/2011	207814	4,730.40		
			RPLCMNT BATTERIES-TELECOMM	4,176.00
			RPLCMNT BATTERIES-TELECOMM	365.40
			RPLCMNT BATTERIES-TELECOMM	189.00
	Vendor Total	**4,730.40**		
FYTD for COMPUTER POWER SOLUTIONS, INC.		**4,730.40**		
CONTINENTAL WESTERN TRANSPORTATION			Remit to: **SAN DIEGO** **CA**	
5/9/2011	207714	5,780.11		
			ASPHALTIC MATERIALS	5,780.11
	Vendor Total	**5,780.11**		
FYTD for CONTINENTAL WESTERN TRANSPORTATION		**15,214.25**		
CONTRERAS, BIANCA			Remit to: **MORENO VALLEY** **CA**	
5/2/2011	207616	210.00		
			SPORTS OFFICIATING SVCS	70.00
			SPORTS OFFICIATING SVCS	70.00
			SPORTS OFFICIATING SVCS	70.00
5/31/2011	208027	70.00		
			SPORTS OFFICIATING SVCS	70.00
	Vendor Total	**280.00**		
FYTD for CONTRERAS, BIANCA		**385.00**		
CONTRERAS, JOSE			Remit to: **MORENO VALLEY** **CA**	
5/2/2011	207617	140.00		
			SPORTS OFFICIATING SVCS	70.00
			SPORTS OFFICIATING SVCS	70.00
5/23/2011	207925	35.00		
			SPORTS OFFICIATING SVCS	35.00
5/31/2011	208028	105.00		
			SPORTS OFFICIATING SVCS	105.00
	Vendor Total	**280.00**		
FYTD for CONTRERAS, JOSE		**860.00**		

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COSEY JR., JAMES				Remit to: **MORENO VALLEY** **CA**	
	5/2/2011	207618	165.00		
				INSTRUCTOR SVCS-KARATE	165.00
	Vendor Total		**165.00**		
FYTD for COSEY JR., JAMES			**516.00**		
COSTCO				Remit to: **MORENO VALLEY** **CA**	
	5/2/2011	207619	1,727.27		
				MISC SUPPLIES-STARS	390.55
				MISC SUPPLIES-STARS	137.53
				MISC SUPPLIES-STARS	107.95
				MISC SUPPLIES-STARS	319.63
				MISC SUPPLIES-CHILDS PLACE	771.61
	5/9/2011	207715	366.24		
				MISC SUPPLIES-STARS	170.07
				MISC SUPPLIES-STARS	196.17
	5/16/2011	207815	790.68		
				MISC SUPPLIES-STARS	176.51
				MISC SUPPLIES-STARS	199.63
				MISC SUPPLIES-STARS	414.54
	5/23/2011	207926	1,557.91		
				MISC SUPPLIES-STARS	34.46
				MISC SUPPLIES-STARS	135.59
				MISC SUPPLIES-STARS	402.32
				MISC SUPPLIES-STARS	871.55
				MISC SUPPLIES-STARS	113.99
	5/31/2011	208029	3,534.20		
				MISC SUPPLIES-STARS	251.65
				MISC SUPPLIES-STARS	102.29
				MISC SUPPLIES-STARS	151.73
				MISC SUPPLIES-STARS	138.87
				MISC SUPPLIES-STARS	188.67
				MISC SUPPLIES-STARS	109.68
				MISC SUPPLIES-STARS	1,627.27
				MISC SUPPLIES-STARS	164.44
				MISC SUPPLIES-STARS	304.91
				MISC SUPPLIES-CHILDS PLACE	494.69
	Vendor Total		**7,976.30**		
FYTD for COSTCO			**51,111.04**		
COTTONWOOD PLACE IV RENTAL				Remit to: **ANAHEIM** **CA**	
	5/23/2011	207927	60.00		
				REFUND-FALSE ALARM FEE	30.00
				REFUND-FALSE ALARM FEE	30.00
	Vendor Total		**60.00**		
FYTD for COTTONWOOD PLACE IV RENTAL			**60.00**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
COUNSELING TEAM, THE			Remit to: **SAN BERNARDINO** **CA**	
5/16/2011	207816	1,250.00		
			EMP COUNSELING SVCS-HR	1,250.00
5/23/2011	207928	1,250.00		
			EMP COUNSELING SVCS-HR	1,250.00
Vendor Total		**2,500.00**		
FYTD for COUNSELING TEAM, THE		**16,250.00**		
COUNTS UNLIMITED, INC.			Remit to: **CORONA** **CA**	
5/23/2011	207929	3,120.00		
			TRAFFIC DATA COLLECTION SVCS	3,120.00
Vendor Total		**3,120.00**		
FYTD for COUNTS UNLIMITED, INC.		**3,620.00**		
COUNTY OF RIVERSIDE - RMAP			Remit to: **RIVERSIDE** **CA**	
5/31/2011	208030	42.70		
			RECORDATION RQST SVCS-LAND DEV	42.70
Vendor Total		**42.70**		
FYTD for COUNTY OF RIVERSIDE - RMAP		**490.25**		
COVARRUBIAS, ALFREDO			Remit to: **MORENO VALLEY** **CA**	
5/16/2011	207817	20.00		
			REFUND-RABIES DEPOSIT	20.00
Vendor Total		**20.00**		
FYTD for COVARRUBIAS, ALFREDO		**20.00**		
COVENTRY PET RESORT			Remit to: **REDLANDS** **CA**	
5/2/2011	882620	110.31		
			DOG FOOD FOR K9-PD	101.43
			DOG FOOD FOR K9-PD	8.88
Vendor Total		**110.31**		
FYTD for COVENTRY PET RESORT		**883.09**		
CRAWFORD, JOANNE			Remit to: **MORENO VALLEY** **CA**	
5/31/2011	208032	14,072.80		
			SOLAR INCENTIVE	14,072.80
Vendor Total		**14,072.80**		
FYTD for CRAWFORD, JOANNE		**14,072.80**		

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CREATIVE PROMOTIONAL IDEAS			Remit to: **UPLAND** **CA**	
5/2/2011	207620	4,567.50		
			WRISTBANDS-SOLID WASTE PRGM	4,200.00
			WRISTBANDS-SOLID WASTE PRGM	367.50
	Vendor Total	**4,567.50**		
FYTD for CREATIVE PROMOTIONAL IDEAS		**9,764.27**		
CRIME SCENE STERI-CLEAN, LLC			Remit to: **RANCHO CUCAMONGA** **CA**	
5/2/2011	207621	500.00		
			BIO HAZARD CLEAN UP-PD	500.00
5/9/2011	207716	500.00		
			BIO HAZARD CLEAN UP SVC-PD	500.00
5/31/2011	208033	500.00		
			BIO-HAZARD CLEAN UP	500.00
	Vendor Total	**1,500.00**		
FYTD for CRIME SCENE STERI-CLEAN, LLC		**2,500.00**		
CROWN PRINTERS			Remit to: **SAN BERNARDINO** **CA**	
5/2/2011	207622	2,806.28		
			PRINTING SVCS-FINANCE	2,580.49
			PRINTING SVCS-FINANCE	225.79
	Vendor Total	**2,806.28**		
FYTD for CROWN PRINTERS		**8,024.44**		
CRUZ, MICHAEL			Remit to: **MORENO VALLEY** **CA**	
5/31/2011	208034	85.68		
			REIMB.-CFEDWEST CONF./EXPO	85.68
	Vendor Total	**85.68**		
FYTD for CRUZ, MICHAEL		**813.68**		
CTY OF RIV DEPT OF ENVIRONMENTAL HEALTH			Remit to: **RIVERSIDE** **CA**	
5/31/2011	208035	1,087.50		
			VECTOR CONTROL SVCS-CODE	1,087.50
	Vendor Total	**1,087.50**		
FYTD for CTY OF RIV DEPT OF ENVIRONMENTAL HEALTH		**25,533.08**		
D & D SERVICES DBA D & D DISPOSAL, INC.			Remit to: **VALENCIA** **CA**	
5/23/2011	207930	745.00		
			DISPOSAL SVCS-ANML SVCS	745.00
	Vendor Total	**745.00**		
FYTD for D & D SERVICES DBA D & D DISPOSAL, INC.		**10,195.00**		

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DA SILVA, ROBERT				Remit to: **MORENO VALLEY** **CA**	
	5/23/2011	207931	50.00		
				REFUND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for DA SILVA, ROBERT			**50.00**		
DACOLIAS, RAYMOND				Remit to: **SAN JACINTO** **CA**	
	5/23/2011	207932	152.00		
				INSTRUCTION SVCS-4 DAYS	152.00
	Vendor Total		**152.00**		
FYTD for DACOLIAS, RAYMOND			**1,558.00**		
DALE, KATHLEEN				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	882652	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for DALE, KATHLEEN			**3,487.19**		
DATA TICKET, INC.				Remit to: **NEWPORT BEACH** **CA**	
	5/2/2011	882621	3,532.41		
				CITATION PRCSSNG SVC-ANML SVCS	3,532.41
	5/9/2011	882653	5,944.26		
				CITATION PRCSSNG-PD	5,839.26
				PARKING CODE APP-TECH SVCS	105.00
	5/23/2011	882768	1,100.56		
				CITATION PRCSSNG SVCS-BLDG/SFT	1,100.56
	5/31/2011	882808	2,889.13		
				TICKET STOCK-CODE	2,856.60
				TICKET STOCK-CODE	32.53
	Vendor Total		**13,466.36**		
FYTD for DATA TICKET, INC.			**241,885.62**		
DATAQUICK CORPORATE HEADQUARTERS				Remit to: **SAN DIEGO** **CA**	
	5/23/2011	207933	130.50		
				ONLINE SUBSCRIPTION SVC-PD	130.50
	Vendor Total		**130.50**		
FYTD for DATAQUICK CORPORATE HEADQUARTERS			**1,435.50**		
DE LA CRUZ, JOSE				Remit to: **MORENO VALLEY** **CA**	
	5/2/2011	207623	104.00		
				REFUND-DRUMS CLASS CANC.	104.00
	Vendor Total		**104.00**		
FYTD for DE LA CRUZ, JOSE			**104.00**		

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DELTA DENTAL				Remit to: **SAN FRANCISCO** **CA**	
	5/9/2011	207717	11,966.97		
				EMPLOYEE DENTAL INSURANCE	11,966.97
	Vendor Total		**11,966.97**		
FYTD for DELTA DENTAL			**127,868.05**		
DELTACARE USA				Remit to: **LOS ANGELES** **CA**	
	5/16/2011	207818	6,069.35		
				EMPLOYEE DENTAL INSURANCE	6,069.35
	Vendor Total		**6,069.35**		
FYTD for DELTACARE USA			**68,578.98**		
DENNIS GRUBB & ASSOCIATES, LLC				Remit to: **MIRA LOMA** **CA**	
	5/2/2011	882622	5,650.00		
				PLAN REVIEW SVCS-FIRE PREV	5,240.00
				PLAN REVIEW SVCS-FIRE PREV	410.00
	5/31/2011	882809	6,455.00		
				PLAN REVIEW SVCS-FIRE PREV	2,080.00
				PLAN REVIEW SVCS-FIRE PREV	845.00
				PLAN REVIEW SVCS-FIRE PREV	3,530.00
	Vendor Total		**12,105.00**		
FYTD for DENNIS GRUBB & ASSOCIATES, LLC			**103,915.00**		
DESIGN WORKS				Remit to: **SAN JACINTO** **CA**	
	5/31/2011	208036	501.45		
				YTH SPORTS UNIFORMS-PARKS	375.27
				SPORTS AWARDS-PARKS	126.18
	Vendor Total		**501.45**		
FYTD for DESIGN WORKS			**12,796.33**		
DIAZ, RAQUEL				Remit to: **MORENO VALLEY** **CA**	
	5/16/2011	207819	429.50		
				REFUND-CITATION DISMISSED	429.50
	Vendor Total		**429.50**		
FYTD for DIAZ, RAQUEL			**429.50**		

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DISTINCTIVELY YOURS			Remit to: **MORENO VALLEY** **CA**	
5/31/2011	208037	1,640.14		
			ADVERTISING SVCS-EDD	1,330.00
			ADVERTISING SVCS-EDD	62.50
			ADVERTISING SVCS-EDD	-133.00
			ADVERTISING SVCS-EDD	24.14
			ADVERTISING SVCS-EDD	110.21
			ADVERTISING SVCS-EDD	190.00
			ADVERTISING SVCS-EDD	25.00
			ADVERTISING SVCS-EDD	12.48
			ADVERTISING SVCS-EDD	18.81
	Vendor Total	**1,640.14**		
FYTD for DISTINCTIVELY YOURS		**3,652.02**		
DIVISION OF LABOR STANDARDS ENFORCMENT			Remit to: **LONG BEACH** **CA**	
5/9/2011	207718	1,856.25		
			CWPA PYMT-EMERG OPS CTR PROJ	1,856.25
	Vendor Total	**1,856.25**		
FYTD for DIVISION OF LABOR STANDARDS ENFORCMENT		**47,971.39**		
DLS LANDSCAPE, INC			Remit to: **REDLANDS** **CA**	
5/23/2011	882769	12,390.00		
			LANDSCAPE MAINT-CFD #1	2,160.00
			LANDSCAPE MAINT-ZONE A	10,230.00
	Vendor Total	**12,390.00**		
FYTD for DLS LANDSCAPE, INC		**136,290.00**		
DORY, ALLEEN F.			Remit to: **HEMET** **CA**	
5/9/2011	207719	229.88		
			RETIREE MED MAY '11	229.88
	Vendor Total	**229.88**		
FYTD for DORY, ALLEEN F.		**3,311.08**		
DTSC-DEPT OF TOXIC SUBSTANCES CONTROL			Remit to: **SACRAMENTO** **CA**	
5/31/2011	208038	100.00		
			ANNUAL REGIST-P HUNTER	100.00
	Vendor Total	**100.00**		
FYTD for DTSC-DEPT OF TOXIC SUBSTANCES CONTROL		**100.00**		
DUNN, LAURA ISABEL GARCIA			Remit to: **MORENO VALLEY** **CA**	
5/23/2011	882770	304.00		
			INSTRUCTION SVCS-8 DAYS	304.00
	Vendor Total	**304.00**		
FYTD for DUNN, LAURA ISABEL GARCIA		**1,444.00**		

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DURAN, BLANCA				Remit to: **MORENO VALLEY** **CA**	
	5/16/2011	207820	189.00		
				INSTRUCTOR SVCS-FOLKLORIC DANC	189.00
	Vendor Total		**189.00**		
FYTD for DURAN, BLANCA			**2,751.00**		
E.R. BLOCK PLUMBING & HEATING, INC.				Remit to: **RIVERSIDE** **CA**	
	5/9/2011	207720	838.09		
				BACKFLOW RPLCMNT-SPCL DIST	650.59
				BACKFLOW RPLCMNT-SPCL DIST	187.50
	5/16/2011	207821	2,084.02		
				BACKFLOW REPLCMNT-ZONE D	597.19
				BACKFLOW REPLCMNT-ZONE D	187.50
				BACKFLOW REPLCMNT-ZONE D	327.14
				BACKFLOW REPLCMNT-ZONE D	187.50
				BACKFLOW REPLCMNT-ZONE D	597.19
				BACKFLOW REPLCMNT-ZONE D	187.50
	5/31/2011	208039	2,433.89		
				BACKFLOW TESTING-E2	60.00
				BACKFLOW TESTING-E3	20.00
				BACKFLOW TESTING-E38	20.00
				BACKFLOW TESTING-ZONE D	340.00
				BACKFLOW TESTING-ZONE D	40.00
				BACKFLOW TESTING-ZONE M	60.00
				BACKFLOW RPLCMNT-ZONE M	477.14
				BACKFLOW RPLCMNT-ZONE M	262.50
				BACKFLOW RPLCMNT-E1	891.75
				BACKFLOW RPLCMNT-E1	262.50
	Vendor Total		**5,356.00**		
FYTD for E.R. BLOCK PLUMBING & HEATING, INC.			**29,081.83**		

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EASTERN MUNICIPAL WATER DISTRICT			Remit to: **PERRIS**	**CA**
5/2/2011	207624	16,496.82		
			WATER CHARGES	136.12
			WATER CHARGES	279.72
			WATER CHARGES	387.86
			WATER CHARGES	2,981.43
			WATER CHARGES	453.65
			WATER CHARGES	263.89
			WATER CHARGES	5,686.91
			WATER CHARGES	2,036.65
			WATER CHARGES	3,159.57
			WATER CHARGES	38.24
			WATER CHARGES	189.88
			WATER CHARGES	68.86
			WATER CHARGES	401.51
			WATER CHARGES	104.20
			WATER CHARGES	149.74
			WATER CHARGES	72.00
			WATER CHARGES	86.59
5/9/2011	207721	5,576.05		
			WATER CHARGES	62.84
			WATER CHARGES	249.81
			WATER CHARGES	2,408.30
			WATER CHARGES	251.39
			WATER CHARGES	2,270.07
			WATER CHARGES	74.15
			WATER CHARGES	19.90
			WATER CHARGES	239.59
5/31/2011	208040	19,912.76		
			WATER CHARGES	25.94
			WATER CHARGES	196.37
			WATER CHARGES	136.84
			WATER CHARGES	357.96
			WATER CHARGES	331.56
			WATER CHARGES	6,413.59
			WATER CHARGES	1,355.43
			WATER CHARGES	393.71
			WATER CHARGES	7,210.74
			WATER CHARGES	1,774.81
			WATER CHARGES	395.17
			WATER CHARGES	43.91
			WATER CHARGES	37.59
			WATER CHARGES	196.12
			WATER CHARGES	451.18
			WATER CHARGES	128.61
			WATER CHARGES	264.06
			WATER CHARGES	67.50
			WATER CHARGES	131.67
	Vendor Total	**41,985.63**		

FYTD for EASTERN MUNICIPAL WATER DISTRICT	**1,287,449.35**

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EDGELANE MOBILE PARK				Remit to: **LOS ANGELES** **CA**	
	5/9/2011	882654	23.60		
				REFUND-UT USER TAXES	23.60
	Vendor Total		**23.60**		
FYTD for EDGELANE MOBILE PARK			**138.51**		
EGGERSTEN, ANNE				Remit to: **RANCHO MIRAGE** **CA**	
	5/9/2011	207723	325.66		
				RETIREE MED MAY '11	325.66
	Vendor Total		**325.66**		
FYTD for EGGERSTEN, ANNE			**3,461.90**		
ELLIOTT, NISHA				Remit to: **MORENO VALLEY** **CA**	
	5/2/2011	207625	156.00		
				INSTRUCTOR SVCS-KICK BOXING	132.00
				INSTRUCTOR SVCS-KICK BOXING	24.00
	5/31/2011	208041	268.80		
				INSTRUCTOR SVCS-KICKBOXING	220.80
				INSTRUCTOR SVCS-KICKBOXING	48.00
	Vendor Total		**424.80**		
FYTD for ELLIOTT, NISHA			**1,995.60**		
ENCO UTILITY SERVICES MORENO VALLEY LLC				Remit to: **ANAHEIM** **CA**	
	5/2/2011	882623	18,583.90		
				CABINET LEASE-INDIAN	11.95
				CABINET LEASE-INDIAN	1,238.05
				CABINET LEASE-IRIS	29.67
				CABINET LEASE-IRIS	1,220.33
				12KV NEW REDLAND CKT WORK	14,713.29
				MORRISON FS ELECTR DESIGN WORK	916.11
				CORP YARD ADM BLDG ELECTR WORK	454.50
	5/16/2011	882739	2,974.00		
				CABINET LEASE-INDIAN	6.47
				CABINET LEASE-INDIAN	1,243.53
				CABINET LEASE-IRIS	23.79
				CABINET LEASE-IRIS	1,226.21
				METER FEES-SOLAR CUST	474.00
	Vendor Total		**21,557.90**		
FYTD for ENCO UTILITY SERVICES MORENO VALLEY LLC			**2,058,519.17**		
ESI ACQUISITION, INC.				Remit to: **AUGUSTA** **GA**	
	5/31/2011	882811	8,800.00		
				SOFTWARE SUPPORT-TECH SVCS	4,900.00
				SOFTWARE SUPPORT-TECH SVCS	3,900.00
	Vendor Total		**8,800.00**		
FYTD for ESI ACQUISITION, INC.			**17,600.00**		

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ESRI, INC.				Remit to: **REDLANDS** **CA**	
	5/2/2011	882624	761.25		
				ARCPAD LICENSE-PW MAINT	700.00
				ARCPAD LICENSE-PW MAINT	61.25
	Vendor Total		**761.25**		
FYTD for ESRI, INC.			**42,037.05**		
ESTRADA, PATRICIA				Remit to: **MORENO VALLEY** **CA**	
	5/16/2011	207823	200.00		
				REFUND-RNTL DEP 4/30/11	200.00
	Vendor Total		**200.00**		
FYTD for ESTRADA, PATRICIA			**200.00**		
EVANS ENGRAVING & AWARDS				Remit to: **MORENO VALLEY** **CA**	
	5/2/2011	882625	31.45		
				ENGRAVING SVCS-PD	31.45
	5/23/2011	882771	185.97		
				ENGRAVING SVCS-PLANNING COMM	84.00
				ENGRAVING SVCS-PLANNING COMM	7.35
				ENGRAVING SVCS-PLANNING COMM	60.00
				ENGRAVING SVCS-PLANNING COMM	5.25
				ENGRAVING SVCS-FIRE	29.37
	5/31/2011	882812	39.15		
				ENGRAVING SVCS-HR	35.78
				ENGRAVING SVCS-HR	3.37
	Vendor Total		**256.57**		
FYTD for EVANS ENGRAVING & AWARDS			**1,265.58**		
EWING IRRIGATION PRODUCTS, INC.				Remit to: **PHOENIX** **AZ**	
	5/2/2011	207626	51.56		
				IRRIGATION SUPPLIES-PARKS	51.56
	5/9/2011	207724	5,413.13		
				IRRIGATION SUPPLIES-PARKS	2,964.31
				IRRIGATION SUPPLIES-PARKS	2,448.82
	Vendor Total		**5,464.69**		
FYTD for EWING IRRIGATION PRODUCTS, INC.			**16,189.39**		

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EXCEL LANDSCAPE, INC				Remit to: **CORONA** **CA**	
	5/9/2011	207725	3,978.92		
				LANDSCAPE MAINT-WQB	1,494.90
				LANDSCAPE MAINT-WQB	809.28
				LANDSCAPE MAINT-WQB	1,674.74
	5/23/2011	207935	13,314.50		
				LANDSCAPE MAINT-E7	2,777.17
				LANDSCAPE MAINT-E15	1,070.36
				LANDSCAPE MAINT-E8	1,501.98
				LANDSCAPE MAINT-E14	3,461.07
				LANDSCAPE MAINT-WQB	4,503.92
	Vendor Total		**17,293.42**		
FYTD for EXCEL LANDSCAPE, INC			**150,353.16**		
FAIR HOUSING COUNCIL OF RIV CO, INC.				Remit to: **RIVERSIDE** **CA**	
	5/16/2011	882740	14,032.99		
				LANDLORD/TENANT MEDIATION-CDBG	4,804.74
				LANDLORD/TENANT MEDIATION-CDBG	4,356.64
				LANDLORD/TENANT MEDIATION-CDBG	4,871.61
	Vendor Total		**14,032.99**		
FYTD for FAIR HOUSING COUNCIL OF RIV CO, INC.			**62,154.13**		
FEENSTRA, JOHN				Remit to: **REDLANDS** **CA**	
	5/9/2011	882656	361.25		
				RETIREE MED MAY '11	361.25
	Vendor Total		**361.25**		
FYTD for FEENSTRA, JOHN			**3,973.75**		
FENDER, SHAUNA				Remit to: **MORENO VALLEY** **CA**	
	5/16/2011	207824	75.00		
				REFUND-NEUTER DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for FENDER, SHAUNA			**75.00**		
FERNANDES, MARCUS				Remit to: **MORENO VALLEY** **CA**	
	5/16/2011	207825	109.00		
				REFUND-CITATION OVRPMT	109.00
	Vendor Total		**109.00**		
FYTD for FERNANDES, MARCUS			**109.00**		

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FIDELITY NATIONAL TITLE CO			Remit to: **MURRIETTA** **CA**	
5/2/2011	207627	1,724.00		
			REFUND-CITATION/RE-INSPECT FEE	1,000.00
			REFUND-CITATION/RE-INSPECT FEE	724.00
	Vendor Total	**1,724.00**		
FYTD for FIDELITY NATIONAL TITLE CO		**1,724.00**		
FIRST AMERICAN CORE LOGIC, INC.			Remit to: **SANTA ANA** **CA**	
5/16/2011	207826	514.00		
			ONLINE PROP INFO-CODE	241.00
			ONLINE PROP INFO-CDD	103.00
			ONLINE PROP INFO-EDD	170.00
5/31/2011	208042	484.00		
			ONLINE PROP INFO SVCS-CODE	85.00
			ONLINE PROP INFO SVCS-CDD	217.00
			ONLINE PROP INFO SVCS-EDD	182.00
	Vendor Total	**998.00**		
FYTD for FIRST AMERICAN CORE LOGIC, INC.		**7,212.00**		
FIRST CHOICE FIRE PROTECTION			Remit to: **GARDENA** **CA**	
5/2/2011	207628	90.81		
			REFUND-BUS LIC OVRPMT	90.81
	Vendor Total	**90.81**		
FYTD for FIRST CHOICE FIRE PROTECTION		**90.81**		
FIRST CHOICE SERVICES			Remit to: **ONTARIO** **CA**	
5/9/2011	882657	654.06		
			COFFEE SVCS-EMP PAID	132.66
			COFFEE SVCS-EMP PAID	12.93
			COFFEE SVCS-EMP PAID	37.80
			COFFEE SVCS-EMP PAID	115.41
			COFFEE SVCS-EMP PAID	136.94
			COFFEE SVCS-EMP PAID	112.68
			COFFEE SVCS-EMP PAID	55.70
			COFFEE SVCS-EMP PAID	49.94
	Vendor Total	**654.06**		
FYTD for FIRST CHOICE SERVICES		**7,224.69**		
FITNESS 19 CA 155 11C			Remit to: **MORENO VALLEY** **CA**	
5/23/2011	207936	265.00		
			GYM MEMBERSHIP DEDUCTIONS	265.00
	Vendor Total	**265.00**		
FYTD for FITNESS 19 CA 155 11C		**2,836.00**		

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FLINT-PETERSON				Remit to: **MORENO VALLEY** **CA**	
	5/2/2011	207629	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for FLINT-PETERSON			**20.00**		
FORM PRINT COMPANY FPC GRAPHICS				Remit to: **RIVERSIDE** **CA**	
	5/23/2011	207937	1,365.93		
				ADMIN CITATIONS-ANML SVCS	1,231.40
				ADMIN CITATIONS-ANML SVCS	107.75
				ADMIN CITATIONS-ANML SVCS	26.78
	Vendor Total		**1,365.93**		
FYTD for FORM PRINT COMPANY FPC GRAPHICS			**23,273.99**		
FORNISS, BRANDON/JAMIE				Remit to: **MORENO VALLEY** **CA**	
	5/16/2011	207828	75.00		
				REFUND-SPAY DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for FORNISS, BRANDON/JAMIE			**75.00**		
FOSTER, JAMES BARRY				Remit to: **RIVERSIDE** **CA**	
	5/19/2011	207897	248.50		
				PER DIEM-ICSC RECON CONVENTION	248.50
	Vendor Total		**248.50**		
FYTD for FOSTER, JAMES BARRY			**712.99**		
FOSTER, NANCY A.				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	882658	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for FOSTER, NANCY A.			**3,487.19**		
FRANCHISE TAX BOARD				Remit to: **SACRAMENTO** **CA**	
	5/9/2011	207726	33.95		
				GARNISHMENT	33.95
	5/23/2011	207938	178.14		
				GARNISHMENT	25.00
				GARNISHMENT	115.00
				GARNISHMENT	38.14
	Vendor Total		**212.09**		
FYTD for FRANCHISE TAX BOARD			**3,178.77**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
FRANKLIN, L. C.				Remit to: **PERRIS** **CA**	
	5/16/2011	207829	191.25		
				MILEAGE REIMBURSEMENT	191.25
	Vendor Total		**191.25**		
FYTD for FRANKLIN, L. C.			**1,590.96**		
FRAZEE INDUSTRIES, INC				Remit to: **MORENO VALLEY** **CA**	
	5/2/2011	207630	4,941.32		
				TRAFFIC PAINT-BICYCLE LANE PRJ	2,691.56
				GLASS BEADS-BICYCLE LANE PROJ	2,249.76
	Vendor Total		**4,941.32**		
FYTD for FRAZEE INDUSTRIES, INC			**123,905.38**		
FRISBIE, AAPRIS				Remit to: **RIVERSIDE** **CA**	
	5/16/2011	207830	75.00		
				REFUND-NEUTER DEPOSIT	55.00
				REFUND-NEUTER DEPOSIT	20.00
	Vendor Total		**75.00**		
FYTD for FRISBIE, AAPRIS			**75.00**		
FROST, JOAN CHENG				Remit to: **TEMECULA** **CA**	
	5/23/2011	207939	228.00		
				INSTRUCTION SVCS-6 DAYS	228.00
	Vendor Total		**228.00**		
FYTD for FROST, JOAN CHENG			**1,938.00**		
GASTON, RICHARD				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	882659	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for GASTON, RICHARD			**3,506.03**		

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GENERAL SECURITY SERVICES, INC.				Remit to: **WILMINGTON** **CA**	
	5/9/2011	882660	483.21		
				SECURITY SVCS-CONF & REC CTR	122.72
				SECURITY SVCS-SENIOR CTR	214.76
				SECURITY SVCS-TOWNGATE	145.73
	5/16/2011	882741	2,730.53		
				SECURITY SVCS-UTILITIES	276.12
				SECURITY SVCS-UTILITIES	276.12
				SECURITY SVCS-SENIOR CTR	153.40
				SECURITY SVCS-SENIOR CTR	184.08
				SECURITY SVCS-LIBRARY	245.45
				SECURITY SVCS-CITY HALL	306.80
				SECURITY SVCS-LIBRARY	122.72
				SECURITY SVCS-CITY HALL	306.80
				SECURITY SVCS-LIBRARY	245.44
				SECURITY SVCS-CONF & REC CTR	306.80
				SECURITY SVCS-CONF & REC CTR	306.80
	5/23/2011	882772	3,497.52		
				SECURITY SVCS-CITY HALL	306.80
				SECURITY SVCS-LIBRARY	122.72
				SECURITY SVCS-CITY HALL	306.80
				SECURITY SVCS-LIBRARY	122.72
				SECURITY SVCS-CITY HALL	306.80
				SECURITY SVCS-LIBRARY	122.72
				SECURITY SVCS-CITY HALL	306.80
				SECURITY SVCS-LIBRARY	122.72
				SECURITY SVCS-CONF & REC CTR	306.80
				SECURITY SVCS-CONF & REC CTR	306.80
				SECURITY SVCS-CONF & REC CTR	306.80
				SECURITY SVCS-CONF & REC CTR	306.80
				SECURITY SVCS-TOWNGATE	107.38
				SECURITY SVCS-TOWNGATE	107.38
				SECURITY SVCS-TOWNGATE	107.38
				SECURITY SVCS-CONF & REC CTR	61.36
				SECURITY SVCS-CONF & REC CTR	92.04
				SECURITY SVCS-CONF & REC CTR	76.70
	Vendor Total		**6,711.26**		
FYTD for GENERAL SECURITY SERVICES, INC.			**48,553.06**		
GERMAN, CATINA				Remit to: **MORENO VALLEY** **CA**	
	5/23/2011	207940	10.99		
				REFUND-LOST BOOK FEE	10.99
	Vendor Total		**10.99**		
FYTD for GERMAN, CATINA			**10.99**		

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GIBBS, GIDEN, LOCHER, TURNER & SENET LLP			Remit to: **LOS ANGELES** **CA**	
5/2/2011	882626	641.94		
			LEGAL SVCS	641.94
5/16/2011	882742	20,888.45		
			LEGAL SVCS	18,633.45
			LEGAL SVCS	1,940.50
			LEGAL SVCS	314.50
5/23/2011	882773	4,508.25		
			LEGAL SVCS	4,508.25
	Vendor Total	**26,038.64**		
FYTD for GIBBS, GIDEN, LOCHER, TURNER & SENET LLP		**230,458.37**		
GILES, STELLA			Remit to: **RIVERSIDE** **CA**	
5/2/2011	207631	20.00		
			REFUND-RABIES DEPOSIT	20.00
	Vendor Total	**20.00**		
FYTD for GILES, STELLA		**20.00**		
GITONGA, LUCY			Remit to: **MORENO VALLEY** **CA**	
5/2/2011	207632	77.08		
			REFUND-CAMP REGISTR.	77.08
	Vendor Total	**77.08**		
FYTD for GITONGA, LUCY		**77.08**		
GLADWELL GOVERNMENTAL SVCS, INC.			Remit to: **LAKE ARROWHEAD** **CA**	
5/31/2011	208043	100.00		
			CONSULTING SVCS-TECH SVCS	100.00
	Vendor Total	**100.00**		
FYTD for GLADWELL GOVERNMENTAL SVCS, INC.		**100.00**		
GONZALES, DOMILENA R.			Remit to: **MORENO VALLEY** **CA**	
5/9/2011	882661	318.73		
			RETIREE MED APR '11	318.73
	Vendor Total	**318.73**		
FYTD for GONZALES, DOMILENA R.		**2,741.59**		
GONZALEZ, GUILLERMINA			Remit to: **MORENO VALLEY** **CA**	
5/2/2011	207633	37.00		
			REFUND-PICNIC SHLTR FEE ERROR	37.00
	Vendor Total	**37.00**		
FYTD for GONZALEZ, GUILLERMINA		**37.00**		

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GOZDECKI, DAN				Remit to: **MORENO VALLEY** **CA**	
	5/2/2011	882627	405.00		
				INSTRUCTOR SVCS-KUNG FU	189.00
				INSTRUCTOR SVCS-KUNG FU	216.00
	Vendor Total		**405.00**		
FYTD for GOZDECKI, DAN			**6,777.00**		
GRANICUS, INC.				Remit to: **SAN FRANCISCO** **CA**	
	5/9/2011	207727	1,000.00		
				VIDEO STREAMING SVCS	1,000.00
	Vendor Total		**1,000.00**		
FYTD for GRANICUS, INC.			**11,000.00**		
GRIFFIN, MARLENE C				Remit to: **GREEN VALLEY** **AZ**	
	5/9/2011	882662	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for GRIFFIN, MARLENE C			**3,427.25**		
GUIDA SURVEYING, INC.				Remit to: **IRVINE** **CA**	
	5/16/2011	882743	6,448.00		
				IRONWD AVE-DAY TO BARCLAY PROJ	6,448.00
	Vendor Total		**6,448.00**		
FYTD for GUIDA SURVEYING, INC.			**107,733.00**		
GUILIANO, MARIA				Remit to: **TEMECULA** **CA**	
	5/16/2011	207831	168.00		
				INSTRUCTOR SVCS-ZUMBA	168.00
	Vendor Total		**168.00**		
FYTD for GUILIANO, MARIA			**1,108.80**		
GUILLAN, REBECCA S.				Remit to: **ADVANCE** **NC**	
	5/9/2011	882663	275.67		
				RETIREE MED MAY '11	275.67
	Vendor Total		**275.67**		
FYTD for GUILLAN, REBECCA S.			**3,295.96**		
GUTIERREZ, ROBERT				Remit to: **LA VERNE** **CA**	
	5/9/2011	882664	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for GUTIERREZ, ROBERT			**3,506.03**		

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GUZMAN'S CART SERVICE				Remit to: **RIVERSIDE** **CA**	
	5/16/2011	882744	4,049.00		
				CART RETRVL SVCS-CODE	4,049.00
	Vendor Total		**4,049.00**		
FYTD for GUZMAN'S CART SERVICE			**44,539.00**		
HAMLIN, WILLIAM R.				Remit to: **BEAUMONT** **CA**	
	5/9/2011	882665	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for HAMLIN, WILLIAM R.			**3,487.19**		
HANES, MARTIN D.				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	882666	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for HANES, MARTIN D.			**3,506.03**		
HANSEN, ROBERT L.				Remit to: **MORENO VALLEY** **CA**	
	5/31/2011	208044	344.25		
				REIMB.-CITY ATTYS CONFERENCE	344.25
	Vendor Total		**344.25**		
FYTD for HANSEN, ROBERT L.			**734.75**		
HARDING, JOHN S.				Remit to: **BANNING** **CA**	
	5/9/2011	207728	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for HARDING, JOHN S.			**3,506.03**		
HARRIS & ASSOCIATES				Remit to: **CONCORD** **CA**	
	5/9/2011	882667	625.00		
				PROF SERVICES-CFD #4	375.00
				PROF SERVICES-CFD #4	250.00
	Vendor Total		**625.00**		
FYTD for HARRIS & ASSOCIATES			**32,992.50**		
HARRISON, WALTER				Remit to: **MORENO VALLEY** **CA**	
	5/16/2011	207832	264.00		
				REFUND-RNTL DEP 6/26/11	200.00
				REFUND-PICNIC SHLTR FEE	64.00
	Vendor Total		**264.00**		
FYTD for HARRISON, WALTER			**264.00**		

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HARTMANN, RICK				Remit to: **SAN DIMAS** **CA**	
	5/9/2011	207729	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for HARTMANN, RICK			**22,196.36**		
HASS, MINA				Remit to: **MORENO VALLEY** **CA**	
	5/31/2011	208045	126.00		
				INSTRUCTOR SVCS-BODY SCULPTING	126.00
	Vendor Total		**126.00**		
FYTD for HASS, MINA			**126.00**		
HATFIELD, CHARLES				Remit to: **LAS VEGAS** **NV**	
	5/9/2011	882668	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for HATFIELD, CHARLES			**3,506.03**		
HAUSER, ADRIANA				Remit to: **SAN BERNARDINO** **CA**	
	5/23/2011	207941	646.00		
				INSTRUCTION SVCS-17 DAYS	646.00
	Vendor Total		**646.00**		
FYTD for HAUSER, ADRIANA			**5,244.00**		
HEFFLEY, ROSS W.				Remit to: **HEMET** **CA**	
	5/9/2011	882669	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for HEFFLEY, ROSS W.			**3,506.03**		
HERRICK, ROBERT D.				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	207730	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for HERRICK, ROBERT D.			**3,506.03**		
HERRING, COURTNEY				Remit to: **MORENO VALLEY** **CA**	
	5/31/2011	208046	64.00		
				REFUND-PICNIC SHLTR FEE	64.00
	Vendor Total		**64.00**		
FYTD for HERRING, COURTNEY			**64.00**		

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HETHERMAN, ANTHONY CHRISTOPHER				Remit to: **TEMECULA** **CA**	
	5/9/2011	882670	35.70		
				MILEAGE REIMBURSEMENT	35.70
	Vendor Total		**35.70**		
FYTD for HETHERMAN, ANTHONY CHRISTOPHER			**276.84**		
HICKMAN, LANISE				Remit to: **MORENO VALLEY** **CA**	
	5/31/2011	208047	319.20		
				INSTRUCTOR SVCS-BOOTCAMP	319.20
	Vendor Total		**319.20**		
FYTD for HICKMAN, LANISE			**355.20**		
HIGGS, DEBRA				Remit to: **MORENO VALLEY** **CA**	
	5/2/2011	207635	72.00		
				INSTRUCTOR SVCS-OIL PAINTING	72.00
	Vendor Total		**72.00**		
FYTD for HIGGS, DEBRA			**612.00**		
HO, KEVIN CHINH				Remit to: **RIVERSIDE** **CA**	
	5/23/2011	207942	114.00		
				INSTRUCTION SVCS-3 DAYS	114.00
	Vendor Total		**114.00**		
FYTD for HO, KEVIN CHINH			**950.00**		
HOGARD, JOHN T.				Remit to: **CORONA** **CA**	
	5/9/2011	882671	300.00		
				RETIREE MED JAN-MAR '11	300.00
	Vendor Total		**300.00**		
FYTD for HOGARD, JOHN T.			**2,633.50**		
HOKANSON, VINTON				Remit to: **MORENO VALLEY** **CA**	
	5/31/2011	208048	16.00		
				REFUND-LICENSE FEE	16.00
	Vendor Total		**16.00**		
FYTD for HOKANSON, VINTON			**16.00**		
HOTEL SOLAMAR				Remit to: **SAN DIEGO** **CA**	
	5/31/2011	208049	607.88		
				D. LIENHARD-CHAMELEON CONF.	607.88
	Vendor Total		**607.88**		
FYTD for HOTEL SOLAMAR			**607.88**		

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HOUSER, EDITH E.				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	207731	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for HOUSER, EDITH E.			**3,506.03**		
HOUSTON & HARRIS PCS, INC.				Remit to: **GRAND TERRACE** **CA**	
	5/9/2011	207732	860.00		
				VIDEO INSPECTION-STORM DRAIN	860.00
	Vendor Total		**860.00**		
FYTD for HOUSTON & HARRIS PCS, INC.			**860.00**		
HOWARD, DIANE				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	207733	47.00		
				REFUND-PIANO CLASS	47.00
	Vendor Total		**47.00**		
FYTD for HOWARD, DIANE			**47.00**		
ICC FOOTHILL CHAPTER OF BLDNG OFFICIALS				Remit to: **ONTARIO** **CA**	
	5/31/2011	208050	200.00		
				ACCESSIBILITY TRNG 6/7/11	100.00
				ACCESSIBILITY TRNG 6/7/11	100.00
	Vendor Total		**200.00**		
FYTD for ICC FOOTHILL CHAPTER OF BLDNG OFFICIALS			**350.00**		
ICMA RETIREMENT CORP 457				Remit to: **BALTIMORE** **MD**	
	5/6/2011	2853	9,110.37		
				DEF COMP-457 5/6/11	9,110.37
	5/20/2011	2861	9,110.37		
				DEF COMP-457 5/20/11	9,110.37
	Vendor Total		**18,220.74**		
FYTD for ICMA RETIREMENT CORP 457			**226,138.63**		
IL SORRENTO MOBILE PARK				Remit to: **MORENO VALLEY** **CA**	
	5/16/2011	207833	144.97		
				REFUND-UT USER TAXES	144.97
	Vendor Total		**144.97**		
FYTD for IL SORRENTO MOBILE PARK			**1,483.89**		

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IMMIGRATION LAW OFFICES OF HADLEY BAJRAM			Remit to: **RIVERSIDE** **CA**	
5/23/2011	207943	74.20		
			REFUND-BUS LIC OVRPMT	74.20
Vendor Total		**74.20**		
FYTD for IMMIGRATION LAW OFFICES OF HADLEY BAJRAM		**74.20**		
ING USA ANNUITY & LIFE INSURANCE CO.			Remit to: **DES MOINES** **IA**	
5/9/2011	207734	475.00		
			NON-EXEMPT ANNUITY	475.00
Vendor Total		**475.00**		
FYTD for ING USA ANNUITY & LIFE INSURANCE CO.		**5,225.00**		
INLAND CONTRACTORS, INC.			Remit to: **RIVERSIDE** **CA**	
5/2/2011	882628	526.00		
			NUISANCE ABTMNT SVC-CODE	526.00
5/16/2011	882745	1,354.23		
			NUISANCE ABTMNT SVC-CODE	189.23
			NUISANCE ABTMNT SVC-CODE	233.00
			NUISANCE ABTMNT SVC-CODE	232.00
			NUISANCE ABTMNT SVC-CODE	700.00
5/23/2011	882774	356.00		
			NUISANCE ABTMNT SVC-22862 ADRI	125.00
			NUISANCE ABTMNT SVC-12032 SWEA	231.00
Vendor Total		**2,236.23**		
FYTD for INLAND CONTRACTORS, INC.		**29,576.91**		
INLAND EMPIRE ARCHITECTURAL SPECIALTIES,			Remit to: **RIVERSIDE** **CA**	
5/23/2011	207944	48.72		
			REFUND-BUS LIC OVRPMT	48.72
Vendor Total		**48.72**		
FYTD for INLAND EMPIRE ARCHITECTURAL SPECIALTIES,		**48.72**		
INLAND EMPIRE BROADCASTNG CORP			Remit to: **REDLANDS** **CA**	
5/31/2011	208051	975.00		
			ADVERTISING SVCS-EDD	975.00
Vendor Total		**975.00**		
FYTD for INLAND EMPIRE BROADCASTNG CORP		**6,150.00**		

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INLAND EMPIRE PROPERTY SERVICE, INC			Remit to: **MORENO VALLEY** **CA**	
5/16/2011	882746	4,568.00		
			WEED ABATEMENT SVCS-PARKS	4,568.00
5/23/2011	882775	446.00		
			NUISANCE ABTMNT SVC-14344 SAYA	446.00
5/31/2011	882814	239.80		
			NUISANCE ABTMNT SVC-CODE	239.80
	Vendor Total	**5,253.80**		
FYTD for INLAND EMPIRE PROPERTY SERVICE, INC		**60,131.42**		
INLAND EMPIRE SMALL BUSINESS DEV.CENTER			Remit to: **SAN BERNARDINO** **CA**	
5/16/2011	207834	12,500.00		
			BUS COUNSELING SVCS-EDD	12,500.00
	Vendor Total	**12,500.00**		
FYTD for INLAND EMPIRE SMALL BUSINESS DEV.CENTER		**47,500.00**		
INSIDE PLANTS, INC.			Remit to: **CORONA** **CA**	
5/16/2011	882747	326.00		
			PLANT MAINT-CONF & REC CTR	326.00
	Vendor Total	**326.00**		
FYTD for INSIDE PLANTS, INC.		**3,541.00**		
INTERNATIONAL CRIME FREE ASSOC.			Remit to: **EL CAJON** **CA**	
5/16/2011	207835	500.00		
			INTL CRIME FREE CONF-JULY10-13	250.00
			INTL CRIME FREE CONF-JULY10-13	250.00
	Vendor Total	**500.00**		
FYTD for INTERNATIONAL CRIME FREE ASSOC.		**500.00**		
IRON MOUNTAIN OFF-SITE DATA PROTECTION			Remit to: **CERRITOS** **CA**	
5/9/2011	207735	1,087.88		
			OFFSITE DATA STORAGE-TECH SVCS	1,087.88
	Vendor Total	**1,087.88**		
FYTD for IRON MOUNTAIN OFF-SITE DATA PROTECTION		**10,898.59**		

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ISG INFRASYS				Remit to: **LAWRENCEVILLE GA**	
	5/2/2011	207636	1,197.25		
				THERMAL CAMERA REPAIR-PD	340.00
				THERMAL CAMERA REPAIR-PD	827.25
				THERMAL CAMERA REPAIR-PD	30.00
				CA USE TAX/ACCRUAL	75.01
				CA USE TAX/ACCRUAL	-75.01
	5/31/2011	208052	342.00		
				BATTERY REPAIR-FIRE	342.00
	Vendor Total		**1,539.25**		
FYTD for ISG INFRASYS			**2,156.50**		
J D H CONTRACTING				Remit to: **RIVERSIDE CA**	
	5/23/2011	882776	5,182.00		
				ROOF REPAIR-FS #2	5,182.00
	5/31/2011	882815	1,820.00		
				SKYLIGHT REPAIR-CONF & REC CTR	1,820.00
	Vendor Total		**7,002.00**		
FYTD for J D H CONTRACTING			**149,293.50**		
JACKSON, JAYE				Remit to: **RIVERSIDE CA**	
	5/16/2011	207836	44.00		
				SPORTS OFFICIATING SVCS	44.00
	5/23/2011	207945	32.00		
				SPORTS OFFICIATING SVCS	32.00
	Vendor Total		**76.00**		
FYTD for JACKSON, JAYE			**76.00**		
JAMESON, ROY				Remit to: **RIVERSIDE CA**	
	5/16/2011	207837	54.50		
				REFUND-CITATION DISMISSED	54.50
	Vendor Total		**54.50**		
FYTD for JAMESON, ROY			**54.50**		
JANNEY & JANNEY ATTORNEY SVCS, INC.				Remit to: **RIVERSIDE CA**	
	5/9/2011	207736	75.00		
				COURIER SVCS-CITY ATTRNYS	75.00
	Vendor Total		**75.00**		
FYTD for JANNEY & JANNEY ATTORNEY SVCS, INC.			**1,433.65**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
JDEDGE SOFTWARE, LLC				Remit to: **KRUGERVILLE** **TX**	
	5/23/2011	882777	2,410.00		
				CONSULTING SVCS-TECH SVCS	1,815.00
				CONSULTING SVCS-TECH SVCS	595.00
	Vendor Total		**2,410.00**		
FYTD for JDEDGE SOFTWARE, LLC			**24,537.50**		
JEHOVAH'S WITTNESSES				Remit to: **MORENO VALLEY** **CA**	
	5/2/2011	207637	500.00		
				REFUND-RNTL DEP 4/17/11 EVENT	500.00
	Vendor Total		**500.00**		
FYTD for JEHOVAH'S WITTNESSES			**500.00**		
JIANG, WEI				Remit to: **FREMONT** **CA**	
	5/2/2011	207638	400.00		
				REFUND-ADMIN CITATION	400.00
	Vendor Total		**400.00**		
FYTD for JIANG, WEI			**400.00**		
JOBS AVAILABLE, INC.				Remit to: **MODESTO** **CA**	
	5/16/2011	207838	717.50		
				ADVERTISING SVCS-HR	717.50
	Vendor Total		**717.50**		
FYTD for JOBS AVAILABLE, INC.			**1,732.50**		
JOE A. GONSALVES & SON				Remit to: **SACRAMENTO** **CA**	
	5/9/2011	882672	3,150.00		
				REPRESENTATION SVCS	3,150.00
	Vendor Total		**3,150.00**		
FYTD for JOE A. GONSALVES & SON			**31,680.00**		
JOHNSON-FLORENCE, DEBORAH				Remit to: **MORENO VALLEY** **CA**	
	5/16/2011	207839	404.50		
				REFUND-CITATION DISMISSED	404.50
	Vendor Total		**404.50**		
FYTD for JOHNSON-FLORENCE, DEBORAH			**404.50**		
JONES III, JOSEPH				Remit to: **FONTANA** **CA**	
	5/2/2011	207639	98.94		
				MILEAGE REIMBURSEMENT	98.94
	Vendor Total		**98.94**		
FYTD for JONES III, JOSEPH			**431.44**		

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JONES, MAEGAN				Remit to: **MORENO VALLEY** **CA**	
	5/16/2011	207840	35.00		
				REFUND-ELECT USE FEE	35.00
	Vendor Total		**35.00**		
FYTD for JONES, MAEGAN			**35.00**		
JONES, RONNIE				Remit to: **LOS ANGELES** **CA**	
	5/16/2011	207841	0.50		
				REFUND-CITATION OVRPMT	0.50
	Vendor Total		**0.50**		
FYTD for JONES, RONNIE			**0.50**		
JONES, SUSAN				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	882673	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for JONES, SUSAN			**3,506.03**		
JORDAN, JENNIFER				Remit to: **CORONA** **CA**	
	5/31/2011	208053	75.00		
				REFUND-NEUTER DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for JORDAN, JENNIFER			**75.00**		
JTB SUPPLY CO., INC.				Remit to: **ORANGE** **CA**	
	5/9/2011	207791	10,657.51		
				TRAFFIC SIGNAL SUPPLIES	2,446.88
				BATTERY BACK UP SVC CABINET	8,210.63
	Vendor Total		**10,657.51**		
FYTD for JTB SUPPLY CO., INC.			**42,263.54**		
KEYSER MARSTON ASSOCIATES, INC.				Remit to: **SAN FRANCISCO** **CA**	
	5/2/2011	207640	1,406.25		
				CONSULTING SVCS-EDD	375.00
				CONSULTING SVCS-EDD	1,031.25
	5/16/2011	207842	4,915.00		
				CONSULTING SVCS-EDD	4,915.00
	5/31/2011	208054	2,240.00		
				CONSULTING SVCS-EDD	2,240.00
	Vendor Total		**8,561.25**		
FYTD for KEYSER MARSTON ASSOCIATES, INC.			**18,188.13**		

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KING, PATRICIA A.				Remit to: **LAS VEGAS** **NV**	
	5/9/2011	207737	267.88		
				RETIREE MED MAY '11	267.88
	Vendor Total		**267.88**		
FYTD for KING, PATRICIA A.			**3,353.48**		
KNORR SYSTEMS, INC				Remit to: **SANTA ANA** **CA**	
	5/23/2011	207946	393.58		
				MISC SUPPLIES-PARKS MAINT	393.58
	Vendor Total		**393.58**		
FYTD for KNORR SYSTEMS, INC			**393.58**		
KOLB, CHARLES E.				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	882675	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for KOLB, CHARLES E.			**3,506.03**		
KOLLAR, KYLE				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	882676	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for KOLLAR, KYLE			**3,506.03**		
KUSTOM SIGNALS, INC.				Remit to: **LENEXA** **KS**	
	5/9/2011	207738	674.22		
				LASER GUN REPAIR-PD	200.00
				LASER GUN REPAIR-PD	399.15
				LASER GUN REPAIR-PD	75.07
	Vendor Total		**674.22**		
FYTD for KUSTOM SIGNALS, INC.			**2,269.71**		
KYLE, GARY M.				Remit to: **PRESCOTT VALLEY** **AZ**	
	5/9/2011	882677	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for KYLE, GARY M.			**3,506.03**		

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LA FOLLETTE, JOHNSON, DE HAAS, ET AL			Remit to: **LOS ANGELES** **CA**	
5/31/2011	208055	13,113.00		
			LEGAL SERVICES-RISK MGT	6,037.49
			LEGAL SERVICES-RISK MGT	7,075.51
	Vendor Total	**13,113.00**		
FYTD for LA FOLLETTE, JOHNSON, DE HAAS, ET AL		**60,099.16**		
LAFATA, JOSEPHINE			Remit to: **MORENO VALLEY** **CA**	
5/9/2011	882678	318.73		
			RETIREE MED MAY '11	318.73
	Vendor Total	**318.73**		
FYTD for LAFATA, JOSEPHINE		**3,487.19**		
LANG, TRACEY			Remit to: **MORENO VALLEY** **CA**	
5/23/2011	207947	152.00		
			INSTRUCTION SVCS-4 DAYS	152.00
	Vendor Total	**152.00**		
FYTD for LANG, TRACEY		**912.00**		
LANGENDORF, BENJAMIN			Remit to: **PERRIS** **CA**	
5/9/2011	882679	442.80		
			RETIREE MED MAR '11	442.80
	Vendor Total	**442.80**		
FYTD for LANGENDORF, BENJAMIN		**2,307.16**		
LATHAM & WATKINS, LLP			Remit to: **LOS ANGELES** **CA**	
5/2/2011	207641	1,522.50		
			LEGAL SERVICES-LAND DEV	1,522.50
	Vendor Total	**1,522.50**		
FYTD for LATHAM & WATKINS, LLP		**2,465.00**		
LAW ENFORCEMENT APPRECIATION COMMITTEE			Remit to: **RIVERSIDE** **CA**	
5/9/2011	207739	100.00		
			AWARDS CEREMONY	50.00
			AWARDS CEREMONY	50.00
	Vendor Total	**100.00**		
FYTD for LAW ENFORCEMENT APPRECIATION COMMITTEE		**100.00**		

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LAW ENFORCEMENT ASSOCIATES			Remit to: **RALEIGH** **NC**	
5/9/2011	207740	1,484.08		
			MEMORY CARDS-PD	1,567.44
			MEMORY CARDS-PD	-202.77
			MEMORY CARDS-PD	119.41
	Vendor Total	**1,484.08**		
FYTD for LAW ENFORCEMENT ASSOCIATES		**14,025.91**		
LAW OFFICE OF BRENDA L. DIEDERICHS			Remit to: **CHINO** **CA**	
5/16/2011	207843	22,474.56		
			LEGAL SERVICES-HR	20,449.56
			LEGAL SERVICES-HR	2,025.00
	Vendor Total	**22,474.56**		
FYTD for LAW OFFICE OF BRENDA L. DIEDERICHS		**63,024.56**		
LAWN TECH EQUIPMENT			Remit to: **RIVERSIDE** **CA**	
5/2/2011	882629	147.00		
			CHAIN SHARPENING-PW MAINT	147.00
	Vendor Total	**147.00**		
FYTD for LAWN TECH EQUIPMENT		**2,779.41**		
LEFEVRE, FRAN			Remit to: **MORENO VALLEY** **CA**	
5/16/2011	207844	175.00		
			PER DIEM-LAW ENFORC TRNG NEEDS	175.00
	Vendor Total	**175.00**		
FYTD for LEFEVRE, FRAN		**175.00**		
LEWIS BRISBOIS BISGAARD & SMITH LLP			Remit to: **SAN BERNARDINO** **CA**	
5/31/2011	882816	6,342.94		
			LEGAL SERVICES-RISK MGT	6,342.94
	Vendor Total	**6,342.94**		
FYTD for LEWIS BRISBOIS BISGAARD & SMITH LLP		**12,804.79**		
LEWIS, CAROLYN S.			Remit to: **BEAUMONT** **CA**	
5/9/2011	882680	318.73		
			RETIREE MED MAY '11	318.73
	Vendor Total	**318.73**		
FYTD for LEWIS, CAROLYN S.		**3,487.19**		

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LIEBERT, CASSIDY, WHITMORE			Remit to: **LOS ANGELES** **CA**	
5/16/2011	207845	210.00		
			TRAINING SERVICES-6	35.00
			TRAINING SERVICES-6	35.00
			TRAINING SERVICES-6	35.00
			TRAINING SERVICES-6	35.00
			TRAINING SERVICES-6	35.00
			TRAINING SERVICES-6	35.00
	Vendor Total	**210.00**		
FYTD for LIEBERT, CASSIDY, WHITMORE		**3,874.00**		
LIENHARD, DORI A.			Remit to: **RANCHO MIRAGE** **CA**	
5/31/2011	208056	341.97		
			TRAVEL EXP.-CHAMELEON CONF.	93.47
			TRAVEL EXP.-CHAMELEON CONF.	248.50
	Vendor Total	**341.97**		
FYTD for LIENHARD, DORI A.		**646.47**		
LIM & NASCIMENTO ENGINEERING CORP.			Remit to: **CHICAGO** **IL**	
5/23/2011	207948	8,533.91		
			PERRIS BL WIDENING FROM RAM XP	8,533.91
	Vendor Total	**8,533.91**		
FYTD for LIM & NASCIMENTO ENGINEERING CORP.		**314,904.80**		
LLANOS, ADRIANA			Remit to: **NUEVO** **CA**	
5/16/2011	207846	20.00		
			REFUND-RABIES DEPOSIT	20.00
	Vendor Total	**20.00**		
FYTD for LLANOS, ADRIANA		**20.00**		
LOCKWOOD, MELISSA			Remit to: **MORENO VALLEY** **CA**	
5/16/2011	207847	31.00		
			REFUND-PICNIC SHLTR FEE	31.00
	Vendor Total	**31.00**		
FYTD for LOCKWOOD, MELISSA		**31.00**		
LOGAN, CHARLES			Remit to: **LAS VEGAS** **NV**	
5/9/2011	882681	318.73		
			RETIREE MED MAY '11	318.73
	Vendor Total	**318.73**		
FYTD for LOGAN, CHARLES		**3,506.03**		

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LONDON, CHARLES				Remit to: **MORENO VALLEY** **CA**	
	5/2/2011	207642	50.00		
				REFUND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for LONDON, CHARLES			**50.00**		
LOR GEOTECHNICAL GROUP, INC.				Remit to: **RIVERSIDE** **CA**	
	5/31/2011	882817	3,022.00		
				IRONWD AVE-DAY TO BARCLAY PROJ	3,022.00
	Vendor Total		**3,022.00**		
FYTD for LOR GEOTECHNICAL GROUP, INC.			**80,777.00**		
LOS ANGELES COUNTY AUDITOR CONTROLLER				Remit to: **LOS ANGELES** **CA**	
	5/31/2011	208057	502.00		
				RESIDUE KIT-PD	502.00
	Vendor Total		**502.00**		
FYTD for LOS ANGELES COUNTY AUDITOR CONTROLLER			**502.00**		
LUDWIG, BRITTANY				Remit to: **LOS ANGELES** **CA**	
	5/23/2011	207949	75.00		
				REFUND-NEUTER DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for LUDWIG, BRITTANY			**75.00**		
LUMLEY, ROBERT C.				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	882682	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for LUMLEY, ROBERT C.			**3,506.03**		
LUNDBERG, GEORGINA				Remit to: **MORENO VALLEY** **CA**	
	5/16/2011	207848	86.29		
				CACFP MGMT COURSE/PIN TRNG	86.29
	Vendor Total		**86.29**		
FYTD for LUNDBERG, GEORGINA			**86.29**		
MALONE, LAWRENCE				Remit to: **ALISO VIEGO** **CA**	
	5/9/2011	207741	174.00		
				REFUND-ADMIN CITATION	174.00
	Vendor Total		**174.00**		
FYTD for MALONE, LAWRENCE			**174.00**		

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MANHOLE ADJUSTING, INC			Remit to: **PICO RIVERA** **CA**	
5/31/2011	208058	49.68		
			REFUND-BUS LIC OVRPMT	49.68
Vendor Total		**49.68**		
FYTD for MANHOLE ADJUSTING, INC		**49.68**		
MARCH JOINT POWERS AUTHORITY			Remit to: **RIVERSIDE** **CA**	
5/2/2011	207643	8.50		
			GAS CHARGES-MFP COMM CTR	6.95
			GAS CHARGES-MFP COMM CTR	1.55
5/31/2011	208059	7.17		
			GAS CHARGES-MARCH FIELD	5.86
			GAS CHARGES-MARCH FIELD	1.31
Vendor Total		**15.67**		
FYTD for MARCH JOINT POWERS AUTHORITY		**80.63**		
MARINA LANDSCAPE, INC			Remit to: **ANAHEIM** **CA**	
5/31/2011	882818	9,419.95		
			LANDSCAPE MAINT-DSG2N	4,425.04
			LANDSCAPE MAINT-DSG2S	440.64
			LANDSCAPE MAINT-DSG2S	4,554.27
Vendor Total		**9,419.95**		
FYTD for MARINA LANDSCAPE, INC		**86,347.75**		
MARKHAM, RHONDA			Remit to: **MORENO VALLEY** **CA**	
5/2/2011	207644	250.00		
			REFUND-RNTL DEP 4/9/11 EVENT	250.00
Vendor Total		**250.00**		
FYTD for MARKHAM, RHONDA		**250.00**		
MARTIAL ARTS INTERNATIONAL, USKO			Remit to: **MORENO VALLEY** **CA**	
5/2/2011	207645	56.00		
			INSTRUCTOR SVCS-KICK BOXING	56.00
Vendor Total		**56.00**		
FYTD for MARTIAL ARTS INTERNATIONAL, USKO		**560.00**		

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MARTINEZ, REGGIE				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	207742	105.00		
				SPORTS OFFICIATING SVCS	70.00
				SPORTS OFFICIATING SVCS	20.00
				SPORTS OFFICIATING SVCS	15.00
	5/31/2011	208060	70.00		
				SPORTS OFFICIATING SVCS	70.00
	Vendor Total		**175.00**		
FYTD for MARTINEZ, REGGIE			**1,085.00**		
MATHIS, NOLAN				Remit to: **JACKSON** **KY**	
	5/9/2011	882683	290.00		
				RETIREE MED MAR '11	290.00
	Vendor Total		**290.00**		
FYTD for MATHIS, NOLAN			**3,238.00**		
MATICH CORPORATION				Remit to: **SAN BERNARDINO** **CA**	
	5/9/2011	882684	6,889.68		
				ASPHALTIC MATERIALS	6,889.68
	Vendor Total		**6,889.68**		
FYTD for MATICH CORPORATION			**38,910.62**		
MATUTE, OMAR				Remit to: **MORENO VALLEY** **CA**	
	5/23/2011	207950	67.00		
				REFUND-TIME 4 TOTS	67.00
	Vendor Total		**67.00**		
FYTD for MATUTE, OMAR			**67.00**		
MAXINOSKI, SUE A.				Remit to: **AVINGER** **TX**	
	5/9/2011	882685	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for MAXINOSKI, SUE A.			**3,506.03**		
MAYER HOFFMAN MCCANN P.C.				Remit to: **IRVINE** **CA**	
	5/16/2011	207849	15,562.00		
				AUDITING SVCS-CITY	9,888.00
				AUDITING SVCS-CITY	757.00
				AUDITING SVCS-CITY	4,917.00
	Vendor Total		**15,562.00**		
FYTD for MAYER HOFFMAN MCCANN P.C.			**85,919.00**		

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MCCAIN TRAFFIC SUPPLY			Remit to: **VISTA** **CA**	
5/9/2011	207743	2,351.35		
			TRAFFIC SIGNAL SUPPLIES	2,351.35
5/16/2011	207850	10,146.14		
			TRAF SIG CONTRLLR-SUNNYMD RNCH	10,146.14
5/31/2011	208061	10,550.92		
			TRAF SIG CONTROLLER CABINET	9,702.00
			CA SALES TAX	848.92
	Vendor Total	**23,048.41**		
FYTD for MCCAIN TRAFFIC SUPPLY		**24,437.16**		
MCCULLUM, JOE			Remit to: **MORENO VALLEY** **CA**	
5/16/2011	207851	37.00		
			REFUND-PICNIC SHLTR FEE	37.00
	Vendor Total	**37.00**		
FYTD for MCCULLUM, JOE		**37.00**		
McDONALD, CHRIS			Remit to: **PERRIS** **CA**	
5/23/2011	207951	38.00		
			INSTRUCTION SVCS-1 DAY	38.00
	Vendor Total	**38.00**		
FYTD for McDONALD, CHRIS		**2,280.00**		
MEEKS, DANIEL			Remit to: **PERRIS** **CA**	
5/23/2011	882778	40.00		
			SPORTS OFFICIATING SVCS	40.00
	Vendor Total	**40.00**		
FYTD for MEEKS, DANIEL		**1,820.00**		
MELAD & ASSOCIATES, INC			Remit to: **HUNTINGTON BEACH** **CA**	
5/16/2011	207852	2,115.00		
			PLAN CHECK SVCS-BLDG/SFTY	2,115.00
5/31/2011	208062	2,070.00		
			PLAN CHECK SVCS-BLDG/SFTY	2,070.00
	Vendor Total	**4,185.00**		
FYTD for MELAD & ASSOCIATES, INC		**40,177.12**		
MENGISTU, YESHIALEM			Remit to: **MORENO VALLEY** **CA**	
5/16/2011	207853	131.07		
			MILEAGE REIMBURSEMENT	131.07
	Vendor Total	**131.07**		
FYTD for MENGISTU, YESHIALEM		**1,052.21**		

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MENOS CUSTOMS				Remit to: **MORENO VALLEY** **CA**	
	5/2/2011	207646	26.81		
				REFUND-BUS LIC OVRPMT	26.81
	Vendor Total		**26.81**		
FYTD for MENOS CUSTOMS			**26.81**		
MESA CONTRACTING CORPORATION				Remit to: **ORANGE** **CA**	
	5/16/2011	207854	52.00		
				REFUND-BUS LIC OVRPMT	52.00
	Vendor Total		**52.00**		
FYTD for MESA CONTRACTING CORPORATION			**52.00**		
MESSIN, LOUIS				Remit to: **BULLHEAD CITY** **AZ**	
	5/9/2011	882686	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for MESSIN, LOUIS			**3,506.03**		
METROPCS WIRELESS, INC.				Remit to: **DALLAS** **TX**	
	5/23/2011	207952	100.00		
				TEXT MSSG RTRVL SVC-PD	100.00
	Vendor Total		**100.00**		
FYTD for METROPCS WIRELESS, INC.			**200.00**		
MEYERS, ROBERT				Remit to: **MORENO VALLEY** **CA**	
	5/2/2011	207647	147.00		
				INSTRUCTOR SVCS-DRAWING	147.00
	Vendor Total		**147.00**		
FYTD for MEYERS, ROBERT			**2,247.00**		
MGT OF AMERICA, INC.				Remit to: **SACRAMENTO** **CA**	
	5/9/2011	882687	3,000.00		
				STATE MANDATED COST CLAIMING	3,000.00
	Vendor Total		**3,000.00**		
FYTD for MGT OF AMERICA, INC.			**12,000.00**		
MICHAEL LANE				Remit to: **MORENO VALLEY** **CA**	
	5/16/2011	207855	1,500.00		
				SETTLEMENT	1,500.00
	Vendor Total		**1,500.00**		
FYTD for MICHAEL LANE			**1,500.00**		

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MILES, ROBERT				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	882688	229.88		
				RETIREE MED MAY '11	229.88
	Vendor Total		**229.88**		
FYTD for MILES, ROBERT			**2,316.58**		
MINARD, MARK E.				Remit to: **REDLANDS** **CA**	
	5/9/2011	882689	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for MINARD, MARK E.			**3,442.67**		
MIRACLE RECREATION EQUIPMENT				Remit to: **CHICAGO** **IL**	
	5/9/2011	882690	178.47		
				PLAYGROUND EQUIP-PARKS	178.47
	Vendor Total		**178.47**		
FYTD for MIRACLE RECREATION EQUIPMENT			**7,909.18**		
MISTRETTA, ARTHUR				Remit to: **MORENO VALLEY** **CA**	
	5/23/2011	882779	414.00		
				SPORTS OFFICIATING SVCS	54.00
				SPORTS OFFICIATING SVCS	72.00
				SPORTS OFFICIATING SVCS	18.00
				SPORTS OFFICIATING SVCS	54.00
				SPORTS OFFICIATING SVCS	72.00
				SPORTS OFFICIATING SVCS	36.00
				SPORTS OFFICIATING SVCS	48.00
				SPORTS OFFICIATING SVCS	24.00
				SPORTS OFFICIATING SVCS	36.00
	5/31/2011	882819	36.00		
				SPORTS OFFICIATING SVCS	36.00
	Vendor Total		**450.00**		
FYTD for MISTRETTA, ARTHUR			**3,096.00**		
MOLLICA, MIKE				Remit to: **DUNNELLON** **FL**	
	5/9/2011	882691	401.42		
				RETIREE MED MAY '11	401.42
	Vendor Total		**401.42**		
FYTD for MOLLICA, MIKE			**4,415.62**		

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MONTGOMERY PLUMBING INC			Remit to: **MORENO VALLEY**	**CA**
5/9/2011	207744	4,216.25		
			EMERG PLUMBING REPAIRS-FS#91	380.00
			EMERG PLUMBING REPAIRS-FS#91	387.50
			EMERG PLUMBING REPAIRS-FS#91	246.25
			SHOWER REPAIR-FS #91	2,000.00
			SHOWER REPAIR-FS #91	600.00
			PLUMBING REPAIRS-PSB	100.00
			PLUMBING REPAIRS-PSB	502.50
5/23/2011	207953	272.50		
			PLUMBING RPRS-FS #58	272.50
	Vendor Total	**4,488.75**		
FYTD for MONTGOMERY PLUMBING INC		**6,851.07**		
MORA, PATRICIA A.			Remit to: **MORENO VALLEY**	**CA**
5/9/2011	882692	318.73		
			RETIREE MED MAY '11	318.73
	Vendor Total	**318.73**		
FYTD for MORA, PATRICIA A.		**3,506.03**		
MORENO VALLEY CHAMBER OF COMMERCE			Remit to: **MORENO VALLEY**	**CA**
5/16/2011	207856	120.00		
			WAKE-UP MV MEETING-4/27	15.00
			WAKE-UP MV MEETING-4/27	15.00
			WAKE-UP MV MEETING-4/27	15.00
			WAKE-UP MV MEETING-4/27	15.00
			WAKE-UP MV MEETING-4/27	15.00
			WAKE-UP MV MEETING-4/27	15.00
			WAKE-UP MV MEETING-4/27	15.00
			WAKE-UP MV MEETING-4/27	15.00
	Vendor Total	**120.00**		
FYTD for MORENO VALLEY CHAMBER OF COMMERCE		**28,840.00**		
MORENO VALLEY CITY EMPLOYEES ASSOC.			Remit to: **MORENO VALLEY**	**CA**
5/6/2011	2852	1,562.00		
			MVCEA DUES 5/6/11	1,562.00
5/20/2011	2860	1,556.50		
			MVCEA DUES 5/20/11	1,556.50
	Vendor Total	**3,118.50**		
FYTD for MORENO VALLEY CITY EMPLOYEES ASSOC.		**37,602.50**		

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MORENO VALLEY GATEWAY, LLC			Remit to: **SAN JUAN CAPISTRANO CA**	
5/23/2011	882780	7,934.87		
			LEASE-FACILITIES ANNEX	2,458.97
			LEASE-TECH SVCS ANNEX	5,475.90
5/31/2011	882820	9,207.72		
			BLDG LEASE-SPCL DIST	9,207.72
	Vendor Total	**17,142.59**		
FYTD for MORENO VALLEY GATEWAY, LLC		**188,568.49**		
MORENO VALLEY HISPANIC CHAMBER			Remit to: **MORENO VALLEY CA**	
5/23/2011	207954	100.00		
			REFUND-MBL STG RNTL DEP	100.00
	Vendor Total	**100.00**		
FYTD for MORENO VALLEY HISPANIC CHAMBER		**100.00**		
MORENO VALLEY PLUMBING SUPPLIES			Remit to: **MORENO VALLEY CA**	
5/16/2011	207857	38.02		
			REPAIR PARTS-WATER TRUCK	38.02
	Vendor Total	**38.02**		
FYTD for MORENO VALLEY PLUMBING SUPPLIES		**38.02**		
MORENO VALLEY UTILITY			Remit to: **HEMET CA**	
5/23/2011	207955	99.16		
			ELECTRICITY-UT FLD OFFICE	99.16
	Vendor Total	**99.16**		
FYTD for MORENO VALLEY UTILITY		**686,219.59**		
MORENO, MARIO			Remit to:	
5/9/2011	207745	590.00		
			PER DIEM-NARCOTIC INVESTIG TRN	590.00
	Vendor Total	**590.00**		
FYTD for MORENO, MARIO		**800.00**		
MORGAN, LISA A.			Remit to: **MENTONE CA**	
5/9/2011	882693	318.73		
			RETIREE MED MAY '11	318.73
	Vendor Total	**318.73**		
FYTD for MORGAN, LISA A.		**3,506.03**		

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MOSER, KEVIN				Remit to: **MORENO VALLEY** **CA**	
	5/2/2011	207648	86.00		
				REFUND-ANIMAL SVCS FEES	30.00
				REFUND-ANIMAL SVCS FEES	10.00
				REFUND-ANIMAL SVCS FEES	20.00
				REFUND-ANIMAL SVCS FEES	16.00
				REFUND-ANIMAL SVCS FEES	10.00
	Vendor Total		**86.00**		
FYTD for MOSER, KEVIN			**86.00**		
MR. CLEAN, INC.				Remit to: **COLTON** **CA**	
	5/23/2011	207956	428.00		
				PRESSURE WASHING SVC-CRC	428.00
	Vendor Total		**428.00**		
FYTD for MR. CLEAN, INC.			**2,759.57**		
MUSICK, PEELER & GARRETT, LLP				Remit to: **LOS ANGELES** **CA**	
	5/16/2011	207858	3,200.00		
				LEGAL SERVICES-HR	2,800.00
				LEGAL SERVICES-HR	400.00
	Vendor Total		**3,200.00**		
FYTD for MUSICK, PEELER & GARRETT, LLP			**30,299.34**		
MUSICSTAR				Remit to: **RIVERSIDE** **CA**	
	5/16/2011	207859	1,053.00		
				INSTRUCTOR SVCS-GUITAR	189.00
				INSTRUCTOR SVCS-GUITAR	189.00
				INSTRUCTOR SVCS-PIANO	216.00
				INSTRUCTOR SVCS-PIANO	81.00
				INSTRUCTOR SVCS-PIANO	135.00
				INSTRUCTOR SVCS-PIANO	243.00
	Vendor Total		**1,053.00**		
FYTD for MUSICSTAR			**7,139.97**		
MVBSA				Remit to: **MORENO VALLEY** **CA**	
	5/31/2011	208063	500.00		
				REFUND-RNTL DEP 5/13/11	500.00
	Vendor Total		**500.00**		
FYTD for MVBSA			**500.00**		

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NATIONAL LAW ENFORCEMENT SUPPLY, INC.			Remit to: **ALBANY** **NY**	
5/23/2011	207957	79.28		
			FORENSIC SUPPLIES-PD	69.81
			FORENSIC SUPPLIES-PD	9.47
			FORENSIC SUPPLIES-PD	6.94
			USED TAX ACCRUAL-PD	-6.94
	Vendor Total	**79.28**		
FYTD for NATIONAL LAW ENFORCEMENT SUPPLY, INC.		**445.98**		
NATIONWIDE RETIREMENT SOLUTIONS			Remit to: **COLUMBUS** **OH**	
5/6/2011	2850	12,563.63		
			PST DEF COMP FOR FICA 5/6/11	12,563.63
5/6/2011	2851	24,738.16		
			DEF COMP-457 & 401(A) 5/6/11	24,738.16
5/20/2011	2858	13,615.20		
			PST DEF COMP FOR FICA 5/20/11	13,615.20
5/20/2011	2859	24,648.41		
			DEF COMP-457 & 401(A) 5/20/11	24,648.41
	Vendor Total	**75,565.40**		
FYTD for NATIONWIDE RETIREMENT SOLUTIONS		**762,631.06**		
NAVARRETTE, RALPH			Remit to: **RANCHO CUCAMONGA** **CA**	
5/9/2011	882694	318.73		
			RETIREE MED MAY '11	318.73
	Vendor Total	**318.73**		
FYTD for NAVARRETTE, RALPH		**3,506.03**		
NELSON, MICHELE			Remit to: **MORENO VALLEY** **CA**	
5/2/2011	207649	106.91		
			GAS CHGS-4/4-4/8/11 TRNG CLASS	106.91
	Vendor Total	**106.91**		
FYTD for NELSON, MICHELE		**356.91**		
NELSON, ROBERT			Remit to: **ONTARIO** **CA**	
5/9/2011	882695	325.66		
			RETIREE MED MAY '11	325.66
	Vendor Total	**325.66**		
FYTD for NELSON, ROBERT		**3,461.90**		

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NELSON, RUTH L.				Remit to: **PERRIS** **CA**	
	5/9/2011	882696	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for NELSON, RUTH L.			**3,506.03**		
NELSON, TIMOTHY IVAN				Remit to: **GRAND TERRACE** **CA**	
	5/23/2011	207958	456.00		
				INSTRUCTION SVCS-12 DAYS	456.00
	Vendor Total		**456.00**		
FYTD for NELSON, TIMOTHY IVAN			**3,572.00**		
NEUSTAEDTER, CRAIG S				Remit to: **IRVINE** **CA**	
	5/9/2011	207746	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for NEUSTAEDTER, CRAIG S			**3,506.03**		
NEW HORIZON MOBILE HOME PARK				Remit to: **LOS ANGELES** **CA**	
	5/9/2011	882697	9.89		
				REFUND-UT USER TAXES	9.89
	Vendor Total		**9.89**		
FYTD for NEW HORIZON MOBILE HOME PARK			**68.38**		
NEW WORLD LANGUAGE SERVICES, INC				Remit to: **SAN BERNARDINO** **CA**	
	5/31/2011	208064	650.00		
				INTERPRETER SVCS-EDD	650.00
	Vendor Total		**650.00**		
FYTD for NEW WORLD LANGUAGE SERVICES, INC			**650.00**		
NIEBURGER, JUDITH A.				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	207747	401.42		
				RETIREE MED MAY '11	401.42
	Vendor Total		**401.42**		
FYTD for NIEBURGER, JUDITH A.			**4,415.62**		
NIGHT GALAXY, INC.				Remit to: **BROOKLYN** **NY**	
	5/23/2011	207959	6,079.12		
				NIGHT OPTICS-PD	5,590.00
				NIGHT OPTICS-PD	489.12
	Vendor Total		**6,079.12**		
FYTD for NIGHT GALAXY, INC.			**6,079.12**		

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NINYO & MOORE GEOTECHNICAL			Remit to: **SAN DIEGO** **CA**	
5/16/2011	207860	11,855.50		
			IRONWOOD AVE/STORM DRAIN PROJ	9,959.50
			IRONWOOD AVE/STORM DRAIN PROJ	1,896.00
	Vendor Total	**11,855.50**		
FYTD for NINYO & MOORE GEOTECHNICAL		**72,641.50**		
NOBLES, GARRETT			Remit to: **HEMET** **CA**	
5/23/2011	207961	69.87		
			MILEAGE REIMBURSEMENT	69.87
	Vendor Total	**69.87**		
FYTD for NOBLES, GARRETT		**683.05**		
ORROCK, POPKA, FORTINO & BRISLIN			Remit to: **RIVERSIDE** **CA**	
5/31/2011	882821	947.00		
			LEGAL SERVICES-RISK MGT	385.95
			LEGAL SERVICES-RISK MGT	561.05
	Vendor Total	**947.00**		
FYTD for ORROCK, POPKA, FORTINO & BRISLIN		**13,616.23**		
OVERLAND PACIFIC & CUTLER, INC.			Remit to: **LONG BEACH** **CA**	
5/9/2011	882698	6,800.00		
			PROPERTY APPRAISAL SVCS-FS #65	6,800.00
5/16/2011	882748	67.50		
			SR-60/NASON ST INTRCHNG PROJ	67.50
5/31/2011	882822	8,400.00		
			RIGHT OF WAY SVCS-VARIOUS PROJ	8,400.00
	Vendor Total	**15,267.50**		
FYTD for OVERLAND PACIFIC & CUTLER, INC.		**131,305.25**		
PACIFIC GREEN HORTICULTURAL SVC			Remit to: **UPLAND** **CA**	
5/9/2011	882699	989.00		
			FERTILIZATION SVCS-ZONE E	302.97
			FERTILIZATION SVCS-ZONE E	550.15
			FERTILIZATION SVCS-ZONE E	112.61
			FERTILIZATION SVCS-ZONE E	23.27
	Vendor Total	**989.00**		
FYTD for PACIFIC GREEN HORTICULTURAL SVC		**8,515.83**		
PACIFIC SAFETY COUNCIL			Remit to: **SAN DIEGO** **CA**	
5/16/2011	882749	380.00		
			ANNUAL MEMBERSHIP	380.00
	Vendor Total	**380.00**		
FYTD for PACIFIC SAFETY COUNCIL		**3,815.75**		

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PACIFIC TELEMANAGEMENT SERVICES			Remit to: **SAN RAMON** **CA**	
5/9/2011	882700	438.48		
			PAYPHONE SVCS	375.84
			PAYPHONE SVCS-PD	62.64
	Vendor Total	**438.48**		
FYTD for PACIFIC TELEMANAGEMENT SERVICES		**4,823.28**		
PADILLA, JHOANA LIZBETH			Remit to: **EL MONTE** **CA**	
5/16/2011	207861	36.00		
			REFUND-CITATION OVRPMT	36.00
	Vendor Total	**36.00**		
FYTD for PADILLA, JHOANA LIZBETH		**36.00**		
PALAU, SHANNA			Remit to: **MORENO VALLEY** **CA**	
5/16/2011	207862	248.50		
			PER DIEM-ICSC RECON CONVENTION	248.50
	Vendor Total	**248.50**		
FYTD for PALAU, SHANNA		**735.67**		
PALLIRETO, JANE			Remit to: **MORENO VALLEY** **CA**	
5/16/2011	207863	404.50		
			REFUND-CITATION DISMISSED	404.50
	Vendor Total	**404.50**		
FYTD for PALLIRETO, JANE		**404.50**		
PARKS, ALYSSIA			Remit to: **MORENO VALLEY** **CA**	
5/16/2011	207864	47.00		
			REFUND-BELLY DANCING CLASS	47.00
	Vendor Total	**47.00**		
FYTD for PARKS, ALYSSIA		**47.00**		
PARSONS TRANSPORTATION GROUP, INC.			Remit to: **IRVINE** **CA**	
5/2/2011	207650	19,215.35		
			SR-60/MOR BCH DR INTRCHNG PROJ	2,286.05
			SR-60/MOR BCH DR INTRCHNG PROJ	16,929.30
	Vendor Total	**19,215.35**		
FYTD for PARSONS TRANSPORTATION GROUP, INC.		**510,132.29**		
PATTERSON, ALFREY			Remit to: **MORENO VALLEY** **CA**	
5/9/2011	207748	229.88		
			RETIREE MED MAY '11	229.88
	Vendor Total	**229.88**		
FYTD for PATTERSON, ALFREY		**2,316.58**		

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PATTERSON, MICHAEL				Remit to: **PERRIS** **CA**	
	5/9/2011	207749	100.00		
				SPORTS OFFICIATING SVCS	40.00
				SPORTS OFFICIATING SVCS	60.00
	5/11/2011	207794	160.00		
				SPORTS OFFICIATING SVCS	60.00
				SPORTS OFFICIATING SVCS	60.00
				SPORTS OFFICIATING SVCS	40.00
	Vendor Total		**260.00**		
FYTD for PATTERSON, MICHAEL			**820.00**		
PB AMERICAS, INC.				Remit to: **SAN BERNARDINO** **CA**	
	5/31/2011	208065	9,601.32		
				SR-60/NASON ST INTRCHNG PROJ	9,601.32
	Vendor Total		**9,601.32**		
FYTD for PB AMERICAS, INC.			**60,785.05**		
PEDLEY SQUARE VETERINARY CLINIC				Remit to: **RIVERSIDE** **CA**	
	5/2/2011	882630	5,621.00		
				VETERINARY SVCS-ANML SHLTR	5,621.00
	5/31/2011	882823	4,282.00		
				VETERINARY SVCS-ANML SHLTR	4,282.00
	Vendor Total		**9,903.00**		
FYTD for PEDLEY SQUARE VETERINARY CLINIC			**87,965.00**		
PEERY, MATHEW				Remit to: **MENIFEE** **CA**	
	5/23/2011	207962	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for PEERY, MATHEW			**20.00**		
PENA, IRIS				Remit to: **MORENO VALLEY** **CA**	
	5/23/2011	207963	42.99		
				MILEAGE REIMBURSEMENT	42.99
	Vendor Total		**42.99**		
FYTD for PENA, IRIS			**688.88**		
PEREZ, DOMINIQUE				Remit to: **MORENO VALLEY** **CA**	
	5/16/2011	207865	55.00		
				REFUND-CITATION DISMISSED	55.00
	Vendor Total		**55.00**		
FYTD for PEREZ, DOMINIQUE			**55.00**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
PERRIS VALLEY PRINTING CO.				Remit to: **MENIFEE** **CA**	
	5/9/2011	207750	111.67		
				ENVELOPES-BLDG & SAFETY	111.67
	Vendor Total		**111.67**		
FYTD for PERRIS VALLEY PRINTING CO.			**1,670.97**		
PERRY, NORMA				Remit to: **PIONEER** **CA**	
	5/9/2011	207751	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for PERRY, NORMA			**3,506.03**		
PERS LONG TERM CARE PROGRAM				Remit to: **PASADENA** **CA**	
	5/9/2011	207752	458.63		
				LONG TERM CARE INSURANCE	458.63
	5/23/2011	207964	458.63		
				LONG TERM CARE INSURANCE	458.63
	Vendor Total		**917.26**		
FYTD for PERS LONG TERM CARE PROGRAM			**11,177.16**		

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PETTY CASH - FINANCE				Remit to: **MORENO VALLEY** **CA**	
	5/31/2011	208066	964.43		
				PETTY CASH FUND REPLENISHMENT	33.32
				PETTY CASH FUND REPLENISHMENT	23.73
				PETTY CASH FUND REPLENISHMENT	22.96
				PETTY CASH FUND REPLENISHMENT	24.09
				PETTY CASH FUND REPLENISHMENT	23.73
				PETTY CASH FUND REPLENISHMENT	33.69
				PETTY CASH FUND REPLENISHMENT	35.00
				PETTY CASH FUND REPLENISHMENT	7.50
				PETTY CASH FUND REPLENISHMENT	4.00
				PETTY CASH FUND REPLENISHMENT	2.00
				PETTY CASH FUND REPLENISHMENT	2.00
				PETTY CASH FUND REPLENISHMENT	4.00
				PETTY CASH FUND REPLENISHMENT	4.00
				PETTY CASH FUND REPLENISHMENT	4.00
				PETTY CASH FUND REPLENISHMENT	3.00
				PETTY CASH FUND REPLENISHMENT	4.50
				PETTY CASH FUND REPLENISHMENT	3.00
				PETTY CASH FUND REPLENISHMENT	4.00
				PETTY CASH FUND REPLENISHMENT	3.00
				PETTY CASH FUND REPLENISHMENT	7.50
				PETTY CASH FUND REPLENISHMENT	3.00
				PETTY CASH FUND REPLENISHMENT	1.50
				PETTY CASH FUND REPLENISHMENT	3.00
				PETTY CASH FUND REPLENISHMENT	4.00
				PETTY CASH FUND REPLENISHMENT	99.00
				PETTY CASH FUND REPLENISHMENT	20.00
				PETTY CASH FUND REPLENISHMENT	20.00
				PETTY CASH FUND REPLENISHMENT	20.00
				PETTY CASH FUND REPLENISHMENT	3.50
				PETTY CASH FUND REPLENISHMENT	20.00
				PETTY CASH FUND REPLENISHMENT	4.00
				PETTY CASH FUND REPLENISHMENT	20.64
				PETTY CASH FUND REPLENISHMENT	10.71
				PETTY CASH FUND REPLENISHMENT	25.50
				PETTY CASH FUND REPLENISHMENT	20.00
				PETTY CASH FUND REPLENISHMENT	8.00
				PETTY CASH FUND REPLENISHMENT	25.00
				PETTY CASH FUND REPLENISHMENT	15.00
				PETTY CASH FUND REPLENISHMENT	23.75
				PETTY CASH FUND REPLENISHMENT	27.03
				PETTY CASH FUND REPLENISHMENT	21.42
				PETTY CASH FUND REPLENISHMENT	58.14
				PETTY CASH FUND REPLENISHMENT	41.82
				PETTY CASH FUND REPLENISHMENT	10.86
				PETTY CASH FUND REPLENISHMENT	56.98
				PETTY CASH FUND REPLENISHMENT	23.25
				PETTY CASH FUND REPLENISHMENT	65.61
				PETTY CASH FUND REPLENISHMENT	5.59
				PETTY CASH FUND REPLENISHMENT	5.47
				PETTY CASH FUND REPLENISHMENT	15.00
				PETTY CASH FUND REPLENISHMENT	37.64

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
	Vendor Total	964.43		
FYTD for PETTY CASH - FINANCE		5,984.24		
PEYREFITTE, OLIVIA			Remit to: **MORENO VALLEY**	**CA**
5/16/2011	207866	72.00		
			REFUND-PICNIC SHLTR FEE	35.00
			REFUND-PICNIC SHLTR FEE	37.00
	Vendor Total	72.00		
FYTD for PEYREFITTE, OLIVIA		72.00		
PIP PRINTING			Remit to: **MORENO VALLEY**	**CA**
5/31/2011	882824	4,123.97		
			PRINTING SVCS-SPCL DIST	4,015.27
			PRINTING SVCS-SPCL DIST	108.70
	Vendor Total	4,123.97		
FYTD for PIP PRINTING		7,548.20		
PIPS TECHNOLOGY, INC.			Remit to: **KNOXVILLE**	**TN**
5/23/2011	207965	3,215.82		
			REPAIR SVCS-PD	2,865.00
			REPAIR SVCS-PD	295.00
			REPAIR SVCS-PD	30.00
			REPAIR SVCS-PD	25.82
	Vendor Total	3,215.82		
FYTD for PIPS TECHNOLOGY, INC.		3,539.89		
PLAN TAG, INC.			Remit to: **WELLINGTON**	**FL**
5/31/2011	208067	39.45		
			PLAN TAGS-FIRE PREV	39.45
			PLAN TAGS-FIRE PREV	3.45
			PLAN TAGS-FIRE PREV	-3.45
	Vendor Total	39.45		
FYTD for PLAN TAG, INC.		39.45		
POIEMA LANDSCAPE, INC.			Remit to: **COLTON**	**CA**
5/23/2011	882781	3,843.15		
			LANDSCAPE MAINT-E12	2,131.00
			LANDSCAPE MAINT-ZONE S	1,712.15
	Vendor Total	3,843.15		
FYTD for POIEMA LANDSCAPE, INC.		46,426.35		

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POSTMASTER				Remit to: **MORENO VALLEY** **CA**	
	5/2/2011	207651	2,340.00		
				POSTAGE FOR 2011-12 BALLOTS	100.00
				POSTAGE FOR 2011-12 BALLOTS	2,240.00
	Vendor Total		**2,340.00**		
FYTD for POSTMASTER			**38,499.87**		
PRICE, GEORGE E.				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	882701	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for PRICE, GEORGE E.			**3,506.03**		
PRINCE, CHARLOTTE				Remit to: **MENIFEE** **CA**	
	5/23/2011	207966	140.00		
				REFUND-KICKBOXING	140.00
	Vendor Total		**140.00**		
FYTD for PRINCE, CHARLOTTE			**140.00**		
PROACTIVE ENGINEERING CONSULTANTS, INC.				Remit to: **CORONA** **CA**	
	5/16/2011	882750	3,978.00		
				CACTUS AVE WIDENING PROJ-STG 1	3,978.00
	Vendor Total		**3,978.00**		
FYTD for PROACTIVE ENGINEERING CONSULTANTS, INC.			**66,229.94**		
PROPAC				Remit to: **CHARLESTON** **SC**	
	5/9/2011	207753	3,000.00		
				CERT KITS-EMERG MGT/VOL SVCS	2,567.50
				CERT KITS-EMERG MGT/VOL SVCS	432.50
				CERT KITS-EMERG MGT/VOL SVCS	224.65
				USED TAX ACCRUAL-EOC	-224.65
	Vendor Total		**3,000.00**		
FYTD for PROPAC			**3,000.00**		
PROTECTION ONE, INC.				Remit to: **WITCHITA** **KS**	
	5/23/2011	207967	42.00		
				MONITORING SVCS-PRO SHOP	21.00
				MONITORING SVCS-MVTV STUDIO	21.00
	Vendor Total		**42.00**		
FYTD for PROTECTION ONE, INC.			**446.00**		

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PULLIAM, TRENT D.				Remit to: **MISSION VIEJO** **CA**	
	5/9/2011	882702	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for PULLIAM, TRENT D.			**3,506.03**		
PVP COMMUNICATIONS, INC.				Remit to: **TORRANCE** **CA**	
	5/23/2011	207968	17,291.25		
				HELMET KITS-PD	7,950.00
				MOTOR KITS-PD	7,950.00
				SALES TAX-PD	1,391.25
	Vendor Total		**17,291.25**		
FYTD for PVP COMMUNICATIONS, INC.			**17,291.25**		
QUALITY CODE PUBLISHING, LLC				Remit to: **SEATTLE** **WA**	
	5/2/2011	882631	2,778.28		
				MUN CODE SUPPLEMENTS-CITY CLKS	358.22
				MUN CODE SUPPLEMENTS-CITY CLKS	2,420.06
	Vendor Total		**2,778.28**		
FYTD for QUALITY CODE PUBLISHING, LLC			**7,320.06**		
RAFAEL LOPEZ				Remit to: **MORENO VALLEY** **CA**	
	5/16/2011	207867	155.00		
				PER DIEM-VEH. HOMICIDE SEMINAR	155.00
	Vendor Total		**155.00**		
FYTD for RAFAEL LOPEZ			**155.00**		
RAINBOW VALLEY HEROES				Remit to: **KANSAS CITY** **MO**	
	5/31/2011	208068	449.95		
				SAFETY EDUC VIDEOS-PD	449.95
				SAFETY EDUC VIDEOS-PD	39.37
				SAFETY EDUC VIDEOS-USED TAX	-39.37
	Vendor Total		**449.95**		
FYTD for RAINBOW VALLEY HEROES			**449.95**		
RALLY MANAGEMENT SERVICES, LLC				Remit to: **RANCHO CUCAMONGA** **CA**	
	5/2/2011	882632	754.92		
				TEMP SVCS-J RODRIGUEZ W/E 4/10	754.92
	5/9/2011	882703	1,114.56		
				TEMP SVCS-R HENDERSON W/E 4/17	359.64
				TEMP SVCS-J RODRIGUEZ W/E 4/17	138.72
				TEMP SVCS-J RODRIGUEZ W/E 4/17	616.20
	Vendor Total		**1,869.48**		
FYTD for RALLY MANAGEMENT SERVICES, LLC			**65,000.03**		

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RAMOS, ROBERTO				Remit to: **MORENO VALLEY** **CA**	
	5/16/2011	207868	297.00		
				INSTRUCTOR SVCS-TAE KWON DO	270.00
				INSTRUCTOR SVCS-TAE KWON DO	7.00
				INSTRUCTOR SVCS-TAE KWON DO	20.00
	5/31/2011	208069	663.00		
				INSTRUCTOR SVCS-TAE KWON DO	216.00
				INSTRUCTOR SVCS-TAE KWON DO	27.00
				INSTRUCTOR SVCS-TAE KWON DO	420.00
	Vendor Total		**960.00**		
FYTD for RAMOS, ROBERTO			**1,683.00**		
RANSOM RENTALS				Remit to: **RIVERSIDE** **CA**	
	5/2/2011	207652	55.29		
				REFUND-BUS LIC OVRPMT	55.29
	Vendor Total		**55.29**		
FYTD for RANSOM RENTALS			**55.29**		
RAYMOND, DENISE M.				Remit to: **REDLANDS** **CA**	
	5/31/2011	208070	413.34		
				TRAVEL EXP.-CHAMELEON CONF.	93.84
				TRAVEL EXP.-CHAMELEON CONF.	319.50
	Vendor Total		**413.34**		
FYTD for RAYMOND, DENISE M.			**413.34**		
RAY-RAMIREZ, DARCY L.				Remit to: **RIVERSIDE** **CA**	
	5/9/2011	207754	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for RAY-RAMIREZ, DARCY L.			**2,231.11**		
REDBOX AUTOMATED RETAIL, LLC				Remit to: **OAKBROOK TERRACE** **IL**	
	5/9/2011	207755	61.00		
				REFUND-BUS LIC OVRPMT	61.00
	Vendor Total		**61.00**		
FYTD for REDBOX AUTOMATED RETAIL, LLC			**309.00**		
REED, ALICIA S.				Remit to: **RIVERSIDE** **CA**	
	5/9/2011	207756	9,580.36		
				RETIREE MED JAN'08-DEC'10	9,580.36
	Vendor Total		**9,580.36**		
FYTD for REED, ALICIA S.			**9,580.36**		

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RHA LANDSCAPE ARCHITECTS-PLANNERS			Remit to: **RIVERSIDE** **CA**	
5/9/2011	207757	75.00		
			SHADOW MTN PARK LIGHTING PROJ	75.00
Vendor Total		**75.00**		
FYTD for RHA LANDSCAPE ARCHITECTS-PLANNERS		**17,607.94**		
RIGHTWAY SITE SERVICES, INC.			Remit to: **LAKE ELSINORE** **CA**	
5/23/2011	207969	194.13		
			PORTABLE RNTL-GOLF COURSE	72.38
			PORTABLE RNTL-PW	20.00
			PORTABLE RNTL-PW	100.00
			PORTABLE RNTL-PW	1.75
Vendor Total		**194.13**		
FYTD for RIGHTWAY SITE SERVICES, INC.		**338.89**		
RIV CO FLOOD CONTROL & WATER CONSERVATN			Remit to: **RIVERSIDE** **CA**	
5/2/2011	207653	5,000.00		
			ENCR PERMIT 3276 FILE FEE/DEP.	5,000.00
5/23/2011	207970	50.40		
			REQ 53959-ELECTR UTIL-DRAWINGS	50.40
Vendor Total		**5,050.40**		
FYTD for RIV CO FLOOD CONTROL & WATER CONSERVATN		**99,469.62**		
RIVERSIDE CONSTRUCTION COMPANY, INC			Remit to: **RIVERSIDE** **CA**	
5/19/2011	110505	13,503.50		
			RETENTN PYMT PER ESCROW AGRMNT	13,503.50
Vendor Total		**13,503.50**		
FYTD for RIVERSIDE CONSTRUCTION COMPANY, INC		**3,393,302.50**		
RIVERSIDE COUNTY ASSESSOR			Remit to: **RIVERSIDE** **CA**	
5/9/2011	207758	3.00		
			PARCEL MAP COPY SVC-SPCL DIST	0.75
			PARCEL MAP COPY SVC-SPCL DIST	0.75
			PARCEL MAP COPY SVC-SPCL DIST	0.75
			PARCEL MAP COPY SVC-SPCL DIST	0.75
Vendor Total		**3.00**		
FYTD for RIVERSIDE COUNTY ASSESSOR		**327.00**		
RIVERSIDE COUNTY CLERK			Remit to: **RIVERSIDE** **CA**	
5/31/2011	208071	2,108.00		
			NEG DECLAR.-IRONWOOD AVE PROJ	2,108.00
Vendor Total		**2,108.00**		
FYTD for RIVERSIDE COUNTY CLERK		**4,216.00**		

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RIVERSIDE COUNTY CLERK/RECORDER			Remit to: **RIVERSIDE**	**CA**
5/23/2011	207971	0.00		
			LIEN RELEASE FEE-CODE	13.00
			LIEN RELEASE FEE-FIRE PREV	13.00
			LIEN RELEASE FEE-FIRE PREV	13.00
			VOIDED CHECK #207971 - 5/31/11	-13.00
			VOIDED CHECK #207971 - 5/31/11	-13.00
			VOIDED CHECK #207971 - 5/31/11	-13.00
5/31/2011	208072	13.00		
			LIEN RELEASE FEE-CODE	13.00
5/31/2011	208073	13.00		
			LIEN RELEASE FEE-FIRE PREV	13.00
5/31/2011	208074	13.00		
			LIEN RELEASE FEE-FIRE PREV	13.00
5/31/2011	208075	13.00		
			LIEN RELEASE	13.00
5/31/2011	208076	13.00		
			LIEN RELEASE	13.00
5/31/2011	208077	133.00		
			COPY FEES-EDD	133.00
	Vendor Total	**198.00**		
FYTD for RIVERSIDE COUNTY CLERK/RECORDER		**698.00**		
RIVERSIDE COUNTY ENVIRONMENTAL HEALTH			Remit to: **RIVERSIDE**	**CA**
5/16/2011	207869	145.00		
			COTTONWOOD GOLF CTR INSPECTION	145.00
	Vendor Total	**145.00**		
FYTD for RIVERSIDE COUNTY ENVIRONMENTAL HEALTH		**145.00**		
RIVERSIDE COUNTY INFORMATION TECHNOLOGY			Remit to: **RIVERSIDE**	**CA**
5/9/2011	207759	1,769.45		
			RADIOS SERVICE-PD	1,769.45
5/31/2011	208078	2,012.38		
			RADIO LEASE/MAINT-TELECOMM	170.10
			RADIO LEASE/MAINT-TELECOMM	9.45
			RADIO LEASE/MAINT-TELECOMM	33.12
			RADIO SVCS-PD	1,769.45
			VPN CONNECTION-TECH SVCS	30.26
	Vendor Total	**3,781.83**		
FYTD for RIVERSIDE COUNTY INFORMATION TECHNOLOGY		**23,293.43**		

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RIVERSIDE COUNTY SHERIFF			Remit to: **RIVERSIDE** **CA**	
5/31/2011	882825	8,523.69		
			BOOKING FEES-PD	8,523.69
	Vendor Total	**8,523.69**		
FYTD for RIVERSIDE COUNTY SHERIFF		**22,423,469.84**		
RIVERSIDE COUNTY SHERIFF BEN CLARK			Remit to: **RIVERSIDE** **CA**	
5/2/2011	207654	444.00		
			REGISTR-T.C.I.-BASIC COURSE	182.00
			REGISTR-BICYCLE PATROL COURSE	131.00
			REGISTR-BICYCLE PATROL COURSE	131.00
5/9/2011	207760	435.00		
			REG.-FIELD TRNG OFFICER UPDATE	75.00
			REG.-FIELD TRNG OFFICER UPDATE	75.00
			REG.-SEARCH WARR PREP/EXECUTN.	95.00
			REG.-SEARCH WARR PREP/EXECUTN.	95.00
			REG.-SEARCH WARR PREP/EXECUTN.	95.00
5/23/2011	207972	88.00		
			REGISTR-RADAR OPER. TRNG CLASS	88.00
	Vendor Total	**967.00**		
FYTD for RIVERSIDE COUNTY SHERIFF BEN CLARK		**11,485.00**		
RIVERSIDE COUNTY SHERIFF COURT SERVICES			Remit to: **RIVERSIDE** **CA**	
5/9/2011	207761	1,041.25		
			GARNISHMENT	141.31
			GARNISHMENT	170.95
			GARNISHMENT	206.22
			GARNISHMENT	522.77
5/23/2011	207973	851.85		
			GARNISHMENT	131.46
			GARNISHMENT	167.28
			GARNISHMENT	34.58
			GARNISHMENT	518.53
	Vendor Total	**1,893.10**		
FYTD for RIVERSIDE COUNTY SHERIFF COURT SERVICES		**19,254.13**		
RIVERSIDE COUNTY SHERIFF MV			Remit to: **MORENO VALLEY** **CA**	
5/23/2011	207974	1,244.68		
			EXTRA DUTY SVC-PD	282.68
			EXTRA DUTY SVC-PD	312.00
			EXTRA DUTY SVC-PD	650.00
	Vendor Total	**1,244.68**		
FYTD for RIVERSIDE COUNTY SHERIFF MV		**180,133.97**		

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RIVERSIDE RUBBER STAMP & ENGRAVING			Remit to: **RIVERSIDE** **CA**	
5/23/2011	882782	41.28		
			GREEN STAMP-PW LAND DEV	13.46
			GREEN STAMP-PW LAND DEV	6.00
			GREEN STAMP-PW LAND DEV	1.18
			GREEN STAMP-PW SOLID WASTE	13.46
			GREEN STAMP-PW SOLID WASTE	6.00
			GREEN STAMP-PW SOLID WASTE	1.18
	Vendor Total	**41.28**		
FYTD for RIVERSIDE RUBBER STAMP & ENGRAVING		**208.27**		
RLZ ENGINEERING			Remit to: **CORONA** **CA**	
5/23/2011	882783	5,704.00		
			TEMP STAFFING SVCS-CAP PROJCTS	5,704.00
	Vendor Total	**5,704.00**		
FYTD for RLZ ENGINEERING		**66,681.00**		
ROBINSON, JOAQUIN DIEGO			Remit to: **RIVERSIDE** **CA**	
5/23/2011	207975	228.00		
			INSTRUCTION SVCS-6 DAYS	228.00
	Vendor Total	**228.00**		
FYTD for ROBINSON, JOAQUIN DIEGO		**1,976.00**		
ROBINSON-DAVIS, YAVONNE			Remit to: **MORENO VALLEY** **CA**	
5/2/2011	207655	270.81		
			MILEAGE REIMBURSEMENT	57.12
			MILEAGE REIMBURSEMENT	67.32
			MILEAGE REIMBURSEMENT	146.37
5/23/2011	207976	157.59		
			MILEAGE REIMBURSEMENT	157.59
	Vendor Total	**428.40**		
FYTD for ROBINSON-DAVIS, YAVONNE		**428.40**		
ROCHA, ASHLEY			Remit to: **MORENO VALLEY** **CA**	
5/23/2011	207977	54.50		
			REFUND-CITATION DISMISSED	54.50
	Vendor Total	**54.50**		
FYTD for ROCHA, ASHLEY		**54.50**		
RODRIGUEZ, HECTOR			Remit to: **MORENO VALLEY** **CA**	
5/23/2011	207978	80.00		
			SPORTS OFFICIATING SVCS	80.00
	Vendor Total	**80.00**		
FYTD for RODRIGUEZ, HECTOR		**1,240.00**		

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RODRIGUEZ, LAUREN				Remit to: **MORENO VALLEY** **CA**	
	5/31/2011	208079	70.89		
				MILEAGE REIMBURSEMENT	70.89
	Vendor Total		**70.89**		
FYTD for RODRIGUEZ, LAUREN			**853.92**		
RODRIGUEZ, WILLIAM				Remit to: **RIVERSIDE** **CA**	
	5/16/2011	207870	54.50		
				REFUND-CITATION DISMISSED	54.50
	Vendor Total		**54.50**		
FYTD for RODRIGUEZ, WILLIAM			**54.50**		
ROGERS, EUGENE				Remit to: **PALM SPRINGS** **CA**	
	5/9/2011	882705	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for ROGERS, EUGENE			**3,506.03**		
ROGERS, KIANNA				Remit to: **MORENO VALLEY** **CA**	
	5/16/2011	207871	59.67		
				MILEAGE REIMBURSEMENT	59.67
	Vendor Total		**59.67**		
FYTD for ROGERS, KIANNA			**1,135.20**		
ROMO, SANDRA				Remit to: **MORENO VALLEY** **CA**	
	5/2/2011	207656	57.00		
				REFUND-CLASS REGISTR FEES`	57.00
	Vendor Total		**57.00**		
FYTD for ROMO, SANDRA			**57.00**		
ROSS, DAVID T.				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	882706	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for ROSS, DAVID T.			**3,506.03**		
ROSSON, LOUIS A.				Remit to: **PERRIS** **CA**	
	5/9/2011	882707	270.80		
				RETIREE MED MAY '11	174.30
				RETIREE MED MAY '11	96.50
	Vendor Total		**270.80**		
FYTD for ROSSON, LOUIS A.			**3,188.76**		

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RUPPLE, KRISTIN				Remit to: **MORENO VALLEY** **CA**	
	5/31/2011	208080	175.00		
				REFUND-RNTL DEP 5/7/11	175.00
	Vendor Total		**175.00**		
FYTD for RUPPLE, KRISTIN			**175.00**		
RUSSO, JOHN				Remit to: **RANCHO MIRAGE** **CA**	
	5/9/2011	882708	229.88		
				RETIREE MED MAY '11	229.88
	Vendor Total		**229.88**		
FYTD for RUSSO, JOHN			**3,417.18**		
RUVALCABA, RAFAEL				Remit to: **MORENO VALLEY** **CA**	
	5/23/2011	207979	646.00		
				INSTRUCTION SVCS-17 DAYS	646.00
	Vendor Total		**646.00**		
FYTD for RUVALCABA, RAFAEL			**1,824.00**		
RYMAX ELECTRIC, INC.				Remit to: **UPLAND** **CA**	
	5/9/2011	207762	980.33		
				LIGHTING MAINT-ZONE M	125.00
				LIGHTING MAINT-E1	125.00
				LIGHTING MAINT-E2	125.00
				LIGHTING MAINT-E3	125.00
				LIGHTING MAINT-E7	125.00
				LIGHT REPAIRS-E7	250.33
				LIGHT REPAIRS-E1	105.00
	Vendor Total		**980.33**		
FYTD for RYMAX ELECTRIC, INC.			**9,567.95**		
S & S CONSTRUCTION				Remit to: **GRAND TERRACE** **CA**	
	5/9/2011	207763	1,400.76		
				DEMO/REPLACE 3 DOORS-GATEWY PK	1,400.76
	Vendor Total		**1,400.76**		
FYTD for S & S CONSTRUCTION			**1,400.76**		
SA ASSOCIATES				Remit to: **ARCADIA** **CA**	
	5/31/2011	882826	7,500.00		
				TEMP STAFFING SVCS-CAP PROJCTS	7,500.00
	Vendor Total		**7,500.00**		
FYTD for SA ASSOCIATES			**117,675.00**		

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SABRE LIGHTING AND SIGNS				Remit to: **MORENO VALLEY** **CA**	
	5/31/2011	208081	508.49		
				SIGNS-STARS	508.49
	Vendor Total		**508.49**		
FYTD for SABRE LIGHTING AND SIGNS			**17,782.98**		
SAFEWAY SIGN CO.				Remit to: **ADELANTO** **CA**	
	5/9/2011	207792	1,750.33		
				TRAFFIC SIGNS	1,750.33
	Vendor Total		**1,750.33**		
FYTD for SAFEWAY SIGN CO.			**8,484.63**		
SAGASTUME, MARIO				Remit to: **HEMET** **CA**	
	5/23/2011	207980	418.00		
				INSTRUCTION SVCS-11 DAYS	418.00
	Vendor Total		**418.00**		
FYTD for SAGASTUME, MARIO			**1,482.00**		
SALGADO, LIZETH				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	207764	75.00		
				REFUND-SPAY DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for SALGADO, LIZETH			**75.00**		
SALMAN, CLAUDIA				Remit to: **MORENO VALLEY** **CA**	
	5/2/2011	207657	195.60		
				INSTRUCTOR SVCS-ZUMBA	195.60
	5/31/2011	208082	264.00		
				INSTRUCTOR SVCS-ZUMBA	264.00
	Vendor Total		**459.60**		
FYTD for SALMAN, CLAUDIA			**982.80**		
SAN MIGUEL, HENRY				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	207765	50.00		
				REFUND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for SAN MIGUEL, HENRY			**50.00**		
SANCHEZ, ALBERTO				Remit to: **SOUTH GATE** **CA**	
	5/31/2011	208083	200.00		
				REFUND-ADMIN CITATION	200.00
	Vendor Total		**200.00**		
FYTD for SANCHEZ, ALBERTO			**200.00**		

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SANTANA, VIRGINIA				Remit to: **MORENO VALLEY** **CA**	
	5/16/2011	207872	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for SANTANA, VIRGINIA			**20.00**		
SCHOENFELDER, LAURA				Remit to: **PERRIS** **CA**	
	5/31/2011	208084	152.00		
				INSTRUCTION SVCS-4 DAYS	152.00
	Vendor Total		**152.00**		
FYTD for SCHOENFELDER, LAURA			**532.00**		
SCMAF - INLAND VALLEY				Remit to: **RANCHO CUCAMONGA** **CA**	
	5/2/2011	207658	525.00		
				YTH BASKETBALL TOURN-PARKS	525.00
	Vendor Total		**525.00**		
FYTD for SCMAF - INLAND VALLEY			**645.00**		
SECRETARY OF STATE - STMT OF INFO UNIT				Remit to: **SACRAMENTO** **CA**	
	5/5/2011	207687	20.00		
				SI-100 FILING FEE	20.00
	Vendor Total		**20.00**		
FYTD for SECRETARY OF STATE - STMT OF INFO UNIT			**20.00**		
SECTRAN SECURITY, INC				Remit to: **LOS ANGELES** **CA**	
	5/2/2011	207659	477.00		
				TRANSPORT SVCS-PARKS	159.00
				TRANSPORT SVCS-UTILITY	159.00
				TRANSPORT SVCS-TREASURY	159.00
	5/31/2011	208085	477.00		
				TRANSPORT SVCS-PARKS	159.00
				TRANSPORT SVCS-MVU	159.00
				TRANSPORT SVCS-TREASURY	159.00
	Vendor Total		**954.00**		
FYTD for SECTRAN SECURITY, INC			**5,598.00**		
SECURITY LOCK & KEY				Remit to: **YUCAIPA** **CA**	
	5/9/2011	882710	60.00		
				REKEYING SVCS-EOC	60.00
	5/16/2011	882752	187.88		
				LOCK SERVICE-PARKS	67.88
				LOCK SERVICE-PARKS	120.00
	Vendor Total		**247.88**		
FYTD for SECURITY LOCK & KEY			**4,203.10**		

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SHAH, JAGDISH				Remit to: **DIAMOND BAR** **CA**	
	5/31/2011	882827	720.00		
				TEMP STAFFING SVCS-CAP PROJCTS	720.00
	Vendor Total		**720.00**		
FYTD for SHAH, JAGDISH			**151,920.00**		
SHARRETT, SHARON K.				Remit to: **ONTARIO** **CA**	
	5/9/2011	207766	174.30		
				RETIREE MED MAY '11	174.30
	Vendor Total		**174.30**		
FYTD for SHARRETT, SHARON K.			**2,031.66**		
SHELDON, STUART H.				Remit to: **MURRIETA** **CA**	
	5/9/2011	207767	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for SHELDON, STUART H.			**3,506.03**		
SHELL OIL CO.				Remit to: **COLUMBUS** **OH**	
	5/2/2011	207661	1,918.07		
				FUEL PURCHASES	1,918.07
	5/23/2011	207981	1,578.73		
				FUEL PURCHASES	1,578.73
	5/23/2011	207982	193.47		
				FUEL PURCHASES	193.47
	Vendor Total		**3,690.27**		
FYTD for SHELL OIL CO.			**18,188.84**		
SHINDLEDECKER, EMILY				Remit to: **MORENO VALLEY** **CA**	
	5/2/2011	207662	47.00		
				REFUND-GUITAR CLASS CANC.	47.00
	Vendor Total		**47.00**		
FYTD for SHINDLEDECKER, EMILY			**47.00**		
SHURTLEFF, JEANNETTE L.				Remit to: **LAKE ELSINORE** **CA**	
	5/23/2011	882784	418.00		
				INSTRUCTION SVCS-11 DAYS	418.00
	Vendor Total		**418.00**		
FYTD for SHURTLEFF, JEANNETTE L.			**5,092.00**		

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SINGLETON-DECUIR, JANISHEIA			Remit to: **RIVERSIDE** **CA**	
5/23/2011	882785	47.43		
			MILEAGE REIMBURSEMENT	47.43
Vendor Total		**47.43**		
FYTD for SINGLETON-DECUIR, JANISHEIA		**723.89**		
SKY PUBLISHING			Remit to: **MORENO VALLEY** **CA**	
5/9/2011	207768	525.00		
			ADVERTISING SVCS-PW SOLID WST	525.00
5/31/2011	208087	8,770.00		
			PRINTING SVCS-PARKS	8,770.00
Vendor Total		**9,295.00**		
FYTD for SKY PUBLISHING		**64,324.00**		
SKY TRAILS MOBILE VILLAGE			Remit to: **LOS ANGELES** **CA**	
5/9/2011	882711	53.67		
			REFUND-UT USER TAXES	53.67
Vendor Total		**53.67**		
FYTD for SKY TRAILS MOBILE VILLAGE		**462.94**		
SLAGERMAN, SUSAN A.			Remit to: **MORENO VALLEY** **CA**	
5/9/2011	882712	637.46		
			RETIREE MED MAR-APR '11	637.46
Vendor Total		**637.46**		
FYTD for SLAGERMAN, SUSAN A.		**3,506.03**		
SMITH, MARIA A.			Remit to: **MORENO VALLEY** **CA**	
5/9/2011	882713	318.73		
			RETIREE MED MAY '11	318.73
Vendor Total		**318.73**		
FYTD for SMITH, MARIA A.		**3,487.19**		
SMUS, PAULA			Remit to: **RIVERSIDE** **CA**	
5/16/2011	207873	59.47		
			MILEAGE REIMBURSEMENT	59.47
Vendor Total		**59.47**		
FYTD for SMUS, PAULA		**383.55**		
SOCALS SIGNS & DESIGNS, INC			Remit to: **MONTCLAIR** **CA**	
5/16/2011	207874	154.00		
			PERMIT FEES-EOC ADDRSS NUMBERS	154.00
Vendor Total		**154.00**		
FYTD for SOCALS SIGNS & DESIGNS, INC		**2,147.13**		

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SOCO GROUP, INC				Remit to: **PERRIS** **CA**	
	5/2/2011	882633	8,810.76		
				FUEL PURCHASE	8,810.76
	5/16/2011	882753	23,935.96		
				FUEL PURCHASE	8,922.16
				FUEL PURCHASE	9,283.11
				FUEL PURCHASE	8,670.59
				CREDIT ON ACCOUNT	-2,939.90
	5/23/2011	882786	8,768.33		
				FUEL PURCHASE	8,768.33
	Vendor Total		**41,515.05**		
FYTD for SOCO GROUP, INC			**318,053.30**		
SODEN ENTERPRISES, INC. DBA EASY YOGA				Remit to: **MORENO VALLEY** **CA**	
	5/2/2011	207663	180.60		
				INSTRUCTOR SVCS-YOGA	180.60
	Vendor Total		**180.60**		
FYTD for SODEN ENTERPRISES, INC. DBA EASY YOGA			**980.40**		
SOSA, HUGO				Remit to: **ELK GROVE** **CA**	
	5/23/2011	207983	600.00		
				INSTRUCTOR SVCS-KARATEDO	210.00
				INSTRUCTOR SVCS-KARATEDO	150.00
				INSTRUCTOR SVCS-KARATEDO	240.00
	Vendor Total		**600.00**		
FYTD for SOSA, HUGO			**1,530.00**		

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SOUTHERN CALIFORNIA EDISON			Remit to: **ROSEMEAD**	**CA**
5/2/2011	207664	4,475.08		
			ELECTRICITY	21.11
			ELECTRICITY	22.19
			ELECTRICITY	912.18
			ELECTRICITY	1,270.25
			ELECTRICITY	113.57
			ELECTRICITY	174.99
			ELECTRICITY	737.25
			ELECTRICITY	139.86
			ELECTRICITY	810.54
			ELECTRICITY	110.28
			ELECTRICITY	96.20
			ELECTRICITY	66.66
5/9/2011	207769	6,412.86		
			ELECTRICITY	134.38
			ELECTRICITY	159.09
			ELECTRICITY	22.57
			ELECTRICITY	1,467.28
			ELECTRICITY	471.64
			ELECTRICITY	907.23
			ELECTRICITY	883.73
			ELECTRICITY	362.78
			ELECTRICITY	381.99
			ELECTRICITY	300.62
			ELECTRICITY	22.33
			ELECTRICITY	958.98
			ELECTRICITY	189.86
			ELECTRICITY	86.90
			ELECTRICITY	63.48
5/9/2011	207770	1,179.58		
			LINE EXT.-SUNNYMD RANCH T/SIG.	1,179.58
5/23/2011	207984	515.78		
			SVC FEED FOR TRAF CONTROLLER	515.78
5/23/2011	207985	4,705.86		
			ST. LIGHTS INSTALL.-HEACOCK ST	4,705.86
5/23/2011	207986	22,877.97		
			ELECTRIC CHARGES	329.73
			ELECTRICITY	181.82
			ELECTRICITY	5,317.44
			ELECTRICITY	749.79
			ELECTRICITY	2,168.32
			ELECTRICITY	19.24
			ELECTRICITY	2,228.10
			ELECTRICITY	618.19
			ELECTRICITY	1,945.14
			ELECTRICITY	817.07
			ELECTRICITY	162.17
			ELECTRICITY	4,568.74
			ELECTRICITY	195.86
			ELECTRICITY	303.66
			ELECTRICITY	1,775.17

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
			ELECTRICITY	279.84
			ELECTRICITY	408.41
			ELECTRICITY	484.32
			ELECTRICITY	174.52
			ELECTRICITY	150.44
5/31/2011	208088	3,275.03		
			ELECTRICITY	53.21
			ELECTRICITY	29.47
			ELECTRICITY	21.11
			ELECTRICITY	23.79
			ELECTRICITY	811.91
			ELECTRICITY	647.52
			ELECTRICITY	112.61
			ELECTRICITY	174.19
			ELECTRICITY	666.70
			ELECTRICITY	138.69
			ELECTRICITY	374.75
			ELECTRICITY	107.03
			ELECTRICITY	47.63
			ELECTRICITY	66.42
	Vendor Total	**43,442.16**		

FYTD for SOUTHERN CALIFORNIA EDISON **4,062,356.10**

SOUTHERN CALIFORNIA GAS CO. Remit to: **MONTEREY PARK CA**

5/23/2011	207987	6,502.01		
			GAS CHARGES	1,126.14
			GAS CHARGES	2,920.32
			GAS CHARGES	21.19
			GAS CHARGES	32.19
			GAS CHARGES	445.30
			GAS CHARGES	200.01
			GAS CHARGES	64.73
			GAS CHARGES	281.31
			GAS CHARGES	95.31
			GAS CHARGES	119.37
			GAS CHARGES	122.82
			GAS CHARGES	113.38
			GAS CHARGES	243.90
			GAS CHARGES	137.09
			GAS CHARGES	28.44
			GAS CHARGES	550.51
	Vendor Total	**6,502.01**		

FYTD for SOUTHERN CALIFORNIA GAS CO. **74,546.69**

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SPARKLETTS				Remit to: **DALLAS** **TX**	
	5/2/2011	207665	28.03		
				WATER SVCS-ARAMADA ELEM	14.39
				WATER SVCS-CREEKSIDE ELEM	13.64
	5/9/2011	207771	14.00		
				WATER SVCS-EOC	4.50
				WATER SVCS-EOC	4.50
				WATER SVCS-PARKS MAINT	5.00
	5/23/2011	207988	9.61		
				WATER SVCS-SNNYMD ELEM	9.61
	5/31/2011	208089	25.32		
				WATER SVCS-PARKS	14.46
				WATER SVCS-PARKS	10.86
	Vendor Total		**76.96**		
FYTD for SPARKLETTS			**643.45**		
SPECK, GARY B.				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	882714	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for SPECK, GARY B.			**3,506.03**		
SPENCER, MARTHA				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	882715	229.88		
				RETIREE MED MAY '11	229.88
	Vendor Total		**229.88**		
FYTD for SPENCER, MARTHA			**2,316.58**		
SPRINT				Remit to: **KANSAS CITY** **MO**	
	5/31/2011	208090	30.00		
				SUBPOENA COMPLIANCE	30.00
	Vendor Total		**30.00**		
FYTD for SPRINT			**30.00**		
SPRINT/NEXTEL				Remit to: **CAROL STREAM** **IL**	
	5/2/2011	882634	670.52		
				CELL PHONE SVCS-GANG TASK FRC	61.57
				CELL PHONE SVCS-PD/SET	608.95
	5/23/2011	882787	608.19		
				CELL PH CHARGES-PD/SET	608.19
	Vendor Total		**1,278.71**		
FYTD for SPRINT/NEXTEL			**5,191.62**		

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ST. CHRISTOPHER CHURCH			Remit to: **MORENO VALLEY** **CA**	
5/2/2011	207666	750.00		
			REFUND-RNTL DEP 4/15/11 EVENT	750.00
Vendor Total		**750.00**		
FYTD for ST. CHRISTOPHER CHURCH		**1,500.00**		
STANDARD INSURANCE CO			Remit to: **PORTLAND** **OR**	
5/2/2011	207667	1,888.14		
			SUPPLEMENTAL INSURANCE	1,888.14
Vendor Total		**1,888.14**		
FYTD for STANDARD INSURANCE CO		**386,673.79**		
STANLEY CONVERGENT SECURITY SOLUTNS, INC			Remit to: **RIVERSIDE** **CA**	
5/2/2011	882635	400.08		
			MONITORING SVCS-MORRISON PARK	227.16
			MONITORING SVCS-BETHUNE PARK	172.92
5/9/2011	882716	2,599.15		
			MONITORING SVCS-FS #58	596.00
			MONITORING SVCS-FS #58	117.10
			MONITORING SVCS-EOC	110.00
			MONITORING SVCS-TECH SVCS	234.00
			MONITORING SVCS-RED MAPLE PRTB	354.00
			MONITORING SVCS-FAC ANNEX	207.00
			MONITORING SVCS-CITY HALL	376.50
			MONITORING SVCS-LIBRARY	329.55
			MONITORING SVCS-STARS	275.00
Vendor Total		**2,999.23**		
FYTD for STANLEY CONVERGENT SECURITY SOLUTNS, INC		**25,942.84**		
STATE BOARD OF EQUALIZATION			Remit to: **SACRAMENTO** **CA**	
5/2/2011	207668	5,834.21		
			ELECTRICAL ENERGY SURCHARGE	5,834.21
5/26/2011	43011	4,455.00		
			SALES & USE TAX 4/1-4/30/11	4,455.00
Vendor Total		**10,289.21**		
FYTD for STATE BOARD OF EQUALIZATION		**38,774.52**		
STATE DISBURSEMENT UNIT			Remit to: **WEST SACRAMENTO** **CA**	
5/12/2011	2849	2,133.09		
			CHILD SUPPORT W/H 5/12/11	2,133.09
5/26/2011	2857	2,195.46		
			CHILD SUPPORT W/H 5/26/11	2,195.46
Vendor Total		**4,328.55**		
FYTD for STATE DISBURSEMENT UNIT		**38,260.13**		

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STATE OF CALIFORNIA DEPT. OF CONSUMER AF			Remit to: **SACRAMENTO**	**CA**
5/23/2011	207989	125.00		
			CIVIL ENG LICENSE RNWL-VOGT	125.00
5/31/2011	208092	375.00		
			CIVIL ENG LICENSE RNWL-SAMBITO	125.00
			CIVIL ENG LICENSE RNWL-JIMENEZ	125.00
			CIVIL ENG LICENSE RNWL-NGUYEN	125.00
	Vendor Total	**500.00**		
FYTD for STATE OF CALIFORNIA DEPT. OF CONSUMER AF		**500.00**		
STATE OF CALIFORNIA DEPT. OF JUSTICE			Remit to: **SACRAMENTO**	**CA**
5/9/2011	207773	665.00		
			BLOOD ALCHL ANLYS-PD	665.00
	Vendor Total	**665.00**		
FYTD for STATE OF CALIFORNIA DEPT. OF JUSTICE		**57,322.00**		
STATE OF CALIFORNIA/DEPT OF COM SVCS&DEV			Remit to: **SACRAMENTO**	**CA**
5/23/2011	207990	625.00		
			REFUND-MVU/T MAXWELL	33.62
			REFUND-MVU/M WILLIAMS	80.06
			REFUND-MVU/K THORNTON	200.55
			REFUND-MVU/N AVERY	250.59
			REFUND-MVU/L HERNANDEZ	60.18
	Vendor Total	**625.00**		
FYTD for STATE OF CALIFORNIA/DEPT OF COM SVCS&DEV		**2,493.73**		
STENO SOLUTIONS TRANSCRIPTION SVCS., IN			Remit to: **CORONA**	**CA**
5/23/2011	207991	3,445.44		
			TRANSCRIPTION SVCS-PD	3,445.44
	Vendor Total	**3,445.44**		
FYTD for STENO SOLUTIONS TRANSCRIPTION SVCS., IN		**33,200.80**		
STERICYCLE (BFI)			Remit to: **LOUISVILLE**	**KY**
5/23/2011	882788	622.78		
			WASTE PICK UP SVCS	622.78
	Vendor Total	**622.78**		
FYTD for STERICYCLE (BFI)		**6,454.21**		

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STEWART, CASSIE				Remit to: **MORENO VALLEY** **CA**	
	5/2/2011	207669	20.00		
				REFUND-RABIES DEPOSIT	20.00
	5/23/2011	207992	75.00		
				REFUND-SPAY DEPOSIT	75.00
	Vendor Total		**95.00**		
FYTD for STEWART, CASSIE			**95.00**		
STEWART, CLIFFORD				Remit to: **GLENDALE** **AZ**	
	5/9/2011	882717	267.88		
				RETIREE MED MAY '11	267.88
	Vendor Total		**267.88**		
FYTD for STEWART, CLIFFORD			**2,845.94**		
STK ARCHITECTURE, INC.				Remit to: **SAN JACINTO** **CA**	
	5/9/2011	882718	12,054.75		
				MORRISON PRK FIRE STATION PROJ	12,054.75
	Vendor Total		**12,054.75**		
FYTD for STK ARCHITECTURE, INC.			**364,857.55**		
STOWERS, FREDERICK				Remit to: **MORENO VALLEY** **CA**	
	5/23/2011	207993	300.00		
				REFUND-RNTL DEP 3/28/11	300.00
	Vendor Total		**300.00**		
FYTD for STOWERS, FREDERICK			**300.00**		
STRICKLER ASSOCIATION, THE				Remit to: **SAN BERNARDINO** **CA**	
	5/16/2011	882754	4,452.50		
				CONSULTING SVCS-EDD	4,452.50
	5/23/2011	882789	260.00		
				CONSULTING SVCS-TREASURY	260.00
	Vendor Total		**4,712.50**		
FYTD for STRICKLER ASSOCIATION, THE			**37,017.50**		
STRICKLER II, JOHN W.				Remit to: **SAN BERNARDINO** **CA**	
	5/9/2011	882719	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for STRICKLER II, JOHN W.			**3,506.03**		

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STROM, BONNIE				Remit to: **COLTON** **CA**	
	5/9/2011	207793	1,158.00		
				RETIREE MED JAN-DEC '10	1,158.00
	Vendor Total		**1,158.00**		
FYTD for STROM, BONNIE			**1,158.00**		
STUCKEY, HARRIETTE				Remit to: **RIVERSIDE** **CA**	
	5/2/2011	207670	134.40		
				INSTRUCTOR SVCS-LINE DANCING	50.40
				INSTRUCTOR SVCS-LINE DANCING	33.60
				INSTRUCTOR SVCS-LINE DANCING	50.40
	Vendor Total		**134.40**		
FYTD for STUCKEY, HARRIETTE			**688.80**		
STUMPS, EDITH				Remit to: **CORONA** **CA**	
	5/31/2011	208094	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for STUMPS, EDITH			**95.00**		
SUMI, ERIC				Remit to: **MORENO VALLEY** **CA**	
	5/16/2011	207878	47.00		
				REFUND-GUITAR CLASS	47.00
	Vendor Total		**47.00**		
FYTD for SUMI, ERIC			**47.00**		
SUNNYMEAD ACE HARDWARE				Remit to: **MORENO VALLEY** **CA**	
	5/2/2011	207671	18.48		
				MISC SUPPLIES-PD	18.48
	5/9/2011	207774	36.05		
				MISC SUPPLIES-PD	36.05
	5/23/2011	207994	57.28		
				MISC SUPPLIES-PD	3.68
				MISC SUPPLIES-PD	29.86
				MISC SUPPLIES-PD	26.34
				CREDIT ON ACCOUNT	-2.60
	5/31/2011	208095	88.90		
				MISC SUPPLIES-FIRE	29.33
				MISC SUPPLIES-PD	26.43
				MISC SUPPLIES-PD	23.37
				MISC SUPPLIES-PD	9.77
	Vendor Total		**200.71**		
FYTD for SUNNYMEAD ACE HARDWARE			**2,075.16**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
SYNNOTT, MARY				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	207775	161.00		
				REFUND-ANML SVC FEES	30.00
				REFUND-ANML SVC FEES	10.00
				REFUND-ANML SVC FEES	20.00
				REFUND-ANML SVC FEES	16.00
				REFUND-ANML SVC FEES	10.00
				REFUND-ANML SVC FEES	75.00
	Vendor Total		**161.00**		
FYTD for SYNNOTT, MARY			**161.00**		
TAMAS, JOCELYNE				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	207776	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for TAMAS, JOCELYNE			**20.00**		
TARMAN, KANDYCE				Remit to: **MORENO VALLEY** **CA**	
	5/16/2011	207879	76.00		
				REFUND-ANIMAL ADOPTION FEES	30.00
				REFUND-ANIMAL ADOPTION FEES	10.00
				REFUND-ANIMAL ADOPTION FEES	20.00
				REFUND-ANIMAL ADOPTION FEES	16.00
	Vendor Total		**76.00**		
FYTD for TARMAN, KANDYCE			**76.00**		
TAX COMPLIANCE SERVICES				Remit to: **THOUSAND OAKS** **CA**	
	5/31/2011	208096	6,250.00		
				UUT COMPLIANCE SVCS	6,250.00
	Vendor Total		**6,250.00**		
FYTD for TAX COMPLIANCE SERVICES			**62,500.00**		
THE WALKING MAN, INC				Remit to: **LOS ANGELES** **CA**	
	5/23/2011	207995	685.00		
				DISTR. OF DOOR HANGERS-E1 & E4	685.00
	Vendor Total		**685.00**		
FYTD for THE WALKING MAN, INC			**19,775.00**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
THERMAL-COOL INC.				Remit to: **RIVERSIDE** **CA**	
	5/9/2011	207777	100.00		
				AC UNIT SVC-SUNNYMD SNACK BAR	100.00
	5/23/2011	207996	230.00		
				SMOKE DET REPAIRS-ANIMAL SHLTR	115.00
				THERMOSTAT REPAIR-CITY MGR OFF	115.00
	Vendor Total		**330.00**		
FYTD for THERMAL-COOL INC.			**6,943.02**		
TMAD TAYLOR & GAINES				Remit to: **ONTARIO** **CA**	
	5/9/2011	207778	19,137.50		
				CITY HALL HVAC SYSTEM REDESIGN	19,137.50
	Vendor Total		**19,137.50**		
FYTD for TMAD TAYLOR & GAINES			**34,732.50**		
TORRES, GABBY				Remit to: **MORENO VALLEY** **CA**	
	5/16/2011	207880	750.00		
				REFUND-RNTL DEP 4/30/11 EVENT	750.00
	Vendor Total		**750.00**		
FYTD for TORRES, GABBY			**750.00**		
TOUCHARD, GWENDOLYN G.				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	207779	413.08		
				GARNISHMENT REFUND	413.08
	Vendor Total		**413.08**		
FYTD for TOUCHARD, GWENDOLYN G.			**413.08**		
TOVAR, CHRISTINE				Remit to: **MORENO VALLEY** **CA**	
	5/23/2011	207997	750.00		
				REFUND-RNTL DEP 5/7/11 EVENT	750.00
	Vendor Total		**750.00**		
FYTD for TOVAR, CHRISTINE			**750.00**		
TRACSYSTEMS, INC.				Remit to: **ADDISON** **TX**	
	5/16/2011	207881	1,500.00		
				PHAROS SOFTWARE REMOTE INSTALL	1,500.00
	Vendor Total		**1,500.00**		
FYTD for TRACSYSTEMS, INC.			**5,419.50**		

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TRICHE, TARA				Remit to: **MORENO VALLEY** **CA**	
	5/31/2011	208098	1,864.80		
				INSTRUCTOR SVCS-BALLET INTERMD	111.00
				INSTRUCTOR SVCS-BALLET	199.80
				INSTRUCTOR SVCS-BALLET/ACRO	155.40
				INSTRUCTOR SVCS-BALLET/JAZZ	177.60
				INSTRUCTOR SVCS-DANCE EXPLOR.	222.00
				INSTRUCTOR SVCS-DANCE EXPLOR.	266.40
				INSTRUCTOR SVCS-DANCE EXPLOR.	155.40
				INSTRUCTOR SVCS-DANCE EXPLOR.	288.60
				INSTRUCTOR SVCS-HIP HOP DANCE	288.60
	Vendor Total		**1,864.80**		
FYTD for TRICHE, TARA			**19,904.52**		
TRI-CITY LINEN SUPPLY, INC.				Remit to: **RIVERSIDE** **CA**	
	5/2/2011	207672	95.00		
				LINEN SVCS FOR CRC	25.00
				LINEN SVCS FOR CRC	25.00
				LINEN SVCS FOR EVENT-CTR#18062	45.00
	5/16/2011	207882	25.00		
				LINEN SVCS FOR CRC	25.00
	5/23/2011	207998	91.00		
				LINEN SVCS FOR CRC	25.00
				LINEN SVCS FOR EVENT-CTR#18037	66.00
	5/31/2011	208097	50.00		
				LINEN SVCS FOR CRC	25.00
				LINEN SVCS FOR CRC	25.00
	Vendor Total		**261.00**		
FYTD for TRI-CITY LINEN SUPPLY, INC.			**1,974.55**		
TROPICAL PLAZA NURSERY, INC.				Remit to: **VILLA PARK** **CA**	
	5/16/2011	207883	16,131.76		
				LNDSCP MAINT-ZONE E-2	15,700.00
				IRRIG REPAIRS-ZONE E-2	431.76
	Vendor Total		**16,131.76**		
FYTD for TROPICAL PLAZA NURSERY, INC.			**195,845.16**		

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TRUGREEN LANDCARE				Remit to: **RIVERSIDE** **CA**	
	5/16/2011	882755	2,485.00		
				LNDSCP MAINT-ZONE E-16	2,485.00
	5/23/2011	882790	400.00		
				EMERG. RMVL OF TREES-TR. 30027	400.00
	5/23/2011	882791	11,485.38		
				LNDSCP MAINT-ZONE M	5,409.85
				LNDSCP MAINT-ZONE DSG-1	6,075.53
	Vendor Total		**14,370.38**		
FYTD for TRUGREEN LANDCARE			**243,063.28**		
TRUJILLO, PETE				Remit to: **MORENO VALLEY** **CA**	
	5/23/2011	207999	77.00		
				REFUND-DOG TRNG CLASS CANC.	77.00
	Vendor Total		**77.00**		
FYTD for TRUJILLO, PETE			**77.00**		
TULDANES, JOSELENE				Remit to: **MORENO VALLEY** **CA**	
	5/31/2011	208099	112.00		
				REFUND-GED TEST CLASS	112.00
	Vendor Total		**112.00**		
FYTD for TULDANES, JOSELENE			**112.00**		
TUNTLAND, JAMES				Remit to: **PRESCOTT** **AZ**	
	5/9/2011	882721	267.88		
				RETIREE MED MAY '11	267.88
	Vendor Total		**267.88**		
FYTD for TUNTLAND, JAMES			**2,845.94**		
TURBOSCAPE, INC.				Remit to: **SANTA CLARA** **UT**	
	5/9/2011	882722	0.00		
				MULCHING IN ZONE E-1	1,338.50
				MULCHING IN ZONE E-4	13,385.00
				MULCHING IN ZONE E-12	2,275.45
				VOIDED CHECK #882722 - 5/16/11	-1,338.50
				VOIDED CHECK #882722 - 5/16/11	-13,385.00
				VOIDED CHECK #882722 - 5/16/11	-2,275.45
	5/16/2011	207896	16,998.95		
				MULCHING IN ZONE E-1	1,338.50
				MULCHING IN ZONE E-4	13,385.00
				MULCHING IN ZONE E-12	2,275.45
	Vendor Total		**16,998.95**		
FYTD for TURBOSCAPE, INC.			**21,817.55**		

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TURNBOW, LISA				Remit to: **MORENO VALLEY** **CA**	
	5/16/2011	207884	1,500.00		
				TUITION REIMBURSEMENT	1,500.00
	Vendor Total		**1,500.00**		
FYTD for TURNBOW, LISA			**1,500.00**		
U.S. HEALTHWORKS MEDICAL GROUP				Remit to: **LOS ANGELES** **CA**	
	5/16/2011	207885	750.00		
				EMPLOYEE DOT EXAM	65.00
				PRE-EMPLOYMENT PHYSICALS	245.00
				PRE-EMPLOYMENT PHYSICALS	330.00
				PRE-EMPLOYMENT PHYSICALS	110.00
	5/23/2011	208000	200.00		
				PRE-EMPLOYMENT PHYSICALS	200.00
	5/31/2011	208100	65.00		
				EMPLOYEE DOT EXAM	65.00
	Vendor Total		**1,015.00**		
FYTD for U.S. HEALTHWORKS MEDICAL GROUP			**13,170.00**		
UNION BANK OF CALIFORNIA				Remit to: **MONTEREY PARK** **CA**	
	5/16/2011	207886	510.00		
				STANDBY LOC TRANSFER FEES	170.00
				STANDBY LOC TRANSFER FEES	170.00
				STANDBY LOC TRANSFER FEES	170.00
	Vendor Total		**510.00**		
FYTD for UNION BANK OF CALIFORNIA			**60,899.90**		
UNITED POWER GENERATION, INC.				Remit to: **RIVERSIDE** **CA**	
	5/23/2011	208001	337.50		
				GENERATOR REPAIRS-ANIMAL SHLTR	337.50
	Vendor Total		**337.50**		
FYTD for UNITED POWER GENERATION, INC.			**9,790.13**		
UNITED ROTARY BRUSH CORP				Remit to: **ESCONDIDO** **CA**	
	5/2/2011	882636	521.39		
				BROOM KITS-STREET SWEEPER	227.76
				BROOM KITS-STREET SWEEPER	293.63
	5/9/2011	882723	341.64		
				BROOM KITS-STREET SWEEPER	341.64
	5/31/2011	882829	2,105.03		
				BROOM KITS-STREET SWEEPER	181.76
				BROOM KITS-STREET SWEEPER	1,183.63
				BROOM KITS-STREET SWEEPER	739.64
	Vendor Total		**2,968.06**		
FYTD for UNITED ROTARY BRUSH CORP			**34,129.97**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
UNITED SITE SERVICES OF CA, INC.			Remit to: **EL MONTE** **CA**	
5/16/2011	882757	107.39		
			FENCE RENTAL-ANIMAL SHELTER	107.39
	Vendor Total	**107.39**		
FYTD for UNITED SITE SERVICES OF CA, INC.		**3,071.46**		
UNITED STATES TREASURY			Remit to: **FRESNO** **CA**	
5/9/2011	207780	50.00		
			PAYROLL DEDUCTION AGREEMENT	50.00
5/23/2011	208002	50.00		
			PAYROLL DEDUCTION AGREEMENT	50.00
5/23/2011	208003	141.50		
			PAYROLL DEDUCTION AGREEMENT	141.50
	Vendor Total	**241.50**		
FYTD for UNITED STATES TREASURY		**1,341.50**		
UNITED WAY OF INLAND VALLEYS			Remit to: **RIVERSIDE** **CA**	
5/9/2011	207781	502.19		
			UNITED WAY CONTRIBUTIONS	2.50
			UNITED WAY CONTRIBUTIONS	499.69
5/23/2011	208004	499.69		
			UNITED WAY CONTRIBUTIONS	499.69
	Vendor Total	**1,001.88**		
FYTD for UNITED WAY OF INLAND VALLEYS		**13,904.92**		
UNIVAR USA, INC			Remit to: **LOS ANGELES** **CA**	
5/2/2011	207673	1,371.70		
			HERBICIDE/AG CHEMICALS - PARKS	1,371.70
	Vendor Total	**1,371.70**		
FYTD for UNIVAR USA, INC		**4,161.52**		
URIBE, JOY			Remit to: **MORENO VALLEY** **CA**	
5/23/2011	208005	168.85		
			REFUND-RNTL DEP 5/9/11 EVENT	168.85
	Vendor Total	**168.85**		
FYTD for URIBE, JOY		**168.85**		
USA MOBILITY/ARCH WIRELESS			Remit to: **ALEXANDRIA** **VA**	
5/23/2011	882792	36.59		
			PAGER SVC-PARK RANGERS	2.01
			PAGER SVC-TRANSP. DIV.	4.66
			PAGER SVC-ANIMAL SVCS.	29.92
	Vendor Total	**36.59**		
FYTD for USA MOBILITY/ARCH WIRELESS		**654.28**		

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VA CONSULTING, INC.			Remit to: **IRVINE** **CA**	
5/9/2011	882724	917.75		
			AUTO MALL IMPRVMNTS PROJ SVCS	917.75
Vendor Total		**917.75**		
FYTD for VA CONSULTING, INC.		**131,816.64**		
VACATE PEST ELIMINATION COMPANY			Remit to: **MORENO VALLEY** **CA**	
5/2/2011	882637	310.00		
			RODENT CNTRL-ELECTR UTIL SUBST	40.00
			RODENT CNTRL-ELECTR UTIL SUBST	40.00
			RODENT CNTRL-ELECTR UTIL SUBST	40.00
			RODENT CNTRL-ELECTR UTIL SUBST	40.00
			TREATED FOR BEES IN TREE	150.00
5/23/2011	882793	1,395.00		
			PEST CNTRL-SENIOR CTR	55.00
			PEST CNTRL-TOWNGATE COMM CTR	45.00
			PEST CNTRL-UTIL. FIELD OFFICE	45.00
			PEST CNTRL-LIBRARY	55.00
			PEST CNTRL-EOC	55.00
			PEST CNTRL-FIRE ST. #48	45.00
			PEST CNTRL-FIRE ST. #58	45.00
			PEST CNTRL-FIRE ST. #65	45.00
			PEST CNTRL-FIRE ST. #2	45.00
			PEST CNTRL-FIRE ST. #6	45.00
			PEST CNTRL-FIRE ST. #91	45.00
			PEST CNTRL-PUB SFTY BLDG	75.00
			PEST CNTRL-CITY HALL	75.00
			PEST CNTRL-CITY YARD	115.00
			PEST CNTRL-TRANSP TRAILER	45.00
			PEST CNTRL-GOLF CTR PRO SHOP	22.50
			PEST CNTRL-MVTV STUDIO	22.50
			PEST CNTRL-CONF & REC CTR	75.00
			PEST CNTRL-ANIMAL SHELTER	115.00
			PEST CNTRL-ANNEX BLDG 1	55.00
			PEST CNTRL-ASES BLDG AT MARB	45.00
			PEST CNTRL-MARCH FLD PARK C.C.	45.00
			RODENT CNTRL-AQUEDUCT BIKEWAY	50.00
			RODENT CNTRL-AQUEDUCT BIKEWAY	50.00
			RODENT CNTRL-ELECTR UTIL SUBST	40.00
			RODENT CNTRL-ELECTR UTIL SUBST	40.00
Vendor Total		**1,705.00**		
FYTD for VACATE PEST ELIMINATION COMPANY		**17,430.00**		
VAL VERDE UNIFIED SCHOOL DISTRICT			Remit to: **PERRIS** **CA**	
5/2/2011	207674	25.00		
			5/13/11 STUDENT OF YEAR DINNER	25.00
Vendor Total		**25.00**		
FYTD for VAL VERDE UNIFIED SCHOOL DISTRICT		**6,318.96**		

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VALI COOPER & ASSOCIATES, INC.			Remit to: **POINT RICHMOND**	**CA**
5/31/2011	882830	11,340.00		
			TEMP STAFFING SVCS-CAP PROJCTS	11,340.00
	Vendor Total	**11,340.00**		
FYTD for VALI COOPER & ASSOCIATES, INC.		**119,765.00**		
VARIABLE SPEEDS SOLUTIONS INC			Remit to: **HUNTINGTON BEACH**	**CA**
5/9/2011	207782	285.00		
			LABOR TO REPAIR PUMP-ZONE E-14	285.00
	Vendor Total	**285.00**		
FYTD for VARIABLE SPEEDS SOLUTIONS INC		**7,309.00**		
VAVRINEK, TRINE, DAY & CO., LLP			Remit to: **SACRAMENTO**	**CA**
5/9/2011	207783	16,715.00		
			ACCOUNTING SVCS	8,925.00
			ACCOUNTING SVCS	7,790.00
	Vendor Total	**16,715.00**		
FYTD for VAVRINEK, TRINE, DAY & CO., LLP		**22,790.00**		
VAZQUEZ, ADRIANA			Remit to: **MORENO VALLEY**	**CA**
5/16/2011	207887	200.00		
			REFUND-RNTL DEP 4/23/11 EVENT	200.00
	Vendor Total	**200.00**		
FYTD for VAZQUEZ, ADRIANA		**200.00**		
VCD CORPORATION			Remit to: **GLENDORA**	**CA**
5/2/2011	882638	11,500.00		
			PROP REHAB-13711 FLAMING ARROW	11,500.00
5/23/2011	208013	17,219.57		
			PROP REHAB-12242 ZINNIA ST.	17,219.57
	Vendor Total	**28,719.57**		
FYTD for VCD CORPORATION		**46,770.46**		
VEHICLE REGISTRATION COLLECTIONS			Remit to: **RANCHO CORDOVA**	**CA**
5/9/2011	207784	128.36		
			GARNISHMENT	24.58
			GARNISHMENT	86.41
			GARNISHMENT	17.37
5/23/2011	208006	21.57		
			GARNISHMENT	21.57
	Vendor Total	**149.93**		
FYTD for VEHICLE REGISTRATION COLLECTIONS		**1,399.96**		

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VERDUZCO, JUAN				Remit to: **MORENO VALLEY** **CA**	
	5/31/2011	208101	300.00		
				REFUND-RNTL DEP 3/28/11 EVENT	300.00
	Vendor Total		**300.00**		
FYTD for VERDUZCO, JUAN			**300.00**		
VERIZON				Remit to: **TRENTON** **NJ**	
	5/31/2011	208102	1,712.84		
				BACKBONE CHRGS	1,712.84
	Vendor Total		**1,712.84**		
FYTD for VERIZON			**18,740.70**		
VERIZON CALIFORNIA				Remit to: **DALLAS** **TX**	
	5/2/2011	207675	41.56		
				ANNUAL PHONE DIRECTORY AD	41.56
	5/31/2011	208103	617.47		
				PHONE CHARGES-ERC	617.47
	Vendor Total		**659.03**		
FYTD for VERIZON CALIFORNIA			**7,568.34**		
VICTOR MEDICAL CO				Remit to: **LAKE FOREST** **CA**	
	5/2/2011	207676	648.15		
				ANIMAL MEDICAL SUPPLIES	648.15
	Vendor Total		**648.15**		
FYTD for VICTOR MEDICAL CO			**12,650.90**		
VIGIL, ERNEST				Remit to: **MORENO VALLEY** **CA**	
	5/9/2011	882725	318.73		
				RETIREE MED MAY '11	318.73
	Vendor Total		**318.73**		
FYTD for VIGIL, ERNEST			**3,506.03**		
VILLALOBOS, PAUL				Remit to: **NUEVO** **CA**	
	5/16/2011	207888	621.95		
				TUITION REIMBURSEMENT	481.95
				TUITION REIMBURSEMENT	140.00
	Vendor Total		**621.95**		
FYTD for VILLALOBOS, PAUL			**984.95**		

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VISION SERVICE PLAN			Remit to: **SAN FRANCISCO** **CA**	
5/9/2011	882726	4,337.58		
			EMPLOYEE VISION INSURANCE	4,337.58
Vendor Total		**4,337.58**		
FYTD for VISION SERVICE PLAN		**47,764.89**		
VISTA PAINT CORPORATION			Remit to: **MORENO VALLEY** **CA**	
5/9/2011	207785	1,061.08		
			PAINT/SUPPL-GRAFFITI RMVL PRGM	1,000.87
			PAINT/SUPPL-GRAFFITI RMVL PRGM	60.21
5/16/2011	207889	91.89		
			PAINT FOR PARKS	1.23
			PAINT FOR PARKS	90.66
5/23/2011	208007	650.78		
			PAINT/SUPPL-GRAFFITI RMVL PRGM	650.78
Vendor Total		**1,803.75**		
FYTD for VISTA PAINT CORPORATION		**10,641.72**		
VOLUNTEER CENTER OF RIVERSIDE COUTY			Remit to: **RIVERSIDE** **CA**	
5/2/2011	207677	475.00		
			REFUND-RNTL DEP 4/13/11 EVENT	475.00
Vendor Total		**475.00**		
FYTD for VOLUNTEER CENTER OF RIVERSIDE COUTY		**475.00**		
VOYAGER FLEET SYSTEM, INC.			Remit to: **HOUSTON** **TX**	
5/9/2011	882727	1,220.97		
			CNG FUEL PURCHASES	1,146.05
			CNG FUEL PURCHASES	74.92
Vendor Total		**1,220.97**		
FYTD for VOYAGER FLEET SYSTEM, INC.		**21,448.25**		

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VULCAN MATERIALS CO, INC.			Remit to: **SAN BERNARDINO** **CA**	
5/9/2011	207786	590.55		
			ASPHALTIC MATERIALS	138.12
			ASPHALTIC MATERIALS	104.54
			ASPHALTIC MATERIALS	173.06
			ASPHALTIC MATERIALS	104.54
			ASPHALTIC MATERIALS	70.29
5/23/2011	208008	2,085.08		
			ASPHALTIC MATERIALS	103.85
			ASPHALTIC MATERIALS	137.43
			ASPHALTIC MATERIALS	70.29
			ASPHALTIC MATERIALS	983.10
			ASPHALTIC MATERIALS	652.29
			ASPHALTIC MATERIALS	138.12
	Vendor Total	**2,675.63**		
FYTD for VULCAN MATERIALS CO, INC.		**25,145.15**		
WAGNER, GARY D.			Remit to: **MORENO VALLEY** **CA**	
5/9/2011	882728	318.73		
			RETIREE MED MAY '11	318.73
	Vendor Total	**318.73**		
FYTD for WAGNER, GARY D.		**3,487.19**		
WAGONER, ROBERT			Remit to: **ZEPHYRHILLS** **FL**	
5/9/2011	882729	360.40		
			RETIREE MED APR-MAY '11	360.40
	Vendor Total	**360.40**		
FYTD for WAGONER, ROBERT		**2,162.40**		
WAGY, CARYLON			Remit to: **MORENO VALLEY** **CA**	
5/9/2011	207787	318.73		
			RETIREE MED APR '11	318.73
	Vendor Total	**318.73**		
FYTD for WAGY, CARYLON		**3,506.03**		
WALKER, DONNA JEAN			Remit to: **PERRIS** **CA**	
5/23/2011	882795	114.00		
			INSTRUCTION SVCS-3 DAYS	114.00
	Vendor Total	**114.00**		
FYTD for WALKER, DONNA JEAN		**646.00**		

City of Moreno Valley

Check Register

For Period 5/1/2011 through 5/31/2011

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
WALLACE LABORATORIES				Remit to: **EL SEGUNDO** **CA**	
	5/2/2011	207678	210.00		
				AGRICULT SOIL SUITABILITY TEST	75.00
				SOIL ORGANIC MATTER EVALUATION	50.00
				TOTAL ANALYSIS OF HEAVY METALS	85.00
	Vendor Total		**210.00**		
FYTD for WALLACE LABORATORIES			**285.00**		
WASSON, KIRK				Remit to: **MORENO VALLEY** **CA**	
	5/23/2011	882796	152.00		
				INSTRUCTION SVCS-4 DAYS	152.00
	Vendor Total		**152.00**		
FYTD for WASSON, KIRK			**1,862.00**		
WASTE MANAGEMENT OF THE INLAND EMPIRE				Remit to: **PHOENIX** **AZ**	
	5/31/2011	208104	353.08		
				DUMPSTER-NEIGHBORHD CLEAN-UP	71.36
				DUMPSTER PICK UP & RECYCLE FEE	230.38
				DUMPSTER SET UP FEE	25.09
				DISPOSAL OF TIRES	26.25
	Vendor Total		**353.08**		
FYTD for WASTE MANAGEMENT OF THE INLAND EMPIRE			**12,798.18**		
WATER SPECIALIST CONSULTANTS				Remit to: **LA MESA** **CA**	
	5/2/2011	207679	90.00		
				5/24 RECYC WATER SITE SUPV TRN	45.00
				5/24 RECYC WATER SITE SUPV TRN	45.00
	Vendor Total		**90.00**		
FYTD for WATER SPECIALIST CONSULTANTS			**180.00**		
WAXIE SANITARY SUPPLY				Remit to: **SAN DIEGO** **CA**	
	5/2/2011	207680	178.18		
				TIME METERED AIR FRESHENER	56.06
				TIME METERED AIR FRESHENER	34.01
				TIME METERED AIR FRESHENER	4.99
				TIME METERED AIR FRESHENER	4.99
				CA SALES TAX	8.75
				JANITORIAL SUPPLIES	69.38
	Vendor Total		**178.18**		
FYTD for WAXIE SANITARY SUPPLY			**276.13**		

City of Moreno Valley

Check Register

For Period 5/1/2011 through 5/31/2011

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
WEBB, DAVID				Remit to: **RIVERSIDE** **CA**	
	5/9/2011	207788	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for WEBB, DAVID			**115.00**		
WEISGERBER, RHONDA				Remit to: **MORENO VALLEY** **CA**	
	5/31/2011	208105	112.00		
				REFUND-KARATE CLASSES	112.00
	Vendor Total		**112.00**		
FYTD for WEISGERBER, RHONDA			**112.00**		
WELLS FARGO BANK				Remit to: **MINNEAPOLIS** **MN**	
	5/31/2011	208106	2,000.00		
				TRUSTEE ANNL ADMIN CHGS-CFD#5	2,000.00
	Vendor Total		**2,000.00**		
FYTD for WELLS FARGO BANK			**18,500.00**		
WELLS FARGO CORPORATE TRUST				Remit to: **LOS ANGELES** **CA**	
	5/2/2011	110501	1,027.08		
				INT ON 97 CH COP VAR RATE BOND	1,027.08
	Vendor Total		**1,027.08**		
FYTD for WELLS FARGO CORPORATE TRUST			**8,874,030.64**		
WEST COAST STRUCTURES INC				Remit to: **RIVERSIDE** **CA**	
	5/9/2011	207789	18,727.42		
				SUNNYMD BLVD PED ACCESS RAMP	1,664.37
				SUNNYMD BLVD PED ACCESS RAMP	12,617.49
				SUNNYMD BLVD PED ACCESS RAMP	4,445.56
	5/16/2011	207890	6,120.88		
				RETENT-SUNNYMD PED ACCESS RAMP	3,394.41
				RETENT-SUNNYMD PED ACCESS RAMP	493.95
				RETENT-SUNNYMD PED ACCESS RAMP	2,232.52
	5/31/2011	208107	7,475.11		
				RETENT RLS-SUNNYMD PED RAMP	7,475.11
	Vendor Total		**32,323.41**		
FYTD for WEST COAST STRUCTURES INC			**61,208.68**		
WEST PUBLISHING CORPORATION				Remit to: **ST. PAUL** **MN**	
	5/31/2011	208108	535.00		
				AUTO TRACK SVCS FOR PD	535.00
	Vendor Total		**535.00**		
FYTD for WEST PUBLISHING CORPORATION			**5,850.00**		

City of Moreno Valley

Check Register

For Period 5/1/2011 through 5/31/2011

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
WESTERN MUNICIPAL WATER DISTRICT			Remit to: **RIVERSIDE** **CA**	
5/23/2011	208009	1,909.52		
			WATER CHARGES	693.83
			WATER CHARGES	3.65
			WATER CHARGES	1,155.78
			WATER CHARGES	56.26
	Vendor Total	**1,909.52**		
FYTD for WESTERN MUNICIPAL WATER DISTRICT		**19,926.43**		
WESTON, KATY			Remit to: **SAN BERNARDINO** **CA**	
5/16/2011	207891	58.00		
			REFUND-BELLY DANCING CLASS	58.00
	Vendor Total	**58.00**		
FYTD for WESTON, KATY		**58.00**		
WIELIN, RONALD A.			Remit to: **BANNING** **CA**	
5/9/2011	882730	318.73		
			RETIREE MED MAY '11	318.73
	Vendor Total	**318.73**		
FYTD for WIELIN, RONALD A.		**3,506.03**		
WILLDAN AND ASSOCIATES			Remit to: **SAN BERNARDINO** **CA**	
5/2/2011	207681	7,035.00		
			PLAN CHECK SVCS-BLDG & SFTY	7,035.00
5/9/2011	207790	1,080.00		
			EASTRIDGE CTR EIR REVIEW SVCS	1,080.00
5/31/2011	208109	7,973.48		
			PLAN CHECK SVCS-BLDG & SFTY	7,973.48
	Vendor Total	**16,088.48**		
FYTD for WILLDAN AND ASSOCIATES		**125,311.03**		
WILLIAMS, JANE L.			Remit to: **GRAND FORKS** **ND**	
5/9/2011	882731	187.68		
			RETIREE MED APR-MAY '11	187.68
	Vendor Total	**187.68**		
FYTD for WILLIAMS, JANE L.		**1,966.96**		
WILLIS, ROBERT H			Remit to: **PERRIS** **CA**	
5/23/2011	208010	144.00		
			SPORTS OFFICIATING SVCS	72.00
			SPORTS OFFICIATING SVCS	72.00
	Vendor Total	**144.00**		
FYTD for WILLIS, ROBERT H		**432.00**		

City of Moreno Valley

Check Register

For Period 5/1/2011 through 5/31/2011

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
WILLOUGHBY, LORIA				Remit to: **MORENO VALLEY CA**	
	5/16/2011	882758	70.89		
				MILEAGE REIMBURSEMENT	70.89
	Vendor Total		**70.89**		
FYTD for WILLOUGHBY, LORIA			**397.39**		
WINZLER & KELLY CONSULTING ENGINEERS				Remit to: **SANTA ANA CA**	
	5/9/2011	882732	20,710.00		
				TEMP STAFFING SVCS-MV UTIL.	5,700.00
				TEMP STAFFING SVCS-MV UTIL.	7,410.00
				TEMP STAFFING SVCS-MV UTIL.	7,600.00
	5/31/2011	882831	9,500.00		
				TEMP STAFFING SVCS-MV UTIL.	9,500.00
	Vendor Total		**30,210.00**		
FYTD for WINZLER & KELLY CONSULTING ENGINEERS			**82,267.50**		
WOODS, ALICIA/ROMNEY				Remit to: **MORENO VALLEY CA**	
	5/2/2011	207682	7.00		
				REFUND-ANIMAL LICENSE FEE	7.00
	Vendor Total		**7.00**		
FYTD for WOODS, ALICIA/ROMNEY			**7.00**		

City of Moreno Valley

Check Register

For Period 5/1/2011 through 5/31/2011

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
WURM'S JANITORIAL SERVICES, INC.			Remit to: **CORONA** **CA**	
5/2/2011	882639	1,495.00		
			CLEANING OF UPHOLSTERED CHAIRS	75.00
			MAINT. DAY PORTER SVCS	1,140.00
			CLEANING OF UPHOLSTERED CHAIRS	150.00
			JANITORIAL SVCS-SR CTR RENTALS	130.00
5/16/2011	882759	1,450.11		
			JANITORIAL SVCS-EMP RES CTR	532.81
			JANITORIAL SVCS-GANG TASK FRC	112.82
			JANITORIAL SVCS-SUNNYMD ELEM.	184.10
			JANITORIAL SVCS-RAINBOW RIDGE	310.19
			JANITORIAL SVCS-RED MAPLE ELEM	310.19
5/23/2011	882797	22,536.29		
			JANITORIAL SVCS-CITY HALL	4,588.23
			JANITORIAL SVCS-CITY YARD	346.90
			JANITORIAL SVCS-TRANSP TRAILER	98.40
			JANITORIAL SVCS-EOC	688.36
			JANITORIAL SVCS-ESA ANNEX	735.73
			JANITORIAL SVCS-FACIL. ANNEX	124.29
			JANITORIAL SVCS-LIBRARY	1,771.79
			JANITORIAL SVCS-MARCH FLD C.C.	955.70
			JANITORIAL SVCS-GOLF PRO SHOP	644.70
			JANITORIAL SVCS-MVTV STUDIO	58.05
			JANITORIAL SVCS-PUB SFTY BLDG	5,564.25
			JANITORIAL SVCS-SENIOR CTR	1,916.18
			JANITORIAL SVCS-STARS HDQTRS	298.87
			JANITORIAL SVCS-SUNNYMD MIDDLE	152.10
			JANITORIAL SVCS-TOWNGATE C.C.	691.38
			JANITORIAL SVCS-TS ANNEX	453.43
			JANITORIAL SVCS-CONF & REC CTR	3,447.93
5/31/2011	882832	112.82		
			JANITORIAL SVCS-GANG TASK FRC	112.82
	Vendor Total	**25,594.22**		
FYTD for WURM'S JANITORIAL SERVICES, INC.		**300,732.01**		
XEROX			Remit to: **DALLAS** **TX**	
5/16/2011	207892	212.33		
			COPIER RNTL/MAINT-PD	70.20
			COPIER RNTL/MAINT-PD	77.54
			COPIER RNTL/MAINT-PD	64.59
5/23/2011	208011	3,188.11		
			COPIER RNTL/MAINT/PRNTS-GRPHCS	1,208.13
			COPIER RNTL/MAINT-GRAPHICS DIV	397.79
			COPIER RNTL/MAINT-PARKS	359.34
			COPIER BILLABLE PRINTS-PARKS	443.37
			COPIER RNTL/MAINT-PARKS	779.48
	Vendor Total	**3,400.44**		
FYTD for XEROX		**69,781.29**		

City of Moreno Valley

Check Register

For Period 5/1/2011 through 5/31/2011

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
YAHOO!				Remit to: **SUNNYVALE** **CA**	
	5/23/2011	208012	30.44		
				SUBSCRIBER INFO SEARCH FOR PD	30.44
	Vendor Total		**30.44**		
FYTD for YAHOO!			**30.44**		
YANEZ, ANDREA				Remit to: **MORENO VALLEY** **CA**	
	5/2/2011	207683	50.00		
				REFUND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for YANEZ, ANDREA			**50.00**		
YENULONIS, LAURA				Remit to: **COLTON** **CA**	
	5/2/2011	207684	97.60		
				REFUND-PERMIT FEE 80%	97.60
	Vendor Total		**97.60**		
FYTD for YENULONIS, LAURA			**97.60**		
YOUNG, BONITA				Remit to: **MORENO VALLEY** **CA**	
	5/16/2011	207893	54.50		
				REFUND-CITATION DISMISSED	54.50
	Vendor Total		**54.50**		
FYTD for YOUNG, BONITA			**54.50**		
ZARATE, VERONICA				Remit to: **MORENO VALLEY** **CA**	
	5/16/2011	207894	47.00		
				REFUND-GUITAR CLASS CANC.	47.00
	Vendor Total		**47.00**		
FYTD for ZARATE, VERONICA			**47.00**		

Subtotal **1,473,414.04**

GRAND TOTAL **10,409,143.31**

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Richard Teichert, Financial & Administrative Services Director

AGENDA DATE: August 23, 2011

TITLE: APPROVAL OF CHECK REGISTER FOR JUNE, 2011

RECOMMENDED ACTION

Staff recommends that the City Council adopt Resolution No. 2011-86, approving the Check Register for the month of June, 2011 in the amount of $16,100,598.73.

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 2010-11 budgets. Therefore, there is no fiscal impact other than the expenditure of budgeted funds.

ATTACHMENTS/EXHIBITS

Resolution No. 2011-86
Check Register for Month of June, 2011

Prepared By:
Cynthia A. Fortune
Financial Operations Division Manager

Department Head Approval:
Richard Teichert
Financial & Administrative Services Director

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

RESOLUTION NO. 2011-86

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING THE CHECK REGISTER FOR THE MONTH OF JUNE, 2011

WHEREAS, the Financial & Administrative Services Department has prepared and provided the Check Register for the period June 1, 2011 through June 30, 2011, for review and approval by the City Council of the City of Moreno Valley; and

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, 2011 through June 30, 2011, in the total amount of $16,100,598.73 is approved.

APPROVED AND ADOPTED this 23rd day of August, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

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

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

City of Moreno Valley

Check Register

For Period 6/1/2011 through 6/30/2011

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)

CHECKS IN THE AMOUNT OF $25,000 OR GREATER

ACCESS ELECTRIC SUPPLY			Remit to: **MORENO VALLEY**	**CA**
6/20/2011	208293	40,601.81		
			IEM SWITCHGEAR-SHADOW MTN PROJ	16,030.08
			CA SALES TAX	1,402.63
			IEM SWITCHGEAR-SHADOW MTN PROJ	21,304.92
			CA SALES TAX	1,864.18
	Vendor Total	**40,601.81**		
FYTD for ACCESS ELECTRIC SUPPLY		**40,843.24**		
AFTERSCHOOL STORE.COM			Remit to: **PALMDALE**	**CA**
6/6/2011	208113	42,476.32		
			AFTERSCHOOL SNACKS-STARS PRGM	33,116.32
			AFTERSCHOOL SNACKS-STARS PRGM	9,360.00
	Vendor Total	**42,476.32**		
FYTD for AFTERSCHOOL STORE.COM		**364,046.84**		
ALL AMERICAN ASPHALT, INC.			Remit to: **CORONA**	**CA**
6/6/2011	208114	320,467.06		
			SR-60/NASON ST INTRCHNG PROJ	256,373.65
			SR-60/NASON ST INTRCHNG PROJ	64,093.41
6/28/2011	1106101	35,607.45		
			RETENTN PMT PER ESCRW AGREEMNT	35,607.45
6/28/2011	1106102	27,594.11		
			RETENTN PMT PER ESCRW AGREEMNT	27,594.11
	Vendor Total	**383,668.62**		
FYTD for ALL AMERICAN ASPHALT, INC.		**632,015.61**		
AVI-CON INC.			Remit to: **RIVERSIDE**	**CA**
6/6/2011	882834	93,173.49		
			PUB SFTY BLDG RENOVATION PROJ	64,266.33
			RETENT RLS PYMT-PUB SFTY BLDG	28,907.16
	Vendor Total	**93,173.49**		
FYTD for AVI-CON INC.		**384,476.18**		

City of Moreno Valley

Check Register

For Period 6/1/2011 through 6/30/2011

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
BEMUS LANDSCAPE, INC.				Remit to: **SAN CLEMENTE** **CA**	
	6/20/2011	882961	40,833.74		
				LANDSCAPE MAINT-CFD #1	400.00
				LANDSCAPE MAINT-CFD #1	1,900.00
				LANDSCAPE MAINT-CFD #1	400.00
				LANDSCAPE MAINT-VTRNS MEM	250.00
				LANDSCAPE MAINT-FIRE STATIONS	3,150.00
				LANDSCAPE MAINT-CITY HALL	992.56
				LANDSCAPE MAINT-STARS BLDG	300.00
				LANDSCAPE MAINT-MV ELECT SUBST	630.00
				LANDSCAPE MAINT-MVU	480.00
				LANDSCAPE MAINT-LIBRARY	520.00
				LANDSCAPE MAINT-CONF & REC CTR	1,900.00
				LANDSCAPE MAINT-PSB	1,197.58
				LANDSCAPE MAINT-ANML SHLTR	520.00
				LANDSCAPE MAINT-CITY YARD	250.00
				LANDSCAPE MAINT-ANNEX 1	300.00
				LANDSCAPE MAINT-E4	15,650.96
				LANDSCAPE MAINT-E4A	367.64
				LANDSCAPE MAINT-ZONE E3	10,625.00
				LANDSCAPE MAINT-ZONE E3A	1,000.00
	Vendor Total		**40,833.74**		
FYTD for BEMUS LANDSCAPE, INC.			**577,144.70**		
COMPU COM				Remit to: **RANCHO CORDOVA** **CA**	
	6/6/2011	208144	113,901.13		
				ENROLLMENT	113,901.13
	Vendor Total		**113,901.13**		
FYTD for COMPU COM			**114,902.68**		
COUNTY OF RIVERSIDE AUDITOR				Remit to: **RIVERSIDE** **CA**	
	6/20/2011	208319	33,585.46		
				PARKING CONTROL FEES	4,990.96
				PARKING CONTROL FEES	1,906.00
				PARKING CONTROL FEES	26,688.50
	Vendor Total		**33,585.46**		
FYTD for COUNTY OF RIVERSIDE AUDITOR			**277,338.08**		

City of Moreno Valley

Check Register

For Period 6/1/2011 through 6/30/2011

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
EASTERN MUNICIPAL WATER DISTRICT			Remit to: **PERRIS**	**CA**
6/21/2011	208423	80,470.23		
			WATER CHARGES	1,512.76
			WATER CHARGES	215.89
			WATER CHARGES	886.93
			WATER CHARGES	3,295.26
			WATER CHARGES	39.60
			WATER CHARGES	731.92
			WATER CHARGES	3,405.73
			WATER CHARGES	112.11
			WATER CHARGES	20,226.01
			WATER CHARGES	1,914.50
			WATER CHARGES	10,318.64
			WATER CHARGES	6,429.68
			WATER CHARGES	4,365.06
			WATER CHARGES	8,640.00
			WATER CHARGES	4,553.69
			WATER CHARGES	2,441.82
			WATER CHARGES	51.73
			WATER CHARGES	1,462.00
			WATER CHARGES	3,118.14
			WATER CHARGES	867.38
			WATER CHARGES	246.46
			WATER CHARGES	525.26
			WATER CHARGES	402.73
			WATER CHARGES	316.75
			WATER CHARGES	254.04
			WATER CHARGES	282.11
			WATER CHARGES	359.58
			WATER CHARGES	83.22
			WATER CHARGES	246.06
			WATER CHARGES	109.66
			WATER CHARGES	2,168.37
			WATER CHARGES	887.14
6/30/2011	208525	53,587.02		
			WATER CHARGES	9,471.17
			WATER CHARGES	2,926.22
			WATER CHARGES	1,456.52
			WATER CHARGES	2,165.28
			WATER CHARGES	4,138.94
			WATER CHARGES	246.92
			WATER CHARGES	1,481.59
			WATER CHARGES	1,075.06
			WATER CHARGES	332.34
			WATER CHARGES	327.92
			WATER CHARGES	107.29
			WATER CHARGES	302.06
			WATER CHARGES	461.94
			WATER CHARGES	8,992.50
			WATER CHARGES	2,099.15
			WATER CHARGES	684.66
			WATER CHARGES	9,012.43
			WATER CHARGES	2,803.13
			WATER CHARGES	4,040.37

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
			WATER CHARGES	55.10
			WATER CHARGES	137.73
			WATER CHARGES	106.75
			WATER CHARGES	534.70
			WATER CHARGES	177.61
			WATER CHARGES	263.22
			WATER CHARGES	74.25
			WATER CHARGES	112.17
	Vendor Total	**134,057.25**		
FYTD for EASTERN MUNICIPAL WATER DISTRICT		**1,434,949.17**		
EMPLOYMENT DEVELOPMENT DEPARTMENT			Remit to: **SACRAMENTO**	**CA**
6/6/2011	208156	37,419.42		
			UNEMPLOYMENT INS CLAIMS	37,419.42
6/3/2011	2871	34,820.34		
			STATE INCOME TAX W/H 6/3/11	34,820.34
6/17/2011	2881	32,346.18		
			STATE INCOME TAX W/H 6/17/11	32,346.18
	Vendor Total	**104,585.94**		
FYTD for EMPLOYMENT DEVELOPMENT DEPARTMENT		**1,082,776.56**		
FIRST AMERICAN TRUST, FSB			Remit to: **SANTA ANA**	**CA**
6/9/2011	110604	25,500.00		
			HAP LOAN: BRIAN EDWARD RABE	25,500.00
	Vendor Total	**25,500.00**		
FYTD for FIRST AMERICAN TRUST, FSB		**289,206.40**		
FLEMING ENVIRONMENTAL, INC.			Remit to: **FULLERTON**	**CA**
6/20/2011	208330	31,818.28		
			SHADOW MTN PARK LIGHTING PROJ	16,492.72
			SHADOW MTN PARK RESTROOM PROJ	15,325.56
	Vendor Total	**31,818.28**		
FYTD for FLEMING ENVIRONMENTAL, INC.		**141,854.53**		
HARDY & HARPER, INC.			Remit to: **SANTA ANA**	**CA**
6/27/2011	208524	2,161,392.82		
			PAVEMENT RESURF PROJ-CITYWIDE	1,151,114.02
			2011 LOCAL ST PAVEMNT RESURF.	1,010,278.80
	Vendor Total	**2,161,392.82**		
FYTD for HARDY & HARPER, INC.		**3,369,931.27**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
INTERNAL REVENUE SERVICE				Remit to:	
	6/3/2011	2870	146,902.26		
				FED INCOME TAX W/H 6/3/11	146,902.26
	6/17/2011	2880	132,159.21		
				FED INCOME TAX W/H 6/17/11	132,159.21
	Vendor Total		**279,061.47**		
FYTD for INTERNAL REVENUE SERVICE			**3,497,189.37**		
KATHLEEN A. MULLIGAN				Remit to: **MORENO VALLEY** **CA**	
	6/27/2011	208464	25,053.94		
				PURCH PRICE DIFFRNTL PYMT	10,750.00
				DOWNPYMT ASSIST-PERRIS BL PROJ	14,303.94
	Vendor Total		**25,053.94**		
FYTD for KATHLEEN A. MULLIGAN			**33,978.94**		
LIM & NASCIMENTO ENGINEERING CORP.				Remit to: **DIAMOND BAR** **CA**	
	6/6/2011	208186	29,556.96		
				IRONWD AVE/HEACOCK-PERRIS PROJ	9,772.42
				IRONWD AVE/HEACOCK-PERRIS PROJ	19,784.54
	Vendor Total		**29,556.96**		
FYTD for LIM & NASCIMENTO ENGINEERING CORP.			**346,880.11**		
MAMCO, INC				Remit to: **RIVERSIDE** **CA**	
	6/6/2011	208189	112,089.67		
				DRACAEA AVE SIDEWLK IMPRV PROJ	107,207.27
				DRACAEA AVE SIDEWLK IMPRV PROJ	4,882.40
	Vendor Total		**112,089.67**		
FYTD for MAMCO, INC			**112,089.67**		
MIRACLE PLAYGROUND SALES				Remit to: **CORONA** **CA**	
	6/20/2011	882976	85,414.14		
				DEMO OLD/INSTLL NEW PLAY EQUIP	81,967.47
				CA SALES TAX	3,446.67
	Vendor Total		**85,414.14**		
FYTD for MIRACLE PLAYGROUND SALES			**262,357.27**		

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MORENO VALLEY UTILITY			Remit to: **HEMET**	**CA**
6/6/2011	208192	60,337.78		
			ELECTRICITY	161.44
			ELECTRICITY	1,310.10
			ELECTRICITY	331.76
			ELECTRICITY	2,008.11
			ELECTRICITY	11,439.98
			ELECTRICITY	11,632.08
			ELECTRICITY	3,136.87
			ELECTRICITY	5,827.53
			ELECTRICITY	956.75
			ELECTRICITY	1,584.13
			ELECTRICITY	11,751.74
			ELECTRICITY	7,345.32
			ELECTRICITY	251.79
			ELECTRICITY	154.65
			ELECTRICITY	317.00
			ELECTRICITY	74.25
			ELECTRICITY	74.38
			ELECTRICITY	170.70
			ELECTRICITY	105.70
			ELECTRICITY	1,703.50
6/27/2011	208476	55,258.96		
			ELECTRICITY	143.43
			ELECTRICITY	1,286.03
			ELECTRICITY	280.93
			ELECTRICITY	1,736.74
			ELECTRICITY	10,069.20
			ELECTRICITY	10,081.56
			ELECTRICITY	2,571.05
			ELECTRICITY	5,349.15
			ELECTRICITY	905.52
			ELECTRICITY	1,511.50
			ELECTRICITY	11,751.39
			ELECTRICITY	7,345.79
			ELECTRICITY	220.79
			ELECTRICITY	137.23
			ELECTRICITY	66.18
			ELECTRICITY	66.31
			ELECTRICITY	66.18
			ELECTRICITY	149.71
			ELECTRICITY	90.41
			ELECTRICITY	1,429.86
	Vendor Total	**115,596.74**		
FYTD for MORENO VALLEY UTILITY		**801,816.33**		

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MUSCO SPORTS LIGHTING, LLC			Remit to: **OSKALOOSA** **IA**	
6/13/2011	882941	259,912.50		
			SPORTS FIELD LIGHTS-SHADOW MTN	239,000.00
			CA SALES TAX	20,912.50
	Vendor Total	**259,912.50**		
FYTD for MUSCO SPORTS LIGHTING, LLC		**259,912.50**		
NEXUS IS, INC.			Remit to: **VALENCIA** **CA**	
6/27/2011	208478	25,691.00		
			PBX PHONE SYSTEM MAINT/SUPPORT	25,691.00
	Vendor Total	**25,691.00**		
FYTD for NEXUS IS, INC.		**43,386.00**		
NOBLE AMERICAS ENERGY SOLUTIONS			Remit to: **PASADENA** **CA**	
6/13/2011	208273	134,585.97		
			ENERGY PURCHASE-ELECTR UTILITY	134,585.97
	Vendor Total	**134,585.97**		
FYTD for NOBLE AMERICAS ENERGY SOLUTIONS		**492,077.25**		
PERS HEALTH INSURANCE			Remit to: **SACRAMENTO** **CA**	
6/8/2011	110602	212,262.83		
			EMPLOYEE HEALTH INS 6/8/11	212,262.83
	Vendor Total	**212,262.83**		
FYTD for PERS HEALTH INSURANCE		**2,459,616.41**		
PERS RETIREMENT			Remit to: **SACRAMENTO** **CA**	
6/10/2011	2872	203,291.28		
			PERS RETIREMENT 6/10/11	203,291.28
6/24/2011	2884	199,418.38		
			PERS RETIREMENT 6/24/11	199,418.38
	Vendor Total	**402,709.66**		
FYTD for PERS RETIREMENT		**5,204,920.34**		
PRICE FAMILY CHARITABLE TRUST			Remit to: **LA JOLLA** **CA**	
6/20/2011	208369	136,748.00		
			SALES TAX REIMBURSEMENT	136,748.00
	Vendor Total	**136,748.00**		
FYTD for PRICE FAMILY CHARITABLE TRUST		**435,477.50**		

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RIVERSIDE CONSTRUCTION COMPANY, INC				Remit to: **RIVERSIDE** **CA**	
	6/20/2011	882983	635,089.35		
				IRONWD AVE/DAY ST-BARCLAY PROJ	299,444.07
				IRONWOOD AVE/STORM DRAIN PROJ	223,071.26
				IRONWOOD AVE/STORM DRAIN PROJ	22,121.96
				IRONWOOD AVE/STORM DRAIN PROJ	79,652.06
				IRONWOOD AVE/STORM DRAIN PROJ	10,800.00
	6/28/2011	110611	33,271.56		
				RETENTN PMT PER ESCRW AGREEMNT	33,271.56
	Vendor Total		**668,360.91**		
FYTD for RIVERSIDE CONSTRUCTION COMPANY, INC			**4,098,957.33**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
RIVERSIDE COUNTY SHERIFF			Remit to: **RIVERSIDE**	**CA**
6/13/2011	882945	2,744,284.93		
			CONTRACT LAW ENF BILL #8	44,174.01
			CONTRACT LAW ENF BILL #8	658.50
			CONTRACT LAW ENF BILL #8	1,542,338.03
			CONTRACT LAW ENF BILL #8	66,500.01
			CONTRACT LAW ENF BILL #8	346,180.58
			CONTRACT LAW ENF BILL #8	6,275.28
			CONTRACT LAW ENF BILL #8	75,659.98
			CONTRACT LAW ENF BILL #8	8,189.85
			CONTRACT LAW ENF BILL #8	72,591.71
			CONTRACT LAW ENF BILL #8	1,632.40
			CONTRACT LAW ENF BILL #8	184,148.35
			CONTRACT LAW ENF BILL #8	3,852.64
			CONTRACT LAW ENF BILL #8	325,553.74
			CONTRACT LAW ENF BILL #8	8,091.96
			CONTRACT LAW ENF BILL #8	35,387.62
			CONTRACT LAW ENF BILL #8	249.04
			CONTRACT LAW ENF BILL #8	10,279.29
			CONTRACT LAW ENF BILL #8	870.24
			CONTRACT LAW ENF BILL #8	10,750.85
			CONTRACT LAW ENF BILL #8	633.60
			CONTRACT LAW ENF BILL #8	267.25
6/30/2011	883042	3,232,609.38		
			CONTRACT LAW ENF BILL #9	44,201.82
			CONTRACT LAW ENF BILL #9	346.09
			CONTRACT LAW ENF BILL #9	2,074,264.50
			CONTRACT LAW ENF BILL #9	74,161.69
			CONTRACT LAW ENF BILL #9	334,189.22
			CONTRACT LAW ENF BILL #9	6,678.32
			CONTRACT LAW ENF BILL #9	76,221.60
			CONTRACT LAW ENF BILL #9	3,245.46
			CONTRACT LAW ENF BILL #9	72,301.85
			CONTRACT LAW ENF BILL #9	716.32
			CONTRACT LAW ENF BILL #9	175,606.73
			CONTRACT LAW ENF BILL #9	2,002.00
			CONTRACT LAW ENF BILL #9	315,569.45
			CONTRACT LAW ENF BILL #9	3,659.40
			CONTRACT LAW ENF BILL #9	34,151.60
			CONTRACT LAW ENF BILL #9	245.52
			CONTRACT LAW ENF BILL #9	3,205.09
			CONTRACT LAW ENF BILL #9	11,171.28
			CONTRACT LAW ENF BILL #9	671.44
	Vendor Total	**5,976,894.31**		

FYTD for RIVERSIDE COUNTY SHERIFF **28,410,270.06**

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
RIVERSIDE COUNTY SHERIFF'S DEPT.			Remit to: **RIVERSIDE** **CA**	
6/27/2011	208489	98,195.07		
			FY10/11 FACILITIES EXPENSES	98,195.07
	Vendor Total	**98,195.07**		
FYTD for RIVERSIDE COUNTY SHERIFF'S DEPT.		**102,437.49**		
SAN PEDRO SIGN COMPANY			Remit to: **WILMINGTON** **CA**	
6/27/2011	883030	88,200.00		
			AUTO MALL PYLON SIGN PROJECT	88,200.00
	Vendor Total	**88,200.00**		
FYTD for SAN PEDRO SIGN COMPANY		**373,500.00**		
SHEFFIELD FORECLOSURE RENOVATION			Remit to: **RIVERSIDE** **CA**	
6/27/2011	208494	34,168.43		
			PROP REHAB COSTS-25241 TODD DR	34,168.43
	Vendor Total	**34,168.43**		
FYTD for SHEFFIELD FORECLOSURE RENOVATION		**34,168.43**		
SHELL ENERGY NORTH AMERICA (US) L.P.			Remit to: **PHILADELPHIA** **PA**	
6/30/2011	208527	520,329.60		
			ENERGY PURCHASE	520,329.60
	Vendor Total	**520,329.60**		
FYTD for SHELL ENERGY NORTH AMERICA (US) L.P.		**6,462,798.80**		
SHPIGLER GROUP, THE			Remit to: **MONTEBELLO** **NY**	
6/13/2011	208282	29,936.40		
			SMART GRID/ELECT VEHICLE-SPCL	29,936.40
	Vendor Total	**29,936.40**		
FYTD for SHPIGLER GROUP, THE		**29,936.40**		
SOCAL ENGINEERS, INC.			Remit to: **IRVINE** **CA**	
6/20/2011	208389	71,033.40		
			TRAF SIG-SUNNYMD RNCH PKWY	71,033.40
	Vendor Total	**71,033.40**		
FYTD for SOCAL ENGINEERS, INC.		**156,290.40**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
SOUTHERN CALIFORNIA EDISON			Remit to: **ROSEMEAD**	**CA**
6/20/2011	208391	151,279.03		
			ELECTRICITY	912.42
			ELECTRICITY	23.77
			ELECTRICITY	324.50
			ELECTRICITY	22.43
			ELECTRICITY	627.67
			ELECTRICITY	1,000.38
			ELECTRICITY	134.59
			ELECTRICITY	2,474.96
			ELECTRICITY	755.66
			ELECTRICITY	1,667.94
			ELECTRICITY	816.57
			ELECTRICITY	1,126.31
			ELECTRICITY	21.87
			ELECTRICITY	96,318.22
			ELECTRICITY	40,411.15
			ELECTRICITY	4,314.08
			ELECTRICITY	21.87
			ELECTRICITY	45.40
			ELECTRICITY	25.72
			ELECTRICITY	23.81
			ELECTRICITY	68.41
			ELECTRICITY	92.57
			ELECTRICITY	48.73
6/20/2011	208392	30,299.19		
			WDAT CHARGES-GRAHAM	3,975.65
			WDAT CHARGES-IRIS	2,752.38
			WDAT CHARGES-GLOBE	8,120.97
			WDAT CHARGES-SUBSTATION	10,447.31
			WDAT CHARGES-FREDERICK	2,107.17
			WDAT CHARGES-NANDINA	2,647.31
			ELECTRICITY	248.40
6/27/2011	208500	32,672.14		
			ELECTRICITY	44.81
			ELECTRICITY	288.85
			ELECTRICITY	89.64
			ELECTRICITY	45.93
			ELECTRICITY	126.58
			ELECTRICITY	440.67
			ELECTRICITY	65.95
			ELECTRICITY	96.83
			ELECTRICITY	100.12
			ELECTRICITY	31.32
			ELECTRICITY	44.15
			ELECTRICITY	33.20
			ELECTRICITY	43.11
			ELECTRICITY	26.27
			ELECTRICITY	142.91
			ELECTRICITY	4,802.74
			ELECTRICITY	2,354.67
			ELECTRICITY	19.24
			ELECTRICITY	636.99

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
			ELECTRICITY	2,094.46
			ELECTRICITY	120.85
			ELECTRICITY	3,984.66
			ELECTRICITY	154.17
			ELECTRICITY	48.14
			ELECTRICITY	1,324.48
			ELECTRICITY	297.26
			ELECTRICITY	420.07
			ELECTRICITY	406.47
			ELECTRICITY	99.04
			ELECTRICITY	141.83
			IFA CHARGES-SUBSTATION	14,146.73
	Vendor Total	**214,250.36**		
FYTD for SOUTHERN CALIFORNIA EDISON		**4,296,774.93**		
U.S. BANK/CALCARDS			Remit to: **ST. LOUIS**	**MO**
6/2/2011	110603	103,461.56		
			CALCARD PYMT CYCLE END 5/23/11	103,461.56
6/15/2011	110606	125,570.90		
			CALCARD PYMT CYCLE END 6/7/11	125,570.90
6/28/2011	110614	95,888.40		
			CALCARD PYMT CYCLE END 6/22/11	95,888.40
	Vendor Total	**324,920.86**		
FYTD for U.S. BANK/CALCARDS		**2,199,269.98**		
UNITED INSPECTION & TESTING INC			Remit to: **MORENO VALLEY**	**CA**
6/13/2011	208291	86,415.00		
			2011 PAVEMENT RESURF. PROJ	86,415.00
	Vendor Total	**86,415.00**		
FYTD for UNITED INSPECTION & TESTING INC		**94,691.80**		
WASTE MANAGEMENT			Remit to: **CORONA**	**CA**
6/6/2011	208234	739,548.87		
			SOLID WASTE DELINQ. LESS FEES	841,639.78
			SOLID WASTE DELINQ. LESS FEES	-102,090.91
	Vendor Total	**739,548.87**		
FYTD for WASTE MANAGEMENT		**1,623,802.71**		
WELLS FARGO CORPORATE TRUST			Remit to: **LOS ANGELES**	**CA**
6/28/2011	110607	940,287.92		
			DEBT SERVICE-SPECIAL TAXES	940,287.92
	Vendor Total	**940,287.92**		
FYTD for WELLS FARGO CORPORATE TRUST		**9,815,753.74**		
	Subtotal	**14,816,818.87**		

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CHECKS LESS THAN $25,000

NIELSEN LLC, CLARITAS				Remit to: **CHARLOTTE**	**NC**
	6/13/2011	208240	500.00		
				DATA REQUEST FOR ICSC PREP.	500.00
	Vendor Total		**500.00**		
FYTD for NIELSEN LLC, CLARITAS			**3,590.00**		
7-ELEVEN, INC				Remit to: **DALLAS**	**TX**
	6/20/2011	208292	120.00		
				REFUND-FALSE ALARM OVERPAYMENT	120.00
	Vendor Total		**120.00**		
FYTD for 7-ELEVEN, INC			**120.00**		
ABILITY COUNTS, INC				Remit to: **CORONA**	**CA**
	6/27/2011	208431	1,440.00		
				LANDSCAPE MAINT-AQDCT BKWY	1,440.00
	Vendor Total		**1,440.00**		
FYTD for ABILITY COUNTS, INC			**5,760.00**		
ABSOLUTE SURVEILLANCE				Remit to: **CANYON LAKE**	**CA**
	6/20/2011	882954	5,844.90		
				TRACKING DEVICE-PD	909.02
				TRACKING DEVICE-PD	59.90
				TRACKING DEVICE-PD	4,218.00
				TRACKING DEVICE-PD	531.90
				TRACKING DEVICE-PD	126.08
	Vendor Total		**5,844.90**		
FYTD for ABSOLUTE SURVEILLANCE			**5,844.90**		

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ACTIVE NETWORK, INC., THE			Remit to: **LOS ANGELES**	**CA**
6/27/2011	883002	17,278.56		
			CLASS SFTWARE MAINT/SUPP RNWL	3,750.00
			DEPT CONNECTOR MAINT/SUPP RNWL	2,500.00
			CRYSTAL REPORTS MAINT/SUPP RNW	600.00
			PYMT SERVER-EFT MAINT/SUPP RNW	1,575.00
			DISCOUNT	-1,263.75
			CLASS SFTWARE MAINT/SUPP RNWL	578.80
			CLASS SFTWARE MAINT/SUPP RNWL	506.46
			CLASS SFTWARE MAINT/SUPP RNWL	144.70
			CLASS SFTWARE MAINT/SUPP RNWL	72.35
			CLASS SFTWARE MAINT/SUPP RNWL	1,447.03
			CLASS SFTWARE MAINT/SUPP RNWL	1,050.00
			CLASS SFTWARE MAINT/SUPP RNWL	4,051.68
			CLASS SFTWARE MAINT/SUPP RNWL	2,532.30
			CLASS SFTWARE MAINT/SUPP RNWL	1,519.38
			DISCOUNT	-1,785.39
	Vendor Total	**17,278.56**		
FYTD for ACTIVE NETWORK, INC., THE		**17,278.56**		
ADAMS, MARK L.			Remit to: **REDLANDS**	**CA**
6/6/2011	882833	318.73		
			RETIREE MED JUN '11	318.73
	Vendor Total	**318.73**		
FYTD for ADAMS, MARK L.		**3,824.76**		
ADDUS HEALTH CARE			Remit to: **RIVERSIDE**	**CA**
6/27/2011	208432	500.00		
			REFUND-RENTAL DEPOSIT	500.00
	Vendor Total	**500.00**		
FYTD for ADDUS HEALTH CARE		**1,000.00**		
ADLERHORST INTERNATIONAL INC.			Remit to: **RIVERSIDE**	**CA**
6/20/2011	882955	283.24		
			K9 TRAINING-PD	283.24
6/27/2011	883003	16,971.88		
			PURCHASE OF NEW K9 (URGAN)	8,971.88
			PURCHASE OF NEW K9 (URGAN)	8,000.00
	Vendor Total	**17,255.12**		
FYTD for ADLERHORST INTERNATIONAL INC.		**38,782.55**		
ADMINSURE			Remit to: **DIAMOND BAR**	**CA**
6/6/2011	208111	2,600.00		
			WORKMANS COMP ADMIN	2,600.00
	Vendor Total	**2,600.00**		
FYTD for ADMINSURE		**31,200.00**		

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ADVANCE REFRIGERATION & ICE SYSTEMS, INC			Remit to: **RIVERSIDE** **CA**	
6/13/2011	882922	780.00		
			ICE MACHINE MAINT-FIRE ST #2	40.00
			ICE MACHINE MAINT-FIRE ST #2	155.00
			ICE MACHINE MAINT-CITY HALL	5.00
			ICE MACHINE MAINT-CITY HALL	190.00
			ICE MACHINE MAINT-FIRE ST #65	40.00
			ICE MACHINE MAINT-FIRE ST #65	155.00
			ICE MACHINE MAINT-FIRE ST #91	72.00
			ICE MACHINE MAINT-FIRE ST #91	123.00
6/20/2011	882956	195.00		
			ICE MACH MAINT-FS #48	63.00
			ICE MACH MAINT-FS #48	132.00
	Vendor Total	**975.00**		
FYTD for ADVANCE REFRIGERATION & ICE SYSTEMS, INC		**19,163.00**		
ADVANCED ELECTRIC			Remit to: **RIVERSIDE** **CA**	
6/13/2011	208241	3,219.00		
			SIGN LIGHTS REPAIRED-EOC	1,512.00
			INSTALL LIGHTING-SR CTR POOLRM	1,497.00
			LIGHTING REPAIRS-ANIMAL SHLTR	210.00
6/27/2011	208433	625.00		
			ELECT REPAIRS-PARKS	625.00
	Vendor Total	**3,844.00**		
FYTD for ADVANCED ELECTRIC		**97,406.60**		
ADVANTAGE BUSINESS EQUIPMENT, INC			Remit to: **SAN DIEGO** **CA**	
6/13/2011	882923	713.86		
			MICR TONER FOR HP 9050 PRINTER	229.00
			BLANK CHECK STOCK FOR PAYROLL	125.00
			SHIPPING CHARGES	19.00
			CA SALES TAX FOR PAYROLL CHKS	10.94
			CA SALES TAX FOR MICR TONER	20.04
			BLANK CHECK STOCK FOR A/P	250.00
			SHIPPING CHARGES	25.00
			SHIPPING CHARGES	13.00
			CA SALES TAX	21.88
	Vendor Total	**713.86**		
FYTD for ADVANTAGE BUSINESS EQUIPMENT, INC		**2,791.81**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
ADVANTAGE GRAPHICS AND PROMOTIONS			Remit to: **CAPISTRANO BEACH CA**	
6/6/2011	208112	2,638.81		
			PARKING CITATIONS-CODE	1,438.60
			PARKING CITATIONS-CODE	791.23
			PARKING CITATIONS-CODE	135.00
			PARKING CITATIONS-CODE	78.87
			PARKING CITATIONS-CODE	195.11
	Vendor Total	**2,638.81**		
FYTD for ADVANTAGE GRAPHICS AND PROMOTIONS		**2,638.81**		
AEI-CASC ENGINEERING			Remit to: **COLTON CA**	
6/20/2011	882957	6,645.68		
			IRONWD AVE/DAY ST-BARCLAY PROJ	6,645.68
	Vendor Total	**6,645.68**		
FYTD for AEI-CASC ENGINEERING		**238,785.47**		
AHLERS, ROSCEAL			Remit to: **HEMET CA**	
6/20/2011	208294	76.00		
			INSTRUCTION SVCS-2 DAYS	76.00
	Vendor Total	**76.00**		
FYTD for AHLERS, ROSCEAL		**1,520.00**		
AINSWORTH, NADINE			Remit to: **HIGHLAND CA**	
6/20/2011	208295	95.00		
			REFUND-RABIES & SN DEPOSIT	20.00
			REFUND-RABIES & SN DEPOSIT	75.00
	Vendor Total	**95.00**		
FYTD for AINSWORTH, NADINE		**95.00**		
AIR CLEANING SYSTEMS INC.			Remit to: **POMONA CA**	
6/13/2011	882924	401.63		
			FIRE PLYMOVENT MAINT.-LABOR	170.00
			FIRE PLYMOVENT MAINT.-PARTS	231.63
6/27/2011	883004	366.09		
			PLYMOVENT MAINT-FIRE PREV	170.00
			PLYMOVENT MAINT-FIRE PREV	76.47
			PLYMOVENT MAINT-FIRE PREV	119.62
	Vendor Total	**767.72**		
FYTD for AIR CLEANING SYSTEMS INC.		**5,123.43**		
ALARCON SONS, INC			Remit to: **BALDWIN PARK CA**	
6/13/2011	208242	25.60		
			REFUND-BUS. LIC. OVERPAYMENT	25.60
	Vendor Total	**25.60**		
FYTD for ALARCON SONS, INC		**25.60**		

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ALICEA, RICHARD				Remit to: **MORENO VALLEY** **CA**	
	6/27/2011	208434	107.61		
				MILEAGE REIMBURSEMENT	107.61
	Vendor Total		**107.61**		
FYTD for ALICEA, RICHARD			**1,147.80**		
ALLEN, VICTOR				Remit to: **MORENO VALLEY** **CA**	
	6/20/2011	208296	200.00		
				REFUND-TWNGTE RENTAL DEPOSIT	200.00
	Vendor Total		**200.00**		
FYTD for ALLEN, VICTOR			**200.00**		
ALLIANCE BUS LINES INC				Remit to: **ONTARIO** **CA**	
	6/21/2011	208420	1,519.79		
				BUS SVCS-STARS PRGM CHEER COMP	1,519.79
	Vendor Total		**1,519.79**		
FYTD for ALLIANCE BUS LINES INC			**13,065.20**		
ALLIANZ LIFE INSURANCE CO				Remit to: **NEWARK** **NJ**	
	6/6/2011	208115	75.00		
				NON-EXEMPT ANNUITY	75.00
	Vendor Total		**75.00**		
FYTD for ALLIANZ LIFE INSURANCE CO			**900.00**		
ALVAREZ, THOMAS				Remit to: **MORENO VALLEY** **CA**	
	6/20/2011	208297	95.00		
				REFUND-RABIES & SN DEPOSIT	20.00
				REFUND-RABIES & SN DEPOSIT	75.00
	Vendor Total		**95.00**		
FYTD for ALVAREZ, THOMAS			**95.00**		
AMERICAN FORENSIC NURSES				Remit to: **PALM SPRINGS** **CA**	
	6/20/2011	882958	1,150.24		
				BLOOD DRAWS-PD	123.24
				BLOOD DRAWS-PD	1,027.00
	6/27/2011	883005	1,978.76		
				BLOOD DRAWS-PD	1,937.68
				BLOOD DRAWS-PD	41.08
	Vendor Total		**3,129.00**		
FYTD for AMERICAN FORENSIC NURSES			**37,068.54**		

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AMERICAN TOWERS				Remit to: **CHARLOTTE** **NC**	
	6/6/2011	208116	2,573.48		
				ATC TOWER LEASE-TECH SVCS	2,573.48
	Vendor Total		**2,573.48**		
FYTD for AMERICAN TOWERS			**23,161.32**		
ANIMAL EMERGENCY CLINIC, INC.				Remit to: **GRAND TERRACE** **CA**	
	6/20/2011	882959	165.00		
				EMERGENCY VET SVCS	55.00
				EMERGENCY VET SVCS	55.00
				EMERGENCY VET SVCS	55.00
	Vendor Total		**165.00**		
FYTD for ANIMAL EMERGENCY CLINIC, INC.			**2,630.00**		
ANIMAL PEST MANAGEMENT SERVICES, INC.				Remit to: **CHINO** **CA**	
	6/20/2011	208298	1,285.00		
				PEST CONTRAL SVCS-PARKS	255.00
				PEST CONTRAL SVCS-MARB/EQUESTR	330.00
				PEST CONTRAL SVCS-PAL	100.00
				BEE REMOVAL-PARKS	300.00
				BEE REMOVAL-PARKS	300.00
	6/27/2011	208435	1,105.00		
				PEST CNTRL SVCS-PARKS	665.00
				PEST CNTRL SVCS-CFD #1	160.00
				PEST CNTRL SVCS-GOLF CT	180.00
				PEST CNTRL SVCS-STARS	100.00
	Vendor Total		**2,390.00**		
FYTD for ANIMAL PEST MANAGEMENT SERVICES, INC.			**22,080.00**		
ARAMBUL, JUAN				Remit to: **NUEVO** **CA**	
	6/27/2011	208436	47.50		
				REFUND-CITATION FEE	47.50
	Vendor Total		**47.50**		
FYTD for ARAMBUL, JUAN			**47.50**		
ARCHIVE MANAGEMENT SERVICE				Remit to: **RIVERSIDE** **CA**	
	6/13/2011	882925	1,256.31		
				OFFSITE STORAGE SVCS-CITY CLRK	1,256.31
	Vendor Total		**1,256.31**		
FYTD for ARCHIVE MANAGEMENT SERVICE			**16,386.14**		

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ARMSTRONG, CHARIS				Remit to: **NUEVO** **CA**	
	6/6/2011	208117	75.00		
				REFUND- SN DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for ARMSTRONG, CHARIS			**75.00**		
ARROWHEAD WATER				Remit to: **COLTON** **CA**	
	6/6/2011	208118	25.00		
				WATER PURIF RNTL-STARS	25.00
	6/13/2011	208243	515.79		
				WATER PURIF RNTL-CITY HALL	125.01
				WATER PURIF RNTL-CITY YARD	25.00
				WATER PURIF RNTL-TRAFFIC TRLR	25.00
				WATER PURIF RNTL-LIBRARY	25.00
				WATER PURIF RNTL-ANIMAL SHLTR	50.01
				WATER PURIF RNTL-SENIOR CTR	25.00
				WATER PURIF RNTL-SPECIAL DIST.	25.00
				WATER PURIF RNTL-TS ANNEX	25.00
				WATER PURIF RNTL-FACIL. ANNEX	25.00
				WATER PURIF RNTL-CONF&REC CTR	25.00
				WATER PURIF RNTL-FIRE ST #6	25.00
				WATER PURIF RNTL-FIRE ST #48	25.00
				WATER PURIF RNTL-FIRE ST #2	25.00
				WATER PURIF RNTL-FIRE ST #58	15.77
				WATER PURIF RNTL-FIRE ST #91	25.00
				WATER PURIF RNTL-FIRE ST #65	25.00
	6/20/2011	208299	50.00		
				WATER PURIF RNTL-STARS	25.00
				WATER PURIF RNTL-EOC	25.00
	Vendor Total		**590.79**		
FYTD for ARROWHEAD WATER			**6,722.01**		
AT & T STATE CALLING SERVICE				Remit to: **CAROL STREAM** **IL**	
	6/27/2011	208437	0.04		
				PHONE CHARGES	0.04
	Vendor Total		**0.04**		
FYTD for AT & T STATE CALLING SERVICE			**7.91**		
AT&T/MCI				Remit to: **WEST SACRAMENTO** **CA**	
	6/6/2011	208119	183.10		
				COMMUNICATIONS SVCS	183.10
	Vendor Total		**183.10**		
FYTD for AT&T/MCI			**2,201.20**		

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AUGUST, MARGARET				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	208120	66.00		
				REFUND-VARIOUS A/C FEES	30.00
				REFUND-VARIOUS A/C FEES	10.00
				REFUND-VARIOUS A/C FEES	16.00
				REFUND-VARIOUS A/C FEES	10.00
	Vendor Total		**66.00**		
FYTD for AUGUST, MARGARET			**66.00**		
BACHER, GRACE				Remit to: **HEMET** **CA**	
	6/6/2011	208121	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for BACHER, GRACE			**3,745.98**		
BALANCIER, EARL				Remit to: **PERRIS** **CA**	
	6/20/2011	208300	722.00		
				INSTRUCTION SVCS-19 DAYS	722.00
	Vendor Total		**722.00**		
FYTD for BALANCIER, EARL			**3,306.00**		
BARNES, DARLENE				Remit to: **CHERRY VALLEY** **CA**	
	6/6/2011	882835	359.19		
				RETIREE MED APR-JUN '11, PD JU	359.19
	Vendor Total		**359.19**		
FYTD for BARNES, DARLENE			**1,625.47**		
BARNES, DULCE				Remit to: **MORENO VALLEY** **CA**	
	6/20/2011	208301	95.00		
				REFUND-RABIES & SN DEPOSIT	20.00
				REFUND-RABIES & SN DEPOSIT	75.00
	Vendor Total		**95.00**		
FYTD for BARNES, DULCE			**95.00**		
BARTUCCIO, ERICA				Remit to: **SAN JACINTO** **CA**	
	6/20/2011	208302	75.00		
				REFUND-SN DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for BARTUCCIO, ERICA			**75.00**		

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BASIC BACKFLOW				Remit to: **SAN BERNARDINO** **CA**	
	6/6/2011	882836	60.00		
				BACKFLOW TESTING-PARKS	16.74
				BACKFLOW TESTING-PARKS	43.26
	6/13/2011	882926	149.83		
				BACKFLOW TESTING-PARKS	149.83
	6/20/2011	882960	345.33		
				BACKFLOW TESTING-MORRISON PRK	345.33
	Vendor Total		**555.16**		
FYTD for BASIC BACKFLOW			**3,308.42**		
BEDOY, BEATRIZ				Remit to: **MONTEBELLO** **CA**	
	6/6/2011	208122	95.00		
				REFUND-VARIOUS A/C FEES	20.00
				REFUND-VARIOUS A/C FEES	75.00
	Vendor Total		**95.00**		
FYTD for BEDOY, BEATRIZ			**95.00**		
BEMIS, NIKKI				Remit to: **RIVERSIDE** **CA**	
	6/6/2011	208123	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for BEMIS, NIKKI			**20.00**		

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BEMUS LANDSCAPE, INC.			Remit to: **SAN CLEMENTE**	**CA**
6/13/2011	882927	4,957.56		
			LNDSCP MAINT-VETRNS MEMORIAL	250.00
			LNDSCP MAINT-FIRE STATIONS	3,150.00
			LNDSCP MAINT-CITY HALL	992.56
			LNDSCP MAINT-ANNEX BLDG 1	300.00
			REPLC DMGD TREE-IRIS/KITCHING	265.00
6/27/2011	883006	11,986.95		
			LANDSCAPE MAINT-E4	158.99
			LANDSCAPE MAINT-E4	114.75
			LANDSCAPE MAINT-E4	242.63
			LANDSCAPE MAINT-CITY YARD	250.00
			LANDSCAPE MAINT-ANML SHLTR	520.00
			LANDSCAPE MAINT-STARS BLDG	300.00
			LANDSCAPE MAINT-MV ELECT SUBST	630.00
			LANDSCAPE MAINT-MVU	480.00
			LANDSCAPE MAINT-LIBRARY	520.00
			LANDSCAPE MAINT-CONF & REC CTR	1,900.00
			LANDSCAPE MAINT-PSB	226.62
			LANDSCAPE MAINT-PSB	970.96
			LANDSCAPE MAINT-CFD #1	400.00
			LANDSCAPE MAINT-CFD #1	1,900.00
			LANDSCAPE MAINT-CFD #1	400.00
			LNDSCP MAINT-S AQDCT "B"	735.00
			LNDSCP MAINT-SENIOR CT	262.50
			LNDSCP MAINT-N AQDCT	525.00
			LNDSCP MAINT-S AQDCT "A"	850.50
			LNDSCP MAINT-PAN AM SECT	600.00
	Vendor Total	**16,944.51**		
FYTD for BEMUS LANDSCAPE, INC.		**577,144.70**		
BENESYST, INC.			Remit to: **MINNEAPOLIS**	**MN**
6/27/2011	883007	205.57		
			FLEX ADMIN SVCS-HR	205.57
6/30/2011	883041	205.00		
			COBRA ADMIN SVCS-HR	31.00
			COBRA ADMIN SVCS-HR	174.00
	Vendor Total	**410.57**		
FYTD for BENESYST, INC.		**6,549.27**		
BIO-TOX LABORATORIES			Remit to: **RIVERSIDE**	**CA**
6/6/2011	208124	11,821.58		
			TOXICOLOGY TESTING-PD	2,696.88
			TOXICOLOGY TESTING-PD	9,124.70
	Vendor Total	**11,821.58**		
FYTD for BIO-TOX LABORATORIES		**79,896.61**		

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BISHOP COMPANY				Remit to: **WHITTIER** **CA**	
	6/6/2011	208125	57.70		
				MISC TOOLS-PARKS	57.70
	Vendor Total		**57.70**		
FYTD for BISHOP COMPANY			**829.69**		
BLACK, CHRISTINA				Remit to: **MONTEBELLO** **CA**	
	6/6/2011	208126	65.00		
				REFUND-BLS HEALTHCARE CLASS	65.00
	Vendor Total		**65.00**		
FYTD for BLACK, CHRISTINA			**65.00**		
BOBO II, FELIX				Remit to: **MORENO VALLEY** **CA**	
	6/20/2011	208303	69.36		
				MILEAGE REIMBURSEMENT	69.36
	Vendor Total		**69.36**		
FYTD for BOBO II, FELIX			**1,270.93**		
BOSE, TIFFANY				Remit to: **CORONA** **CA**	
	6/13/2011	208244	32.64		
				MILEAGE REIMBURSEMENT	32.64
	Vendor Total		**32.64**		
FYTD for BOSE, TIFFANY			**351.39**		
BOWLUS PACIFIC				Remit to: **RIVERSIDE** **CA**	
	6/6/2011	208127	607.00		
				REFUND-PLANNING FEES	607.00
	Vendor Total		**607.00**		
FYTD for BOWLUS PACIFIC			**607.00**		
BRAUN BLAISING MCLAUGHLIN				Remit to: **SACRAMENTO** **CA**	
	6/6/2011	208128	386.00		
				LEGAL SERVICES-UT	386.00
	Vendor Total		**386.00**		
FYTD for BRAUN BLAISING MCLAUGHLIN			**386.00**		
BRAY, JR., LYLE DEAN				Remit to: **CORONA** **CA**	
	6/20/2011	208304	646.00		
				INSTRUCTION SVCS-17 DAYS	646.00
	Vendor Total		**646.00**		
FYTD for BRAY, JR., LYLE DEAN			**2,470.00**		

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BRODART CO.				Remit to: **WILLIAMSPORT** **PA**	
	6/27/2011	883008	3,466.88		
				MISC BOOKS-LIBRARY	29.37
				MISC BOOKS-LIBRARY	23.85
				MISC BOOKS-LIBRARY	49.29
				MISC BOOKS-LIBRARY	97.04
				MISC BOOKS-LIBRARY	372.48
				MISC BOOKS-LIBRARY	32.14
				MISC BOOKS-LIBRARY	488.87
				MISC BOOKS-LIBRARY	21.38
				MISC BOOKS-LIBRARY	20.79
				MISC BOOKS-LIBRARY	28.93
				MISC BOOKS-LIBRARY	112.91
				MISC BOOKS-LIBRARY	20.79
				MISC BOOKS-LIBRARY	22.59
				MISC BOOKS-LIBRARY	27.55
				MISC BOOKS-LIBRARY	23.17
				MISC BOOKS-LIBRARY	20.79
				MISC BOOKS-LIBRARY	188.15
				MISC BOOKS-LIBRARY	75.22
				MISC BOOKS-LIBRARY	491.81
				MISC BOOKS-LIBRARY	122.49
				MISC BOOKS-LIBRARY	38.65
				MISC BOOKS-LIBRARY	34.03
				MISC BOOKS-LIBRARY	41.95
				MISC BOOKS-LIBRARY	83.84
				MISC BOOKS-LIBRARY	101.87
				MISC BOOKS-LIBRARY	23.78
				MISC BOOKS-LIBRARY	62.55
				MISC BOOKS-LIBRARY	75.82
				MISC BOOKS-LIBRARY	22.59
				MISC BOOKS-LIBRARY	60.75
				MISC BOOKS-LIBRARY	38.61
				MISC BOOKS-LIBRARY	24.40
				MISC BOOKS-LIBRARY	21.38
				MISC BOOKS-LIBRARY	78.12
				MISC BOOKS-LIBRARY	88.73
				MISC BOOKS-LIBRARY	151.47
				MISC BOOKS-LIBRARY	36.48
				MISC BOOKS-LIBRARY	69.32
				MISC BOOKS-LIBRARY	120.36
				MISC BOOKS-LIBRARY	22.57
	Vendor Total		**3,466.88**		
FYTD for BRODART CO.			**45,433.76**		
BUCKINGHAM, STAN				Remit to: **TEMECULA** **CA**	
	6/6/2011	208129	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for BUCKINGHAM, STAN			**3,824.76**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
BURCIAGA-LOPEZ, ROSSY			Remit to: **MORENO VALLEY** **CA**	
6/27/2011	208438	8.95		
			REFUND-LOST BOOK FEE	8.95
Vendor Total		**8.95**		
FYTD for BURCIAGA-LOPEZ, ROSSY		**8.95**		
BURKE, WILLIAMS & SORENSEN, LLP.			Remit to: **LOS ANGELES** **CA**	
6/6/2011	882837	21,399.60		
			LEGAL SERVICES-HR	1,818.10
			LEGAL SERVICES-HR	19,581.50
6/27/2011	883009	100.00		
			GEN SPECIAL COUNSEL SVCS	100.00
Vendor Total		**21,499.60**		
FYTD for BURKE, WILLIAMS & SORENSEN, LLP.		**106,302.40**		
BWI - BOOK WHOLESALERS, INC.			Remit to: **MCHENRY** **IL**	
6/27/2011	208439	3,963.42		
			MISC BOOKS-LIBRARY	258.00
			MISC BOOKS-LIBRARY	254.49
			MISC BOOKS-LIBRARY	1,820.41
			MISC BOOKS-LIBRARY	721.05
			MISC BOOKS-LIBRARY	57.80
			MISC BOOKS-LIBRARY	851.67
Vendor Total		**3,963.42**		
FYTD for BWI - BOOK WHOLESALERS, INC.		**24,480.37**		
CA CONSTRUCTION AND FLOOR TECH AMERICA,			Remit to:	
6/6/2011	208130	1,883.00		
			RETENT/STOP NOTICE PYMT-PSB PR	1,883.00
Vendor Total		**1,883.00**		
FYTD for CA CONSTRUCTION AND FLOOR TECH AMERICA,		**1,883.00**		
CA CONSTRUCTION AND GLOBAL SPECIALTIES			Remit to:	
6/6/2011	208131	968.40		
			RETENT/STOP NOTICE PYMT-PSB PR	968.40
Vendor Total		**968.40**		
FYTD for CA CONSTRUCTION AND GLOBAL SPECIALTIES		**968.40**		
CA CONSTRUCTION AND MURRAY MECHANICAL			Remit to:	
6/6/2011	208132	4,531.84		
			RETENT/STOP NOTICE PYMT-PSB PR	4,531.84
Vendor Total		**4,531.84**		
FYTD for CA CONSTRUCTION AND MURRAY MECHANICAL		**4,531.84**		

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CA CONSTRUCTION AND RGB			Remit to:	
6/6/2011	208133	1,982.60		
			RETENT/STOP NOTICE PYMT-PSB PR	1,982.60
Vendor Total		**1,982.60**		
FYTD for CA CONSTRUCTION AND RGB		**1,982.60**		
CA CONSTRUCTION AND TANDEM WEST GLASS,			Remit to:	
6/6/2011	208134	3,480.00		
			RETENT/STOP NOTICE PYMT-PSB PR	3,480.00
Vendor Total		**3,480.00**		
FYTD for CA CONSTRUCTION AND TANDEM WEST GLASS,		**3,480.00**		
CA DEPT OF FORESTRY & PROTECTION			Remit to: **YUCAIPA** **CA**	
6/13/2011	208245	3,705.19		
			MATERIALS FOR LOCKERS AT FS#48	3,705.19
Vendor Total		**3,705.19**		
FYTD for CA DEPT OF FORESTRY & PROTECTION		**3,705.19**		
CAIN, GREGORY			Remit to: **TAMPA** **FL**	
6/6/2011	882838	318.73		
			RETIREE MED JUN '11	318.73
Vendor Total		**318.73**		
FYTD for CAIN, GREGORY		**3,824.76**		
CALIFORNIA STATE CONTROLLER'S OFFICE			Remit to: **SACRAMENTO** **CA**	
6/7/2011	208238	2,278.08		
			UNCLAIMED VENDOR CHECKS	717.75
			UNCLAIMED VENDOR CHECKS	1,594.33
			UNCLAIMED VENDOR CHECKS	-34.00
Vendor Total		**2,278.08**		
FYTD for CALIFORNIA STATE CONTROLLER'S OFFICE		**2,285.72**		
CALIFORNIA TRANSCRIPTION, LLC			Remit to: **RIVERSIDE** **CA**	
6/27/2011	883010	130.01		
			TRANSCRIPTION SVCS-CDD	130.01
Vendor Total		**130.01**		
FYTD for CALIFORNIA TRANSCRIPTION, LLC		**772.58**		
CALIFORNIA WATERSHED ENGINEERING CORP.			Remit to: **ANAHEIM** **CA**	
6/6/2011	882839	4,773.00		
			CONSULTING SVCS-NPDES	4,773.00
Vendor Total		**4,773.00**		
FYTD for CALIFORNIA WATERSHED ENGINEERING CORP.		**16,907.00**		

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CAMACHO, FELIX				Remit to: **MORENO VALLEY** **CA**	
	6/13/2011	208246	4,819.00		
				REFUND-TRUST FUND DEPOSIT	4,819.00
	Vendor Total		**4,819.00**		
FYTD for CAMACHO, FELIX			**4,819.00**		
CANNON, ANA M.				Remit to: **HASLET** **TX**	
	6/6/2011	882840	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for CANNON, ANA M.			**3,650.21**		
CANON BUSINESS SOLUTIONS, INC.				Remit to: **BURLINGTON** **NJ**	
	6/20/2011	882962	2,002.20		
				COPIER SERVICE-STARS	2,002.20
	Vendor Total		**2,002.20**		
FYTD for CANON BUSINESS SOLUTIONS, INC.			**37,505.95**		
CANON FINANCIAL SERVICES, INC.				Remit to: **CHICAGO** **IL**	
	6/20/2011	208305	7,590.68		
				COPIER LEASE	7,059.29
				COPIER LEASE	531.39
	Vendor Total		**7,590.68**		
FYTD for CANON FINANCIAL SERVICES, INC.			**91,088.16**		
CARRERA, EFRAIN				Remit to: **PERRIS** **CA**	
	6/6/2011	208135	646.00		
				INSTRUCTION SVCS-17 DAYS	646.00
	6/20/2011	208306	722.00		
				INSTRUCTION SVCS-19 DAYS	722.00
	Vendor Total		**1,368.00**		
FYTD for CARRERA, EFRAIN			**2,014.00**		
CARTER, ROSALYN				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	882841	318.73		
				RETIREE MED MAY '11, PD JUN '1	318.73
	Vendor Total		**318.73**		
FYTD for CARTER, ROSALYN			**3,918.83**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
CELLEBRITE USA, CORP				Remit to: **GLEN ROCK** **NJ**	
	6/21/2011	208421	9,072.00		
				UNIV FORENSIC EXTRACT. DEVICE	6,999.00
				UFED SOFTWARE UPGRADES	1,998.00
				SHIPPING & HANDLING	75.00
				CA USE TAX	612.41
				CA USE TAX ACCRUAL	-612.41
	Vendor Total		**9,072.00**		
FYTD for CELLEBRITE USA, CORP			**18,144.00**		
CEMEX				Remit to: **ONTARIO** **CA**	
	6/6/2011	208136	745.03		
				CEMENT PURCHASE	376.32
				CEMENT PURCHASE	368.71
	6/20/2011	208307	1,092.42		
				CEMENT PURCHASE	301.35
				CEMENT PURCHASE	320.18
				CEMENT PURCHASE	470.89
	Vendor Total		**1,837.45**		
FYTD for CEMEX			**10,873.04**		
CENTRAL OCCUPATIONAL MEDICINE PROVIDERS				Remit to: **RIVERSIDE** **CA**	
	6/6/2011	208137	360.00		
				PRE-EMPLOYMENT PHYSICALS	45.00
				PRE-EMPLOYMENT PHYSICALS	25.00
				PRE-EMPLOYMENT PHYSICALS	55.00
				PRE-EMPLOYMENT PHYSICALS	55.00
				PRE-EMPLOYMENT PHYSICALS	70.00
				PRE-EMPLOYMENT PHYSICALS	55.00
				PRE-EMPLOYMENT PHYSICALS	55.00
	Vendor Total		**360.00**		
FYTD for CENTRAL OCCUPATIONAL MEDICINE PROVIDERS			**13,575.00**		
CERTIFIED CREDIT REPORTING, INC				Remit to: **CORONA** **CA**	
	6/20/2011	208308	18.96		
				CREDIT PROFILE SERVICES	18.96
	Vendor Total		**18.96**		
FYTD for CERTIFIED CREDIT REPORTING, INC			**83.84**		
CHAN, PAULINE				Remit to: **LAKE ELSINORE** **CA**	
	6/6/2011	208138	95.00		
				REFUND-RABIES & SN DEPOSIT	20.00
				REFUND-RABIES & SN DEPOSIT	75.00
	Vendor Total		**95.00**		
FYTD for CHAN, PAULINE			**95.00**		

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CHANDLER ASSET MANAGEMENT, INC				Remit to: **SAN DIEGO** **CA**	
	6/20/2011	882963	8,918.00		
				INVESTMENT MGT SVCS	8,918.00
	Vendor Total		**8,918.00**		
FYTD for CHANDLER ASSET MANAGEMENT, INC			**105,917.00**		
CHAPMAN, STEVE				Remit to: **REDLANDS** **CA**	
	6/6/2011	208139	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for CHAPMAN, STEVE			**3,824.76**		
CHAPPELL, ISAAC				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	882842	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for CHAPPELL, ISAAC			**3,824.76**		
CHERRY VALLEY FEED				Remit to: **CHERRY VALLEY** **CA**	
	6/27/2011	208440	117.43		
				FOOD FOR PD K9	117.43
	Vendor Total		**117.43**		
FYTD for CHERRY VALLEY FEED			**1,208.54**		
CHRISTIAN, OWEN				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	882843	229.88		
				RETIREE MED JUN '11	229.88
	Vendor Total		**229.88**		
FYTD for CHRISTIAN, OWEN			**2,546.46**		

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
CINTAS CORPORATION			Remit to: **ONTARIO**	**CA**
6/6/2011	882844	155.57		
			UNIFORM RNTL SVC-GOLF COURSE	5.56
			UNIFORM RNTL SVC-TRFFC SGNL MA	16.42
			UNIFORM RNTL SVC-SIGNING STAFF	16.19
			UNIFORM RNTL SVC-GRAFFITI RMVL	9.18
			UNIFORM RNTL SVC-EQUIP MAINT	24.10
			UNIFORM RNTL SVC-TREE MAINT	9.18
			UNIFORM RNTL SVC-ST SWEEPER	6.92
			UNIFORM RNTL SVC-DRAIN MAINT	3.46
			UNIFORM RNTL SVC-ST MAINT	18.60
			UNIFORM RNTL SVC-ST MAINT	36.38
			UNIFORM RNTL SVC-CONC MAINT	9.58
6/13/2011	882928	253.14		
			UNIFORM RNTL SVC-FAC MAINT	15.50
			UNIFORM RNTL SVC-FAC MAINT	12.40
			UNIFORM RNTL SVC-FAC MAINT	12.40
			UNIFORM RNTL SVC-PARKS STAFF	50.19
			UNIFORM RNTL SVC-TRF SIG MAINT	12.82
			UNIFORM RNTL SVC-SIGN/STRIPING	16.19
			UNIFORM RNTL SVC-GRAFFITI RMVL	9.18
			UNIFORM RNTL SVC-EQUIP MAINT	24.10
			UNIFORM RNTL SVC-TREE MAINT	9.18
			UNIFORM RNTL SVC-CFD #1 STAFF	13.74
			UNIFORM RNTL SVC-ST SWEEPER OP	6.92
			UNIFORM RNTL SVC-DRAIN MAINT	3.46
			UNIFORM RNTL SVC-ST MAINT CREW	51.92
			UNIFORM RNTL SVC-CONCRETE CREW	9.58
			UNIFORM RNTL SVC-GOLF COURSE	5.56
6/20/2011	882964	347.33		
			UNIFORM RNTL SVC-PURCHASING	3.92
			UNIFORM RNTL SVC-PURCHASING	3.92
			UNIFORM RNTL SVC-PURCHASING	3.92
			UNIFORM RNTL SVC-PURCHASING	3.92
			UNIFORM RNTL SVC-PARKS	85.38
			UNIFORM RNTL SVC-PARKS	52.98
			UNIFORM RNTL SVC-TRFFC SGNL	12.82
			UNIFORM RNTL SVC-SIGNING STAFF	16.19
			UNIFORM RNTL SVC-GRAFFITI RMVL	9.18
			UNIFORM RNTL SVC-EQUIP MAINT	26.10
			UNIFORM RNTL SVC-TREE MAINT	9.18
			UNIFORM RNTL SVC-CFD #1	13.74
			UNIFORM RNTL SVC-CFD #1	13.74
			UNIFORM RNTL SVC-ST SWEEPER	6.92
			UNIFORM RNTL SVC-DRAIN MAINT	3.46
			UNIFORM RNTL SVC-ST MAINT	48.86
			UNIFORM RNTL SVC-CONC MAINT	9.58
			UNIFORM RNTL SVC-GOLF COURSE	5.56
			UNIFORM RNTL SVC-GOLF COURSE	5.56
			UNIFORM RNTL SVC-FACILITIES	12.40
6/27/2011	883011	375.09		
			UNIFORM RNTL SVC-GRAFFITI RMVL	9.18
			UNIFORM RNTL SVC-GRAFFITI RMVL	9.18

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
			UNIFORM RNTL SVC-EQUIP MAINT	26.10
			UNIFORM RNTL SVC-EQUIP MAINT	26.10
			UNIFORM RNTL SVC-TREE MAINT	9.18
			UNIFORM RNTL SVC-TREE MAINT	9.18
			UNIFORM RNTL SVC-ST SWEEPER	6.92
			UNIFORM RNTL SVC-ST SWEEPER	6.92
			UNIFORM RNTL SVC-DRAIN MAINT	3.46
			UNIFORM RNTL SVC-DRAIN MAINT	3.46
			UNIFORM RNTL SVC-CONC MAINT	10.18
			UNIFORM RNTL SVC-CONC MAINT	9.58
			UNIFORM RNTL SVC-TRFFC SGNL	12.82
			UNIFORM RNTL SVC-SIGNING STAFF	16.19
			UNIFORM RNTL SVC-ST MAINT	48.86
			UNIFORM RNTL SVC-ST MAINT	48.86
			UNIFORM RNTL SVC-PARKS	52.98
			UNIFORM RNTL SVC-PURCHASING	3.92
			UNIFORM RNTL SVC-PURCHASING	3.92
			UNIFORM RNTL SVC-TRFFC SGNL	12.82
			UNIFORM RNTL SVC-SIGNING STAFF	16.19
			UNIFORM RNTL SVC-CFD #1	11.13
			UNIFORM RNTL SVC-FACILITIES	12.40
			UNIFORM RNTL SVC-GOLF COURSE	5.56
	Vendor Total	**1,131.13**		
FYTD for CINTAS CORPORATION		**12,467.07**		

CITY OF MORENO VALLEY VEBA TRUST — Remit to: **MORENO VALLEY** **CA**

6/6/2011	882845	4,200.00		
			EXEMPT VEBA	4,200.00
	Vendor Total	**4,200.00**		
FYTD for CITY OF MORENO VALLEY VEBA TRUST		**49,662.50**		

CLAMMER, JOYCE — Remit to: **LAKEWOOD** **CA**

6/20/2011	208309	20.00		
			REFUND-RABIES DEPOSIT	20.00
	Vendor Total	**20.00**		
FYTD for CLAMMER, JOYCE		**20.00**		

CLONINGER, JASON — Remit to: **MORENO VALLEY** **CA**

6/20/2011	208310	59.52		
			REFUND-PARKS CLASS REGIS FEE	59.52
	Vendor Total	**59.52**		
FYTD for CLONINGER, JASON		**59.52**		

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COAST FITNESS REPAIR SHOP			Remit to: **RIVERSIDE** **CA**	
6/6/2011	208140	284.33		
			REPAIR WEIGHT MACH-SENIOR CTR	120.00
			REPAIR WEIGHT MACH-SENIOR CTR	60.00
			REPAIR WEIGHT MACH-SENIOR CTR	18.00
			REPAIR WEIGHT MACH-SENIOR CTR	69.00
			REPAIR WEIGHT MACH-SENIOR CTR	17.33
	Vendor Total	**284.33**		
FYTD for COAST FITNESS REPAIR SHOP		**379.33**		
COAST TO COAST LASER			Remit to: **MURRIETA** **CA**	
6/27/2011	208441	32.63		
			LONGEVITY AWARD-O. RODRIGUEZ	32.63
	Vendor Total	**32.63**		
FYTD for COAST TO COAST LASER		**65.26**		
COASTLINE CONSTRUCTION & AWNING CO.			Remit to: **HUNTINGTON BEACH** **CA**	
6/20/2011	208311	1,459.09		
			CONSTR OF STEPS-PERRIS BL PROJ	1,459.09
	Vendor Total	**1,459.09**		
FYTD for COASTLINE CONSTRUCTION & AWNING CO.		**31,027.74**		
COHENS, BEVERLY			Remit to: **MORENO VALLEY** **CA**	
6/20/2011	208312	39.00		
			REFUND-PARKS CLASS REGIS FEE	39.00
	Vendor Total	**39.00**		
FYTD for COHENS, BEVERLY		**39.00**		
COLGAN CONSULTING CORPORATION			Remit to: **SACRAMENTO** **CA**	
6/6/2011	208141	2,956.45		
			CONSULTING SVCS-PW LAND DV	2,956.45
	Vendor Total	**2,956.45**		
FYTD for COLGAN CONSULTING CORPORATION		**2,956.45**		
COLONIAL SUPPLEMENTAL INSURANCE			Remit to: **COLUMBIA** **SC**	
6/6/2011	208142	7,079.44		
			SUPPLEMENTAL INSURANCE	7,079.44
	Vendor Total	**7,079.44**		
FYTD for COLONIAL SUPPLEMENTAL INSURANCE		**84,878.79**		

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COMMUNITY HEALTH CHARITIES			Remit to: **ANAHEIM** **CA**	
6/6/2011	208143	183.81		
			CHC CONTRIBUTIONS	183.81
6/20/2011	208313	178.81		
			CHC CONTRIBUTIONS	178.81
	Vendor Total	**362.62**		
FYTD for COMMUNITY HEALTH CHARITIES		**6,543.80**		
CONEJO, LEONARDO			Remit to: **MORENO VALLEY** **CA**	
6/20/2011	208314	75.00		
			REFUND-SN DEPOSIT	75.00
	Vendor Total	**75.00**		
FYTD for CONEJO, LEONARDO		**75.00**		
CONTINENTAL WESTERN TRANSPORTATION			Remit to: **SAN DIEGO** **CA**	
6/6/2011	208145	2,908.90		
			ASPHALTIC MATERIALS	2,908.90
6/13/2011	208247	2,886.29		
			ASPHALTIC MATERIALS	2,886.29
	Vendor Total	**5,795.19**		
FYTD for CONTINENTAL WESTERN TRANSPORTATION		**21,009.44**		
CONTRERAS, BIANCA			Remit to: **MORENO VALLEY** **CA**	
6/20/2011	208315	35.00		
			SPORTS OFFICIATING SVCS	35.00
	Vendor Total	**35.00**		
FYTD for CONTRERAS, BIANCA		**420.00**		
CONTRERAS, JOSE			Remit to: **MORENO VALLEY** **CA**	
6/20/2011	208316	87.50		
			SPORTS OFFICIATING SVCS	35.00
			SPORTS OFFICIATING SVCS	17.50
			SPORTS OFFICIATING SVCS	35.00
	Vendor Total	**87.50**		
FYTD for CONTRERAS, JOSE		**947.50**		
CONVERT-A-DOC			Remit to: **MURRIETA** **CA**	
6/13/2011	208248	818.32		
			SCANNING SERVICES-LAND DEV	818.32
	Vendor Total	**818.32**		
FYTD for CONVERT-A-DOC		**5,472.70**		

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COPELAND, PATRICIA				Remit to: **MORENO VALLEY CA**	
	6/20/2011	208317	50.00		
				REFUND-TRAP RENTAL DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for COPELAND, PATRICIA			**50.00**		
COSEY JR., JAMES				Remit to: **MORENO VALLEY CA**	
	6/27/2011	208442	297.00		
				INSTRUCTOR SVCS-KEMPO CLASSES	132.00
				INSTRUCTOR SVCS-KEMPO CLASSES	165.00
	Vendor Total		**297.00**		
FYTD for COSEY JR., JAMES			**813.00**		
COSTCO				Remit to: **MORENO VALLEY CA**	
	6/6/2011	208146	28.41		
				MISC SUPPLIES-STARS	28.41
	6/13/2011	208249	1,124.37		
				MISC SUPPLIES-STARS	82.18
				MISC SUPPLIES-STARS	191.10
				MISC SUPPLIES-STARS	48.30
				MISC SUPPLIES-STARS	119.63
				MISC SUPPLIES-SKATE PARK	683.16
	6/20/2011	208318	3,935.34		
				MISC SUPPLIES-CHILDS PLC	892.15
				MISC SUPPLIES-CHILDS PLC	879.91
				MISC SUPPLIES-CHILDS PLC	1,082.97
				MISC SUPPLIES-STARS	324.02
				MISC SUPPLIES-STARS	18.05
				MISC SUPPLIES-STARS	534.66
				MISC SUPPLIES-STARS	68.46
				MISC SUPPLIES-STARS	135.12
	6/27/2011	208443	289.10		
				MISC SUPPLIES-STARS	80.53
				MISC SUPPLIES-STARS	61.37
				MISC SUPPLIES-STARS	94.02
				MISC SUPPLIES-STARS	53.18
	Vendor Total		**5,377.22**		
FYTD for COSTCO			**56,488.26**		
COUNSELING TEAM, THE				Remit to: **SAN BERNARDINO CA**	
	6/27/2011	208444	1,250.00		
				EMP COUNSELING SRVCS	1,250.00
	Vendor Total		**1,250.00**		
FYTD for COUNSELING TEAM, THE			**17,500.00**		

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COUNTRY SQUIRE ESTATES			Remit to: **ONTARIO** **CA**	
6/6/2011	208147	65.58		
			REFUND-UUT USER TAXES	65.58
Vendor Total		**65.58**		
FYTD for COUNTRY SQUIRE ESTATES		**816.96**		
COUNTY OF RIVERSIDE - RMAP			Remit to: **RIVERSIDE** **CA**	
6/13/2011	208250	42.70		
			RECORDATION REQUESTS-LAND DEV	42.70
Vendor Total		**42.70**		
FYTD for COUNTY OF RIVERSIDE - RMAP		**532.95**		
COVENTRY PET RESORT			Remit to: **REDLANDS** **CA**	
6/6/2011	882846	110.31		
			PD K-9 FOOD	101.43
			PD K-9 FOOD	8.88
Vendor Total		**110.31**		
FYTD for COVENTRY PET RESORT		**993.40**		
CTY OF RIV DEPT OF ENVIRONMENTAL HEALTH			Remit to: **RIVERSIDE** **CA**	
6/6/2011	208148	871.00		
			HEALTH PERMIT-CONF & REC CTR	871.00
Vendor Total		**871.00**		
FYTD for CTY OF RIV DEPT OF ENVIRONMENTAL HEALTH		**26,404.08**		
D & D SERVICES DBA D & D DISPOSAL, INC.			Remit to: **VALENCIA** **CA**	
6/20/2011	208320	745.00		
			DISPOSAL SVCS-ANML SHLTR	745.00
Vendor Total		**745.00**		
FYTD for D & D SERVICES DBA D & D DISPOSAL, INC.		**10,940.00**		
D H TAD LOWREY & GAYLE A LOWREY			Remit to: **PASADENA** **CA**	
6/6/2011	882847	2,400.82		
			BOND HOLDER PAYMENT	1,786.19
			BOND HOLDER PAYMENT	614.63
Vendor Total		**2,400.82**		
FYTD for D H TAD LOWREY & GAYLE A LOWREY		**3,408.82**		
DACOLIAS, RAYMOND			Remit to: **SAN JACINTO** **CA**	
6/20/2011	208321	190.00		
			INSTRUCTION SVCS-5 DAYS	190.00
Vendor Total		**190.00**		
FYTD for DACOLIAS, RAYMOND		**1,748.00**		

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DAILY JOURNAL CORPORATION			Remit to: **LOS ANGELES** **CA**	
6/6/2011	208149	784.08		
			RENEWAL SUBSCRIPTION-12 MOS.	784.08
Vendor Total		**784.08**		
FYTD for DAILY JOURNAL CORPORATION		**784.08**		
DALE, KATHLEEN			Remit to: **MORENO VALLEY** **CA**	
6/6/2011	882848	318.73		
			RETIREE MED JUN '11	318.73
Vendor Total		**318.73**		
FYTD for DALE, KATHLEEN		**3,805.92**		
DATA TICKET, INC.			Remit to: **NEWPORT BEACH** **CA**	
6/6/2011	882849	4,861.50		
			CITATION PRCSSNG-PD	3,518.35
			CITATION PRCSSNG-ANML SVCS	595.55
			CITATION PRCSSNG-BLDG/SFTY	747.60
6/13/2011	882929	105.00		
			PARKING CODE APP-TECH SVCS	105.00
Vendor Total		**4,966.50**		
FYTD for DATA TICKET, INC.		**246,852.12**		
DATAQUICK CORPORATE HEADQUARTERS			Remit to: **SAN DIEGO** **CA**	
6/27/2011	208445	130.50		
			ONLINE SUBSCRIPTION-PD	130.50
Vendor Total		**130.50**		
FYTD for DATAQUICK CORPORATE HEADQUARTERS		**1,566.00**		
DE LA CRUZ, JAZMINE			Remit to: **MONTEBELLO** **CA**	
6/6/2011	208150	65.00		
			REFUND-BLS HEALTHCARE CLASS	65.00
Vendor Total		**65.00**		
FYTD for DE LA CRUZ, JAZMINE		**65.00**		
DEFINITIVE FINANCIAL SOLUTIONS, LLC			Remit to: **PARIS** **MO**	
6/13/2011	208251	1,800.00		
			CONSULTING SVCS-TECH SVCS	1,800.00
Vendor Total		**1,800.00**		
FYTD for DEFINITIVE FINANCIAL SOLUTIONS, LLC		**6,675.00**		

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DELTA DENTAL				Remit to: **SAN FRANCISCO** **CA**	
	6/13/2011	208252	12,027.29		
				EMPLOYEE DENTAL INSURANCE	12,027.29
	Vendor Total		**12,027.29**		
FYTD for DELTA DENTAL			**139,895.34**		
DENNIS GRUBB & ASSOCIATES, LLC				Remit to: **MIRA LOMA** **CA**	
	6/27/2011	883012	4,315.00		
				PLAN REVIEW SVCS-FIRE PREV	780.00
				PLAN REVIEW SVCS-FIRE PREV	3,275.00
				PLAN REVIEW SVCS-FIRE PREV	260.00
	Vendor Total		**4,315.00**		
FYTD for DENNIS GRUBB & ASSOCIATES, LLC			**108,230.00**		
DIVISION OF LABOR STANDARDS ENFORCMENT				Remit to: **LONG BEACH** **CA**	
	6/21/2011	208422	5,568.75		
				CWPA PYMT-EMERG OPS CTR PROJ	5,568.75
	Vendor Total		**5,568.75**		
FYTD for DIVISION OF LABOR STANDARDS ENFORCMENT			**53,540.14**		
DLS LANDSCAPE, INC				Remit to: **REDLANDS** **CA**	
	6/27/2011	883013	12,390.00		
				LANDSCAPE MAINT-CFD #1	2,160.00
				LANDSCAPE MAINT-ZONE A	10,230.00
	Vendor Total		**12,390.00**		
FYTD for DLS LANDSCAPE, INC			**148,680.00**		
DMV				Remit to: **SACRAMENTO** **CA**	
	6/13/2011	208253	104.00		
				RENEWAL REGISTRATION	52.00
				RENEWAL REGISTRATION	52.00
	Vendor Total		**104.00**		
FYTD for DMV			**104.00**		
DORIS GRAVITTE				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	208151	73.00		
				REFUND-BUS. LIC. OVERPAYMENT	57.00
				REFUND-BUS. LIC. OVERPAYMENT	16.00
	Vendor Total		**73.00**		
FYTD for DORIS GRAVITTE			**73.00**		

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	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
DORY, ALLEEN F.				Remit to: **HEMET** **CA**	
	6/6/2011	208152	229.88		
				RETIREE MED JUN '11	229.88
	Vendor Total		**229.88**		
FYTD for DORY, ALLEEN F.			**3,540.96**		
DTSC-DEPT OF TOXIC SUBSTANCES CONTROL				Remit to: **SACRAMENTO** **CA**	
	6/20/2011	208322	15.00		
				2010 MANIFEST FEES-FIRE ST #6	15.00
	Vendor Total		**15.00**		
FYTD for DTSC-DEPT OF TOXIC SUBSTANCES CONTROL			**115.00**		
DUNN, LAURA ISABEL GARCIA				Remit to: **MORENO VALLEY** **CA**	
	6/20/2011	882965	304.00		
				INSTRUCTION SVCS-8 DAYS	304.00
	Vendor Total		**304.00**		
FYTD for DUNN, LAURA ISABEL GARCIA			**1,748.00**		
DURAN, BLANCA				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	208153	252.00		
				INSTRUCTOR SVCS-FOLKLORIC DANC	252.00
	Vendor Total		**252.00**		
FYTD for DURAN, BLANCA			**3,003.00**		
DYE, COLUMBUS				Remit to: **MORENO VALLEY** **CA**	
	6/13/2011	208254	444.23		
				REFUND-A/C CITATION CHRGS	444.23
	Vendor Total		**444.23**		
FYTD for DYE, COLUMBUS			**444.23**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
EASTERN MUNICIPAL WATER DISTRICT			Remit to: **PERRIS**	**CA**
6/6/2011	208154	12,942.57		
			WATER CHARGES	269.72
			WATER CHARGES	6,541.37
			WATER CHARGES	354.84
			WATER CHARGES	2,034.55
			WATER CHARGES	607.12
			WATER CHARGES	2,958.60
			WATER CHARGES	176.37
6/20/2011	208323	0.00		
			WATER CHARGES-SUBSTATION	109.70
			WATER CHARGES	1,512.76
			WATER CHARGES	215.89
			WATER CHARGES	886.93
			WATER CHARGES	3,295.26
			WATER CHARGES	39.60
			WATER CHARGES	731.92
			WATER CHARGES	3,405.73
			WATER CHARGES	112.11
			WATER CHARGES	20,226.01
			WATER CHARGES	1,914.50
			WATER CHARGES	10,318.64
			WATER CHARGES	6,429.68
			WATER CHARGES	4,365.06
			WATER CHARGES	8,640.00
			WATER CHARGES	4,553.69
			WATER CHARGES	2,441.82
			WATER CHARGES	51.73
			WATER CHARGES	1,462.00
			WATER CHARGES	3,118.14
			WATER CHARGES	867.38
			WATER CHARGES	246.46
			WATER CHARGES	525.26
			WATER CHARGES	402.73
			WATER CHARGES	316.75
			WATER CHARGES	254.04
			WATER CHARGES	282.11
			WATER CHARGES	359.58
			WATER CHARGES	83.22
			WATER CHARGES	246.06
			WATER CHARGES	109.66
			WATER CHARGES	2,168.37
			WATER CHARGES	887.14
			VOIDED CHECK #208323 - 6/21/11	-109.70
			VOIDED CHECK #208323 - 6/21/11	-1,512.76
			VOIDED CHECK #208323 - 6/21/11	-215.89
			VOIDED CHECK #208323 - 6/21/11	-886.93
			VOIDED CHECK #208323 - 6/21/11	-3,295.26
			VOIDED CHECK #208323 - 6/21/11	-39.60
			VOIDED CHECK #208323 - 6/21/11	-731.92
			VOIDED CHECK #208323 - 6/21/11	-3,405.73
			VOIDED CHECK #208323 - 6/21/11	-112.11
			VOIDED CHECK #208323 - 6/21/11	-20,226.01
			VOIDED CHECK #208323 - 6/21/11	-1,914.50

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
			VOIDED CHECK #208323 - 6/21/11	-10,318.64
			VOIDED CHECK #208323 - 6/21/11	-6,429.68
			VOIDED CHECK #208323 - 6/21/11	-4,365.06
			VOIDED CHECK #208323 - 6/21/11	-8,640.00
			VOIDED CHECK #208323 - 6/21/11	-4,553.69
			VOIDED CHECK #208323 - 6/21/11	-2,441.82
			VOIDED CHECK #208323 - 6/21/11	-51.73
			VOIDED CHECK #208323 - 6/21/11	-1,462.00
			VOIDED CHECK #208323 - 6/21/11	-3,118.14
			VOIDED CHECK #208323 - 6/21/11	-867.38
			VOIDED CHECK #208323 - 6/21/11	-246.46
			VOIDED CHECK #208323 - 6/21/11	-525.26
			VOIDED CHECK #208323 - 6/21/11	-402.73
			VOIDED CHECK #208323 - 6/21/11	-316.75
			VOIDED CHECK #208323 - 6/21/11	-254.04
			VOIDED CHECK #208323 - 6/21/11	-282.11
			VOIDED CHECK #208323 - 6/21/11	-359.58
			VOIDED CHECK #208323 - 6/21/11	-83.22
			VOIDED CHECK #208323 - 6/21/11	-246.06
			VOIDED CHECK #208323 - 6/21/11	-109.66
			VOIDED CHECK #208323 - 6/21/11	-2,168.37
			VOIDED CHECK #208323 - 6/21/11	-887.14
6/21/2011	208424	500.00		
			MORRISON PRK FIRE STATION PROJ	500.00
Vendor Total		**13,442.57**		
FYTD for EASTERN MUNICIPAL WATER DISTRICT		**1,434,949.17**		
EASTMAN, MARK F			Remit to: **MURRIETA**	**CA**
6/27/2011	208446	57.50		
			REFUND-CITATION FEE	57.50
Vendor Total		**57.50**		
FYTD for EASTMAN, MARK F		**57.50**		
EDGELANE MOBILE PARK			Remit to: **LOS ANGELES**	**CA**
6/20/2011	882966	35.66		
			REFUND-UUT FOR EXEMPT RESIDNTS	35.66
Vendor Total		**35.66**		
FYTD for EDGELANE MOBILE PARK		**174.17**		
EGGERSTEN, ANNE			Remit to: **RANCHO MIRAGE**	**CA**
6/6/2011	208155	325.66		
			RETIREE MED JUN '11	325.66
Vendor Total		**325.66**		
FYTD for EGGERSTEN, ANNE		**3,787.56**		

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EMERGENT BATTERY TECHNOLOGIES			Remit to: **YORBA LINDA** **CA**	
6/20/2011	208324	6,090.00		
			ES-12-24 AMG BATTERIES	5,600.00
			CALIF SALES TAX	490.00
	Vendor Total	**6,090.00**		
FYTD for EMERGENT BATTERY TECHNOLOGIES		**11,701.50**		
EMPIRE TRANSPORTATION SERVICES, INC			Remit to: **RIVERSIDE** **CA**	
6/20/2011	208325	3,387.50		
			BUS SVC-STARS PRGM CHEER COMP.	3,387.50
	Vendor Total	**3,387.50**		
FYTD for EMPIRE TRANSPORTATION SERVICES, INC		**3,387.50**		
EMPLOYMENT DEVELOPMENT DEPARTMENT			Remit to:	
6/15/2011	2874	1,975.16		
			STATE INCOME TAX W/H 6/15/11	1,975.16
	Vendor Total	**1,975.16**		
FYTD for EMPLOYMENT DEVELOPMENT DEPARTMENT		**1,082,776.56**		
ENCO UTILITY SERVICES MORENO VALLEY LLC			Remit to: **ANAHEIM** **CA**	
6/27/2011	883014	948.00		
			METER FEES-SOLAR CUST INSTALL	474.00
			METER FEES-SOLAR CUST INSTALL	474.00
	Vendor Total	**948.00**		
FYTD for ENCO UTILITY SERVICES MORENO VALLEY LLC		**2,059,467.17**		
ENVIRONMENTAL CONSTRUCTION, INC.			Remit to: **WOODLAND HILLS** **CA**	
6/21/2011	208425	2,560.00		
			STOP NOTICE RLS-SUNNYMD BL PRJ	2,560.00
	Vendor Total	**2,560.00**		
FYTD for ENVIRONMENTAL CONSTRUCTION, INC.		**2,560.00**		
ESKEL/PORTER CONSULTING, INC.			Remit to: **SACRAMENTO** **CA**	
6/6/2011	882850	660.00		
			CONSULTING SVCS-TECH SVCS	660.00
	Vendor Total	**660.00**		
FYTD for ESKEL/PORTER CONSULTING, INC.		**3,307.50**		
ESQUIVEL, JOSEFINA			Remit to: **BAKERSFIELD** **CA**	
6/27/2011	208447	57.50		
			REFUND-CITATION FEE	57.50
	Vendor Total	**57.50**		
FYTD for ESQUIVEL, JOSEFINA		**57.50**		

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EVANS ENGRAVING & AWARDS			Remit to: **MORENO VALLEY** **CA**	
6/6/2011	882851	73.94		
			ENGRAVING SVCS-PD	48.94
			ENGRAVING SVCS-PD	25.00
6/20/2011	882967	30.45		
			ENGRAVING SVCS-PARKS COMM	14.14
			ENGRAVING SVCS-PARKS COMM	16.31
Vendor Total		**104.39**		
FYTD for EVANS ENGRAVING & AWARDS		**1,369.97**		
EWING IRRIGATION PRODUCTS, INC.			Remit to: **PHOENIX** **AZ**	
6/20/2011	208326	235.62		
			IRRIGATION SUPPLIES-PARKS	235.62
Vendor Total		**235.62**		
FYTD for EWING IRRIGATION PRODUCTS, INC.		**16,425.01**		
EXCEL LANDSCAPE, INC			Remit to: **CORONA** **CA**	
6/13/2011	208255	4,503.92		
			LANDSCAPE MAINT-WQB	3,988.34
			LANDSCAPE MAINT-WQB	515.58
6/20/2011	208327	8,885.58		
			LANDSCAPE MAINT-E7	2,777.17
			LANDSCAPE MAINT-E14	3,461.07
			LANDSCAPE MAINT-E7	75.00
			LANDSCAPE MAINT-E-15	1,070.36
			LANDSCAPE MAINT-E-8	1,501.98
Vendor Total		**13,389.50**		
FYTD for EXCEL LANDSCAPE, INC		**163,742.66**		
FAMILY SERVICE ASSOCIATION			Remit to: **MORENO VALLEY** **CA**	
6/6/2011	208157	30.00		
			REFUND-FALSE ALARM CITATION	30.00
Vendor Total		**30.00**		
FYTD for FAMILY SERVICE ASSOCIATION		**73,333.83**		
FEENSTRA, JOHN			Remit to: **REDLANDS** **CA**	
6/6/2011	882852	361.25		
			RETIREE MED JUN '11	361.25
Vendor Total		**361.25**		
FYTD for FEENSTRA, JOHN		**4,335.00**		

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FINISTER, ZAMORA				Remit to: **MORENO VALLEY** **CA**	
	6/20/2011	208328	8.95		
				REFUND-LOST BOOK FEE	8.95
	Vendor Total		**8.95**		
FYTD for FINISTER, ZAMORA			**8.95**		
FIRST CHOICE SERVICES				Remit to: **ONTARIO** **CA**	
	6/13/2011	882930	673.86		
				COFFEE SVCS-EMP PAID	74.00
				COFFEE SVCS-EMP PAID	34.62
				COFFEE SVCS-EMP PAID	126.32
				COFFEE SVCS-EMP PAID	170.64
				COFFEE SVCS-EMP PAID	105.14
				COFFEE SVCS-EMP PAID	67.38
				COFFEE SVCS-EMP PAID	95.76
	Vendor Total		**673.86**		
FYTD for FIRST CHOICE SERVICES			**7,898.55**		
FITNESS 19 CA 155 11C				Remit to: **MORENO VALLEY** **CA**	
	6/20/2011	208329	253.00		
				GYM MEMBERSHIP DEDUCTIONS	253.00
	Vendor Total		**253.00**		
FYTD for FITNESS 19 CA 155 11C			**3,089.00**		
FORM PRINT COMPANY FPC GRAPHICS				Remit to: **RIVERSIDE** **CA**	
	6/6/2011	208158	11,890.44		
				PRNTED SUPPLIES-CSD ANNL BROCH	38.88
				PRNTED SUPPLIES-CSD ANNL BROCH	38.88
				PRNTED SUPPLIES-CSD ANNL BROCH	38.88
				PRNTED SUPPLIES-CSD ANNL BROCH	38.87
				PRNTED SUPPLIES-CSD ANNL BROCH	38.87
				PRNTED SUPPLIES-CSD ANNL BROCH	2,339.22
				PRNTED SUPPLIES-CSD ANNL BROCH	2,339.21
				PRNTED SUPPLIES-CSD ANNL BROCH	2,339.21
				PRNTED SUPPLIES-CSD ANNL BROCH	2,339.21
				PRNTED SUPPLIES-CSD ANNL BROCH	2,339.21
	6/13/2011	208256	2,499.08		
				DOOR HANGERS-SPCL DIST	2,335.75
				DOOR HANGERS-SPCL DIST	163.33
	Vendor Total		**14,389.52**		
FYTD for FORM PRINT COMPANY FPC GRAPHICS			**37,663.51**		

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FORNISS, BRANDON/JAMIE			Remit to: **MORENO VALLEY** **CA**	
6/20/2011	208331	20.00		
			REFUND-RABIES DEPOSIT	20.00
	Vendor Total	**20.00**		
FYTD for FORNISS, BRANDON/JAMIE		**95.00**		
FOSTER, NANCY A.			Remit to: **MORENO VALLEY** **CA**	
6/6/2011	882853	318.73		
			RETIREE MED JUN '11	318.73
	Vendor Total	**318.73**		
FYTD for FOSTER, NANCY A.		**3,805.92**		
FRANCE PUBLICATIONS, INC			Remit to: **ATLANTA** **GA**	
6/20/2011	208332	3,200.00		
			ADVERTISING SERVICES	3,200.00
	Vendor Total	**3,200.00**		
FYTD for FRANCE PUBLICATIONS, INC		**6,400.00**		
FRANCHISE TAX BOARD			Remit to: **SACRAMENTO** **CA**	
6/6/2011	208159	144.64		
			GARNISHMENT	25.00
			GARNISHMENT	115.00
			GARNISHMENT	4.64
6/20/2011	208333	153.13		
			GARNISHMENT	115.00
			GARNISHMENT	38.13
	Vendor Total	**297.77**		
FYTD for FRANCHISE TAX BOARD		**3,476.54**		
FRANKLIN, L. C.			Remit to: **PERRIS** **CA**	
6/27/2011	208448	91.29		
			MILEAGE REIMBURSEMENT	91.29
	Vendor Total	**91.29**		
FYTD for FRANKLIN, L. C.		**1,682.25**		
FRAZEE INDUSTRIES, INC			Remit to: **MORENO VALLEY** **CA**	
6/6/2011	208160	9,689.62		
			TRAFFIC PAINT	6,456.16
			TRAFFIC PAINT	3,233.46
6/30/2011	208526	3,233.46		
			TRAFFIC PAINT	3,233.46
	Vendor Total	**12,923.08**		
FYTD for FRAZEE INDUSTRIES, INC		**136,828.46**		

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FRAZIER, HAROLD				Remit to: **PERRIS** **CA**	
	6/20/2011	208334	200.00		
				REFUND-TENNIS CLASS REGIS FEE	100.00
				REFUND-TENNIS CLASS REGIS FEE	100.00
	Vendor Total		**200.00**		
FYTD for FRAZIER, HAROLD			**200.00**		
FRESQUEZ, JOHN				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	208161	100.00		
				SPORTS OFFICIATING SVCS	100.00
	Vendor Total		**100.00**		
FYTD for FRESQUEZ, JOHN			**864.00**		
FROST, JOAN CHENG				Remit to: **TEMECULA** **CA**	
	6/20/2011	208335	380.00		
				INSTRUCTION SVCS-10 DAYS	380.00
	Vendor Total		**380.00**		
FYTD for FROST, JOAN CHENG			**2,318.00**		
FUSION SIGN AND DESIGN, INC				Remit to: **RIVERSIDE** **CA**	
	6/13/2011	208257	6,138.00		
				SIGNS INSTALLATION-TRANSP	6,138.00
	6/27/2011	208449	22,576.01		
				FREESTANDING COMM ID SIGN	10,326.07
				LIGHT POLE MTD COMM ID SIGN	2,354.87
				LIGHT POLE MTD ID BANNERS	4,143.57
				FREESTANDING AMENITY DIR SIGN	2,879.40
				LIGHT POLE MTD DIRECT. SIGN	1,055.64
				CA SALES TAX	1,816.46
	Vendor Total		**28,714.01**		
FYTD for FUSION SIGN AND DESIGN, INC			**28,714.01**		
G/M BUSINESS INTERIORS, INC.				Remit to: **RIVERSIDE** **CA**	
	6/27/2011	208450	1,276.40		
				REUPHOLSTER PANELS/MOLDING-CRC	1,276.40
	Vendor Total		**1,276.40**		
FYTD for G/M BUSINESS INTERIORS, INC.			**7,486.42**		

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GALLS INC., INLAND UNIFORM			Remit to: **RIVERSIDE** **CA**	
6/6/2011	208162	141.77		
			UNIFORMS-PD POP TEAM	141.77
6/20/2011	208336	353.14		
			UNIFORMS-PD POP TEAM	211.37
			UNIFORMS-PD POP TEAM	141.77
6/27/2011	208451	120.72		
			UNIFORMS-POP TEAM	60.36
			UNIFORMS-POP TEAM	60.36
Vendor Total		**615.63**		
FYTD for GALLS INC., INLAND UNIFORM		**4,902.56**		
GARCIA, BRENDA			Remit to: **MORENO VALLEY** **CA**	
6/20/2011	208337	45.00		
			REFUND-VARIOUS A/C FEES	19.00
			REFUND-VARIOUS A/C FEES	10.00
			REFUND-VARIOUS A/C FEES	16.00
Vendor Total		**45.00**		
FYTD for GARCIA, BRENDA		**45.00**		
GASTON, RICHARD			Remit to: **MORENO VALLEY** **CA**	
6/6/2011	882854	318.73		
			RETIREE MED JUN '11	318.73
Vendor Total		**318.73**		
FYTD for GASTON, RICHARD		**3,824.76**		
GATES CAPITAL CORPORATION			Remit to: **NEW YORK** **NY**	
6/27/2011	208523	436.48		
			REMARKETING AGENT FEE-FINAL	436.48
Vendor Total		**436.48**		
FYTD for GATES CAPITAL CORPORATION		**436.48**		
GE FLEET SERVICES			Remit to: **EDEN PRAIRIE** **MI**	
6/27/2011	208452	127.00		
			REFUND-CITATION FEE	127.00
Vendor Total		**127.00**		
FYTD for GE FLEET SERVICES		**127.00**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
GENERAL SECURITY SERVICES, INC.			Remit to: **WILMINGTON**	**CA**
6/6/2011	882855	1,994.20		
			SECURITY SVCS-CRC SPCL EVNTS	337.48
			SECURITY SVCS-SENIOR CTR	184.08
			SECURITY SVCS-CONF & REC CTR	306.80
			SECURITY SVCS-CONF & REC CTR	306.80
			SECURITY SVCS-CITY HALL	306.80
			SECURITY SVCS-LIBRARY	122.72
			SECURITY SVCS-CITY HALL	306.80
			SECURITY SVCS-LIBRARY	122.72
6/13/2011	882931	1,645.22		
			SECURITY SRVCS-CITY HALL	299.13
			SECURITY SRVCS-LIBRARY	245.44
			SECURITY SRVCS-CONF & REC CTR	302.97
			SECURITY SVCS-TOWNGATE CTR	122.72
			SECURITY SVCS-SENIOR CTR	214.76
			SECURITY SVCS-CRC SPCL EVNTS	368.16
			SECURITY SVCS-CRC SPCL EVNTS	92.04
6/20/2011	882968	337.48		
			SECURITY SVCS-TWNGATE CTR	76.70
			SECURITY SVCS-TWNGATE CTR	76.70
			SECURITY SVCS-TWNGATE CTR	76.70
			SECURITY SVCS-TWNGATE CTR	107.38
6/27/2011	883016	1,871.49		
			SECURITY SVCS-CRC	306.80
			SECURITY SVCS-CRC	306.80
			SECURITY SVCS-CITY HALL	306.80
			SECURITY SVCS-LIBRARY	245.44
			SECURITY SVCS-CITY HALL	306.80
			SECURITY SVCS-LIBRARY	122.72
			SECURITY SVCS-UTILITY	276.13
	Vendor Total	**5,848.39**		
FYTD for GENERAL SECURITY SERVICES, INC.		**54,401.45**		
GERALD GRAVITTE			Remit to: **MORENO VALLEY**	**CA**
6/6/2011	208163	90.00		
			REFUND-BUS. LIC. OVERPAYMENT	63.00
			REFUND-BUS. LIC. OVERPAYMENT	27.00
	Vendor Total	**90.00**		
FYTD for GERALD GRAVITTE		**90.00**		
GIBBS, GIDEN, LOCHER, TURNER & SENET LLP			Remit to: **LOS ANGELES**	**CA**
6/27/2011	883017	15,712.07		
			LEGAL SVCS	9,060.00
			LEGAL SVCS	6,652.07
	Vendor Total	**15,712.07**		
FYTD for GIBBS, GIDEN, LOCHER, TURNER & SENET LLP		**246,170.44**		

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Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
GLOBAL SOFTWARE, INC			Remit to: **RALEIGH** **NC**	
6/13/2011	882932	9,900.00		
			SERVER MAINT-TECH SVCS	4,000.00
			SERVER MAINT-TECH SVCS	800.00
			SERVER MAINT-TECH SVCS	800.00
			SERVER MAINT-TECH SVCS	800.00
			MAINT/SUPPORT-SPCL DIST	1,000.00
			MAINT/SUPPORT-TECH SVCS	2,500.00
6/20/2011	882969	2,000.00		
			MAINT/SUPPORT-SPREADSHT SERVER	500.00
			MAINT/SUPPORT-SPREADSHT SERVER	1,500.00
6/27/2011	883018	500.00		
			SPREADSHEET SERVER-PW ST MAINT	500.00
	Vendor Total	**12,400.00**		
FYTD for GLOBAL SOFTWARE, INC		**55,120.00**		
GONG ENTERPRISES, INC.			Remit to: **HUNTINGTON BEACH** **CA**	
6/20/2011	208338	5,940.00		
			CONSULTING SVCS-PM 35859	5,670.00
			CONSULTING SVCS-FM35760	270.00
	Vendor Total	**5,940.00**		
FYTD for GONG ENTERPRISES, INC.		**45,795.40**		
GONZALES, DOMILENA R.			Remit to: **MORENO VALLEY** **CA**	
6/6/2011	882856	318.73		
			RETIREE MED MAY '11, PD JUN '1	318.73
	Vendor Total	**318.73**		
FYTD for GONZALES, DOMILENA R.		**3,060.32**		
GOUDEAU, MICHELLE			Remit to: **MORENO VALLEY** **CA**	
6/27/2011	208453	51.00		
			REFUND-PARKS CLASS REGIS FEE	51.00
	Vendor Total	**51.00**		
FYTD for GOUDEAU, MICHELLE		**51.00**		
GOZDECKI, DAN			Remit to: **MORENO VALLEY** **CA**	
6/6/2011	882857	432.00		
			INSTRUCTOR SVCS-KUNG FU	189.00
			INSTRUCTOR SVCS-KUNG FU	243.00
	Vendor Total	**432.00**		
FYTD for GOZDECKI, DAN		**7,209.00**		

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GRANICUS, INC.				Remit to: **SAN FRANCISCO** **CA**	
	6/13/2011	208258	1,000.00		
				VIDEO STREAMING SVCS	1,000.00
	Vendor Total		**1,000.00**		
FYTD for GRANICUS, INC.			**12,000.00**		
GRAY, TYLON				Remit to: **STOCKTON** **CA**	
	6/6/2011	208164	503.88		
				REFUND-CITATION CHRGS	503.88
	Vendor Total		**503.88**		
FYTD for GRAY, TYLON			**503.88**		
GRID ALTERNATIVE				Remit to: **OAKLAND** **CA**	
	6/27/2011	208454	57.00		
				REFUND-BUS LIC OVERPAYMENT	57.00
	Vendor Total		**57.00**		
FYTD for GRID ALTERNATIVE			**57.00**		
GRIFFIN, MARLENE C				Remit to: **GREEN VALLEY** **AZ**	
	6/6/2011	882858	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for GRIFFIN, MARLENE C			**3,745.98**		
GROUP DELTA CONSULTANTS, INC				Remit to: **IRVINE** **CA**	
	6/20/2011	882970	1,355.50		
				DAY ST IMPRVMNTS PROJ SVCS	1,355.50
	Vendor Total		**1,355.50**		
FYTD for GROUP DELTA CONSULTANTS, INC			**16,673.50**		
GRUBE, PATTY				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	208165	24.48		
				MILEAGE REIMBURSEMENT	24.48
	Vendor Total		**24.48**		
FYTD for GRUBE, PATTY			**24.48**		
GUILIANO, MARIA				Remit to: **TEMECULA** **CA**	
	6/27/2011	208455	518.40		
				INSTRUCTOR SVCS-ZUMBA	362.40
				INSTRUCTOR SVCS-ZUMBA	156.00
	Vendor Total		**518.40**		
FYTD for GUILIANO, MARIA			**1,627.20**		

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GUTIERREZ, ROBERT				Remit to: **LA VERNE** **CA**	
	6/6/2011	882859	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for GUTIERREZ, ROBERT			**3,824.76**		
GUZMAN'S CART SERVICE				Remit to: **RIVERSIDE** **CA**	
	6/20/2011	882971	4,049.00		
				CART RETRVL SVCS-CODE	4,049.00
	Vendor Total		**4,049.00**		
FYTD for GUZMAN'S CART SERVICE			**48,588.00**		
HABITAT FOR HUMANITY RIVERSIDE				Remit to: **RIVERSIDE** **CA**	
	6/28/2011	110609	15,000.00		
				DOWN PMT ASSIST/DRIVEWAY REIMB	15,000.00
	6/28/2011	110608	15,000.00		
				DOWN PMT ASSIST/DRIVEWAY REIMB	15,000.00
	Vendor Total		**30,000.00**		
FYTD for HABITAT FOR HUMANITY RIVERSIDE			**59,752.70**		
HAMARI, MICHAEL				Remit to: **FOUNTAIN VALLEY** **CA**	
	6/6/2011	208166	95.00		
				REFUND-RABIES & SN DEPOSIT	20.00
				REFUND-RABIES & SN DEPOSIT	75.00
	Vendor Total		**95.00**		
FYTD for HAMARI, MICHAEL			**95.00**		
HAMBURG, IRENE				Remit to: **OTIS** **OR**	
	6/6/2011	882860	1,232.58		
				RETIREE MED DEC '10-MAR '11, P	1,232.58
	Vendor Total		**1,232.58**		
FYTD for HAMBURG, IRENE			**3,782.42**		
HAMLIN, WILLIAM R.				Remit to: **BEAUMONT** **CA**	
	6/6/2011	882861	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for HAMLIN, WILLIAM R.			**3,805.92**		

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HANES, MARTIN D.				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	882862	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for HANES, MARTIN D.			**3,824.76**		
HARDING, JOHN S.				Remit to: **BANNING** **CA**	
	6/6/2011	208167	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for HARDING, JOHN S.			**3,824.76**		
HARTMANN, RICK				Remit to: **SAN DIMAS** **CA**	
	6/6/2011	208168	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for HARTMANN, RICK			**22,515.09**		
HATFIELD, CHARLES				Remit to: **LAS VEGAS** **NV**	
	6/6/2011	882863	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for HATFIELD, CHARLES			**3,824.76**		
HAUSER, ADRIANA				Remit to: **SAN BERNARDINO** **CA**	
	6/20/2011	208339	722.00		
				INSTRUCTION SVCS-19 DAYS	722.00
	Vendor Total		**722.00**		
FYTD for HAUSER, ADRIANA			**5,966.00**		
HDL COREN & CONE				Remit to: **DIAMOND BAR** **CA**	
	6/13/2011	208259	4,387.50		
				PROP TAX SOFTWARE-TECH SVCS	4,387.50
	Vendor Total		**4,387.50**		
FYTD for HDL COREN & CONE			**17,550.00**		
HDL/HINDERLITER DE LLAMAS & ASSOCIATES				Remit to: **DIAMOND BAR** **CA**	
	6/6/2011	208169	2,522.54		
				SALES TAX CONSULTING SVCS	900.00
				SALES TAX AUDIT SVCS	1,622.54
	Vendor Total		**2,522.54**		
FYTD for HDL/HINDERLITER DE LLAMAS & ASSOCIATES			**20,144.48**		

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HEFFLEY, ROSS W.				Remit to: **HEMET** **CA**	
	6/6/2011	882864	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for HEFFLEY, ROSS W.			**3,824.76**		
HEISTERBERG, ANTHONY				Remit to: **TEMECULA** **CA**	
	6/6/2011	208170	1,630.18		
				RETIREE MED OCT '10-MAY '11, P	1,630.18
	Vendor Total		**1,630.18**		
FYTD for HEISTERBERG, ANTHONY			**2,437.36**		
HELP PROGRAM, THE				Remit to: **TEMECULA** **CA**	
	6/20/2011	208340	3,500.00		
				FORECLOSURE PREV WORKSHOP SVCS	3,500.00
	Vendor Total		**3,500.00**		
FYTD for HELP PROGRAM, THE			**3,500.00**		
HERNANDEZ, CHRISTIAN				Remit to: **MORENO VALLEY** **CA**	
	6/27/2011	208456	16.15		
				REFUND-VARIOUS A/C FEES	14.85
				REFUND-VARIOUS A/C FEES	1.30
	Vendor Total		**16.15**		
FYTD for HERNANDEZ, CHRISTIAN			**16.15**		
HERRICK, ROBERT D.				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	208171	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for HERRICK, ROBERT D.			**3,824.76**		
HICKMAN, LANISE				Remit to: **MORENO VALLEY** **CA**	
	6/27/2011	208457	144.00		
				INSTRUCTOR SVCS-FITNESS	144.00
	Vendor Total		**144.00**		
FYTD for HICKMAN, LANISE			**499.20**		
HO, KEVIN CHINH				Remit to: **RIVERSIDE** **CA**	
	6/20/2011	208341	114.00		
				INSTRUCTIONAL SVCS-3 DAYS	114.00
	Vendor Total		**114.00**		
FYTD for HO, KEVIN CHINH			**1,064.00**		

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HOGLE-IRELAND, INC.			Remit to: **RIVERSIDE** **CA**	
6/6/2011	208172	500.00		
			REFUND-PLANNING FEES	500.00
Vendor Total		**500.00**		
FYTD for HOGLE-IRELAND, INC.		**500.00**		
HONDA YAMAHA OF REDLANDS			Remit to: **REDLANDS** **CA**	
6/6/2011	208173	2,632.36		
			PD MTRCYCLE MAINT/REPAIR-LABOR	308.00
			PD MTRCYCLE MAINT/REPAIR-PARTS	366.19
			PD MTRCYCLE MAINT/REPAIR-LABOR	441.00
			PD MTRCYCLE MAINT/REPAIR-PARTS	560.81
			PD MTRCYCLE MAINT/REPAIR-LABOR	154.00
			PD MTRCYCLE MAINT/REPAIR-PARTS	324.40
			PD MTRCYCLE MAINT/REPAIR-LABOR	161.00
			PD MTRCYCLE MAINT/REPAIR-PARTS	129.59
			PD MTRCYCLE MAINT/REPAIR-LABOR	49.00
			PD MTRCYCLE MAINT/REPAIR-PARTS	138.37
6/13/2011	208260	2,089.69		
			TRAFFIC CYCLE MAINT/RPR-PD	140.00
			TRAFFIC CYCLE MAINT/RPR-PD	462.58
			TRAFFIC CYCLE MAINT/RPR-PD	175.00
			TRAFFIC CYCLE MAINT/RPR-PD	522.51
			TRAFFIC CYCLE MAINT/RPR-PD	70.00
			TRAFFIC CYCLE MAINT/RPR-PD	193.20
			TRAFFIC CYCLE MAINT/RPR-PD	70.00
			TRAFFIC CYCLE MAINT/RPR-PD	193.20
			TRAFFIC CYCLE MAINT/RPR-PD	70.00
			TRAFFIC CYCLE MAINT/RPR-PD	193.20
6/20/2011	208342	344.00		
			PD MTRCYCLE MAINT/REPAIR-LABOR	98.00
			PD MTRCYCLE MAINT/REPAIR-PARTS	246.00
Vendor Total		**5,066.05**		
FYTD for HONDA YAMAHA OF REDLANDS		**5,066.05**		
HORIZON UNDERGROUND INC.			Remit to: **CORONA** **CA**	
6/27/2011	208458	134.00		
			REFUND-VARIOUS PERMIT FEES	82.00
			REFUND-VARIOUS PERMIT FEES	52.00
Vendor Total		**134.00**		
FYTD for HORIZON UNDERGROUND INC.		**134.00**		
HOUSER, EDITH E.			Remit to: **MORENO VALLEY** **CA**	
6/6/2011	208174	318.73		
			RETIREE MED JUN '11	318.73
Vendor Total		**318.73**		
FYTD for HOUSER, EDITH E.		**3,824.76**		

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HOWARD, CHAD				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	208175	325.00		
				PER DIEM-INVESTIG INTERVW TRNG	325.00
	Vendor Total		**325.00**		
FYTD for HOWARD, CHAD			**325.00**		
HUERTA, ELIZABETH				Remit to: **MORENO VALLEY** **CA**	
	6/20/2011	208343	61.60		
				REFUND-PARKS CLASS REGIS FEE	61.60
	6/27/2011	208459	15.40		
				REFUND-PARKS CLASS REGIS FEE	15.40
	Vendor Total		**77.00**		
FYTD for HUERTA, ELIZABETH			**77.00**		
HUNTINGTON BEACH HONDA				Remit to: **HUNTINGTON BEACH** **CA**	
	6/20/2011	208344	263.11		
				REPAIR-PD TRAFFIC MOTORBIKE	192.50
				REPAIR-PD TRAFFIC MOTORBIKE	70.61
	Vendor Total		**263.11**		
FYTD for HUNTINGTON BEACH HONDA			**27,562.31**		
HURTADO, GENEVIEVE				Remit to: **MORENO VALLEY** **CA**	
	6/20/2011	208345	75.00		
				REFUND-SN DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for HURTADO, GENEVIEVE			**75.00**		
I.E. BIKES, INC.				Remit to: **MURRIETA** **CA**	
	6/13/2011	208261	5,437.07		
				BIKE ACCESSORIES-PD	3,589.90
				BIKE ACCESSORIES-PD	599.90
				BIKE ACCESSORIES-PD	289.90
				BIKE ACCESSORIES-PD	519.90
				BIKE ACCESSORIES-PD	437.47
	6/21/2011	208426	632.49		
				BIKE REPAIRS-PD POP	65.00
				9-SPEED CHAIN	26.99
				LABOR TO INSTALL CHAIN	8.00
				CA SALES TAX	2.36
				BIKE REPAIRS-PD POP	65.00
				RUBBER	59.90
				CA SALES TAX	5.24
				LABOR-TUNE MTB/ROAD BIKES-PD	400.00
	Vendor Total		**6,069.56**		
FYTD for I.E. BIKES, INC.			**6,069.56**		

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ICMA RETIREMENT CORP 457			Remit to: **BALTIMORE** **MD**	
6/3/2011	2869	9,110.37		
			DEF COMP 457 6/3/11	9,110.37
6/17/2011	2879	8,785.37		
			DEF COMP 457 6/17/11	8,785.37
Vendor Total		**17,895.74**		
FYTD for ICMA RETIREMENT CORP 457		**244,034.37**		
ICSC-INT'L. COUNCIL OF SHOPPING CENTERS			Remit to: **NEW YORK** **NY**	
6/20/2011	208346	3,308.62		
			ADVERTISING SERVICES	3,308.62
Vendor Total		**3,308.62**		
FYTD for ICSC-INT'L. COUNCIL OF SHOPPING CENTERS		**6,617.24**		
IL SORRENTO MOBILE PARK			Remit to: **MORENO VALLEY** **CA**	
6/6/2011	208176	102.23		
			REFUND-UUT USER TAXES	102.23
Vendor Total		**102.23**		
FYTD for IL SORRENTO MOBILE PARK		**1,586.12**		
ING USA ANNUITY & LIFE INSURANCE CO.			Remit to: **DES MOINES** **IA**	
6/6/2011	208177	475.00		
			NON-EXEMPT ANNUITY	475.00
Vendor Total		**475.00**		
FYTD for ING USA ANNUITY & LIFE INSURANCE CO.		**5,700.00**		
INLAND CONTRACTORS, INC.			Remit to: **RIVERSIDE** **CA**	
6/20/2011	882972	11,826.80		
			DEMO & DISPOSAL OF RESIDENCE	11,150.00
			WEED ABATEMENT-11987 DAVIS ST	676.80
Vendor Total		**11,826.80**		
FYTD for INLAND CONTRACTORS, INC.		**41,403.71**		

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INLAND EMPIRE PROPERTY SERVICE, INC				Remit to: **MORENO VALLEY CA**	
	6/6/2011	882865	4,219.00		
				NUISANCE ABTMNT SVC-CODE	187.00
				WEED ABATEMENT SVCS-PARKS	4,032.00
	6/13/2011	882933	4,119.17		
				WEED ABTMNT SVCS-FACILITIES	439.00
				WEED ABTMNT SVCS-FACILITIES	759.00
				CLEAN UP SVCS-RDA	1,026.67
				CLEAN UP SVCS-RDA	856.00
				CLEAN UP SVCS-RDA	253.50
				CLEAN UP SVCS-RDA	257.50
				CLEAN UP SVCS-RDA	150.00
				CLEAN UP SVCS-RDA	229.50
				CLEAN UP SVCS-RDA	148.00
	6/20/2011	882973	4,040.00		
				WEED ABATEMENT SVCS	825.00
				WEED ABATEMENT SVCS-PARKS	1,026.00
				WEED ABATEMENT SVCS-PARKS	2,189.00
	Vendor Total		**12,378.17**		
FYTD for INLAND EMPIRE PROPERTY SERVICE, INC			**72,509.59**		
INLAND PETROLEUM EQUIPMENT & REPAIR, INC				Remit to: **BLOOMINGTON CA**	
	6/13/2011	882934	1,095.70		
				PERFORM CARB VAPOR RECOV TEST	393.00
				MISC REPAIR MATERIALS	309.70
				PERFORM CARB VAPOR RECOV TEST	393.00
	6/20/2011	882974	499.30		
				PERFORM CARB VAPOR RECOV TEST	393.00
				PERFORM CARB VAPOR RECOV TEST	106.30
	Vendor Total		**1,595.00**		
FYTD for INLAND PETROLEUM EQUIPMENT & REPAIR, INC			**2,245.59**		
INSIDE PLANTS, INC.				Remit to: **CORONA CA**	
	6/13/2011	882935	326.00		
				PLANT MAINT-CONF & REC CTR	251.00
				PLANT MAINT-CONF & REC CTR	75.00
	Vendor Total		**326.00**		
FYTD for INSIDE PLANTS, INC.			**3,867.00**		
INTERNAL REVENUE SERVICE				Remit to:	
	6/15/2011	2873	5,525.57		
				FED INCOME TAX W/H 6/15/11	5,525.57
	Vendor Total		**5,525.57**		
FYTD for INTERNAL REVENUE SERVICE			**3,497,189.37**		

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IRON MOUNTAIN OFF-SITE DATA PROTECTION			Remit to: **CERRITOS** **CA**	
6/6/2011	208178	979.11		
			OFFSITE DATA STORAGE-TECH SVCS	979.11
6/27/2011	208460	954.67		
			OFFSITE DATA STORAGE-TECH SVCS	954.67
	Vendor Total	**1,933.78**		
FYTD for IRON MOUNTAIN OFF-SITE DATA PROTECTION		**12,832.37**		
J D H CONTRACTING			Remit to: **RIVERSIDE** **CA**	
6/13/2011	882936	1,549.00		
			WOMEN'S LOCKER RM REPAIRS-CRC	1,549.00
6/27/2011	883020	635.00		
			REPLACE BROKEN SLATE TILES-CRC	635.00
	Vendor Total	**2,184.00**		
FYTD for J D H CONTRACTING		**151,477.50**		
JABARA, MONA			Remit to: **MORENO VALLEY** **CA**	
6/27/2011	208461	62.00		
			REFUND-PARKS CLASS REGIS FEE	62.00
	Vendor Total	**62.00**		
FYTD for JABARA, MONA		**62.00**		
JACKSON, JAYE			Remit to: **RIVERSIDE** **CA**	
6/6/2011	208179	80.00		
			SPORTS OFFICIATING SVCS	40.00
			SPORTS OFFICIATING SVCS	40.00
6/20/2011	208347	40.00		
			SPORTS OFFICIATING SVCS	40.00
	Vendor Total	**120.00**		
FYTD for JACKSON, JAYE		**196.00**		
JANNEY & JANNEY ATTORNEY SVCS, INC.			Remit to: **RIVERSIDE** **CA**	
6/6/2011	208180	174.00		
			COURIER SVCS-CITY ATTRNYS	95.00
			COURIER SVCS-CITY ATTRNYS	79.00
6/13/2011	208262	35.00		
			COURIER SVCS-CITY ATTRNYS	35.00
6/20/2011	208348	135.00		
			COURIER SVCS-CITY ATTRNYS	60.00
			COURIER SVCS-CITY ATTRNYS	75.00
	Vendor Total	**344.00**		
FYTD for JANNEY & JANNEY ATTORNEY SVCS, INC.		**1,777.65**		

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JDEDGE SOFTWARE, LLC			Remit to: **KRUGERVILLE** **TX**	
6/13/2011	882937	1,395.00		
			CONSULTING SVCS-TECH. SVCS	1,395.00
6/27/2011	883021	1,615.00		
			CONSULTING SVCS-TECH SVCS	1,615.00
	Vendor Total	**3,010.00**		
FYTD for JDEDGE SOFTWARE, LLC		**27,547.50**		
JEANNETTE RODRIGUEZ			Remit to: **MORENO VALLEY** **CA**	
6/27/2011	208462	195.60		
			INSTRUCTOR SVCS-BEG JR TENNIS	92.40
			INSTRUCTOR SVCS-ADV. TENNIS	51.60
			INSTRUCTOR SVCS-ADV. TENNIS	51.60
	Vendor Total	**195.60**		
FYTD for JEANNETTE RODRIGUEZ		**195.60**		
JEFFERSON, ALICIA			Remit to: **MORENO VALLEY** **CA**	
6/27/2011	208463	79.00		
			REFUND-PARKS CLASS REGIS FEE	79.00
	Vendor Total	**79.00**		
FYTD for JEFFERSON, ALICIA		**79.00**		
JOE A. GONSALVES & SON			Remit to: **SACRAMENTO** **CA**	
6/13/2011	882938	6,345.00		
			REPRESENTATION SVCS	3,150.00
			REPRESENTATION SVCS	2,970.00
			REPRESENTATION SVCS	225.00
	Vendor Total	**6,345.00**		
FYTD for JOE A. GONSALVES & SON		**38,025.00**		
JONES, SUSAN			Remit to: **MORENO VALLEY** **CA**	
6/6/2011	882866	318.73		
			RETIREE MED JUN '11	318.73
	Vendor Total	**318.73**		
FYTD for JONES, SUSAN		**3,824.76**		
JTB SUPPLY CO., INC.			Remit to: **ORANGE** **CA**	
6/6/2011	882867	570.94		
			TRAFFIC SIGNAL SUPPLIES	570.94
	Vendor Total	**570.94**		
FYTD for JTB SUPPLY CO., INC.		**42,834.48**		

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KAMMERDIENER, PEGGY				Remit to: **PERRIS** **CA**	
	6/6/2011	208181	75.00		
				REFUND-SN DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for KAMMERDIENER, PEGGY			**75.00**		
KANE, BALLMER & BERKMAN				Remit to: **LOS ANGELES** **CA**	
	6/20/2011	208349	3,187.65		
				CONSULTANT SVC-HOMES DOC PREP	3,187.65
	Vendor Total		**3,187.65**		
FYTD for KANE, BALLMER & BERKMAN			**3,187.65**		
KHOURY, HANNA R				Remit to: **MORENO VALLEY** **CA**	
	6/27/2011	208465	407.50		
				REFUND-CITATION FEE	407.50
	Vendor Total		**407.50**		
FYTD for KHOURY, HANNA R			**407.50**		
KING, PATRICIA A.				Remit to: **LAS VEGAS** **NV**	
	6/6/2011	208182	267.88		
				RETIREE MED JUN '11	267.88
	Vendor Total		**267.88**		
FYTD for KING, PATRICIA A.			**3,621.36**		
KITNELCA, DANIEL				Remit to: **MORENO VALLEY** **CA**	
	6/20/2011	208350	52.00		
				REFUND-PARKS CLASS REGIS FEE	52.00
	Vendor Total		**52.00**		
FYTD for KITNELCA, DANIEL			**52.00**		
KOLB, CHARLES E.				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	882868	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for KOLB, CHARLES E.			**3,824.76**		
KOLLAR, KYLE				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	882869	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for KOLLAR, KYLE			**3,824.76**		

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KRUEGER, KIMBERLEE			Remit to: **TEMECULA** **CA**	
6/21/2011	208427	63.24		
			SIRE REGIONAL USER CONF.	63.24
	Vendor Total	**63.24**		
FYTD for KRUEGER, KIMBERLEE		**368.24**		
KUSTOM SIGNALS, INC.			Remit to: **LENEXA** **KS**	
6/20/2011	208351	12,206.69		
			RAPTOR, DUAL K-BANK ANTENNA	11,025.00
			SHIPPING & HANDLING	217.00
			CALIF SALES TAX	964.69
	Vendor Total	**12,206.69**		
FYTD for KUSTOM SIGNALS, INC.		**14,476.40**		
KYBURZ, JIM			Remit to: **PALM SPRINGS** **CA**	
6/20/2011	208352	50.00		
			REFUND-TRAP RENTAL DEPOSIT	50.00
	Vendor Total	**50.00**		
FYTD for KYBURZ, JIM		**50.00**		
KYLE, GARY M.			Remit to: **PRESCOTT VALLEY** **AZ**	
6/6/2011	882870	318.73		
			RETIREE MED JUN '11	318.73
	Vendor Total	**318.73**		
FYTD for KYLE, GARY M.		**3,824.76**		
LAFATA, JOSEPHINE			Remit to: **MORENO VALLEY** **CA**	
6/6/2011	882871	318.73		
			RETIREE MED JUN '11	318.73
	Vendor Total	**318.73**		
FYTD for LAFATA, JOSEPHINE		**3,805.92**		
LANCE, SOLL & LUNGHARD, LLP			Remit to: **BREA** **CA**	
6/20/2011	208353	21,000.00		
			AUDITING SVCS	18,000.00
			AUDITING SVCS-RDA	3,000.00
	Vendor Total	**21,000.00**		
FYTD for LANCE, SOLL & LUNGHARD, LLP		**21,050.00**		
LANG, TRACEY			Remit to: **MORENO VALLEY** **CA**	
6/20/2011	208354	76.00		
			INSTRUCTION SVCS-2 DAYS	76.00
	Vendor Total	**76.00**		
FYTD for LANG, TRACEY		**988.00**		

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LANGSTON MOTORSPORTS			Remit to: **PERRIS** **CA**	
6/6/2011	208183	154.10		
			PD MTRCYCLE MAINT/REPAIR-LABOR	32.00
			PD MTRCYCLE MAINT/REPAIR-PARTS	45.99
			POP OFF-RD VEHICLE REPAIR PART	69.99
			CA SALES TAX	6.12
	Vendor Total	**154.10**		
FYTD for LANGSTON MOTORSPORTS		**154.10**		
LARA, JOSEPH R.			Remit to: **MURRIETA** **CA**	
6/27/2011	208466	62.22		
			REIMB-FIBER OPTIC TESTING TRNG	62.22
	Vendor Total	**62.22**		
FYTD for LARA, JOSEPH R.		**151.66**		
LATHAM & WATKINS, LLP			Remit to: **LOS ANGELES** **CA**	
6/27/2011	208467	362.50		
			LEGAL FEES THRU MAR-SOMERGATE	217.50
			LEGAL FEES THRU MAR-PACIFIC	145.00
	Vendor Total	**362.50**		
FYTD for LATHAM & WATKINS, LLP		**2,827.50**		
LAWN TECH EQUIPMENT			Remit to: **RIVERSIDE** **CA**	
6/13/2011	882939	22.48		
			TREE TRIMMING EQUIP RPR-LABOR	15.00
			TREE TRIMMING EQUIP RPR-PARTS	7.48
6/27/2011	883022	22.48		
			TREE TRIMMING EQUIP SVC	15.00
			TREE TRIMMING EQUIP SVC	7.48
	Vendor Total	**44.96**		
FYTD for LAWN TECH EQUIPMENT		**2,824.37**		
LEADING EDGE LEARNING CENTER			Remit to: **RIVERSIDE** **CA**	
6/20/2011	208355	2,730.60		
			INSTRUCTOR SVCS-READING RASCAL	345.60
			INSTRUCTOR SVCS-ESL CLASS	66.00
			INSTRUCTOR SVCS-READING RASCAL	460.80
			INSTRUCTOR SVCS-GED TEST CLASS	613.80
			INSTRUCTOR SVCS-LEADERSHP ACAD	132.00
			INSTRUCTOR SVCS-READING RASCAL	518.40
			INSTRUCTOR SVCS-GED TEST CLASS	462.00
			INSTRUCTOR SVCS-ESL CLASS	132.00
	Vendor Total	**2,730.60**		
FYTD for LEADING EDGE LEARNING CENTER		**3,859.61**		

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LEFEVRE, FRAN				Remit to: **MORENO VALLEY** **CA**	
	6/13/2011	208263	56.30		
				REIMB.-LAW ENF TRNG NEEDS CONF	56.30
	Vendor Total		**56.30**		
FYTD for LEFEVRE, FRAN			**231.30**		
LEONARD, NATALIE				Remit to: **RIVERSIDE** **CA**	
	6/6/2011	208184	20.00		
				REFUND-RABIES DEPOSIT	20.00
	6/20/2011	208356	75.00		
				REFUND-SN DEPOSIT	75.00
	Vendor Total		**95.00**		
FYTD for LEONARD, NATALIE			**95.00**		
LEWIS, CAROLYN S.				Remit to: **BEAUMONT** **CA**	
	6/6/2011	882872	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for LEWIS, CAROLYN S.			**3,805.92**		
LEWIS, LANDIN/DAPHINE				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	208185	6.00		
				REFUND-LIC LOST	6.00
	Vendor Total		**6.00**		
FYTD for LEWIS, LANDIN/DAPHINE			**6.00**		
LEXISNEXIS				Remit to: **LOS ANGELES** **CA**	
	6/6/2011	882873	1,480.00		
				ONLINE LEGAL SVCS-CITY ATTYS	740.00
				ONLINE LEGAL SVCS-CITY CLERKS	370.00
				ONLINE LEGAL SVCS-CDD	370.00
	6/27/2011	883023	1,480.00		
				ONLINE LEGAL SVCS-CITY ATTYS	740.00
				ONLINE LEGAL SVCS-CITY CLERKS	370.00
				ONLINE LEGAL SVCS-CDD	370.00
	Vendor Total		**2,960.00**		
FYTD for LEXISNEXIS			**19,240.00**		
LIM & NASCIMENTO ENGINEERING CORP.				Remit to: **DIAMOND BAR** **CA**	
	6/13/2011	208264	2,418.35		
				INDIAN BASIN STORM DRAIN PROJ	2,418.35
	Vendor Total		**2,418.35**		
FYTD for LIM & NASCIMENTO ENGINEERING CORP.			**346,880.11**		

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LIMO, JOSE M. MD				Remit to: **MORENO VALLEY** **CA**	
	6/27/2011	208468	1,555.51		
				REFUND-BAL OF TRUST ACCT	1,555.51
	Vendor Total		**1,555.51**		
FYTD for LIMO, JOSE M. MD			**1,555.51**		
LOCKE, NICOLE				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	208187	75.00		
				REFUND-SN DEPOSIT	75.00
	6/27/2011	208469	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**95.00**		
FYTD for LOCKE, NICOLE			**95.00**		
LOGAN, CHARLES				Remit to: **LAS VEGAS** **NV**	
	6/6/2011	882874	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for LOGAN, CHARLES			**3,824.76**		
LOGGERHEAD NAVIGATION				Remit to: **SAN DIEGO** **CA**	
	6/6/2011	208188	4,490.95		
				TRIMBLE YUMA UNIT	3,799.00
				TRIMBLE YUMA OFFICE DOCK	749.00
				LOGGERHEAD DISCOUNT	-455.00
				CA SALES TAX	397.95
	Vendor Total		**4,490.95**		
FYTD for LOGGERHEAD NAVIGATION			**15,297.38**		
LONTHAIR, PAUL				Remit to: **MORENO VALLEY** **CA**	
	6/13/2011	208265	585.00		
				PER DIEM-DRUG RECOG EVAL TRNG	585.00
	Vendor Total		**585.00**		
FYTD for LONTHAIR, PAUL			**660.00**		
LOS ANGELES TIMES				Remit to: **PHOENIX** **AZ**	
	6/13/2011	208266	23.92		
				RENEWAL SUBS-CITY MGR	23.92
	6/27/2011	208470	43.72		
				RENEWAL SUBS THROUGH 6/6/12	43.72
	Vendor Total		**67.64**		
FYTD for LOS ANGELES TIMES			**115.48**		

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LUMLEY, ROBERT C.				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	882875	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for LUMLEY, ROBERT C.			**3,824.76**		
LYNCH. PATRICK				Remit to: **MORENO VALLEY** **CA**	
	6/22/2011	208430	325.00		
				PER DIEM-CRASH DATA RTRVL TRNG	325.00
	Vendor Total		**325.00**		
FYTD for LYNCH. PATRICK			**325.00**		
M B I EXCAVATION				Remit to: **SAN DIMAS** **CA**	
	6/20/2011	208357	88.50		
				REFUND-BUS LIC OVRPMT	88.50
	Vendor Total		**88.50**		
FYTD for M B I EXCAVATION			**88.50**		
MAGANA'S AUTO UPHOLSTERY				Remit to: **MORENO VALLEY** **CA**	
	6/13/2011	208267	357.87		
				REUPHOLSTER CHAIRS-LIBRARY	357.87
	Vendor Total		**357.87**		
FYTD for MAGANA'S AUTO UPHOLSTERY			**357.87**		
MARINA LANDSCAPE, INC				Remit to: **ANAHEIM** **CA**	
	6/20/2011	882975	4,994.91		
				LNDSCP MAINT-ZONE DSG-2S	4,994.91
	Vendor Total		**4,994.91**		
FYTD for MARINA LANDSCAPE, INC			**91,342.66**		
MARTINEZ, REGGIE				Remit to: **MORENO VALLEY** **CA**	
	6/20/2011	208358	17.50		
				SPORTS OFFICIATING SVCS	17.50
	Vendor Total		**17.50**		
FYTD for MARTINEZ, REGGIE			**1,102.50**		
MATHIS, NOLAN				Remit to: **JACKSON** **KY**	
	6/6/2011	882876	290.00		
				RETIREE MED APR '11, PD JUN '1	290.00
	Vendor Total		**290.00**		
FYTD for MATHIS, NOLAN			**3,528.00**		

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MATICH CORPORATION				Remit to: **SAN BERNARDINO** **CA**	
	6/6/2011	882877	14,224.99		
				ASPHALTIC MATERIALS	6,153.01
				ASPHALTIC MATERIALS	5,240.44
				ASPHALTIC MATERIALS	2,831.54
	6/13/2011	882940	19,668.08		
				ASPHALTIC MATERIALS	9,723.00
				ASPHALTIC MATERIALS	9,945.08
	Vendor Total		**33,893.07**		
FYTD for MATICH CORPORATION			**72,803.69**		
MAXINOSKI, SUE A.				Remit to: **AVINGER** **TX**	
	6/6/2011	882878	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for MAXINOSKI, SUE A.			**3,824.76**		
MAYER, DAWN				Remit to: **MORENO VALLEY** **CA**	
	6/27/2011	208471	62.00		
				REFUND-PARKS CLASS REGIS FEE	62.00
	Vendor Total		**62.00**		
FYTD for MAYER, DAWN			**62.00**		
MEEKS, DANIEL				Remit to: **PERRIS** **CA**	
	6/6/2011	882879	240.00		
				SPORTS OFFICIATING SVCS	100.00
				SPORTS OFFICIATING SVCS	80.00
				SPORTS OFFICIATING SVCS	60.00
	Vendor Total		**240.00**		
FYTD for MEEKS, DANIEL			**2,060.00**		
MEHTA, MADHUR				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	208190	29.60		
				REFUND-PICNIC SHELTER RESERVTN	29.60
	Vendor Total		**29.60**		
FYTD for MEHTA, MADHUR			**29.60**		
MENDOZA, MEGAN				Remit to: **RIVERSIDE** **CA**	
	6/20/2011	208359	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for MENDOZA, MEGAN			**20.00**		

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MENGISTU, YESHIALEM				Remit to: **MORENO VALLEY** **CA**	
	6/27/2011	208472	62.73		
				MILEAGE REIMBURSEMENT	62.73
	Vendor Total		**62.73**		
FYTD for MENGISTU, YESHIALEM			**1,114.94**		
MESSIN, LOUIS				Remit to: **BULLHEAD CITY** **AZ**	
	6/6/2011	882880	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for MESSIN, LOUIS			**3,824.76**		
MEYERS, ROBERT				Remit to: **MORENO VALLEY** **CA**	
	6/20/2011	208360	399.00		
				INSTRUCTOR SVCS-DRAWING 4 KIDS	173.00
				INSTRUCTOR SVCS-DRAWING 4 KIDS	58.00
				INSTRUCTOR SVCS-PHOTOGRAPHY	168.00
	Vendor Total		**399.00**		
FYTD for MEYERS, ROBERT			**2,646.00**		
MILES, ROBERT				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	882881	229.88		
				RETIREE MED JUN '11	229.88
	Vendor Total		**229.88**		
FYTD for MILES, ROBERT			**2,546.46**		
MILLER, GUILIANA				Remit to: **MORENO VALLEY** **CA**	
	6/20/2011	208361	125.60		
				REFUND-PARKS CLASS REGIS FEE	125.60
	Vendor Total		**125.60**		
FYTD for MILLER, GUILIANA			**125.60**		
MINARD, MARK E.				Remit to: **REDLANDS** **CA**	
	6/6/2011	882882	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for MINARD, MARK E.			**3,761.40**		
MOCTEZUMA, STEFANY				Remit to: **MORENO VALLEY** **CA**	
	6/20/2011	208362	29.60		
				REFUND-PARKS CLASS REGIS FEE	29.60
	Vendor Total		**29.60**		
FYTD for MOCTEZUMA, STEFANY			**29.60**		

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MOLLICA, MIKE				Remit to: **DUNNELLON** **FL**	
	6/6/2011	882883	401.42		
				RETIREE MED JUN '11	401.42
	Vendor Total		**401.42**		
FYTD for MOLLICA, MIKE			**4,817.04**		
MONTGOMERY PLUMBING INC				Remit to: **MORENO VALLEY** **CA**	
	6/13/2011	208268	297.50		
				PLUMBING REPAIRS-SENIOR CTR	100.00
				PLUMBING REPAIRS-SENIOR CTR	197.50
	6/20/2011	208363	333.00		
				EMRGNCY PLUMBING REPAIRS	92.25
				EMRGNCY PLUMBING REPAIRS-FS#2	240.75
	Vendor Total		**630.50**		
FYTD for MONTGOMERY PLUMBING INC			**7,481.57**		
MOORE, CHANE				Remit to: **MORENO VALLEY** **CA**	
	6/20/2011	208364	200.00		
				REFUND-RENTAL DEPOSIT-TWNGATE	200.00
	Vendor Total		**200.00**		
FYTD for MOORE, CHANE			**200.00**		
MORA, PATRICIA A.				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	882884	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for MORA, PATRICIA A.			**3,824.76**		
MORALES, JOSE				Remit to: **RIVERSIDE** **CA**	
	6/13/2011	208269	200.00		
				REFUND-RENTAL DEP CTRCT#19406	200.00
	Vendor Total		**200.00**		
FYTD for MORALES, JOSE			**200.00**		
MORENO VALLEY BLACK CHAMBER OF COMMERCE				Remit to: **MORENO VALLEY** **CA**	
	6/27/2011	208473	50.00		
				5/27/11 WALKER AWARDS LUNCHEON	50.00
	6/27/2011	208474	50.00		
				5/27/11 WALKER AWARDS LUNCHEON	50.00
	Vendor Total		**100.00**		
FYTD for MORENO VALLEY BLACK CHAMBER OF COMMERCE			**100.00**		

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MORENO VALLEY CHAMBER OF COMMERCE			Remit to: **MORENO VALLEY**	**CA**
6/6/2011	208191	410.00		
			WAKE-UP MEETING-5/25/11	15.00
			WAKE-UP MEETING-5/25/11	15.00
			WAKE-UP MEETING-5/25/11	15.00
			WAKE-UP MEETING-5/25/11	15.00
			WAKE-UP MEETING SPONSORSHP-6/9	350.00
	Vendor Total	**410.00**		
FYTD for MORENO VALLEY CHAMBER OF COMMERCE		**29,250.00**		
MORENO VALLEY CITY EMPLOYEES ASSOC.			Remit to: **MORENO VALLEY**	**CA**
6/3/2011	2868	1,562.00		
			MVCEA DUES 6/3/11	1,562.00
6/17/2011	2878	1,549.00		
			MVCEA DUES 6/17/11	1,549.00
	Vendor Total	**3,111.00**		
FYTD for MORENO VALLEY CITY EMPLOYEES ASSOC.		**40,713.50**		
MORENO VALLEY GATEWAY, LLC			Remit to: **SAN JUAN CAPISTRANO**	**CA**
6/27/2011	883024	17,142.59		
			LEASE-FACILITIES ANNEX-JULY11	2,458.97
			LEASE-TECH SVCS ANNEX-JULY11	5,475.90
			LEASE-SPEC DIST ANNEX-JULY11	9,207.72
	Vendor Total	**17,142.59**		
FYTD for MORENO VALLEY GATEWAY, LLC		**205,711.08**		
MORENO VALLEY LODGE # 804			Remit to: **MORENO VALLEY**	**CA**
6/8/2011	208239	50.00		
			MASONIC LODGE 50TH ANNIV EVENT	25.00
			MASONIC LODGE 50TH ANNIV EVENT	25.00
	Vendor Total	**50.00**		
FYTD for MORENO VALLEY LODGE # 804		**50.00**		
MORENO VALLEY UNIFIED SCHOOL DISTRICT			Remit to: **MORENO VALLEY**	**CA**
6/27/2011	208475	100.00		
			REFUND-RENTAL DEPOSIT-MSU	100.00
	Vendor Total	**100.00**		
FYTD for MORENO VALLEY UNIFIED SCHOOL DISTRICT		**26,609.95**		
MORGAN, LISA A.			Remit to: **MENTONE**	**CA**
6/6/2011	882885	318.73		
			RETIREE MED JUN '11	318.73
	Vendor Total	**318.73**		
FYTD for MORGAN, LISA A.		**3,824.76**		

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MUSICK, PEELER & GARRETT, LLP			Remit to: **LOS ANGELES**	**CA**
6/13/2011	208270	1,080.00		
			LEGAL SERVICES-HR	1,080.00
Vendor Total		**1,080.00**		
FYTD for MUSICK, PEELER & GARRETT, LLP		**31,379.34**		
MUSICSTAR			Remit to: **RIVERSIDE**	**CA**
6/27/2011	208477	2,430.00		
			INSTRUCTOR SVCS-PIANO	324.00
			INSTRUCTOR SVCS-PIANO	270.00
			INSTRUCTOR SVCS-PIANO	162.00
			INSTRUCTOR SVCS-PIANO	162.00
			INSTRUCTOR SVCS-PIANO	162.00
			INSTRUCTOR SVCS-PIANO	270.00
			INSTRUCTOR SVCS-PIANO	216.00
			INSTRUCTOR SVCS-PIANO	81.00
			INSTRUCTOR SVCS-PIANO	189.00
			INSTRUCTOR SVCS-PIANO	135.00
			INSTRUCTOR SVCS-PIANO	216.00
			INSTRUCTOR SVCS-PIANO	243.00
Vendor Total		**2,430.00**		
FYTD for MUSICSTAR		**9,569.97**		
NATIONAL LAW ENFORCEMENT SUPPLY, INC.			Remit to: **ALBANY**	**NY**
6/13/2011	208271	788.41		
			FORENSIC SUPPLIES	152.00
			SHIPPING	9.61
			CA USE TAX	14.14
			USE TAX ACCRUAL	-14.14
			FORENSIC SUPPLIES	563.00
			SHIPPING	63.80
			CA USE TAX	54.85
			USE TAX ACCRUAL	-54.85
Vendor Total		**788.41**		
FYTD for NATIONAL LAW ENFORCEMENT SUPPLY, INC.		**1,234.39**		

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NATIONWIDE RETIREMENT SOLUTIONS			Remit to: **COLUMBUS** **OH**	
6/3/2011	2866	13,359.19		
			PST DEF COMP FOR FICA 6/3/11	13,359.19
6/3/2011	2867	24,748.03		
			DEF COMP 457 & 401(A) 6/3/11	24,748.03
6/17/2011	2876	7,721.92		
			PST DEF COMP FOR FICA 6/17/11	7,721.92
6/17/2011	2877	24,535.92		
			DEF COMP 457 6/17/11	24,535.92
	Vendor Total	**70,365.06**		
FYTD for NATIONWIDE RETIREMENT SOLUTIONS		**832,996.12**		
NATURE'S IMAGE, INC.			Remit to: **LAKE FOREST** **CA**	
6/13/2011	208272	10,877.50		
			DETENTION BASIN MAINTENANCE	10,877.50
	Vendor Total	**10,877.50**		
FYTD for NATURE'S IMAGE, INC.		**30,761.00**		
NAVARRETTE, RALPH			Remit to: **RANCHO CUCAMONGA** **CA**	
6/6/2011	882886	318.73		
			RETIREE MED JUN '11	318.73
	Vendor Total	**318.73**		
FYTD for NAVARRETTE, RALPH		**3,824.76**		
NAVCO NETWORKS & SECURITY			Remit to: **ANAHEIM** **CA**	
6/20/2011	882977	392.00		
			LABOR FOR DVR #3 REPAIR	392.00
	Vendor Total	**392.00**		
FYTD for NAVCO NETWORKS & SECURITY		**7,705.35**		
NELSON, ROBERT			Remit to: **ONTARIO** **CA**	
6/6/2011	882887	325.66		
			RETIREE MED JUN '11	325.66
	Vendor Total	**325.66**		
FYTD for NELSON, ROBERT		**3,787.56**		
NELSON, RUTH L.			Remit to: **PERRIS** **CA**	
6/6/2011	882888	318.73		
			RETIREE MED JUN '11	318.73
	Vendor Total	**318.73**		
FYTD for NELSON, RUTH L.		**3,824.76**		

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NELSON, TIMOTHY IVAN				Remit to: **GRAND TERRACE** **CA**	
	6/20/2011	208365	494.00		
				INSTRUCTIONAL SVCS-13 DAYS	494.00
	Vendor Total		**494.00**		
FYTD for NELSON, TIMOTHY IVAN			**4,066.00**		
NEUSTAEDTER, CRAIG S				Remit to: **IRVINE** **CA**	
	6/6/2011	208193	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for NEUSTAEDTER, CRAIG S			**3,824.76**		
NEW HORIZON MOBILE HOME PARK				Remit to: **LOS ANGELES** **CA**	
	6/20/2011	882978	9.08		
				REFUND-UUT FOR EXEMPT RESIDNTS	9.08
	Vendor Total		**9.08**		
FYTD for NEW HORIZON MOBILE HOME PARK			**77.46**		
NGUYEN, QUANG				Remit to: **AZUSA** **CA**	
	6/13/2011	882942	165.24		
				MILEAGE REIMBURSEMENT	165.24
	Vendor Total		**165.24**		
FYTD for NGUYEN, QUANG			**627.48**		
NIEBURGER, JUDITH A.				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	208194	401.42		
				RETIREE MED JUN '11	401.42
	Vendor Total		**401.42**		
FYTD for NIEBURGER, JUDITH A.			**4,817.04**		
NOBEL SYSTEMS				Remit to: **SAN BERNARDINO** **CA**	
	6/27/2011	883025	1,440.00		
				BID AMERICA PLAN CONVERSIONS	1,440.00
	Vendor Total		**1,440.00**		
FYTD for NOBEL SYSTEMS			**54,792.00**		
NOBLES, GARRETT				Remit to: **HEMET** **CA**	
	6/20/2011	208366	41.31		
				MILEAGE REIMBURSEMENT	41.31
	Vendor Total		**41.31**		
FYTD for NOBLES, GARRETT			**724.36**		

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NUNEZ-MERRILL, DAISY			Remit to: **MORENO VALLEY** **CA**	
6/20/2011	208367	62.00		
			REFUND-PARKS CLASS REGIS FEE	62.00
	Vendor Total	**62.00**		
FYTD for NUNEZ-MERRILL, DAISY		**62.00**		
OAKRIDGE DATA MINING			Remit to: **MORENO VALLEY** **CA**	
6/13/2011	208274	400.00		
			CONSULTING SVCS-TECH SVCS	400.00
6/27/2011	208479	2,230.00		
			CONSULTING SVCS-PAYROLL	2,230.00
	Vendor Total	**2,630.00**		
FYTD for OAKRIDGE DATA MINING		**2,630.00**		
OFFICE OF THE DISTRICT ATTORNEY			Remit to: **RIVERSIDE** **CA**	
6/6/2011	208195	10,000.00		
			LEGAL SVCS-CASE PROSECUTION	10,000.00
	Vendor Total	**10,000.00**		
FYTD for OFFICE OF THE DISTRICT ATTORNEY		**10,000.00**		
OLIVAS, PRESCILLA DENISE			Remit to: **MORENO VALLEY** **CA**	
6/27/2011	208480	103.00		
			REFUND-CITATION FEE	103.00
	Vendor Total	**103.00**		
FYTD for OLIVAS, PRESCILLA DENISE		**103.00**		
ORANTES, ERICK			Remit to: **MORENO VALLEY** **CA**	
6/27/2011	208481	45.00		
			REFUND-PARKS CLASS REGIS FEE	45.00
	Vendor Total	**45.00**		
FYTD for ORANTES, ERICK		**45.00**		
ORROCK, POPKA, FORTINO & BRISLIN			Remit to: **RIVERSIDE** **CA**	
6/13/2011	882943	134.30		
			LEGAL SERVICES-RISK MGT	134.30
	Vendor Total	**134.30**		
FYTD for ORROCK, POPKA, FORTINO & BRISLIN		**13,750.53**		
OVERLAND PACIFIC & CUTLER, INC.			Remit to: **LONG BEACH** **CA**	
6/6/2011	882889	5,565.00		
			RIGHT OF WAY SVCS-VARIOUS PROJ	5,565.00
	Vendor Total	**5,565.00**		
FYTD for OVERLAND PACIFIC & CUTLER, INC.		**136,870.25**		

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PACIFIC SAFETY COUNCIL			Remit to: **SAN DIEGO** **CA**	
6/27/2011	883026	8.70		
			SAFETY TRAINING-VIDEO	8.70
	Vendor Total	**8.70**		
FYTD for PACIFIC SAFETY COUNCIL		**3,824.45**		
PACIFIC TELEMANAGEMENT SERVICES			Remit to: **SAN RAMON** **CA**	
6/27/2011	883027	375.84		
			PAYPHONE SVCS	313.20
			PAYPHONE SVCS-PD	62.64
	Vendor Total	**375.84**		
FYTD for PACIFIC TELEMANAGEMENT SERVICES		**5,199.12**		
PATTERSON, ALFREY			Remit to: **MORENO VALLEY** **CA**	
6/6/2011	208196	229.88		
			RETIREE MED JUN '11	229.88
	Vendor Total	**229.88**		
FYTD for PATTERSON, ALFREY		**2,546.46**		
PATTERSON, MORGAN			Remit to: **NEWPORT BEACH** **CA**	
6/27/2011	208482	1,000.00		
			STAFF ASSIST. SVCS-ICSC RECON	1,000.00
	Vendor Total	**1,000.00**		
FYTD for PATTERSON, MORGAN		**1,000.00**		
PAUL, MICHAEL			Remit to: **SAN JACINTO** **CA**	
6/6/2011	208197	308.00		
			SPORTS OFFICIATING SVCS	33.00
			SPORTS OFFICIATING SVCS	55.00
			SPORTS OFFICIATING SVCS	66.00
			SPORTS OFFICIATING SVCS	44.00
			SPORTS OFFICIATING SVCS	110.00
	Vendor Total	**308.00**		
FYTD for PAUL, MICHAEL		**2,275.00**		
PEDLEY SQUARE VETERINARY CLINIC			Remit to: **RIVERSIDE** **CA**	
6/27/2011	883028	5,579.00		
			VETERINARY SVCS-ANML SHLTR	5,579.00
	Vendor Total	**5,579.00**		
FYTD for PEDLEY SQUARE VETERINARY CLINIC		**93,544.00**		

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PENA, IRIS				Remit to: **MORENO VALLEY** **CA**	
	6/27/2011	208483	107.25		
				MILEAGE REIMBURSEMENT	107.25
	Vendor Total		**107.25**		
FYTD for PENA, IRIS			**796.13**		
PENTON MEDIA, INC.				Remit to: **OVERLAND PARK** **KS**	
	6/20/2011	882979	2,500.00		
				ADVERTISING SVCS-EDD	2,500.00
	Vendor Total		**2,500.00**		
FYTD for PENTON MEDIA, INC.			**7,500.00**		
PEREZ, ERNIE				Remit to: **SAN BERNARDINO** **CA**	
	6/6/2011	208198	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for PEREZ, ERNIE			**20.00**		
PERRY, NORMA				Remit to: **PIONEER** **CA**	
	6/6/2011	208199	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for PERRY, NORMA			**3,824.76**		
PERS LONG TERM CARE PROGRAM				Remit to: **PASADENA** **CA**	
	6/6/2011	208200	458.63		
				LONG TERM CARE INSURANCE	458.63
	6/20/2011	208368	458.63		
				LONG TERM CARE INSURANCE	458.63
	Vendor Total		**917.26**		
FYTD for PERS LONG TERM CARE PROGRAM			**12,094.42**		
PLYLEY & PLYLEY, LLC				Remit to: **UPLAND** **CA**	
	6/6/2011	208201	576.92		
				REFUND-PLAN CHECK FEES	191.22
				REFUND-PLAN CHECK FEES	194.48
				REFUND-PLAN CHECK FEES	191.22
	Vendor Total		**576.92**		
FYTD for PLYLEY & PLYLEY, LLC			**576.92**		

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POIEMA LANDSCAPE, INC.			Remit to: **COLTON** **CA**	
6/20/2011	882980	1,712.15		
			LANDSCAPE MAINT-ZONE S	596.85
			LANDSCAPE MAINT-ZONE S	1,115.30
	Vendor Total	**1,712.15**		
FYTD for POIEMA LANDSCAPE, INC.		**48,138.50**		
POWER MINISTRIES CHRISTIAN CENTER			Remit to: **MORENO VALLEY** **CA**	
6/13/2011	208275	700.00		
			REFUND-RENTAL DEP CTRCT#18292	700.00
	Vendor Total	**700.00**		
FYTD for POWER MINISTRIES CHRISTIAN CENTER		**700.00**		
PRICE, GEORGE E.			Remit to: **MORENO VALLEY** **CA**	
6/6/2011	882890	318.73		
			RETIREE MED JUN '11	318.73
	Vendor Total	**318.73**		
FYTD for PRICE, GEORGE E.		**3,824.76**		
PRINCE, GARY			Remit to: **MORENO VALLEY** **CA**	
6/27/2011	208484	51.00		
			REFUND-PARKS CLASS REGIS FEE	51.00
	Vendor Total	**51.00**		
FYTD for PRINCE, GARY		**51.00**		
PRO RIDER, INC. (CNS PROGRAM)			Remit to: **KENT** **WA**	
6/20/2011	208370	356.40		
			BIKE HELMETS	284.40
			SHIPPING CHARGES	72.00
			CALIF SALES TAX	24.89
			SALES TAX ACCRUAL	-24.89
6/27/2011	208485	356.40		
			BIKE HELMETS-PD/CHILD SAFETY	387.59
			BIKE HELMETS-PD/CHILD SAFETY	-31.19
	Vendor Total	**712.80**		
FYTD for PRO RIDER, INC. (CNS PROGRAM)		**712.80**		
PULLIAM, TRENT D.			Remit to: **MISSION VIEJO** **CA**	
6/6/2011	882891	318.73		
			RETIREE MED JUN '11	318.73
	Vendor Total	**318.73**		
FYTD for PULLIAM, TRENT D.		**3,824.76**		

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QUIJADA, BEN				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	208202	20.00		
				REFUND-RABIES DEPOSIT	20.00
	Vendor Total		**20.00**		
FYTD for QUIJADA, BEN			**20.00**		
QUINN AME CHURCH				Remit to: **MORENO VALLEY** **CA**	
	6/13/2011	208276	225.00		
				REFUND-RENTAL DEP CTRCT#18723	200.00
				REFUND-RENTAL DEP/ CTRCT#18723	25.00
	Vendor Total		**225.00**		
FYTD for QUINN AME CHURCH			**225.00**		
R & S OVERHEAD DOORS, INC.				Remit to: **FONTANA** **CA**	
	6/13/2011	882944	481.00		
				DOOR MAINT-PSB	481.00
	6/20/2011	882981	450.50		
				DOOR MAINT-FS #6	61.25
				DOOR MAINT-FS #6	389.25
	Vendor Total		**931.50**		
FYTD for R & S OVERHEAD DOORS, INC.			**21,328.75**		
RAFAEL LOPEZ				Remit to: **MORENO VALLEY** **CA**	
	6/13/2011	208277	585.00		
				PER DIEM-DRUG RECOG EVAL TRNG	585.00
	6/21/2011	208428	73.00		
				SEMINAR PARKING/TICKET EXCHNG.	73.00
	Vendor Total		**658.00**		
FYTD for RAFAEL LOPEZ			**813.00**		
RAMOS, ROBERTO				Remit to: **MORENO VALLEY** **CA**	
	6/27/2011	208486	814.80		
				INSTRUCTOR SVCS-KARATE	317.00
				INSTRUCTOR SVCS-KARATE	50.80
				INSTRUCTOR SVCS-KARATE	42.00
				INSTRUCTOR SVCS-TAE KWON DO	405.00
	Vendor Total		**814.80**		
FYTD for RAMOS, ROBERTO			**2,497.80**		
RANDAL R. MORRISON OF SABINE & MORRISON				Remit to: **SAN DIEGO** **CA**	
	6/6/2011	208203	10,000.00		
				LEGAL SVCS	10,000.00
	Vendor Total		**10,000.00**		
FYTD for RANDAL R. MORRISON OF SABINE & MORRISON			**10,000.00**		

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RANDHAWA, KANWAI				Remit to: **MORENO VALLEY** **CA**	
	6/20/2011	208371	77.00		
				REFUND-PARKS CLASS REGIS FEE	77.00
	Vendor Total		**77.00**		
FYTD for RANDHAWA, KANWAI			**77.00**		
RAY-RAMIREZ, DARCY L.				Remit to: **RIVERSIDE** **CA**	
	6/6/2011	208204	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for RAY-RAMIREZ, DARCY L.			**2,549.84**		
REDBOX AUTOMATED RETAIL, LLC				Remit to: **OAKBROOK TERRACE** **IL**	
	6/27/2011	208487	61.00		
				REFUND-BUS LIC OVERPAYMENT	61.00
	Vendor Total		**61.00**		
FYTD for REDBOX AUTOMATED RETAIL, LLC			**370.00**		
REYES, ARIANNA				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	208205	50.00		
				REFUND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for REYES, ARIANNA			**50.00**		
RICK ENGINEERING COMPANY				Remit to: **RIVERSIDE** **CA**	
	6/6/2011	882892	1,155.00		
				KITCHING ST IMPRVMNTS PROJ	1,155.00
	6/20/2011	882982	2,070.00		
				T/S-SUNNYMD RANCH/VILLAGE RD	130.00
				DRACAEA AVE SIDEWLK IMPRVMNTS	1,940.00
	Vendor Total		**3,225.00**		
FYTD for RICK ENGINEERING COMPANY			**41,738.16**		
RIGHTWAY SITE SERVICES, INC.				Remit to: **LAKE ELSINORE** **CA**	
	6/13/2011	208278	72.38		
				PORTABLE TOILET-GOLF COURSE	72.38
	Vendor Total		**72.38**		
FYTD for RIGHTWAY SITE SERVICES, INC.			**411.27**		

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RIV CO FLOOD CONTROL & WATER CONSERVATN			Remit to: **RIVERSIDE** **CA**	
6/20/2011	208372	2,000.00		
			INITIAL DEPOSIT-MORRISON PK FS	2,000.00
	Vendor Total	**2,000.00**		
FYTD for RIV CO FLOOD CONTROL & WATER CONSERVATN		**101,469.62**		
RIVERA, MARIA			Remit to: **PERRIS** **CA**	
6/20/2011	208373	30.00		
			REFUND-RABIES DEP & LIC FEES	20.00
			REFUND-RABIES DEP & LIC FEES	10.00
	Vendor Total	**30.00**		
FYTD for RIVERA, MARIA		**30.00**		
RIVERSIDE CONSTRUCTION COMPANY, INC			Remit to: **RIVERSIDE** **CA**	
6/28/2011	1106121	24,785.69		
			RETENTN PMT PER ESCRW AGREEMNT	24,785.69
6/28/2011	1106122	1,200.00		
			RETENTN PMT PER ESCRW AGREEMNT	1,200.00
6/28/2011	1106123	8,850.23		
			RETENTN PMT PER ESCRW AGREEMNT	8,850.23
6/28/2011	1106124	2,458.00		
			RETENTN PMT PER ESCRW AGREEMNT	2,458.00
	Vendor Total	**37,293.92**		
FYTD for RIVERSIDE CONSTRUCTION COMPANY, INC		**4,098,957.33**		
RIVERSIDE COUNTY DEPT OF PUBLIC HEALTH			Remit to: **RIVERSIDE** **CA**	
6/20/2011	208374	150.00		
			DFA FOR RABIES-ANML SVCS	50.00
			DFA FOR RABIES-ANML SVCS	100.00
	Vendor Total	**150.00**		
FYTD for RIVERSIDE COUNTY DEPT OF PUBLIC HEALTH		**650.00**		
RIVERSIDE COUNTY INFORMATION TECHNOLOGY			Remit to: **RIVERSIDE** **CA**	
6/27/2011	208488	242.93		
			VPN CONNECTION-TECH SVCS	30.26
			RADIO LEASE/MAINT-TELECOMM	170.10
			RADIO LEASE/MAINT-TELECOMM	9.45
			RADIO LEASE/MAINT-TELECOMM	33.12
	Vendor Total	**242.93**		
FYTD for RIVERSIDE COUNTY INFORMATION TECHNOLOGY		**23,536.36**		

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RIVERSIDE COUNTY SHERIFF			Remit to: **RIVERSIDE** **CA**	
6/20/2011	882984	9,905.91		
			BOOKING FEES-PD	9,905.91
	Vendor Total	**9,905.91**		
FYTD for RIVERSIDE COUNTY SHERIFF		**28,410,270.06**		
RIVERSIDE COUNTY SHERIFF BEN CLARK			Remit to: **RIVERSIDE** **CA**	
6/21/2011	208429	95.00		
			REG.-SEARCH WARR PREP & EXECTN	95.00
	Vendor Total	**95.00**		
FYTD for RIVERSIDE COUNTY SHERIFF BEN CLARK		**11,580.00**		
RIVERSIDE COUNTY SHERIFF COURT SERVICES			Remit to: **RIVERSIDE** **CA**	
6/6/2011	208206	793.02		
			GARNISHMENT	102.97
			GARNISHMENT	167.28
			GARNISHMENT	522.77
6/20/2011	208375	684.19		
			GARNISHMENT	7.83
			GARNISHMENT	157.83
			GARNISHMENT	518.53
	Vendor Total	**1,477.21**		
FYTD for RIVERSIDE COUNTY SHERIFF COURT SERVICES		**20,731.34**		
RIVERSIDE COUNTY TREAS. OF RIVERSIDE, CA			Remit to: **MORENO VALLEY** **CA**	
6/27/2011	208490	100.00		
			REFUND-RENTAL DEPOSIT-MSU	100.00
	Vendor Total	**100.00**		
FYTD for RIVERSIDE COUNTY TREAS. OF RIVERSIDE, CA		**100.00**		
RIVERSIDE RUBBER STAMP & ENGRAVING			Remit to: **RIVERSIDE** **CA**	
6/20/2011	882985	35.28		
			GREEN STAMP-STARS	29.28
			GREEN STAMP-STARS	6.00
	Vendor Total	**35.28**		
FYTD for RIVERSIDE RUBBER STAMP & ENGRAVING		**243.55**		
RLZ ENGINEERING			Remit to: **CORONA** **CA**	
6/20/2011	882986	6,200.00		
			TEMP STAFFING SVCS-CAP PROJS	6,200.00
	Vendor Total	**6,200.00**		
FYTD for RLZ ENGINEERING		**72,881.00**		

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ROBINSON, JOAQUIN DIEGO				Remit to: **RIVERSIDE** **CA**	
	6/20/2011	208376	190.00		
				INSTRUCTIONAL SVCS-5 DAYS	190.00
	Vendor Total		**190.00**		
FYTD for ROBINSON, JOAQUIN DIEGO			**2,166.00**		
ROBINSON-DAVIS, YAVONNE				Remit to: **MORENO VALLEY** **CA**	
	6/20/2011	208377	119.34		
				MILEAGE REIMBURSEMENT	119.34
	Vendor Total		**119.34**		
FYTD for ROBINSON-DAVIS, YAVONNE			**547.74**		
ROBLES, ARIANA				Remit to: **RIVERSIDE** **CA**	
	6/6/2011	208207	75.00		
				REFUND-SN DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for ROBLES, ARIANA			**75.00**		
RODRIGUEZ, LAUREN				Remit to: **MORENO VALLEY** **CA**	
	6/27/2011	208491	105.06		
				MILEAGE REIMBURSEMENT	105.06
	Vendor Total		**105.06**		
FYTD for RODRIGUEZ, LAUREN			**958.98**		
RODRIGUEZ, LESLIE				Remit to: **MORENO VALLEY** **CA**	
	6/20/2011	208378	60.00		
				REFUND-PARKS CLASS REGIS FEE	60.00
	Vendor Total		**60.00**		
FYTD for RODRIGUEZ, LESLIE			**60.00**		
RODRIGUEZ, SYLVIA				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	208208	318.73		
				RETIREE MED MAY '11, PD JUN '1	318.73
	Vendor Total		**318.73**		
FYTD for RODRIGUEZ, SYLVIA			**318.73**		
ROGERS, EUGENE				Remit to: **PALM SPRINGS** **CA**	
	6/6/2011	882893	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for ROGERS, EUGENE			**3,824.76**		

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ROGERS, KIANNA				Remit to: **MORENO VALLEY CA**	
	6/20/2011	208379	47.94		
				MILEAGE REIMBURSEMENT	47.94
	6/27/2011	208492	83.13		
				MILEAGE REIMBURSEMENT	83.13
	Vendor Total		**131.07**		
FYTD for ROGERS, KIANNA			**1,266.27**		
ROSAS, DAISY				Remit to: **MORENO VALLEY CA**	
	6/20/2011	208380	95.00		
				REFUND-RABIES & SN DEPOSIT	20.00
				REFUND-RABIES & SN DEPOSIT	75.00
	Vendor Total		**95.00**		
FYTD for ROSAS, DAISY			**95.00**		
ROSS, DAVID T.				Remit to: **MORENO VALLEY CA**	
	6/6/2011	882894	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for ROSS, DAVID T.			**3,824.76**		
ROSSON, LOUIS A.				Remit to: **PERRIS CA**	
	6/6/2011	882895	270.80		
				RETIREE MED JUN '11	174.30
				RETIREE MED JUN '11	96.50
	Vendor Total		**270.80**		
FYTD for ROSSON, LOUIS A.			**3,459.56**		
ROTO-ROOTER PLUMBERS				Remit to: **RANCHO CUCAMONGA CA**	
	6/6/2011	882896	510.00		
				PLUMBING REPAIRS-PARKS	510.00
	Vendor Total		**510.00**		
FYTD for ROTO-ROOTER PLUMBERS			**1,038.00**		
RUIZ, NARDUSLIBIA				Remit to: **MORENO VALLEY CA**	
	6/27/2011	208493	55.00		
				REFUND-CITATION FEE	55.00
	Vendor Total		**55.00**		
FYTD for RUIZ, NARDUSLIBIA			**55.00**		

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RUSSO, JOHN				Remit to: **RANCHO MIRAGE** **CA**	
	6/6/2011	882897	229.88		
				RETIREE MED JUN '11	229.88
	Vendor Total		**229.88**		
FYTD for RUSSO, JOHN			**3,647.06**		
RUVALCABA, RAFAEL				Remit to: **MORENO VALLEY** **CA**	
	6/20/2011	208381	570.00		
				INSTRUCTIONAL SVCS-15 DAYS	570.00
	Vendor Total		**570.00**		
FYTD for RUVALCABA, RAFAEL			**2,394.00**		
RYMAX ELECTRIC, INC.				Remit to: **UPLAND** **CA**	
	6/13/2011	208279	1,007.98		
				LIGHTING MAINT-E1	125.00
				LIGHTING MAINT-E2	125.00
				LIGHTING MAINT-E3	125.00
				LIGHTING MAINT-E7	125.00
				LIGHTING MAINT-ZONE M	125.00
				LIGHTING MAINT-E3	382.98
	Vendor Total		**1,007.98**		
FYTD for RYMAX ELECTRIC, INC.			**10,575.93**		
SA ASSOCIATES				Remit to: **ARCADIA** **CA**	
	6/27/2011	883029	6,600.00		
				TEMP STAFFING SVCS-CAP PROJS.	6,600.00
	Vendor Total		**6,600.00**		
FYTD for SA ASSOCIATES			**124,275.00**		
SAFEWAY SIGN CO.				Remit to: **ADELANTO** **CA**	
	6/6/2011	882898	3,329.82		
				TRAFFIC SIGNS/HARDWARE	2,195.23
				TRAFFIC SIGNS/HARDWARE	606.12
				TRAFFIC SIGNS/HARDWARE	528.47
	6/20/2011	882987	995.98		
				TRAFFIC SIGNS/HARDWARE	995.98
	Vendor Total		**4,325.80**		
FYTD for SAFEWAY SIGN CO.			**12,810.43**		
SAGASTUME, MARIO				Remit to: **HEMET** **CA**	
	6/20/2011	208382	494.00		
				INSTRUCTIONAL SVCS-13 DAYS	494.00
	Vendor Total		**494.00**		
FYTD for SAGASTUME, MARIO			**1,976.00**		

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SALGADO, JULIAN M.			Remit to: **MORENO VALLEY** **CA**	
6/6/2011	208209	400.00		
			REFUND-ADMIN CITATION	400.00
	Vendor Total	**400.00**		
FYTD for SALGADO, JULIAN M.		**400.00**		
SAN BERNARDINO & RIVERSIDE CO FIRE EQUIP			Remit to: **SAN BERNARDINO** **CA**	
6/20/2011	882988	100.88		
			FIRE EXTINGUISHERS-SENIOR CTR	4.00
			FIRE EXTINGUISHERS-SENIOR CTR	96.88
	Vendor Total	**100.88**		
FYTD for SAN BERNARDINO & RIVERSIDE CO FIRE EQUIP		**4,094.29**		
SANCHEZ, CAROLINA			Remit to: **PERRIS** **CA**	
6/20/2011	208383	200.00		
			REFUND-RENTAL DEPOSIT-TWNGATE	200.00
	Vendor Total	**200.00**		
FYTD for SANCHEZ, CAROLINA		**200.00**		
SANDS, ROBIN			Remit to: **MORENO VALLEY** **CA**	
6/20/2011	208384	50.00		
			REFUND-TRAP RENTAL DEPOSIT	50.00
	Vendor Total	**50.00**		
FYTD for SANDS, ROBIN		**50.00**		
SCHOENFELDER, LAURA			Remit to: **PERRIS** **CA**	
6/20/2011	208385	190.00		
			INSTRUCTIONAL SVCS-5 DAYS	190.00
	Vendor Total	**190.00**		
FYTD for SCHOENFELDER, LAURA		**722.00**		
SECURITY LOCK & KEY			Remit to: **YUCAIPA** **CA**	
6/6/2011	882899	82.50		
			LOCK SERVICE-PARKS	82.50
6/20/2011	882989	80.00		
			DOOR LOCK REPAIRS AT FS#48	80.00
	Vendor Total	**162.50**		
FYTD for SECURITY LOCK & KEY		**4,365.60**		

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SERTA MATTRESS				Remit to: **MORENO VALLEY** **CA**	
	6/13/2011	208280	1,032.00		
				BOX SPRNGS & BED FRAMES FOR FS	1,032.00
	Vendor Total		**1,032.00**		
FYTD for SERTA MATTRESS			**5,975.60**		
SHARRETT, SHARON K.				Remit to: **ONTARIO** **CA**	
	6/6/2011	208210	174.30		
				RETIREE MED JUN '11	174.30
	Vendor Total		**174.30**		
FYTD for SHARRETT, SHARON K.			**2,205.96**		
SHELDON, STUART H.				Remit to: **MURRIETA** **CA**	
	6/6/2011	208211	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for SHELDON, STUART H.			**3,824.76**		
SHELL OIL CO.				Remit to: **COLUMBUS** **OH**	
	6/13/2011	208281	64.81		
				FUEL PURCHASE	64.81
	6/27/2011	208495	1,737.74		
				FUEL PURCHASES	1,737.74
	6/27/2011	208496	60.81		
				FUEL PURCHASES	60.81
	6/27/2011	208497	59.14		
				FUEL PURCHASES	59.14
	Vendor Total		**1,922.50**		
FYTD for SHELL OIL CO.			**20,111.34**		
SHURTLEFF, JEANNETTE L.				Remit to: **LAKE ELSINORE** **CA**	
	6/20/2011	882990	532.00		
				INSTRUCTIONAL SVCS-14 DAYS	532.00
	Vendor Total		**532.00**		
FYTD for SHURTLEFF, JEANNETTE L.			**5,624.00**		
SIERRA PACIFIC ELECTRICAL CONTRACTING				Remit to: **RIVERSIDE** **CA**	
	6/6/2011	208212	4,960.00		
				TRAFFIC LOOP RPLCMNT SVCS	1,860.00
				TRAFFIC LOOP RPLCMNT SVCS	3,100.00
	Vendor Total		**4,960.00**		
FYTD for SIERRA PACIFIC ELECTRICAL CONTRACTING			**6,820.00**		

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SIMPLOT PARTNERS				Remit to: **LOS ANGELES** **CA**	
	6/20/2011	208386	2,213.28		
				FERTILIZER/CHEMICALS FOR PARKS	2,213.28
	Vendor Total		**2,213.28**		
FYTD for SIMPLOT PARTNERS			**2,213.28**		
SKY PUBLISHING				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	208213	875.00		
				ADVERTISING SVCS-PW SOLID WST	875.00
	6/20/2011	208387	1,650.00		
				ADVERTISING SVCS-EDD	1,650.00
	Vendor Total		**2,525.00**		
FYTD for SKY PUBLISHING			**66,849.00**		
SKY TRAILS MOBILE VILLAGE				Remit to: **LOS ANGELES** **CA**	
	6/20/2011	882991	57.59		
				REFUND-UUT FOR EXEMPT RESIDNTS	57.59
	Vendor Total		**57.59**		
FYTD for SKY TRAILS MOBILE VILLAGE			**520.53**		
SLAGERMAN, SUSAN A.				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	882900	318.73		
				RETIREE MED MAY '11, PD JUN '1	318.73
	Vendor Total		**318.73**		
FYTD for SLAGERMAN, SUSAN A.			**3,824.76**		
SLATTERY, TED				Remit to: **MORENO VALLEY** **CA**	
	6/27/2011	208498	75.00		
				REFUND-RENTAL DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for SLATTERY, TED			**225.00**		
SMITH, MARIA A.				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	882901	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for SMITH, MARIA A.			**3,805.92**		
SMITH, MARKITA				Remit to: **HESPERIA** **CA**	
	6/20/2011	208388	84.56		
				MILEAGE REIMBURSEMENT	84.56
	Vendor Total		**84.56**		
FYTD for SMITH, MARKITA			**84.56**		

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SOCO GROUP, INC				Remit to: **PERRIS** **CA**	
	6/6/2011	882902	7,896.35		
				FUEL PURCHASE	887.95
				FUEL PURCHASE	7,008.40
	6/13/2011	882946	8,269.11		
				FUEL PURCHASE	8,269.11
	6/20/2011	882992	7,871.03		
				FUEL PURCHASE	7,871.03
	6/27/2011	883031	13,644.01		
				FUEL-CITY VEHICLES	7,056.03
				FUEL-CITY VEHICLES	6,587.98
	Vendor Total		**37,680.50**		
FYTD for SOCO GROUP, INC			**355,733.80**		
SODEN ENTERPRISES, INC. DBA EASY YOGA				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	208214	154.80		
				INSTRUCTOR SVCS-YOGA	154.80
	Vendor Total		**154.80**		
FYTD for SODEN ENTERPRISES, INC. DBA EASY YOGA			**1,135.20**		
SOTELO, MARIA E				Remit to: **MORENO VALLEY** **CA**	
	6/27/2011	208499	62.00		
				REFUND-PARKS CLASS REGIS FEE	62.00
	Vendor Total		**62.00**		
FYTD for SOTELO, MARIA E			**62.00**		

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SOUTHERN CALIFORNIA EDISON				Remit to: **ROSEMEAD**	**CA**
	6/6/2011	208215	3,622.40		
				ELECTRICITY	65.10
				ELECTRICITY	67.28
				ELECTRICITY	1,345.09
				ELECTRICITY	557.81
				ELECTRICITY	298.70
				ELECTRICITY	22.43
				ELECTRICITY	963.93
				ELECTRICITY	124.31
				ELECTRICITY	114.17
				ELECTRICITY	63.58
	6/13/2011	208283	6,546.07		
				ELECTRICITY	44.76
				ELECTRICITY	85.78
				ELECTRICITY	44.97
				ELECTRICITY	1,145.60
				ELECTRICITY	932.62
				ELECTRICITY	910.21
				ELECTRICITY	765.80
				ELECTRICITY	385.10
				ELECTRICITY	368.49
				ELECTRICITY	1,036.58
				ELECTRICITY	644.40
				ELECTRICITY	137.10
				ELECTRICITY	44.66
	6/20/2011	208390	10,000.00		
				ADV ENG FEE TO RELOCATE FACIL.	10,000.00
	Vendor Total		**20,168.47**		
FYTD for SOUTHERN CALIFORNIA EDISON			**4,296,774.93**		

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SOUTHERN CALIFORNIA GAS CO.				Remit to: **MONTEREY PARK** **CA**	
	6/27/2011	208501	5,648.05		
				GAS CHARGES	1,039.25
				GAS CHARGES	2,681.90
				GAS CHARGES	15.78
				GAS CHARGES	39.01
				GAS CHARGES	349.86
				GAS CHARGES	125.08
				GAS CHARGES	25.86
				GAS CHARGES	211.24
				GAS CHARGES	75.21
				GAS CHARGES	106.73
				GAS CHARGES	85.70
				GAS CHARGES	112.48
				GAS CHARGES	119.83
				GAS CHARGES	103.11
				GAS CHARGES	26.35
				GAS CHARGES	530.66
	Vendor Total		**5,648.05**		
FYTD for SOUTHERN CALIFORNIA GAS CO.			**80,194.74**		
SPARKLETTS				Remit to: **DALLAS** **TX**	
	6/6/2011	208216	9.50		
				WATER SVCS-EOC	4.50
				WATER SVCS-CTTNWOOD GOLF CTR	5.00
	6/20/2011	208393	18.29		
				WATER SVCS-PARKS	18.29
	6/27/2011	208502	9.50		
				WATER SERVICE-GOLF COURSE	5.00
				WATER SERVICE-EOC	4.50
	Vendor Total		**37.29**		
FYTD for SPARKLETTS			**680.74**		
SPECK, GARY B.				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	882903	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for SPECK, GARY B.			**3,824.76**		
SPECTRUM CARE				Remit to: **FOOTHILL RANCH** **CA**	
	6/20/2011	882993	12,333.33		
				LANDSCAPE MAINT-E1	12,333.33
	Vendor Total		**12,333.33**		
FYTD for SPECTRUM CARE			**167,981.85**		

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SPENCER, MARTHA				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	882904	229.88		
				RETIREE MED JUN '11	229.88
	Vendor Total		**229.88**		
FYTD for SPENCER, MARTHA			**2,546.46**		
SPRINT				Remit to: **KANSAS CITY** **MO**	
	6/6/2011	208217	60.00		
				SUBPOENA COMPLIANCE	30.00
				SUBPOENA COMPLIANCE	30.00
	6/20/2011	208394	30.00		
				SUBPOENA COMPLNCE-MV110950324	30.00
	6/27/2011	208503	30.00		
				SUBPOENA COMPLNCE-MV111660125	30.00
	Vendor Total		**120.00**		
FYTD for SPRINT			**150.00**		
SPRINT/NEXTEL				Remit to: **CAROL STREAM** **IL**	
	6/6/2011	882905	45.60		
				CELL PHONE SVCS-GANG TASK FRC	45.60
	6/27/2011	883032	545.86		
				CELL PHONE SVCS-PD/SET	545.86
	Vendor Total		**591.46**		
FYTD for SPRINT/NEXTEL			**5,783.08**		
STANDARD INSURANCE CO				Remit to: **PORTLAND** **OR**	
	6/6/2011	208218	2,635.82		
				SUPPLEMENTAL INSURANCE	2,635.82
	Vendor Total		**2,635.82**		
FYTD for STANDARD INSURANCE CO			**389,309.61**		
STANLEY CONVERGENT SECURITY SOLUTNS, INC				Remit to: **RIVERSIDE** **CA**	
	6/6/2011	882906	172.92		
				MONITORING SVCS-PARK SNCK BARS	172.92
	6/13/2011	882947	110.00		
				MONITORING SVCS-EOC	110.00
	6/27/2011	883033	710.80		
				SECURITY SVCS-FIRE STATION 58	245.00
				SECURITY SVCS-CITY HALL	143.00
				SECURITY SVCS-CITY HALL	182.80
				SECURITY SYS SVC CALL-EOC	80.00
				SECURITY SYS SVC CALL-EOC	60.00
	Vendor Total		**993.72**		
FYTD for STANLEY CONVERGENT SECURITY SOLUTNS, INC			**26,936.56**		

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STATE BOARD OF EQUALIZATION			Remit to: **SACRAMENTO** **CA**	
6/24/2011	53111	4,047.00		
			SALES & USE TAX 5/1-6/15/11	4,047.00
Vendor Total		**4,047.00**		
FYTD for STATE BOARD OF EQUALIZATION		**42,821.52**		
STATE DISBURSEMENT UNIT			Remit to: **WEST SACRAMENTO** **CA**	
6/9/2011	2865	2,287.33		
			CHILD SUPPORT WITHHOLDING	2,287.33
6/23/2011	2875	2,084.53		
			CHILD SUPPORT W/H 6/23/11	2,084.53
Vendor Total		**4,371.86**		
FYTD for STATE DISBURSEMENT UNIT		**42,631.99**		
STATE OF CALIFORNIA DEPT. OF CONSUMER AF			Remit to: **SACRAMENTO** **CA**	
6/6/2011	208219	125.00		
			PROF LICENSE RENWL-L. GONZALES	125.00
6/13/2011	208284	125.00		
			PROF LICENSE RENWL-H. KASHEFIP	125.00
Vendor Total		**250.00**		
FYTD for STATE OF CALIFORNIA DEPT. OF CONSUMER AF		**750.00**		
STATE OF CALIFORNIA DEPT. OF JUSTICE			Remit to: **SACRAMENTO** **CA**	
6/6/2011	208220	5,636.00		
			BLOOD ALCOHOL ANALYSIS SVCS-PD	630.00
			FINGERPRINTING SVCS-PD	5,006.00
6/27/2011	208504	594.00		
			BLOOD ALCHL ANLYS-PD	35.00
			BLOOD ALCHL ANLYS-PD	70.00
			BLOOD ALCHL ANLYS-PD	35.00
			BLOOD ALCHL ANLYS-PD	70.00
			FINGERPRINTING SVC-TREASURY	128.00
			FINGERPRINTING SVC-HR	64.00
			FINGERPRINTING SVC-STARS	32.00
			FINGERPRINTING SVC-EMERG MGT	64.00
			FINGERPRINTING SVC-PD	96.00
Vendor Total		**6,230.00**		
FYTD for STATE OF CALIFORNIA DEPT. OF JUSTICE		**63,552.00**		

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STATE OF CALIFORNIA/DEPT OF COM SVCS&DEV			Remit to: **SACRAMENTO** **CA**	
6/27/2011	208505	453.06		
			REFUND-MVU/D. GATLING	16.24
			REFUND-MVU/E. GRAYSON	73.63
			REFUND-MVU/R. HAMILTON	363.19
	Vendor Total	**453.06**		
FYTD for STATE OF CALIFORNIA/DEPT OF COM SVCS&DEV		**2,946.79**		
STATE TREASURER'S OFFICE			Remit to: **SACRAMENTO** **CA**	
6/13/2011	110605	19,400.00		
			EMINENT DOMAIN DEPOSIT	19,400.00
	Vendor Total	**19,400.00**		
FYTD for STATE TREASURER'S OFFICE		**19,400.00**		
STENO SOLUTIONS TRANSCRIPTION SVCS., IN			Remit to: **CORONA** **CA**	
6/20/2011	208395	2,951.04		
			TRANSCRIPTION SVCS-PD	2,951.04
	Vendor Total	**2,951.04**		
FYTD for STENO SOLUTIONS TRANSCRIPTION SVCS., IN		**36,151.84**		
STERICYCLE (BFI)			Remit to: **LOUISVILLE** **KY**	
6/27/2011	883034	621.97		
			HAZARDOUS WASTE PICK UP	621.97
	Vendor Total	**621.97**		
FYTD for STERICYCLE (BFI)		**7,076.18**		
STEWART, CLIFFORD			Remit to: **GLENDALE** **AZ**	
6/6/2011	882907	267.88		
			RETIREE MED JUN '11	267.88
	Vendor Total	**267.88**		
FYTD for STEWART, CLIFFORD		**3,113.82**		
STK ARCHITECTURE, INC.			Remit to: **SAN JACINTO** **CA**	
6/27/2011	883035	1,050.00		
			SPACE PLAN ANALYSIS-ANNEX 1&4	1,050.00
	Vendor Total	**1,050.00**		
FYTD for STK ARCHITECTURE, INC.		**365,907.55**		
STONEGATE 552, LLC			Remit to: **SAN DIEGO** **CA**	
6/6/2011	208221	37.50		
			FALSE ALARM REFUND-DUP PYMT	37.50
	Vendor Total	**37.50**		
FYTD for STONEGATE 552, LLC		**37.50**		

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STOUFER, JUDY A				Remit to: **MORENO VALLEY** **CA**	
	6/27/2011	208506	727.09		
				REFUND-PERMIT FEES	529.89
				REFUND-PERMIT FEES	97.60
				REFUND-PERMIT FEES	97.60
				REFUND-PERMIT FEES	0.20
				REFUND-PERMIT FEES	1.80
	Vendor Total		**727.09**		
FYTD for STOUFER, JUDY A			**727.09**		
STRADLING, YOCCA, CARLSON & RAUTH				Remit to: **NEWPORT BEACH** **CA**	
	6/20/2011	208396	9,481.83		
				LEGAL SERVICES-HOUSING	250.30
				LEGAL SERVICES-HOUSING	5,878.03
				LEGAL SERVICES-HOUSING	2,499.30
				LEGAL SERVICES-RDA	854.20
	Vendor Total		**9,481.83**		
FYTD for STRADLING, YOCCA, CARLSON & RAUTH			**126,683.91**		
STRICKLER ASSOCIATION, THE				Remit to: **SAN BERNARDINO** **CA**	
	6/20/2011	882994	3,802.50		
				CONSULTING SVCS-EDD	3,802.50
	Vendor Total		**3,802.50**		
FYTD for STRICKLER ASSOCIATION, THE			**40,820.00**		
STRICKLER II, JOHN W.				Remit to: **SAN BERNARDINO** **CA**	
	6/6/2011	882908	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for STRICKLER II, JOHN W.			**3,824.76**		
STUMPS, EDITH				Remit to: **CORONA** **CA**	
	6/6/2011	208222	34.00		
				REFUND-VARIOUS A/C FEES	10.00
				REFUND-VARIOUS A/C FEES	20.00
				REFUND-VARIOUS A/C FEES	4.00
	Vendor Total		**34.00**		
FYTD for STUMPS, EDITH			**129.00**		

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SUNNYMEAD ACE HARDWARE			Remit to: **MORENO VALLEY**	**CA**
6/13/2011	208285	99.35		
			MISC SUPPLIES-PD	10.82
			MISC SUPPLIES-PD	10.82
			MISC SUPPLIES-PD	77.71
6/20/2011	208397	98.88		
			MISC SUPPLIES-PD	10.82
			MISC SUPPLIES-FIRE	6.19
			MISC SUPPLIES-FIRE	6.51
			MISC SUPPLIES-FIRE	51.46
			MISC SUPPLIES-FIRE	23.90
6/27/2011	208507	17.36		
			MISC SUPPLIES-FIRE	17.36
	Vendor Total	**215.59**		
FYTD for SUNNYMEAD ACE HARDWARE		**2,290.75**		
SUNNYMEAD ANIMAL HOSPITAL			Remit to: **MORENO VALLEY**	**CA**
6/20/2011	208398	245.00		
			PHYSICAL EXAM SVCS-K9 LEX	245.00
6/27/2011	208508	281.00		
			PHYSICAL EXAMS/VACC-K9-OZZIE	269.00
			PHYSICAL EXAMS/VACC-K9-OZZIE	12.00
	Vendor Total	**526.00**		
FYTD for SUNNYMEAD ANIMAL HOSPITAL		**550.00**		
SVACINA, JASON			Remit to: **MORENO VALLEY**	**CA**
6/20/2011	208399	20.00		
			REFUND-RABIES DEPOSIT	20.00
	Vendor Total	**20.00**		
FYTD for SVACINA, JASON		**20.00**		
SYSTEMS SOURCE, INC.			Remit to: **IRVINE**	**CA**
6/20/2011	208400	2,189.15		
			STATION FURNITURE	1,413.03
			INSTALLATION	600.00
			CALIF SALES TAX	176.12
	Vendor Total	**2,189.15**		
FYTD for SYSTEMS SOURCE, INC.		**2,189.15**		
TARGET SPECIALTY PRODUCTS			Remit to: **SANTA FE SPRINGS**	**CA**
6/27/2011	883036	3,789.72		
			ROUNDUP PROMAX HERBICIDE	1,210.28
			ROUNDUP PROMAX HERBICIDE	2,579.44
	Vendor Total	**3,789.72**		
FYTD for TARGET SPECIALTY PRODUCTS		**7,579.44**		

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TARVER, BARBARA				Remit to: **MORENO VALLEY** **CA**	
	6/27/2011	208509	35.00		
				REFUND-PICNIC SHLTR ELECTRICAL	35.00
	Vendor Total		**35.00**		
FYTD for TARVER, BARBARA			**35.00**		
TAYLOR'S APPLIANCE				Remit to: **RIVERSIDE** **CA**	
	6/20/2011	208401	286.54		
				EMERGENCY REPAIRS AT FS#6	286.54
	Vendor Total		**286.54**		
FYTD for TAYLOR'S APPLIANCE			**509.50**		
TEICHERT, RICHARD				Remit to: **HIGHLAND** **CA**	
	6/13/2011	208286	500.00		
				UCLA FORECST ECON OUTLOOK CONF	250.00
				UCLA FORECST ECON OUTLOOK CONF	250.00
	Vendor Total		**500.00**		
FYTD for TEICHERT, RICHARD			**1,080.53**		
TEK WORKS				Remit to: **POWAY** **CA**	
	6/20/2011	882995	2,984.96		
				EOC CARD READER INSTLLTN-BAL.	1,331.07
				CARD READER-CITY CLRK FILE RM	1,558.79
				CA SALES TAX	95.10
	Vendor Total		**2,984.96**		
FYTD for TEK WORKS			**88,121.87**		
THOMAS, REGINA				Remit to: **MORENO VALLEY** **CA**	
	6/20/2011	208402	14.00		
				REFUND-BOARDING OVERCHRG	14.00
	Vendor Total		**14.00**		
FYTD for THOMAS, REGINA			**14.00**		
THOMPSON, LINDSAY				Remit to: **RIVERSIDE** **CA**	
	6/20/2011	208403	75.00		
				REFUND-SPAY/NEUTER DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for THOMPSON, LINDSAY			**75.00**		
THOMPSON, SAMMIE				Remit to: **MORENO VALLEY** **CA**	
	6/20/2011	208404	50.00		
				REFUND-TRAP DEPOSIT	50.00
	Vendor Total		**50.00**		
FYTD for THOMPSON, SAMMIE			**50.00**		

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THOMSON REUTERS INC				Remit to: **ENCINO** **CA**	
	6/6/2011	208223	321.72		
				LEGAL INFORMATION ONLINE CHRGS	156.40
				LEGAL PUBLICATION SUBSCRIP SVC	165.32
	6/27/2011	208510	371.97		
				LEGAL PUBLICATION SUBSCRPTNS	371.97
	Vendor Total		**693.69**		
FYTD for THOMSON REUTERS INC			**7,744.69**		
TMAD TAYLOR & GAINES				Remit to: **ONTARIO** **CA**	
	6/6/2011	208224	19,137.50		
				CITY HALL HVAC SYSTEM REDESIGN	19,137.50
	Vendor Total		**19,137.50**		
FYTD for TMAD TAYLOR & GAINES			**53,870.00**		
TRANE				Remit to: **CITY OF INDUSTRY** **CA**	
	6/20/2011	208405	4,575.29		
				2 SPLIT SYS AC UNITS-CITY HALL	2,745.10
				CA SALES TAX	240.20
				2 SPLIT SYS AC UNITS-CITY HALL	1,160.90
				2 SPLIT SYS AC UNITS-CITY HALL	301.16
				CA SALES TAX	127.93
	Vendor Total		**4,575.29**		
FYTD for TRANE			**4,575.29**		
TRICHE, TARA				Remit to: **MORENO VALLEY** **CA**	
	6/27/2011	208511	2,841.60		
				INSTRUCTOR SVCS-BALLET INTERMD	88.80
				INSTRUCTOR SVCS-BALLET	244.20
				INSTRUCTOR SVCS-BALLET/ACRO	244.20
				INSTRUCTOR SVCS-BALLET/JAZZ	199.80
				INSTRUCTOR SVCS-DANCE EXPLOR.	333.00
				INSTRUCTOR SVCS-DANCE EXPLOR.	244.20
				INSTRUCTOR SVCS-DANCE EXPLOR.	355.20
				INSTRUCTOR SVCS-DANCE EXPLOR.	199.80
				INSTRUCTOR SVCS-DANCE EXPLOR.	266.40
				INSTRUCTOR SVCS-HIP HOP DANCE	666.00
	Vendor Total		**2,841.60**		
FYTD for TRICHE, TARA			**22,746.12**		

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TRI-CITY LINEN SUPPLY, INC.			Remit to: **RIVERSIDE** **CA**	
6/13/2011	208287	25.00		
			LINEN SVC FOR CRC	25.00
6/20/2011	208406	50.00		
			LINEN SVCS FOR CRC	25.00
			LINEN SVCS FOR CRC	25.00
Vendor Total		**75.00**		
FYTD for TRI-CITY LINEN SUPPLY, INC.		**2,049.55**		
TROPICAL PLAZA NURSERY, INC.			Remit to: **VILLA PARK** **CA**	
6/20/2011	208407	15,700.00		
			LNDSCP MAINT-ZONE E-2	15,700.00
6/27/2011	208512	373.32		
			IRRIG REPAIRS-ZONE E-2	373.32
Vendor Total		**16,073.32**		
FYTD for TROPICAL PLAZA NURSERY, INC.		**211,918.48**		
TRUGREEN LANDCARE			Remit to: **RIVERSIDE** **CA**	
6/13/2011	882948	580.00		
			INSTL. PLANTS-PERRIS BL MEDIAN	580.00
6/20/2011	882996	11,808.25		
			LNDSCP MAINT-ZONE M	5,532.72
			LNDSCP MAINT-ZONE DSG-1	6,075.53
			TREE RMVL-NASON/COTTONWOOD	200.00
6/27/2011	883037	2,485.00		
			LNDSCP MAINT-ZONE E-16	2,485.00
Vendor Total		**14,873.25**		
FYTD for TRUGREEN LANDCARE		**257,936.53**		
TUNTLAND, JAMES			Remit to: **PRESCOTT** **AZ**	
6/6/2011	882909	267.88		
			RETIREE MED JUN '11	267.88
Vendor Total		**267.88**		
FYTD for TUNTLAND, JAMES		**3,113.82**		
TURNER, DEBRA			Remit to: **MORENO VALLEY** **CA**	
6/27/2011	208513	17,976.00		
			SOLAR INCENTIVE REBATE	17,976.00
Vendor Total		**17,976.00**		
FYTD for TURNER, DEBRA		**17,976.00**		

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TWRITE, INC.				Remit to: **RIVERSIDE** **CA**	
	6/6/2011	208225	4,696.25		
				CITY WEBSITE MAINT/JAN-MAR '11	4,696.25
	Vendor Total		**4,696.25**		
FYTD for TWRITE, INC.			**24,577.50**		
U.S. BANK				Remit to: **ROBBINSDALE** **MN**	
	6/20/2011	208408	30.00		
				REFUND FALSE ALARM DUP PYMT	30.00
	Vendor Total		**30.00**		
FYTD for U.S. BANK			**30.00**		
U.S. HEALTHWORKS MEDICAL GROUP				Remit to: **LOS ANGELES** **CA**	
	6/6/2011	208226	885.00		
				PRE-EMPLOYMENT PHYSICALS	560.00
				PRE-EMPLOYMENT PHYSICALS	325.00
	6/20/2011	208409	90.00		
				PRE-EMPLOYMENT PHYSICAL	90.00
	Vendor Total		**975.00**		
FYTD for U.S. HEALTHWORKS MEDICAL GROUP			**14,145.00**		
UNDERGROUND SERVICE ALERT				Remit to: **CORONA** **CA**	
	6/6/2011	208237	394.50		
				DIGALERT TICKETS SUBSCRPTN SVC	98.62
				DIGALERT TICKETS SUBSCRPTN SVC	98.63
				DIGALERT TICKETS SUBSCRPTN SVC	98.62
				DIGALERT TICKETS SUBSCRPTN SVC	38.74
				DIGALERT TICKETS SUBSCRPTN SVC	59.89
	Vendor Total		**394.50**		
FYTD for UNDERGROUND SERVICE ALERT			**4,788.50**		
UNION BANK OF CALIFORNIA				Remit to: **SAN DIEGO** **CA**	
	6/6/2011	208227	291.67		
				INVESTMENT SAFEKEEPING SVCS	291.67
	6/13/2011	208288	170.00		
				STANDBY LOC TRANSFER FEES	170.00
	Vendor Total		**461.67**		
FYTD for UNION BANK OF CALIFORNIA			**61,361.57**		

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UNITED ROTARY BRUSH CORP			Remit to: **ESCONDIDO** **CA**	
6/6/2011	882911	1,707.03		
			BROOM KITS-STREET SWEEPER	967.39
			BROOM KITS-STREET SWEEPER	739.64
6/27/2011	883038	2,271.66		
			BROOM KITS-STREET SWEEPER	784.59
			BROOM KITS-STREET SWEEPER	227.76
			BROOM KITS-STREET SWEEPER	750.51
			BROOM KITS-STREET SWEEPER	455.51
			BROOM KITS-STREET SWEEPER	53.29
	Vendor Total	**3,978.69**		
FYTD for UNITED ROTARY BRUSH CORP		**38,108.66**		
UNITED SITE SERVICES OF CA, INC.			Remit to: **EL MONTE** **CA**	
6/13/2011	882950	107.39		
			FENCE RENTAL-ANIMAL SHELTER	107.39
	Vendor Total	**107.39**		
FYTD for UNITED SITE SERVICES OF CA, INC.		**3,178.85**		
UNITED STATES TREASURY			Remit to: **FRESNO** **CA**	
6/6/2011	208228	50.00		
			PAYROLL DEDUCTION AGREEMENT	50.00
6/6/2011	208229	117.73		
			PAYROLL DEDUCTION AGREEMENT	117.73
6/20/2011	208410	50.00		
			PAYROLL DEDUCTION AGREEMENT	50.00
	Vendor Total	**217.73**		
FYTD for UNITED STATES TREASURY		**1,559.23**		
UNITED WAY OF INLAND VALLEYS			Remit to: **RIVERSIDE** **CA**	
6/6/2011	208230	499.69		
			UNITED WAY CONTRIBUTIONS	499.69
6/20/2011	208411	494.69		
			UNITED WAY CONTRIBUTIONS	494.69
	Vendor Total	**994.38**		
FYTD for UNITED WAY OF INLAND VALLEYS		**14,899.30**		
US POLE COMPANY, INC			Remit to: **PALMDALE** **CA**	
6/27/2011	208514	14,599.69		
			LAMP/POLE/HARDWARE ASSY-PARKS	8,950.00
			LAMP/POLE/HARDWARE ASSY-PARKS	4,475.00
			CA SALES TAX	1,174.69
	Vendor Total	**14,599.69**		
FYTD for US POLE COMPANY, INC		**14,599.69**		

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USA MOBILITY/ARCH WIRELESS				Remit to: **ALEXANDRIA** **VA**	
	6/13/2011	882951	36.59		
				PAGER SVC-PARK RANGERS	1.83
				PAGER SVC-TRANSP. DIV.	4.68
				PAGER SVC-ANIMAL SVCS.	30.08
	Vendor Total		**36.59**		
FYTD for USA MOBILITY/ARCH WIRELESS			**690.87**		
VA CONSULTING, INC.				Remit to: **IRVINE** **CA**	
	6/20/2011	882997	4,963.74		
				AUTO MALL ST. IMPRVMNTS PROJ	4,507.49
				AUTO MALL FREEWAY SIGN PROJ	456.25
	Vendor Total		**4,963.74**		
FYTD for VA CONSULTING, INC.			**136,780.38**		

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VACATE PEST ELIMINATION COMPANY				Remit to: **MORENO VALLEY** **CA**	
	6/20/2011	882998	3,765.00		
				RODENT CNTRL-AQUEDUCT BIKEWAY	50.00
				RODENT CNTRL-AQUEDUCT BIKEWAY	50.00
				RODENT CNTRL-ELECTR UTIL SUBST	40.00
				RODENT CNTRL-ELECTR UTIL SUBST	40.00
				PEST CNTRL-SENIOR CTR	55.00
				PEST CNTRL-TOWNGATE COMM CTR	45.00
				PEST CNTRL-FIRE ST #48	45.00
				PEST CNTRL-FIRE ST #58	45.00
				PEST CNTRL-FIRE ST #65	45.00
				PEST CNTRL-FIRE ST #2	45.00
				PEST CNTRL-FIRE ST #6	45.00
				PEST CNTRL-FIRE ST #91	45.00
				PEST CNTRL-UTILITY FLD OFFICE	45.00
				PEST CNTRL-LIBRARY	55.00
				PEST CNTRL-EOC	55.00
				PEST CNTRL-PUB SAFETY BLDG	75.00
				PEST CNTRL-CITY HALL	75.00
				PEST CNTRL-CITY YARD	115.00
				PEST CNTRL-TRANSP. TRAILER	45.00
				PEST CNTRL-GOLF PRO SHOP	22.50
				PEST CNTRL-MVTV STUDIO	22.50
				PEST CNTRL-ANIMAL SHELTER	115.00
				PEST CNTRL-ANNEX BLDG 1	55.00
				PEST CNTRL-ASES STARS BLDG	45.00
				PEST CNTRL-MARCH FLD PARK C.C.	45.00
				TERMITE INSPECTION-MRCH FLD PK	155.00
				TERMITE INSPECTION-CITY YARD	65.00
				TERMITE INSPECTION-SENIOR CTR	200.00
				TERMITE INSPECTION-UTIL OFFICE	65.00
				TERMITE INSPECTION-ASES BLDG	120.00
				TERMITE INSPECTION-TOWNGT C.C.	120.00
				TERMITE INSPECTION-CITY HALL	675.00
				TERMITE INSPECTION-FIRE ST #6	190.00
				TERMITE INSPECTION-FIRE ST #48	130.00
				TERMITE INSPECTION-FIRE ST #65	130.00
				TERMITE INSPCTN/TRTMNT-LIBRARY	595.00
	6/27/2011	883039	75.00		
				PEST CNTRL-CONF & REC CTR	25.00
				PEST CNTRL-CONF & REC CTR	50.00
	Vendor Total		**3,840.00**		
FYTD for VACATE PEST ELIMINATION COMPANY			**21,270.00**		
VAS ASSOCIATES, INC.				Remit to: **CORONA** **CA**	
	6/6/2011	882912	18,960.00		
				TEMP STAFFING SVCS-CAP PROJS	18,960.00
	Vendor Total		**18,960.00**		
FYTD for VAS ASSOCIATES, INC.			**203,160.00**		

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VAVRINEK, TRINE, DAY & CO., LLP			Remit to: **SACRAMENTO** **CA**	
6/6/2011	208231	15,055.00		
			ACCOUNTING SVCS	15,055.00
Vendor Total		**15,055.00**		
FYTD for VAVRINEK, TRINE, DAY & CO., LLP		**37,845.00**		
VCD CORPORATION			Remit to: **GLENDORA** **CA**	
6/6/2011	882913	15,143.14		
			PROP REHAB-13714 FLAMING ARROW	15,143.14
Vendor Total		**15,143.14**		
FYTD for VCD CORPORATION		**61,913.60**		
VEHICLE REGISTRATION COLLECTIONS			Remit to: **RANCHO CORDOVA** **CA**	
6/20/2011	208412	82.59		
			GARNISHMENT	82.59
Vendor Total		**82.59**		
FYTD for VEHICLE REGISTRATION COLLECTIONS		**1,482.55**		
VERIZON			Remit to: **TRENTON** **NJ**	
6/20/2011	208413	1,712.84		
			BACKBONE CHARGES	1,712.84
Vendor Total		**1,712.84**		
FYTD for VERIZON		**20,453.54**		
VERIZON CALIFORNIA			Remit to: **DALLAS** **TX**	
6/27/2011	208515	617.47		
			PHONE CHARGES-ERC	617.47
Vendor Total		**617.47**		
FYTD for VERIZON CALIFORNIA		**8,185.81**		
VICTOR MEDICAL CO			Remit to: **LAKE FOREST** **CA**	
6/20/2011	208414	648.15		
			ANIMAL MEDICAL SUPPLIES	127.75
			ANIMAL MEDICAL SUPPLIES	520.40
Vendor Total		**648.15**		
FYTD for VICTOR MEDICAL CO		**13,299.05**		
VIGIL, ERNEST			Remit to: **MORENO VALLEY** **CA**	
6/6/2011	882914	318.73		
			RETIREE MED JUN '11	318.73
Vendor Total		**318.73**		
FYTD for VIGIL, ERNEST		**3,824.76**		

City of Moreno Valley

Check Register

For Period 6/1/2011 through 6/30/2011

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
VILLANUEVA, CARLOS			Remit to: **MORENO VALLEY** **CA**	
6/27/2011	208516	57.50		
			REFUND-CITATION FEE	57.50
	Vendor Total	**57.50**		
FYTD for VILLANUEVA, CARLOS		**57.50**		
VISION SERVICE PLAN			Remit to: **SAN FRANCISCO** **CA**	
6/6/2011	882915	4,287.77		
			EMPLOYEE VISION INSURANCE	4,287.77
	Vendor Total	**4,287.77**		
FYTD for VISION SERVICE PLAN		**52,052.66**		
VISTA PAINT CORPORATION			Remit to: **MORENO VALLEY** **CA**	
6/27/2011	208517	758.32		
			PAINT/SUPPL-GRAFFITI RMVL PRGM	35.69
			PAINT/SUPPL-GRAFFITI RMVL PRGM	107.04
			PAINT/SUPPL-GRAFFITI RMVL PRGM	615.59
	Vendor Total	**758.32**		
FYTD for VISTA PAINT CORPORATION		**11,400.04**		
VOYAGER FLEET SYSTEM, INC.			Remit to: **HOUSTON** **TX**	
6/13/2011	882952	2,400.34		
			CNG FUEL PURCHASES	2,100.23
			CNG FUEL PURCHASES	300.11
	Vendor Total	**2,400.34**		
FYTD for VOYAGER FLEET SYSTEM, INC.		**23,848.59**		
VULCAN MATERIALS CO, INC.			Remit to: **SAN BERNARDINO** **CA**	
6/6/2011	208232	795.10		
			ASPHALTIC MATERIALS	137.43
			ASPHALTIC MATERIALS	138.12
			ASPHALTIC MATERIALS	104.54
			ASPHALTIC MATERIALS	137.43
			ASPHALTIC MATERIALS	138.79
			ASPHALTIC MATERIALS	138.79
6/13/2011	208289	207.03		
			ASPHALTIC MATERIALS	137.43
			ASPHALTIC MATERIALS	69.60
6/27/2011	208518	814.55		
			ASPHALTIC MATERIALS	105.23
			ASPHALTIC MATERIALS	103.17
			ASPHALTIC MATERIALS	137.43
			ASPHALTIC MATERIALS	103.17
			ASPHALTIC MATERIALS	365.55
	Vendor Total	**1,816.68**		
FYTD for VULCAN MATERIALS CO, INC.		**26,961.83**		

City of Moreno Valley

Check Register

For Period 6/1/2011 through 6/30/2011

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
W R SMITH, INC				Remit to: **WHITTIER** **CA**	
	6/6/2011	208233	20.83		
				REFUND-BUS. LIC. OVERPAYMENT	20.83
	Vendor Total		**20.83**		
FYTD for W R SMITH, INC			**20.83**		
WAGGONER JR., GLENN C.				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	882916	914.99		
				RETIREE MED APR-JUN '11, PD JU	914.99
	Vendor Total		**914.99**		
FYTD for WAGGONER JR., GLENN C.			**3,751.76**		
WAGNER, GARY D.				Remit to: **MORENO VALLEY** **CA**	
	6/6/2011	882917	318.73		
				RETIREE MED JUN '11	318.73
	Vendor Total		**318.73**		
FYTD for WAGNER, GARY D.			**3,805.92**		
WALKER, DONNA JEAN				Remit to: **PERRIS** **CA**	
	6/20/2011	882999	152.00		
				INSTRUCTION SVCS-4 DAYS	152.00
	Vendor Total		**152.00**		
FYTD for WALKER, DONNA JEAN			**798.00**		
WASSON, KIRK				Remit to: **MORENO VALLEY** **CA**	
	6/20/2011	883000	228.00		
				INSTRUCTION SVCS-6 DAYS	228.00
	Vendor Total		**228.00**		
FYTD for WASSON, KIRK			**2,090.00**		
WASTE MANAGEMENT OF THE INLAND EMPIRE				Remit to: **PHOENIX** **AZ**	
	6/6/2011	208235	1,244.51		
				ROLL-OFF STORAGE BIN RENTALS	1,244.51
	6/27/2011	208519	1,244.51		
				ROLL-OFF STORAGE BIN RENTALS	1,244.51
	Vendor Total		**2,489.02**		
FYTD for WASTE MANAGEMENT OF THE INLAND EMPIRE			**15,287.20**		
WEBBER, MIKE				Remit to: **COSTA MESA** **CA**	
	6/20/2011	208415	75.00		
				REFUND-SPAY/NEUTER DEPOSIT	75.00
	Vendor Total		**75.00**		
FYTD for WEBBER, MIKE			**75.00**		

City of Moreno Valley

Check Register

For Period 6/1/2011 through 6/30/2011

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
WELLS FARGO CORPORATE TRUST			Remit to: **LOS ANGELES** **CA**	
6/1/2011	110601	867.18		
			INT ON 97 CH COP VAR RATE BOND	867.18
6/28/2011	1106071	568.00		
			STONRDGE CFD#5 BS FD 223-33500	568.00
	Vendor Total	**1,435.18**		
FYTD for WELLS FARGO CORPORATE TRUST		**9,815,753.74**		
WEST PUBLISHING CORPORATION			Remit to: **ST. PAUL** **MN**	
6/27/2011	208520	535.00		
			AUTO TRACK SVCS-PD	110.00
			AUTO TRACK SVCS-PD	425.00
	Vendor Total	**535.00**		
FYTD for WEST PUBLISHING CORPORATION		**6,385.00**		
WESTERN MUNICIPAL WATER DISTRICT			Remit to: **RIVERSIDE** **CA**	
6/30/2011	208528	3,241.25		
			WATER CHARGES	1,388.03
			WATER CHARGES	32.81
			WATER CHARGES	1,750.08
			WATER CHARGES	70.33
	Vendor Total	**3,241.25**		
FYTD for WESTERN MUNICIPAL WATER DISTRICT		**23,167.68**		
WIELIN, RONALD A.			Remit to: **BANNING** **CA**	
6/6/2011	882918	318.73		
			RETIREE MED JUN '11	318.73
	Vendor Total	**318.73**		
FYTD for WIELIN, RONALD A.		**3,824.76**		
WILLETTE, EVELYN			Remit to: **MORENO VALLEY** **CA**	
6/20/2011	208416	50.00		
			REFUND-TRAP DEPOSIT	50.00
	Vendor Total	**50.00**		
FYTD for WILLETTE, EVELYN		**50.00**		
WILLIAMS, AUBREY GERALD			Remit to: **MORENO VALLEY** **CA**	
6/20/2011	208417	80.00		
			SPORTS OFFICIATING SVCS	40.00
			SPORTS OFFICIATING SVCS	40.00
	Vendor Total	**80.00**		
FYTD for WILLIAMS, AUBREY GERALD		**168.00**		

City of Moreno Valley

Check Register

For Period 6/1/2011 through 6/30/2011

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
WILLIAMS, JANE L.				Remit to: **GRAND FORKS** **ND**	
	6/6/2011	882919	187.68		
				RETIREE MED MAY '11, PD JUN '1	187.68
	Vendor Total		**187.68**		
FYTD for WILLIAMS, JANE L.			**2,154.64**		
WILLIS, ROBERT H				Remit to: **PERRIS** **CA**	
	6/20/2011	208418	54.00		
				SPORTS OFFICIATING SVCS	54.00
	Vendor Total		**54.00**		
FYTD for WILLIS, ROBERT H			**486.00**		
WURM'S JANITORIAL SERVICES, INC.				Remit to: **CORONA** **CA**	
	6/6/2011	882920	3,355.00		
				MAINT. DAY PORTER SVCS	960.00
				JANITORIAL SVCS-TOWNGT RENTALS	480.00
				JANITORIAL SVCS-SR CTR RENTALS	260.00
				JANITORIAL SVCS-CRC RENTALS	1,655.00
	6/13/2011	882953	900.00		
				MAINT. DAY PORTER SVCS	900.00
	6/20/2011	883001	23,986.40		
				JANITORIAL SVCS-CITY HALL	4,588.23
				JANITORIAL SVCS-CITY YARD	346.90
				JANITORIAL SVCS-TRANSP TRLR	98.40
				JANITORIAL SVCS-EOC	688.36
				JANITORIAL SVCS-EMP RES CTR	532.81
				JANITORIAL SVCS-ESA ANNEX	735.73
				JANITORIAL SVCS-FACIL. ANNEX	124.29
				JANITORIAL SVCS-LIBRARY	1,771.79
				JANITORIAL SVCS-MARCH FLD PRK	955.70
				JANITORIAL SVCS-GOLF PRO SHOP	644.70
				JANITORIAL SVCS-MVTV STUDIO	58.05
				JANITORIAL SVCS-PUB SFTY BLDG	5,564.25
				JANITORIAL SVCS-GANG TSK FORCE	112.82
				JANITORIAL SVCS-SUNNYMD ELEM	184.10
				JANITORIAL SVCS-RAINBOW RIDGE	310.19
				JANITORIAL SVCS-RED MAPLE ELEM	310.19
				JANITORIAL SVCS-SENIOR CTR	1,916.18
				JANITORIAL SVCS-STARS HDQTRS	298.87
				JANITORIAL SVCS-SUNNYMD MIDDLE	152.10
				JANITORIAL SVCS-TOWNGATE C. C.	691.38
				JANITORIAL SVCS-TS ANNEX	453.43
				JANITORIAL SVCS-CONF & REC CTR	3,447.93
	6/27/2011	883040	2,140.00		
				JANITORIAL SVCS-CRC RENTALS	2,140.00
	Vendor Total		**30,381.40**		
FYTD for WURM'S JANITORIAL SERVICES, INC.			**331,113.41**		

City of Moreno Valley

Check Register

For Period 6/1/2011 through 6/30/2011

	Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
XEROX				Remit to: **DALLAS** **TX**	
	6/13/2011	208290	1,910.34		
				COPIER RNTL/MAINT-STARS	114.49
				COPIER BILLABLE PRINTS-STARS	510.69
				COPIER BILLABLE PRINTS-STARS	925.82
				COPIER BILLABLE PRINTS-PARKS	359.34
	6/20/2011	208419	1,678.84		
				COPIER RNTL/MAINT-PD	70.20
				COPIER RNTL/MAINT-PD	77.54
				COPIER RNTL/MAINT-PD	64.59
				COPIER RNTL/MAINT-GRAPHICS	397.79
				COPIER RNTL/MAINT/PRNTS-GRPHCS	1,068.72
	6/27/2011	208521	4,717.79		
				COPIER RNTL/MAINT/PRINTS-STARS	20.56
				COPIER RNTL/MAINT/PRINTS-STARS	2,394.91
				COPIER RNTL/MAINT/PRINTS-PARKS	993.89
				COPIER RNTL/MAINT/PRINTS-PARKS	779.48
				COPIER RNTL/MAINT/PRINTS-PARKS	528.95
	Vendor Total		**8,306.97**		
FYTD for XEROX			**78,088.26**		
YAMASHITA, JULIA J.				Remit to: **LAGUNA WOODS** **CA**	
	6/6/2011	882921	323.00		
				RETIREE MED MAR-APR '11, PD JU	323.00
	Vendor Total		**323.00**		
FYTD for YAMASHITA, JULIA J.			**2,038.30**		
YANG, JIANG				Remit to: **MORENO VALLEY** **CA**	
	6/27/2011	208522	124.00		
				REFUND-PARKS CLASS REGIS FEE	124.00
	Vendor Total		**124.00**		
FYTD for YANG, JIANG			**124.00**		
YENULONIS, LAURA				Remit to: **COLTON** **CA**	
	6/6/2011	208236	2,256.40		
				REIMB. CREDIT CARD CHGS ERROR	324.40
				REIMB. CREDIT CARD CHGS ERROR	1,123.00
				REIMB. CREDIT CARD CHGS ERROR	326.00
				REIMB. CREDIT CARD CHGS ERROR	109.00
				REIMB. CREDIT CARD CHGS ERROR	220.00
				REIMB. CREDIT CARD CHGS ERROR	32.00
				REIMB. CREDIT CARD CHGS ERROR	122.00
	Vendor Total		**2,256.40**		
FYTD for YENULONIS, LAURA			**2,354.00**		
	Subtotal		**1,283,779.86**		

City of Moreno Valley

Check Register

For Period 6/1/2011 through 6/30/2011

Check Date	Check Number	Check Amount	Description/Purpose of Payment	Payment Amount(s)
GRAND TOTAL		**16,100,598.73**		

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APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Richard Teichert, City Treasurer

AGENDA DATE: August 23, 2011

TITLE: RECEIPT OF QUARTERLY INVESTMENT REPORT – QUARTER ENDED JUNE 30, 2011

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 December 17, 1996 (and revised most recently on March 23, 2010), 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, 2011. This is the fourth quarterly report submitted for the 2010-11 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 has now transitioned the management of its general investment portfolio to Chandler Asset Management. As a result, the City's investment approach has changed from *passive* to *active*, as discussed in past meetings with the Finance Sub-Committee and the City Council. Utilizing an *active* approach, securities purchased for investment are not necessarily held to maturity but may be actively traded based on market conditions and the City's investment goals. 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 2.07 years.

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, Voluntary Employee Beneficiary Association (VEBA) funds and California Employer Retiree Benefit Trust (CERBT) funds are held and invested by the respective plan administrators with the funds also placed in a trust separate from City funds.

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, 2011. 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 2011
Attachment 2 – Chandler Asset Management Bond Market Review – July 2011

Prepared By:
Brooke McKinney
Treasury Operations Division Manager

Department Head Approval:
Richard Teichert
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 2011

General Portfolio	Cost Value	Market Value	Par Value	Average Maturity	Average Yield to Maturity	Average Duration
Bank Accounts	1,914,624	1,914,624	1,914,624			
State of California LAIF Pool	42,568,573	42,568,573	42,568,573	0.66	0.59%	
Investments	177,894,127	172,127,027	172,127,027	2.07	1.53%	1.81
Total General Portfolio	**222,255,828**	**222,377,324**	**216,610,224**	**Years**		**Years**

Bond Proceeds with Fiscal Agents	Market Value
Construction Funds	8,162,119
Principal & Interest Accounts	683,243
Debt Service Reserve Funds	7,503,994
Custody Accounts	0
Arbitrage Rebate Accounts	0
Other Accounts	552,763
Total Bond Proceeds	**16,902,119**

Deferred Compensation Funds	Market Value as of Mar 31, 2011
Nationwide	9,203,462
ICMA	4,086,291
Total Deferred Compensation Funds	**13,289,753**
Total Investment Portfolio	**252,569,196**

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 advisor, Chandler Asset Management.
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.

Richard Teichert
City Treasurer

Portfolio Summary

As of 6/30/2011

PORTFOLIO CHARACTERISTICS

Average Duration	1.81
Average Coupon	2.38 %
Average Purchase YTM	1.53 %
Average Market YTM	0.88 %
Average S&P Rating	AAA
Average Final Maturity	2.07 yrs
Average Life	1.94 yrs

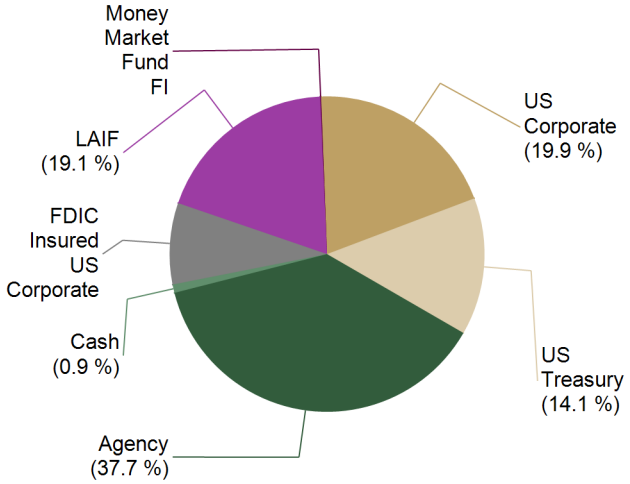
ACCOUNT SUMMARY

	Beg. Values as of 5/31/11	End Values as of 6/30/11
Market Value	215,904,478	222,377,324
Accrued Interest	1,220,106	1,201,522
Total Market Value	**217,124,584**	**223,578,846**
Income Earned	268,561	274,561
Cont/WD		
Par	209,640,112	216,610,224
Book Value	213,508,118	220,442,714
Cost Value	215,206,920	222,255,828

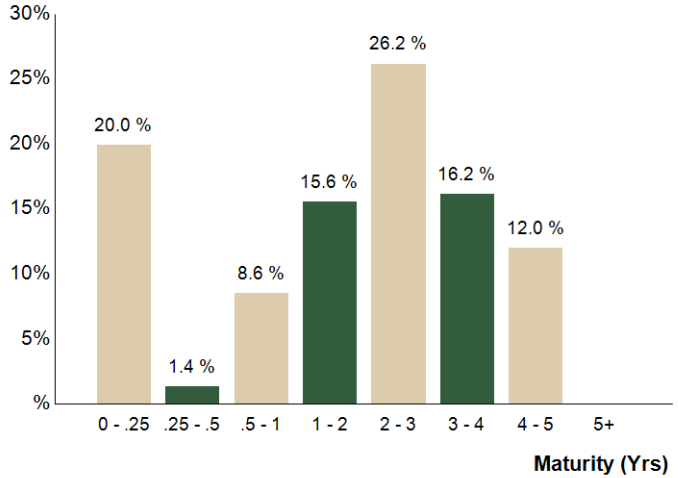
TOP ISSUERS

Issuer	% Portfolio
Local Agency Investment Fund	19.1 %
Government of United States	14.1 %
Federal Farm Credit Bank	10.5 %
Federal Home Loan Mortgage Corp	10.0 %
Federal National Mortgage Assoc	7.5 %
Federal Home Loan Bank	5.9 %
Tennessee Valley Authority	3.7 %
US Bank Corp FDIC Insured	2.3 %
	73.2 %

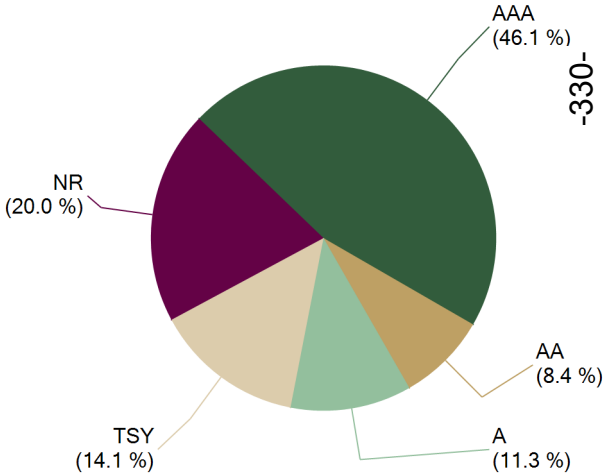
SECTOR ALLOCATION



MATURITY DISTRIBUTION



CREDIT QUALITY



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Item No. A.9

Holdings Report

As of 6/30/11

CUSIP	Security Description	Par Value/Units	Purchase Date Book Yield	Cost Value Book Value	Mkt Price Mkt YTM	Market Value Accrued Int.	% of Port. Gain/Loss	Moody S&P	yrs) tion
AGENCY									
3133XSWM6	FHLB Note 2.1% Due 1/23/2012	1,000,000.00	01/23/2009 2.10 %	1,000,000.00 1,000,000.00	101.02 0.30 %	1,010,150.00 9,216.67	0.46 % 10,150.00	Aaa AAA	0.57 0.56
3133XT2T2	FHLB Note 2.25% Due 2/10/2012	1,000,000.00	02/10/2009 2.25 %	1,000,000.00 1,000,000.00	101.19 0.29 %	1,011,940.00 8,812.50	0.46 % 11,940.00	Aaa AAA	0.62 0.60
31331XG30	FFCB Note 5.45% Due 6/21/2012	1,000,000.00	06/29/2007 5.33 %	1,005,380.00 1,001,052.93	104.97 0.34 %	1,049,683.00 1,513.89	0.47 % 48,630.07	Aaa AAA	0.98 0.96
31331XT36	FFCB Note 5.25% Due 8/1/2012	450,000.00	08/01/2007 5.25 %	450,000.00 450,000.00	105.30 0.36 %	473,848.65 9,843.75	0.22 % 23,848.65	Aaa AAA	1.09 1.05
3133XT4J2	FHLB Note 2.45% Due 8/13/2012	1,000,000.00	02/13/2009 2.45 %	1,000,000.00 1,000,000.00	102.34 0.35 %	1,023,386.00 9,391.67	0.46 % 23,386.00	Aaa AAA	1.12 1.10
3133XYWB7	FHLB Note 0.875% Due 8/22/2012	3,500,000.00	11/23/2010 0.51 %	3,521,892.50 3,514,365.88	100.59 0.35 %	3,520,772.50 10,973.96	1.58 % 6,406.62	Aaa AAA	1.15 1.14
3133XUUJ0	FHLB Note 1.625% Due 9/26/2012	3,450,000.00	12/22/2010 0.69 %	3,506,166.00 3,489,817.21	101.55 0.37 %	3,503,392.20 14,794.27	1.57 % 13,574.99	Aaa AAA	1.24 1.22
31331GZ44	FFCB Note 1.55% Due 10/15/2012	1,000,000.00	10/15/2009 1.55 %	1,000,000.00 1,000,000.00	101.51 0.38 %	1,015,063.00 3,272.22	0.46 % 15,063.00	Aaa AAA	1.30 1.28
31398A4T6	FNMA Note 0.5% Due 10/30/2012	1,000,000.00	12/22/2010 0.73 %	995,834.00 996,985.38	100.16 0.38 %	1,001,630.00 847.22	0.45 % 4,644.62	Aaa AAA	1.34 1.33
3137EACQ0	FHLMC Note 0.625% Due 12/28/2012	3,450,000.00	12/22/2010 0.75 %	3,441,354.30 3,443,551.16	100.33 0.40 %	3,461,550.60 179.69	1.55 % 17,999.44	Aaa AAA	1.50 1.49
880591CW0	Tennessee Valley Authority Note 6% Due 3/15/2013	3,725,000.00	Various 1.88 %	4,194,744.63 3,978,090.89	109.08 0.64 %	4,063,345.48 65,808.34	1.85 % 85,254.59	Aaa AAA	1.71 1.62
31331GVD8	FFCB Note 2.2% Due 4/8/2013	1,000,000.00	05/08/2009 2.20 %	1,000,000.00 1,000,000.00	103.03 0.48 %	1,030,342.00 5,072.22	0.46 % 30,342.00	Aaa AAA	1.78 1.74
3134A4TZ7	FHLMC Note 4.5% Due 7/15/2013	3,250,000.00	05/12/2010 1.59 %	3,541,690.75 3,437,497.51	108.12 0.50 %	3,513,981.25 67,437.50	1.60 % 76,483.74	Aaa AAA	2.04 1.94
880591DW9	Tennessee Valley Authority Note 4.75% Due 8/1/2013	3,750,000.00	03/15/2010 1.90 %	4,097,325.00 3,964,474.59	108.36 0.71 %	4,063,496.25 74,218.75	1.85 % 99,021.66	Aaa AAA	2.09 1.97
3133XUEC3	FHLB Callable Note Cont 8/12/11 2.65% Due 8/12/2013	1,000,000.00	08/12/2009 2.65 %	1,000,000.00 1,000,000.00	100.25 0.48 %	1,002,526.00 10,231.94	0.45 % 2,526.00	Aaa AAA	0.12 0.12
31331KET3	FFCB Note 0.98% Due 9/23/2013	1,970,000.00	03/28/2011 1.10 %	1,964,227.90 1,964,819.10	100.78 0.63 %	1,985,299.02 5,255.52	0.89 % 20,479.92	Aaa AAA	2.24 2.20
31398A4A7	FNMA Callable Note 1X 9/27/11 1.2% Due 9/27/2013	3,525,000.00	09/10/2010 1.20 %	3,525,000.00 3,525,000.00	100.21 0.35 %	3,532,229.78 11,045.00	1.58 % 7,229.78	Aaa AAA	0.24 0.24
3134G1PP3	FHLMC Callable Note 1X 8/18/11 1.4% Due 11/18/2013	1,855,000.00	08/18/2010 0.98 %	1,862,698.25 1,856,015.15	100.14 0.37 %	1,857,533.93 9,594.47	0.84 % 1,518.78	Aaa AAA	0.13 0.13
3133XHW57	FHLB Note 4.875% Due 12/13/2013	1,000,000.00	06/18/2009 2.96 %	1,080,060.00 1,043,766.78	110.02 0.75 %	1,100,170.00 2,437.50	0.49 % 56,403.22	Aaa AAA	2.46 2.33
3137EABX6	FHLMC Note 2.5% Due 1/7/2014	3,350,000.00	03/17/2010 2.09 %	3,399,734.10 3,382,929.62	104.40 0.74 %	3,497,326.30 40,479.17	1.58 % 114,396.68	Aaa AAA	2.53 2.42

Holdings Report

As of 6/30/11

CUSIP	Security Description	Par Value/Units	Purchase Date Book Yield	Cost Value Book Value	Mkt Price Mkt YTM	Market Value Accrued Int.	% of Port. Gain/Loss	Moody S&P	Term (yrs) Duration
AGENCY									
3136FHGK5	FNMA Callable Note 1X 4/16/12 3% Due 4/16/2014	1,000,000.00	04/16/2009 3.00 %	1,000,000.00 1,000,000.00	101.90 0.60 %	1,018,995.00 6,250.00	0.46 % 18,995.00	Aaa AAA	0.80 0.78
31331GTJ8	FFCB Note 2.625% Due 4/17/2014	3,300,000.00	10/05/2010 1.02 %	3,483,678.00 3,445,488.94	104.81 0.88 %	3,458,858.70 17,806.25	1.56 % 13,369.76	Aaa AAA	2.80 2.69
31331KHF0	FFCB Callable Note Cont 4/25/12 1.62% Due 4/25/2014	3,695,000.00	04/13/2011 1.62 %	3,694,630.50 3,694,653.09	100.91 1.29 %	3,728,576.47 10,974.15	1.67 % 33,923.38	Aaa AAA	2.82 1.26
3136FHMK8	FNMA Callable Note 1X 5/1/12 2.25% Due 5/1/2014	1,000,000.00	05/01/2009 2.25 %	1,000,000.00 1,000,000.00	101.46 0.50 %	1,014,559.00 3,750.00	0.46 % 14,559.00	Aaa AAA	0.84 0.83
3136FHPX7	FNMA Callable Note 1X 11/14/2011 2.125% Due 5/14/2014	1,000,000.00	05/14/2009 2.13 %	1,000,000.00 1,000,000.00	100.52 0.72 %	1,005,198.00 2,774.31	0.45 % 5,198.00	Aaa AAA	0.38 0.37
31398AXJ6	FNMA Note 2.5% Due 5/15/2014	1,250,000.00	Various 2.32 %	1,258,880.25 1,256,300.04	104.39 0.95 %	1,304,857.50 3,993.05	0.59 % 48,557.46	Aaa AAA	2.88 2.77
31331JQA4	FFCB Note 1.9% Due 6/2/2014	4,300,000.00	06/08/2010 1.96 %	4,289,551.00 4,292,305.67	102.77 0.94 %	4,419,208.90 6,581.39	1.98 % 126,903.23	Aaa AAA	2.93 2.84
3133XTXW1	FHLB Callable Note 1X 1/9/12 2.5% Due 7/9/2014	1,000,000.00	07/09/2009 2.50 %	1,000,000.00 1,000,000.00	101.17 0.28 %	1,011,658.00 11,944.44	0.46 % 11,658.00	Aaa AAA	0.53 0.52
3137EACD9	FHLMC Note 3% Due 7/28/2014	4,000,000.00	03/15/2010 2.41 %	4,097,476.00 4,068,630.44	105.83 1.07 %	4,233,252.00 51,000.00	1.92 % 164,621.56	Aaa AAA	3.08 2.92
31398AYY2	FNMA Note 3% Due 9/16/2014	1,500,000.00	04/15/2010 2.50 %	1,531,365.00 1,522,795.01	106.16 1.04 %	1,592,449.50 13,125.00	0.72 % 69,654.49	Aaa AAA	3.22 3.05
31331GL80	FFCB Note 3% Due 9/22/2014	4,000,000.00	03/17/2010 2.47 %	4,090,640.00 4,064,805.68	106.02 1.10 %	4,240,828.00 33,000.00	1.91 % 176,022.32	Aaa AAA	3.23 3.07
31398AZV7	FNMA Note 2.625% Due 11/20/2014	4,100,000.00	03/12/2010 2.54 %	4,114,723.10 4,110,652.95	104.87 1.16 %	4,299,698.70 12,257.29	1.93 % 189,045.75	Aaa AAA	3.39 3.24
3134G2EF5	FHLMC Callable Note 1X 1/26/12 2.1% Due 1/26/2015	2,065,000.00	04/04/2011 2.09 %	2,065,206.50 2,065,156.94	100.88 0.56 %	2,083,169.94 7,829.79	0.94 % 18,013.00	Aaa AAA	0.58 1.03
3136FPEQ6	FNMA Callable Note 1X 9/9/11 1.85% Due 9/9/2015	2,015,000.00	09/16/2010 1.89 %	2,011,473.75 2,012,030.42	99.57 1.96 %	2,006,333.49 11,597.44	0.90 % (5,696.93)	Aaa AAA	4.20 2.00
31331J6C2	FFCB Note 2.35% Due 12/22/2015	2,000,000.00	03/28/2011 2.27 %	2,007,240.00 2,006,846.39	102.18 1.84 %	2,043,548.00 1,175.00	0.91 % 36,701.61	Aaa AAA	4.48 4.24
3137EACT4	FHLMC Note 2.5% Due 5/27/2016	3,475,000.00	06/14/2011 1.86 %	3,579,229.15 3,578,421.17	102.56 1.95 %	3,563,883.55 20,029.51	1.60 % (14,537.62)	Aaa AAA	4.91 4.59
Total Agency		**80,975,000.00**	**1.84 %**	**82,810,200.68 82,166,452.94**	**0.81 %**	**83,742,740.71 574,513.87**	**37.71 % 1,576,287.77**	**Aaa AAA**	**2.20 2.00**
CASH									
90CASH$00	Cash Custodial Cash Account	1,914,624.27	Various 0.00 %	1,914,624.27 1,914,624.27	1.00 0.00 %	1,914,624.27 0.00	0.86 % 0.00	NR NR	0.00 0.00
Total Cash		**1,914,624.27**	**N/A**	**1,914,624.27 1,914,624.27**	**0.00 %**	**1,914,624.27 0.00**	**0.86 % 0.00**	**NR NR**	**0.00 0.00**

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Item No. A.9

Holdings Report

As of 6/30/11

CUSIP	Security Description	Par Value/Units	Purchase Date Book Yield	Cost Value Book Value	Mkt Price Mkt YTM	Market Value Accrued Int.	% of Port. Gain/Loss	Moody S&P	yrs) tion
FDIC INSURED US CORPORATE									
949744AA4	Wells Fargo & Company FDIC Guaranteed Note 3% Due 12/9/2011	3,050,000.00	03/12/2010 0.95 %	3,157,094.65 3,077,282.02	101.25 0.18 %	3,087,996.90 5,591.67	1.38 % 10,714.88	Aaa AAA	0.44 0.44
06050BAG6	Bank of America Corp FDIC Guaranteed Note 2.1% Due 4/30/2012	3,310,000.00	Various 1.20 %	3,371,727.28 3,334,365.08	101.57 0.22 %	3,361,890.88 11,778.08	1.51 % 27,525.80	Aaa AAA	0.84 0.83
91160HAC1	US Bancorp FDIC Guaranteed Note 1.8% Due 5/15/2012	5,070,000.00	Various 1.39 %	5,111,546.49 5,087,926.04	101.40 0.20 %	5,140,762.00 11,661.00	2.30 % 52,835.96	Aaa AAA	0.88 0.87
38146FAA9	Goldman Sachs FDIC Guaranteed Note 3.25% Due 6/15/2012	3,205,000.00	Various 1.26 %	3,344,909.12 3,264,869.13	102.81 0.31 %	3,294,941.91 4,629.45	1.48 % 30,072.78	Aaa AAA	0.96 0.95
36967HAV9	GE Capital Corp FDIC Guaranteed Note 2.125% Due 12/21/2012	3,645,000.00	05/19/2010 1.27 %	3,723,710.13 3,690,036.90	102.38 0.50 %	3,731,878.58 2,151.56	1.67 % 41,841.68	Aaa AAA	1.48 1.46
Total FDIC Insured US Corporate		**18,280,000.00**	**1.23 %**	**18,708,987.67 18,454,479.17**	**0.28 %**	**18,617,470.27 35,811.76**	**8.34 % 162,991.10**	**Aaa AAA**	**0.93 0.92**
LAIF									
90LAIF$00	Local Agency Investment Fund State Pool	42,568,572.69	Various 0.39 %	42,568,572.69 42,568,572.69	1.00 0.39 %	42,568,572.69 34,512.20	19.06 % 0.00	NR NR	0.00 00
Total LAIF		**42,568,572.69**	**0.39 %**	**42,568,572.69 42,568,572.69**	**0.39 %**	**42,568,572.69 34,512.20**	**19.06 % 0.00**	**NR NR**	**00 00**
MONEY MARKET FUND FI									
431114701	Highmark Govt Money Market Fund	209,026.69	Various 0.01 %	209,026.69 209,026.69	1.00 0.01 %	209,026.69 0.00	0.09 % 0.00	Aaa AAA	0.00 0.00
Total Money Market Fund FI		**209,026.69**	**0.01 %**	**209,026.69 209,026.69**	**0.01 %**	**209,026.69 0.00**	**0.09 % 0.00**	**Aaa AAA**	**0.00 0.00**
US CORPORATE									
52517PR60	Lehman Brothers Holdings Note 5.25% Due 2/6/2012	1,000,000.00	02/06/2007 5.34 %	996,000.00 996,000.00	26.13 0.00 %	261,250.00 0.00	0.12 % (734,750.00)	NR NR	0.61 0.00
931142CL5	Wal-Mart Stores Note 4.25% Due 4/15/2013	3,260,000.00	Various 1.54 %	3,491,366.25 3,414,427.32	106.22 0.75 %	3,462,732.88 29,249.45	1.56 % 48,305.56	Aa2 AA	1.79 1.73
459200GR6	IBM Corp Note 2.1% Due 5/6/2013	1,725,000.00	01/27/2011 1.00 %	1,767,624.75 1,759,706.52	102.55 0.71 %	1,768,966.80 5,534.38	0.79 % 9,260.28	Aa3 A+	1.85 1.81
91159HGY0	US Bancorp Callable Note Cont 8/13/13 1.375% Due 9/13/2013	2,665,000.00	Various 1.32 %	2,668,966.65 2,667,927.62	100.45 1.16 %	2,677,064.45 10,993.13	1.20 % 9,136.83	Aa3 A+	2.12 2.08
254687AW6	Walt Disney Corp Note 4.5% Due 12/15/2013	1,720,000.00	Various 1.23 %	1,873,880.60 1,855,375.78	108.53 0.98 %	1,866,800.28 3,440.00	0.84 % 11,424.50	A2 A	2.46 2.34
24422ERA9	John Deere Capital Corp Note 1.6% Due 3/3/2014	440,000.00	02/28/2011 1.63 %	439,564.40 439,612.09	101.12 1.17 %	444,935.92 2,307.56	0.20 % 5,323.83	A2 A	2.68 2.60

Holdings Report

As of 6/30/11

CUSIP	Security Description	Par Value/Units	Purchase Date Book Yield	Cost Value Book Value	Mkt Price Mkt YTM	Market Value Accrued Int.	% of Port. Gain/Loss	Moody S&P	Term (yrs) Duration
US CORPORATE									
166751AH0	ChevronTexaco Corp Note 3.95% Due 3/3/2014	2,473,000.00	Various 1.56 %	2,644,928.56 2,626,639.24	107.76 1.00 %	2,664,996.31 32,018.48	1.21 % 38,357.07	Aa1 AA	2.68 2.53
665859AK0	Northern Trust Company Note 4.625% Due 5/1/2014	1,850,000.00	10/20/2010 1.33 %	2,058,421.00 2,018,002.91	109.21 1.31 %	2,020,309.15 14,260.42	0.91 % 2,306.24	A1 AA-	2.84 2.66
36962G4C5	General Electric Capital Corp Note 5.9% Due 5/13/2014	3,075,000.00	Various 2.88 %	3,411,681.00 3,325,111.96	111.09 1.91 %	3,416,045.18 24,190.00	1.54 % 90,933.22	Aa2 AA+	2.87 2.65
61747YCF0	Morgan Stanley Note 6% Due 5/13/2014	2,370,000.00	Various 3.98 %	2,534,751.20 2,495,808.78	108.91 2.75 %	2,581,214.40 18,960.00	1.16 % 85,405.62	A2 A	2.87 2.63
428236AV5	Hewlett Packard Company Note 4.75% Due 6/2/2014	1,700,000.00	01/27/2011 1.74 %	1,865,393.00 1,844,532.62	109.13 1.54 %	1,855,143.70 6,504.86	0.83 % 10,611.08	A2 A	2.93 2.74
74005PAQ7	Praxair Note 5.25% Due 11/15/2014	850,000.00	09/24/2010 1.60 %	973,471.00 950,954.74	112.33 1.49 %	954,785.45 5,702.08	0.43 % 3,830.71	A2 A	3.38 3.11
09247XAD3	Blackrock Inc Note 3.5% Due 12/10/2014	1,630,000.00	Various 2.84 %	1,674,920.75 1,664,394.51	105.39 1.88 %	1,717,801.58 3,327.92	0.77 % 53,407.07	A1 A+	3.45 3.24
713448BM9	Pepsico Inc. Note 3.1% Due 1/15/2015	2,530,000.00	Various 2.04 %	2,641,540.25 2,620,173.06	104.97 1.65 %	2,655,695.46 36,164.95	1.20 % 35,522.40	Aa3 A-	3.55 3.31
46625HHP8	JP Morgan Chase Note 3.7% Due 1/20/2015	2,550,000.00	Various 3.34 %	2,584,656.00 2,580,539.72	103.98 2.52 %	2,651,507.86 42,195.42	1.20 % 70,968.14	Aa3 A+	3.56 3.28
94980VAA6	Wells Fargo Bank Note 4.75% Due 2/9/2015	2,475,000.00	Various 3.65 %	2,584,316.50 2,564,913.75	106.96 2.71 %	2,647,222.88 46,371.87	1.20 % 82,309.13	Aa3 AA-	3.62 3.27
084670AV0	Berkshire Hathaway Note 3.2% Due 2/11/2015	2,485,000.00	06/09/2010 2.65 %	2,545,012.75 2,531,551.29	104.23 1.98 %	2,589,998.71 30,924.44	1.17 % 58,447.42	Aa2 AA+	3.62 3.37
06406JHB4	Bank of New York Mellon Note 4.95% Due 3/15/2015	2,360,000.00	Various 2.11 %	2,645,950.90 2,595,406.68	109.67 2.22 %	2,588,278.08 34,397.01	1.17 % (7,128.60)	Aa3 A+	3.71 3.37
717081DA8	Pfizer Inc. Note 5.35% Due 3/15/2015	1,550,000.00	02/18/2011 2.33 %	1,730,497.50 1,715,008.86	112.75 1.78 %	1,747,590.90 24,416.81	0.79 % 32,582.04	A1 AA	3.71 3.36
74005PAR5	Praxair Note 4.625% Due 3/30/2015	740,000.00	Various 2.58 %	807,780.55 793,124.89	110.26 1.78 %	815,907.72 8,651.32	0.37 % 22,782.83	A2 A	3.75 3.44
278642AB9	Ebay Inc Note 1.625% Due 10/15/2015	2,670,000.00	10/22/2010 1.66 %	2,665,327.50 2,665,961.50	97.71 2.19 %	2,608,939.77 9,159.58	1.17 % (57,021.73)	A2 A	4.30 4.10
Total US Corporate		**42,118,000.00**	**2.28 %**	**44,606,051.11 44,125,173.84**	**1.71 %**	**43,997,187.48 388,769.68**	**19.85 % (127,986.36)**	**A1 AA-**	**3.05 2.84**
US TREASURY									
912828GQ7	US Treasury Note 4.5% Due 4/30/2012	3,775,000.00	03/12/2010 1.00 %	4,051,944.29 3,883,354.01	103.57 0.22 %	3,909,631.60 28,620.24	1.76 % 26,277.59	TSY TSY	0.84 0.82
912828HE3	US Treasury Note 4.25% Due 9/30/2012	3,775,000.00	03/12/2010 1.22 %	4,061,086.87 3,915,582.47	104.94 0.29 %	3,961,390.63 40,328.55	1.79 % 45,808.16	TSY TSY	1.25 1.22
912828HM5	US Treasury Note 3.625% Due 12/31/2012	2,550,000.00	03/12/2010 1.35 %	2,708,785.88 2,635,296.92	104.88 0.36 %	2,674,411.95 251.19	1.20 % 39,115.03	TSY TSY	1.51 1.47

Holdings Report

As of 6/30/11

CUSIP	Security Description	Par Value/Units	Purchase Date Book Yield	Cost Value Book Value	Mkt Price Mkt YTM	Market Value Accrued Int.	% of Port. Gain/Loss	Moody S&P	yrs) tion
US TREASURY									
912828JQ4	US Treasury Note 2.75% Due 10/31/2013	4,000,000.00	05/10/2010 1.65 %	4,148,281.25 4,099,672.11	105.00 0.59 %	4,200,000.00 18,532.61	1.89 % 100,327.89	TSY TSY	2.34 2.26
912828NP1	US Treasury Note 1.75% Due 7/31/2015	4,050,000.00	04/06/2011 1.99 %	4,009,355.36 4,011,547.49	101.70 1.32 %	4,118,647.50 29,563.88	1.86 % 107,100.01	TSY TSY	4.09 3.91
912828PE4	US Treasury Note 1.25% Due 10/31/2015	3,600,000.00	Various 1.35 %	3,584,379.25 3,584,617.67	99.16 1.45 %	3,569,623.20 7,581.52	1.60 % (14,994.47)	TSY TSY	4.34 4.19
912828PJ3	US Treasury Note 1.375% Due 11/30/2015	3,590,000.00	05/16/2011 1.63 %	3,549,905.00 3,550,946.11	99.51 1.49 %	3,572,330.02 4,180.98	1.60 % 21,383.91	TSY TSY	4.42 4.26
912828PS3	US Treasury Note 2% Due 1/31/2016	3,505,000.00	05/16/2011 1.70 %	3,551,973.24 3,550,797.54	101.95 1.56 %	3,573,182.77 29,240.61	1.61 % 22,385.23	TSY TSY	4.59 4.34
912828QA1	US Treasury Note 2.25% Due 3/31/2016	1,700,000.00	06/27/2011 1.32 %	1,772,654.14 1,772,570.49	102.85 1.62 %	1,748,484.00 9,614.75	0.79 % (24,086.49)	TSY TSY	4.76 4.48
Total US Treasury		**30,545,000.00**	**1.48 %**	**31,438,365.28 31,004,384.81**	**0.95 %**	**31,327,701.67 167,914.33**	**14.09 % 323,316.86**	**TSY TSY**	**3.03 2.91**
TOTAL PORTFOLIO		**216,610,223.65**	**1.53 %**	**222,255,828.39 220,442,714.41**	**0.88 %**	**222,377,323.78 1,201,521.84**	**100.00 % 1,934,609.37**	**Aa1 AAA**	**1.94 1.81**
TOTAL MARKET VALUE PLUS ACCRUED						**223,578,845.62**			

COMPLIANCE WITH INVESTMENT POLICY

Assets managed by Chandler Asset Management are in full compliance with State law and with the City's investment policy.

Category	Standard	Comment
Local Agency Bonds	No Limitation	Complies
Treasury Issues	No Limitation	Complies
Agency Issues	No Limitation	Complies
Banker's Acceptances	40% maximum; <180 days maturity	Complies
Commercial Paper	25% maximum; <270 days maturity; A-1/P-1/F-1 minimum ratings	Complies
Negotiable Certificates of Deposit	30% maximum; 5 years maximum maturity	Complies
Repurchase Agreements	No limitation; 1-year maximum maturity	Complies
Reverse Repurchase Agreements	20% maximum; <92 days maturity	Complies
Medium Term Notes	30% maximum; 5 years maximum maturity; A-rated or better	Complies
Money Market Mutual Funds	20% maximum; AAAf/Aaaf, minimum rating	Complies
Collateralized Certificates of Deposits	5 years maximum maturity	Complies
Time Deposits	5 years maximum maturity	Complies
Mortgage Pass-throughs, CMOs and Asset Backed Securities	20% maximum; AA-rated issue; A-rated issuer	Complies
Local Agency Investment Fund - L.A.I.F.	Maximum program limitation	Complies
Prohibited Securities	Inverse floaters; Ranges notes, Interest-only strips from mortgaged backed securities; Zero interest accrual securities	Complies
Maximum maturity	5 years	Complies

Holdings Report Glossary

CUSIP (Committee on Uniform Securities Identification Procedures) – A unique identification number assigned to all securities.

Security Description - The issuer name, coupon (periodic interest payment rate) and maturity.

Par Value/Units - The face value or number of units held in the portfolio.

Purchase Date - The settlement date on which the security was purchased.

Book Yield - The YTM that equates the current amortized value of the security to its periodic future cash flows.

Cost Value - The value at which the securities were purchased, excluding purchased interest.

Book Value - The value at which an asset is carried on a balance sheet. To calculate, take the cost of an asset + net accretion/amortization.

Mkt Price - The current fair value market price.

Mkt YTM – The internal rate of return that equates the periodic future cash flows (interest payments and redemption value) to the market price, assuming that all cash flows are invested at the YTM rate.

Market Value - The current fair value of an investment as determined by transactions between willing buyers and sellers.

Accrued Int. - The interest that has accumulated on a bond since the last interest payment up to, but not including, the settlement date.

% of Port. - The % of the portfolio that the security represents based on market value, including accrued interest.

Gain/Loss – The unrealized gain or loss on the security, compared to either cost or amortized value, as of the date of the report.

Moody - The Moody's rating for the security.

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Holdings Report Glossary (continued)

S&P - The Standard and Poor's rating for the security.

Term (yrs) - The time, in years, until maturity.

Duration - The weighted average time to maturity of a bond where the weights are the present values of future cash flows. Duration measures the price sensitivity of a bond to changes in interest rates.

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BOND PROCEEDS WITH FISCAL AGENTS

Account Name	Account Number	Investment	Issuer	Purchase Date	Maturity Date	Market Value	Stated Rate	Yield	Price	% of of Portfolio
Wells Fargo	**Community Facilities Disctrict 87-1 (IA-1)**									
special tax funds	**22631800**	**money market fund**	**WF Govt Fund**	**06/30/11**	**07/01/11**	**1,022,258**	**0.01%**	**0.01%**	**1.00000**	**6.048%**
reserve fund	22631804	money market fund	WF Govt Fund	06/30/11	07/01/11	1,028,889	0.01%	0.01%	1.00000	6.087%
admin exp acct	**22631805**	**money market fund**	**WF Govt Fund**	**06/30/11**	**07/01/11**	**377**	**0.01%**	**0.01%**	**1.00000**	**0.002%**
debt service acct	**22631809**	**money market fund**	**WF Govt Fund**	**06/30/11**	**07/01/11**	**535,889**	**0.01%**	**0.01%**	**1.00000**	**3.171%**
special tax funds	**22631900**	**money market fund**	**WF Govt Fund**	**06/30/11**	**07/01/11**	**388,431**	**0.01%**	**0.01%**	**1.00000**	**2.298%**
reserve fund	22631904	money market fund	WF Govt Fund	06/30/11	07/01/11	365,376	0.01%	0.01%	1.00000	2.162%
admin exp acct	**22631905**	**money market fund**	**WF Govt Fund**	**06/30/11**	**07/01/11**	**15,923**	**0.01%**	**0.01%**	**1.00000**	**0.094%**
						3,357,143				
Wells Fargo	**CFD # 5**									
Series B Revenue	**22333500**	**money mkt fund**	**WF Govt Fund**	**06/30/11**	**07/01/11**	**137,116**	**0.01%**	**0.01%**	**1.00000**	**0.811%**
Series A Principal	**22333501**	**money mkt fund**	**WF Govt Fund**	**06/30/11**	**07/01/11**	**300**	**0.01%**	**2.71%**	**1.00000**	0.002%
Series B reserve	**22333503**	**money mkt fund**	**WF Govt Fund**	**06/30/11**	**07/01/11**	**527,622**	**0.01%**	**0.01%**	**1.00000**	**3.122%**
Series A interest	22333504	money mkt fund	WF Govt Fund	06/30/11	07/01/11	27,002	0.01%	0.01%	1.00000	0.160%
						692,040				
Wells Fargo	**1997 Lease Revenue Bonds - Public Safety**									
rebate account	**12526104**	**money mkt fund**	**WF Govt Fund**	**06/30/11**	**07/01/11**	**0**	**0.01%**	**0.01%**	**1.00000**	**0.000%**
						0				
Wells Fargo	**2007 Redevelopment Agency Tax Allocation Bonds Sereis A**									
debt service fund	22631700	**money mkt fund**	**WF Govt Fund**	**06/30/11**	**07/01/11**	**2**	**0.01%**	**0.01%**	**1.00000**	**0.000%**
						2				
Wells Fargo	**2005 Lease Revenue Bond**									
bond fund	**18042800**	**money mkt fund**	**WF Govt Fund**	**06/30/11**	**07/01/11**	**131**	**0.01%**	**0.01%**	**1.00000**	**0.001%**
reserve fund	18042804	money mkt fund	WF Govt Fund	06/30/11	07/01/11	2,992,753	0.01%	0.01%	1.00000	17.706%
construction fund	**18042806**	**money mkt fund**	**WF Govt Fund**	**06/30/11**	**07/01/11**	**1,315,143**	**0.01%**	**0.01%**	**1.00000**	**7.781%**
						4,308,027				25.488%
Wells Fargo	**2007 Taxable Lease Revenue Bonds - Electric Utility**									
bond fund	**22277600**	**money mkt fund**	**WF Govt Fund**	**06/30/11**	**07/01/11**	**2**	**0.01%**	**0.01%**	**1.00000**	**0.000%**
construction fund	22277604	money mkt fund	WF Govt Fund	06/30/11	07/01/11	6,846,976	0.01%	0.01%	1.00000	40.510%
cost of issuance	**22277606**	**money mkt fund**	**WF Govt Fund**	**06/30/11**	**07/01/11**	**368,071**	**0.01%**	**0.01%**	**1.00000**	**2.178%**
						7,215,049				
Wells Fargo	**Automall Refinancing**									
revenue fund	**20350300**	**revenue**	**WF Govt Fund**	**06/30/11**	**07/01/11**	**120,219**	**0.01%**	**0.01%**	**1.00000**	**0.711%**
reserve fund	20350303	reserve	WF Govt Fund	06/30/11	07/01/11	1,178,363	0.01%	0.01%	1.00000	6.972%
admin expenses	**20350304**	**admin expenses**	**WF Govt Fund**	**06/30/11**	**07/01/11**	**31,276**	**0.01%**	**0.01%**	**1.00000**	**0.185%**
						1,329,858				7.868%
			Totals			**16,902,119**				**100.000%**

Type	Summary of Bond Proceeds with Fiscal Agents	
1	Construction Funds	8,162,119
2	**Principal & Interest Accounts**	**683,243**
3	Debt Service Reserve Funds	7,503,994
4	**Custody Accounts**	**0**
5	Arbitrage Rebate Accounts	0
6	**Other Accounts**	**552,763**
	Total Fiscal Agent Funds	**16,902,119**

DEFERRED COMPENSATION FUNDS

Nationwide

Fund	Market Value as of Mar 31, 2011
Liquid Savings	**$1,106,228**
Nationwide Fixed (Part Time Employee)	585,077
Liquid Savings (Part Time Employees)	**388,691**
Certificates of Deposit 3 years	15,948
Certificates of Deposit 5 years	**43,117**
Bond Fund Of America	58,053
Growth Fund of America	**93,121**
Investment Co. of America	35,018
Income Fund of America	**224,208**
Brown Cap Mgmt Inc SM Co	93,010
Fidelity Independence	**1,776**
Fidelity Equity Income	29,528
Fidelity Magellan	**261,770**
JP Morgan Mid Cap Value A	146,992
Fidelity Puritan	**80,105**
Fidelity Contrafund	262,695
Janus Fund	**48,290**
Janus Advisor Forty	85,441

Fund	Market Value as of Mar 31, 2011
Drey SmCap I	**7**
American Century Balanced	30
Am Century Growth	**52,868**
Am Century Select	91,717
Am Century Ultra	**0**
Vanguard Index 500	81,652
Vanguard Institutional Index	**388,497**
Vanguard Wellington	15,541
Vanguard Windsor II	**50,195**
Vanguard Total Bond Index	208,348
Washington Mutual Inv	**41,443**
Templeton Foreign I	0
EuroPacific Growth	**321,160**
Stable Fund C	1,720,348
PBHG Growth Fund	**0**
DWS High Income Fund A	61,105
DWS Strategic Value	**47,788**
Oppenheimer Global Fund A	205,524

Fund	Market Value as of Mar 31, 2011
N B Socially Responsive Fund	**15,830**
DFA US Micro Cap Port	87,664
Federated Kaufmann Fund	**553,573**
Invesco Mid Cap Core Equity	14,770
Nationwide Ret Inc Inst Svc	**13,593**
Nationwide InvDes Mod Cons Fund SC	10,501
Nationwide InvDes Mod Aggr Fund	**677,616**
Nationwide InvDes Aggr Fund	73,398
Nationwide InvDes Mod Fd	**413,221**
Nationwide Inv Des Cons	84,202
Nationwide Large Cap Growth	**45,532**
Nationwide Inter Val Inst Svc	29,408
Nationwide US Sm Cap Val Ins Svc	**1,767**
YL Account	166,257
Nationwide Dest 2020 Inst Svc	**102,674**
Nationwide Dest 2025 Inst Svc	61,307
Nationwide Dest 2030 Inst Svc	**6,858**
Total Nationwide Deferred	**$9,203,462**

ICMA

Fund	Market Value as of Mar 31, 2011
Aggressive Oppor.	**$165,157**
International	168,394
All Equity Growth	**98,264**
Growth and Income	200,817
Broad Market	**55,743**
500 Stock Index	63,218
Equity Income	**292,538**
Asset Allocation	
Core Bond	**15,560**
Cash Management	26,090
Plus Fund	**1,209,847**
Savings Oriented	6,565
Conservative Growth	**118,259**
Traditional Growth	272,424
Long-Term Growth	**315,616**
Milestone 2010	34,309
Milestone 2015	**1,255**
Milestone 2025	14,444
Milestone 2030	**12,173**
Milestone 2035	11,278
Milestone 2040	**1,519**
Growth Fund	219,063

Fund	Market Value as of Mar 31, 2011
VT Royce Premeir	2,028
VT Ranier Small/Mid Cap Eq	**33,631**
VT Fidelity Contrafund	157,896
VT Vantagepoint Overseas Equity Index Fund	**66,564**
VT Fidelity Diversified International	58,006
VT Allianz NFJ Div Value	**45,955**
VT Legg Mason Value	1,793
VT Fidelity Puritan	**4,680**
VT Royce Value Plus Service	8,295
VT TR Price Growth Stock Adv	**16,064**
VT Nuveen Real Estate Secs	28,183
VT TR Price Small Cap Value	**122,859**
VT Vantagepoint MS Ret Inc	38,277
Inflation Protected Securities	**18,360**
VT Vantage Point Select Value	77
VT Vantagepoint Mid/Sm Index	**7,688**
VT PIMCO Total Return	50,850
VT PIMCO High Yield	**110,621**
VT Harbor International Admi	11,853
VT Harbour Mid Cap Growth Admin	**78**
Total ICMA	**$4,086,291**

Summary by Plan

Deferred Compenstation Plan	Market Value as of Mar 31, 2011
Total Nationwide	$9,203,462
Total ICMA	4,086,291
Total Deferred Compensation Plans	**$13,289,753**

Summary by Investment Type

Investment Type	Market Value as of Mar 31, 2011
Savings Deposits and CD's	$3,859,409
Mutual Funds	9,430,344
Total Deferred Compensation Plans	**$13,289,753**

CHANDLER ASSET MANAGEMENT

July 2011

BOND MARKET REVIEW

A MONTHLY REVIEW OF FIXED INCOME MARKETS

WHAT'S INSIDE

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Since 1988, Chandler Asset Management has specialized in the management of fixed income portfolios. Chandler's mission is to provide fully customizable, client-centered portfolio management that preserves principal, manages risk and generates income in our clients' portfolios.

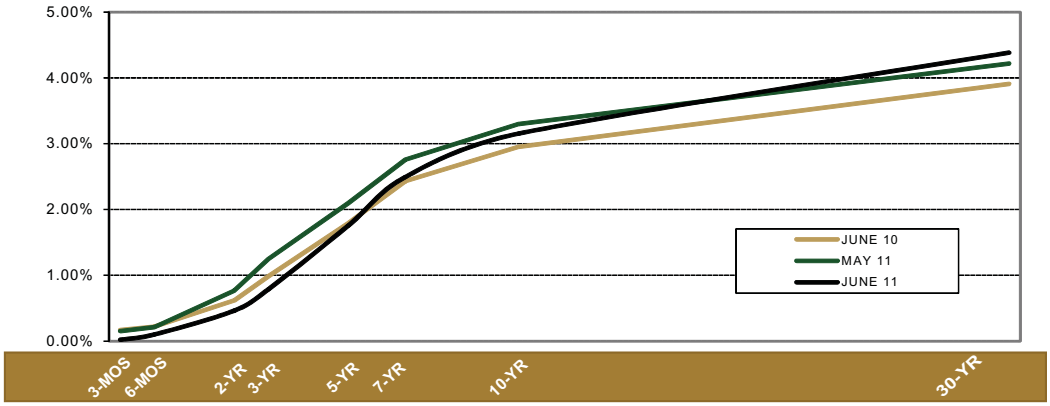
Market Summary

Treasury yields were modestly higher in June as market participants debated whether weaker economic data is only temporary, or if it is a sign of another economic slowdown. The market is also paying close attention to the European sovereign debt crisis, a situation which is likely to drag on for quite a while.

Economic data continues to reflect a sluggish and uneven economic recovery. The June non-farm payrolls report was very disappointing, showing an increase of only 18,000 jobs and an increase in the unemployment rate to 9.2%. The housing market remains very weak, and higher gas prices continue to affect consumer spending (although there is some hope that this effect may begin to moderate). On the positive side, manufacturing activity rebounded slightly in June, with the ISM manufacturing index rebounding to 55.3 (versus 53.5 the previous month). Although inflation has risen, the Federal Reserve continues to believe that this is a temporary development reflecting higher food and energy prices.

Although they have concluded their second round of large-scale asset purchases (QE2), the Federal Reserve maintains its exceptionally easy monetary policy. The Fed Funds rate remains near 0% and the Fed will continue to reinvest principal and interest payments from its securities portfolio. The next scheduled Fed meeting is August 9.

TREASURY YIELDS HIGHER IN JUNE



Treasury yields ended the month modestly higher, with yields on longer securities rising more than those on shorter securities.

YIELDS	6/30/11	5/31/11	CHANGE
3 Month	0.02	0.05	(0.03)
2 Year	0.46	0.46	0.00
3 Year	0.79	0.76	0.02
5 Year	1.75	1.69	0.06
7 Year	2.49	2.38	0.11
10 Year	3.15	3.05	0.10
30 Year	4.38	4.22	

Consumer Prices

In May, the CPI showed that consumer prices increased 3.6% on a year-over-year basis. The year-over-year Core CPI (CPI less food and energy) increased at a 1.5% rate. Although some producer prices have begun to rise, prices on consumer goods are not expected to increase sharply in the months ahead. The Federal Reserve has noted that it is monitoring commodity price increases, but does not believe that they will flow through to sharply higher consumer prices.

Retail Sales

In May, Retail Sales rose 7.7% on a year-over-year basis. Consumer spending has rebounded from the depths of the recession and recent activity has been moderate; however, activity is still far short of the heights of the previous economic expansion as a weak job market and high energy prices restrain consumer spending.

Labor Markets

The June employment report showed that the economy added only 18,000 jobs and the previous two months' totals were revised lower. The unemployment rate rose to 9.2%, and the average weekly hours worked figure also declined. Taken as a whole, this was a very weak report and cast doubt on the strength and durability of the economic recovery. Even though the economic recovery is two years old, the pace of recovery in the labor market is extremely weak by historical standards, and is one of the primary reasons why the recovery has been tepid.

Housing Starts

Single-family housing starts increased 3.7% in May to 419,000, compared to 404,000 in April. On a year-over-year basis, single-family housing starts were down 8.9% compared to May 2010. This report indicates that the housing market remains relatively weak and continues to struggle to gain momentum.

Credit Spreads Mixed

CREDIT SPREADS	Spread to Treasuries (%)	One Month Ago (%)	Change
3-month top-rated commercial paper	0.17	0.18	(0.01)
2-year AA corporate note	0.37	0.39	(0.02)
5-year AA corporate note	0.58	0.57	0.01
5-year Agency note	0.36	0.34	0.02

Source: Bloomberg

Data as of 6/30/2011

Mixed Economic Data

ECONOMIC INDICATOR	Current Release	Prior Release	One Year Ago
Trade Balance	(50.2) $Bln MAY 11	(43.6) $Bln APR 11	(42.2) $Bln MAY 10
GDP	1.9% MAR 11	3.1% DEC 10	3.7% MAR 10
Unemployment Rate	9.2% JUN 11	9.1% MAY 11	9.5% JUN 10
Prime Rate	3.25% JUN 11	3.25% MAY 11	3.25% JUN 10
CRB Index	338.05 JUN 11	350.06 MAY 11	258.52 JUN 10
Oil (West Texas Int.)	$95.42 JUN 11	$102.70 MAY 11	$75.63 JUN 10
Consumer Price Index (y/o/y)	3.6% MAY 11	3.2% APR 11	2.0% MAY 10
Producer Price Index (y/o/y)	7.3% MAY 11	6.8% APR 11	5.1% MAY 10
Dollar / EURO	1.45 JUN 11	1.44 MAY 11	1.22 JUN 10

Source: Bloomberg

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Corporate Credit – Current Trends and Outlook

Corporate credit fundamentals have improved significantly since the financial crisis and economic recession. Many corporate credit issuers have seen a dramatic improvement in their key credit ratios over the past two years (including interest coverage, free cash flow to debt, return on equity, total debt to capital, etc.), leading to a number of credit rating upgrades over that time frame and a significant contraction in overall credit spreads. Since the spring of 2009, investment grade option adjusted credit spreads (OAS)[1] have tightened approximately 350 basis points on average. The average OAS for investment grade corporate debt, according to data based on the Bank of America Merrill Lynch US Corporate Index, now stands at about 155, which is just moderately higher than the 10-year median investment grade corporate OAS. Considering that this data set includes the financial crisis, when corporate OAS rose to unusually high levels, we believe current corporate bond valuation remains compelling.

We also believe the overall credit cycle remains favorable. However, we see less upside in credit fundamentals in the current environment and expect credit trends to be more stable over the near- to intermediate-term. We remain constructive on the economy and believe that ongoing demand recovery will continue to benefit corporate earnings and credit trends. We anticipate that the pace of earnings growth and corporate credit rating upgrades may slow, in light of an uncertain economic environment, rising cost pressures, increased capital deployment, and heightened event risk. Year-over-year revenue, margin, and earnings comparisons are also becoming more challenging as the economy is now entering the third year of expansion since the official end of the recession in June 2009.

Second Quarter Earnings Preview

We are expecting second quarter earnings to show solid year-over-year growth on average and to be relatively in-line or better than analysts' consensus views. However, we expect that the magnitude of upside earnings surprises will be less significant in 2Q11 than the past few quarters. We also anticipate that some companies may have a more cautious outlook on the second half of the year, particularly in light of recent weakness in economic data and intensifying margin pressures.

In spite of mixed economic data during the second quarter, many corporate management teams remained optimistic about corporate earnings and business trends. Several management teams hosted their annual analyst and investor conferences during the second quarter, and a number of them provided a bullish forecast of longer-term growth opportunities, driven in large part by international expansion, capital investments, and an ongoing recovery in demand. However, few companies raised their near-term earnings guidance during the quarter. Many of them either affirmed their forecasts or did not update their earnings outlook.

While we believe that an ongoing recovery in demand has, and will continue to, fuel earnings growth for many companies, there were some factors which pressured second quarter earnings and may limit the magnitude of upside surprises. In the consumer sector, we expect that higher-end retailers outperformed mid- and lower-tier retailers, which likely had a more difficult time of passing along price increases to their customers whose wallets have been stretched by high food and gas prices. In the food and grocery sectors, we expect that price increases helped to drive revenue growth in the second quarter but anticipate that margins continue to be pressured by high commodity costs. In the insurance industry, we expect second quarter earnings were hampered by unusually high catastrophe losses, as most of the large domestic insurance companies have already issued intra-quarter guidance about these charges. Meanwhile, we expect earnings in the banking sector were hindered by legal charges and sluggish loan activity, which was likely somewhat offset by improving credit trends and the continued reversal of loss provisions. For those with a manufacturing or supply chain and/or a significant customer base in Japan (such as the automotive and technology sectors), we expect that ongoing disruption related to the earthquake had a negative impact on earnings in the quarter.

Although managements' tones may be somewhat more cautious, we still expect second quarter earnings will show solid year-over-year growth on average. According to a senior earnings analyst at FactSet Research Systems, Wall Street analysts are projecting 14% year-over-year growth in S&P 500 earnings in the quarter. Energy and

[1]OAS, calculated at the spread over the Treasury yield curve that equates the present value of a bond's cash flows to its market price, is a measure of a bond's additional return over the return of a comparable Treasury bond, net of the cost of any embedded options. A higher relative OAS may signal that a security is undervalued, while a lower relative OAS may signal that a security is overvalued.

materials companies, in particular, may be poised to report strong earnings and potentially raise guidance because of high energy and commodity prices during the quarter. Meanwhile, companies with significant international exposure may have a more optimistic tone about future earnings, as growth in developing countries is likely to continue outpacing domestic operating trends. We also expect that in some cases, strategic deployment of capital (via share repurchases and acquisitions) will help to drive future earnings growth and prompt some companies to raise their forward-looking guidance.

Second Half 2011 Outlook

Looking ahead, we believe there are a few key factors that are likely to have an important impact on corporate credit in the second half of the year; employment trends, rising cost pressures, and event risk.

Employment. Employment is likely to remain one of the most closely watched economic data points in the second half of 2011. The unemployment rate as of June 2011, was 9.2%, which remains high but marks a significant improvement from the third quarter of 2009 when the unemployment rate reached 10.1%. According to Bloomberg data, market participants expect a slow but steady decline in the unemployment rate throughout the remainder of this year and are calling for a rate of 8.5% by the first quarter of 2012. We expect that an improving labor market will help to drive slow and steady demand and corporate earnings growth and will continue to support corporate credit quality.

Margin Pressure. While the Fed continues to downplay the threat of inflation, rising input prices have begun to pressure corporate earnings. Rising commodity, energy, healthcare, wage (especially for those who have operations in China), and regulatory costs are likely to stifle earnings to some degree in the back half of this year. This presents a particular hardship to companies that are unable or unwilling to pass along price increases to their customers in the face of a still sluggish economic recovery. Some companies are forecasting double-digit percentage increases in their costs over the next year. While some companies have had success in offsetting cost pressures and/or passing along initial price increases to their customers, cost pressure is expected to be more significant in the second half of the year.

Event Risk. Event risk is currently one of the most significant risks to corporate credit. While several companies hoarded cash during the credit crisis and continued to conserve cash in the early stages of the recovery, many companies are now deploying cash towards share repurchases, higher dividend payments, and acquisitions. These events are generally unfavorable from a fundamental credit perspective. Share repurchases and dividends, in particular, have little benefit to bondholders. Meanwhile, acquisitions, especially if financed with cash or new debt, can negatively impact a company's credit ratios. Even if a merger or acquisition is beneficial to longer-term earnings growth or cash flow, there is often some execution risk or increased debt load in the early stages of the deal. We believe the industries with the greatest level of this type of event risk include the food, technology, financials, and energy industries, where there has already been meaningful consolidation over the past year. According to a report by PricewaterhouseCoopers (PwC), the value of U.S. merger and acquisition deals in the first five months of 2011 was up 39% from a year earlier, and PwC expects activity to continue to pick up throughout the rest of the year.

Conclusion

Overall, we believe the second half 2011 outlook for corporate credit remains favorable. Though we anticipate that the pace of earnings growth and corporate credit rating upgrades may slow in the latter half of the year, in light of ongoing economic uncertainty, market volatility, and increased headwinds to corporate earnings, we still expect earnings growth to remain healthy and the overall economy to continue growing at a slow but steady pace.

Shelly Henbest
Credit Analyst

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council

FROM: Barry Foster, Community & Economic Development Director

AGENDA DATE: August 23, 2011

TITLE: ACCEPTANCE OF GRANT AWARD FROM THE SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS (SCAG) OF CONSULTANT SERVICES FOR THE COMPASS BLUEPRINT STRATEGY STUDY ENTITLED "ALESSANDRO BOULEVARD CORRIDOR IMPLEMENTATION PROJECT - CITY OF MORENO VALLEY" AND ADOPTION OF THE RESOLUTION FOR PARTICIPATION WITH SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS (SCAG) AS A COMPASS BLUEPRINT DEMONSTRATION COMMUNITY.

RECOMMENDED ACTION

Staff recommends that the Mayor and City Council:

1. Authorize the acceptance of the Compass Blueprint Demonstration Project Grant Award from the Southern California Association of Governments (SCAG) of consultant services for the Compass Blueprint Strategy study entitled "Alessandro Boulevard Corridor Implementation Project - City of Moreno Valley"; and

2. Adopt Resolution No. 2011-87 to certify the approval of the City of Moreno Valley's support of and participation with the Southern California Association of Governments (SCAG) as a Compass Blueprint Demonstration Community.

BACKGROUND

In 2001, the Southern California Association of Governments (SCAG) started a regional visioning process that culminated in a strategy for regional growth that would

accommodate the coming growth while providing for livability, mobility, prosperity, and sustainability. This strategy, called "Compass Blueprint" promotes a stronger link between region wide transportation and land use planning and encourages creative, forward-thinking and sustainable development solutions that fit local needs and support shared regional values. The strategy is broadly based on the following four key principles, which can be referred to as the "Compass Principles."

- Livability - *Creating positive communities*
- Mobility - *Getting where we want to go*
- Prosperity - *Long-term health for the region*
- Sustainability - *Promoting efficient use of natural resources*

Compass Blueprint Planning Services are provided through Demonstration Projects, opportunities for local planning efforts to become regional showcases for superior planning. Demonstration Projects enable cities and counties to better evaluate planning options and stimulate sustainable development opportunities. The City of Moreno Valley applied for a Demonstration Project Grant Award in October 2010.

DISCUSSION

The Compass Blueprint Demonstration Project Grant Award covers the cost of the following as related to completion of the study:

- consultant services
- SCAG staff time
- financial resources
- technical assistance

The proposed "Alessandro Boulevard Corridor Implementation Project" is based on the recently completed "Alessandro Boulevard Corridor Demonstration Project" (SCAG sponsored Demonstration Project completed in June 2010) and promotes the Compass Principles by encouraging strategies to integrate transportation and community. That Project explored opportunities for mixed use transit-oriented development along Alessandro Boulevard, an important regional transportation link for Moreno Valley. The City of Moreno Valley would like to further promote the use of Alessandro Boulevard as a way to reduce the impacts of transportation on the environment and to provide efficient access to jobs and services. The amount of contractual services to be provided by SCAG is approximately $165,000. Any necessary staff support costs will be provided within the existing Planning Division budget will be nominal.

To assist the City in the implementation of a vision for the Alessandro Boulevard area, this proposed demonstration project will:

- Create an overlay district for the Alessandro Boulevard corridors to identify areas suited for Multiple Use Districts (MUD1 and MUD2);
- Create requirements for selecting Multiple Use Districts (MUD1 and MUD2) sites;
- Create urban design strategies to intensify land uses;
- Rezone areas along Alessandro Boulevard to Residential 30 (R30) as identified in the draft General Plan Housing Element;
- Develop a set of street section standards for the Alessandro Boulevard corridor;
- Identify nodes along the Alessandro Boulevard corridor suited for specialized street section standards;
- Create a prototype design for covered bus stops along the Alessandro Boulevard corridor;
- Amend the General Plan to include new standards; and
- Identify next steps for guiding future changes along the corridor.

A consultant, RBF Consulting, has been selected for the proposed Alessandro Boulevard Corridor Demonstration Project. SCAG is currently working on finalizing the drafting of the contract and acceptance of the award by City Council is required prior to the contract's execution.

ALTERNATIVES

1. Authorize acceptance of the Compass Blueprint Demonstration Project Grant Award; and

2. Adopt Resolution No. 2011-87 to certify the approval of the City of Moreno Valley's support of and participation with the Southern California Association of Governments (SCAG) as a Compass Blueprint Demonstration Community.

RECOMMENDATION

1. Authorize the acceptance of the Compass Blueprint Demonstration Project Grant Award from the Southern California Association of Governments (SCAG) of consultant services for the Compass Blueprint Strategy study entitled "Alessandro Boulevard Corridor Implementation Project - City of Moreno Valley"; and

2. Adopt Resolution No. 2011-87 to certify the approval of the City of Moreno Valley's support of and participation with the Southern California Association of Governments (SCAG) as a Compass Blueprint Demonstration Community.

NOTIFICATION

Posting of the Agenda

ATTACHMENTS/EXHIBITS

1. Resolution No. 2011-87

Prepared By:
Claudia Manrique
Associate Planner

Department Head Approval:
Barry Foster
Community & Economic 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:

RESOLUTION NO. 2011-87

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, IN SUPPORT OF AND PARTICIPATION WITH THE SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS AS A COMPASS BLUEPRINT STRATEGY DEMONSTRATION COMMUNITY

WHEREAS, the City of Moreno Valley is participating with the Southern California Association of Governments (SCAG) in a Compass Blueprint Strategy study to examine the potential for transit-oriented development around an emerging rapid transit bus line along Alessandro Boulevard (proposal for the Compass Blueprint Strategy study entitled "Alessandro Boulevard Corridor Implementation Project - City of Moreno Valley"); and

WHEREAS, the City of Moreno Valley's Alessandro Boulevard Corridor is located in a 2% Strategy Opportunity Area; and

WHEREAS, Compass Blueprint supports communities with technical assistance for local planning projects consistent with the regional vision of mobility, livability, sustainability and prosperity.

WHEREAS, the Southern California Association of Governments (SCAG) has awarded Demonstration Community Status to the City of Moreno Valley along with consultant services that will be used to perform a Compass Blueprint Strategy study to explore opportunities for transit-oriented development around an emerging rapid transit bus line along Alessandro Boulevard, a coordinated work effort that will take place directly between the consultants and City staff.

WHEREAS, the planning effort will emphasize strategies to better coordinate land use and transportation decision-making, targeting growth around existing and planned transit stations; and specifically:

1. Create an overlay district for the Alessandro Boulevard corridors to identify areas suited for Multiple Use Districts (MUD1 and MUD2);
2. Create requirements for selecting Multiple Use Districts (MUD1 and MUD2) sites;
3. Create urban design strategies to intensify land uses;
4. Rezone areas along Alessandro Boulevard to Residential 30 (R30) as identified in the draft General Plan Housing Element;
5. Develop a set of street section standards for the Alessandro Boulevard corridor;
6. Identify nodes along the Alessandro Boulevard corridor suited for specialized street section standards;

ATTACHMENT 1

7. Create a prototype design for covered bus stops along the Alessandro Boulevard corridor;
8. Amend the General Plan to include new standards; and
9. Identify next steps for guiding future changes along the corridor.

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.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Moreno Valley HEREBY accepts the designation as a 2% Strategy Demonstration Community and is willing to participate and guide the planning work, and to provide in-kind staff services to support the contract planning efforts.

APPROVED AND ADOPTED this 23rd day of August 2011.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

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

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

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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 23, 2011

TITLE: ADOPT RESOLUTION FOR THE NOTICE OF INTENT TO VACATE MOTOR WAY BETWEEN AUTO MALL DRIVE AND EUCALYPTUS AVENUE
PROJECT NO. 08-89791725

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Adopt Resolution No. 2011-88 for the notice of intent to vacate the right-of-way of Motor Way, between Auto Mall Drive and Eucalyptus Avenue, accepting and reserving any easement for existing public utilities and public access in conformance with California Streets and Highway Code - Chapter 3: Sections 8320 and 8321.

2. Set the date of the public hearing for vacation proceedings as September 27, 2011, in the City Council Chambers starting at 6:30 p.m. in conformance with California Streets and Highway Code - Chapter 3: Sections 8322 and 8323.

3. Direct the City Engineer to post Motor Way giving notice of the date time of the public hearing in conformance with California Streets and Highway Code - Chapter 3: Section 8323.

4. Direct the City Clerk to publish and advertise the hearing notice and to certify to said resolution and transmit a copy of the resolution to the office of the County Recorder for recordation as required by California Streets and Highway Code - Chapter 3: Section 8322 and 8325.

BACKGROUND

On December 29, 1989 Parcel Map 23244 (PM 23244) was recorded by the County of Riverside. PM 23244 includes Lots "A" through "F" and 15 parcels that comprise the Auto Mall. As a part of the recordation of PM 23244, the City accepted "in fee" the public offer of dedication which references Lot "B", Motor Way, for road and public utility purposes.

On October 27, 2009, Amendment No. 5 to the Auto Mall Specific Plan (SP No. 209) was approved by the City Council. Under this Amendment, Ordinance No. 802 included modifications to the existing freeway pylon sign, various monument signs, streetscape, as well as the intention to vacate a portion of Motor Way. At this time, the City desires to move forward with the intention to vacate Lot "B" of PM 23244 (Motor Way between Auto Mall Drive and Eucalyptus Avenue) in accordance with the California Streets and Highway Code – Chapter 3, Sections 8320 through 8325.

DISCUSSION

The Redevelopment Agency (RDA) has been working with the Auto Mall dealers to explore various ways to increase public awareness by creating attractive visual displays of dealer products and other aesthetic elements as described in Amendment No. 5 to SP No. 209. The intention of the modifications is to facilitate and enhance street frontage visual exposure to the traveling public along Moreno Beach Drive. Motor Way is unnecessary for present or prospective public use as the subject street is of no benefit to the motoring public that Auto Mall Parkway (Moreno Beach Drive) already serves and Motor Way is not included in the Circulation Element of the City's General Plan. Although maintenance expenses attributable to Motor Way are relatively small, the vacation would eliminate the maintenance of this segment of road and the funds expended could be much better utilized on streets that are a part of the City's General Circulation Element. There are two property owners, Moss Brothers Auto Group and Majestic Realty, who own the properties fronting Motor Way. Both owners support the proposed vacation of Motor Way.

Being that PM 23244 was recorded in December 28, 1989, it does not fall under Section 66477.5 of the Map Act, effective January 1, 1990, which requires the vacation of dedicated land to be conveyed back to the original sub-divider. Therefore, the City will retain the property for utilities and public access until it determines the disposition of the property.

The action before the City Council is to begin the process for vacation of Motor Way. The initial step is for Council to adopt a resolution giving notice of the intent to vacate Motor Way and setting the public hearing as September 27, 2011, at 6:30 p.m. in the City Council Chambers. The City Clerk will publish and advertise the hearing notice and the City Engineer will post Motor Way giving notice of the date time of the public hearing as required by the California Streets and Highway Code – Chapter 3, Sections 8322- and 8323. If there are no objections to the general vacation, City Council may adopt the resolution and the City Clerk will forward a copy of the resolution to the office of the County Recorder for recordation at which time the vacation is deemed to be complete in accordance with California Streets and Highway Code – Chapter 3, Sections 8325.

ALTERNATIVES

1. Adopt Resolution No. 2011-88 for the notice of intent to vacate the right-of-way of Motor Way, between Auto Mall Drive and Eucalyptus Avenue, accepting and reserving any easement for existing public utilities and public access in conformance with California Streets and Highway Code - Chapter 3: Sections 8320 and 8321, set the date of the public hearing for vacation proceedings as September 27, 2011, in the City Council Chambers starting at 6:30 p.m. in conformance with California Streets and Highway Code - Chapter 3: Sections 8322 and 8323, direct the City Engineer to post Motor Way giving notice of the date time of the public hearing in conformance with California Streets and Highway Code - Chapter 3: Section 8323, direct the City Clerk to publish and advertise the hearing notice and to certify to said resolution and transmit a copy of the resolution to the office of the County Recorder for recordation as required by California Streets and Highway Code - Chapter 3: Section 8322 and 8325. *Adopting the Resolution for the notice of intent to vacate will allow the City to continue the process for the general vacation as part of the Auto Mall enhancements and to finish the proposed street improvements.*

2. Do not adopt Resolution No. 2011-88 for the notice of intent to vacate the right-of-way of Motor Way, between Auto Mall Drive and Eucalyptus Avenue, accepting and reserving any easement for existing public utilities and public access in conformance with California Streets and Highway Code - Chapter 3: Sections 8320 and 8321, do not set the date of the public hearing for vacation proceedings as September 27, 2011, in the City Council Chambers starting at 6:30 p.m. in conformance with California Streets and Highway Code - Chapter 3: Sections 8322 and 8323, do not direct the City Engineer to post Motor Way giving notice of the date time of the public hearing in conformance with California Streets and Highway Code - Chapter 3: Section 8323, do not direct the City Clerk to publish and advertise the hearing notice and to certify to said resolution and transmit a copy of the resolution to the office of the County Recorder for recordation as required by California Streets and Highway Code - Chapter 3: Section 8322 and 8325.*Not adopting the Resolution for the notice of intent to vacate will not allow the City to continue the process for the general vacation as part of the Auto Mall enhancement, finish the proposed street improvements along Motor Way, and will cause the City to continue maintenance of the street.*

FISCAL IMPACT

There is no monetary cost to the City in adopting the Resolution for the notice of intent to vacate. There is long-term minimal cost savings due to the elimination of the future maintenance of this roadway.

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.

SUMMARY

Staff is requesting that City Council approve and adopt the proposed Resolution No. 2011-88 for notice of intent to vacate Motor Way from Auto Mall Drive to Eucalyptus Avenue, excepting and reserving any easement for existing public utilities and public access, set the date for the public hearing of the vacation proceeding, instruct the City Clerk to publish and advertise the hearing notice, direct the City Engineer to post Motor Way giving notice of the public hearing, and direct the City Clerk to certify said Resolution and transmit a copy of the Resolution to the County Recorder's Office for recording.

NOTIFICATION

Notice has been given to various utility agencies. The public has been notified by publication of agenda, posting at the site, and City Clerk publication in the newspaper.

ATTACHMENTS

Attachment "A" – Location Map
Attachment "B" – Proposed Resolution No. 2011-88

Prepared By:
Guy Pegan, P.E.
Senior Engineer

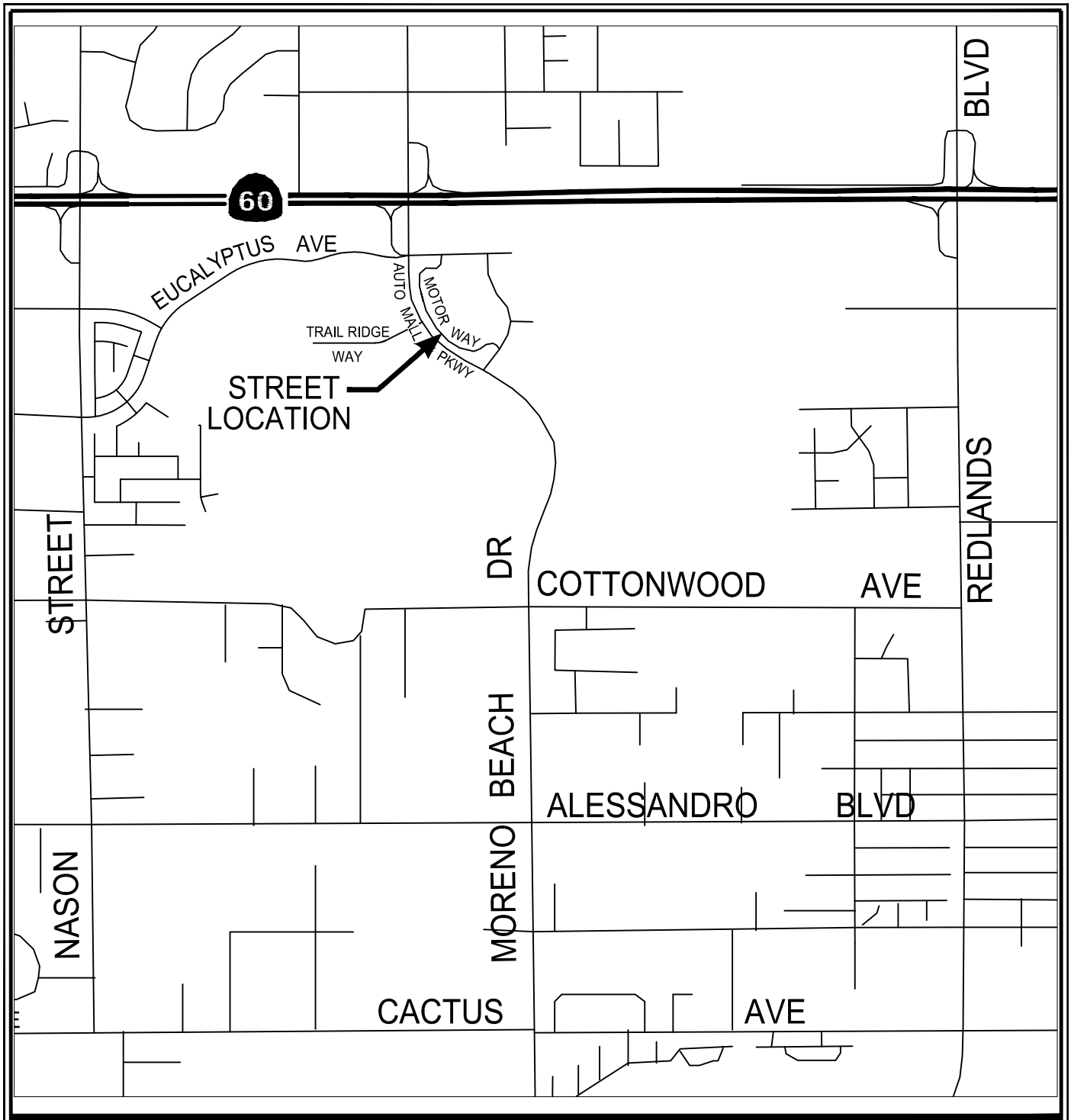
Department Head Approval:
Chris A. Vogt, P.E.
Public Works Director/City Engineer

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

Concurred By:
Barry Foster
Community and Economic Development Director

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

W:\CapProj\CapProj\PROJECTS\Guy - 08-89791725 - Auto Mall Street Upgrades\CC Reports\Street Improvements\Street Vacation\NOI of Vacation for Motor Way 8-23-11 Final.docx



LOCATION MAP

Public WorksDepartment
Capital Projects Division

Scale: None

ATTACHMENT "A"

PROJECT NO. 08-89791725
MORENO VALLEY AUTO MALL
IMPROVEMENTS

Item No. A.11

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RESOLUTION NO. 2011-88

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DECLARING ITS INTENT TO VACATE MOTOR WAY BETWEEN AUTO MALL DRIVE AND EUCALYPTUS AVENUE

WHEREAS, the City of Moreno Valley, California, acquired certain right-of-way for road and public utility purposes located on Motor Way between Auto Mall Drive and Eucalyptus Avenue; and

WHEREAS, a portion of this right-of-way is no longer, nor in the future will be, useful for road purposes;

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

Section 1

That the City Council of the City of Moreno Valley, California intends to order the vacation of Motor Way between Auto Mall Drive and Eucalyptus Avenue, more particularly described as Lot "B" of Parcel Map 23244 as shown on Exhibit "A" attached hereto and made a part thereof.

Section 2

This vacation proceeding is conducted pursuant to the provisions of Chapter 3, Part 3 of Division 9 of the Streets and Highways Code of the State of California, designated "General Vacation Procedure" (beginning at Section 8320 of said Code).

Section 3

Notice is hereby given that September 27, 2011 at 6:30 p.m. in the Council Chambers of City Hall of the City of Moreno Valley, California, is the time and place fixed for hearing all persons interested in or objecting to the proposed street vacation.

Section 4

The City Engineer of the said City of Moreno Valley shall cause to be conspicuously posted, along the line of the street proposed to be vacated, notices of the passage of this Resolution of Intent, which notices shall be posted at least fourteen

days before the day set for the hearing. Notices shall be posted not more than 300 feet apart but at least three notices shall be posted. The notices shall state the day, hour, and place of the hearing, and describe the street or public service easement proposed to be vacated.

Section 5

In addition, pursuant to Section 8322 of the Streets and Highways Code, this Resolution shall be posted by the City Clerk in public places designated by the City Council for posting of resolutions of the City, and published in a newspaper of general circulation within the City for at least fourteen days prior to the hearing.

APPROVED AND ADOPTED this _____ day of _____, 2011.

_____
Mayor of the City of Moreno Valley

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.]**

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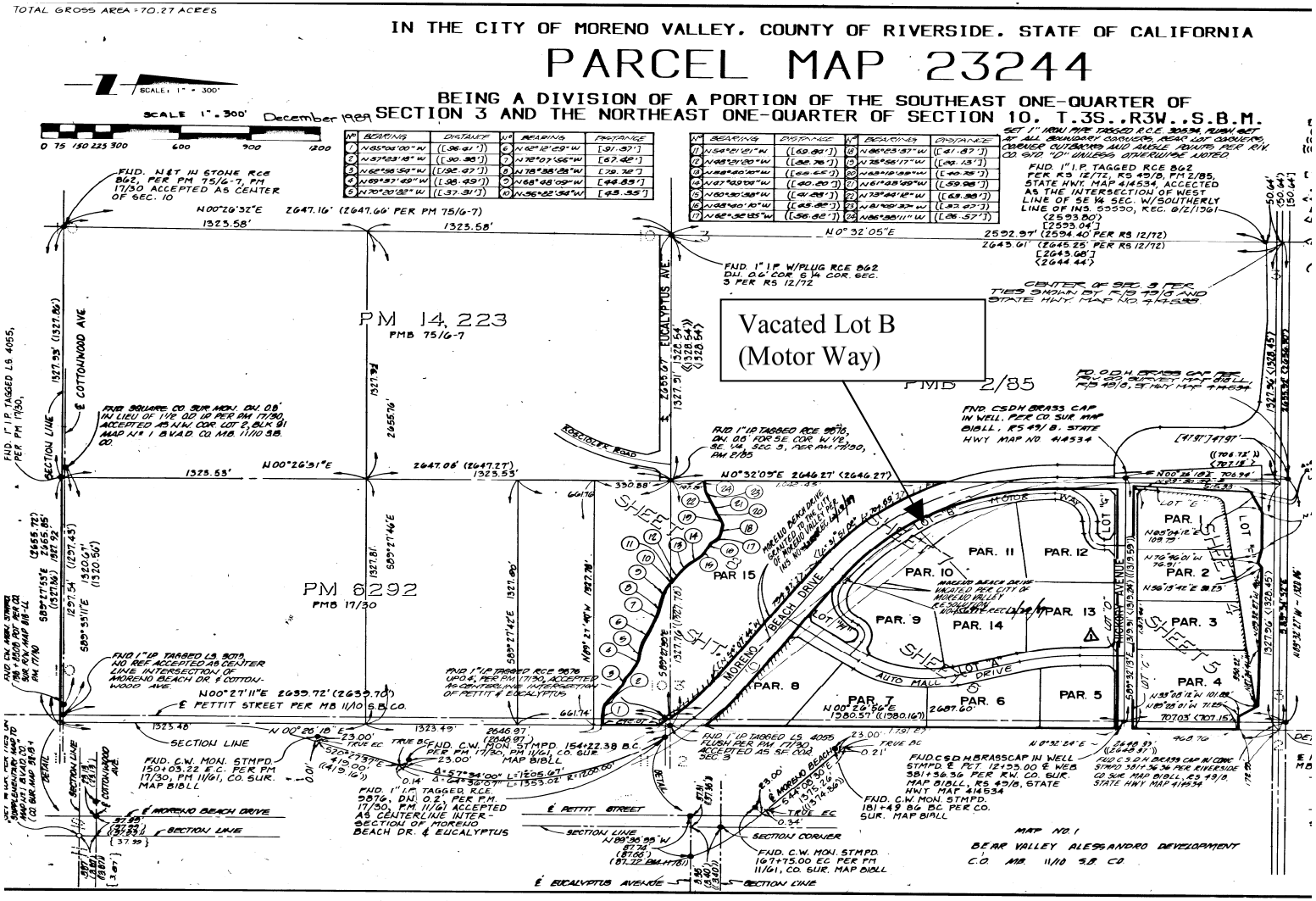
TOTAL GROSS AREA = 70.27 ACRES
IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
PARCEL MAP 23244
BEING A DIVISION OF A PORTION OF THE SOUTHEAST ONE-QUARTER OF SECTION 3 AND THE NORTHEAST ONE-QUARTER OF SECTION 10, T.3S., R3W., S.B.M.
SCALE 1" = 300'
December 1989
Vacated Lot B
(Motor Way)
PM 14,223
PMB 75/6-7
PM 6292
PMB 17/30
PMB 2/85
EUCALYPTUS AVE.
MORENO BEACH DRIVE
AUTO MALL DRIVE
MOTOR WAY
SECTION LINE
MAP NO. 1
BEAR VALLEY ALESSANDRO DEVELOPMENT
C.O. MB. 11/10 S.B. CO.

EXHIBIT A

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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

AGENDA DATE: August 23, 2011

TITLE: ADOPT RESOLUTION NO. 2011-89, APPOINTING MAYOR RICHARD A. STEWART AS THE CITY'S VOTING DELEGATE AND MAYOR PRO TEM JESSE L. MOLINA AS THE CITY'S ALTERNATE DELEGATE TO THE LEAGUE OF CALIFORNIA CITIES ANNUAL CONFERENCE BUSINESS MEETING – SEPTEMBER 23, 2011

RECOMMENDED ACTION

Staff recommends that the City Council adopt Resolution No. 2011-89 appointing Mayor Richard A. Stewart as the City's Voting Delegate and Mayor Pro Tem Jesse L. Molina as alternate delegate to the League of California Cities 2011 Annual Conference Business Meeting.

BACKGROUND

The League of California Cities Annual Conference is scheduled for September 21-23, 2011 in San Francisco. At this meeting, the League membership will consider and take action on resolutions that establish League 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 serve. Designation of a voting delegate must be done by City Council action.

ALTERNATIVES

1. Adopt the proposed resolution appointing Mayor Richard A. Stewart as the City's Voting Delegate and Mayor Pro Tem Jesse L. Molina as the City's Voting Delegate to the League of California Cities Annual Conference Business Meeting (recommended by staff)

2. Do not adopt the proposed resolution appointing Mayor Richard A. Stewart as the City's Voting Delegate and Mayor Pro Tem Jesse L. Molina as the City's Voting Delegate to the League of California Cities Annual Conference Business Meeting (not recommended by staff)

FISCAL IMPACT

Funds for this conference are found in the City Council 2011-12 Operating Budget account 11110.6221.

NOTIFICATION

Agenda publication

ATTACHMENTS/EXHIBITS

Attachment A – Voting Delegate Proposed Resolution
Attachment B – Voting Delegate Form

Prepared By:
Jane Halstead
City Clerk

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:

RESOLUTION NO. 2011-89

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DESIGNATING A VOTING DELEGATE TO THE LEAGUE OF CALIFORNIA CITIES 2011 ANNUAL CONFERENCE

WHEREAS, the City of Moreno Valley is a member city of the League of California Cities ("League"); and

WHEREAS, as a member, each city has one vote at the League's annual conference pertaining to League policy; and

WHEREAS, prior to the 2011 annual conference and by August 26, 2011, each City Council may designate a voting delegate and up to two alternates; and

WHEREAS, Mayor Richard A. Stewart of the City of Moreno Valley will be attending the business meeting on Friday, September 23, 2011 at the San Francisco Moscone West Convention Center in San Francisco, California.

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

That Mayor Richard A. Stewart, voting delegate and Mayor Pro Tem Jesse L. Molina, voting alternate are designated for the City of Moreno Valley at the League of California Cities 2011 Annual Conference at the San Francisco Moscone West Convention Center in San Francisco, California.

That the City Clerk is authorized and directed to complete and attest to the Voting Delegate/Alternate Form and transmit it to the League of Cities by August 26, 2011.

APPROVED AND ADOPTED this 23rd day of August, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

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

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

1400 K Street
Sacramento, CA 95814
ph: (916) 658-8200
fx: (916) 658-8240

CITY COUNCIL
BRENO VALLEY
RECEIVED
11 JUN 16 PM

LEAGUE OF CALIFORNIA CITIES

WWW.CACITIES.ORG

Council Action Advised by August 26, 2011

June 9, 2011

TO: Mayors, City Managers and City Clerks

RE: DESIGNATION OF VOTING DELEGATES AND ALTERNATES
League of California Cities Annual Conference – September 21–23, San Francisco

The League's 2011 Annual Conference is scheduled for September 21-23 in San Francisco. An important part of the Annual Conference is the Annual Business Meeting *(at the closing General Assembly)*, scheduled for 2:30 p.m., Friday, September 23, at the San Francisco Moscone West Convention Center. At this meeting, the League membership considers and takes action on resolutions that establish League policy.

In order to vote at the Annual Business Meeting, your city council must designate a voting delegate. Your city may also appoint up to two alternate voting delegates, one of whom may vote in the event that the designated voting delegate is unable to serve in that capacity.

Please complete the attached Voting Delegate form and return it to the League's office no later than Friday, August 26, 2011. This will allow us time to establish voting delegate/alternates' records prior to the conference.

Please note the following procedures that are intended to ensure the integrity of the voting process at the Annual Business Meeting.

- **Action by Council Required.** Consistent with League bylaws, a city's voting delegate and up to two alternates must be designated by the city council. When completing the attached Voting Delegate form, please attach either a copy of the council resolution that reflects the council action taken, or have your city clerk or mayor sign the form affirming that the names provided are those selected by the city council. Please note that designating the voting delegate and alternates **must** be done by city council action and cannot be accomplished by individual action of the mayor or city manager alone.

- **Conference Registration Required.** The voting delegate and alternates must be registered to attend the conference. They need not register for the entire conference; they may register for Friday only. To register for the conference, please go to our website: www.cacities.org. In order to cast a vote, at least one person must be present at the Business Meeting and in possession of the voting delegate card. Voting delegates and alternates need to pick up their conference badges before signing in and picking up

-more-

Item No. A.12

the voting delegate card at the Voting Delegate Desk. This will enable them to receive the special sticker on their name badges that will admit them into the voting area during the Business Meeting.

- **Transferring Voting Card to Non-Designated Individuals Not Allowed.** The voting delegate card may be transferred freely between the voting delegate and alternates, but *only* between the voting delegate and alternates. If the voting delegate and alternates find themselves unable to attend the Business Meeting, they may *not* transfer the voting card to another city official.

- **Seating Protocol during General Assembly.** At the Business Meeting, individuals with the voting card will sit in a separate area. Admission to this area will be limited to those individuals with a special sticker on their name badge identifying them as a voting delegate or alternate. If the voting delegate and alternates wish to sit together, they must sign in at the Voting Delegate Desk and obtain the special sticker on their badges.

The Voting Delegate Desk, located in the conference registration area of the San Francisco Moscone West Convention Center, will be open at the following times: Wednesday, September 21, 8:30 a.m. – 6:00 p.m.; Thursday, September 22, 7:30 a.m. – 4:00 p.m.; and September 23, 7:30–10:00 a.m. The Voting Delegate Desk will also be open at the Business Meeting on Friday, but not during a roll call vote, should one be undertaken.

The voting procedures that will be used at the conference are attached to this memo. Please share these procedures and this memo with your council and especially with the individuals that your council designates as your city's voting delegate and alternates.

Once again, thank you for completing the voting delegate and alternate form and returning it to the League office by Friday, August 26th. If you have questions, please call Mary McCullough at (916) 658-8247.

Attachments:

- 2011 Annual Conference Voting Procedures
- Voting Delegate/Alternate Form

LEAGUE OF CALIFORNIA CITIES

1400 K Street, Suite 400 • Sacramento, California 95814
Phone: 916.658.8200 Fax: 916.658.8240
www.cacities.org

Annual Conference Voting Procedures
2011 Annual Conference

1. **One City One Vote.** Each member city has a right to cast one vote on matters pertaining to League policy.

2. **Designating a City Voting Representative.** Prior to the Annual Conference, each city council may designate a voting delegate and up to two alternates; these individuals are identified on the Voting Delegate Form provided to the League Credentials Committee.

3. **Registering with the Credentials Committee.** The voting delegate, or alternates, may pick up the city's voting card at the Voting Delegate Desk in the conference registration area. Voting delegates and alternates must sign in at the Voting Delegate Desk. Here they will receive a special sticker on their name badge and thus be admitted to the voting area at the Business Meeting.

4. **Signing Initiated Resolution Petitions.** Only those individuals who are voting delegates (or alternates), and who have picked up their city's voting card by providing a signature to the Credentials Committee at the Voting Delegate Desk, may sign petitions to initiate a resolution.

5. **Voting.** To cast the city's vote, a city official must have in his or her possession the city's voting card and be registered with the Credentials Committee. The voting card may be transferred freely between the voting delegate and alternates, but may not be transferred to another city official who is neither a voting delegate or alternate.

6. **Voting Area at Business Meeting.** At the Business Meeting, individuals with a voting card will sit in a designated area. Admission will be limited to those individuals with a special sticker on their name badge identifying them as a voting delegate or alternate.

7. **Resolving Disputes.** In case of dispute, the Credentials Committee will determine the validity of signatures on petitioned resolutions and the right of a city official to vote at the Business Meeting.

LEAGUE OF CALIFORNIA CITIES

CITY: _____

2011 ANNUAL CONFERENCE
VOTING DELEGATE/ALTERNATE FORM

Please complete this form and return it to the League office by Friday, August 26, 2011. Forms not sent by this deadline may be submitted to the Voting Delegate Desk located in the Annual Conference Registration Area. Your city council may designate one voting delegate and up to two alternates.

In order to vote at the Annual Business Meeting (General Assembly), voting delegates and alternates must be designated by your city council. Please attach the council resolution as proof of designation. As an alternative, the Mayor or City Clerk may sign this form, affirming that the designation reflects the action taken by the council.

Please note: Voting delegates and alternates will be seated in a separate area at the Annual Business Meeting. Admission to this designated area will be limited to individuals (voting delegates and alternates) who are identified with a special sticker on their conference badge. This sticker can be obtained only at the Voting Delegate Desk.

1. VOTING DELEGATE

Name: _____

Title: _____

2. VOTING DELEGATE - ALTERNATE

Name: _____

Title: _____

3. VOTING DELEGATE - ALTERNATE

Name: _____

Title: _____

PLEASE ATTACH COUNCIL RESOLUTION DESIGNATING VOTING DELEGATE AND ALTERNATES.

OR

ATTEST: I affirm that the information provided reflects action by the city council to designate the voting delegate and alternate(s).

Name: _____ E-mail _____

Mayor or City Clerk _____ Phone: _____
(circle one) (signature)

Date: _____

Please complete and return by Friday, August 26 to:

League of California Cities
ATTN: Mary McCullough
1400 K Street
Sacramento, CA 95814

FAX: (916) 658-8240
E-mail: mccullom@cacities.org
(916) 658-8247

VotingDelegateLetter11.doc

APPROVALS	
BUDGET OFFICER	caf
CITY ATTORNEY	RH
CITY MANAGER	MO

Report to City Council

TO: Mayor and City Council

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

AGENDA DATE: August 23, 2011

TITLE: PERMIT PARKING FOR THE RESIDENTS OF PATTILYN DRIVE, CHALLIS COURT AND ROLANDA DRIVE

RECOMMENDED ACTION

Staff recommends that the City Council approve and adopt proposed Resolution No. 2011-90 and direct staff to implement permit parking on Pattilyn Drive, Challis Court and Rolanda Drive.

ADVISORY BOARD/COMMISSION RECOMMENDATION

A public hearing was conducted at the Traffic Safety Commission (TSC) meeting on August 3rd, as required by the Municipal Code. The Commission approved staff's recommendation to implement permit parking on Pattilyn Drive, Challis Court and Rolanda Drive.

BACKGROUND

In 1989, the City Council adopted Ordinance 199, establishing permit parking in the Municipal Code. In 2007, the City Council updated the Municipal Code to reflect current state law for permit parking, and enacted a fee schedule for permit parking.

DISCUSSION

Staff has reviewed this permit parking request and has determined that permit parking is appropriate for this location.

The residents along Pattilyn Drive, Challis Court and Rolanda Drive have been impacted by the students and parents of Moreno Valley High School. In response to this, the residents have submitted a request to the Public Works Department to

implement permit parking in front of their residences to allow them to maintain parking for guests, contractors/maintenance vehicles, and personal use.

A field review of the area has confirmed that students are parking into the adjacent subject streets. The review also identified that adequate on-site parking is available for Moreno Valley High School students to park.

To help improve the parking situation along the subject streets, staff recommends implementing the City's permit parking program for the subject area. The implementation of permit parking will benefit the residents of Pattilyn Drive, Challis Court and Rolanda Drive and will encourage Moreno Valley High School Students to park within the high school's parking lot. The installation will allow the residents of Pattilyn Drive, Challis Court and Rolanda Drive to have uninterrupted access to parking in front of their homes, which has been greatly impacted by the high school students.

ALTERNATIVES

1. Approve and adopt proposed Resolution No. 2011-90 and direct staff to implement permit parking on Pattilyn Drive, Challis Court and Rolanda Drive. This alternative is recommended to improve the condition for the residents.

2. Do not adopt proposed resolution, thereby not implementing permit parking on Pattilyn Drive, Challis Court and Rolanda Drive.

3. Provide staff with further direction.

FISCAL IMPACT

The estimated annual cost to implement the permit parking on Pattilyn Drive, Challis Court and Rolanda Drive will be borne by the Public Works Department's signing and striping adopted operations budget (Account 121.55430). The estimated cost of the FY11/12 work associated with this permit parking implementation is $6,400.

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.

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

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

NOTIFICATION

Publication of Agenda-Letter to each affected address

ATTACHMENTS/EXHIBITS

Attachment A – Vicinity Map
Attachment B - Resolution

Prepared By:
Edward I. Init
Senior Engineering Technician

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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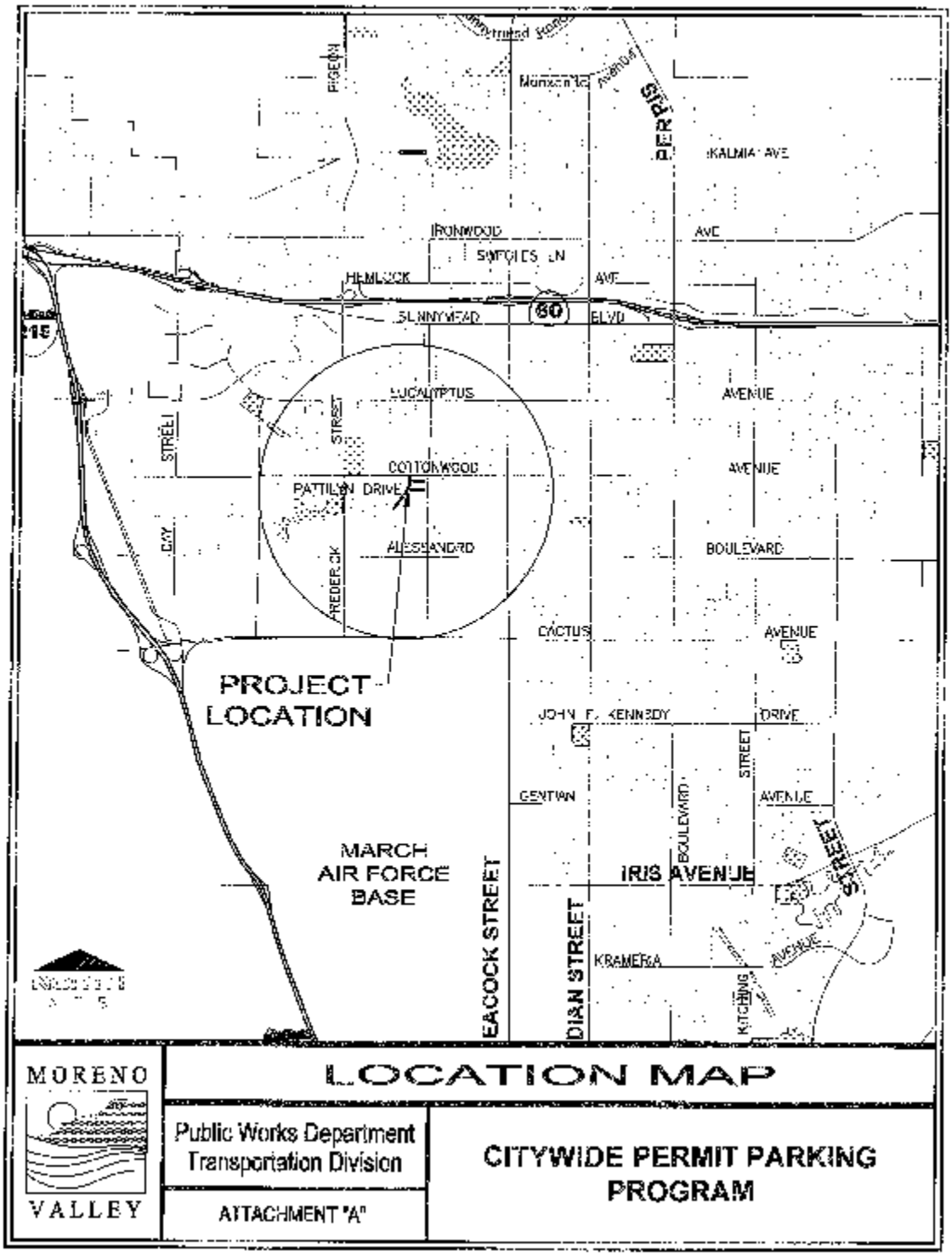

MORENO VALLEY

LOCATION MAP

Public Works Department
Transportation Division

ATTACHMENT "A"

CITYWIDE PERMIT PARKING PROGRAM

Item No. A.13

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RESOLUTION NO. 2011-90

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING AND AUTHORIZING INSTALLATION OF PERMIT PARKING ON PATTILYN DRIVE, CHALLIS COURT AND ROLANDA DRIVE

WHEREAS, the City Municipal code section 12.08.030 allows for establishing permit parking areas in residential and commercial zones, subject to a public hearing before the traffic safety commission; and

WHEREAS, the residents on Pattilyn Drive, Challis Court and Rolanda Drive submitted an application and requested permit parking along the frontage of their residences; and

WHEREAS, a public hearing was conducted during the regular August 3, 2011, meeting of the Traffic Safety Commission regarding this request; and

WHEREAS, on August 3, 2011, the Traffic Safety Commission reviewed and unanimously approved the recommended permit parking on Pattilyn Drive, Challis Court and Rolanda Drive; and

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

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

1. This City Council hereby specifically finds that all of the facts set forth above in this Resolution are true and correct.

2. This City Council hereby authorizes and directs staff to implement permit parking on Pattilyn Drive, Challis Court and Rolanda Drive.

APPROVED AND ADOPTED this 23rd day of August, 2011.

_____
Mayor of the City of Moreno Valley

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

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

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

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APPROVALS	
BUDGET OFFICER	caf
CITY ATTORNEY	Rat
CITY MANAGER	mst

Report to City Council

TO: Mayor and City Council

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

AGENDA DATE: August 23, 2011

TITLE: PA06-0152 (PM 35150) – ACCEPT DEVELOPMENT IMPACT FEE (DIF) IMPROVEMENT CREDIT AGREEMENT #D07-007 FOR PARCEL MAP NO. 35150 IMPROVEMENTS

BETWEEN SAN MICHELE ROAD AND NANDINA AVENUE, AND INDIAN STREET AND HEACOCK STREET

DEVELOPER: IDS REAL ESTATE GROUP
515 S. FIGUEROA STREET, 16TH FLOOR
LOS ANGELES, CA 90071

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Accept the Development Impact Fee Improvement Credit Agreement #D07-007 (DIF Agreement) for Parcel Map No. 35150 improvements.

2. Authorize the Mayor to execute the DIF Agreement in the form attached hereto.

3. Authorize the Financial and Administrative Services Director to release a developer cash deposit paid pursuant to an Agreement for Deposit of Cash Security to Defer Payment of Development Impact Fee (DIF) and Transportation Uniform Mitigation Fee (TUMF) Obligations for Parcel Map No. 35150.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

On July 12, 2007, the City Council of the City of Moreno Valley approved Tentative Parcel Map 35150 (PA06-0152). The tentative parcel map is a proposal to subdivide 53 net acres into two parcels, for industrial warehouse building use.

On July 8, 2008, the City Council of the City of Moreno Valley accepted the Agreement for Public Improvements and bonds in the amount of $7,721,000 for Faithful Performance and $3,860,500 for Material and Labor. The bonds were issued by Travelers Casualty and Surety Company of America.

On March 3, 2008 an Agreement for Deposit of Cash Security to Defer Payment of Development Impact Fee (DIF) and Transportation Uniform Mitigation Fee (TUMF) Obligations for Parcel Map 35150 was executed between the City of Moreno Valley and FR/CAL Moreno Valley, LLC, the previous land owner, and a deposit account was established according to the Agreement. Said Agreement was created because at the time, the City was in the process of creating a new DIF policy and related credit and reimbursement agreements. It was mutually decided that absent the ability of the developer to enter into a DIF Improvement Credit Agreement, there was a need to provide a means by which the City could be assured that the obligations would be met. As part of said Agreement instructions, the monies were to remain on deposit until the developer was in compliance with the terms of said Agreement, which included execution of both a DIF Improvement Credit Agreement and a TUMF Improvement Credit/Reimbursement Agreement.

On July 8, 2008, the City Council of the City of Moreno Valley approved the TUMF Improvement Credit/Reimbursement Agreement. The Western Regional Council of Governments (WRCOG) has since eliminated San Michele Road and Indian Street from their program.

On August 26, 2008, the City Council of the City of Moreno Valley approved the DIF Credit and Reimbursement Policy. A DIF Improvement Credit/Reimbursement Agreement was approved on October 23, 2008. On August 26, 2009, at the request of the City Attorney's Office, the DIF Improvement Credit/Reimbursement Agreement was separated into two agreements without changing the content of said Agreement, one for Credits and the other for Reimbursements.

The developer has now executed the DIF Improvement Credit Agreement in order to release funds they deposited pursuant to the Agreement for Deposit of Cash Security to Defer Payment of DIF and TUMF Obligations.

DISCUSSION

The City's Municipal Code, Chapter 3.42, "Commercial and Industrial Development Impact Fees" requires the developer to pay Development Impact Fees (DIF). The DIF covers the developer's fair share of the costs to construct improvements and right-of-way dedications that help mitigate the traffic impacts and burdens on the City's network of arterial streets and traffic signals generated by the project.

As part of the project conditions of approval, the developer will be constructing required DIF-related public improvements on San Michele Road and Indian Street. In accordance with the City's Municipal Code, Section 3.42.110, the "Credit for Improvements provided by Developer" will allow the developer to receive an initial credit for the applicable public improvements made to the designated arterial street(s) and/or traffic signals, based on the qualifying construction items as identified therein. The developer's initial credit amount is based on the lower of the DIF Study Costs, the Engineer's Cost Estimate provided by the developer, and the DIF Fee Obligation.

The developer is eligible to receive initial DIF Credits for specific improvements identified in the DIF Study for San Michele Road and Indian Street improvements, including earthwork, construction of new pavement and base, grinding and paving, sawcut and removal of existing pavement, traffic control, signing and striping, curb, gutter, sidewalk, relocation of power poles, and drainage improvements including catch basins, local depressions, and storm drain lines not maintained by Riverside County Flood Control and Water Conservation District.

The developer agrees to perform and complete all of the required public improvements in accordance with the Agreement for Public Improvements. Per the DIF Improvement Credit Agreement, the initial credit is the least of the DIF Study Costs, Engineer's Cost Estimate provided by the developer, and DIF Fee Obligation. Refer to Exhibit "C" – DIF Credit Calculation Table of the DIF Improvement Credit Agreement. The DIF Improvement Credit Agreement is attached to this Staff Report as Exhibit "B". Based on the information provided by the developer, the initial DIF Credit for this project is $1,515,318 for Arterial Streets.

If it is determined at the completion of the project that the developer constructed improvements above and beyond the project obligation, a DIF Improvement Reimbursement Agreement will be presented to City Council at that time. Any reimbursements may either be paid per the City policy or used as credits towards any other future project's DIF fee obligations.

ALTERNATIVES

1. Accept the Development Impact Fee Improvement Credit Agreement #D07-007 (DIF Agreement) for Parcel Map No. 35150 and authorize the Mayor to execute the DIF Agreement in the form attached hereto. Authorize the Financial and Administrative Services Director to release a developer cash deposit paid pursuant to an Agreement for Deposit of Cash Security to Defer Payment of Development Impact Fee (DIF) and Transportation Uniform Mitigation Fee (TUMF) Obligations for Parcel Map No. 35150.

2. Do not accept the Development Impact Fee Improvement Credit Agreement #D07-007 (DIF Agreement) for Parcel Map No. 35150 and do not authorize the Mayor to execute the DIF Improvement Credit Agreement in the form attached hereto. Do not authorize the Financial and Administrative Services Director to release a developer cash deposit paid pursuant to an Agreement for Deposit of Cash Security to Defer Payment of Development Impact Fee (DIF) and Transportation Uniform Mitigation Fee (TUMF) Obligations for Parcel Map No. 35150. *Not approving staff's recommendation would result in no DIF credit being provided to the developer and will not allow the release of developer funds deposited.*

FISCAL IMPACT

No fiscal impact is anticipated. The recommended action involves the release of funds from a developer funded deposit account.

CITY COUNCIL GOALS

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

NOTIFICATION

Publication of agenda.

EXHIBITS

Exhibit "A" - Vicinity Map
Exhibit "B" – DIF Improvement Credit Agreement
Exhibit "C" – Reference Copy of Agreement for Deposit of Cash Security to Defer Payment of DIF and TUMF Obligations for PM 35150

Prepared By
Clement Jimenez, P.E..
Senior Engineer

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

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

Concurred By
Barry Foster
Community and Economic Development Director

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

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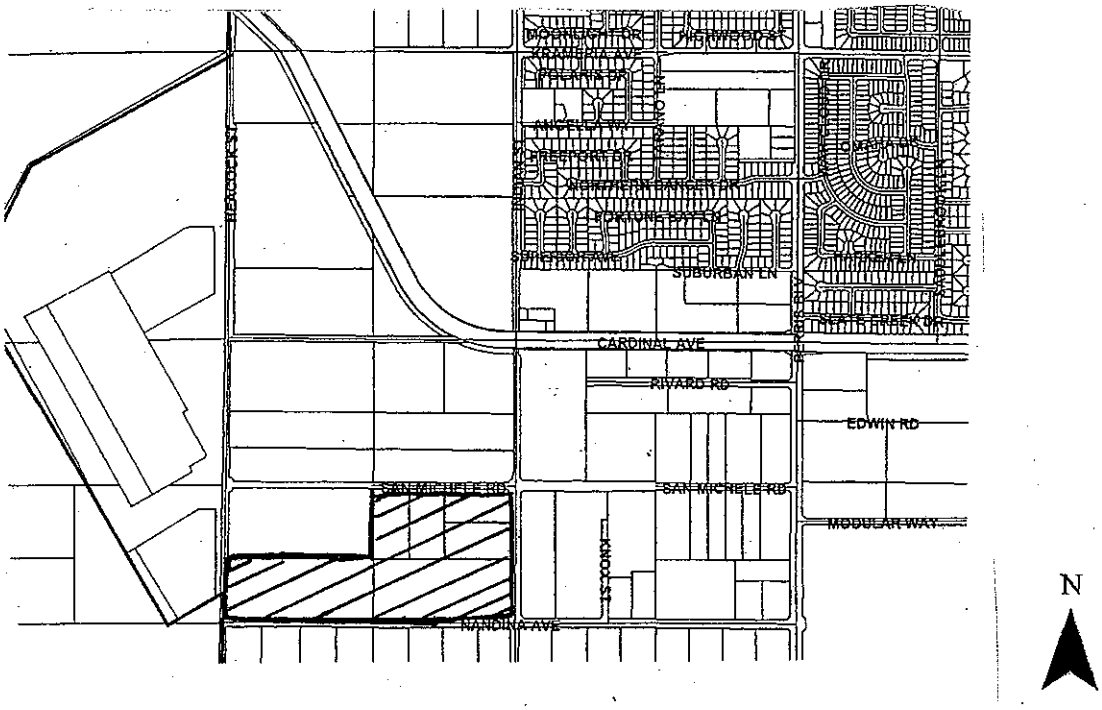

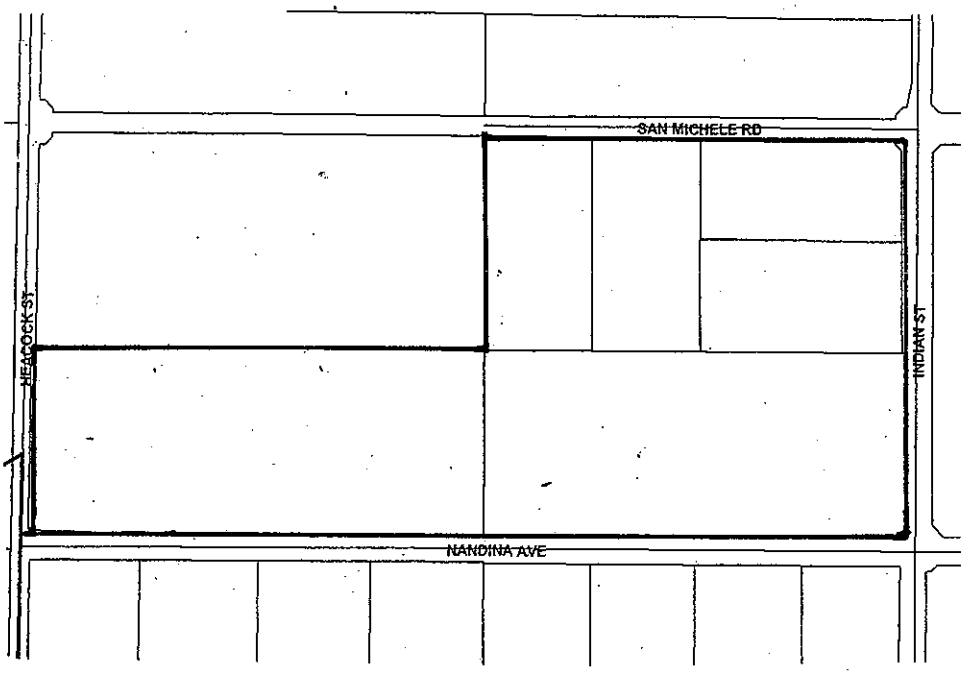

CITY OF MORENO VALLEY PUBLIC WORKS - LAND DEVELOPMENT	PARCEL MAP 35150 VICINITY MAP

W:\LAND\FORMS\VICINITY MAP.doc (01/04)

EXHIBIT "A"

Item No. A.14

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DEVELOPMENT IMPACT FEES

IMPROVEMENT CREDIT AGREEMENT

NUMBER D07-007

PA06-0152 (PM 35150)

PA06-0153 (PLOT PLAN FOR 2 BUILDINGS; 1,182,918 SQ FT)

This Development Impact Fees Improvement Credit Agreement is made and entered into as of the date the City signs this Agreement, by and between the City of Moreno Valley, a municipal corporation, hereinafter referred to as "City" and the undersigned Developer, hereinafter referred to as "Developer."

RECITALS

WHEREAS, Developer and City have entered into an Agreement for Public Improvements (attached hereto as Exhibit "A"), dated July 8, 2008, which Agreement for Public Improvements sets forth all obligations of the Developer for Public Improvements that are a condition of approval for the above-titled development (hereinafter referred to as the "Project"), some of which may be eligible for Development Impact Fees (hereinafter referred to as "DIF") Credit under this Agreement; and

WHEREAS, the City of Moreno Valley Municipal Code Chapter 3.38 "Residential Development Impact Fees" and Chapter 3.42 "Commercial and Industrial Development Impact Fees" requires Developer to pay the DIF for projects identified in the most recently adopted DIF study (hereinafter referred to as "DIF Obligation") which covers the

Project's fair share of the costs to construct improvements that help mitigate the impacts and burdens on the City's local systems generated by the Project and that are necessary to provide City services and protect the safety, health, and welfare of residential and non-residential users; and

WHEREAS, certain improvements set forth in the Agreement for Public Improvements are also identified in the City's DIF Program as improvements that are to be funded from DIF, which identified improvements are set forth in Exhibit B attached hereto and hereby incorporated by reference and are hereinafter referred to as the DIF Improvements; and

WHEREAS, if the City or some other third party constructs the DIF improvements set forth in the Agreement for Public Improvements prior to Developer, then this Improvement Credit Agreement shall become null and void and the Developer shall be required to pay the full DIF Obligation of the Project; and

WHEREAS, the City and Developer now desire to enter into this Improvement Credit Agreement to provide a means by which the Developer may receive a Credit for required DIF improvements actually constructed by the Developer for the subject Project subject to the terms and limitations set forth in this Agreement.

NOW, THEREFORE, for the purposes set forth herein, and for good and valuable consideration, the adequacy of which is hereby acknowledged, Developer and City hereby agree as follows:

1.0 General Provisions.

1.1 Incorporation of Recitals. The Parties hereby affirm the facts and provisions set forth in the above Recitals and agree to their incorporation herein as though set forth in full.

1.2 Incorporation of the Agreement for Public Improvements. The Parties hereby affirm the terms, conditions and requirements set forth in the Agreement for Public Improvements (Exhibit "A") and agree to their incorporation herein as though set forth in full.

2.0 DIF Obligation.

2.1 Developer's DIF Obligation. Developer hereby agrees and accepts that, as of February 15, 2011, the Developer is obligated to pay DIF for the Project to City in the amount of two million two hundred two thousand five hundred ninety three and thirty two one hundredths dollars ($2,202,593.32) (hereinbefore and hereinafter referred to as the "DIF Obligation"), and of that amount $1,515,317.96 is the "Street" component of the DIF Obligation for which the developer may be eligible to receive credits.

2.2 Effect of Agreement. Notwithstanding anything in this Agreement, Developer acknowledges that the DIF Obligation is established by the provisions of the City of Moreno Valley Municipal Code Chapter 3.38 "Residential Development Impact Fees," or Chapter 3.42 "Commercial and Industrial Development Impact Fees," and that this Agreement does not alter, limit, increase or reduce the obligations under those code sections nor prevent City from adjusting or correcting the DIF Obligation amount to conform to the requirements of the Municipal Code.

3.0 DIF Credit Limitations.

3.1 Calculation of DIF Credit. Pursuant to City of Moreno Valley Municipal Code Sections 3.38.150 "Credit for Improvements Provided by Developers" (residential), or 3.42.110 "Credit for Improvements Provided by Developers" (commercial and industrial), and in accordance with the City's Development Impact Fee Credit and Reimbursement Policy, as adopted by the City Council on August 26, 2008, (the "Credit and Reimbursement Policy") and in consideration of Developer's obligations under the Conditions of Approval for the Project and the Agreement for Public Improvements to construct the DIF improvements, the maximum amount of DIF Credit that shall be applied by City to offset the DIF Obligation shall be as defined in Sections 4.0 of this Agreement and the Credit and Reimbursement Policy.

3.2 Effect of Agreement. Notwithstanding the foregoing, Developer acknowledges that the amounts of DIF Credits are established by the provisions of the City of Moreno Valley Municipal Code and the DIF Credit and Reimbursement Policy and this Agreement shall not prevent City from adjusting or correcting the DIF Credit

amounts set forth in this Agreement to conform to the requirements of the Municipal Code and the Credit and Reimbursement policy.

4.0 DIF Credit

4.1 Maximum DIF Credit. City shall apply DIF Credit to offset, in whole or in part, the Project's DIF Obligation. The maximum amount of DIF Credit that shall be applied by City to offset the DIF Obligation shall be equal to the least of: (A) the City Engineer's Estimate of the actual cost of the DIF Improvements (hereinafter collectively referred to as "Engineer's Estimate"), or (B) project costs as identified in the DIF study in effect at the time of the issuance of a building permit, or (C) the actual DIF Obligation. In no event shall a DIF Credit exceed the actual DIF Obligation.

4.2 DIF Credit Offset to DIF Obligation. The DIF Credit shall be applied at the time DIF obligation is due and payable. If the project is to be developed by phases, by specific units, or by specific buildings, DIF Credit shall be applied according to a Public Improvements Phasing Schedule approved by the City and attached and incorporated to this agreement.

4.3 Submittal Timeframe. The Developer shall submit to the City Engineer any and all documentation the Developer deems relevant in substantiating the claim for DIF Credit for the DIF Qualifying Improvements to be constructed by the Developer. Such documentation may include contracts, bids, estimates, or any other relevant documents pertaining to the actual cost of the Qualifying Improvements. The City Engineer shall take into consideration, but shall not be bound by, any such documentation submitted by the Developer in formulating the Engineer's Estimate. All

such documentation shall be submitted by the Developer to the City Engineer no later than ninety (90) calendar days prior to the date for payment of DIF for the project. The City Engineer will use his or her best efforts and professional judgment in formulating an Engineer's Estimate and shall endeavor to provide said estimate to the Developer in writing within sixty (60) calendar days after submittal of the last document submitted by the Developer.

4.4 DIF Credit Calculation *(completed by City).*

As of the date hereof, the amount of DIF Credit for which Developer is potentially eligible is set forth in Exhibit C "DIF Credit Calculation Table" attached hereto and hereby incorporated by reference.

4.5 Reconciliation - Final DIF Credit. If the dollar amount of the actual DIF Credit is less than the amount of the actual unpaid DIF Obligation (hereinafter referred to as "DIF Balance"), the City shall notify the Developer in writing of the amount of the DIF Balance and Developer shall pay the DIF Balance to fully satisfy the DIF Obligation at the time DIF payments are due. If the dollar amount of the actual DIF Credit exceeds the amount of the actual DIF Obligation, Developer will be deemed to have fully satisfied the DIF Obligation. If the Developer has actually paid DIF and completed DIF Improvements, but has not received full DIF Credit for which the Developer would have been otherwise eligible under the DIF Credit and Reimbursement Policy, the Developer *may* be eligible for a Reimbursement Agreement, to the extent applicable, as provided in a separate Development Impact Fees Improvement Reimbursement Agreement.

4.6 Credit Transfer for Unfunded DIF Reimbursement Eligibility. To the extent that Developer has Reimbursement Eligibility Amounts which are both unpaid and unfunded by the City and which have not expired under the ten (10) year limitation set forth in the Development Impact Fee Credit and Reimbursement Policy No. 3.24, Section F – Time Limitation, Developer may apply to receive partial or full DIF Credits for the same component of DIF on another development project within the City owned or controlled by that Developer and which has received all necessary approvals, on a dollar for dollar basis. Written application shall be made to the City and Developer shall provide any and all documentation and other information the City may reasonably request. The City shall not unreasonably withhold approval of such a Credit Transfer.

5.0 No Interest. Developer shall not be entitled to any interest, or any other cost or time value adjustment, for DIF paid to the City whether or not subsequently credited under Section 4.6 or reimbursed.

6.0 Term of Agreement. For purposes of Reimbursement Eligibility and Credit Transfer, this Agreement shall remain in effect for a period not to exceed ten (10) years from the date of execution by the City.

7.0 General.

7.1 Assignment. Except as specifically set forth in this Agreement, this Agreement shall not be assigned by any Party without the prior written consent of the non-assigning Party, which consent shall not be unreasonably withheld. All

assignees and successors in interest shall assume and become obligated to perform all obligations and be entitled to all benefits of the original Party.

7.2 Amendment. This Agreement may only be amended in writing signed by the Parties.

7.3 Law, Venue and Jurisdiction. This Agreement shall be governed by the laws of the State of California. Venue and Jurisdiction of all matters arising out, pertaining to, or in any way related to this Agreement shall be vested in the Superior Court of the State of California, in and for the County of Riverside, California.

7.4 Notices. Any notices to be given pursuant to this Agreement shall be in writing and delivered by First Class Mail addressed to the Parties as follows:

City: City Engineer
City of Moreno Valley
Post Office Box 88005
Moreno Valley, California 92552-0805

Developer: Patrick D. Spillane, Senior Vice President
IDS Real Estate Group
515 S. Figueroa Street, 16th Floor
Los Angeles, CA 90071

7.5 Entire Agreement. This Agreement is the final, complete and exclusive statement of the Agreement of the Parties with respect to the subject matter

hereof and supersedes and replaces any prior oral or written agreements between the Parties addressing the same subject matter.

(SIGNATURE PAGE TO FOLLOW)

IN WITNESS WHEREOF, the Parties hereto have caused their authorized representatives to execute this Agreement.

CITY OF MORENO VALLEY,
a California municipal corporation

By: _____
Chris A. Vogt
Its: _____

Date: _____

ATTEST: _____
City Clerk

Date: _____

APPROVED AS TO FORM:

_____
City Attorney

Date: _____

FR/Cal Moreno Valley, LLC
a Delaware limited liability company

By: FirstCal Industrial, LLC
a Delaware limited liability company,
its sole member

By: California State Teacher's Retirement System, a public entity, its manager

By: Principal Real Estate Investors, LLC, a Delaware limited liability company, its authorized agent

By: _____
Name: William G. Williams III
Title: Investment Director – Asset Management

Date: _____

SIGNING INSTRUCTION TO THE DEVELOPER:
All signatures on the Contract Agreement on behalf of the Developer must be acknowledged before a notary public. In the event that the Developer is a corporation, the president or vice-president plus the secretary of/or an assistant secretary of the corporation must sign. Corporate seal may be affixed hereto.

EXHIBIT "A"

PUBLIC IMPROVEMENT AGREEMENT

WITH BONDS

(ATTACHED BEHIND THIS PAGE)

EXHIBIT "A"

Revised 092508

RECORDING REQUESTED BY:
City of Moreno Valley

WHEN RECORDED, RETURN TO:

CITY OF MORENO VALLEY
City Clerk
P. O. Box 88005
Moreno Valley, CA 92552-0805

No recording fee per Government Code, Section 6103 *This space for Recorder's use only.*

AGREEMENT FOR PUBLIC IMPROVEMENTS
PROJECT NO. PM 35150

This Agreement, made and entered into by and between the City of Moreno Valley, State of California, hereinafter called City, and **FR/CAL Moreno Valley, LLC,** herein after called Contractor, on the date the City signs this agreement.

WITNESSETH:

FIRST: Contractor, for and in consideration of the approval by the City of the final map of that certain land division, or that certain other land development project, known as **PM 35150** agrees, at Contractor's own expense, to furnish all labor, equipment and material necessary, and within **TWENTY-FOUR (24)** months from the date this Agreement is executed, to perform and complete in a good and workmanlike manner, all of the required improvements in accordance with those improvement plans for said project which have been approved by the City Engineer, and are on file in the office of the City Engineer, and to do all work incidental thereto in accordance with the standards set forth in City ordinances and regulations, and pay all costs of engineering necessary in connection therewith, which are expressly made a part of this Agreement. All of the above required work shall be done under the inspection of and to the satisfaction of the City Engineer, and shall not be deemed complete until approved and accepted as complete by the City. Contractor further agrees to guarantee the required improvements for a period of one year following acceptance by the City and during this one year period to repair and replace, to the satisfaction of the City Engineer, any defective work or labor done or defective materials furnished. Contractor shall complete the improvements described in this paragraph pursuant to Section 66462, Government Code. Contractor shall also complete any offsite improvements required as a condition of approval and with plans approved by the City Engineer at such time as the City acquires an interest in the land which will permit the improvements to be made, and the Contractor waives the 120 day time limitation set forth in Section 66462.5, Government Code. The estimated cost of said work and improvements, pursuant to the Preliminary Estimate of Cost labeled Exhibit A attached hereto, is the sum of **SEVEN MILLION SEVEN HUNDRED TWENTY ONE THOUSAND AND NO/100** Dollars (*****$7,721,000.00*****).

SECOND: Contractor agrees to pay to the City the actual cost of such inspection of the works and improvements as may be required by the City Engineer. Contractor further agrees that, if suit is brought upon this Agreement or any bond guaranteeing the completion of the required improvements, all costs and reasonable expenses and fees incurred by the City in successfully enforcing such obligations shall be paid by Contractor and guaranteed by the surety in addition to the face amount of the security, including reasonable attorney's fees, and that, upon entry of judgment, such costs, expenses and fees shall be taxed as costs and included in any judgment rendered.

THIRD: City shall not, nor shall any officer or employee of City, except for its or their sole negligence, be liable or responsible for any accident, loss or damage happening or occurring to the works specified in this Agreement prior to the completion and approval thereof, nor shall City or any officer or employee thereof, be liable for any persons or property injured by reason of the nature of the work, or by reason of the acts or omissions of Contractor, his agents or employees, in the performance of the work, and all of said liabilities are assumed by Contractor. Contractor agrees to protect, defend and hold harmless City and the officers and employees thereof from all loss, liability or claim because of, or arising out of the acts or omissions of Contractor, his agents and employees, in the performance of this Agreement, or arising out of the use of any patent or patented article in the performance of this Agreement.

FOURTH: The Contractor hereby grants to the City and/or to any authorized agent or employee of the City, the irrevocable permission to enter upon the lands of the above-referenced land division for the purpose of completing the improvements. This permission shall terminate in the event that the Contractor has completed the work within the time specified or any extension thereof granted by the City.

FIFTH: Contractor agrees at all times, up to the completion and acceptance of the improvements by the City, to give good and adequate warning to the traveling public of each and every dangerous condition caused by the construction of the improvements, and to protect the traveling public from such defective or dangerous conditions. The contractor shall keep all traveled ways that are a part of, or affected by the construction of this project free and clear of mud, dirt and debris and shall provide twice monthly street sweeping service. A copy of the contract for street sweeping service shall be provided to the City. The Contractor's obligation under this provision shall be secured by the bonds securing performance of this Agreement.

SIXTH: The Contractor, his agents and employees, shall give notice to the City Engineer at least 48 hours before beginning any work and shall furnish said City Engineer all reasonable facilities for obtaining full information with respect to the progress and manner of work.

SEVENTH: If the Contractor, or his agents or employees, neglects, refuses, or fails to prosecute the work with such diligence as to insure its completion within the specified time, or within such extensions of time as have been granted by the City, or if the Contractor violates, neglects, refuses, or fails to perform satisfactorily any of the provisions of the plans and specifications, he shall be in default of this Agreement and notice in writing of such default shall be served upon him. The City Council shall have the power, on recommendation by the City Engineer, to terminate all rights of the Contractor because of such default. The determination by the City Engineer of the question as to whether any of the terms of the Agreement or specifications have been violated, or have not been performed satisfactorily, shall be conclusive upon the Contractor, and any and all parties who may have any interest in the Agreement or any portion thereof. The foregoing provisions of this section shall be in addition to all other rights and remedies available to the City under law.

EIGHTH: Contractor agrees to file with City, prior to the date this Agreement is executed, a good and sufficient improvement security in an amount not less than the estimated cost of the work and improvements for the faithful performance of the terms and conditions of this Agreement, and good and sufficient security for payment of labor and materials in the amount prescribed by City ordinances and regulations to secure the claims to which reference is made in Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code of the State of California. Contractor agrees to renew each and every said bond or bonds with good and sufficient sureties or increase the amounts of said bond or bonds, or both, within ten (10) days after being notified by the City Engineer that the sureties or amounts are insufficient. Notwithstanding any other provision herein, if Contractor fails to take such action as is necessary to comply with said notice, he shall be in default of this Agreement unless all required improvements are completed within ninety (90) days of the date on which the City Engineer notified the Contractor of the insufficiency of the security or the amount of the bonds or both.

NINTH: It is further agreed by and between the parties hereto, including the surety or sureties on the bonds securing this Agreement that, in the event it is deemed necessary to extend the time of completion of the work contemplated to be done under this Agreement, extensions of time may be granted by the City from time to time, either at its own option, or upon request of Contractor, and such extensions shall in no way affect the validity of this Agreement or release the surety or sureties on said bonds, Contractor further agrees to maintain the aforesaid bonds in full force and effect during the terms of this Agreement, including any extensions of time as may be granted therein.

TENTH: It is understood and agreed by the parties hereto that if any part, term or provision of this Agreement is by the courts held to be unlawful and void, the validity of the remaining portions shall not be affected and the rights and obligations of the parties shall be construed and enforced as if the Agreement did not contain the particular part, term or provision held to be invalid.

ELEVENTH: Any notice or notices required or permitted to be given pursuant to this Agreement shall be served on the other party by mail, postage prepaid, at the following addresses:

City:
City Engineer
P.O. Box 88005
14177 Frederick
Moreno Valley, CA 92552-0805

Contractor:
FR/CAL Moreno Valley, LLC
114 Pacifica, Suite 220
Irvine, CA 92618

IN WITNESS WHEREOF Contractor has affixed his name, address and seal.

Date approved by the City: 7/8/08

FR/CAL Moreno Valley, LLC:
Developer

BY: _____
Signature

Matt Englhard
Print/Type Name

Regional Development Officer
Title

BY: _____
Signature

John Grace
Print/Type Name

Development Manager
Title

ATTEST:
CITY CLERK
OF THE CITY OF MORENO VALLEY

By: _____
City Clerk

(SEAL)

CITY OF MORENO VALLEY

By: _____
Mayor

APPROVED AS TO FORM:
CITY ATTORNEY

Date: 7/9/08

By: RDH
City Attorney

NOTE: TWO SIGNATURES ARE REQUIRED FOR CORPORATIONS UNLESS CORPORATE DOCUMENTS ARE PROVIDED THAT INDICATE OTHERWISE.

SIGNATURES OF CONTRACTOR MUST BE EXECUTED IN QUADRUPLICATE AND THE EXECUTION OF THE ORIGINAL COPY MUST BE ACKNOWLEDGED BEFORE A NOTARY
ORIGINAL - CITY CLERK; PINK - CONTRACTOR; GREEN - PUBLIC WORKS/LAND DEVELOPMENT; BLUE - PROJECT FILE

W:\LandDev\Lee Ann\Agreement Bond Packets\PM 35150 - Agreement.doc

FINAL
5-5-08

EXHIBIT "A"
ENGINEER'S ESTIMATE

DATE: 04/15/08
PREPARED BY: Mike Schuman

PROJECT: PM35150

OFFSITE PAVEMENT SECTIONS

TYPE			QUANTITY	UNIT	UNIT PRICE	TOTAL
Street Work - Non DIF Non TUMF						
A.B. Class II - Street 1	1	Thickness (ft.)	12288	C.Y.	20.00	245,760
	334770	S.F.	24053	Ton	55.00	1,322,933
A.C. - Street 1	0.5	Thickness (ft.)				
	334770	S.F.	12027	Ton	90.00	1,082,400
			0	C.Y.	20.00	0
A.B. Class II - Street 2	0.3	Thickness (ft.)				
	29489	S.F.	641	Ton	55.00	35,276
A.C. - Street 2	0.7	Thickness (ft.)				
	29489	S.F.	1497	Ton	90.00	134,691
			0	C.Y.	20.00	0
A.B. Class II - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
			0	C.Y.	20.00	0
A.B. Class II - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
Street Work - DIF						
			0	C.Y.	20.00	0
A.B. Class II - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
			0	C.Y.	20.00	0
A.B. Class II - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
			0	C.Y.	20.00	0
A.B. Class II - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
			0	C.Y.	20.00	0
A.B. Class II - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
Street Work - TUMF						
			0	C.Y.	20.00	0
A.B. Class II - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 1	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
			0	C.Y.	20.00	0
A.B. Class II - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 2	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
			0	C.Y.	20.00	0
A.B. Class II - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 3	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
			0	C.Y.	20.00	0
A.B. Class II - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	55.00	0
A.C. - Street 4	0	Thickness (ft.)				
	0	S.F.	0	Ton	90.00	0
					SUBTOTAL:	2,821,060

Item No. A.14

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: PM35150

DATE: 04/15/08
PREPARED BY: Mike Schuman

OFFSITE STREET WORK

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Offsite Street Work				
Pavement				
Grind & Pave 0.15'	0	S.F.	3.25	0
A.C. Cap	0	Ton	90.00	0
A.C. Overlay	954	Ton	90.00	85,860
Slurry Seal (Based on $150/Ton Type II)	51934	S.Y.	2.25	116,852
Sawcut & Join Exist. AC Pavement	11611	L.F.	1.50	17,417
Sawcut & Join Exist. Conc Pavement	1611	L.F.	1.50	2,417
Utility Trench	0	L.F.	17.00	0
Backfill Trench with Slurry Concrete	44	C.Y.	100.00	4,400
Trench Repaving	0	S.F.	12.00	0
Redwood Header	5376	L.F.	6.00	32,256
A.C. Berm - 6"	0	L.F.	10.00	0
A.C. Berm - 8"	0	L.F.	15.00	0
Adjust M.H. to Grade	0	EA.	800.00	0
Adjust Water Valve to Grade	0	EA.	400.00	0
	0			0
Concrete				
P.C.C. Paving - 6"	27562	S.F.	14.00	385,868
P.C.C. Paving - 8"	0	S.F.	16.00	0
P.C.C. Removal	27562	S.F.	5.00	137,810
Curb and Gutter - 6"	0	L.F.		0
Curb and Gutter - 8"	4770	L.F.	25.00	119,250
Curb and Gutter - 8" (DIF Street Name)	0	L.F.	25.00	0
Curb and Gutter - 8" (TUMF Street Name)	0	L.F.	25.00	0
Curb Only - 6"	0	L.F.	18.00	0
Curb Only - 8"	0	L.F.	20.00	0
Curb Only - 8" (DIF Street Name)	0	L.F.	20.00	0
Curb Only - 8" (TUMF Street Name)	0	L.F.	20.00	0
Cross Gutter and Spandrel	0	S.F.	15.00	0
Sidewalk	26262	S.F.	7.00	183,834
Sidewalk (DIF Street Name)	0	S.F.	7.00	0
Sidewalk (TUMF Street Name)	0	S.F.	7.00	0
Driveway Approach - 6"	0	S.F.	14.00	0
Driveway Approach - 8"	15223	S.F.	16.00	243,568
Wheelchair Ramp	7	EA.	1,200.00	8,400
Alley Approach - 8"	0	S.F.	16.00	0
1/2 Alley Apron	0	S.F.	16.00	0
Barricade	0	L.F.	100.00	0
Remove Curb & Gutter / Sidewalk	3846	S.F.	2.00	7,692
AC Removal	202050	S.Y.	1.00	202,050
			SUBTOTAL:	1,547,673

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: PM35150

DATE: 04/15/08
PREPARED BY: Mike Schuman

OFFSITE STREET WORK (CONTINUED)

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Enterprise Services Administration				
Landscaping	0	S.F.	6.00	0
Street Lights (9500 lumen)	0	EA.	4,000.00	0
Street Lights (22000 lumen)	30	EA.	5,000.00	150,000
Electrical Utility Infrastructure	1	L.S.	563,229.00	563,229
Electrical Utility Line Extension	0	L.F.	135.00	0
Water Quality Basins	0	S.F.	6.00	0
	0			0
			ESA SUBTOTAL:	713,229
Transportation Engineering				
Traffic Signal (Interconnect, Controller, Software, Initial Coordinati	1	LS.	307,400.00	307,400
Traffic Signal Interconnect (Existing Signals Only)	1	LS.	140,000.00	140,000
Traffic Striping/raised pavement markers	0	L.S.	--	0
Traffic Striping (DIF Street Name)	0	L.S.	--	0
Street Name Sign	0	EA.	500.00	0
Stop Sign	0	EA.	200.00	0
Signs and Posts	0	EA.	200.00	0
Signs and Posts (DIF Street Name)	0	EA.	200.00	0
Street Sweeping Sign	0	EA.	200.00	0
Warning Markers - Type L, Type N	4	EA.	100.00	400
Traffic Control	0	L.S.	--	0
Traffic Control (DIF Street Name)	0	L.S.	--	0
Relocate Guard Rail	69	L.F.	35	2,415
	0		--	0
			SUBTOTAL:	450,215
Miscellaneous				
Relocate Power Poles	0	EA.	30,000.00	0
Relocate Power Poles (DIF Street Name)	16	EA.	30,000.00	480,000
Cluster Mail Boxes	0	EA.	4,500.00	0
Erosion Control	0	AC	FILL IN	0
Bus Bay	0	EA.	20,000.00	0
Monuments	0	EA.	100.00	0
Walls - Masonry: 6' Maximum	0	L.F.	100.00	0
Walls - Retaining: 6' Maximum	0	L.F.	150.00	0
Relocate Trees	0	EA.	2,500.00	0
			SUBTOTAL:	480,000

Item No. A.14

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: PM35150

DATE: 04/15/08
PREPARED BY: Mike Schuman

OFFSITE STORM DRAIN SYSTEM

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Pipe				
12" Reinforced Concrete Pipe	0	L.F.	130.00	0
18" Reinforced Concrete Pipe	0	L.F.	140.00	0
24" Reinforced Concrete Pipe	755	L.F.	160.00	120,800
24" Reinforced Concrete Pipe (DIF Street Name)	0	L.F.	160.00	0
30" Reinforced Concrete Pipe	668	L.F.	180.00	120,240
36" Reinforced Concrete Pipe	0	L.F.	190.00	0
42" Reinforced Concrete Pipe	0	L.F.	210.00	0
48" Reinforced Concrete Pipe	0	L.F.	250.00	0
54" Reinforced Concrete Pipe	0	L.F.	300.00	0
60" Reinforced Concrete Pipe	0	L.F.	350.00	0
12" HDPE	0	L.F.	45.00	0
18" HDPE	0	L.F.	50.00	0
24" HDPE	0	L.F.	55.00	0
30" HDPE	0	L.F.	60.00	0
36" HDPE	0	L.F.	70.00	0
42" HDPE	0	L.F.	80.00	0
48" HDPE	0	L.F.	90.00	0
54" HDPE	0	L.F.	125.00	0
60" HDPE	0	L.F.	140.00	0
4" PVC SCH. 40	0	L.F.	25.00	0
4" PVC SCH. 80	0	L.F.	30.00	0
6" PVC SCH. 40	0	L.F.	30.00	0
6" PVC SCH. 80	0	L.F.	35.00	0
8" PVC SCH. 40	0	L.F.	40.00	0
8" PVC SCH. 80	0	L.F.	48.00	0
Reinforced Concrete Structure	0	C.Y.	500.00	0
	0		---	0
Manholes				
Manhole No. 1	4	EA.	5000.00	20,000
Manhole No. 2	0	EA.	5500.00	0
Manhole No. 3	0	EA.	6500.00	0
Manhole No. 4	1	EA.	7000.00	7,000
	0		---	0
Catch Basins				
Catch Basin (3.5')	2	EA.	3100.00	6,200
Catch Basin (7')	5	EA.	5500.00	27,500
Catch Basin (14')	0	EA.	8000.00	0
Catch Basin (21')	0	EA.	12500.00	0
Local Depressions	7	EA.	535.00	3,745
Catch Basin (3.5') (DIF Street Name)	0	EA.	3100.00	0
Catch Basin (7') (DIF Street Name)	0	EA.	5500.00	0
Catch Basin (14') (DIF Street Name)	0	EA.	8000.00	0
Catch Basin (21') (DIF Street Name)	0	EA.	12500.00	0
Local Depressions (DIF Street Name)	0	S.F	535.00	0
24" X 24" Grate basin	0	EA.	2500.00	0
18" X 18" Grate Basin	0	EA.	2100.00	0
6" Wide Strip Basin	0	EA.	3000.00	0
Removal/Relocation- Catch Basin	1	EA.	5000.00	5,000
Grated Catch Basin	0	EA.	6000.00	0
	0		---	0

M. 8.

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: PM35150

DATE: 04/15/08
PREPARED BY: Mike Schuman

OFFSITE STORM DRAIN SYSTEM (CONTINUED)

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Structures				
Transition Structure	0	EA.	5500.00	0
Junction Structure	7	EA.	6000.00	42,000
Type IX Inlet Structure	3	EA.	2500.00	7,500
Inlet Structure (drop)	0	EA.	5000.00	0
Outlet Structure	0	EA.	8000.00	0
Concrete Collar (to 48")	2	EA.	3000.00	6,000
Headwall	0	EA.	5500.00	0
Drains				
Terrace Drain	0	S.F	10.00	0
Down Drain	0	S.F	10.00	0
Parkway Drain	0	EA.	3500.00	0
Under Sidewalk	0	EA.	600.00	0
Curb Outlet	0	EA.	250.00	0
"V" Gutter	0	S.F.	10.00	0
	0		—	0
Miscellaneous				
Rip Rap	0	TON	60.00	0
Concrete Pipe Slope Anchor	0	EA.	2500.00	0
	0		—	0
			SUBTOTAL:	365,985

M.S.

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: PM35150

DATE: 04/15/08
PREPARED BY: Mike Schuman

OFFSITE WATER SYSTEMS

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Pipes - Water System				
4" PVC C-900	0		30.00	0
6" PVC C-900	0		40.00	0
8" PVC C-900	0		50.00	0
10" PVC C-900	0		55.00	0
12" PVC C-900	0		60.00	0
16" PVC C-900	0		90.00	0
18" PVC C-900	0		135.00	0
20" PVC C-900	0		180.00	0
	0	L.F.		0
Valves - Water System				
4" Gate Valve	0	EA.	600.00	0
6" Gate Valve	0	EA.	800.00	0
8" Gate Valve	0	EA.	1,000.00	0
10" Gate Valve	0	EA.	1,200.00	0
12" Gate Valve	0	EA.	2,000.00	0
16" Gate Valve	0	EA.	5,000.00	0
4" Butterfly Valve	0	EA.	330.00	0
6" Butterfly Valve	0	EA.	520.00	0
8" Butterfly Valve	0	EA.	800.00	0
10" Butterfly Valve	0	EA.	1,000.00	0
12" Butterfly Valve	0	EA.	1,800.00	0
16" Butterfly Valve	0	EA.	2,700.00	0
18" Butterfly Valve	0	EA.	2,800.00	0
20" Butterfly Valve	0	EA.	4,200.00	0
24" Butterfly Valve	0	EA.	5,200.00	0
1" Air Vac Release	0	EA.	2,000.00	0
2" Air Vac Release	0	EA.	3,000.00	0
4" Blow Off	0	EA.	2,000.00	0
6" Blow Off	0	EA.	2,500.00	0
	0		---	0
Fire Hydrants - Water System				
6" Standard Fire Hydrants	14	EA.	2,800.00	39,200
6" Super Fire Hydrants	4	EA.	3,000.00	12,000
	0		---	0
Services Connections				
1" Service	0	EA.	500.00	0
1 1/2" Service	0	EA.	1,100.00	0
2" Service	0	EA.	1,600.00	0
	0		---	0
Fittings - Water System				
Misc. Fittings 4"	0		120.00	0
Misc. Fittings 6"	0		160.00	0
Misc. Fittings 8"	0		200.00	0
Misc. Fittings 10"	0		240.00	0
Misc. Fittings 12"	0		750.00	0
	0		---	0
Water Meters - Water System				
5/8" Meter	0		200.00	0
1" Meter	0		270.00	0
1 1/2" Meter	0		360.00	0
2" Meter	0		455.00	0
	0		---	0
Hot Tap Connections - Water System				
8" Hot Tap	0	EA.	2,800.00	0
Water Service	0	EA.	330.00	0
	0		---	0
Miscellaneous - Water System				
Thrust Block	0	CY	150.00	0
Jack & Bore	0	L.F.	300.00	0
Joint at Existing 8"	0	EA.	650.00	0
Adjust Water Valve to Grade	0	EA.	400.00	0
	0		---	0
			SUBTOTAL:	51,200

M-8

EXHIBIT "A"
ENGINEER'S ESTIMATE

PROJECT: PM35150

DATE: 04/15/08
PREPARED BY: Mike Schuman

OFFSITE SEWER SYSTEMS

TYPE	QUANTITY	UNIT	UNIT PRICE	TOTAL
Pipes - Sewer System				
4" V.C. Pipe	0	L.F.	20.00	0
6" V.C. Pipe	0	L.F.	25.00	0
8" V.C. Pipe	0	L.F.	30.00	0
10" V.C. Pipe	0	L.F.	40.00	0
12" V.C. Pipe	0	L.F.	50.00	0
15" V.C. Pipe	0	L.F.	75.00	0
18" V.C. Pipe	0	L.F.	90.00	0
21" V.C. Pipe	0	L.F.	105.00	0
24" V.C. Pipe	0	L.F.	120.00	0
27" V.C. Pipe	0	L.F.	135.00	0
30" V.C. Pipe	0	L.F.	150.00	0
33" V.C. Pipe	0	L.F.	165.00	0
36" V.C. Pipe	0	L.F.	185.00	0
4" SDR - 35	0	L.F.	13.00	0
6" SDR - 35	0	L.F.	19.00	0
8" SDR - 35	0	L.F.	25.00	0
10" SDR - 35	0	L.F.	30.00	0
12" SDR - 35	0	L.F.	50.00	0
15" SDR - 35	0	L.F.	60.00	0
Concrete Encasement	0	L.F.	20.00	0
	0		---	0
Cleans Outs - Sewer System				
Clean-outs	0	EA.	700.00	0
Clean Out Lateral	0	EA.	120.00	0
	0		---	0
Manholes - Sewer System				
Standard Manhole 48"	0	EA.	3,000.00	0
Standard Manhole 48" Extra Depth	0	EA.	3,500.00	0
Standard Manhole 60"	0	EA.	4,500.00	0
Shallow Manhole	0	EA.	3,000.00	0
Adjust Manhole to Grade	5	EA.	800.00	4,000
Tie Into Existing Manhole	0	EA.	1,500.00	0
Rechannel Existing Manhole	0	EA.	1,500.00	0
Join Existing 8" Pipe	0	EA.	600.00	0
Join Existing 12" Pipe	0	EA.	800.00	0
	0		---	0
Miscelleneous - Sewer System				
Wyes	0	EA.	90.00	0
TV Sewer	0	L.F.	1.00	0
Trench Paving	0	S.F.	5.00	0
Pavement Replacement	0	S.F.	3.00	0
Meter 5/8" W/O Service	0	EA.	200.00	0
			SUBTOTAL:	4,000

M. 8

Item No. A.14

EXHIBIT "A"
ENGINEER'S ESTIMATE

CITY OF MORENO VALLEY
PUBLIC WORKS DEPARTMENT - LAND DEVELOPMENT DIVISION
BOND COMPUTATION SHEET

PROJECT: PM35150

DATE: 04/15/08
PREPARED BY: Mike Schuman

IMPROVEMENT TYPE:

PAVEMENT SECTION WORK :	$2,821,060
STREET WORK :	$2,027,673
STORM DRAIN SYSTEM :	$365,985
WATER SYSTEM :	$51,200
SEWER SYSTEM :	$4,000
ENTERPRISE SERVICES ADMIN :	$713,229
TRANSPORTATION ENGNRNG :	$450,215
TOTAL COST (VALUE) OF IMPROVEMENTS:	$6,433,361
+20% CONTINGENCY:	$1,286,672
GRAND TOTAL:	$7,720,033

BOND AMOUNT: $7,721,000

M.S.

FAITHFUL PERFORMANCE BOND

City of Moreno Valley
County of Riverside
State of California
(Government Code Section 66499.1)

Public Improvements $7,721,000

Project No. PM 35150

Bond No. 105063246

Premium $61,768.00

Surety Travelers Casualty And Surety Company Of America A+XII(CO)

Principal FR/CAL Moreno Valley, LLC

Address One Tower Square

Address 114 Pacifica, Suite 220

City/Zip Hartford, CT 06183

City/Zip Irvine, CA 92618

WHEREAS, the City Council of the City of Moreno Valley, County of Riverside, State of California, and **FR/CAL Moreno Valley, LLC,** (hereinafter designated as "Principal") have entered into, or are about to enter into the attached agreement whereby Principal agrees to install and complete the above-designated public improvements, relating to **PM 35150**, which agreement is hereby referred to and made a part hereof; and,

WHEREAS, said principal is required under the terms of said agreement to furnish bond for the faithful performance of said agreement;

NOW, THEREFORE, we the Principal, and Travelers Casualty And Surety Company Of America, as Surety, are held and firmly bound to the City of Moreno Valley in the penal sum of **SEVEN MILLION SEVEN HUNDRED TWENTY ONE THOUSAND AND NO/100** Dollars (*****$7,721,000.00*****), lawful money of the United States, for the payment of which sum will and truly to be made, we bind ourselves, our heirs, successors, executors and administrator, jointly and severally, firmly by these presents.

The condition of this obligation is such that if the above bonded Principal, his 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 the said agreement and any alteration thereof made as therein provided, on his or 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.

As part of the obligation secured hereby, and in addition to the face amount specified therefore, there shall be included costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by City in successfully enforcing such obligation, all to be taxed as costs and included in any judgment rendered.

EXHIBIT "C"

FAITHFUL PERFORMANCE BOND (Page 2 of 2)
PROJECT NO. PM 35150

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 specifications accompanying the same shall in anywise affect its obligation 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 to the specifications. Surety further stipulates and agrees that the provisions of Section 2845 of the Civil Code are not a condition precedent to Surety's obligations hereunder and are hereby waived by Surety.

When the work covered by the agreement is complete, the City Council of the City of Moreno Valley will accept the work and thereupon the amount of the obligation of this bond is reduced by 90%, with the remaining 10% held as security for the one-year maintenance period provided for in the agreement(s).

IN WITNESS WHEREOF, this instrument has been duly executed by the Principal and Surety above-named on May 16, 20 08.

Regina M O'Neill
Notary Public

"OFFICIAL SEAL"
REGINA M. O'NEILL
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES 10/5/2008

NAME OF PRINCIPAL: FR/CAL Moreno Valley, LLC
Company Name

AUTHORIZED SIGNATURE(S): By

Name Title

Bernard A. Bak
Name Authorized Signatory Title

NAME OF SURETY: Travelers Casualty And Surety Company Of America
Company Name

AUTHORIZED SIGNATURE:
Patricia M. Doyle, ITS ATTORNEY-IN-FACT

ATTACH NOTARIAL ACKNOWLEDGMENT OF SIGNATURE OF PRINCIPAL AND ATTORNEY-IN-FACT.
BOND COMPANY – ATTACH POWER OF ATTORNEY

Approved as to form:

Date: _____

City Attorney
City of Moreno Valley

W:\LandDev\Lee Ann\Agreement Bond Packets\PM 35150 - Faithful Performance Bond.DOC

RISK MANAGEMENT
Approved
6/2/08

ACKNOWLEDGEMENT BY SURETY

STATE OF ILLINOIS
COUNTY OF WILL

On this 16th day of May, 2008, before me, Anna L. Formhals, a Notary Public, within and for said County and State, personally appeared Patricia M. Doyle to me personally known to be the Attorney-in-Fact of and for Travelers Casualty and Surety Company of America and acknowledged that she executed the said instrument as the free act and deed of said Company.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, at my office in the aforesaid County, the day and year in this certificate first above written.

Notary Public in the State of Illinois
County of Cook

OFFICIAL SEAL
ANNA L. FORMHALS
NOTARY PUBLIC - STATE OF ILLINOIS
MY COMMISSION EXPIRES DEC. 13, 2009

Item No. A.14

WARNING: THIS POWER OF ATTORNEY IS INVALID WITHOUT THE RED BORDER

POWER OF ATTORNEY

TRAVELERS

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
Seaboard Surety Company
St. Paul Fire and Marine Insurance Company

St. Paul Guardian Insurance Company
St. Paul Mercury Insurance Company
Travelers Casualty and Surety Company
Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company

Attorney-In Fact No. 215800

Certificate No. 002241599

KNOW ALL MEN BY THESE PRESENTS: That Seaboard Surety Company is a corporation duly organized under the laws of the State of New York, that St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company and St. Paul Mercury Insurance Company are corporations duly organized under the laws of the State of Minnesota, that Farmington Casualty Company, Travelers Casualty and Surety Company, and Travelers Casualty and Surety Company of America are corporations duly organized under the laws of the State of Connecticut, that United States Fidelity and Guaranty Company is a corporation duly organized under the laws of the State of Maryland, that Fidelity and Guaranty Insurance Company is a corporation duly organized under the laws of the State of Iowa, and that Fidelity and Guaranty Insurance Underwriters, Inc. is a corporation duly organized under the laws of the State of Wisconsin (herein collectively called the "Companies"), and that the Companies do hereby make, constitute and appoint

Thomas J. Joslin, Karen Daniel, Kathleen J. Mailes, Linda Iser, Sandra Martinez, Susan A. Welsh, Susan J. Preiksa, Geoffrey E. Heekin, Marcia K. Cesafsky, Patricia M. Doyle, and Richard A. Moore Jr.

of the City of Chicago, State of Illinois, their true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign, execute, seal and acknowledge any and all bonds, recognizances, conditional undertakings and other writings obligatory in the nature thereof on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

IN WITNESS WHEREOF, the Companies have caused this instrument to be signed and their corporate seals to be hereto affixed, this 11th day of October, 2007.

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
Seaboard Surety Company
St. Paul Fire and Marine Insurance Company

St. Paul Guardian Insurance Company
St. Paul Mercury Insurance Company
Travelers Casualty and Surety Company
Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company

By: George W. Thompson, Senior Vice President

State of Connecticut
City of Hartford ss.

On this the 11th day of October, 2007, before me personally appeared George W. Thompson, who acknowledged himself to be the Senior Vice President of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., Seaboard Surety Company, St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company, and that he, as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

In Witness Whereof, I hereunto set my hand and official seal.
My Commission expires the 30th day of June, 2011.

Marie C. Tetreault, Notary Public

58440-5-07 Printed in U.S.A.

WARNING: THIS POWER OF ATTORNEY IS INVALID WITHOUT THE RED BORDER

Item No. A.14

This Power of Attorney is granted under and by the authority of the following resolutions adopted by the Boards of Directors of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., Seaboard Surety Company, St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company, which resolutions are now in full force and effect, reading as follows:

RESOLVED, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President, any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary may appoint Attorneys-in-Fact and Agents to act for and on behalf of the Company and may give such appointee such authority as his or her certificate of authority may prescribe to sign with the Company's name and seal with the Company's seal bonds, recognizances, contracts of indemnity, and other writings obligatory in the nature of a bond, recognizance, or conditional undertaking, and any of said officers or the Board of Directors at any time may remove any such appointee and revoke the power given him or her; and it is

FURTHER RESOLVED, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President may delegate all or any part of the foregoing authority to one or more officers or employees of this Company, provided that each such delegation is in writing and a copy thereof is filed in the office of the Secretary; and it is

FURTHER RESOLVED, that any bond, recognizance, contract of indemnity, or writing obligatory in the nature of a bond, recognizance, or conditional undertaking shall be valid and binding upon the Company when (a) signed by the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary and duly attested and sealed with the Company's seal by a Secretary or Assistant Secretary; or (b) duly executed (under seal, if required) by one or more Attorneys-in-Fact and Agents pursuant to the power prescribed in his or her certificate or their certificates of authority or by one or more Company officers pursuant to a written delegation of authority; and it is

FURTHER RESOLVED, that the signature of each of the following officers: President, any Executive Vice President, any Senior Vice President, any Vice President, any Assistant Vice President, any Secretary, any Assistant Secretary, and the seal of the Company may be affixed by facsimile to any power of attorney or to any certificate relating thereto appointing Resident Vice Presidents, Resident Assistant Secretaries or Attorneys-in-Fact for purposes only of executing and attesting bonds and undertakings and other writings obligatory in the nature thereof, and any such power of attorney or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by such facsimile signature and facsimile seal shall be valid and binding on the Company in the future with respect to any bond or understanding to which it is attached.

I, Kori M. Johanson, the undersigned, Assistant Secretary, of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., Seaboard Surety Company, St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company do hereby certify that the above and foregoing is a true and correct copy of the Power of Attorney executed by said Companies, which is in full force and effect and has not been revoked.

WARNING: THIS POWER OF ATTORNEY IS INVALID WITHOUT THE RED BORDER

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of said Companies this 16th day of May, 2008

Kori M. Johanson, Assistant Secretary

To verify the authenticity of this Power of Attorney, call 1-800-421-3880 or contact us at www.travelersbond.com. Please refer to the Attorney-In-Fact number, the above-named individuals and the details of the bond to which the power is attached.

Item No. A.14

CERTIFICATE OF AUTHORITY
FIRSTCAL INDUSTRIAL, LLC

I, John Clayton, do hereby certify that as of the date hereof:

1. I am the duly elected and incumbent Vice President-Corporate Legal and Secretary of First Industrial Realty Trust, Inc., a Maryland corporation (the "Corporation"), and as such officer I am authorized to make the certifications herein made;

2. The Corporation is the sole general partner of First Industrial, L.P. ("FILP"); FILP is the sole stockholder of First Industrial Investment, Inc. (f/k/a First Industrial Development Services, Inc., "FII"); FII is the sole member of FR FirstCal, LLC ("FRFC"); FRFC is the managing member of FirstCal Industrial, LLC ("FirstCal"); and FirstCal is the sole member of FR/Cal Moreno Valley, LLC ("Moreno Valley").

3. Bernard A. Bak is a Vice President – Development Operations and Due Diligence of the Corporation, with signature authority for and on behalf of the Corporation and its affiliates, including, without limitation, FirstCal in its capacity as sole member of Moreno Valley, which signature authority extends to agreements and other documents ancillary thereto related to the development of land owned by Moreno Valley.

IN WITNESS WHEREOF, I have signed this Certificate this 27th day of May, 2008.

John Clayton

Sworn to and subscribed before me this 27th day of May, 2008.

Fay Lockwood
Notary Public

My commission expires:

OFFICIAL SEAL
FAY LOCKWOOD
NOTARY PUBLIC - STATE OF ILLINOIS
MY COMMISSION EXPIRES:09/20/10

[NOTARIAL SEAL]

Certificate of Authority - FirstCal Industrial LLC (JV)1

MATERIAL AND LABOR BOND

City of Moreno Valley
County of Riverside
State of California
(Government Code Section 66499.2)

Public Improvements $3,860,500

Project No. PM 35150

Bond No. 105063246

Premium $61,768.00

Surety Travelers Casualty And Surety Company Of America A+XII(CA)

Principal FR/CAL Moreno Valley, LLC

Address One Tower Square

Address 114 Pacifica, Suite 220

City/Zip Hartford, CT 06183

City/Zip Irvine, CA 92618

WHEREAS, the City Council of the City of Moreno Valley, County of Riverside, State of California, and **FR/CAL Moreno Valley, LLC,** (hereinafter designated as "Principal") have entered into, or are about to enter into the attached agreement whereby Principal agrees to install and complete the above-designated public improvements, relating to **PM 35150**, which agreement is hereby referred to and made a part hereof; and,

WHEREAS, under the terms of said agreement, principal is required before entering upon the performance of the work, to file a good and sufficient payment bond with the City of Moreno Valley to secure the claims to which reference is made in Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code of the State of California.

NOW, THEREFORE, we the Principal, and the undersigned as corporate Surety, are held and firmly bound unto the City of Moreno Valley and all contractors, subcontractors, laborers, material persons and other persons employed in the performance of the aforesaid agreement and referred to in the aforesaid Civil Code in the sum of **THREE MILLION EIGHT HUNDRED SIXTY THOUSAND FIVE HUNDRED AND NO/100** Dollars (*****$3,860,500.00*****), lawful money of the United States, for materials furnished or labor thereon of any kind, or for amounts due under the Unemployment Insurance Act with respect to such work or labor, that said Surety will pay the same in an amount not exceeding the amount hereinabove set forth, also in case suit is brought upon this bond, will pay, in addition to the face amount hereof, costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by City in successfully enforcing such obligation, to be awarded and fixed by the court, and to be taxed as costs and to be included in the judgement therein rendered.

It is hereby expressly stipulated and agreed that this bond shall inure to the benefit of any and all persons, companies and corporations entitled to file claims under Title 15 (commencing with Section 3082) of Part 4 of Division 3 of the Civil Code, so as to give a right of action to them or their assigns in any suit brought upon this bond.

EXHIBIT "D"

MATERIAL AND LABOR BOND (Page 2 of 2)
PROJECT NO. PM 35150

Should the condition of this bond be fully performed, then this obligation shall become null and void, otherwise it shall be and remain in full force and effect.

The Surety hereby stipulates and agrees that no change, extension of time, alteration or addition to the terms of the agreement or the specifications accompanying the same shall in any manner affect its obligation on this bond, and it does hereby waive notice of any such change; extension, alteration or addition. Surety further stipulates and agrees that the provision of Section 2845 of the Civil Code are not a condition precedent to the Surety's obligations hereunder and hereby waived by the Surety.

In witness whereof, this instrument has been duly executed by the Principal and Surety above named, on May 16, 2008.

NAME OF PRINCIPAL: FR/CAL Moreno Valley, LLC
Company Name

AUTHORIZED SIGNATURE(S): By:

Regina M. O'Neill
Notary Public

Name Bernard A. Bak Title

"OFFICIAL SEAL"
REGINA M. O'NEILL
NOTARY PUBLIC, STATE OF ILLINOIS
MY COMMISSION EXPIRES 10/5/2008

Name Authorized Signatory Title

NAME OF SURETY: Travelers Casualty And Surety Company Of America
Company Name

AUTHORIZED SIGNATURE: Patricia M. Doyle, ITS ATTORNEY-IN-FACT

ATTACH NOTARIAL ACKNOWLEDGMENT OF SIGNATURE OF PRINCIPAL AND ATTORNEY-IN-FACT.
BOND COMPANY – ATTACH POWER OF ATTORNEY

Approved as to form:

Date: _____

City Attorney
City of Moreno Valley

W:\LandDev\Lee Ann\Agreement Bond Packets\PM 35150 - Material Labor Bond.DOC

RISK MANAGEMENT
Approved
6/2/08

ACKNOWLEDGEMENT BY SURETY

STATE OF ILLINOIS
COUNTY OF WILL

On this 16th day of May, 2008, before me, Anna L. Formhals, a Notary Public, within and for said County and State, personally appeared Patricia M. Doyle to me personally known to be the Attorney-in-Fact of and for Travelers Casualty and Surety Company of America and acknowledged that she executed the said instrument as the free act and deed of said Company.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, at my office in the aforesaid County, the day and year in this certificate first above written.

Anna L. Formhals

Notary Public in the State of Illinois
County of Cook

OFFICIAL SEAL
ANNA L. FORMHALS
NOTARY PUBLIC - STATE OF ILLINOIS
MY COMMISSION EXPIRES DEC. 13, 2009

POWER OF ATTORNEY

TRAVELERS

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
Seaboard Surety Company
St. Paul Fire and Marine Insurance Company

St. Paul Guardian Insurance Company
St. Paul Mercury Insurance Company
Travelers Casualty and Surety Company
Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company

Certificate No. 002241598

Attorney-In Fact No. 215800

KNOW ALL MEN BY THESE PRESENTS: That Seaboard Surety Company is a corporation duly organized under the laws of the State of New York, that St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company and St. Paul Mercury Insurance Company are corporations duly organized under the laws of the State of Minnesota, that Farmington Casualty Company, Travelers Casualty and Surety Company, and Travelers Casualty and Surety Company of America are corporations duly organized under the laws of the State of Connecticut, that United States Fidelity and Guaranty Company is a corporation duly organized under the laws of the State of Maryland, that Fidelity and Guaranty Insurance Company is a corporation duly organized under the laws of the State of Iowa, and that Fidelity and Guaranty Insurance Underwriters, Inc. is a corporation duly organized under the laws of the State of Wisconsin (herein collectively called the "Companies"), and that the Companies do hereby make, constitute and appoint

Thomas J. Joslin, Karen Daniel, Kathleen J. Mailes, Linda Iser, Sandra Martinez, Susan A. Welsh, Susan J. Preiksa, Geoffrey E. Heekin, Marcia K. Cesafsky, Patricia M. Doyle, and Richard A. Moore Jr.

of the City of Chicago, State of Illinois, their true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign, execute, seal and acknowledge any and all bonds, recognizances, conditional undertakings and other writings obligatory in the nature thereof on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

WARNING: THIS POWER OF ATTORNEY IS INVALID WITHOUT THE RED BORDER

IN WITNESS WHEREOF, the Companies have caused this instrument to be signed and their corporate seals to be hereto affixed, this 11th day of October, 2007.

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
Seaboard Surety Company
St. Paul Fire and Marine Insurance Company

St. Paul Guardian Insurance Company
St. Paul Mercury Insurance Company
Travelers Casualty and Surety Company
Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company

By: George W. Thompson, Senior Vice President

State of Connecticut
City of Hartford ss.

On this the 11th day of October, 2007, before me personally appeared George W. Thompson, who acknowledged himself to be the Senior Vice President of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., Seaboard Surety Company, St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company, and that he, as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

In Witness Whereof, I hereunto set my hand and official seal.
My Commission expires the 30th day of June, 2011.

Marie C. Tetreault, Notary Public

58440-5-07 Printed in U.S.A.

This Power of Attorney is granted under and by the authority of the following resolutions adopted by the Boards of Directors of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., Seaboard Surety Company, St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company, which resolutions are now in full force and effect, reading as follows:

RESOLVED, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President, any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary may appoint Attorneys-in-Fact and Agents to act for and on behalf of the Company and may give such appointee such authority as his or her certificate of authority may prescribe to sign with the Company's name and seal with the Company's seal bonds, recognizances, contracts of indemnity, and other writings obligatory in the nature of a bond, recognizance, or conditional undertaking, and any of said officers or the Board of Directors at any time may remove any such appointee and revoke the power given him or her; and it is

FURTHER RESOLVED, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President may delegate all or any part of the foregoing authority to one or more officers or employees of this Company, provided that each such delegation is in writing and a copy thereof is filed in the office of the Secretary; and it is

FURTHER RESOLVED, that any bond, recognizance, contract of indemnity, or writing obligatory in the nature of a bond, recognizance, or conditional undertaking shall be valid and binding upon the Company when (a) signed by the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary and duly attested and sealed with the Company's seal by a Secretary or Assistant Secretary; or (b) duly executed (under seal, if required) by one or more Attorneys-in-Fact and Agents pursuant to the power prescribed in his or her certificate or their certificates of authority or by one or more Company officers pursuant to a written delegation of authority; and it is

FURTHER RESOLVED, that the signature of each of the following officers: President, any Executive Vice President, any Senior Vice President, any Vice President, any Assistant Vice President, any Secretary, any Assistant Secretary, and the seal of the Company may be affixed by facsimile to any power of attorney or to any certificate relating thereto appointing Resident Vice Presidents, Resident Assistant Secretaries or Attorneys-in-Fact for purposes only of executing and attesting bonds and undertakings and other writings obligatory in the nature thereof, and any such power of attorney or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by such facsimile signature and facsimile seal shall be valid and binding on the Company in the future with respect to any bond or understanding to which it is attached.

I, Kori M. Johanson, the undersigned, Assistant Secretary, of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., Seaboard Surety Company, St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company do hereby certify that the above and foregoing is a true and correct copy of the Power of Attorney executed by said Companies, which is in full force and effect and has not been revoked.

WARNING: THIS POWER OF ATTORNEY IS INVALID WITHOUT THE RED BORDER

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of said Companies this 16th day of May, 2008

Kori M. Johanson, Assistant Secretary

To verify the authenticity of this Power of Attorney, call 1-800-421-3880 or contact us at www.travelersbond.com. Please refer to the Attorney-In-Fact number, the above-named individuals and the details of the bond to which the power is attached.

Item No. A.14

CERTIFICATE OF AUTHORITY
FIRSTCAL INDUSTRIAL, LLC

I, John Clayton, do hereby certify that as of the date hereof:

1. I am the duly elected and incumbent Vice President-Corporate Legal and Secretary of First Industrial Realty Trust, Inc., a Maryland corporation (the "Corporation"), and as such officer I am authorized to make the certifications herein made;

2. The Corporation is the sole general partner of First Industrial, L.P. ("FILP"); FILP is the sole stockholder of First Industrial Investment, Inc. (f/k/a First Industrial Development Services, Inc., "FII"); FII is the sole member of FR FirstCal, LLC ("FRFC"); FRFC is the managing member of FirstCal Industrial, LLC ("FirstCal"); and FirstCal is the sole member of FR/Cal Moreno Valley, LLC ("Moreno Valley").

3. Bernard A. Bak is a Vice President – Development Operations and Due Diligence of the Corporation, with signature authority for and on behalf of the Corporation and its affiliates, including, without limitation, FirstCal in its capacity as sole member of Moreno Valley, which signature authority extends to agreements and other documents ancillary thereto related to the development of land owned by Moreno Valley.

IN WITNESS WHEREOF, I have signed this Certificate this 27th day of May, 2008.

John Clayton

Sworn to and subscribed before me this 27th day of May, 2008.

Notary Public

My commission expires:

OFFICIAL SEAL
FAY LOCKWOOD
NOTARY PUBLIC - STATE OF ILLINOIS
MY COMMISSION EXPIRES:09/20/10

[NOTARIAL SEAL]

Certificate of Authority - FirstCal Industrial LLC (JV)1

EXHIBIT "B"

DIF IMPROVEMENTS

EXHIBIT "B"

DIF Reimbursable Items
PARCEL MAP NO. 35150, PA06-0152,3
Indian Street

ITEM	QTY	UNITS	UNIT RATE	ITEM COST
Lane - includes the following:				
Traffic Control	1	LS	$ 12,000	$ 12,000
Excavation (based on structural section)	1552	CY	$ 29	$ 45,008
Curb and Gutter	1241	LF	$ 30	$ 37,230
Asphalt Concrete	21044	SF		
Thickness	0.50	ft.		
	763	TON	$ 80	$ 61,040
Aggregate Base	21044	SF		
Thickness	1.00	ft.		
	1526	TON	$ 33	$ 50,358
Portland Cement Concrete	9825	SF		
Thickness	0.70	ft.		
	255	CY	$ 425	$ 108,375
Aggregate Base	9825	SF		
Thickness	0.35	ft.		
	249	TON	$ 33	$ 8,217
Signing and Striping	1	LS	$ 2,000	$ 2,000
Sidewalk	8214	SF	$ 4.25	$ 34,910
Storm Drain - includes the following:				
24" Reinforced Concrete Pipe	63	LF	$ 160	$ 10,080
Headwall	1	EA	$ 5,500	$ 5,500
4' Catch Basin	3	EA	$ 3,100	$ 9,300
Local Depression	3	EA	$ 535	$ 1,605
Drop Inlet	1	EA	$ 2,500	$ 2,500
Junction Structure	3	EA	$ 6,500	$ 19,500
Overhead Utility Undergrounding	2329	LF	$ 178	$ 414,562
SUBTOTAL				**$ 822,185**
Planning Cost (10% of Subtotal)			10%	$ 82,219
Engineering Cost (25% of Subtotal)			25%	$ 205,546
Contingency Cost (10% of Subtotal)			10%	$ 82,219
TOTAL				**$ 1,192,169**

DIF Reimbursable Items
PARCEL MAP NO. 35150, PA06-0152,3
San Michele Road

ITEM	QTY	UNITS	UNIT RATE	ITEM COST
Lane - includes the following:				
Traffic Control	1	LS	$ 11,000	$ 11,000
Excavation (based on structural section)	1128	CY	$ 29	$ 32,712
Curb and Gutter	1325	LF	$ 30	$ 39,750
Asphalt Concrete	17718	SF		
Thickness	0.50	ft.		
	642	TON	$ 80	$ 51,360
Aggregate Base	17718	SF		
Thickness	1.00	ft.		
	1285	TON	$ 33	$ 42,405
Portland Cement Concrete	3713	SF		
Thickness	0.70	ft.		
	96	CY	$ 425	$ 40,800
Aggregate Base	3713	SF		
Thickness	0.35	ft.		
	94	TON	$ 33	$ 3,102
Signing and Striping	1	LS	$ 2,000	$ 2,000
Sidewalk	7621	SF	$ 4.25	$ 32,389
Storm Drain - includes the following:				
24" Reinforced Concrete Pipe	85	LF	$ 160	$ 13,600
Headwall	0	EA	$ 5,500	$ -
4' Catch Basin	2	EA	$ 3,100	$ 6,200
Local Depression	2	EA	$ 535	$ 1,070
Drop Inlet	1	EA	$ 2,500	$ 2,500
Junction Structure	2	EA	$ 6,500	$ 13,000
Overhead Utility Undergrounding	2410	LF	$ 178	$ 428,980
SUBTOTAL				**$ 720,868**
Planning Cost (10% of Subtotal)			10%	$ 72,087
Engineering Cost (25% of Subtotal)			25%	$ 180,217
Contingency Cost (10% of Subtotal)			10%	$ 72,087
TOTAL				**$ 1,045,259**

Item No. A.14

EXHIBIT "C" – DIF Credit Calculation Table

Item	Process for DIF Credit Calculation	Streets	Traffic Signals	Police	Fire	Libraries	Parks	Community / Rec Centers	Public Facilities*	Inter-change Improve-ments	Electric Utility
1	Engineer's Estimate	$2,237,428	$0	$0	$0	$0	$0	$0	$0	$0	$0
2	Project costs as identified in DIF study	$1,712,161	$0	$0	$0	$0	$0	$0	$0	$0	$0
3	Actual DIF Obligation	$1,515,318	$229,486	$49,683	$68,609	$0	$0	$0	$108,828	$230,669	$0
4	Developer's Credit Amount** - Least of Lines 1 2 & 3	$1,515,318	$0	$0	$0	$0	$0	$0	$0	$0	$0

*may include, but not be limited to, City Hall, Corporate Yard, Animal Shelter, and/or maintenance equipment.

** credit amount shall not exceed obligation.

EXHIBIT "C"

Final 3/3/08

AGREEMENT FOR DEPOSIT OF CASH SECURITY
TO DEFER PAYMENT OF
DEVELOPMENT IMPACT FEE (DIF) AND TRANSPORTATION UNIFORM
MITIGATION FEE (TUMF) OBLIGATIONS
NO. D07-007, NO. T07-002, PROJECT NOS. PM 35150, PA06-0152, PA06-0153

This Agreement ("Agreement") is made and entered into on the date the City signs this Agreement. This Agreement is by and between the City of Moreno Valley, whose address is 14177 Frederick Street, Moreno Valley, CA 92553, (hereinafter called "City"); and FR/CAL MORENO VALLEY, LLC, a Delaware limited liability company, whose address is 114 Pacifica, Suite 220, Irvine, CA 92618 (hereinafter called "Developer") (City and Developer collectively, the "Parties," and individually, a "Party") with reference to the following facts:

A. Developer owns approximately 54 acres of property subject to Tentative Parcel Map 35150 (the "Project"). Said property is subject to Conditions of Approval for said parcel map and a Plot Plan approval. The City's project identification numbers for the parcel map and plot plan are PA06-0152 and PA06-0153. Developer's Final Parcel Map has not yet been approved.

B. Developer wishes to pull permits to begin construction of parts of the project, including onsite grading and offsite street improvements, however, plans for such offsite improvements have not yet been approved by the City.

C. As a condition of approval of development of the property, and as requirements of City ordinances, Developer is required to pay Development Impact Fees (DIF) to mitigate the impacts of the development project on local public facilities, including without limitation, streets, traffic signals, bridges and thoroughfares, parks, etc., and Transportation Uniform Mitigation Fees (TUMF) to mitigate such impacts on regional transportation improvements.

D. In addition to such fee obligations, Developer is required by the conditions of approval and City ordinances to build certain public improvements, some of which are included in facilities eligible for funding from DIF and/or TUMF, under applicable "nexus" studies for such fees. Construction of facilities included in such nexus studies may make the Developer eligible for some amount of credits or refunds of DIF or TUMF.

E. The amount of such potential credits or refunds the Developer could be eligible for cannot be fully determined at this date.

1) TUMF credits and refunds are subject to adopted policies and procedures of the City and the Western Riverside Council of Governments, which include a form of credit and/or refund agreement ("TUMF agreement") already approved by both agencies. However the form of agreement cannot be entered into at this time because the amount of the TUMF fee and the value of improvements that may qualify for credits against the

TUMF fee cannot be calculated until final project and improvement plans have been reviewed and approved.

2) DIF credits and refunds are subject to polices and procedures of the City not yet fully adopted and implemented, and a form of credit and/or refund agreement ("DIF agreement") not yet approved by the City Council. However the form of agreement cannot be entered into at this time because the form of agreement has not yet been finalized and approved by the City and the the amount of the DIF fee and the value of improvements that may qualify for credits against the DIF fee cannot be calculated until final project and improvement plans have been reviewed and approved.

F. The City's normal practice has been to require Developers to wait for permits until final project approvals have been granted and the standard TUMF agreement has been executed and/or all TUMF and DIF fees have been finally calculated and fully paid and/or credited per approved agreements.

G. Developer has requested that the City permit Developer to pull permits prior to such final approvals and pay estimated DIF and TUMF into a segregated account with the City to be held as security for the performance of Developer's DIF and TUMF obligations for the Project.

Now, therefore, the City and Developer agree as follows:

A. Developer shall have the option to deposit 100% of the estimated DIF obligation amount of **$1,515,318** as estimated on Exhibit B attached hereto and 100% of the estimated TUMF obligation amount of **$1,081, 736** as estimated on Exhibit C attached hereto (collectively, the "Funds"), as a cash security with the City as a substitute for payment of the DIF and TUMF obligations otherwise required to be paid prior to permits for and/or occupancy of the Project.

B. When the Developer has deposited the Funds with the City, they shall be held by the City for the purposes of this Agreement and shall at all times be separately accounted for and held only for the purposes of this Agreement and the underlying DIF and TUMF obligations of the Developer. The Funds shall only be withdrawn by the City (i) for the payment of DIF and/or TUMF obligations due and owing the City under the terms of the DIF and/or TUMF agreements subsequently entered into between the Parties; (ii) for the payment of DIF and/or TUMF obligations left due and owing under City ordinances and resolutions at time of application for final inspection/certificate of occupancy for any part of the project in the event that DIF and TUMF agreements are not executed prior to such application; (iii) upon Developer's written authorization provided to the City, that the Funds or portions of the Funds may be withdrawn; or (iv) under the

provisions of section D of this Agreement. While so held, such funds shall bear interest at then current Local Agency Investment Fund (LAIF) rate. Such interest shall accrue to the benefit of the trust Funds and shall be used only for satisfaction of the Developer's DIF and/or TUMF obligations with any excess being paid to the Developer at the time of final accounting and termination of this Agreement.

The Parties agree that, for tax reporting purposes, all interest and other income from investment of the Funds shall, as of the end of each calendar year and to the extent required by the Internal Revenue Service, be reported as having been earned by Developer, whether or not such income was disbursed during such a calendar year.

Prior to final accounting and termination of this Agreement, the Developer shall provide the City with certified tax identification numbers by furnishing appropriate forms W-9 or W-8 and such other forms and documents that the City may request. The Parties understand that if such tax reporting documentation is not provided and certified to the City, the City may be required by the Internal Revenue Code of 1986, as amended, and the Regulations promulgated thereunder, to withhold a portion of any interest or other income earned on the investment of the Funds for payment of taxes.

To the extent that the City becomes liable for the payment of any taxes in respect of income derived from the investment of the Funds, the City shall satisfy such liability to the extent possible from the income of the Funds. The Developer shall indemnify, defend and hold the City harmless from and against any tax, late payment, interest, penalty or other cost or expense that may be assessed against the City on or with respect to the Funds and the investment thereof unless such tax, late payment, interest, penalty or other expense was directly and solely caused by the gross negligence or willful misconduct of the City.

C. This Agreement extends the time for execution of DIF and TUMF agreements that are, or would normally be, required prior to the issuance of building permits or occupancy of the Project. This Agreement is valid for a period of 180 days from City execution of this Agreement or until the execution, delivery to and final acceptance by the City of both a DIF agreement and a TUMF agreement, whichever comes first. If mutually agreed upon, this agreement may be extended. This Agreement may also be extended subject to the below conditions:

   a. If the sole reason for the Developer not submitting an acceptable DIF agreement is that the City has not adopted and presented to the Developer an approved form for such Agreement, the Developer shall be entitled to an extension of this Agreement until 10 days after such form

agreement is presented by the City to the Developer, or Developer applies for the first final inspection/certificate of occupancy for the Project, whichever shall first occur. Any extension under this subparagraph 1 shall not apply to the Developer's obligations to timely pay TUMF or to enter into a TUMF agreement, nor to the City's obligation to hold such TUMF fees in the segregated account under this Agreement

b. If the reason that the Developer has not submitted executed DIF and/or TUMF agreements is that the Developer has timely submitted complete plans in proper form for the Project and the DIF and/or TUMF eligible improvements such that the Developer's DIF and/or TUMF obligation can be properly calculated but the City has not yet acted to approve such plans and/or calculate the DIF and/or TUMF obligation, and/or execute the Public Improvement Agreement/bond acceptance as stipulated in the DIF and TUMF agreements, the Developer shall be entitled to an extension until such time as the City has either approved such plans and executed a corresponding DIF and/or TUMF agreement, or rejected the submitted plans in the ordinary course of exercising its governmental authority.

c. Notwithstanding any other provision of this Agreement, this Agreement shall expire upon the earlier of when the developer applies for the first certificate of occupancy for the Project, or the parties execute the DIF and TUMF agreements.

D. Subject to the provisions of section C of this Agreement, if the Developer has not executed and submitted to the City both a DIF Credit and Refund Agreement and a TUMF Credit/Reimbursement Agreement in form and substance acceptable to the City within 180 days of City execution of this Agreement or within any extension of this Agreement, this Agreement becomes null and void, the full DIF and TUMF obligations for the Project become immediately due and payable and the Funds shall be applied against such DIF and TUMF obligations. The Developer shall remain liable for any shortfall in payment of such obligations, which shall likewise become immediately due and payable.

E. The Developer shall be responsible for paying the City's administrative costs ("Administrative Costs") for the expenses incurred by the City in administering the Funds under this Agreement as set forth in Exhibit A. Administrative Costs shall be based on the actual costs incurred by the City. City shall provide Developer with written documentation that the Administrative Costs have been incurred by the City. Developer shall pay City the Administrative Costs actually incurred by the City within 30 (thirty) days of receipt of the written documentation of the Administrative Costs from the City. The Administrative Costs may be withheld by

the City from the Funds at the time of final accounting and termination of this Agreement.

F. The City reserves the right to require that the cash security deposit be increased if it determines in good faith that the Funds are inadequate to account for the Developer's DIF and TUMF obligations and/or the City's administrative costs for administering the Funds under this Agreement, including, but not limited to any inadequacy caused by a modification to construction plans (an increase in building square footage) subsequent to the final calculation of DIF and TUMF under City ordinances and adopted policies, upon issuance of building permits for the Project. Developer agrees to deposit the amount of any such increase in cash within ten (10) days after being notified by the City Engineer that the surety is insufficient and the additional amount required. If Developer fails to make such a timely deposit, the City may withhold or suspend permits for the Project until such deposit is made.

F. The Developer hereby indemnifies, defends and holds harmless the City from any and all claims, obligations, liabilities, losses and costs of any nature (including attorneys' fees) which the City may incur to any third party or agency, including specifically but without limitation the County of Riverside, the Riverside County Transportation Authority, WRCOG and/or any constituent agency of WRCOG, arising from this Agreement, from any act or omission by any party in compliance with or in breach of this Agreement, or from any failure to collect, account for or remit to any such agency any TUMF that would have been received by such agency absent this Agreement, any breach of this Agreement or any failure of Developer to pay or account for its full TUMF obligation, including losses related to any transportation funding withheld from the City by any such agency due to any alleged non-compliance with TUMF requirements for Developer's Project.

G. Upon termination of this Agreement under its terms, the City will provide an accounting of the Funds, including accrued interest, to identify the amounts that will be distributed to the Developer for credit and the amount that will be deposited into the City's DIF and/or TUMF account for the DIF and TUMF obligations of the Project.

H. The names of the persons who are authorized to give written notice or to receive written notice on behalf of the City and on behalf of Developer in connection with the foregoing, and exemplars of their respective signatures, are as follows:

City: Chris A. Vogt Signature: _____
Public Works Director/City Engineer Date: 2/21/08
(and/or)
Steve M. Chapman Signature: _____
Finance Director/City Treasurer Date: 2-21-08

City of Moreno Valley
Post Office Box 88005
Moreno Valley, California 92552-0805

Developer: Phil Bowman, Senior VP Signature: _____
First Industrial Realty Trust Date: 2-14-08
114 Pacifica, Suite 220
Irvine, CA 92618

I. City Not Trustee or Fiduciary. This Agreement is purely an Agreement to accept a deposit of the Funds to secure obligations due and owing the City by the Developer. The City's purpose in entering into this Agreement is to protect its own interests and not those of the Developer. Under no circumstances will the City be deemed to be a trustee or fiduciary to the Developer or any other person under this Agreement.

J. Successors and Assigns. This Agreement shall be binding on and inure to the benefit of the Parties and their respective successors and permitted assigns. No other persons shall have any rights under this Agreement. Neither party shall assign or transfer any interest under this Agreement without the express prior written approval of the other party, which may be given or withheld in the other party's sole and absolute discretion.

K. This Agreement shall be governed by and construed in accordance with the laws of the State of California.

L. This Agreement is the final, complete and exclusive statement of the agreement of the parties with respect to the subject matter hereof and supersedes and replaces any prior oral or written agreements between the parties addressing the same subject matter. However, this Agreement does not replace, vitiate, waive or supersede any obligation of the Developer under any present or hereafter adopted law, ordinance, resolution or policy of the City, which obligations shall remain in full force and effect, except only as to the timing of such obligations and only during the term of this Agreement.

SIGNATURE PAGE TO FOLLOW

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California
County of Orange }

On 2-14-08 (Date) before me, Rita C. Webber, Notary Public (Here Insert Name and Title of the Officer),

personally appeared Phil Bowman (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 the entity upon behalf of 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 Rita C. Webber
Signature of Notary Public

RITA C. WEBBER
Commission # 1661187
Notary Public - California
Orange County
My Comm. Expires Apr 25, 2010

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____
☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____
Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

Signer's Name: _____
☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____
Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

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Agreement to Hold Separately
DIF Obligation No. D07-007
TUMF Obligation No. T07-002
Project Nos. PM 35150, PA06-0152, PA06-0153

IN WITNESS WHEREOF, the Parties hereto have caused their authorized representatives to execute this Agreement.

FR/CAL MORENO VALLEY, LLC,
A Delaware limited liability company

By: FirstCal Industrial, LLC, a Delaware limited liability company, its sole member

By: FR FirstCal, LLC, a Delaware limited liability company, its managing member

By: First Industrial Investment, Inc., a Maryland corporation, its sole member

BY: _____
Signature

Phil Bowman
Print/Type Name

Senior Vice Presiden
Title

BY: _____
Signature

Matt Englhardt
Print/Type Name

Regional Development Officer
Title

CITY OF MORENO VALLEY,
A California Municipal Corporation

BY: _____
Signature

Rick Hartmann, Deputy City Manager

For Robert G. Gutierrez
Print/Type Name

City Manager
Title

NATASHA Y. BURDINE
Commission # 1731839
Notary Public - California
Riverside County
My Comm. Expires Mar 16, 2011

Approved as to Form this

28TH day of February 2008

City Attorney
City of Moreno Valley

SIGNING INSTRUCTION TO THE DEVELOPER:
All signatures on the Contract Agreement on behalf of the Developer must be acknowledged before a notary public. In the event that the Developer is a corporation, the president or vice-president plus the secretary of/or an assistant secretary of the corporation must sign. Corporate seal may be affixed hereto.

W:\LandDev\CREDIT-REIMBURSEMENT AGREEMENTS\DIF & TUMF\PM 35150 - DIF & TUMF - Agreement to Hold Separate 2.doc

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California
County of Riverside

On 2/29/08 (Date) before me, Natasha Y. Burdine, Notary Public (Here Insert Name and Title of the Officer),

personally appeared Rick Hartmann (Name(s) of Signer(s)),

NATASHA Y. BURDINE
Commission # 1731839
Notary Public - California
Riverside County
My Comm. Expires Mar 16, 2011

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 the entity upon behalf of 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 Natasha Y. Burdine (Signature of Notary Public)

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: Agreement to Hold Separately DIF obligation NO D07-007 TUMF obligation NO T07-002

Document Date: 2/28/08 Number of Pages: 7

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____
☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____
Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

Signer's Name: _____
☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____
Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
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CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California
County of Orange }

On 2-14-08 (Date) before me, Rita C. Webber, Notary Public (Here Insert Name and Title of the Officer),

personally appeared Phil Bowman, Matt Englhard (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 the entity upon behalf of 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 Rita C. Webber (Signature of Notary Public)

RITA C. WEBBER
Commission # 1661187
Notary Public - California
Orange County
My Comm. Expires Apr 25, 2010

Place Notary Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____
☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____
Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
Top of thumb here

Signer's Name: _____
☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____
Signer Is Representing: _____

RIGHT THUMBPRINT OF SIGNER
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EXHIBIT A

CITY ADMINISTRATIVE COSTS

EXHIBIT B

CALCULATION OF ESTIMATED DIF OBLIGATION

Building A = 413,598 sq. ft.
Building B = 769,320 sq. ft.

413,598 sq. ft. X $1.281 (industrial general) = $529,819

769,320 sq. ft. X $1.281 (industrial general) = $985,499

Total DIF Obligation = $1,515,318

(as of August 15, 2007)

EXHIBIT C

CALCULATION OF ESTIMATED TUMF OBLIGATION

Building A = 413,598 sq. ft.
Building B = 769,320 sq. ft.

Building A = (*industrial general & high cube) = $462,324

Building B = (*industrial general & high cube) = $619,412

Total TUMF Obligation = $1,081,736

(as of February 6, 2008)

**Calculation for industrial general – high cube: There is a discounted rate for all square footage above 200,000 square feet.*

CERTIFICATE OF AUTHORITY
FIRST INDUSTRIAL REALTY TRUST, INC.
FIRST INDUSTRIAL INVESTMENT, INC.

I, JOHN H. CLAYTON, do hereby certify that as of the date hereof:

1. I am the duly elected and incumbent Secretary of First Industrial Realty Trust, Inc., a Maryland corporation (the "Corporation") and First Industrial Investment, Inc. (f/k/a First Industrial Development Services, Inc.), a Maryland corporation ("FIDS"), and as such officer I am authorized to make the certifications herein made.

2. The Corporation is the sole general partner of First Industrial, L.P. ("FILP"); FILP is the sole stockholder of FIDS; FIDS is the sole member of FR FirstCal, LLC ("FRFC"); FRFC is the managing member of FirstCal Industrial, LLC ("FirstCal"); and FirstCal is the sole member of FR/Cal Moreno Valley, LLC ("Moreno"). Accordingly, the Corporation, through FILP, FIDS, FRFC and FirstCal, has the authority to cause Moreno to enter into any and all agreements in connection with improvements to be made on or about a total of approximately 54 acres (acquired in 3 parcels of 35.97, 9.53 and 9.1 acres) in Moreno Valley, California at Indian Avenue, San Michele Avenue and Nandina Avenue, including, without limitation, that certain Improvement and Reimbursement Agreement (Transportation Uniform Mitigation Fee Program) with the City of Moreno Valley (the "Agreement").

3. The following are duly authorized signatories of the Corporation and its subsidiaries, including, without limitation, FirstCal and Moreno, with full authority to execute the Agreement and any documents ancillary thereto:

Title	Name
Senior VP Development	Phil Bowman
Regional Development Officer	Matt Englhard

IN WITNESS WHEREOF, I have signed this Certificate this 18th day of September 2007.

John H. Clayton, Secretary

Sworn to and subscribed before
me this 18th day of September 2007.

Notary Public
My Commission Expires:

OFFICIAL SEAL
FAY LOCKWOOD
NOTARY PUBLIC - STATE OF ILLINOIS
MY COMMISSION EXPIRES:09/20/10

CertificateofAuthority(FR-Cal Moreno Valley (Bowman-Englhard) 9-18-07)

Delaware

The First State

I, HARRIET SMITH WINDSOR, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF FORMATION OF "FR/CAL MORENO VALLEY, LLC", FILED IN THIS OFFICE ON THE ELEVENTH DAY OF APRIL, A.D. 2006, AT 2:52 O'CLOCK P.M.

4140538 8100

060339861

Harriet Smith Windsor

Harriet Smith Windsor, Secretary of State

AUTHENTICATION: 4660762

DATE: 04-11-06

State of Delaware
Secretary of State
Division of Corporations
Delivered 02:48 PM 04/11/2006
FILED 02:52 PM 04/11/2006
SRV 060339861 - 4140538 FILE

CERTIFICATE OF FORMATION

FR/CAL MORENO VALLEY, LLC

The undersigned, an authorized person, for the purpose of forming a limited liability company, under the provisions and subject to the requirements of the State of Delaware (particularly Chapter 18, Title 6 of the Delaware Code and the acts amendatory thereof and supplemental thereto, and known, identified, and referred to as the "Delaware Limited Liability Company Act"), hereby certifies that:

ARTICLE I. The name of the limited liability company is FR/Cal Moreno Valley, LLC (the "Company").

ARTICLE II. The address of the registered office and the name and the address of the registered agent of the limited liability company required to be maintained by Section 18-104 of the Delaware Limited Liability Company Act are Corporation Service Company, 2711 Centerville Road, Suite 400, Wilmington, Delaware, County of New Castle, 19808.

ARTICLE III. The debts, obligations and liabilities of the Company, whether arising in contract, tort or otherwise, shall be solely the debts, obligations and liabilities of the Company; and no member or manager of the Company shall be obligated personally for any such debt, obligation or liability of the Company solely by reason of being a member or acting as a manager of the Company.

ARTICLE IV. The Company may establish one or more designated series of members, managers or membership interests. In the event said series are established, then the debts, liabilities, and obligations and expenses incurred by, contracted for or otherwise existing with respect to a particular series shall not be enforceable against the assets of any other series or the assets of the Company generally, and none of the debts, liabilities, and obligations and expenses incurred by, contracted for or otherwise existing with respect to the Company generally or any other series shall be enforceable against the assets of such series.

Dated as of the 11th day of April, 2006.

By: Rondi C. Simmons
Rondi C. Simmons, Authorized Person

347080_1.DOC

State of California
Secretary of State

I, BRUCE McPHERSON, Secretary of State of the State of California, hereby certify:

That the attached transcript of 2 page(s) has been compared with the record on file in this office, of which it purports to be a copy, and that it is full, true and correct.

IN WITNESS WHEREOF, I execute this certificate and affix the Great Seal of the State of California this day of

APR 14 2006

BRUCE McPHERSON
Secretary of State

State of California
Secretary of State

File # 200610410073

LIMITED LIABILITY COMPANY APPLICATION FOR REGISTRATION

ENDORSED - FILED
In the office of the Secretary of State of the State of California

APR 13 2006

This Space For Filing Use Only

A $70.00 filing fee AND a certificate of good standing from an authorized public official of the jurisdiction of formation must accompany this form.

IMPORTANT – Read instructions before completing this form.

ENTITY NAME (End the name in item 1 with the words "Limited Liability Company," "Ltd. Liability Co." or the abbreviations "LLC" or "L.L.C.")

1. NAME UNDER WHICH THE FOREIGN LIMITED LIABILITY COMPANY PROPOSES TO REGISTER AND TRANSACT BUSINESS IN CALIFORNIA
   PR/Cal Moreno Valley, LLC
2. NAME OF THE FOREIGN LIMITED LIABILITY COMPANY, IF DIFFERENT FROM THAT ENTERED IN ITEM 1 ABOVE

DATE AND PLACE OF ORGANIZATION

3. THIS FOREIGN LIMITED LIABILITY COMPANY WAS FORMED ON 04 (MONTH) - 11 (DAY) - 06 (YEAR) IN Delaware (STATE OR COUNTRY)
   AND IS AUTHORIZED TO EXERCISE ITS POWERS AND PRIVILEGES IN THAT STATE OR COUNTRY.

AGENT FOR SERVICE OF PROCESS (If the agent is an individual, the agent must reside in California and both items 4 and 5 must be completed. If the agent is a corporation, the agent must have on file with the California Secretary of State a certificate pursuant to Corporations Code section 1505 and item 4 must be completed (leave item 5 blank).

4. NAME OF AGENT FOR SERVICE OF PROCESS
   Corporation Service Company which will do business in California as CSC-Lawyers Incorporating Service
5. IF AN INDIVIDUAL, ADDRESS OF INITIAL AGENT FOR SERVICE OF PROCESS IN CALIFORNIA — CITY — STATE: CA — ZIP CODE

APPOINTMENT (The following statement is required by statute and may not be altered.)

6. IN THE EVENT THE ABOVE AGENT FOR SERVICE OF PROCESS RESIGNS AND IS NOT REPLACED, OR IF THE AGENT CANNOT BE FOUND OR SERVED WITH THE EXERCISE OF REASONABLE DILIGENCE, THE SECRETARY OF STATE OF THE STATE OF CALIFORNIA IS HEREBY APPOINTED AS THE AGENT FOR SERVICE OF PROCESS OF THIS FOREIGN LIMITED LIABILITY COMPANY.

OFFICE ADDRESSES (Do not abbreviate the name of the city.)

7. ADDRESS OF THE PRINCIPAL EXECUTIVE OFFICE — CITY AND STATE: Chicago, Illinois — ZIP CODE: 60606
   311 South Wacker Drive, Suite 4000
8. ADDRESS OF THE PRINCIPAL OFFICE IN CALIFORNIA, IF ANY — CITY — STATE: CA — ZIP CODE

EXECUTION

9. I DECLARE I AM THE PERSON WHO EXECUTED THIS INSTRUMENT, WHICH EXECUTION IS MY ACT AND DEED.

Rondi C. Simmons — SIGNATURE OF AUTHORIZED PERSON

April 11, 2006 — DATE

Rondi C. Simmons — TYPE OR PRINT NAME OF AUTHORIZED PERSON

Authorized Person — TITLE OF AUTHORIZED PERSON

RETURN TO (Enter the name and the address of the person or firm to whom a copy of the filed document should be returned.)

10. NAME
    FIRM
    ADDRESS
    CITY/STATE/ZIP

APPROVED BY SECRETARY OF STATE

LLC-5 (REV 03/2005)

Delaware

The First State

I, HARRIET SMITH WINDSOR, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY "FR/CAL MORENO VALLEY, LLC" IS DULY FORMED UNDER THE LAWS OF THE STATE OF DELAWARE AND IS IN GOOD STANDING AND HAS A LEGAL EXISTENCE SO FAR AS THE RECORDS OF THIS OFFICE SHOW, AS OF THE ELEVENTH DAY OF APRIL, A.D. 2006.

AND I DO HEREBY FURTHER CERTIFY THAT THE SAID "FR/CAL MORENO VALLEY, LLC" WAS FORMED ON THE ELEVENTH DAY OF APRIL, A.D. 2006.

AND I DO HEREBY FURTHER CERTIFY THAT THE ANNUAL TAXES HAVE NOT BEEN ASSESSED TO DATE.

OFFICE OF THE SECRETARY OF STATE

4140538 8300

060339861

Harriet Smith Windsor

Harriet Smith Windsor, Secretary of State

AUTHENTICATION: 4660763

DATE: 04-11-06

Item No. A.14

LIMITED LIABILITY COMPANY AGREEMENT

OF

FR/CAL MORENO VALLEY, LLC

This Limited Liability Company Agreement (this "Agreement") of FR/Cal Moreno Valley, LLC, is entered into on April 11, 2006 by FirstCal Industrial, LLC, a Delaware limited liability company, as the member (the "Member").

The Member hereby forms a limited liability company pursuant to and in accordance with the Delaware Limited Liability Company Act (6 Del.C. §18-101, et seq.), as amended from time to time (the "Act"), and hereby agrees as follows:

1. Name. The name of the limited liability company formed hereby is FR/Cal Moreno Valley, LLC (the "Company").

2. Purpose. The Company is formed for the object and purpose of, and the nature of the business to be conducted and promoted by the Company is, engaging in any lawful act or activity for which limited liability companies may be formed under the Act and engaging in any and all activities necessary or incidental to the foregoing.

3. Registered Office. The address of the registered office of the Company in the State of Delaware is Corporation Service Company, 2711 Centerville Road, Suite 400, Wilmington, New Castle County, Delaware 19808.

4. Registered Agent. The name and address of the registered agent of the Company for service of process on the Company in the State of Delaware is Corporation Service Company, 2711 Centerville Road, Suite 400, Wilmington, Delaware 19808.

5. Member. The name and the business address of the Member are as follows:

Name	Address
FirstCal Industrial, LLC	311 South Wacker Drive Suite 4000 Chicago, Illinois 60606

6. Powers. The business and affairs of the Company shall be managed by the Member. The Member shall have the power to do any and all acts necessary or convenient to, or for the furtherance of, the purposes described herein, including all powers, statutory or otherwise, possessed by members under the laws of the State of Delaware. Notwithstanding any other provisions of this Agreement, any officer or authorized signatory of the Member, acting alone, is authorized to execute and deliver any document on behalf of the Company without any vote or consent of any other person.

Each of Rondi Simmons (for so long as she is an employee of Barack Ferrazzano Kirschbaum Perlman & Nagelberg LLP, counsel to the Member) or Scott Musil, acting individually, is hereby designated as an authorized person, within the meaning of the Act, to execute, deliver and file the certificate of formation of the Company (and any amendments and/or restatements thereof) and any other certificates (and any amendments and/or restatements thereof) necessary for the Company to qualify to do business in a jurisdiction in which the Company may wish to conduct business.

7. Dissolution. The Company shall dissolve, and its affairs shall be wound up upon the first to occur of the following: (a) December 31, 2050, (b) the written consent of the Member, (c) the bankruptcy or dissolution of the Member, (d) the occurrence of any other event that terminates the continued membership of the Member in the Company, or (e) the entry of a decree of judicial dissolution under Section 18-802 of the Act.

8. Capital Contributions. The Member has contributed the sum of $100.00, in cash, and no other property, to the Company.

9. Additional Contributions. The Member is not required to make any additional capital contribution to the Company.

10. Allocation of Profits and Losses. All of the Company's profits and losses shall be allocated to the Member.

11. Distributions. All distributions shall be made to the Member at the times and in the aggregate amounts determined by the Member.

12. Assignments. The Member may freely assign its limited liability company interest, whether in whole or in part.

13. Resignation. The Member may not resign from the Company.

14. Admission of Additional Members. One (1) or more additional members of the Company may be admitted to the Company, with the consent of the Member.

15. Liability of Members. The Member shall not have any liability for the obligations or liabilities of the Company, except to the extent provided in the Act.

16. Governing Law. This Agreement shall be governed by, and construed under, the laws of the State of Delaware, all rights and remedies being governed by said laws.

IN WITNESS WHEREOF, the undersigned, intending to be legally bound hereby, has duly executed this Limited Liability Company Agreement as of the date first written above.

MEMBER:

FirstCal Industrial, LLC, a Delaware limited liability company

By: FR FirstCal, LLC, a Delaware limited liability company, its managing member

By: First Industrial Development Services, Inc., a Maryland corporation, its sole member

By: _____
Name: John Clayton, Secretary

LEGAL DESCRIPTION
TENTATIVE PARCEL MAP NO. 35150 (PA06-0152 & PA06-0153)
PERTAINING TO AGREEMENT FOR DEPOSIT OF CASH SECURITY TO DEFER PAYMENT OF DIF AND TUMF OBLIGATION

SAID TENTATIVE PARCEL MAP NO. 35150, BEING A DIVISION OF PARCELS 1, 2, 3 AND 4 AND LOT "B" (SAN MICHELE ROAD), OF PARCEL MAP NO. 16849 AS SHOWN BY MAP ON FILE IN BOOK 107 OF PARCEL MAPS AT PAGE 71 AND 72, AND LOT 13 AND A PORTION OF LOT 14 IN BLOCK 1 OF RIVERSIDE ALFALFA ACRES, IN THE CITY OF MORENO VALLEY, AS SHOWN BY MAP ON FILE IN BOOK 8 OF MAPS AT PAGE 21, BOTH RECORDS OF RIVERSIDE COUNTY, CALIFORNIA, LYING WITHIN SECTION 31, T. 3 S., A. 3 W., S.B.M.

W:\LandDev\Lee Ann\E-mail pending\35150\2-29-08 LEGAL DESCRIPTION.doc

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ORDINANCE NO. 832

AN ORDINANCE OF THE CITY OF MORENO VALLEY ELECTING TO COMPLY WITH AND PARTICIPATE IN THE ALTERNATIVE VOLUNTARY REDEVELOPMENT PROGRAM CONTAINED IN PART 1.9 OF DIVISION 24 OF THE CALIFORNIA HEALTH AND SAFETY CODE

WHEREAS, the Community Redevelopment Agency of the City of Moreno Valley, ("Agency") is a community redevelopment agency organized and existing under the California Community Redevelopment Law, Health and Safety Code Sections 33000, *et seq.* ("CRL") and has been authorized to transact business and exercise the powers of a redevelopment agency pursuant to action of the City Council ("City Council") of the City of Moreno Valley ("City"); and

WHEREAS, the Agency was established pursuant to the Redevelopment Law. The Agency was activated on February 18, 1986, by City Ordinance No. 50. The City Council adopted and approved the Redevelopment Plan for the Project Area by Ordinance 87-154 of the City on December 29, 1987 (the "Original Plan"), as subsequently amended by Ordinance No. 448 of the City adopted January 10, 1995, Ordinance No. 556 of the City adopted December 14, 1999, and Ordinance No. 732 adopted December 19, 2006 (as so amended, the "Amended Redevelopment Plan", the area of which is referred to herein as the "Project Area"); and

WHEREAS, Parts 1.8, 1.85 and 1.9 of Division 24 of the Health and Safety Code were added to the CRL by ABX1 26 and ABX1 27, which measures purport to become effective immediately. ABX1 26 and ABX1 27, which are trailer bills to the State Fiscal Year 2011-12 budget bills, were approved by both houses of the Legislature on June 15, 2011 and signed by the Governor on June 28, 2011; and

WHEREAS, Part 1.85 of the CRL ("Part 1.85") provides for the statewide dissolution of all redevelopment agencies, including the Agency, as of October 1, 2011, and provides that, thereafter, a successor agency to administer the enforceable obligations of the Agency and otherwise wind up the Agency's affairs, all subject to the review and approval by an oversight committee; and

WHEREAS, Part 1.8 of the CRL ("Part 1.8") provides for the restriction of activities and authority of the Agency in the interim period prior to dissolution to certain "enforceable obligations" and to actions required for the general winding up of affairs, preservation of assets, and certain other goals delineated in Part 1.8; and

WHEREAS, the dissolution of the Agency would be detrimental to the health, safety, and economic well-being of the residents of the City and cause irreparable harm

to the community, because, among other reasons, the redevelopment activities and projects made possible, implemented, and funded by the Agency are highly significant and of enduring benefit to the community and the City, and are a critical component of its future; and

WHEREAS, Part 1.9 of the CRL ("Part 1.9") provides that a redevelopment agency may continue in operation if a city or county that includes a redevelopment agency adopts an ordinance agreeing to comply with and participate in the Alternative Voluntary Redevelopment Program established in Part 1.9 ("Program"); and

WHEREAS, as a condition of the Agency's continued existence and operation of its redevelopment agency, the City is required to make certain annual remittances to the county auditor-controller pursuant to Chapter 3 of Part 1.9, beginning with a larger upfront remittance for the 2011-2012 fiscal year ("First Remittance"), to be paid in two equal installments on January 15, 2012 and May 15, 2012; and

WHEREAS, the City will have sufficient moneys and revenues to fund an amount equal to the City's payment of the First Remittance and expects to have sufficient moneys and revenues to fund the subsequent annual remittances required by Part 1.9; and

WHEREAS, the City's needs are such that it can commit to spend the funds received from the Agency pursuant to an Agreement to Transfer Tax Increment (defined below) to finance activities within the Redevelopment Project that are related to accomplishing the goals of the Redevelopment Project, including without limitation: (i) the elimination and prevention of the spread of blight and deterioration and the conservation, rehabilitation and redevelopment of the Project Area in accord with the General Plan, specific plans, the Redevelopment Plan and local codes, ordinances following exactly the State and Federal Redevelopment Laws; (ii) the promotion of new and continuing private sector investment within the Project Area to prevent the loss of and to facilitate the capture of commercial sales activity, including the development of a regional mall within the Project Areas and the creation of a regional public transportation center and facilities, auto center arid freeway frontage roads; (iii) the achievement of an environment reflecting a high level of concern for architectural, landscape, and urban design and land use principles appropriate for both business and residential areas to help achieve the objectives of the Redevelopment Plan by encouraging and assisting the cooperation and participation of owners, businesses and public agencies in the revitalization of the Project Area; (iv) maximizing the tax base; (v) adding and upgrading interchanges; (vi) the retention and/or expansion of as many existing businesses as possible by means of redevelopment and rehabilitation activities and by encouraging and assisting the cooperation and participation of owners, businesses and public agencies in the revitalization of the Project Area; (vii) increasing revenues to the City of Moreno Valley; (viii) creating and developing local job opportunities and the preserving

and expanding of the City's existing employment base; (ix) improving certain environmental deficiencies, such as substandard traffic circulation patterns to have all streets, roads and intersections to be the best possible level of service; inadequate water, sewer and storm drainage systems; and insufficient off-street commercial parking, and utility deficiencies adversely affecting the Project Area; (x) improving the community's supply of housing, including opportunities for low and moderate-income households and providing improved park land that is easily, and safely accessible to these residents; (xi) increasing revenues for adequate public services and facilities, including but not limited to, fire protection, parks and recreation, libraries, bike and equestrian trails; (xii) provision of transportation improvements; (xiii) retention and expansion of business activities; (xiv) improvement of environmental deficiencies, such as substandard traffic circulation patterns, inadequate water, sewer and storm drainage systems, insufficient commercial parking and utility deficiencies; (xv) increasing revenues for adequate public services and facilities, including but not limited to fire protection, parks and recreation, libraries, and bike and equestrian trails; and (xvi) creating a balanced community; and

WHEREAS, the City and Agency intend to execute an agreement pursuant to CRL Section 34194.2, whereby the Agency shall make an initial transfer of a portion of its tax increment to the City in an amount equal to the First Remittance, and thereafter to transfer amounts of tax increment equal to any subsequent remittance which the City is required to make to the county auditor-controller pursuant to the City's participation in the Program ("Agreement to Transfer Tax Increment"); and

WHEREAS, the City is aware that the validity, passage, and applicability of ABX1 26 and ABX1 27 may become the subject of a judicial challenge; and

WHEREAS, the City, by the adoption of this Ordinance, does not represent, disclaim, or take any position whatsoever on the issue of the validity of ABX1 26 or ABX1 27, but rather the City seeks to comply with the Constitution and laws of the State of California, including Part 1.9, in order to preserve the ability of the Agency to continue to operate and thereby benefit the community; and

WHEREAS, the City is the lead agency concerning this Ordinance pursuant to the California Environmental Quality Act (codified as Public Resources Code Sections 21000 *et seq*) ("CEQA") and the State CEQA Guidelines; and

WHEREAS, City staff has determined that the Ordinance is exempt from CEQA, pursuant to CEQA Guidelines Section 15378 (b)(4), because such authorizations are not considered a project subject to CEQA review. The community remittance is a government funding mechanism and fiscal activity, which does not involve any

commitment to any specific project which may result in a potentially significant environmental impact; and

WHEREAS, the City has duly considered all other related matters and has determined that the City's participation in the Program is in the best interests of the City, and the health, safety, and welfare of its residents, and in accord with the public purposes and provisions of applicable state and local laws and requirements.

WHEREAS, the City reserves the right to appeal the California Director of Finance's determination of the Fiscal Year 2011-12 community remittance, as provided in Health and Safety Code Section 34194; and

WHEREAS, the City understands and believes that an action challenging the constitutionality of AB 1X 26 and AB 1X 27 will be or has been filed on behalf of cities, counties and redevelopment agencies; and

WHEREAS, while the City currently intends to make these community remittances, they shall be made under protest and without prejudice to the City's right to recover such amounts and interest thereon, to the extent there is a final determination that AB 1X 26 and AB 1X 27 are unconstitutional; and

WHEREAS, the City reserves the right, regardless of any community remittance made pursuant to this Ordinance, to challenge the legality of AB 1X 26 and AB 1X 27; and

WHEREAS, to the extent a court of competent jurisdiction enjoins, restrains, or grants a stay on the effectiveness of the Alternative Voluntary Redevelopment Program's payment obligation of AB 1X 26 and AB 1x 27, the City shall not be obligated to make any community remittance for the duration of such injunction, restraint, or stay.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY DOES ORDAIN AS FOLLOWS:

1. The foregoing recitals are true and correct.

2. The City hereby finds that (i) the dissolution of the Agency would be detrimental and cause irreparable harm to the community and to the health, safety, and economic well-being of the citizens of the City, and (ii) the types of activities and projects made possible, implemented, and funded by the Agency are highly significant

and of enduring benefit to the community and the City, and are a critical component of its future.

3. The City hereby ordains that the City, under protest, shall comply with the Constitution and the laws of the State of California, including Part 1.9 of Division 24 of the Health and Safety Code, including the determination of remittance amounts, appeal rights in relation thereto, and the making of the remittances referred to in CRL Section 34194(b) and (c) at the times and in the manner described in Part 1.9, without prejudice to the rights of the City (a) to challenge or join with other entities challenging the validity of the Dissolution Act and the Alternative Voluntary Redevelopment Program, (b) to review and appeal the amounts of community remittances required by the Alternative Voluntary Redevelopment Program, (c) in the event a court of competent jurisdiction grants an injunction or stay enjoining the effectiveness of the Dissolution Act and/or the Alternative Voluntary Redevelopment Program, to withhold community remittances while that injunction or stay is in effect, (d) in the event the Dissolution Act and/or the Alternative Voluntary Redevelopment Program is declared invalid by a court of competent jurisdiction, to obtain a refund of any community remittances paid pursuant to the Alternative Voluntary Redevelopment Program and this Ordinance and this Ordinance will immediately become null and void and have no further force or effect, and (e) to subsequently determine, based on circumstance and information then available to the City Council, including the amounts of required community remittances, that is not in the best interests of the City to continue to participate in the Alternative Voluntary Redevelopment Program, in which case the City Council shall formally repeal this Ordinance and the Agency shall be subject to the Dissolution Act. This Ordinance is that ordinance referred to in CRL Section 34193 and shall be interpreted and applied in all respects so as to fully comply with Part 1.9, to the fullest extent required by law.

4. On or before November 1, 2011, the City Manager is hereby authorized and directed to notify the county auditor-controller, the Controller of the State, and the State Department of Finance that the City agrees to comply with the provisions of Part 1.9 as provided under Section 34193, such notice to be in accordance with CRL Section 34193.1.

5. The City's remittances to the county auditor-controller made pursuant to Part 1.9 may be paid from any legally available funds of the City not otherwise obligated for other uses in accordance with Section 34194.1. Nothing herein is intended or shall be interpreted to require any payments or impose any financial or other obligation of the City other than in accordance with the Constitution and laws of the State of California, including Part 1.9.

6. The City Council determines that approval of this Ordinance exempt from CEQA, pursuant to CEQA Guidelines Section 15378 (b)(4), because such approval is not considered a project subject to CEQA review. The payment is a government funding

mechanism and fiscal activity which does not involve any commitment to any specific project which may result in a potentially significant environmental impact.

7. The City Council hereby authorizes and directs that a Notice of Exemption shall be filed with the Clerk of the Board of Supervisors of the County of Riverside, California, within five (5) working days following the date of adoption of this Ordinance.

8. The City Clerk shall certify to the adoption of this Ordinance and cause it, or a summary of it, to be published once within 15 days of adoption in a newspaper of general circulation printed and published within the City of Moreno Valley, and shall post a certified copy of this Ordinance, including the vote for and against the same, in the Office of the City Clerk in accordance with Government Code § 36933.

9. This Ordinance shall become effective thirty (30) days after the date of the final passage and adoption hereof.

APPROVED AND ADOPTED this 23rd day of August, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

STATE OF CALIFORNIA)
COUNTY OF _____RIVERSIDE) ss
CITY OF MORENO VALLEY)

I, Jane Halstead, City Clerk of the City of Moreno Valley, do hereby certify that the foregoing Ordinance No.____ was duly passed and adopted at a _____ meeting of the City Council of the City of Moreno Valley held on the ____ day of _____, 2011.

Upon motion of City Council Member _____, seconded by City Council Member _____, the foregoing Ordinance No. _____ was duly passed and adopted.

Vote on the motion:

AYES:

NOES:

ABSENT:

ABSTAIN:

IN WITNESS WHEREOF, I have hereunto set my hand and the Official Seal of the City of _____ this _____ day of _____, 2011.

_____
Jane Halstead, City Clerk

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APPROVALS	
BUDGET OFFICER	caf
CITY ATTORNEY	RA
CITY MANAGER	MS

Report to City Council

TO: Mayor and City Council

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

AGENDA DATE: August 23, 2011

TITLE: AWARD THE PURCHASE OF LIGHT EMITTING DIODE (LED) LIGHT ENGINES TO ARCHIPELAGO LIGHTING FOR RETROFITTING EXISTING INTERNALLY ILLUMINATED STREET NAME SIGNS (IISNS) AT SIGNALIZED INTERSECTIONS PROJECT NO. LED-229-80510

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Award the purchase of Light Emitting Diode (LED) light engines for Project No. LED-229-80510 to Archipelago Lighting, 4615 State Street, Montclair, Ca. 91763.

2. Authorize the Purchasing & Facilities Division Manager to execute a Purchase Order to the Archipelago Lighting, 4615 State Street, Montclair, Ca. 91763, in the amount of $156,457.00.00, (Account No. 229.80510.7200).

BACKGROUND

The Energy Efficiency & Conservation Block Grant (EECBG) program offered by U.S. Department of Energy has awarded funding to the City for energy saving projects. The funding is intended to assist cities, counties, states, territories, and Indian tribes to develop, promote, implement, and manage energy efficiency and conservation projects/programs. Emphasis of these programs is to achieve and improve energy efficiency in transportation, building, and other appropriate sectors.

On January 10, 2010, the City Council accepted the EECBG awarded to the City, in the amount of $1,684,300. The retrofitting of Internally Illuminated Street Name Signs (IISNS) with LED light engines is one of the intended uses of the EECBG grant. LED light engines are a proven enhancement to visibility, highway safety, and are

environmentally friendly due to the longevity of the LED. An annual cost saving of approximately 50% is realized with the retrofit of LED light engines. The savings is due to less use of electricity and less maintenance due to life expectancy of the LED.

DISCUSSION

Using the EECBG grant funding, Public Works staff replaced approximately 40% of the existing fluorescent bulbs in the Internally Illuminated Street Name Signs with LED light engines. This retrofit of 69 intersections was completed in October 2010. However, through competitive pricing received on the other energy retrofit related projects; surplus funds are available within the original grant award amount. These additional monies have been designated to complete the IISNS retrofit of the remaining 104 signalized intersections throughout the City.

As prescribed by the Department of Energy grant, formal bidding procedures shall conform to the local agency's Purchasing Ordinance and Public Contract Code. In determining the award, the City's Purchasing Ordinance and the Public Contract Code have been followed. The City Clerk received and opened bids at 2:00 p.m., on Wednesday, June 29, 2011. A total of four (4) bids were received. The lowest bidder's product fails to meet the City's specifications in terms of operating voltage and having a non-integrated power converter. Staff evaluated the product from the lowest bidder but consider that the safety of maintenance staff could be diminished and overall future replacement costs would be higher and therefore that the lowest bidder's product does not meet the City's specification. Therefore, it is the recommendation of staff to accept the bid results from the second lowest bidder, Archipelago Lighting of Montclair, California, as their product meets the specifications and requirements of the City. No outstanding issues were identified through review of the references submitted by the Archipelago Lighting and the vendor is not recorded on the Federal Debarment list.

The anticipated project schedule to complete the retrofit project is December, 2011.

ALTERNATIVES

1. Award the purchase of Light Emitting Diode (LED) light engines for Project No. LED-229-80510 to Archipelago Lighting, 4615 State Street, Montclair, Ca. 91763, and authorize the Purchasing & Facilities Division Manager to execute a Purchase Order to Archipelago Lighting in the amount of $156,457.00, (Account No. 229.80510.7200). *This alternative will allow the project to commence.*

2. Do not award the purchase of Light Emitting Diode (LED) light engines for Project No. LED-229-80510 to the Archipelago Lighting, 4615 State Street, Montclair, Ca. 91763, and do not authorize the Purchasing & Facilities Division Manager to execute a Purchase Order to Archipelago Lighting in the amount of $156,457.00, (Account No. 229.80510.7200) and provide direction to staff. *This alternative will delay the commencement of the project.*

FISCAL IMPACT

Funding for the purchase of LED lamp modules for Project No. LED-229-80510 is included in the awarded Department of Energy EECBG grant and is accounted for in Fiscal Year 2011-2012 (Fund 229) budget. Although the price differential between the first and second lowest bids is $8,118.96, this funding gap will be absorbed by the grant and there will be no impact to the General Fund.

TOTAL ESTIMATED COSTS FOR PROJECT NO. LED-229-80510

Material Cost (EECBG Grant Funded)	$156,457.00
Installation and Administration by City staff	$0.00
Total Estimated Project Related Costs	$156,457.00

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.

Prepared By
Alan Kashefi, 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

Concurred By
Rix Skonberg
Purchasing & Facilities Division Manager

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	caf
CITY ATTORNEY	RA
CITY MANAGER	MS

Report to City Council

TO: Mayor and City Council

FROM: Sonny Morkus, Human Resources Director

AGENDA DATE: August 23, 2011

TITLE: APPROVAL OF SUCCESSOR MEMORANDA OF UNDERSTANDING BETWEEN THE CITY OF MORENO VALLEY AND THE MORENO VALLEY MANAGEMENT ASSOCIATION AND MORENO VALLEY CONFIDENTIAL MANAGEMENT EMPLOYEES FOR FISCAL YEAR 2011-12

RECOMMENDED ACTION

Staff recommends that the City Council approve the successor Memoranda of Understanding (MOU's) between the City of Moreno Valley and the Moreno Valley Management Association (Attachment A) and Moreno Valley Confidential Management Employees (Attachment B) for Fiscal Year 2011-12.

ADVISORY BOARD/COMMISSION RECOMMENDATION

"Not applicable."

BACKGROUND

During the period of March through August 2011, the City's and labor negotiations team met and conferred with the labor negotiation teams of the Moreno Valley Management Association (MVMA) and the Moreno Valley Confidential Management Employees (MVCME) regarding their successor MOU's for Fiscal Year 2011-12. During the Closed Session of City Council at its Study Session meeting on August 16, 2011, the City Council authorized the City's Chief Negotiator to proceed to finalize and present back to the City Council for approval the successor MVMA MOU and MVCME MOU for Fiscal Year 2011-12. The City's, MVMA's and MVCME's labor negotiations teams have met and conferred on the language of the MOU's, and the attached MOU's are in final format for City Council approval.

DISCUSSION

The following is a summary of the main points that are contained in both the successor MVMA MOU and MVCME MOU for Fiscal Year 2011-12:

- No merit pay increases for current employees.
- Deferral of Cost of Living Adjustment (COLA), and there is no expectation that the COLA will be retroactive.
- Tier III reduced benefits for employees hired on or after September 30, 2011:
  1. Retirement Benefits: 2% @ 55 Benefit and Highest 3 Years Average
  2. Retiree Medical:
     a. Provide access to the City's group rates, guaranteed coverage.
     b. PERS Retiree Medical Insurance City paid access fee.
     c. VEBA increased to $75/mo. for MVMA and MVCEA members.
  3. Cafeteria Benefit Bank Reduction by 25%
     a. Full-time employees: $787.50/mo. and $9,450/yr.
     b. Part-time employees: $318.75/mo. and $3,825/yr.
  4. Annual Leave Reduction
     a. Reduction of Maximum Annual Accrual to 800 hours per year
     b. New accrual rates:

	0-5 Years	6-10 Years	11+ Years
PAM	234	274	314
Division Mgmt	252	292	332
PAM Confidential	250	290	330
Div Mgmt Confidential	252	302	332
Exec Mgmt	256	296	336

- Retiree Medical Vesting Period for current MVMA and MVCME members:
  - Increase vesting period from 2 years to 5 years for Tier I
  - Increase vesting period from 2 years to 5 years for Tier II
- Continuation of work schedule reduction furlough (4/9 work week).
- Extension of the recall period from 2 to 3 years effective with the June 30, 2011 layoffs.
- Closure of City offices between Christmas and New Year's.
- All new employees are required to have direct deposit for payroll or to apply for this service through the City's bank; if they are accepted they agree to participate, if denied this requirement will be waived.
- Correct Personnel Rules reference to IRS Section 414 (h) (2) for pretax payments of employees' member contribution to PERS for new hires on or after July 1, 2009.
- City will include an exemption in the PERS Contract for temporary employees for new hires within the classifications of Crossing Guard and Recreation Aide.
- Extension of the current MVMA MOU and MVCME MOU through August 23, 2011.
- Provide an additional $50/month to MVMA and MVCME members for family medical insurance Premiums beginning on January 1, 2012.
- Move the Risk Division Manager from the MVMA bargaining unit to the MVCME bargaining unit.

- Develop long-term strategies to implement merit pay increases after economic recovery.
- Review rehire procedure and rehire compensation levels.

The only item in the MVCME MOU that is not in the MVMA MOU is the application of seniority as the first factor for decisions regarding layoff order and recall order in the Layoff/Recall Policy for MVCME bargaining unit members. For MVMA bargaining unit members, the policy will remain in effect and apply as it was in place on July 1, 2011, except for the deletion of the January 1, 2012 initiation of use of the "exceeds expectations" and "outstanding" rating categories for order of layoff decisions.

ALTERNATIVES

The action of the City Council to approve the attached MVMA MOU and MVCME MOU will fulfill the City's employer/employee relations resolution with the Moreno Valley Management Association and Moreno Valley Confidential Management Employees.

FISCAL IMPACT

The cost to the City to provide an additional $50.00 per month to MVMA and MVCME members for family medical insurance premiums effective January 1, 2012, is estimated to be approximately $10,200.00 for Fiscal Year 2011-12. However, the overall net savings to the City due to the reduction of benefits for newly hired employees beginning on September 30, 2011, is expected to result in approximately $9,600.00 annual savings per employee. The expected overall savings to the City for Fiscal Year 2011-12 is expected to exceed the cost of providing the additional $50.00 per month for MVMA and MVCME members for family medical insurance premiums.

CITY COUNCIL GOALS

The action of the City Council to approve the attached resolution will contribute to one of the City Council's goals, i.e. "Positive Environment: Create a positive environment for the development of Moreno Valley's future."

NOTIFICATION

The Moreno Valley Management Association and the Moreno Valley Confidential Management Employees have been notified of the staff report and staff recommendation for City Council to approve the attached successor MVMA MOU and MVCME MOU for Fiscal Year 2011-12. Copies of this staff report and attached MVMA MOU and MVCME MOU were sent to the employee associations, and they concur with the recommended City Council action.

ATTACHMENTS/EXHIBITS

Attachment A is the successor MVMA MOU for Fiscal Year 2011-12.
Attachment B is the successor MVCME MOU for Fiscal Year 2011-12.

Prepared and Approved By:

Sonny Morkus
Human Resources Director

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

MEMORANDUM OF UNDERSTANDING
BETWEEN
THE CITY OF MORENO VALLEY AND THE
MORENO VALLEY CONFIDENTIAL MANAGEMENT EMPLOYEES

The agreement entered into between the City of Moreno Valley and those employees designated as "Confidential Management" (MVCME) covers provisions related to Fiscal Year 2011-12. The following is a list of provisions agreed to between the parties.

1. TERM

The term of this agreement shall be July 1, 2011 through June 30, 2012.

2. INSURANCE

Effective January 1, 2012, employees who are hired prior to September 30, 2011, are enrolled in the City's CalPERS medical insurance program, have family coverage and are covered by this agreement will receive an increase of $50.00 per month to the City's flexible benefit contribution for all full time employees.

3. THIRD TIER OF BENEFITS FOR NEW EMPLOYEES

The City and MVCME agree to have a third tier of benefits for new employees hired on or after September 30, 2011 (PERS retirement benefits effective date subject to PERS requirements):

Retirement Benefits:

a. 2% @ 55 Benefit
b. 3 Year Average Pay Calculation
c. Employee pays full 7% - City does not pay any part of employee contribution which eliminates the EPMC benefit (this is consistent with Tier 2)

Cafeteria Benefit Bank:

a. Full-time employees: $787.50/mo. and $9,450/yr.
b. Part-time employees: $318.75/mo. and $3,825/yr.

Management Benefits Differentials:

a. Division Management Confidential: 3%
b. PAM Confidential: 1.5%

Annual Leave Accrual:

a. Maximum Annual Accrual to 800 hours per year

b. New accrual rates:

	0-5 Years	6-10 Years	11+ Years
PAM Confidential	250	290	330
Division Mgmt Conf.	252	302	332

Retiree Medical Revisions

a. Provide access to the City's group rates, guaranteed coverage.

b. PERS Retiree Medical Insurance monthly access fee paid 100% by City

c. City paid VEBA of $75/mo. for PAM Confidential and DM Confidential

4. FURLOUGH

Beginning on July 1, 2011 and ending on June 30, 2012, MVCME unit employees will continue the 10% (208 hours) work furlough that was in effect during fiscal years 2009/10 and 2010/11.

5. HOLIDAY SCHEDULE

City offices will be closed between Christmas and New Years Day. The City will grant 27 hours of Holiday time to full-time MVCEA unit employees for 12/23/11, 12/26/11, and 1/1/12 for those accruing leave, at a rate of 9 hours per day. Employees may apply this Holiday Leave, and/or other leave, to cover their normal workdays during the holiday closing.

6. RETIREMENT BENEFITS

The City will correct the City's Personnel Rules and Regulations reference to IRS Section 414 (h) (2) for pretax payments of employees' member contribution to CalPERS for new hires after on or after July 1, 2009.

MVCME unit employees laid off and on a recall list will be reinstated under the same retirement benefits (including cost sharing levels) when recalled as they were under at the time of lay-off.

The City will amend its contract with CalPERS and revise the City's Personnel Rules and Regulations Sections 14.15, 14.20 and 14.25 to implement a reduction in the retirement benefits, and thereby creating a Tier III. This Tier III includes reduced benefits for employees hired on or after September 30, 2011, as follows:

a. Retirement Benefits Formula: 2% @ Age 55 Benefit and Average of 3 Highest Years of Compensation.

b. Retiree Medical: Provide access to the City's group rates, guaranteed coverage. The City will only pay 100% of the PERS Retiree Medical Insurance monthly access fee for eligible employees. The City will not pay any monthly contribution for medical insurance premium. The City will pay $75.00 per month towards the employees' Voluntary Employees' Benefits Association (VEBA) account for retirement health insurance expenses. Employees do not serve a minimum period of full-time employment with the City, in order to become vested and eligible to use their VEBA account upon retirement.

The following sections of the Personnel Rules reflect the changes agreed to in this MOU:

14.15 POST RETIREMENT MEDICAL BENEFITS

A. Annuity Programs: Effective January 1, 2001, the City of Moreno Valley shall contribute a monthly amount to each non-exempt full-time career employee for an annuity program for 20 years or until termination or retirement, for the purpose of funding retiree medical premiums. New hire probationary employees shall not be eligible to receive the monthly contribution until the successful completion of their probationary period. The effective date of their first contribution will commence the next full month after they have passed probation.

Effective January 1, 2002, after two full years of employment, the monthly contribution to the annuity program shall increase per the negotiated language as approved by City Council. This shall go into effect the next month after their two-year-anniversary date has passed.

Each bargaining unit has selected separate annuity programs.

1. Contributions for the MVCEA bargaining unit are being paid into the Benefit Bank.

   In the event MVCEA ceases to be the recognized representative of bargaining unit employees, the control and administration of this program shall transfer to management and the responsibility for same shall be the exclusive jurisdiction of management.

   Employees may at their option contribute a portion of their compensation to the annuity subject to IRS restrictions through payroll deductions.

2. Contributions for the management bargaining unit are being paid into a Voluntary Employee Beneficiary Trust (VEBA), which manages the investment and distribution of the funds.

B. City Paid Retiree Medical Benefit: Effective January 1, 2001, upon retiring, the City shall pay a minimum of the monthly fee required by PERS for enrollment of retirees. Effective September 30, 2011, employees hired prior to July 1, 2009, who retire under the CalPERS retirement benefits system with a minimum of five full-time years of service with the City, and employees hired on or after July 1, 2009, who retire under the CalPERS retirement benefits system with a minimum of ten full-time years of service with the City, shall be eligible to receive a benefit which is the lesser of the cost of

medical coverage for the retiree and spouse, or the amount stipulated in the following table:

EFFECTIVE DATE	MAXIMUM EMPLOYER CONTRIBUTIONS
January 2, 2009	up to $318.73 per month

To receive the Retiree Medical Benefit, the retiree must submit documentation of payment for medical insurance coverage. Documentation for those enrolled with PERS Health is provided by PERS. In the event of the retiree's death, the surviving spouse continues to be eligible to receive the benefit.

Employees hired on or after September 30, 2011 will not be provided the City paid retiree medical benefit described in the above. For these employees, the City will pay $75.00 per month towards the employees Voluntary Employees' Benefits Association (VEBA) account for retirement health insurance expenses. Employees do not serve a minimum years of full-time employment with the City, in order to become vested and eligible to use their VEBA account upon retirement.

14.20 PERS MEDICAL COVERAGE FOR RETIREES

All employees who retire under both the City of Moreno Valley and CalPERS retirement benefits system are eligible to participate in the CalPERS medical insurance program under the Public Employees Medical and Hospital Care Act (PEMCHA), and the City pays the monthly minimum fee required for each retired City of Moreno Valley employee who participates in PEMCHA.

The City shall contribute a monthly employer fee (access fee) for retiree medical coverage with the Public Employees Retirement System (PERS), per negotiated contract language as approved by City Council. Retirees must convert to Medicare at age 65.

14.25 CITY RETIREMENT PLAN

The City provides retirement benefits for all employees through the Public Employees Retirement System (PERS). The City pays both the employee's and employer's contributions into the plan for employees hired prior to July 1, 2009. Employees hired on or after July 1, 2009 pay their own employee's contribution into the plan, under the provisions of Internal Revenue Code Section 414 (h) (2) for pretax contributions. This does not apply to promotional hires, whose original hire date was prior to July 1, 2009. At its option, the City may change its retirement system provider upon adoption by the City Council. Prior to any changes in retirement benefits, those eligible for retirement must be notified at least 30 days in advance. Current retirement benefits are available as follows:

A. Career Full-time Employees hired prior to July 1, 2009 receive fully-paid PERS retirement benefits. Career Full-time Employees hired on or after July 1, 2009 pay for their own employee's contribution for PERS retirement benefits, under the provisions of Internal Revenue Code Section 414 (h) (2) for pretax contributions, and at no point will the employer pay any portion of the employee's contribution.

B. Career Part-time Employees hired prior to July 1, 2009 receive fully paid PERS retirement benefits after 1,000 hours. Before that point, the employee will have the employee's portion deducted from salary. Career Part-time Employees hired on or after July 1, 2009 pay for their own employee's contribution for PERS retirement benefits, under the provisions of Internal Revenue Code Section 414 (h) (2) for pretax

contributions, and at no point will the employer pay any portion of the employee's contribution.

C. Part-time/Seasonal, Temporary Employees, and Crossing Guards who are not eligible for PERS, are required to contribute 7.5% of earnings to a PST "457" deferred compensation program. Contributions to this plan will be made through payroll deduction. Employees are eligible for participation in the PERS retirement plan after 1,000 hours worked in a fiscal year; however, they are responsible for the cost of their employee portion of PERS payment.

PERS refunds may be issued ONLY if the member has permanently separated from all PERS-covered or reciprocal employment. Or, if members have been on an unpaid leave of absence for at least six (6) months, they may request a refund of their contributions prior to returning to active employment.

D. Any employee hired prior to July 1, 2009, if promoted on or after July 1, 2009, will still be eligible for all benefit rates provided for employees hired prior to July 1, 2009 for the bargaining unit the employee is in on or after July 1, 2009.

Although the affected positions are not in the MVCME bargaining unit, the MVCME acknowledge and agree with the City amending the PERS Contract to exempt from PERS membership Recreation Aides and Crossing Guards.

7. DIRECT DEPOSIT FOR PAYROLL

Effective July 1, 2011, all new employees will be required to have direct deposit for payroll, or to apply for this service through the City's bank; if they are accepted by the City's bank, they agree to participate. If the employee is denied this service by the City's bank, the direct deposit requirement for payroll will be waived.

8. RISK DIVISION MANAGER ADDED TO BARGAINING UNIT

The City may move the Risk Division Manager from MVMA to MVCME with same pay and receive individual benefits of the Division Manager or Confidential Unit group, whichever is higher, effective September 2, 2011.

9. LAYOFF, REDUCTION IN FORCE, RECALL

The City will revise the Personnel Rules and Regulations Section 3.45, in order to implement seniority as the main basis for the order of layoff and recall, and extension of the recall period from 2 to 3 years effective with the June 30, 2011 layoffs. Policy change to be effective for layoffs and recalls.

The City will maintain adherence to the elimination of temporary employees and consultants prior to layoff of full-time career employees when possible.

In the event of reduction in force, no new employees will be hired until employees on a recall list or scheduled for a layoff who are available, possessing the required, qualifications and capable and of performing the

assignments of the position being filled have been offered the assignment (position).

MVCME unit employees to be laid off or on a recall list shall be afforded cross-training necessary to allow him/her to fill a vacant position for which they generally meet the minimum qualifications. Please see Attachment A.

12. MERIT PAY

The City and MVCME agree that merit pay increases will not be provided to employees who are covered by this agreement during the term of this agreement.

Any merit pay increase frozen for employees during the entire period of FY 2008/2009 through FY 2011/12, are not to be retroactively credited, owed or otherwise be held for the future or credit, and are therefore forfeited and terminated. The City may, however, decide to implement merit pay increases for employees when the City can afford to do so, subject to the meet and confer process.

13. COST OF LIVING ADJUSTMENT

The City and MVCME agree that no Cost of Living Adjustment (COLA) pay increases will be provided to employees who are covered by this agreement during the term of this agreement. A 2% COLA pay increase is being deferred for employees who are covered by this agreement during the term of this agreement.

Any COLA increases deferred for employees during the entire period of FY 2008/2009 through FY 2011/12, are not to be retroactively credited, owed or otherwise be held for the future or credit, and are therefore forfeited and terminated. The City may, however, decide to implement COLA's pay increases for employees when the City can afford to do so, subject to the meet and confer process.

14. MATTERS FOR FOLLOW-UP DISCUSSION

The City and MVCEA agree to meet during Fiscal Year 2011-12 to discuss the following two items: 1) Develop long-term strategies to fairly implement merit pay increases after the City's economic and budget recovery; and 2) Review the rehire procedure and rehire compensation levels.

15. ASSOCIATION MEETINGS

The Association may hold two regular meetings annually with its members during regular business hours. Additional meetings to discuss changes to the existing labor contract raised during the fiscal year would be granted,

as necessary. These additional meetings would be held above and beyond the two regular meetings.

14. PREVIOUS MOU PROVISIONS

All other provisions of the contract would remain the same as detailed in the Fiscal Year 2010-11 memorandum of understanding.

15. PARITY

During the term of this agreement, MVCME shall have the right to incorporate into this agreement any elements of Memoranda of Understanding entered into between the City of Moreno Valley and any of its other bargaining units as specified in the previous agreement.

16. RATIFICATION AND EXECUTION

The City and MVCME acknowledge that this Memorandum of Understanding shall not be in full force and effective until ratified by the bargaining unit and signed by the Mayor and City Manager of the City of Moreno Valley. Subject to the foregoing, this Memorandum of Understanding is hereby executed by the authorized representatives of the City and Association, and entered into this 23rd day of August 2011. The MVCME MOU for Fiscal Year 2010/11 will remain in effect, pending approval by City Council of the successor MVCME MOU.

CITY OF MORENO VALLEY

Richard Stewart, Mayor

Henry Garcia,
City Manager

Michelle Dawson,
Assistant City Manager

Richard Teichert,
Financial & Administrative
Service Director

Sonny Morkus,
Human Resources Director

MVCMA

Bridgette Montgomery, MVCME

Carol Vasquez, MVCME

3.45 LAYOFFS/REDUCTION-IN-FORCE/RECALL

The City Manager may lay off permanent and probationary workers at any time for lack of work, budgetary reasons, technological changes, or other City actions that necessitate a reduction in the work force. At least four weeks notice shall be given to any employee who is to be laid off. At the City Manager's discretion, a demotion or transfer to another department or classification may be made to prevent a layoff provided the employee is qualified by education and/or experience and is capable of performing the duties of the classification. The Department Heads, in consultation with the Human Resources Director, and as approved by the City Manager, will effect the layoffs.

Reduction in Force:

When it becomes necessary to reduce the work force in the City, the City Manager shall designate the job classification, division, department, or other organizational unit in order to effect a reduction in the work force. Contract, temporary, seasonal, or initial probationary employees in the same job classification as ones proposed to be reduced within the City shall be laid off first. Probationary promotional employees who are laid off shall be returned to their former classification. Employees who accept lower positions or transfers in lieu of lay-off shall be placed at a pay level within the salary range of the new position, which yields a salary closest to current salary.

Order of Layoff for MVCEA and MVCME Employees:

Effective July 1, 2011, the order of layoff of MVCEA and MVCME career employees shall be made in accordance with a system which favors retention of the employees with the most seniority, based upon evaluation of the following factors in the listed order of implementation:

A. Seniority (length of service in a career position):

1. in the city
2. in the classification
3. in the department

For MVCEA and MVCME employees who are equal in seniority, as established in A 1 though 3 above, preference will be given to those with higher overall performance reviews during the past twelve months, then free of disciplinary action during the past twelve months and then proof of honorable military discharge.

Order of Layoff for MVMA Employees:

The order of layoff of MVMA unit career employees shall be made in accordance with a system which favors retention of the more meritorious employees, based upon evaluation of the following factors in the listed order of implementation:

A. An overall rating of "unsatisfactory" or "needs improvement" on the most recent performance evaluation once finalized and filed in Human Resources except

when an employee has less than one year seniority with the City. In that case, only seniority will be used.

B. Documented disciplinary actions during the preceding twelve (12) months.

C. Seniority (length of service in a career position):

1. in the city
2. in the classification
3. in the department

For MVMA employees who are equal in performance and seniority, as established in A-C above, preference will be given to those with proof of honorable military discharge.

Seniority:

Seniority is determined from the day of official appointment to a City department as a career employee, provided that any career employee, who, as a result of promotion, transfer, or voluntary demotion, is appointed to a career position in another department, shall for purposes of layoff, carry seniority previously acquired over to the new department.

Seniority shall continue to accrue during periods of Annual Leave, layoff not exceeding three (3) years, any authorized leave of absence of less than three (3) months, or any call to military service for the duration of the call to duty. Seniority shall not accrue during any other break in continuous service.

Other Policies:

The City may call back as a temporary employee, within the first year after layoff, any laid off employee who is on the recall list when the employee is qualified to fill a vacancy of a full-time position.

Any employee who receives an involuntary transfer shall have the option to be reinstated to a vacated position in the classification said employee was involuntarily transferred from for up to six (6) months from the effective date of the involuntary transfer in the event of layoff.

An employee who chooses to terminate and have his/her name placed on the Reinstatement List under this section shall notify the department in writing of his/her decision at least three (3) working days prior to the effective date of reassignment. Such termination shall be on the same date as the reassignment would have been effective.

Recall List:

The name of every career employee who is laid off, transfers, or elects to demote to a formerly held classification in the same department for longer than one pay period due to a Reduction-in-Force, shall be placed on the Recall List, except that the names of those MVMA unit employees laid off under Sections A & B under in "Order of Layoff for MVMA Employees" above, shall not be placed on the recall list. Vacancies to be filled within a

department shall be offered, to individuals named on the Recall List who at the time of the Reduction-in-Force, held a position in the same job classification within the department as the vacancy to be filled. Order of recall shall be same as order of layoff.

Individual names may be removed from the Recall List for any of the following reasons:

A. The expiration of three (3) years from the date of placement on the list, effective June 30, 2011.

B. Re-employment with the City in a career full-time position in a department other than that from which the employee was laid off.

C. Failure to respond within 14 calendar days of mailing a certified letter regarding availability for employment.

D. Failure to report to work within 14 calendar days of mailing of a certified letter containing a notice of reinstatement to a position, absent mitigating circumstances.

E. Request in writing, including e-mail, to be removed from the list.

Status on Re-employment:

Effective June 30, 2011, a career employee who has been laid off or terminates in lieu of reassignment and is re-employed in a career position within three (3) years from the date of his layoff or termination shall be entitled to:

A. Buy back and thereby restore all or a portion of Annual Leave credited to the employees' account on the date of layoff or termination and at the same rate as it was sold originally. This restoration must be requested in writing within 30 days of returning to work and must be fully paid back within six (6) months of the return to work.

B. Restoration of seniority accrued prior to and accrued during layoff.

C. Credit for all service prior to layoff for the purpose of determining the rate of accrual of Annual Leave.

D. Placement in the salary range as if the employee had been on a leave of absence without pay if he/she is reinstated to the same job classification in the same department from which he/she was laid off or terminated.

E. In accordance with CalPERS regulations, restoration to the same level of CalPERS benefits and City paid member contribution that the employee received prior to being laid off or terminated.

F. Restoration to the same level of flexible benefits (i.e. benefit bank) that the employee received prior to being laid off or terminated.

In the event of a vacancy, if there are no individuals on the recall list who formerly occupied the vacant classification, those individuals on the recall list who possess the

necessary qualifications for the vacant classification shall be eligible for recall to the vacancy. Eligibility order shall be the same as the order of lay-off.

No person from outside City employment shall be hired in a career position in the deleted classification until all those displaced due to layoffs or transfers are recalled to their former classification or one classification lower in the same career ladder as the one in which the employee was laid off.

Continuation of Benefits:

Those who are laid off shall have their medical insurance benefits continued to the end of the second month following the date of their layoff in the event that they are not covered by another medical plan at that time.

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MINUTES - REGULAR MEETING OF JULY 12, 2011 (Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

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APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and City Council, acting in their respective capacity as President and Members of the Board of Directors of the Moreno Valley Community Services District

FROM: Michael McCarty, Director of Parks and Community Services

AGENDA DATE: August 23, 2011

TITLE: **EXTENSION OF CONTRACT** - Approve Second Amendment to Agreement for Contract Mowing of Parks and Easements of Community Services District Zone A and Community Facilities District #1 to DLS Landscape, Inc.

RECOMMENDED ACTION

Staff recommends that the Board of Directors:

1. Approve the Second Amendment to Agreement for contract mowing of parks and easements to DLS Landscape, Inc. of Redlands, CA, in the total amount of $148,680.00; $122,760.00 for Community Services District ("CSD") Zone A and $25,920.00 for Community Facilities District ("CFD") #1, extending contract for an additional one-year period, and;

2. Authorize the President to execute the Second Amendment to Agreement for contract mowing of parks and easements with DLS Landscape, Inc. of Redlands, CA, and;

3. Authorize the Purchasing and Facilities Division Manager to issue open purchase orders to DLS Landscape, Inc., in the amounts of:

   a. ONE HUNDRED TWENTY-TWO THOUSAND SEVEN HUNDRED SIXTY AND NO/100 DOLLARS ($122,760.00) for CSD Zone A for twelve months, and;
   b. TWENTY-FIVE THOUSAND NINE HUNDRED TWENTY AND NO/100 DOLLARS ($25,920.00) for CFD #1 for twelve months.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

On May 11, 2009, the Parks Maintenance Division of the Parks and Community Services Department received valid proposals from six landscape contracting firms in response to its Request for Proposals for the contract mowing of parks and easements in CSD Zone A and CFD #1. On June 9, 2009, upon the recommendation of staff, the Board of Directors of the Moreno Valley Community Services District ("MVCSD") voted to award the contract for Contract Mowing of Parks and Easements 2009-2010 of CSD Zone A and CFD #1 to DLS Landscape, Inc., Redlands, California. The contract amount for the initial twelve-month term was $148,680.00 with the possibility of four, twelve-month extensions. Staff is recommending that DLS Landscape, Inc. be awarded the second of four possible contract extensions, as discussed below.

DISCUSSION

The current contract with DLS Landscape, Inc. expired on June 30, 2011. On July 6, 2011, Parks Maintenance Division staff contacted DLS Landscape, Inc. representatives and discussed extending the term of the vendor's contract for an additional twelve-month term, as allowed by Subsection 11 of the Agreement, as well as Subsection V.B.3 of City Fiscal Policy 3.18. As a result, staff determined that the vendor provided a satisfactory level of service throughout the second term of the contract. Therefore, staff recommends that the Board of Directors of the MVCSD retain the services of DLS Landscape, Inc. and extend the contract for the second of four, twelve-month extensions. The contract amount for the second extension shall remain the same at $148,680.00.

ALTERNATIVES

1. Approve the Second Amendment to Agreement for contract mowing of parks and easements in CSD Zone A and CFD #1 to DLS Landscape, Inc. for an additional one-year period; authorize the President of the Board of Directors of the MVCSD to execute the Second Amendment to Agreement to DLS Landscape, Inc; authorize the Purchase and Facilities Division Manager to issue open purchase orders at the start of Fiscal Year 2011-2012. *Extension of this contract will ensure uninterrupted contract mowing of parks and easements in CSD Zone A and CFD #1.* **Staff recommends this alternative**.

2. Elect not to approve the Second Amendment to Agreement for contract mowing of parks and easements in CSD Zone A and CFD #1 to DLS Landscape, Inc. for an additional one-year period. *Choosing this alternative may disrupt the continuity of contract mowing of parks and easements in CSD Zone A and CFD #1.* **Staff does not recommend this alternative.**

FISCAL IMPACT

The necessary annual purchase orders for the term of this Second Amendment will obligate the CSD to pay a total of $148,680.00 for contract mowing of parks and easements of CSD Zone A and CFD #1. Funding for this project has been approved in the 2011-2012 fiscal budget accounts for CSD Zone A account 161.76310.6261 in the amount of $122,760.00; and CFD #1 account 184.18410.6261 in the amount of $25,920.00.

City Council Goals

By approving this Second Amendment to Agreement with DLS Landscape, Inc., the Board of the MVCSD will continue to promote community image, as well as neighborhood pride and cleanliness, while ensuring that these public facilities are properly cared for.

SUMMARY

Staff recommends that the Board of Directors:

1. Approve the Second Amendment to Agreement for contract mowing of parks and easements to DLS Landscape, Inc. of Redlands, CA, in the total amount of $148,680.00 ($122,760.00 for CSD Zone A and $25,920.00 for CFD #1) extending contract for an additional one-year period, and;
2. Authorize the President to execute the Second Amendment to Agreement for contract mowing of parks and easements with DLS Landscape, Inc. of Redlands, CA, attached hereto, and;
3. Authorize the Purchasing and Facilities Division Manager to issue purchase orders in the amounts of:

    a. ONE HUNDRED TWENTY-TWO THOUSAND SEVEN HUNDRED SIXTY AND NO/100 DOLLARS ($122,760.00) for CSD Zone A for twelve months, and;
    b. TWENTY-FIVE THOUSAND NINE HUNDRED TWENTY AND NO/100 DOLLARS ($25,920.00) for CFD #1 for twelve months.

NOTIFICATION

Publication of the Agenda.

ATTACHMENTS/EXHIBITS

Attachment 1: Second Amendment to Agreement
Attachment 2: First Amendment to Agreement
Attachment 3: Agreement

Prepared By:
Steve Kupsak
Parks Maintenance Division Manager

Department Head Approval:
Michael McCarty, Director
Parks and Community Services

Concurred By:
Name
Title

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

SECOND AMENDMENT TO AGREEMENT

This Second Amendment to Agreement is made and entered into between the Community Services District of the City of Moreno Valley (hereinafter referred to as “CSD”), and DLS Landscape, Inc. (hereinafter referred to as "Contractor"), and is effective the date the CSD signs this Amendment.

Whereas, the CSD and Contractor entered into an Agreement dated June 23, 2009.

Whereas, the Contractor is providing contract mowing of parks and easements in Moreno Valley, California.

Whereas, the Agreement provides for an extension for up to three additional twelve-month periods upon concurrence of both parties.

Whereas, the parties desire to enter into the second twelve-month extension.

Section 1 – Amendment to Agreement.

1.1 The extension period shall commence on July 1, 2011 and finish on June 30, 2012.

Section 2 – Other Terms to Remain.

2.1 Except as otherwise specifically provided in this Amendment, the terms and conditions of the Agreement shall remain in full force and effect.

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

SIGNATURE PAGE TO FOLLOW

Attachment 1

Community Services District of the
City of Moreno Valley

By:_____
President

Date:_____

DLS Landscape, Inc.

By: _____
Daniel Sanchez, President

Date:_____

INTERNAL USE ONLY

ATTEST:

_____
City Clerk

APPROVED AS TO LEGAL FORM:

_____
City Attorney

Date: _____

RECOMMENDED FOR APPROVAL:

_____
Department Head

Date: _____

FIRST AMENDMENT TO AGREEMENT

This First Amendment to Agreement is made and entered into between the Community Services District of the City of Moreno Valley (hereinafter referred to as "CSD"), and DLS Landscape, Inc. (hereinafter referred to as "Contractor"), and is effective the date the CSD signs this Amendment.

Whereas, the CSD and Contractor entered into an Agreement dated June 23, 2009.

Whereas, the Contractor is providing contract mowing of parks and easements in Moreno Valley, California.

Whereas, the Agreement provides for an extension for up to four additional twelve-month periods upon concurrence of both parties.

Whereas, the parties desire to enter into the first twelve-month extension.

Section 1 – Amendment to Agreement.

1.1 The extension period shall commence on July 1, 2010 and finish on June 30, 2011.

Section 2 – Other Terms to Remain.

2.1 Except as otherwise specifically provided in this Amendment, the terms and conditions of the Agreement shall remain in full force and effect.

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

SIGNATURE PAGE TO FOLLOW

Attachment 2

Community Services District of the
City of Moreno Valley

By: _____
President

Date: 7/13/10

DLS Landscape, Inc.

By: _____
Daniel Sanchez, President

Date: 5/24/2010

INTERNAL USE ONLY

ATTEST:

_____
City Clerk

APPROVED AS TO LEGAL FORM:

_____
City Attorney

Date: July 1, 2010

RECOMMENDED FOR APPROVAL:

_____
Department Head

Date: 6-24-10

AGREEMENT BETWEEN
THE COMMUNITY SERVICES DISTRICT
OF THE CITY OF MORENO VALLEY
AND DLS LANDSCAPE, INC.

This Agreement is made and entered into as of the date the City signs this agreement by and between the Community Services District of the City of Moreno Valley, a district organized and existing pursuant to the community services district laws of the State of California ("CSD"), and DLS Landscape, Inc., a California corporation ("Contractor").

RECITALS

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

WHEREAS, the CSD has determined the Project involves the performance of maintenance services of a temporary nature; and

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

WHEREAS, the CSD has requested the Contractor to perform the services for the Project; and

WHEREAS, the Contractor is professionally qualified in California to perform the maintenance services required for the Project.

THEREFORE, the CSD and the Contractor, for consideration hereinafter described, mutually agree as follows:

1. **DESCRIPTION OF PROJECT.** The Project is described as the contract mowing of parks and easements in the City of Moreno Valley.

2. **CONSIDERATION:**
   A. As partial consideration, Contractor agrees to perform the work set forth in the attached Exhibit A, Scope of Services, attached hereto and incorporated herein by this reference.
   B. As additional consideration, the CSD's responsibility, other than payment, is described in Exhibit B, CSD Services to be Provided to Contractor, attached hereto and incorporated herein by this reference.
   C. As additional consideration, CSD agrees to pay Contractor on a monthly basis an amount set forth in the attached Exhibit C, Terms of Payment, attached hereto and incorporated herein by this reference, for Contractor's services. CSD will pay such amount according to the terms noted in Exhibit C.
   D. As additional consideration, Contractor and CSD agree to abide by the terms and conditions contained in this Agreement.

Attachment 3

3. **SCOPE OF SERVICES.**

A. Contractor will perform services listed in the attached Exhibit A.

B. Contractor will, in a workmanlike manner, furnish all of the labor, technical, administrative, professional and other personnel, all supplies and materials, equipment, printing, vehicles, transportation, office space and facilities, and all tests, testing and analyses, calculation, and all other means whatsoever, except as herein otherwise expressly specified to be furnished by CSD, necessary or proper to perform and complete the work and provide the professional services required of Contractor by this Agreement.

4. **PERFORMANCE STANDARDS.** While performing this Agreement, Contractor will use the appropriate generally accepted professional standards of practice existing at the time of performance utilized by persons engaged in providing similar services. CSD will continuously monitor Contractor's services. CSD will notify Contractor of any deficiencies and Contractor will have fifteen (15) days after such notification to cure any deficiencies to CSD's satisfaction. Costs associated with curing the deficiencies will be borne by Contractor.

5. **PREVAILING WAGES.** Prevailing wages are not required for the work described.

6. **PAYMENTS.** For CSD to pay Contractor as specified by this Agreement, Contractor must submit a detailed invoice to CSD which lists the hours worked and hourly rates for each personnel category and reimbursable costs, the tasks performed, the percentage of the task completed during the billing period, the cumulative percentage completed for each task, the total cost of that work during the preceding billing month and a cumulative cash flow curve showing projected and actual expenditures versus time to date. The CSD payment cycle is Net/30 once the invoice has been reviewed and authorized for payment by the respective contract manager. Invoices received after the cycle cutoff date will be scheduled for payment in the following payment cycle. Payment may be delayed by the contract manager should he/she require further information or verification of work performed.

7A. **<u>CONTRACTOR'S COMPENSATION</u>**

i. The Contractor will be paid monthly per site for work performed satisfactorily under this Agreement. By the tenth of each month the Contractor shall submit to the Parks Maintenance Supervisor detailed reports of: 1) maintenance performed; 2) complaints received; 3) hazards noted; and greenwaste reports (if applicable). These documents shall be accompanied by a billing in accordance with the Agreement price for the work performed and shall become the basis for payment. No payment(s) shall be made until aforesaid reports have been submitted and approved.

ii. Except where additional compensation is specifically provided for in this Agreement, the CSD will pay the Contractor for all work (labor, material, supplies, equipment, etc.) performed under this Agreement the total amount of **Twelve Thousand Three Hundred Ninety and No/100 Dollars ($12,390.00) per month.**

The total contract amount for twelve (12) months shall not exceed **One Hundred Forty-Eight Thousand Six Hundred Eighty and No/100 Dollars ($148,680.00).**

iii. Should this Agreement commence or terminate on other than the first day of a calendar month, the Contractor's compensation for that partial calendar month shall be prorated at the rate of 1/30 of the full month rate per day for the number of days during which the Agreement is effective.

iv. During the term of this Agreement the CSD, may, at its discretion, authorize the Contractor to perform certain work in addition to that set forth herein as Contractor's Scope of Work. Said Additional Work *shall* include: Section 7A, paragraph v below.

If the CSD determines it to be in their best interest, said Additional work *may* include repair or replacement of turf damaged or destroyed due to Acts of God (e.g., earthquake damage, storm damage), vandalism, theft, and acts or omissions by third parties.

Compensation for all such Additional Work shall be calculated at a price based on the Contractor's written estimate (lump sum, time and materials, or cost plus basis), as determined by the Parks Maintenance Supervisor. Except as set forth in Section 7A, paragraph v below, the Contractor shall not perform any such Additional Work without first obtaining express authorization from the CSD.

v. Notwithstanding the above requirement for prior authorization, when a condition exists wherein there is imminent danger of injury to the public or damage to property, the Parks and Community Services Department ("Department") may verbally authorize the work to be performed upon receiving a verbal estimate from the Contractor. However, within twenty-four (24) hours after receiving a verbal authorization, the Contractor shall submit a written estimate to the Department for approval. Whenever immediate action is required to prevent impending injury, death, or property damage to the facilities being maintained, the Department may, after reasonable attempt to notify the Contractor, cause such action to be taken by the Department or City's work force.

vi. The Contractor shall maintain as Additional Work, at a unit price comparable to turf areas described herein, additional turf areas that the Department may add to this Agreement. In the event that notification is made of a new installation at other

than the beginning of a monthly period, the unit cost as shall be pro-rated from the day the Contractor commences work on the additional areas.

vii. Repairs to area turf shall be considered Additional Work to the extent that the Contractor shall charge only for materials used to perform said repairs at Contractor's cost, plus a reasonable percentage of that cost, as determined by the Parks Maintenance Supervisor. For purposes of this Agreement, turf repairs must be authorized by the Parks Maintenance Supervisor or his designee prior to the Contractor commencing any repair.

viii. Except as specifically approved by subsequent action of the Department, the Parks Maintenance Supervisor may not authorize Additional Work pursuant to paragraphs iv, v, vi, and vii above in excess of the cumulative total of $148,680.00 for each contract year during the term of this Agreement.

ix. The Department shall deduct from the Contractor's monthly progress payment amounts sufficient to protect the Department from loss due to:

1. Work required under the Agreement which is: 1) not performed; 2) not performed to the standards set forth in the General or Special Provisions; or 3) is incomplete.

2. Work required under the Agreement which is not performed at or within the time(s) specified in the Exhibit A, including but not limited to the monthly work schedule, or if not so specified, within seven (7) calendar days of Contractor's receiving a Notice To Perform from the Parks Maintenance Supervisor.

3. Claims filed or reasonable evidence indicating probable filing of claims by laborers, material men, subcontractors, or third parties.

7B. NON-PERFORMANCE PENALTIES

The Contractor may become liable for payment of non-performance penalties for failure to: provide adequate communications; provide adequate work area safety; complete "specialty" operations in a timely manner as set forth in the General Provisions; submit notifications or reports required by the Agreement, or General or Special Provisions at the intervals and/or frequencies set forth therein, or; perform work required by the General or Special Provisions at the intervals and/or frequencies as set forth therein, or as set forth in Contractor's approved work schedule, or as directed by the Department. For each of the categories set forth hereinabove, the penal sum of $100 per working day will be assessed for each working day the deficiencies remain uncorrected.

If non-performance penalties are to be assessed, the Contractor will be notified immediately by facsimile transmission, or in writing, or by telephone.

The Contractor will not be assessed non-performance penalties for delay occasioned by the failure of the Department or of the owner of a utility to provide for the removal or relocation of utility facilities.

8. **NON-APPROPRIATION OF FUNDS.** Payments due and payable to Contractor for current services are within the current budget and within an available, unexhausted and unencumbered appropriation of the CSD. In the event the CSD has not appropriated sufficient funds for payment of Contractor services beyond the current fiscal year, this Agreement will cover only those costs incurred up to the conclusion of the current fiscal year and shall not be considered a breach of this Agreement.

9. **ADDITIONAL WORK/CHANGE ORDERS.**

A. If Contractor believes Additional Work is needed to complete the Scope of Services, Contractor will provide the CSD with written notification that contains a specific description of the proposed Additional Work, reasons for such additional work, and a detailed proposal regarding cost.

B. CSD may order changes in the services within the general scope of this Agreement, consisting of additions, deletions, or other revisions, and the contract sum and the contract time will be adjusted accordingly. All such changes must be authorized in writing, executed by Contractor and CSD. The cost or credit to CSD resulting from changes in the services will be determined in accordance with written agreement between the parties.

10. **FAMILIARITY WITH WORK.**

A. By executing this Agreement, Contractor represents that Contractor has:

i. Carefully investigated and considered the scope of services to be performed.

ii. Carefully considered how the services should be performed.

iii. Understands the facilities, difficulties, and restrictions attending performance of the services under this Agreement.

iv. Contractor is entering into Agreement under Contractor's own free will and volition.

v. If services involve work upon any site, Contractor warrants that Contractor has or will investigate the site and is or will be fully acquainted with the existing site conditions before commencing the services hereunder. Should Contractor discover any latent or unknown conditions that may materially affect the performance of the services, Contractor will

immediately inform CSD of such fact and will not proceed except at Contractor's own risk until written instructions are received from CSD.

11. TERMS. The CSD operates on a fiscal year basis, running from July 1st through June 30th of the following calendar year. It is the intent of the CSD to have a fully executed contract in place by July 1, 2009. The initial Contract shall be in effect through June 30, 2010 and then renewed, per agreement by both parties, for the next fiscal year starting July 1st. The agreement may be 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 written letter of understanding that is signed by both parties and shall extend the agreement for one year. The Contract shall remain in full force and effect for a total period of five (5) years from the date of fully executed Agreement, unless terminated by either party as stated in Section 17.

12. TIME FOR PERFORMANCE. Contractor will not perform any work under this Agreement until:

A. Contractor furnishes proof of insurance as required under Section 25 of this Agreement; and

B. CSD gives Contractor a written Notice to Proceed.

C. Should Contractor begin work in advance of receiving written authorization to proceed, any such professional services are at Contractor's own risk.

13. TIME EXTENSIONS. Should Contractor be delayed by causes beyond Contractor's control, CSD may grant a time extension for the completion of the contracted services. If delay occurs, Contractor must notify the CSD within forty-eight hours (48 hours), in writing, of the cause and the extent of the delay and how such delay interferes with the Agreement's schedule. The CSD will extend the completion time, when appropriate, for the completion of the contracted services, but there will be no increase in the amount payable to Contractor under this Agreement unless a Contract Change Order has been authorized.

14. TAXPAYER IDENTIFICATION NUMBER. Contractor will provide CSD with a Taxpayer Identification Number.

15. PERMITS AND LICENSES. Contractor, at its sole expense, will obtain and maintain during the term of this Agreement, all necessary permits, licenses, and certificates that may be required in connection with the performance of services under this Agreement, including a City of Moreno Valley business license, if required.

16. WAIVER. CSD's review or acceptance of, or payment for, work product prepared by Contractor under this Agreement will not be construed to operate as a waiver of any rights CSD may have under this Agreement or of any cause of action arising from Contractor's performance. A waiver by CSD of any breach of any term, covenant, or condition contained in this Agreement

will not be deemed to be a waiver of any subsequent breach of the same or any other term, covenant, or condition contained in this Agreement, whether of the same or different character.

17. **TERMINATION.**

A. Either party may terminate this Agreement at any time with thirty (30) days written notice.

B. Upon receiving a termination notice, Contractor will immediately cease performance under this Agreement unless otherwise provided in the termination notice. Except as otherwise provided in the termination notice, any additional work performed by Contractor after receiving a termination notice will be performed at Contractor's own cost; CSD will not be obligated to compensate Contractor for such work.

C. Should termination occur, all work product of the Contractor, including but not limited to documents, data, studies, surveys, drawings, maps, reports and all other materials prepared by Contractor will, at CSD's option, become CSD's property, and Contractor will receive just and equitable compensation for any work satisfactorily completed up to the effective date of notice of termination, not to exceed the total costs under Section 2C. Such work product will be delivered to the CSD within thirty (30) days of notice of termination.

D. By executing this Agreement, Contractor waives any and all claims for damages that might otherwise arise from CSD's termination under this Section.

18. **OWNERSHIP OF DOCUMENTS.** All documents, data, studies, drawings, maps, models, photographs, reports or any other item prepared by Contractor under this Agreement are CSD'S property. Contractor may retain copies of said documents and materials as desired, but will deliver all original materials to CSD upon CSD's written notice. CSD agrees that use of Contractor's completed work product for purposes other than identified in this Agreement, or use of incomplete work product, without the prior written consent of the CONTRACTOR is at the CSD's own risk and CSD agrees to indemnity Contractor for same.

19. **PUBLICATION OF DOCUMENTS.** Except as necessary for performance under this Agreement, no copies, sketches or graphs of materials, including graphic art work, prepared pursuant to this Agreement, will be released by Contractor to any other person or entity without CSD's prior written consent. All press releases, including graphic display information to be published in newspapers or magazines, will be approved and distributed solely by CSD, unless otherwise provided for by written agreement between the parties.

20. **INDEMNIFICATION.** Contractor agrees to indemnify, save, defend, and hold harmless the CSD, the City of Moreno Valley, and the Community Redevelopment Agency of the City of Moreno Valley and their officers, agents and employees (collectively referred to in this provision as "CSD"), from and against any claim, action, damages, costs (including, without limitation, all attorney's fees and litigation costs), injuries, or liability, (collectively referred to in

this provision as "Claims), arising out of the performance of any action contemplated by this Agreement by Contractor. Should CSD be named in any suit, or should any claim be brought against it by suit or otherwise, arising out of performance by Contractor of services rendered pursuant to this Agreement, Contractor will defend CSD (at CSD's request and with counsel satisfactory to CSD) and will indemnify CSD for any judgment rendered against it or any sums paid out in settlement or costs incurred in defense otherwise; provided, however, that this indemnification and hold harmless shall not include any Claims arising from the sole negligence or willful misconduct of the CSD.

CSD agrees to indemnify, save, defend and hold harmless the Contractor and their officers, agents and employees from any and all liability, claims, damages or injuries to any person, including injury to the 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 CSD under this Agreement, or are caused or claim to be caused by the negligent acts of the CSD, their officers, agents or employees, or its subcontractor(s) or any person acting for the CSD 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, agents or employees.

21. **PUBLIC RECORDS ACT.** The City of Moreno Valley is a public agency and subject to the Public Records Act under California State law. This Agreement is public record and "public records are open to inspection at all times during the office hours of the agency and every person has a right to inspect any public record, except as provided (and to receive) an exact copy" of an identifiable record unless impracticable. (Government Code § 6253).

22. **ASSIGNABILITY.** This Agreement is for Contractor's maintenance services. Contractor's attempts to assign the benefits or burdens of this Agreement without CSD's prior written approval are prohibited and will be null and void.

23. **INDEPENDENT CONTRACTOR.** The CSD and the Contractor agree that Contractor will act as an independent contractor and will have control of all work and the manner in which it is performed. Contractor will be free to contract for similar service to be performed for other employers while under contract with CSD. Contractor is not an agent or employee of CSD and is not entitled to participate in any pension plan, insurance, bonus or similar benefits CSD provides for its employees. Any provision in this Agreement that may appear to give CSD the right to direct Contractor as to the details of doing the work or to exercise a measure of control over the work means that Contractor will follow the direction of the CSD as to end results of the work only. Should any of Contractor's employees attempt to make a claim or bring a legal action against the CSD as an employee of the CSD, Contractor agrees to indemnify, save, defend, and hold harmless the CSD for any such claim or action.

24. **AUDIT OF RECORDS.** Contractor will maintain full and accurate records with respect to all services and matters covered under this Agreement. CSD will have free access at all reasonable times to such records, and the right to examine and audit the same and to make transcript therefrom, and to inspect all program data, documents, proceedings and activities.

Contractor will retain such financial and program service records for at least three (3) years after termination or final payment under this Agreement.

Audit will occur at location of Contractor and Contractor will allow access to all necessary records.

25. INSURANCE.

A. Before commencing performance under this Agreement, and at all other times this Agreement is effective, Contractor will procure and maintain the following types of insurance with coverage limits complying, at a minimum, with the limits set forth below:

Type of Insurance	Limits (combined single)
Commercial general liability:	$1,000,000 per occurrence $ 500,000 Property Damage $2,000,000 aggregate
Business automobile liability	$1,000,000
Workers' compensation	Statutory requirement.

B. Endorsement. Commercial general liability insurance will meet or exceed the requirements of ISO-CGL Form No. CG 00 01 11 85 or 88. The amount of insurance set forth above will be a combined single limit per occurrence for bodily injury, personal injury, and property damage for the policy coverage. Liability policies will be endorsed to name CSD, City of Moreno Valley, and the Community Redevelopment Agency of the City of Moreno Valley, its officials, and employees as "additional insured" under said insurance coverage and to state that such insurance will be deemed "primary" such that any other insurance that may be carried by CSD will be excess thereto. Such insurance will be on an "occurrence," not a "claims made," basis and will not be cancelable or subject to reduction except upon thirty (30) days prior written notice to CSD.

C. Professional liability coverage will be on an "occurrence basis" if such coverage is available, or on a "claims made" basis if not available. When coverage is provided on a "claims made" basis, Contractor will continue to renew the insurance for a period of three (3) years after this Agreement expires or is terminated. Such insurance will have the same coverage and limits as the policy that was in effect during the term of this Agreement, and will cover Contractor for all claims made by CSD arising out of any errors or omissions of Contractor, or its officers, employees or agents during the time this Agreement was in effect.

D. Automobile coverage will be written on ISO Business Auto Coverage Form CA 00 01 06 92, including symbol 1 (Any Auto).

E. The CSD, the City of Moreno Valley, and the Community Redevelopment Agency of the City of Moreno Valley, their officers, employees and agents shall be named as additional insured on all policies of insurance except errors and omissions and workers' compensation.

F. Contractor will furnish to CSD duly authenticated Certificates of Insurance evidencing maintenance of the insurance required under this Agreement, endorsements as required herein, and such other evidence of insurance or copies of policies as may be reasonably required by CSD from time to time. Insurance must be placed with insurers with a current A.M. Best Company Rating equivalent to at least a Rating of "A-:VII." Certificate(s) must reflect that the insurer will provide thirty (30) day notice of any cancellation of coverage.

G. Should Contractor, for any reason, fail to obtain and maintain the insurance required by this Agreement, CSD may obtain such coverage at Contractor's expense and deduct the cost of such insurance from payments due to Contractor under this Agreement or terminate.

26. USE OF SUB-CONTRACTORS. Contractor will obtain CSD's prior written approval to use any subcontractors while performing any portion of this Agreement. Such approval by CSD will not be unreasonably withheld.

27. INCIDENTAL TASKS. Contractor will meet with CSD monthly to provide status on the project, which will include a schedule update and a short narrative description of progress during the past month for each major task, a description of the work remaining and a description of the work to be done before the next schedule update.

28. NOTICES. All communications to either party by the other party will be deemed made when received by such party at its respective name and address as follows:

If to Contractor:
DLS Landscape, Inc.
1652 Plum Lane, Suite 104
Redlands, CA 92374
Attention: Daniel Sanchez

If to CSD:
Community Services District of the
City of Moreno Valley
15670 Perris Boulevard
Moreno Valley, CA 92551
Attention: Steve Kupsak

Any such written communications by mail will be conclusively deemed to have been received by the addressee upon deposit thereof in the United States Mail, postage prepaid and properly addressed as noted above. In all other instances, notices will be deemed given at the time of actual delivery. Changes may be made in the names or addresses of persons to whom notices are to be given by giving notice in the manner prescribed in this paragraph.

29. CONFLICT OF INTEREST. Contractor will comply with all conflict of interest laws and regulations including, without limitation, City of Moreno Valley's Conflict of Interest.

Code (on file in the City Clerk's Office). It is incumbent upon the Contractor to notify the CSD pursuant to Section 28 of any staff changes relating to this Agreement.

A. In accomplishing the scope of services of this Agreement, the range of duties of officers, employees and/or agents of Contractor are limited in scope; thus Contractor is not required to fully comply with the conflict of interest disclosure requirements. No disclosures are required by any officers, employees, and/or agents of Contractor, except as indicated in Subsection B.

B. In accomplishing the scope of services of this Agreement, Contractor will be performing a specialized or general service for the CSD, and there is substantial likelihood that the Contractor's work product will be presented, either written or orally, for the purpose of influencing a governmental decision. As a result, the following Contractor shall be subject to the Disclosure Category "1" of the CSD's Conflict of Interest Code:

30. **SOLICITATION.** Contractor maintains and warrants that it has not employed nor retained any company or person, other than Contractor's bona fide employee, to solicit or secure this Agreement. Further, Contractor warrants that it has not paid nor has it agreed to pay any company or person, other than Contractor's bona fide employee, any fee, commission, percentage, brokerage fee, gift or other consideration contingent upon or resulting from the award or making of this Agreement. Should Contractor breach or violate this warranty, CSD may rescind this Agreement without liability.

31. **THIRD PARTY BENEFICIARIES.** This Agreement and every provision herein is generally for the exclusive benefit of Contractor and CSD and not for the benefit of any other party. There will be no incidental or other beneficiaries of any of Contractor's or CSD's obligations under this Agreement.

32. **INTERPRETATION.** This Agreement was drafted in, and will be construed in accordance with the laws of the State of California.

33. **JURISDICTION/VENUE.** Jurisdiction shall lie exclusively in the State of California and venue shall lie exclusively in the Superior Court in and for the County of Riverside, California.

34. **COMPLIANCE WITH LAW.** Contractor agrees to comply with all federal, state, and local laws applicable to this Agreement.

35. **RULES OF CONSTRUCTION.** Each party had the opportunity to independently review this Agreement with legal counsel. Accordingly, this Agreement will be construed simply, as a whole, and in accordance with its fair meaning; it will not be interpreted strictly for or against either party.

36. **SEVERABILITY.** If any portion of this Agreement is declared by a court of competent jurisdiction to be invalid or unenforceable, then such portion will be deemed modified to the

extent necessary in the opinion of the court to render such portion enforceable and, as so modified, such portion and the balance of this Agreement will continue in full force and effect.

37. **AUTHORITY/MODIFICATION.** The parties represent and warrant that all necessary action has been taken by the parties to authorize the undersigned to execute this Agreement and to engage in the actions described herein. This Agreement may be modified by written amendment. CSD's executive manager, or designee, may execute any such amendment on behalf of CSD.

38. **ACCEPTANCE OF FACSIMILE SIGNATURES.** The parties agree that this Agreement, agreements ancillary to this Agreement, and related documents to be entered into in connection with this Agreement will be considered signed when the signature of party is delivered by facsimile transmission. Such facsimile signature will be treated in all respects as having the same effect as an original signature.

39. **CAPTIONS.** The captions of the paragraphs of this Agreement are for convenience of reference only and will not affect the interpretation of this Agreement.

40. **TIME IS OF ESSENCE.** Time is of the essence for each and every provision of this Agreement.

41. **FORCE MAJEURE.** Should performance of this Agreement be prevented due to fire, flood, explosion, acts of terrorism, war, embargo, government action, civil or military authority, the natural elements, or other similar causes beyond the parties' reasonable control, then the Agreement will immediately terminate without obligation of either party to the other.

42. **STATEMENT OF EXPERIENCE.** By executing this Agreement, Contractor represents that it has demonstrated trustworthiness and possesses the quality, fitness and capacity to perform the Agreement in a manner satisfactory to CSD. Contractor represents that its financial resources, surety and insurance experience, service experience, completion ability, personnel, current workload, experience in dealing with private consultants, and experience in dealing with public agencies all suggest that Contractor is capable of performing the proposed contract and has a demonstrated capacity to deal fairly and effectively with and to satisfy a public agency.

43. **PROTECTION OF RESIDENT WORKERS.** The City of Moreno Valley actively supports the Immigration and Nationality Act (INA) which includes provisions addressing employment eligibility, employment verification, and nondiscrimination. Under the INA, employers may hire only persons who may legally work in the United States (i.e., citizens and nationals of the U.S.) and aliens authorized to work in the U.S. The employer must verify the identity and employment eligibility of anyone to be hired, which includes completing the Employment Eligibility Verification Form (I-9). The Contractor shall establish appropriate procedures and controls so no services or products under the Contract Documents will be performed or manufactured by any worker who is not legally eligible to perform such services or employment.

44. **ENTIRE AGREEMENT.** This Agreement, and its Attachments, sets forth the entire understanding of the parties. There are no other understandings, terms or other agreements expressed or implied, oral or written. There are Attachments to this Agreement. This Agreement will bind and insure to the benefit of the parties to this Agreement and any subsequent successors and assigns.

SIGNATURE PAGE TO FOLLOW

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

Community Services District of the
City of Moreno Valley

BY: _____
President

Date: 6/23/2009

DLS Landscape, Inc.

BY: _____
Daniel Sanchez, President

Date: 5/22/09

INTERNAL USE ONLY

ATTEST:

_____
City Clerk

APPROVED AS TO LEGAL FORM:

_____
City Attorney

Date: 22 JUN 2009

RECOMMENDED FOR APPROVAL:

_____
Department Head

Date: 6-2-09

EXHIBIT A
SCOPE OF SERVICES

GENERAL PROVISIONS

SCOPE OF WORK - The work to be performed under this Agreement shall include the furnishing of all labor and equipment necessary for the provision of contract mowing services within the boundaries of the various parks of the Department as determined in the resolutions of the City Council establishing said parks, and as said boundaries may have been heretofore or may be hereafter altered, and as more particularly shown on the Description of Park Locations contained in this Exhibit A.

The Contractor shall have the duty to mow, edge turf, and blow off hardscapes and gutters.

AREAS TO BE MAINTAINED - There may be medians, parkway panels, adjacent roadway slopes, open space lots and other areas of turf besides parks included within a park's boundaries.

CONTRACT SUPERVISION - The Agreement shall be administered on behalf of the Director of the Parks and Community Services Department of the City of Moreno Valley, or his designated representative(s), hereinafter referred to as "Director."

FUNCTIONS AND RESPONSIBILITIES - All work shall be performed in accordance with usual and customary horticultural practices to achieve and maintain healthy, viable turf. The Director or his designee will periodically inspect all the operations and approve or reject the work performed, and methods or materials used, and make changes in work scheduling.

The Director or his designee will decide all questions which may arise as to the manner of performance and completion per schedule, acceptable fulfillment of the Agreement by the Contractor, interpretation of the Specifications, and compensation to include completion of work by alternate sources. The Department shall manage the operation of all irrigation systems. The Department will pay the costs of water and electricity used in the sites covered by this Agreement. The Contractor shall be responsible for carefully reviewing the site(s) and verifying that all areas include the square footage noted for each location of proposed work. The Contractor shall not be relieved of his or her liability under this Agreement, nor the Department or City be held liable for any loss sustained by the Contractor as a result of any variance between conditions as referred to in the Specifications and the actual conditions revealed during the examination of the locations of the proposed work.

The Director or his designee and the Contractor shall conduct an inspection of all sites covered under this Agreement as soon as practicable after its execution, and prior to commencement of Contractor's operations. Following said inspection, the Contractor shall submit to the Director a written affidavit certifying the actual condition of the site(s) relative to Department Specifications, including but not limited to the nature and extent of any deficiencies noted by the Contractor and acknowledged by the Director. The Contractor is hereby advised that this affidavit shall serve as the benchmark for the Director's evaluation of Contractor's performance

under this Agreement. Failure to maintain site(s) up to this established standard may result in the Department deducting payment of all or part of the Contractor's compensation, as further described in Section 7A, paragraph ix, of the Agreement.

The Contractor shall adhere to the facilities, equipment and staffing schedule, and monthly and annual work schedules submitted as a part of Contractor's proposal, and made a part of this Agreement. These schedules, and any approved revisions thereto, shall be used by the Department as a basis for determining Contractor's satisfactory performance. In the absence of any specified time(s) for performance of work required under the Agreement, the Director may issue a written Notice to perform to the Contractor. The Contractor shall perform the required work within seven (7) calendar days of receipt of said Notice to Perform. Revisions to facilities, equipment, staffing, or monthly and annual work schedules shall not be implemented without the prior written approval of the Director. The Contractor shall submit proposed revisions to equipment and staffing, or the monthly work schedule in writing to the Department at the address as set forth in Section 28 of the Agreement, at least ten (10) working days prior to commencing work per the proposed revisions. Failure to submit proposed revisions to equipment, staffing, or work schedules by the time limits established hereinabove may result in the Contractor becoming liable to the Department for non-performance penalties per Section 7B of the Agreement. The above provisions shall not be construed to eliminate the Contractor's responsibility for complying with the requirement to notify the Director for Specialty type maintenance as set forth immediately hereinafter.

The Contractor shall maintain on an ongoing basis a monthly log that records all work performed by Contractor. Said log shall be in a form and content acceptable to the Director and shall be submitted to the Director monthly, along with the submission of the monthly invoice. The monthly payment for the work so requested will not be authorized until such report is received and approved by the Director or his designee. The Contractor shall perform at least one maintenance inspection weekly during daylight hours of all sites. Additionally, the Director or his designee may require Contractor to attend meetings with Department field staff at some fixed interval to review Contractor's operations and schedule such future work as may be ordered by the Director or his designee. Failure to conduct said weekly inspections or attend regularly scheduled meetings may result in the assessment of non-performance penalties per Section 7B of the Agreement. The Contractor shall maintain an office at some fixed place, and shall maintain an operable telephone thereat, listed in the telephone directory in Contractor's own name or in Contractor's firm name, and shall, at all times, employ some responsible person(s) to take the necessary action regarding all inquiries, complaints, and/or emergency calls that may be received from the Director or other authorized individuals or agencies. This person(s) shall be reachable 24 hours per day, seven days a week. During normal working hours, the Contractor's supervisor or employee designated as being responsible for providing maintenance services to the Department shall be directly available for immediate notification through some type of reliable electronic means, including, but not limited to, two-way radio, pager, or cell phone. The Contractor or his designated employee shall confirm said notification within one (1) hour of receipt. An answering service will be considered an acceptable substitute for coverage <u>only</u> during periods outside of normal working hours, provided Contractor is advised of emergency calls within one (1) hour of receipt of the call by the answering service and within 24 hours after receipt of non-emergency calls by the answering service. The above provision for Contractor's

communication with the Department is the minimum acceptable standard under this agreement. Failure to regularly provide said communication capability may result in the Contractor being assessed non-performance penalties, per Section 7B of the Agreement.

The Contractor shall respond to an emergency call from any of the parties listed below no later than two hours following first notification by facsimile transmission, or in writing, or by telephone. In situations involving emergency repair work after normal working hours, the Contractor shall dispatch qualified personnel and equipment to reach the site within two (2) hours of first notification. An emergency may be called by the following individuals or agencies at any time: City Manager, Director of Parks and Community Services, Parks Maintenance Supervisor, Parks Maintenance Division Manager, Police Department, or Fire Department.

Contractor's emergency response and any necessary corrective work shall be considered Additional Work as defined in Section 9 of the Agreement, unless said emergency is determined to have been caused by an act or omission attributable to Contractor.

When inclement weather renders performance per approved schedule unsafe, impractical, or liable to damage turf, the Contractor shall adjust his work force in order to accomplish those work items and shall contact Department field staff to inform them of said alternate work assignments. Failure to so advise the Department may be cause for assessment of non-performance penalties, per Section 7B of the Agreement.

For the purposes of this Agreement, "working days" shall be Monday through Friday. The hours of maintenance service shall be 7:00 a.m. to 4:30 p.m. on those days maintenance is to be provided, pursuant to the work schedule approved by the Director or his designee. Any work the Contractor proposes to perform outside of the days and hours set forth hereinabove, as well as on legal City holidays, shall not be undertaken without the prior approval of the Director or his designee.

CONTRACTOR'S STAFF - The Contractor shall provide sufficient personnel to perform all work in accordance with the Specifications set forth herein. All of the Contractor's maintenance personnel shall be supervised at the work site(s) by a qualified supervisor in the employ of the Contractor. Work site supervisors must be able to demonstrate to the satisfaction of the Director that they possess adequate technical background and communication skills. Adequate and competent supervision shall be provided for all work done by the Contractor's employees to ensure accomplishment of high quality work which will be acceptable to the Director. Any order or communication given to the work site supervisor shall be deemed to have been delivered to the Contractor. The Contractor and his employees and subcontractors, if any, shall conduct themselves in a proper and efficient manner at all times and shall cause the least possible inconvenience to the public. The Director may require the Contractor to remove from the work site any employee(s) deemed careless, incompetent, or otherwise objectionable, whose continued employment on the job is considered to be contrary to the best interest of the CSD or the City. The Contractor shall require each employee performing work under the Agreement to adhere to basic Public Works standards of working attire, including but not limited to proper shoes, other gear required by applicable safety regulations. Shirts shall be worn at all times and shall be buttoned. Approved safety vests shall be worn by Contractor's employees when working in

parks and other high traffic-hazard areas as determined by the Director. Failure to comply with the above requirements may make the Contractor liable for assessment of non-performance penalties, per Section 7B of the Agreement.

The Contractor shall establish an identification system for his personnel which clearly indicates to the public the name of the Contractor. The identification system shall be furnished at the Contractor's expense and may include appropriate attire and/or name badges as specified by the Director.

EMPLOYMENT OF APPRENTICES - The provisions of Sections 1777.5, 1777.6, and 1777.7 of the California Labor Code regarding the employment of properly registered apprentices may apply to this contract if the Contractor, or any subcontractors thereunder, employs workers in any apprenticeable craft or trade. It is the Contractor's sole responsibility to comply with the Labor Code sections cited above. Information relative to apprenticeship standards, wage schedules, and other requirements may be obtained from the Director of Industrial Relations, *ex-officio* the Administrator of Apprenticeship, San Francisco, California, or from the Division of Apprenticeship Standards and its branch offices.

COMPLAINTS - All complaints shall be responded to as soon as possible after notification; but in all cases within 24 hours, to the satisfaction of the Director or his designee. If any complaint is not satisfactorily responded to within 24 hours, the Director shall be notified immediately of the reason for not remedying the complaint followed by a written report to the Director within five (5) days. If the complaints are not remedied within the time specified and to the satisfaction of the Director or his designee, the Director or his designee may correct the specific complaint by using an alternative source. The total cost incurred by the Department to effect necessary remedies will be deducted from the payments owing to the Contractor from the Department. The Contractor shall maintain a written log of all complaints, the date and time thereof and the action taken pursuant thereto, or the reason for non-action. Said log shall be submitted to the Director as set forth above. In addition to the provisions above, in the event of a failure by the Contractor to satisfactorily remedy a complaint in a timely manner or for any other breach of this Agreement by Contractor, the Department may immediately upon written notice to the Contractor terminate this Agreement.

SAFETY - The Contractor agrees to perform all work outlined in these Specifications in such a manner as to meet all accepted standards for safe practices and to safely maintain equipment, machines, and materials and prescribe and employ all precautions and safety procedures related to other hazards consequential to the work; and accepts additionally the sole responsibility for complying with all local, State, Federal and other legal requirements including but not limited to, full compliance with the terms of any and all applicable OSHA and Cal/OSHA Safety Orders at all times so as to protect all persons, including Contractor's employees and subcontractors, agents of the Department, City, materialmen, vendors, members of the public and others from foreseeable injury, or damage to their property. The Contractor's operations shall be conducted in such a manner as to cause the least possible obstruction and inconvenience to public traffic. The Contractor shall furnish, erect, and maintain such fences, barriers, lights and warning signs as may be deemed necessary by the Director, or any duly constituted public safety official. Contractor's work area traffic control, including but not limited to type and placement of signs,

barricades, and delineators, shall be in accordance with the most current edition of Caltrans' *"Traffic Manual, Chapter 5, Traffic Controls."*

Contractor's work should not encroach into open lanes of traffic between the hours of 7:00 a.m. and 8:30 a.m. or between 3:30 p.m. and 6:00 p.m.

The Contractor shall maintain all work sites free of hazards to persons or property resulting from Contractor's operations. The Contractor shall inspect all potential hazards at said areas under maintenance and keep a log indicating date inspected and action taken. Said log shall be submitted monthly to the Director or his designee as set forth above. Any hazardous condition noted by the Contractor, which is not a result of Contractor's operations, shall be immediately reported to the Director or his designee. The Contractor shall be responsible for making minor corrections including but not limited to filling holes in turf areas and replacing valve box covers, so as to protect members of the public or others from injury. The Contractor shall cooperate fully with the CSD or City in the investigation of any accidental injury or death occurring on the site, including a complete written report thereof to the Director or his designee within five (5) days following the occurrence.

Failure to comply with this section of the General Provisions may result in deduction of payment per Section 7A, paragraph ix, of the Agreement or assessment of non-performance penalties per Section 7B of the Agreement. Repeated failure to comply with this section of the General Provisions may result in contract termination, per Section 17 of the Agreement.

LICENSES AND PERMITS - The Contractor shall, without additional expense to the CSD or City, possess all licenses and permits, including but not limited to a valid City Business License, required for the performance of the work under this Agreement.

COMPLIANCE WITH THE LAW - Under the Agreement, the Contractor's performance shall comply with all applicable laws of the United States of America, the State of California, the County of Riverside, the City of Moreno Valley, and all other entities of competent jurisdiction.

CONTRACTOR'S LIABILITY - The Contractor shall be responsible for all damages to people and/or property that occur as a result of the fault or negligence attributable to Contractor in connection with the performance under this Agreement. Any and all restitution or repairs deemed necessary by the Director to remedy such damages shall be furnished and performed at the Contractor's sole expense, and shall be completed within the time limits established by the Director or his designee. Repairs made to sites and site appurtenances that are damaged as a result of Acts of God, vandalism, theft, and acts or omissions by third parties or any other occurrence not attributable to the Contractor's operations shall be repaired by the Contractor as Additional Work and compensated as defined in Section 7A, paragraphs iv, v, vii of the Agreement.

SPECIAL PROVISIONS

TURF MAINTENANCE SPECIFICATIONS

1. TURF CARE

a. All turf areas shall be mowed, edged, and trimmed every seven days, weather and site conditions permitting. Any prolonged deviation from this schedule shall require the approval of the Director or his designee. Failure to adhere to this specification without approval may result in assessment of non-performance penalties, per Section 7B of the Agreement.

b. At the discretion of the Director or his designee, turf areas may be mowed with mulching-type mowers of a type acceptable to the CSD.

c. All mowing and edging equipment shall be in proper working order; have blades properly sharpened and aligned; be thoroughly cleaned of all excess clippings, soil, and debris prior to working at each site.

d. All clippings, soil, and debris generated by mowing and edging operations shall be immediately collected, removed from the site, and disposed of in a legal manner. For the purposes of this specification, the term "site" shall include, but is not limited to hardscapes, sidewalks, curbs, and gutters.

e. Machines operating on turf known to have a disease, fungus, or insect infestation shall be sterilized with a ten percent (10%) chlorine bleach and water solution prior to working on any site.

f. Mowing height for cool season grasses shall not exceed three inches maximum, or two inches minimum, and shall be adjusted within these parameters on a seasonal basis.

g. Mowing height for warm season grasses shall not exceed 1½ inches maximum, or three-quarters of an inch minimum, and shall be adjusted within these parameters on a seasonal basis.

h. All turf borders shall be cut with a vertical blade edger. Use of string trimmers to perform this task is not acceptable.

i. Trimming around turf appurtenances (e.g., valve and meter boxes, backflow devices and controller enclosures, sprinklers) may be accomplished through the use of string trimmers.

j. Whenever trees occur in turf areas, a six-inch ring of grass shall be removed from around the trunks in order to protect the crowns from mechanical damage. These rings shall be maintained in a clean, weed free condition.

k. Renovation/thatching operations are to be considered Additional Work, per Agreement, Section 7A, paragraph iv.

   1. Have no more than one-third of living branches removed annually.
   2. Be fertilized only as directed by the Director of his designee.

2. DEBRIS/LITTER

a. The Contractor shall remove immediately after pruning, trimming, weeding, edging or other work required under this Agreement, all debris generated by his or her performance of the work.

b. Contractor shall make a minimum of one visitation every seven days of all sites covered under this Agreement for the express purpose of removing from both planted areas and adjacent hardscapes/walks the following items, including but not limited to: Bottles, cans, paper/plastic, cardboard, dog litter, tumbleweeds/windblown plant litter, automobile tires, or metallic items. Sites that are, in the opinion of the Director or his designee, exceptionally littered shall be cleared by Contractor before the close of business the working day following notification of the condition.

c. All hardscape areas, including but not limited to sidewalks, curbs, and gutters shall be continuously maintained in a "broom clean" condition.

d. From time to time, the Director or his designee may require Contractor to perform special clean-ups on a site-specific basis. Said special clean-ups shall be considered Additional Work per Agreement, Section 7A, paragraphs iv and v.

e. The Contractor shall dispose of all debris and litter as described in paragraphs a and b above off-site, and in a legal manner.

f. Failure to adhere to the specifications of this section of the Special Provisions may result in the assessment of non-performance penalties, per Section 7B of the Agreement.

3. GREENWASTE RECYCLING

a. The Public Resources Code (PRC), Division 30, Sections 4000 through 42055 requires that the City of Moreno Valley divert from landfills fifty percent (50%) of the solid waste, including greenwaste, generated within its jurisdiction.

b. For the purposes of this contract, materials defined as "greenwaste" shall include all plant parts (e.g., trimmings, prunings, grass clippings, etc.) removed from contract sites by the Contractor or any subcontractors thereunder, in performance of contract's Scope of Work.

c. Contractor, or any subcontractor thereunder, shall deposit all greenwaste generated in performance of contract's Scope of Work at a landscape material recycling center, or reuse said greenwaste in some manner. Contractor or any subcontractor thereunder, shall be solely responsible for all costs incurred in complying with this requirement.

d. The Contractor shall submit a Monthly Greenwaste Report as an element of Contractor's Monthly Report. The Contractor shall provide responses to all information requested therein and shall include, on a separate Monthly Greenwaste Report form, any greenwaste generated through the operations of any subcontractors performing under Contractor's Scope of Work.

e. Failure to adhere to the specifications of this section of the Special Provisions may result in the assessment of non-performance penalties, per Section 7B of the Agreement.

BASE COMPENSATION SHEET
Zone A

SITE	APPROXIMATE TURF AREA	MONTHLY COST	ANNUAL COST
Adrienne Mitchell Park	158,229 SF	$395.00	$4,740.00
Bayside Park	66,317 SF	$165.00	$1,980.00
Bethune Park	113,168 SF	$285.00	$3,420.00
El Potrero Park	564,147 SF	$1,400.00	$16,800.00
Fairway Park	205,846 SF	$515.00	$6,180.00
Gateway Park	299,908 SF	$745.00	$8,940.00
JFK Park	240,500 SF	$600.00	$7,200.00
March Field Park	98,305 SF	$245.00	$2,940.00
March Field Community Center	45,068 SF	$115.00	$1,380.00
Community Park	215,452 SF	$540.00	$6,480.00
Morrison Park	273,549 SF	$680.00	$8,160.00
Parque Amistad Park	162,059 SF	$400.00	$4,800.00
Pedrorena Park	183,642 SF	$460.00	$5,520.00
Ridge Crest Park	197,421 SF	$490.00	$5,880.00
Sunnymead Park	353,967 SF	$880.00	$10,560.00
Towngate I Park	233,416 SF	$580.00	$6,960.00
Victoriano Park	105,645 SF	$270.00	$3,240.00
Westbluff Park	125,525 SF	$315.00	$3,780.00
Weston Park	176,434 SF	$440.00	$5,280.00
Woodland Park	285,385 SF	$710.00	$8,520.00
TOTAL	4,103,983 SF	$10,230.00	$122,760.00

BASE COMPENSATION SHEET
Community Facilities District #1

SITE	APPROXIMATE TURF AREA	MONTHLY COST	ANNUAL COST
Celebration Park	169,248 SF	$420.00	$5,040.00
Rock Ridge Park	78,269 SF	$195.00	$2,340.00
Shadow Mountain Park	263,314 SF	$655.00	$7,860.00
Towngate II Park	251,391 SF	$625.00	$7,500.00
Vista Lomas Park	106,269 SF	$265.00	$3,180.00
TOTAL	868,491 SF	$2,160.00	$25,920.00

Zone A
$10,230.00 per month
$122,760.00 per year

Community Facilities District #1
$2,160.00 per month
$25,920.00 per year

TOTAL ZONE A AND COMMUNITY FACILITIES DISTRICT #1

$12,390.00 per month

$148,680.00 per year

DESCRIPTION OF PARK LOCATIONS

Adrienne Mitchell Park, 22631 Bay Avenue, southwest corner of Bay Avenue and Pam Am Boulevard, Moreno Valley, CA

Bayside Park, 24435 Bay Avenue, southwest corner of Bay Avenue and Indian Avenue, Moreno Valley, CA

Bethune Park, 16745 Kitching Avenue, northwest corner of Kitching Avenue and Lurin Avenue, Moreno Valley, CA

Celebration Park, 14965 Morgan Avenue, northeast corner of Oliver Street and JFK Drive, Moreno Valley, CA

Community Park, 13380 Frederick Street, northeast corner of Frederick Street and Cottonwood Avenue, Moreno Valley, CA

El Potrero Park, 16901 Lasselle Street, southwest corner of Lasselle Street and Arroyo Park Drive, Moreno Valley, CA

Fairway Park, 27891 JFK Drive, southeast corner of JFK Drive and Legendary Street, Moreno Valley, CA

Gateway Park, 23975 Manzanita Avenue, northwest corner of Heacock Street and Manzanita Avenue, Moreno Valley, CA

JFK Park, 15115 Indian Street, southwest corner of JFK Drive and Indian Avenue, Moreno Valley, CA

March Field Park, southeast corner of 6th Street and "W" Street on the civilian portion of March Air Reserve Base, Moreno Valley, CA

March Field Park Community Center, 15325 5th Street, on the civilian portion of March Air Reserve Base, Moreno Valley, CA

Morrison Park, 26667 Dracaea Avenue, southeast corner of Dracaea Avenue and Morrison Street, Moreno Valley, CA

Parque Amistad, 26160 Gentian Avenue, northeast corner of Gentian Avenue and Caballo Road, Moreno Valley, CA

Pedrorena Park, 16009 Rancho Del Lago, southwest corner of Iris Avenue and Rancho Del Lago, Moreno Valley, CA

Ridge Crest Park, 28506 JFK Avenue, north side of JFK Avenue, east of Championship Drive, Moreno Valley, CA

Rock Ridge Park, 27119 Waterford Way, south of Eucalyptus at Waterford Way, Moreno Valley, CA

Shadow Mountain Park, 23239 Presidio Hills Drive, north side of Presidio Hills Drive, east of Casmalia Court, Moreno Valley, CA

Sunnymead Park, 12655 Perris Boulevard, northwest corner of Fir Avenue and Perris Boulevard, Moreno Valley, CA

TownGate Park (Phases I & II), 13051 Elsworth, west side of Elsworth Avenue between Eucalyptus Avenue and Dracaea Avenue, Moreno Valley, CA

Victoriano Park, 25730 Los Cabos Drive, on Los Cabos Drive, one block north of Iris Avenue, Moreno Valley, CA

Vista Lomas Park, 26700 Iris Avenue, north side of Iris Avenue between Camino Flores and Firerock Lane, Moreno Valley, CA

Westbluff Park, 10750 Pigeon Pass Road, east side of Pigeon Pass Road, between Canyon Springs High School and Vista Heights Middle School, Moreno Valley, CA

Weston Park, 13170 Lasselle Street, northeast corner of Lasselle Street and Dracaea Avenue, Moreno Valley, CA

Woodland Park, 25705 Cactus Avenue, southeast corner of Cactus Avenue and Rio Hondo Drive, Moreno Valley, CA

EXHIBIT B
CSD SERVICES TO BE PROVIDED
TO CONTRACTOR

1. Furnish the Contractor all in-house data which is pertinent to services to be performed by the Contractor and which is within the custody or control of the CSD, including, but not limited to, copies of record and off-record maps and other record and off-record property data, right-of-way maps and other right-of-way data, pending or proposed subject property land division and development application data, all newly developed and pertinent design and project specification data, and such other pertinent data which may become available to the CSD.

2. Provide timely review, processing, and reasonably expeditious approval of all submittals by the Contractor.

3. Provide timely CSD staff liaison with the Contractor when requested and when reasonably needed.

EXHIBIT C
TERMS OF PAYMENT

1. The Contractor's compensation shall not exceed $148,680.00 annually.

2. The Contractor will submit invoices to the CSD along with documentation evidencing services completed. Invoices will be submitted at least every ninety (90) days. At no time will the CSD pay for more services than have been satisfactorily completed and the CSD's determination of the amount due shall be final. Invoices shall reference the appropriate purchase order number.

3. The CSD shall pay the Contractor for all invoiced, authorized professional services within thirty (30) days of receipt of the invoice for same.

4. Any fees for authorized professional services furnished by the Contractor which have not been paid or contested by the CSD within thirty (30) days of the CSD's receipt of the invoice for such services will be subject to a late charge of one percent (1%) of the unpaid amount for each month for which payment has not been received by the Contractor.

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APPROVALS	
BUDGET OFFICER	caf
CITY ATTORNEY	RH
CITY MANAGER	MO

Report to City Council

TO: Mayor and City Council, acting in their respective capacities as the President and Members of the Board of Directors of the Moreno Valley Community Services District

FROM: Michael McCarty, Director of Parks and Community Services

AGENDA DATE: August 23, 2011

TITLE: ACCEPTANCE OF GRANT MONIES FROM THE CALIFORNIA DEPARTMENT OF EDUCATION, CHILD DEVELOPMENT SERVICES, FOR CHILD CARE SERVICES AND ADOPTION OF THE RESOLUTION TO CERTIFY THE APPROVAL OF THE GOVERNING BOARD

RECOMMENDED ACTION

Staff recommends that the Mayor and City Council, acting in their capacity as President and Board of Directors of the Moreno Valley Community Services District:

1. Authorize the acceptance of grant money in the amount of $605,496 for Fiscal Year (FY) 2011/2012 from the California Department of Education, Child Development Division, for the purpose of providing school age child care and development services.

2. Adopt Resolution No. CSD 2011-23 to certify the approval of the governing board to enter into this transaction with the California Department of Education for the purpose of providing child care and development services and to authorize the designated personnel, as shown on the resolution, to sign contract documents for FY 2011/2012.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable

BACKGROUND

The State of California appropriated a total of $6.6 million to be utilized statewide as a continuous funding source for services to school age children, in the range of kindergarten to 14 years of age. However, the Budget Act of 2003 eliminated child care services to children 13 years and older. Of the $6.6 million allocated statewide, Riverside County was appropriated $950,000 based on service level needs. In an effort to provide an increased level of services for Moreno Valley youth through diverse funding, staff submitted a competitive grant application to the California Department of Education, Child Development Division, requesting funding for an after school child care program. The City of Moreno Valley Parks and Community Services Department was one of ten agencies in Riverside County who competed for this funding. The Parks and Community Services Department was awarded funding.

On November 26, 1996, the City Council authorized the acceptance of a grant in the amount of $427,683 for the calendar years 1997 and 1998 for the purpose of providing an after school child care program for children ages 5 to 14. Since that time, the City has applied for and received grant funding every fiscal year for this program. Although the City must apply for the grant funding each year, when the funding was made available to agencies for youth programs in 1987, those agencies that have received this type of grant funding have continued to receive funding for their youth programs.

DISCUSSION

The focus of the grant submitted by the City of Moreno Valley Parks and Community Services Department was based on the high demands assessed by the department within its own programs. This included the need for after school care during the traditional school year and full day care on school vacation days. The program utilizes five elementary schools: Creekside, Sunnymead, Rainbow Ridge, Armada, and Red Maple. The program accommodates 170 children between the ages of kindergarten up to 12 years of age and has been in effect since January 1997.

This program is state licensed and operates under the following conditions. The healthy social and emotional development of every child is addressed by providing activities, schedules, materials and equipment to ensure that children are both challenged and successful. Programming for the students includes a nutritious snack served daily, arts and crafts, indoor and outdoor games, story time, homework time, and social time. The program also includes field trips with bus transportation, parent conferences, and special parenting classes and programs with topics including health issues, substance abuse, nutrition, personal safety, community awareness, literacy and more. The program works closely with parents and school site staff to incorporate applicable school rules into the program and provide emotional support for children.

The program operates at schools utilizing the "modified traditional" school schedule between the hours of 2:00 p.m. and 6:00 p.m. on school days and 7:00 a.m. to 6:00 p.m. on school vacation days, Monday through Friday.

As part of the City's policy, the City Council must formally accept this funding from the California Department of Education, Child Development Services and adopt the corresponding resolution.

ALTERNATIVES

1. Approving staff's recommendation would authorize the acceptance of grant monies in the amount of $605,496 for FY 2011/2012 from the California Department of Education, Child Development Division, for the purpose of providing school age child care and development services.

2. Not approving staff's recommendation would eliminate the Child Care Grant Program.

FISCAL IMPACT

The proposed grant funds program expenditures on a cost reimbursement basis. The grant funds as well as food program revenue, Federal Grant Revenue, and program fees are used for providing school age child care and development services and are restricted to this program. There is no impact to the General Fund. Funds are budgeted in the FY2011-12 Operating Budget (160.75710).

NOTIFICATION

Posting of the Agenda.

ATTACHMENTS/EXHIBITS

Exhibit 'A' - Resolution

Prepared By:
Patty Grube
Management Analyst I

Department Head Approval:
Mike 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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RESOLUTION NO. CSD 2011-23

A RESOLUTION OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, CERTIFYING THE APPROVAL OF THE GOVERNING BOARD TO ENTER INTO A TRANSACTION WITH THE CALIFORNIA DEPARTMENT OF EDUCATION FOR THE PURPOSE OF PROVIDING CHILD CARE AND DEVELOPMENT SERVICES AND TO AUTHORIZE DESIGNATED PERSONNEL TO SIGN CONTRACT DOCUMENTS FOR FY 2011/12

WHEREAS, the Moreno Valley Community Services District Board of Directors desires to provide school age child care services to the citizens of Moreno Valley during FY 2011/12;

WHEREAS, the Moreno Valley Community Services District Board of Directors further desire to enter into this transaction with the California Department of Education for the purpose of providing child care and development services;

WHEREAS, the Moreno Valley Community Services District Board of Directors authorize the persons listed to sign the transaction for the Governing Board;

Michael McCarty, Director of Parks and Community Services _____

Henry Garcia, City Manager _____

Richard Teichert, Financial & Administrative Services Director _____

NOW, THEREFORE, THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. Accept the grant monies from the California Department of Education, Child Development Division, in the amount of $605,496 per fiscal year to provide child care services for FY 2011/2012;

2. Adopt a resolution to certify the approval of the governing board to enter into local agreement number/s CCTR-1195, Project Number 33-2186-00-0 with the California Department of Education for the purpose of providing child care and development services;

3. Authorize designated personnel to sign contract documents on behalf of the Governing Board for FY 2011/12.

APPROVED AND ADOPTED this 23th day of August, 2011.

_____
Mayor of the City of Moreno Valley,
acting in the capacity of President
of the Moreno Valley Community
Services District

ATTEST:

_____
Jane Halstead, acting in the capacity of
Secretary of the Moreno Valley
Community Services District

APPROVED AS TO FORM:

_____
Robert Hansen, City Attorney acting
in the capacity of General Legal
Counsel of the Moreno Valley
Community Services District

MINUTES - REGULAR MEETING OF JULY 12, 2011 (Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

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MINUTES - REGULAR MEETING OF JULY 12, 2011 (Report of: City Clerk's Department)

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

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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: Barry Foster, Community & Economic Development Director

AGENDA DATE: August 23, 2011

TITLE: A PUBLIC HEARING FOR PA11-0021, AN APPLICATION TO DE-ANNEX PARCELS 302-170-002 AND 302-170-004, A TOTAL OF 1.4 ACRES LOCATED ON THE SOUTH SIDE OF THE PERRIS VALLEY CHANNEL FROM THE CITY OF MORENO VALLEY TO FACILITATE ANNEXATION TO THE CITY OF PERRIS. THE APPLICANT IS MISSION PACIFIC LAND COMPANY.

RECOMMENDED ACTION

1. Staff recommends that the Mayor and City Council Adopt Resolution No. 2011-91 approving PA11-0021, a De-annexation of 1.4 acres.

2. Staff recommends that the Mayor and City Council, acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board") Adopt Resolution No. CSD 2011-24 requesting the Riverside Local Agency Formation Commission initiate proceedings for a City boundary amendment involving a detachment of parcels.

3. Staff recommends that the Mayor and City Council Adopt Resolution No. 2011-92 approving the property tax transfer for the detachment of two parcels, 302-170-002 and 302-170-004, 1.4 acres.

BACKGROUND

The applicant is proposing to de-annex (detach) 1.4 acres currently in the City of Moreno Valley to permit annexation into the City of Perris. The subject property is located south of the Perris Valley storm channel and east of Perris Boulevard at the City limit and is part of a large development site which is primarily within the City of Perris. The area to be de-annexed includes the 70-feet northerly of the City of Moreno Valley boundary line between the two cities. A previous de-annexation moved the City boundary in a similar fashion south of the Perris Valley storm channel west of Perris Boulevard.

The project is Exempt under section 15061 b. 3 of the California Environmental Quality Act Guidelines as this activity is not a project that has the potential for a significant affect on the environment.

DISCUSSION

On June 9, 2011, Mission Pacific Land Company submitted an application requesting the de-annexation. The detachment was requested to allow for the orderly development of the applicant's property within a single municipal jurisdiction. The City of Perris is currently processing an annexation application for the same property. Both the detachment and annexation are subject to final action by the Riverside County Local Agency Formation Commission after both cities have taken action.

ALTERNATIVES

1. The City Council could approve the proposal as recommended.
2. The City Council could take no action on the proposal. This would leave the boundaries between the cities as they are today.

FISCAL IMPACT

The impacts are the loss of minimal property tax revenue which will be collected by the City of Perris. Based on the location and the small lot size, the site is un-developable solely within the City of Moreno Valley based on the standards of the existing Industrial (Specific Plan 208I) zoning.

NOTIFICATION

Notice of the City Council public hearing appeared in the Press Enterprise newspaper on August 13, 2011, and mailed to all surrounding property owners of record within 300 feet of the affected property.

ATTACHMENTS/EXHIBITS

1. Public Hearing Notice
2. Existing Boundary
3. City Resolution-Detachment
4. CSD Resolution
5. City Resolution-Tax Release
6. New proposed City limit boundary map

Prepared By:
Julia Descoteaux
Associate Planner

Department Head Approval:
Barry Foster
Community & Economic 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 : **PA11-0021 Deannexation (Detachment)**

APPLICANT: Mission Pacific Land Company

OWNER: Stratford Ranch Investors, LLC

REPRESENTATIVE: Ted Weggeland

LOCATION: South of Harley Knox Blvd, east of Redlands Avenue
(APN: 302-170-002 & 302-170-004))

PROPOSAL: A public hearing for PA11-0021, an application to deannex parcels 302-170-002 and 302-170-004, a total of 1.4 acres located on the south side of the Perris Valley Channel from the City of Moreno Valley to allow these undevelopable parcels to be integrated into the adjoining parcels by facilitating annexation to the City of Perris.

ENVIRONMENTAL DETERMINATION: The project is Exempt under section 15061 b. 3 of the California Environmental Quality Act Guidelines as this activity is not a project that has the potential for a significant affect on the environment.

COUNCIL DISTRICT: No 4

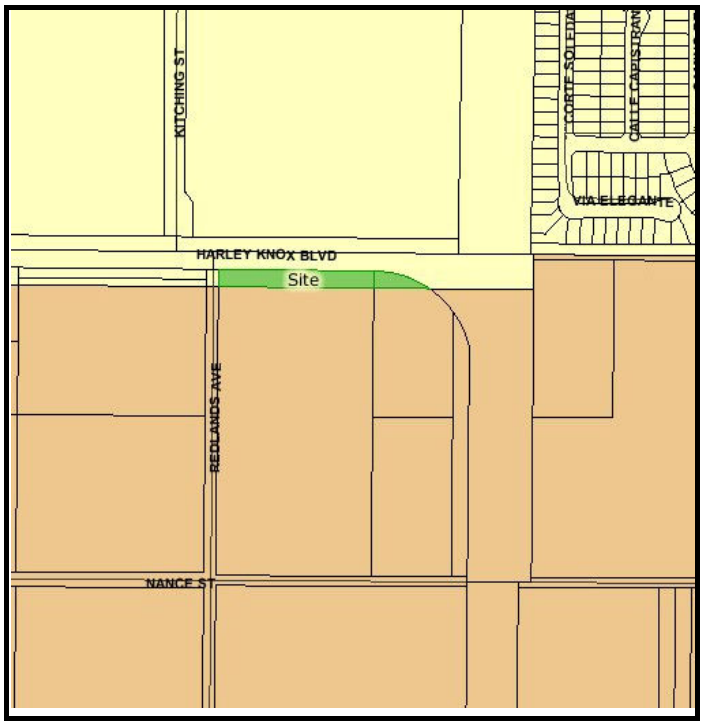
STAFF RECOMMENDATION: Approval

Any person interested in any listed proposal can contact the Community & Economic 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), 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, Calif. 92553

DATE AND TIME: August 23, 2011 at 6:30 PM

CONTACT PLANNER: Julia Descoteaux

PHONE: (951) 413-3209

ATTACHMENT 1

Item No. E.1

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Sources: Riverside County GIS, July 2010;
Digital Globe, March 2008.

ALBERT A. WEBB ASSOCIATES

0 100 200 300 Feet

ATTACHMENT 2

Existing Boundary

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RESOLUTION NO. 2011-91

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING THE DETACHMENT OF TWO PARCELS (302-170-002 & 302-170-004) WITH A TOTAL OF 1.4 ACRES FROM THE CITY OF MORENO VALLEY TO ALLOW FOR CONCURRENT ANNEXATION TO THE CITY OF PERRIS

WHEREAS, the City Council of the City of Moreno Valley desires to initiate a proposal pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, commencing with Section 56000 of the California Government Code, for the detachment of certain property identified in Attachment 2; and

WHEREAS, the territory proposed for detachment is uninhabited pursuant to the definition contained within Government Code Section 56046, and the proposed property is identified in Attachment 2:and

WHEREAS, the City Council finds that the proposed boundary reorganization will facilitate carrying out its responsibility for future planning and the logical and orderly development of the City; and

WHEREAS, discussions have ensued with the City of Perris staff and the City of Perris staff would present a companion resolution requesting the initiation of proceedings; and,

WHEREAS, the reasons for the proposed detachment are as follows:

1. The detachment from the City of Moreno Valley and the attachment to the City of Perris would modify the city boundary to the north property line of parcels 302-170-002 and 302-170-004 to increase the size of the parcel to the south which is in the City of Perris allowing development to occur.

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

1. That an application for amendment of the city boundary reorganization shall be submitted for consideration by the Riverside County Local Agency Formation Commission ("LAFCO") for the area shown in the attached map (Attachment 2).

2. The City Clerk is authorized and directed to file a certified copy of this Resolution with the Executive Officer of LAFCO together with such other information and documents as may be required by the Executive Officer.

ATTACHMENT 3

APPROVED AND ADOPTED this 23rd day of August, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

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

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

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RESOLUTION NO. CSD 2011-24

A RESOLUTION OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT BOARD OF DIRECTORS OF THE CITY OF MORENO VALLEY, CALIFORNIA TO REQUEST THE RIVERSIDE LOCAL AGENCY FORMATION COMMISSION INITIATE PROCEEDINGS FOR A CITY BOUNDARY AMENDMENT INVOLVING A DETACHMENT OF PARCELS FROM THE MORENO VALLEY COMMUNITY SERVICES DISTRICT

WHEREAS, the Moreno Valley Community Services District (CSD) desires to initiate proceedings pursuant to the Cortese-Knox Local Government Reorganization Act, commencing with Section 56000 of the California Government Code, for an amendment to the Community Services District boundary; and,

WHEREAS, the territory proposed to be included within the reduction of the Community Services District is uninhabited, and the boundaries of the said territory are as set forth in Attachment 2; and,

WHEREAS, the CSD Board of Directors finds that the proposed detachment and reorganization of the Community Services District are consistent with the planned modifications to the City's boundary and deannexation; and,

WHERAS, the CSD Board of Directors finds that future needs for public facilities and services relating to the said parcels will be no longer be applicable; and,

WHEREAS, the reorganization (deannexation) proceedings with the Local Agency Formation Commission (LAFCO) shall modify adjustments to the Moreno Valley Community Services District boundaries for Zones A, B, C, D, and M to exclude said parcels; and,

WHEREAS, upon the deannexation of said parcels, the Moreno Valley CSD Zones A (Parks & Community Services) and C (Arterial Street Lighting) annual parcel charges shall no longer be applicable; and

WHERAS, said parcels shall not longer be subject to the annexation boundaries for Community Facilities District No. 1 to finance public services related to new neighborhood parks; and,

WHERAS, the CSD Board of Directors finds that the proposed detachment from the Community Services District is exempt under Section 15061 (b) (3) of the California Environmental Quality Act.

ATTACHMENT 4

NOW, THEREFORE, THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

APPROVED AND ADOPTED this 23rd day of August, 2011.

_____
Mayor of the City of Moreno Valley,
Acting in the capacity of President of the
Moreno Valley Community Services District

ATTEST:

_____
City Clerk, acting in the capacity of
Secretary of the Moreno Valley
Community Services District

APPROVED AS TO FORM:

_____
City Attorney, acting in the capacity
of General Counsel of the Moreno
Valley Community Services District

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, _____, Secretary of the Moreno Valley Community Services District, Moreno Valley, California do hereby certify that CSD Resolution No. _____ was duly and regularly adopted by the Board of Directors of the Moreno Valley Community Services District at a regular meeting held on the _____ day of _____, _____, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Boardmembers, Vise-President and President)

_____

SECRETARY

(SEAL)

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RESOLUTION NO. 2011-92

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING A PROPERTY TAX TRANSFER AGREEMENT BETWEEN THE CITY OF MORENO VALLEY AND CITY OF PERRIS REGARDING THE DETACHMENT OF TWO PARCELS (302-170-002 & 302-170-004) WITH A TOTAL OF 1.4 ACRES FROM THE CITY OF MORENO VALLEY AND CONCURRENT ANNEXATION TO THE CITY OF PERRIS

WHEREAS, the City of Moreno Valley (Moreno Valley) and the City of Perris (Perris) are agencies whose public services might be affected by the detachment from Moreno Valley and concurrent annexation to City of Perris; and,

WHEREAS, representatives of Perris and Moreno Valley have negotiated a property tax transfer agreement to become effective for the area to be detached from City of Moreno Valley and to be concurrently annexed to City of Perris; and,

WHEREAS, the territory affected by LAFCO 2011-06-5 is described in Resolution No. 2011- _____ of the City Council of the City of Moreno Valley; and,

WHEREAS, an agreement for the exchange of property tax revenues is in the best interests of Moreno Valley and of its citizens; and,

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

1. When the City of Perris assumes the service responsibility for the suppression and prevention of structural fires in the area to be annexed, from that time, Perris shall receive one hundred percent of that portion of the property tax revenue generated within the territory annexed and identified as a structural fire protection tax; and,

2. When the City of Perris assumes the service responsibility for providing such other municipal services to the area to be annexed as are provided to areas already within Perris, from that time, Perris shall received Moreno Valley's share of that portion of the property tax revenue generated within the territory to be annexed pursuant to Article XIIA of the California Constitution; and,

ATTACHMENT 5

3. The County Auditor is hereby requested to convert the above established percentage figures into actual dollars, and thereafter to allocate~~d~~ such property tax revenue in accordance with the provisions of Section 95 and following of the California Revenue and Taxation Code; and,

4. The City Council of the City of Moreno Valley here~~e~~by agrees to the exchange of property tax revenue set forth above and approves the property tax agreement with the City of Perris pursuant hereto; and,

5. The City Clerk shall transmit a certified copy of this resolution to the Executive Officer of the Local Agency Formation Commission and to the City of Perris.

APPROVED AND ADOPTED this 23rd day of August, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

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

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

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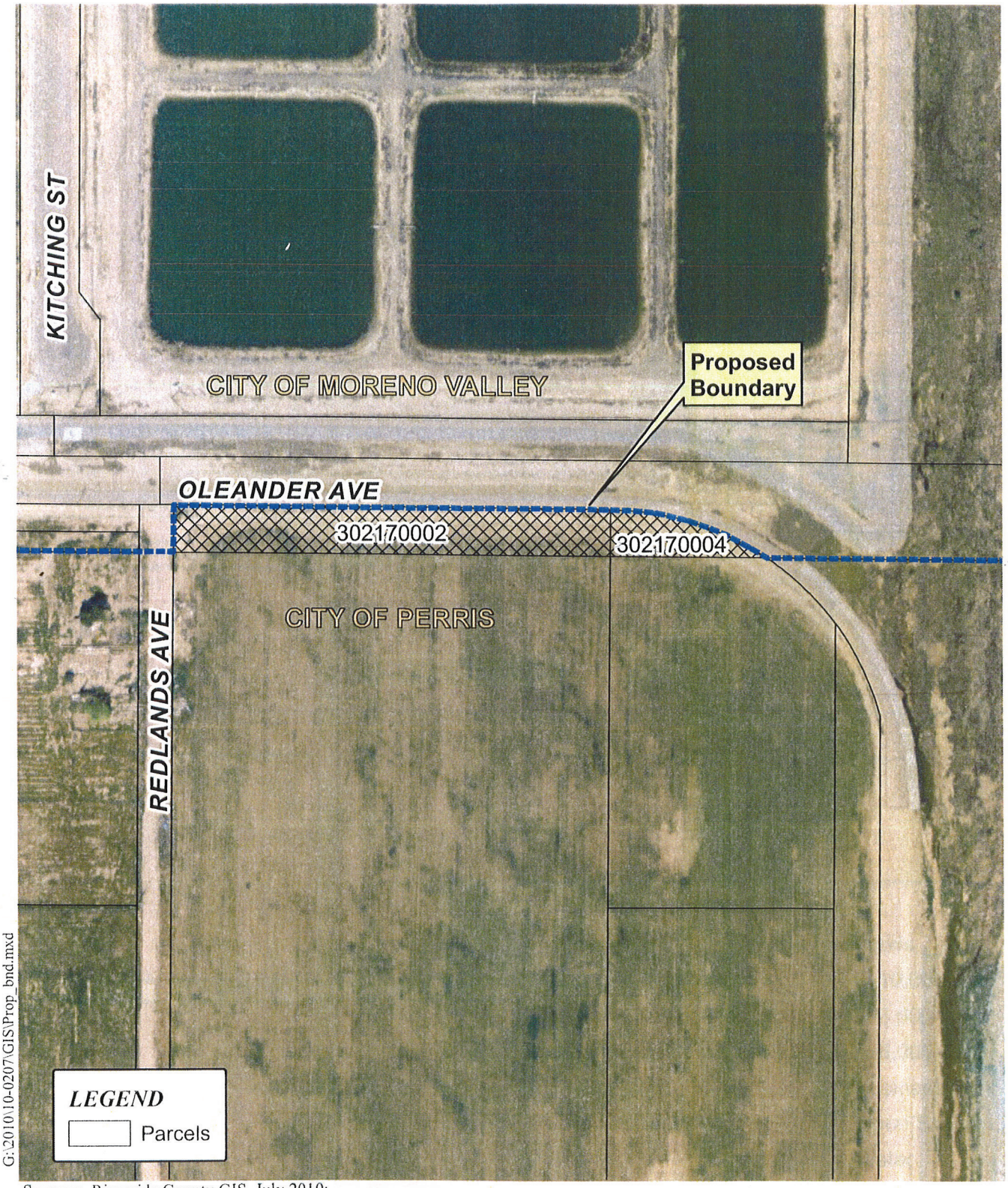

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Sources: Riverside County GIS, July 2010; Digital Globe, March 2008.

ALBERT A. WEBB ASSOCIATES

0 100 200 300 Feet

ATTACHMENT 6

Proposed Boundary

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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 23, 2011

TITLE: PUBLIC HEARING ON RESOLUTION NO. 2011-74 DECLARING CERTAIN REAL PROPERTY AS EXCESS AND AUTHORIZING SALE FOR REMAINDER OF PARCEL - APN 475-272-054 (PART OF IRONWOOD AVENUE IMPROVEMENTS FROM HEACOCK STREET TO PERRIS BOULEVARD)

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Conduct a public hearing on Resolution No. 2011-74 declaring certain real property as excess and authorizing sale for remainder of parcel – APN 475-272-054 and allowing public citizens to appear and protest the proposed sale of excess property.

2. Authorize staff to solicit offers for the purchase of said real property.

BACKGROUND

On May 25, 2010 the City Council approved acquisition of the entire property APN 475-272-054, located at 11987 Davis Street in Moreno Valley in order to attain the required right of way for the Ironwood Avenue street improvements project from Heacock Street to Perris Boulevard and the Southern California Edison power pole relocation. The City acquired title to the property on July 29, 2010. The house on the property was demolished in May 2011 to make way for the proposed improvements. The property was acquired utilizing TUMF funds due to the direct transportation corridor related improvements that are required.

On July 12, 2011 the City Council approved Resolution No. 2011-74 declaring the real property, APN 475-272-054, as excess, setting August 23, 2011 as the public hearing

date to identify any issues with the sale of the remainder parcel, and authorizing staff to solicit offers for the purchase of said real property.

DISCUSSION

The improvements fronting this property along Ironwood Avenue and Davis Street will include a new curb ramp, sidewalks, and the relocation of power poles fronting Ironwood Avenue. The ultimate public right of way will be 44 feet from the centerline along Ironwood Avenue and 33 feet from the centerline along Davis Street at the northwest corner. The Ironwood Avenue ultimate street improvements project between Heacock Street and Perris Boulevard is anticipated to be advertised in mid-August for construction bids. Construction is anticipated to start in Fall 2011.

The original lot size of 7,759 square feet along with a single family residential house was purchased at $124,500 utilizing Transportation Uniform Mitigation Fee (TUMF) funds. The ultimate street improvements at the northwest corner of Ironwood Avenue and Davis Street, abutting to this property will occupy 2,534 square feet. The house had to be demolished in order to make way for the necessary street improvements. The remaining vacant land, with an area of 5,225 square feet, is deemed excess, not needed for City public purposes, and considered a substandard residential lot in the current zone R5. The potential use and development of this remaining land is very limited but a single family home may be constructed subject to review and approval of a variance by the Planning Division. If the City retains ownership and the land remains vacant, it will require periodic on-going maintenance and weed abatement services most likely funded with General Fund monies as the surplus property is not needed for transportation related purposes.

If there are no issues identified at the public hearing, the property will be offered for sale to qualified public agencies, and if an agency wants to purchase the property, it must respond within a 60-day time frame, in accordance with Government Code 54222. If there is no interest from a qualified public agency at the expiration of the 60-day period, the City could but would not be obligated, to put the property up for sale to the public.

The hearing is required by California Government Code, Section 37422. The Resolution was published in the Press Enterprise, and the Resolution was posted at the real property site located at 11987 Davis Street in Moreno Valley.

ALTERNATIVES

1. Conduct a public hearing on Resolution No. 2011-74 declaring certain real property as excess and authorizing sale for remainder of parcel – APN 475-272-054 and allowing public citizens to appear and protest the proposed sale of excess property, and authorize staff to solicit offers for the purchase of said real property. *This alternative would allow the City to potentially sell the excess land.*

2. Do not conduct a public hearing on Resolution No. 2011-74 declaring certain real property as excess and authorizing sale for remainder of parcel – APN 475-272-054 and allowing public citizens to appear and protest the

proposed sale of excess property, and do not authorize staff to solicit offers for the purchase of said real property. *This alternative will result in the City not conforming to Government Code Section 37422 and therefore delaying or stopping the potential sale of excess land and incur weed abatement costs.*

FISCAL IMPACT

When City Council approves and accepts a purchase offer, if one is received, the net proceeds will be remitted back in the TUMF fund associated with this street improvement project.

SUMMARY

The City acquired the entire property APN 475-272-054, located at 11987 Davis Street in Moreno Valley in order to attain the required right of way for the Ironwood Avenue street improvements project from Heacock Street to Perris Boulevard and the Southern California Edison power pole relocation. The remaining property area of 5,225 square feet can be disposed of as surplus property. If the City retains ownership of this property, it would require periodic on-going maintenance and weed abatement services. Therefore, City Council is being asked conduct this public hearing to allow for the potential selling of the property as surplus land in accordance with Government Code section 54222, and authorize staff to solicit offers for the purchase of said real property.

ATTACHMENTS

Attachment "A" – Location Map
Attachment "B" – Resolution No. 2011-74

Prepared By:
Henry Ngo
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

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

W:\CapProj\CapProj\PROJECTS\Henry - 06-50182625 Ironwood - Heacock to Perris\CC Reports\Real Property\8-23-11 Public Hearing for Excess Property APN 475-272-054.doc

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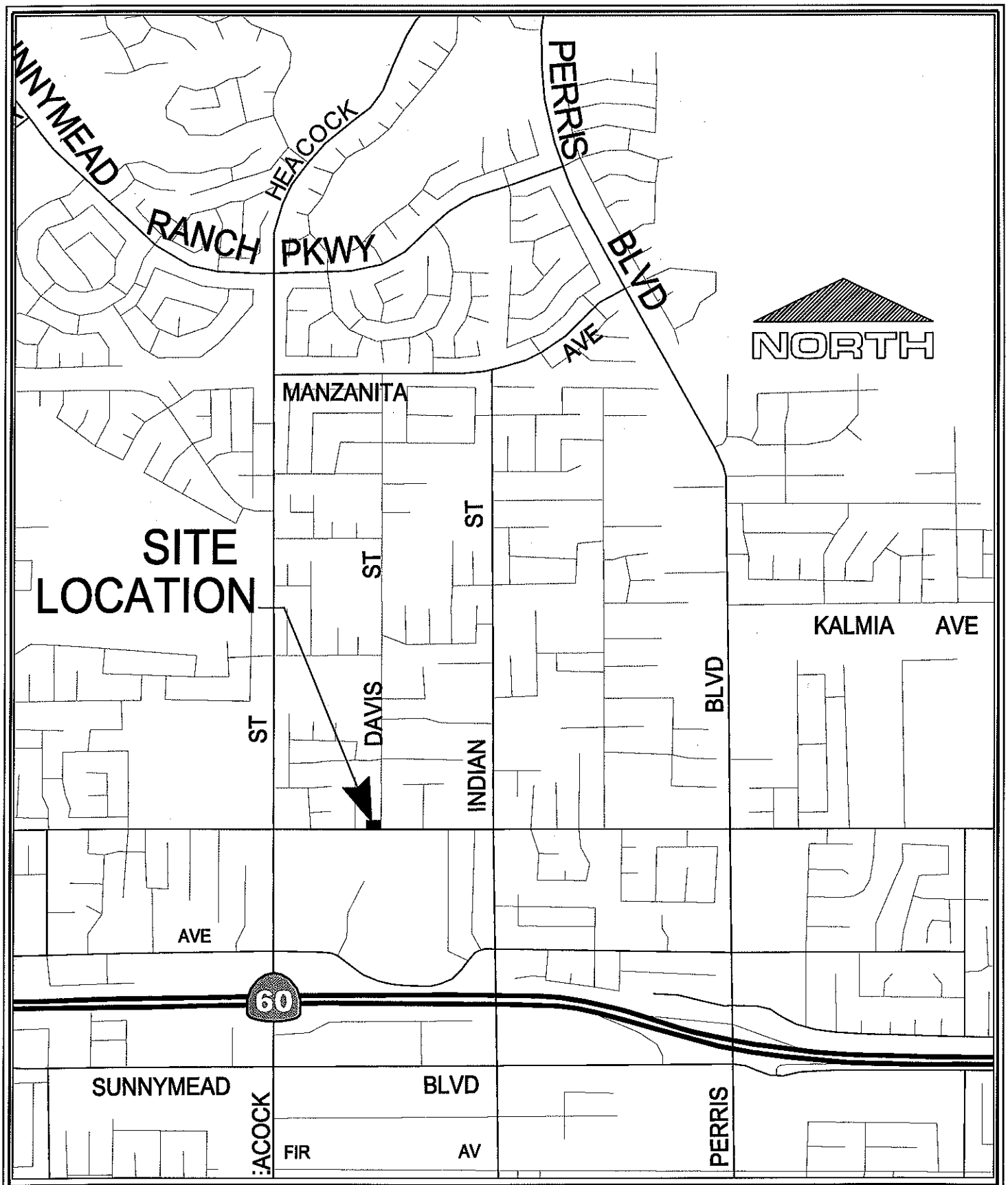

LOCATION MAP

Scale: None

ATTACHMENT "A"

11987 DAVIS STREET

APN 475-272-054

ACCESS PROPERTY- 0.12 ACRES

Item No. E.2

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RESOLUTION N0. 2011-74

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, FINDING AND DETERMINING THAT THE PUBLIC INTEREST AND CONVENIENCE REQUIRE THE SALE OF A REMAINDER PARCEL EXCESS TO PUBLIC USE.

WHEREAS, the City Council of the City of Moreno Valley desires to sell the remainder parcel APN 475-272-054, total area of 5,225 square feet, as described in Exhibit "A", that is attached hereto; and

NOW, THEREFORE, THE CITY COUNCIL DOES HEREBY FIND, DETERMINE, RESOLVE, DECLARE AND ORDER as follows:

1. The time and place for hearing protests to the sale of said real property shall be held on August 23, 2011, at 6:30 p.m. at City Hall, located at 14177 Frederick Street, Moreno Valley, California.

2. The City Council finds that the public interest and convenience require the sale of the subject real property for the following reasons:

   a) The real property is excess to that needed for public purposes; and
   b) There is an on-going cost to maintain and weed abate if ownership is retained by the City; and
   c) It is advantageous to return the property to private ownership for use and maintenance.

3. The City Clerk shall publish a copy of this Resolution in the Press Enterprise, a daily newspaper and shall cause a copy of said Resolution to be posted at the real property.

4. At the hearing, any interested person may protest to the proposed sale. Any protests must be overruled by a 4/5ths vote of the Council members.

APPROVED AND ADOPTED this 12th day of July 2011.

Resolution No. 2011-74
Date Adopted: July 12, 2011

Mayor of the City of Moreno Valley

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

Resolution No. 2011-74
Date Adopted: July 12, 2011

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, Jane Halstead, City Clerk of the City of Moreno Valley, California, do hereby certify that Resolution No. 2011-74 was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the 12th day of July, 2011 by the following vote:

AYES: Council Members Batey, Co, Hastings, Mayor Pro Tem Molina and Mayor Stewart

NOES: None

ABSENT: None

ABSTAIN: None

CITY CLERK

(SEAL)

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LEGAL DESCRIPTION

In the City of Moreno Valley, that remainder parcel of land being a portion of lot 63 as shown on the map of Moreno Acres, filed in Book 11 of Maps, Page 53, records of the County of Riverside, State of California, more particularly described as follows:

BEGINNING at the southwestly corner of the east half of the east half of said lot 63; thence North 00°07'15" East, a distance 14 feet to a point 44 feet northly of the centerline of Ironwood Avenue, said point being the **TRUE POINT OF BEGINNING**;

Thence North 00°07'15" East, 41.50 feet along the east property line; thence N 89°50'30" East, 132.48 feet along the north property line to a point on a line parallel with and distant 33.00 feet westerly of Davis Street centerline; thence South 00°06'30" West, 18.66 feet along said line; thence Southwestly, a distance of 33.13 feet to a point on a line parallel with and distant 44.00 feet northerly of Ironwood Avenue centerline; thence South 89°50'30" West, a distance of 108.60 feet, more or less, along said last mentioned parallel line to the **TRUE POINT OF BEGINNING.**

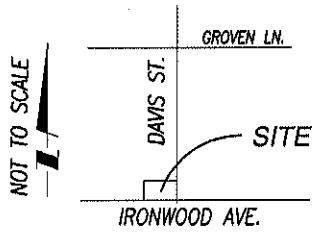
The land described herein contains approximately 5,225 square feet (0.12 acres).

See Sheet 2 of 2 for a plat depicting the above described property.

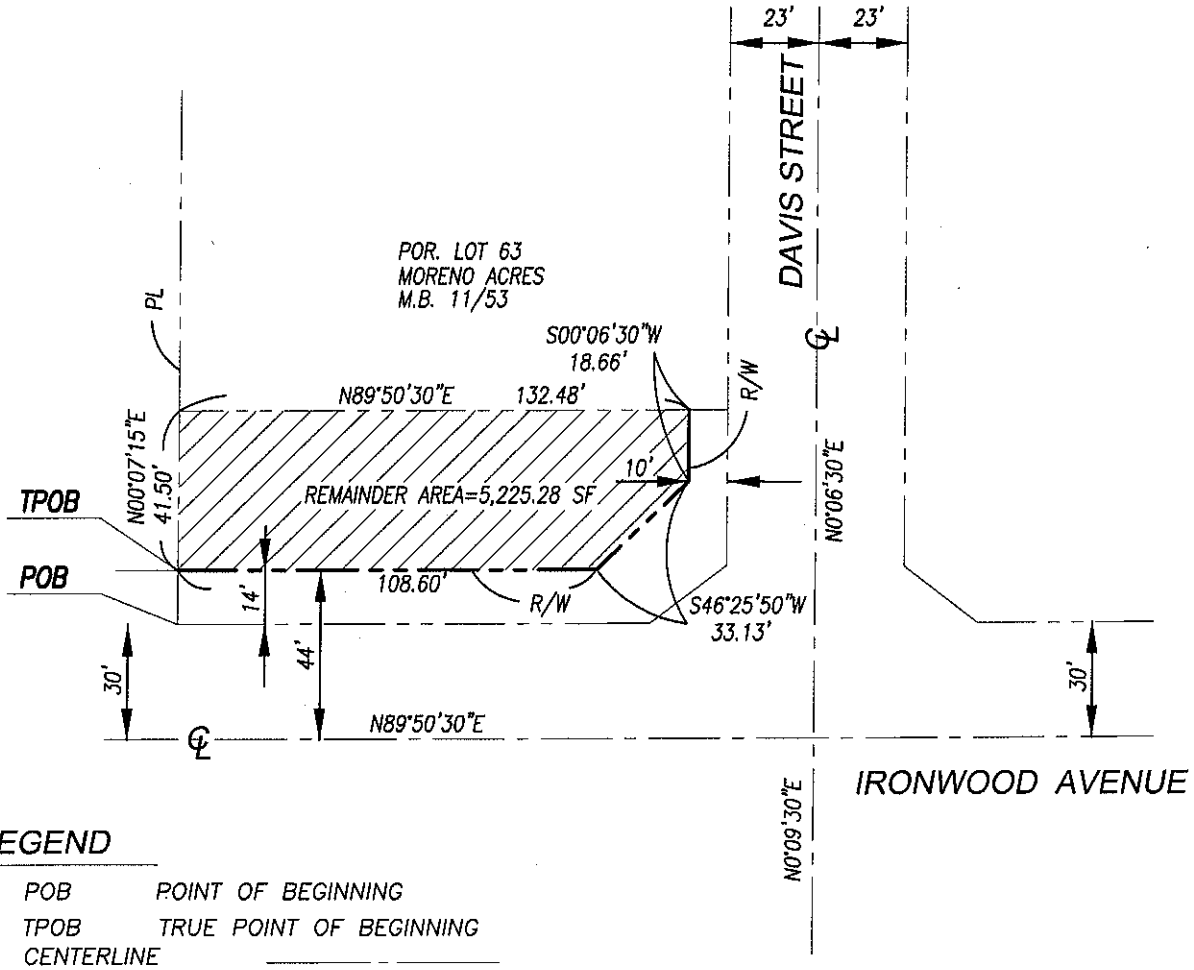
APN: 475-272-054

CITY OF MORENO VALLEY,
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA
POR. LOT 63 ON MAP OF MORENO ACRES
BOOK 11 PAGE 53

EXHIBIT "A"
SHEET 2 OF 2



VICINITY MAP



LEGEND

1. POB POINT OF BEGINNING
2. TPOB TRUE POINT OF BEGINNING
3. CENTERLINE
4. EXISTING ROW
5. NEW ROW
5. PROPERTY LINE

REMAINDER AREA = 5,225.28 SF

SCALE: 1"=50'

CITY OF MORENO VALLEY

PREPARED FOR:

PLAT MAP FOR
11987 DAVIS STREET
APN 475-272-054

APPROVALS	
BUDGET OFFICER	caf
CITY ATTORNEY	Rut
CITY MANAGER	MS

Report to City Council

TO: Mayor and City Council

FROM: Barry Foster, Community & Economic Development Director

AGENDA DATE: August 23, 2011 (Continued from July 12, 2011)

TITLE: A PUBLIC HEARING REGARDING AN APPEAL OF THE PLANNING COMMISSION DENIAL OF A ZONE CHANGE (PA08-0098) FROM BUSINESS PARK (BP) TO LIGHT INDUSTRIAL (LI) FOR A 55 ACRE SITE FOR THE WEST RIDGE COMMERCE CENTER PROJECT. THE PROJECT ALSO INCLUDES A PLOT PLAN (PA08-0097) FOR A 937,260 SQUARE FOOT WAREHOUSE FACILITY; TENTATIVE PARCEL MAP NO. 36207 (PA09-0022) TO CREATE A SINGLE PARCEL; AND A MUNICIPAL CODE AMENDMENT TO PROVIDE A MINIMUM SEPARATION/BUFFERING OF WAREHOUSE/INDUSTRIAL FACILITIES OVER 50,000 SQUARE FEET FROM ADJACENT RESIDENTIAL DISTRICTS. AN ENVIRONMENTAL IMPACT REPORT HAS BEEN PREPARED FOR THE PROJECT. THE PROJECT SITE IS LOCATED ON THE SOUTH SIDE OF STATE ROUTE 60, ON THE NORTH SIDE OF EUCALYPTUS AVENUE AND APPROXIMATELY 650 FEET WEST OF REDLANDS BOULEVARD. THE APPLICANT IS RIDGE RANCHO BELAGO, LLC.

RECOMMENDED ACTION

Staff recommends that the City Council conduct a public hearing for review of an appeal of the Planning Commission denial of Zone Change application PA08-0098, and take one of the following actions:

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

1. **ADOPT** City Council Resolution No. _____ denying Zone Change application PA08-0098, based on the findings in the Resolution.

OR

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

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

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

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

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

5. **ADOPT** City Council Resolution No. _____ APPROVING Tentative Parcel Map No. 36207 (PA09-0022), based on the findings in the Resolution, and the conditions of approval as attached to the resolution as Exhibit A.

ADVISORY BOARD/COMMISSION RECOMMENDATION

The Planning Commission, on May 12, 2011, denied the proposed Zone Change required to allow the project. The Planning Commission adopted Resolution No. 2011-13 (Attachment 21) on June 9th documenting the denial by a vote of 3-2 with two commissioners absent or abstaining. Individual Planner Commissioners stated concerns with increased truck traffic on Redlands Boulevard, impacts to aesthetics and views from State Route 60, and the lack of a specified tenant for the project.

Appeal

An appeal of the Planning Commission's denial was submitted on May 19, 2011, by the applicant, Ridge Rancho Belago, LLC. The appeal was received within the required 15 day appeal period. The appeal letter has been included as Attachment 22.

The letter listed the following as the reasons for the appeal:

- The project's architecture is consistent with prior approvals for warehouse buildings of similar size;
- Requiring a project to have a signed lease agreement prior to approval of the land use is not a standard practice.
- Redlands Boulevard is currently identified as a truck route in the City's General Plan. The traffic study identified intersection and roadway segments that required mitigation to meet or improve General Plan levels of service requirements and the project has been conditioned to complete/install infrastructure in the immediate vicinity and off-site to mitigate operational impacts to the City's circulation system.

BACKGROUND

West Ridge Commerce Center

The applicant, Ridge Rancho Belago, LLC, submitted five applications for development of the West Ridge Commerce Center Project (Zone Change, Municipal Code Amendment, Plot Plan, Tentative Parcel Map, and Environmental Impact Report), in order to develop a 937,260 square foot warehouse facility on a 55-acre site located on south side of the Moreno Valley Freeway, on the north side of Fir Avenue/Future Eucalyptus Avenue and approximately 650 feet west of Redlands Boulevard.

Zone Change

The project site is currently zoned Business Park (BP) with a Business Park (BP) General Plan land use designation. The Business Park zone limits warehouse buildings to no more than 50,000 square feet. A Zone Change to Light Industrial (LI) is required to allow the larger building proposed by the project. Both the BP and LI zones are compatible with the BP General Plan land use designation.

Land uses to the west include a mix of BP and various residential zones and to east properties are zoned Community Commercial and Light Industrial. Land uses to the south across future Eucalyptus are Residential 2 (Residential – up to 2 units per acre). In other portions of the City, the BP zone provides a buffer between the LI zone and residential zones. In providing for this separation or buffering for the proposed project, a new standard is presented as a Municipal Code Amendment in the following section.

Municipal Code Amendment

Buffering of the proposed warehouse/industrial development from the residentially zoned properties to the south was an issue reviewed for the project. Future Eucalyptus Avenue separates the proposed project from residentially zoned properties to the south. There is an existing single family residence immediately to the south of the project site.

In order to provide compatibility between current and proposed land uses, the air quality study included in the project Environmental Impact Report (EIR) proposes a buffer zone

of 250 feet from the project's truck court to the residential zone to the south (centerline of Fir Avenue/Future Eucalyptus Avenue).

The Municipal Code currently identifies the Business Park (BP) district as the zone to "provide a transition between residential and other sensitive uses and more intense industrial and warehousing uses".

The Municipal Code Amendment would add a standard to the Light Industrial zone to require industrial and warehouse structures greater than 50,000 square feet to be separated from any residential district as determined by an air quality and noise impact analysis. The minimum separation distance would be 250 feet between the residential district and the building, truck court or loading area. Attachment 18 provides the proposed Amendment text. The proposed amendment would be effective City-wide.

Plot Plan

The Plot Plan is for a 937,260 square foot warehouse distribution facility on 55 acres. The warehouse facility is a permitted use in the proposed Light Industrial zone. The building is set back 435 from the centerline of Fir/Future Eucalyptus Street while the adjacent truck court is set back 250 from the centerline of Fir/Future Eucalyptus Street.

The warehouse facility includes 173 loading docks with roll-up doors, truck staging and parking areas for 175 trailers within the enclosed truck court, two office areas and 307 parking spaces for employees and visitors. Proposed parking exceeds the City's requirements for truck and employee/visitor parking for a warehouse use.

The loading and truck parking areas on the northern and southern elevations and are screened by perimeter concrete tilt-up walls and slopes with a tree row required along the State Route 60 frontage. The lettered lot at the northeast corner of the site will be planted and maintained by the applicant/developer until the property is transferred to Caltrans for future development of the reconfigured Redlands Boulevard offramp.

The project has been conditioned to provide parking lot and setback landscape to include ground cover, shrubs and trees. Two on-site detention/water quality basins will be extensively landscaped. The project's Fir Avenue/Future Eucalyptus Avenue frontage will include curb, gutter, parkway, sidewalk and a segment of multi-use trail.

Tentative Parcel Map

Tentative Parcel Map No. 36207 is proposed to combine the five parcels located within the project site into a single 55 acre parcel with lettered lots to convey property to Caltrans for future development of a new off-ramp and to Riverside County Flood Control for maintenance of a portion of the adjacent Quincy Channel.

ENVIRONMENTAL

Initial Study/Notice of Preparation

An Initial Study was completed after all discretionary applications were deemed complete. Based on the information within the Initial Study, an Environmental Impact Report (EIR) was recommended to be prepared. A Notice of Preparation for the EIR was issued on October 1, 2009, with the public comment period beginning on October 5, 2009 and ending on November 3, 2009. A public meeting to receive input on the issues to be covered by the EIR was held at City Hall on October 28, 2009.

Draft Environmental Impact Report

Subsequent to that meeting, the Draft EIR was prepared by Applied Planning and submitted to the City and its peer consultant for review.

City staff and the peer review consultant reviewed the Draft EIR for compliance with the California Environmental Quality Act (CEQA) Guidelines and required revisions to address identified questions and concerns. After revisions were incorporated into the document, the Draft EIR was circulated for a 45-day public review period, starting on October 22, 2010, and ending on December 6, 2010. A public information meeting was held during the comment period on December 2, 2010

The Draft EIR was sent to all required responsible agencies and numerous interested parties on October 18, 2010, as well as to the City's Environmental and Historical Preservation Board. Twenty-four comment letters were provided during the 45-day review period. Two letters were received after the end of the review period.

Final Environmental Impact Report

The Draft EIR and Response to Comments constitute the Final EIR. Responses to the comments received during the 45 day review period are included in the Response to Comments. Comment letters were received on December 10, 2010, from the South Coast Air Quality Management District and from a resident, Tom Hyatt. Due to the lateness of the letters, they were not included in the Response to Comments and instead have been addressed in a separate attachment to this staff report.

The Final EIR was mailed to all interested parties and responsible agencies on April 28, 2011, in excess of the minimum notice period of 10 days required by CEQA. As was the case with the Draft EIR, the Final EIR was provided for public review at City Hall, the City Library and posted on the City's website.

Significant and Unavoidable Impacts

Analysis presented in the EIR indicates that the proposed project will have a number of potentially significant impacts, either as direct result of the proposed project or cumulatively with other proposed projects on traffic and circulation, air quality, noise, and aesthetics. The EIR includes a number of proposed mitigation measures to reduce or eliminate potential significant impacts. Even with proposed mitigation, a number of

potential impacts cannot be reduced to a less than significant level. As identified in the document, these impacts are considered to be significant and unavoidable.

Although certain identified impacts cannot be reduced to less than significant levels, CEQA allows the decision making agency to balance the economic, legal, social, technological or other benefits of a proposed project against its unavoidable environmental impacts when determining whether to approve the proposed project. This would include project benefits such as the creation of jobs. If the decision making body determines that the benefits of a proposed project outweigh its unavoidable adverse environmental effects, it may adopt a statement of overriding considerations and approve the project.

Mitigation Measures

The EIR includes mitigation measures intended to reduce project-specific and cumulative impacts for Traffic and Circulation, Air Quality/Greenhouse Gas Emissions, Noise, Water Supply, Cultural Resources, and Biological Resources. All other environmental effects evaluated in the EIR are considered to be less than significant and do not require mitigation. All mitigation measures have also been included as conditions of approval for the project.

Approval and Certification

Typically, the Planning Commission would take public testimony on the EIR and project and forward a recommendation to City Council. However, since the Planning Commission voted 3-2 denying approval of the requested Zone Change, effectively denying the project, no review or recommendation on the EIR was required.

Before the proposed project can be acted upon, the City Council must review the final EIR, receive public testimony and either certify or reject the Final EIR and project Mitigation Monitoring Program.

Municipal Code Amendment

The proposed Municipal Code Amendment is considered a minor alteration to land use limitations which qualifies as exempt under California Environmental Quality Act Guidelines, per Section 15305, as a Class 5 Categorical Exemption.

DISCUSSION

Planning Commission Public Hearing

Prior to the Planning Commission public hearing on May 12, 2011, staff received three emails from the Sierra Club commenting on the project and the related EIR. An email was also submitted by Paul Claxton, along with letters from the South Coast Air Quality Management Board and Johnson & Sedlack (Attachments 23-28). Copies of the referenced correspondence were provided to the Planning Commission.

A public hearing for the project was conducted on May 12, 2011. Following presentation of the staff report, the applicant spoke and answered Commissioner questions related to building architecture, notification efforts by the applicant, and pre-leasing the building prior to approval of the land use.

There were three speakers at this meeting. Concerns raised by the speakers included increased truck traffic on Redlands Boulevard and Ironwood Avenue, too frequent changes to the General Plan Land Use Element, the City's policy for notification of a public hearing, opposition to the Zone Change request, preservation of the rural east end of City, air quality and Commissioner objectivity.

The Planning Commission asked the applicant whether they would agree to change the architecture or guarantee a tenant or buyer. The applicant indicated that securing a tenant or buyer prior to approval of the project was not a possibility. The applicant was not willing to make changes to the architecture and asserted that the proposed architecture meets current City design criteria. Planning staff stated that the proposed architecture is consistent with both the Municipal Code and prior City warehouse approvals.

Following public testimony, the Planning Commissioners discussed the project, and then voted 3-2 to deny the Zone Change, effectively denying the project based on concerns with the project's design and potential impacts. There was no discussion of the Environmental Impact Report and no recommendation action taken on project's environmental documents.

ALTERNATIVES

1. The City Council could deny the project by adopting the denial resolution included as Attachment 2.

2. The City Council could approve the project by adopting the resolutions and ordinances included as Attachments 3 through 7.

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.

SUMMARY

This report addresses the appeal of the Planning Commission's May 12, 2011 denial of Zone Change application PA08-0098 to change the zone from Business Park to Light Industrial for a 55 acre site for the West Ridge Commerce Center project. The project also includes applications for Plot Plan PA08-0097 for a 937,260 square foot warehouse facility on 55 acres; Tentative Parcel Map No. 36207 to create a single parcel; and a Municipal Code amendment to Chapter 9.05 Industrial Districts to provide a minimum

separation or buffering of warehouse/industrial facilities over 50,000 square feet from adjacent residential districts. An Environmental Impact Report has been prepared for the proposal. Staff has provided recommended actions that would permit City Council to either uphold the Planning Commission denial or overturn that action and approve the proposed project.

NOTIFICATION

Notice of the appeal of the proposed West Ridge Commerce Center project was provided to all property owners of record within 300' of the properties covered under these applications as well as agencies and interested parties that requested notification of public meetings for this project. The public hearing notice for this project was also posted on the property site and published in the local newspaper.

ATTACHMENTS/EXHIBITS

1. Public Hearing Notice
2. City Council Denial Resolution No. _____
3. Environmental Impact Report Resolution No. _____, including Statement of Overriding Considerations and Mitigation Monitoring Program
4. Ordinance No. _____ - Zone Change
5. Ordinance No. _____ - Municipal Code Amendment
6. Resolution No. _____ - Plot Plan PA08-0097
7. Resolution No. _____ - Tentative Tract Map 36207
8 Planning Commission Staff Report excluding exhibits
9. Planning Commission Minutes from May 12, 2011 meeting
10. Environmental Impact Report
11. Site Plan
12. Elevations
13. Color Rendering
14. Cross Sections – Line of Sight
15. Preliminary Landscape Plan
16. Tentative Parcel Map 36207
17. Aerial Photograph
18. Revisions to Municipal Code Chapter 9.05 Industrial Districts
19. Response to SCAQMD comments
20. Response to Tom Hyatt comments
21. Planning Commission Denial Resolution No. 2011-13
22. Appeal letter from Ridge Rancho Belago, LLC dated 05/19/11
23. Sierra Club email dated 05/05/11
24. Sierra Club email dated 05/09/11
25. Sierra Club email dated 05/11/11
26. Johnson & Sedlack comment letter dated 05/12/11
27. South Coast Air Quality Board comment letter dated 05/12/11
28. Email comments from Paul Claxton date 05/11/11

Prepared By:
Jeff Bradshaw
Associate Planner

Department Head Approval:
Barry Foster
Community & Economic 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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RIDGE PROPERTY TRUST

201 Covina Avenue, Suite 8 | Long Beach, CA 90803
T: (562) 856-3819 | F: (562) 856-3820
www.rptrust.com

June 29, 2011

Mr. John Terell
Planning Official
City of Moreno Valley
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805

Re: Case P08-133, PA08-0098, PA10-0017, PA08-0097, and PA09-0022
Applicant: Ridge Rancho Belago, LLC
Owner: Ridge Rancho Belago, LLC

Dear John,

As you know, on May 12, 2011 the City of Moreno Valley Planning Commission disapproved adoption of Resolution No. 2011-13 recommending to the Moreno Valley City Council the following items:

1. Approval of P08-133 (Approval and Certification of the EIR for the WestRidge Commerce Center project),
2. Approval of PA08-0098 (Zone Change),
3. Approval of PA10-0017 (Municipal Code Amendment),
4. Approval of PA08-0097 (Plot Plan), and
5. Approval of PA09-0022 (Tentative Parcel Map 36207)

On May 18th, Ridge Rancho Belago LLC formally appealed (see the attached letter) the decision of the Moreno Valley Planning Commission to the 5 member Moreno Valley City Council.
Our appeal to the Moreno Valley City Council Members was then scheduled for the July 12, 2011 City Council meeting.
Per this letter, I respectfully request a continuance of our appeal to the City Council meeting scheduled for August 23, 2011.

Thank you for your consideration and please call me if you have any questions.

Sincerely,

Dennis Rice

Dennis Rice, President
Ridge Rancho Belago, LLC
By: Ridge Property Trust II, a Maryland real estate investment trust

Cc: Jeff Bradshaw, City of Moreno Valley
Gil Saenz, Inland Empire Development Services

RIDGE PROPERTY TRUST
201 Covina Avenue, Suite 8 | Long Beach, CA 90803
T: (562) 856-3819 | F: (562) 856-3820
www.rptrust.com

City of Moreno Valley City Council Members
c/o City of Moreno Valley Planning Division
14177 Frederick Street
Moreno Valley, CA 92553

Re: P08-133, PAO8-0097, 0098, 0022 and PA08-0017

Dear Council Members Stewart, Batey, Hastings, Molina and Co:

Please accept this letter as our formal appeal of the City of Moreno Valley Planning Commission denial of the proposed Westridge Commerce Center Project (the "Project") at the Planning Commission Meeting held on May 12, 2011. Specifics of the Project are as follows:

Case Description:
Plot Plan for a 937,260 square foot warehouse facility on 55 acres, Tentative Parcel Map No. 36027, Zone Change from BP to LI, a Municipal Code Amendment and an Environmental Impact Report.

Pursuant to the denial, there were many questions and discussions centered on the following:
1) Aesthetics (the Architecture of the building).
2) The uncertainty of a known lessee at this time.
3) Traffic
Our position and basis for our appeal relating to the above are:
1) We have constructed buildings in Centerpointe Business Park (across Frederick Street from City Hall) that are similar to what we are proposing at WestRidge Commerce Center and we have received many compliments from past planning commissions and city councils. This issue is totally personal, subjective, and without merit. We worked hard with staff to make this building appealing and to the level of standards Moreno Valley can be very proud of. In fact, the WestRidge Commerce Center architect, HPA, is the same architect for the Skechers building.
2) It is a very rare situation to have a lessee sign a lease for a building without the entitlements in place. The fact that Skechers signed a lease without entitlements is rare. Considering Skechers is a partner in the building with Highland Fairview and the fact there are very few, if any, sites available in the Inland Empire of a size to accommodate the large Skechers building.

3) Intersections and roadway improvements were clearly identified in the traffic analysis as being necessary to maintain or improve operational levels of service for this Project and General Plan. This Project will build all required improvements in the immediate vicinity as well as other off-site infrastructure required by the development. Furthermore, Redlands Blvd is a city designated truck route and the planning commission stated they did not want trucks mixing with automobiles.

Applicant:
Ridge Rancho Belago, LLC

Owner:
Ridge Rancho Belago, LLC

Sincerely,

Dennis Rice, President
Ridge Rancho Belago, LLC
By: Ridge Property Trust II, a Maryland real estate investment trust

RIDGE PROPERTY TRUST

MORENO VALLEY
WHERE DREAMS SOAR

Community & Economic Development Department
Planning Division
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805
(951) 413-3206
(951) 413-3210 FAX

PROJECT APPLICATION

No.:

Application must be completely filled out to be accepted.

TYPE OF APPLICATION

(One Application Form Required for Each Type of Application)

☐ Administrative Plot Plan	☐ Development Agreement	☐ Specific Plan
☐ Administrative Variance	☐ Development Code Amendment	☐ Specific Plan Amendment
☐ Amended Conditional Use Permit	☐ Extension of Time	☐ Tentative Parcel Map
☐ Amended Plot Plan	☐ General Plan Amendment	☐ Tentative Tract Map
☐ Change of Zone	☐ Plot Plan	☐ Variance
☐ Conditional Use Permit	☐ Pre-Application Review	☒ Other Appeal

APPLICATION INFORMATION

Project/Business Name (if any): West Ridge Commerce Center

Project Description: The project proposes the development of a 937,260 SF warehouse facility on 55 acres. This application is to appeal the Planning Commission denial of the project on May 12, 2011.

Property Address/Location: South of SR60 on the north side of Eucalyptus Ave and approximately 650 feet west of Redlands Blv

Assessor's Parcel Number(s): 488-330-003 Through -006 and -026

Gross Area:	Net Area:	Proposed # of Lots/Parcels:	Proposed # of Residential Units:

Related Application(s): Specific Plan Name/No. :

CONTACT PERSONS

APPLICANT Name: Ridge Rancho Belago LLC — Telephone: (562) 856-3819

Address: 201 Covina Ave, Suite 8 — Fax No. (562) 856-3820

City: Long Beach — State: CA — Zip: 90803 — E-mail Address: drice@rptrust.com

Contact Person: Dennis Rice

OWNER Name: same as above — Telephone: ( )

Address: — Fax No. ( )

City: — State: — Zip — E-mail Address:

Contact Person:

REPRESENTATIVE Name: Inland Empire Development Services — Telephone: (951) 845-1003 cell 909-225-0430

Address 931 Monarch Court — Fax No. (951) 845-9775

City: Beaumont — State: CA — Zip: 92223 — E-mail Address: gilsaenz@msn.com

Contact Person:

APPLICATION CONTINUES ON REVERSE

PROJECT INFORMATION

Existing Zoning and General Plan Designations	
Proposed Zoning and General Plan Designations (if applicable)	
Existing Uses and/or Structures on Site	
Surrounding Uses: North	
South	
East	
West	
Lot Size(s) (Sq. Ft.) (Smallest/Largest)	Graded Area (sq. ft.)
Total Building Size (Sq. Ft.)	Impervious area (sq. ft.)
Setbacks: Front	Flood Zone
Side (interior)	
Side (street side)	
Rear	
Maximum Building Height	
Total No. of Parking Stalls: Standard	
Handicapped	

N/A

APPLICATION PROCESSING

Each application must be submitted with the required processing fee and all applicable submittal requirements. Additional information or materials may be needed before an application is accepted as complete. An incomplete application may be closed if it remains inactive for 180 days or more.

OWNER'S SIGNATURE

I, Ridge Rancho Belago LLC (Print Name) am the owner of the property described in this application and hereby authorize Dennis S. Rice (Applicant/Representative Name) to act on my behalf on matters pertaining to this application.

Dennis S Rice — Property Owner's Signature — 5-18-2011 — Date

Note: If more than one owner, a separate page must be attached, listing the names and addresses of all persons (if a corporation, list officers and principals) having interest in the property ownership.

APPLICANT'S SIGNATURE

I certify under penalty of perjury that all the foregoing information is true and correct, and recognize that any false or misleading information shall be grounds for denial of this application. I also acknowledge that I am aware of and agree to indemnify the City in any legal proceedings pertaining to this request for discretionary land use approval. Section 9.02.310 of the Moreno Valley Municipal Code.

Dennis S Rice — Applicant's Signature — 5-18-2011 — Date

RIDGE RANCHO BELAGO, LLC CTYMORENO CITY OF MORENO VALLEY

DATE	INVOICE NO	DESCRIPTION	INVOICE AMOUNT
5-16-11	51611	APPEAL PROCESS APP FEE	750.00

CHECK DATE	5-17-11	CHECK NUMBER	1194	TOTAL >	750.00

PLEASE DETACH AND RETAIN FOR YOUR RECORDS

RIDGE RANCHO BELAGO, LLC CTYMORENO CITY OF MORENO VALLEY

DATE	INVOICE NO	DESCRIPTION	INVOICE AMOUNT
5-16-11	51611	APPEAL PROCESS APP FEE	750.00

CHECK DATE	5-17-11	CHECK NUMBER	1194	TOTAL >	750.00

PLEASE DETACH AND RETAIN FOR YOUR RECORDS

THE FACE OF THIS DOCUMENT HAS A COLORED BACKGROUND ON WHITE PAPER

RIDGE RANCHO BELAGO, LLC
8430 WEST BRYN MAWR AVE
SUITE 400
CHICAGO, IL 60631
773-695-1250

JP MORGAN CHASE BANK, N.A.
CHICAGO, IL 60603

2-1/710

DATE	CHECK NO.	AMOUNT
May 17, 2011	1194	**********$750.00

Pay:**********Seven hundred fifty dollars and no cents

PAY TO THE ORDER OF
CITY OF MORENO VALLEY
14177 Frederick Street
PO Box 88005
Moreno Valley, CA 92552

THE BACK OF THIS DOCUMENT CONTAINS AN ARTIFICIAL WATERMARK—HOLD AT AN ANGLE TO VIEW

⑈001194⑈ ⑆071000013⑆ 719549123⑈

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: P08-133 – Environmental Impact Report
PA08-0098 – Zone Change
PA10-0017 – Municipal Code Amendment
PA08-0097 – Plot Plan
PA09-0022 – Tentative Parcel Map No. 36207

APPLICANT: Ridge Rancho Belago, LLO

OWNER: Ridge Rancho Belago, LLC

REPRESENTATIVE: Inland Empire Development Services

LOCATION: South side of State Route 60, on the north side of Eucalyptus Avenue and approximately 650 feet west of Redlands Boulevard

PROPOSAL: A public hearing regarding an appeal of the Planning Commission's May 12, 2011 denial of a Zone Change (PA08-0098) from Business Park (BP) to Light Industrial (LI) for a 55 acre site for the West Ridge Commerce Center project. The project also includes a Plot Plan (PA08-0097) for a 937,260 square foot warehouse facility; Tentative Parcel Map No. 36207 (PA09-0022) to create a single parcel; and a Municipal Code Amendment to provide a minimum separation/buffering of warehouse/industrial facilities over 50,000 square feet from adjacent residential districts. An Environmental Impact Report has been prepared for the project.

ENVIRONMENTAL DETERMINATION: Environmental Impact Report

COUNCIL DISTRICT: 3

Any person interested in any listed proposal can contact the Community & Economic 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) 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, Calif. 92553

DATE AND TIME: July 12, 2011 at 6:30 PM

CONTACT PLANNER: Jeff Bradshaw

PHONE: (951) 413-3224

ATTACHMENT 1

Item No. E.3

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RESOLUTION NO. 2011-76

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DENYING A CHANGE OF ZONE (PA08-0098) FROM BP (BUSINESS PARK) TO LI (LIGHT INDUSTRIAL) FOR AN APPROXIMATE 55 ACRE SITE, LOCATED WITHIN ASSESSOR'S PARCEL NUMBERS 488-330-003 THROUGH -006 AND -026.

WHEREAS, the applicant, Ridge Rancho Belago, LLC, has filed an application for the approval of a change of zone (PA08-0098) from BP (Business Park) to LI (Light Industrial) for an approximately 55 acre site located on the south side of State Route 60, on the north side of Fir Avenue/Future Eucalyptus Avenue and approximately 650 feet west of Redlands Boulevard.

WHEREAS, on May 12, 2011, the Planning Commission of the City of Moreno Valley held a meeting to consider the Zone Change application.

WHEREAS, on June 9, 2011, the Planning Commission adopted a resolution by a vote of 3 to 2 to deny the proposed Change in Zone.

WHEREAS, on July 12, 2011, the City Council held a public hearing to consider an appeal of the Planning Commission's denial of the Zone Change application.

WHEREAS, the project also includes applications for an Environmental Impact Report (EIR) (P08-133), a Municipal Code Amendment (PA10-0017), a Plot Plan (PA08-0097) and Tentative Parcel Map No. 36207 (PA09-0022). Since the City Council voted to deny the Change of Zone, no action on the related project applications is required, since the applications are moot.

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

A. This City Council 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 City Council during the above-referenced meeting on July 12, 2011, including written and oral staff reports, and the record from the public hearing, this City Council hereby specifically finds as follows:

1. The Moreno Valley General Plan designates State Route 60 (SR-60) as a local scenic road (Policy 7.7.3). In addition, Figure 5.11-1, "Major Scenic Resources," illustrates that the Project site is located within a view corridor.

The proposed Change of Zone may not be consistent with the General Plan's policy regarding protection of scenic resources. The proposed project includes a 937,260 square foot warehouse industrial building which exceeds the maximum building area of 50,000 square feet permitted by the current zoning designation of Business Park. Adequately designing a building elevation(s) that is visible along a scenic corridor might prove difficult due to the scale and massing of a single large warehouse building. A business park comprised of smaller buildings (50,000 square feet or less) might afford opportunities for view corridors between the structures.

2. The proposed warehouse industrial buildings would increase the amount of heavy truck traffic on adjacent Redlands Boulevard leading from the project to Highway 60. Potential conflicts may be created with the mixing of heavy trucks and residential and business park traffic. The increase in heavy truck traffic would be incompatible with the lower intensity business park uses and residential uses identified on the General Plan Land Use Element for this area. The proposed warehouse industrial building would be better suited to areas in the City that provide better access to the freeway system through upgraded roadways and freeway interchanges.

BE IT FURTHER RESOLVED that the City Council HEREBY APPROVES Resolution No. 2011-_____, DENYING a Change of Zone (PA08-0098) for an approximate 55 acre site from BP (Business Park) to LI (Light Industrial).

APPROVED AND ADOPTED this _____ day of _____, 2011.

_____
Mayor of the City of Moreno Valley

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

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

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

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RESOLUTION NO. 2011-77

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT (P08-133), ADOPTION OF THE FINDINGS AND STATEMENT OF OVERRIDING CONSIDERATIONS, AND APPROVAL OF THE MITIGATION MONITORING PROGRAM FOR THE WEST RIDGE COMMERCE CENTER PROJECT, GENERALLY LOCATED ON THE SOUTH SIDE OF STATE ROUTE 60, ON THE NORTH SIDE OF FIR AVENUE/FUTURE ECUALYPTUS AVENUE AND APPROXIMATELY 650 FEET WEST OF REDLANDS BOULEVARD.

WHEREAS**,** on July 12, 2011, the City Council of the City of Moreno Valley held a public hearing to consider the Environmental Impact Report and all related environmental documentation for the proposed project, which includes a Plot Plan for a 937,260 square foot distribution warehouse facility on 55 acres. The warehouse building includes 173 dock doors and provides parking for 307 employees/visitors and 175 trailer parking spaces within the enclosed truck court. The project site is currently zoned Business Park which limits warehouse buildings to no more than 50,000 square feet. A Zone Change to Light Industrial is required to allow the larger building proposed by the project. Tentative Parcel Map No. 36207 proposes to combine the multiple parcels of the project site into a single parcel This project also requires approval of a Municipal Code amendment to Chapter 9.05 Industrial Districts to require a minimum separation or buffering of warehouse facilities over 50,000 square feet from adjacent Residential districts. The proposed amendment will be effective citywide;

WHEREAS, the project includes applications for a Change of Zone (PA08-0098), Municipal Code Amendment (PA10-0017), a plot plan (PA08-0097) and a tentative parcel map (PA09-0022). All the applications are related but shall not be approved unless the Environmental Impact Report (P08-133) is certified and approved.

WHEREAS, a Draft Environmental Impact Report (DEIR) was initially prepared for this project. Said DEIR was initially circulated for review on October 22, 2010, while the review period ended on December 6, 2010. A Final EIR, (including the Draft EIR and responses to comments), has been completed and is being recommended for certification, prior to the approval of discretionary permits related to the project.

WHEREAS, on April 28, 2011, the City published a notice in the local newspaper (Press Enterprise) and distributed copies of the draft Final EIR with complete responses to comments to the State Clearinghouse, local agencies and other interested parties;

ATTACHMENT 3

WHEREAS, on July 12, 2011, the City Council held a public hearing to consider a Final EIR for this project.

WHEREAS on July 12, 2011, the City Council reviewed in full the Final EIR, the Statement of Overriding Considerations and Mitigation Monitoring Program;

WHEREAS**,** the draft and final EIR concerning the proposed West Ridge Commerce Center Project were prepared in sufficient detail and duly circulated in compliance with the California Environmental Quality Act (CEQA), the State CEQA Guidelines and the City of Moreno Valley Rules and Procedures to Implement CEQA;

WHEREAS, the Final EIR recommended to the City Council includes all responses to comments thereon;

WHEREAS, the final EIR includes a review of potential impacts associated with the implementation of the West Ridge Commerce Center Project, including, but not limited to aesthetics, air quality, biological resources, cultural resources, hydrology and water quality, land use, noise, transportation/traffic, and utilities/service systems;

WHEREAS, a Mitigation Monitoring Program has been completed to ensure that all of the mitigation measures outlined in the final EIR are implemented, and

WHEREAS**,** all legal prerequisites to the adoption of this Resolution have occurred.

NOW, THEREFORE, the City Council of the City of Moreno Valley does hereby resolve as follows:

1. The City Council certifies that the final Environmental Impact Report (EIR) for the West Ridge Commerce Center Project on file with the Community & Economic Development Department, incorporated herein by this reference, has been completed in compliance with the California Environmental Quality Act, that the City Council reviewed and considered the information contained in the final EIR and that the final EIR reflects the City's independent judgment and analysis; and

2. The City Council hereby adopts the Findings and Statement of Overriding Considerations regarding the final EIR for the West Ridge Commerce Center Project, attached hereto as Exhibit A; and

3. The City Council hereby approves the Mitigation Monitoring Program for the final EIR for the proposed West Ridge Commerce Center Project, attached hereto as Exhibit B.

APPROVED AND ADOPTED this _____ day of _____, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

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

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

Facts, Findings and Statement of Overriding Considerations
Regarding the Environmental Effects and the Approval of the
Westridge Commerce Center Project
(State Clearinghouse No. 2009101008)

I. INTRODUCTION

The City Council of Moreno Valley (this "Council"), in certifying the EIR for the Westridge Commerce Center Project and approving Tentative Parcel Map 36207 and a Plot Plan authorizing the construction of up to 937,260 square feet of light industrial/distribution warehouse uses (the "Project"), makes the Findings described below and adopts the Statement of Overriding Considerations presented at the end of the Findings. The Environmental Impact Report ("EIR") was prepared by the City acting as lead agency pursuant to the California Environmental Quality Act ("CEQA"). Hereafter, unless specifically identified, the Notice of Preparation ("NOP"), Notice of Availability & Completion ("NOA/NOC"), Draft EIR ("DEIR"), Technical Studies, Final EIR containing Responses to Comments and textual revisions to the Draft EIR ("FEIR"), and the Mitigation Monitoring and Reporting Program ("MMRP") will be referred to collectively herein as the "EIR." These Findings are based on the entire record before this Council, including the EIR. This Council adopts the facts and analyses in the EIR, which are summarized below for convenience. The omission of some detail or aspect of the EIR does not mean that it has been rejected by this Council.

II. PROJECT SUMMARY

A. PROJECT DESCRIPTION

1. Site Location

The Project is located in the City of Moreno Valley. The Project site consists of approximately 54.66 acres of vacant and undeveloped land, located southeasterly of the SR-60 interchange with Redlands Boulevard. Specifically, the Project is bounded by SR-60 to the North, Fir Avenue (future Eucalyptus Avenue) to the south, the Quincy Channel to the

EXHIBIT A

west, and vacant land designated for commercial use between the Project's east boundary and Redlands Boulevard, approximately 700 feet to the east.

Properties to the west of the Westridge Commerce Center Project site, across the Quincy Channel, are currently in agricultural production; however, a development proposal has been submitted to the City for this adjacent site, involving six (6) distribution warehouse facilities totaling approximately 2.25 million square feet on 117 acres, and an EIR is currently being prepared for this project. To the south, across the Fir (future Eucalyptus) Avenue alignment, properties are currently vacant with the exception of one residence located near the southeasterly corner of the Project site. No active development proposals exist for southerly adjacent properties, which have a General Plan Land Use designation of "R2," allowing two dwelling units (DU) per acre. Properties immediately to the east of the Project site are designated for commercial use, though no development proposal is currently on file. Further to the east, across Redlands Boulevard, the Highland Fairview Corporate Park project is currently under construction. At buildout, this Project would involve approximately 2.6 million square feet of warehouse distribution uses and 200,000 square feet of commercial uses on approximately 158 acres located south of SR-60, between Redlands Boulevard and Theodore Street.

2. <u>Project Description</u>

The Project consists of construction and operation of an approximately 937,260 square foot light industrial/distribution warehouse facility, with onsite parking, circulation, and all required infrastructure. The Project site is currently designated for Business Park/Light Industrial uses in the City's General Plan, and its zoning designation is Business Park. The development of the Project requires a change of zone, from Business Park to Light Industrial zoning, to allow for the proposed light industrial/distribution warehouse uses configured in a single structure greater than 50,000 square feet. A Municipal Code text amendment to Section 9.05.020 B is also required by the Project, to provide objective standards for the development of Light Industrial uses adjacent to residentially-zoned property in order to ensure the protection of the health, safety and welfare of future residents.

3. Actions Covered by the EIR

The EIR will support the following discretionary approvals:

- A zone change from Business Park to Light Industrial;
- Amendment to Municipal Code Section 9.05.020 B [Light Industrial Districts];
- Tentative Parcel Map approval (PM 36207);
- Development Plan Review and Plot Plan approval for the entire Project;
- Construction, grading, and encroachment permit approvals;
- Vacation and/or dedication of public rights-of-way and easements;
- Approval of the Final Water Quality Management Plan (WQMP); and
- Any other City of Moreno Valley approvals that may be necessary pursuant to applicable laws and regulations.

B. PROJECT OBJECTIVES

The Project Objectives include the following:

- Transition the existing site into a productive use;
- Develop a project that is sensitive to the surrounding land uses;
- Provide jobs-producing, light industrial uses to the City of Moreno Valley and local community;
- Capitalize on the site's regional freeway access; and
- Increase economic benefits to the City of Moreno Valley through increased tax generation and job creation.

III. ENVIRONMENTAL REVIEW AND PUBLIC PARTICIPATION

The City has conducted an extensive review of this Project which included the DEIR, FEIR and supporting technical studies, along with a public review and comment period first during the circulation of the NOP/Initial Study and then through the circulation of the DEIR. The following is a summary of the environmental review of this Project:

- On October 1, 2009 the City circulated a Notice of Preparation ("NOP") and the Initial Study that identified the environmental issues that the City anticipated would be analyzed in the Project's DEIR to the State Clearinghouse, responsible agencies, and other interested parties.
- On October 28, 2009, the City conducted a public scoping meeting to allow members of the public to provide comments and input regarding the scope and content of the DEIR.
- The NOP public review period ran for 30 days, from October 1 to October 30, 2009. Written comments on the NOP were received from 26 different agencies, organizations, and individuals. The scope of the issues identified in the comments expressing concern included potential impacts associated with: aesthetics; agricultural resources; air quality; biological resources; geology and soils (seismic risk); hazardous materials; hydrology/water quality; land use; noise; solid waste generation; traffic and circulation; water supply; alternatives selection; cumulative impacts; growth inducement; and the use of green building standards and solar energy.
- Based on the Initial Study, included in the DEIR in Appendix A, and comments received pursuant to the NOP, it was determined that some issues need not be addressed in depth in the DEIR because previous studies of other analyses provided sufficient information and analysis to conclude that there was little or no potential for significant impacts. These environmental topics included: (1) Agricultural Resources; (2) Geology and Soils; (3) Hazards/Hazardous Materials; (4) Mineral Resources; (5) Population/Housing; (6) Public Services; (7) Recreation; and, (8) Utilities and Service Systems.

- On October 21, 2010, the NOA/NOC was filed with the Riverside County Recorder and the State Clearinghouse and the DEIR was circulated for the 45 day public review, which ended December 6, 2010.
- The City received a total of six (6) comment letters from public agencies; five (5) from local business or community organizations; and thirteen (13) from individuals. The City prepared specific responses to all comments. The responses to comments are included in Section 3.0 of the FEIR.
- On December 2, 2010, the City held a publicly noticed meeting to provide additional information about the Project and the EIR.
- On April 29, 2011 in accordance with *Public Resources Code* Section 21092.5, the City provided written proposed responses to public agencies that commented on the DEIR.
- On May 12, 2011, the City Planning Commission conducted a public hearing to consider the Project. After public testimony presented at the hearing, the Planning Commission denied the requested Zone Change for the Project, effectively denying the Project.
- On May 19, 2011, an appeal letter and application were submitted to the City by the applicant, Ridge Rancho Belago, LLC, appealing the Planning Commission's denial of the Project to the City Council.
- On June 30, 2011, Notice of the City Council hearing to consider the Project was provided in the following newspaper(s) of general and/or regional circulation: Press Enterprise.
- On July 12, 2011, this Council approved a continuance to August 23, 2011.
- On August 23, 2011, this Council held a public hearing to consider the Project and staff recommendations. The City, after considering written comments and oral testimony on the EIR, determined that no new information was presented that would require recirculation of the EIR. Following public testimony, submission of additional written comments, and staff recommendations, this Council certified the EIR, adopted these Facts, Findings and the Statement of Overriding

Considerations, and the further recommendations in the Staff Report, and approved the Project, including the requested change of zone, Municipal Code Amendment, and PM 36207 (collectively the "Approvals").

IV. INDEPENDENT JUDGMENT FINDING

The Applicant retained the independent consulting firm of Applied Planning, Inc. ("Applied Planning") to prepare the EIR for the Project. Applied Planning has prepared the EIR under the supervision, direction and review of the City with the assistance of an independent peer review (Willdan Associates). The City of Moreno Valley is the Lead Agency for the preparation of the EIR, as defined by CEQA CPRC Section 21067 as amended. The City Council has received and reviewed the EIR prior to certifying the EIR and prior to making any decision to approve or disapprove the Project.

Finding: The EIR for the Project reflects the City's independent judgment. The City has exercised independent judgment in accordance with *Public Resources Code* Section 21082.1(c)(3) in directing the consultant in the preparation of the EIR, as well as reviewing, analyzing and revising material prepared by the consultant.

A. GENERAL FINDING ON MITIGATION MEASURES

In preparing the Approvals for this Project, City staff incorporated the mitigation measures recommended in the EIR as applicable to the Project. In the event that the Approvals do not use the exact wording of the mitigation measures recommended in the EIR, in each such instance, the adopted Approvals are intended to be identical or substantially similar to the recommended mitigation measure. Any minor revisions were made for the purpose of improving clarity or to better define the intended purpose.

Finding: Unless specifically stated to the contrary in these findings, it is this Council's intent to adopt all mitigation measures recommended by the EIR which are applicable to the Project. If a measure has, through error, been omitted from the Approvals or from these Findings, and that measure is not specifically reflected in these Findings, that measure shall be deemed to be adopted pursuant to this paragraph. In addition, unless specifically stated to the contrary in these Findings, all Approvals repeating or rewording mitigation measures recommended in the EIR are intended to be substantially similar to the mitigation measures

recommended in the EIR and are found to be equally effective in avoiding or lessening the identified environmental impact. In each instance, the Approvals contain the final wording for the mitigation measures.

V. ENVIRONMENTAL IMPACTS AND FINDINGS

City staff reports, the EIR, written and oral testimony at public meetings or hearings, these facts, findings and statement of overriding considerations, and other information in the administrative record, serve as the basis for the City's environmental determination.

The detailed analysis of potentially significant environmental impacts and proposed mitigation measures for the Project is presented in Section 4.0 and 5.0 of the DEIR and Section 4.0 of the FEIR. Responses to comments on the DEIR, along with copies of the comments, are provided in Chapter 3.0 of the FEIR.

The EIR evaluated nine major environmental categories for potential impacts including Aesthetics, Air Quality, Biological Resources, Cultural Resources, Hydrology and Water Quality, Land Use, Noise, Traffic and Circulation and Water Supply. Both Project-specific and cumulative impacts were evaluated. Of these nine major environmental categories, this Council concurs with the conclusions in the EIR that the issues and sub issues discussed in Sections V.A and V. B below either are less-than-significant without mitigation or can be mitigated below a level of significance. For the remaining potential environmental impacts that cannot feasibly be mitigated below a level of significance discussed in Section V.C, overriding considerations exist which make these potential impacts acceptable to this Council.

A. LESS-THAN-SIGNIFICANT ENVIRONMENTAL IMPACTS NOT REQUIRING MITIGATION

The Moreno Valley City Council hereby finds that the following potential environmental impacts of the Project are less-than-significant and therefore do not require the imposition of mitigation measures.

1. Land Use

a. General Plan Consistency

Potential Significant Impact: Whether the Project is consistent with applicable provisions of the City's General Plan.

Findings: Potential impacts of the Project related to consistency with the General Plan are discussed in detail in Section 4.1 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to General Plan consistency will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project site's General Plan Land Use designation is "Business Park/Light Industrial." The warehouse and distribution uses proposed by the Project are permitted or conditionally permitted by, and therefore are considered to be consistent with, applicable General Plan Land Use Plans and Policies. (DEIR, pg. 4.1-17) Accordingly, impacts associated with General Plan consistency would be less-than-significant and no mitigation is required.

b. Zoning Consistency

Potential Significant Impact: Whether the Project would conflict with the applicable zoning.

Findings: Potential impacts of the Project related to consistency with zoning are discussed in detail in Section 4.1 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to zoning consistency will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project site's existing zoning designation of Business Park (BP) does not allow for development of distribution warehouse uses within single structures of more than 50,000 square feet, as proposed by the Project. As such, a zone change from BP to Light Industrial (LI) is requested in order to accommodate the Project. The proposed LI zoning designation is consistent with the site's underlying General Plan Land Use designation of Business Park/Light Industrial. In order to ensure compatibility of the Project's proposed Light Industrial zoning with adjacent residentially zoned land uses, a Municipal Code Amendment is also proposed that would require a minimum separation of 250 feet between light industrial uses and residentially-zoned properties. This 250-foot minimum separation shall be increased as

required to fully mitigate any potentially significant health risks and/or potentially significant operational noise impacts at adjacent residential properties. (DEIR, pgs. 4.1-20 to 4.1-24) Accordingly, with approval of the Project's requested zone change and Municipal Code Amendment, impacts associated with zoning consistency would be less-than-significant and no mitigation is required.

c. Consistency with SCAG Plans and Policies

Potential Significant Impact: Whether the Project would conflict with any applicable Southern California Association of Governments (SCAG) plan or policy.

Findings: Potential impacts of the Project related to consistency with the applicable SCAG plans and policies are discussed in detail in Section 4.1 of the Draft EIR. Based on the entire record before us, this Council finds that no significant impacts related to inconsistency with SCAG's regional plans or policies areas will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The City of Moreno Valley is a SCAG member agency, and is subject to applicable Policies of SCAG's regional plans. The DEIR assessed the Project and found it to be consistent with applicable SCAG Policies on Growth Management, Air Quality, Open Space and Conservation, and Water Quality, Regional Transportation. The Project was also found to be consistent with SCAG's Regional Transportation Plan and Compass Growth Visioning Principles. (DEIR, pgs. 4.1-24 to 4.1-30) Accordingly, any impact associated with SCAG plan or policy consistency would be less-than-significant and no mitigation is required.

d. Consistency with Applicable Habitat Conservation Plans

Potential Significant Impact: Whether the Project would conflict with applicable Habitat Conservation Plans or other natural community conservation plans.

Findings: Potential impacts of the Project related to consistency with the applicable Habitat Conservation Plan are discussed in detail in Section 4.1 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to consistency with applicable Habitat Conservation Plan policies will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project site is within the jurisdiction of the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) and the Stephens' Kangaroo Rat Habitat Conservation Plan. The Project complies with all applicable provisions of the MSHCP. The Project site is not within an MSHCP Criteria Cell, nor is the site within 1,000 feet of an identified Criteria Cell. No MSHCP conservation areas or habitat linkages occur onsite. (DEIR, pg. 4.1-31) Accordingly, any impacts related to consistency with the MSHCP would be less-than-significant and no mitigation is required.

Prior to the implementation of the MSHCP, Riverside County adopted a separate HCP for the Stephens' kangaroo rat (SKR, Dipodomys stephensi), which are federally listed as endangered and state listed as threatened. As with the MSHCP, participants of the SKR HCP can incorporate projects into the incidental "take" permit for SKR if the project complies with the requirements of the SKR HCP implementing agreement. Payment of the mitigation fees and compliance with the SKR HCP requirements provides full mitigation under CEQA for impacts to SKR. (DEIR, pg. 4.8-14)

e. Potential to Divide an Established Community

Potential Significant Impact: Whether the Project would physically divide an established community.

Findings: Potential impacts of the Project related to the potential division of an established community are discussed in detail in Section 4.1 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to the physical division of an established community will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project site is located within, and continues the business park/light industrial land uses that exist or are proposed along the City's southerly SR-60 frontage, consistent with land use and development patterns reflected in the Moreno Valley General Plan Land Use Map. Adjacent parcels to the east and south are currently vacant, with the exception of a single family residence to the south of Fir (future Eucalyptus) Avenue near the Project site's southeasterly corner. Parcels adjacent to this residence are designated for Rural Residential (RA-2) uses. However, with the exception of the single existing residence south of Fir (future Eucalyptus) Avenue, this adjacent, residentially designated area is not yet

developed, and as such, does not constitute an "established community." Implementation of the Project will realize light industrial/warehouse distribution uses that are compatible with, and similar to, anticipated development to the east and west of the Project as part of the approved Highland Fairview Corporate Park project, and the proposed ProLogis project. (DEIR, pgs. 4.1-32 to 4.1-33) Accordingly, any impacts related to the division of an established community would be less-than-significant and no mitigation is required.

f. Cumulative Impacts Related to Land Use

Potential Significant Impact: Whether the Project would result in cumulatively significant impacts to land use.

Findings: Potential cumulative impacts of the Project related to land use are discussed in detail in Section 5.1.1.1 of the DEIR. Based on the entire record before us, this Council finds that no cumulatively significant impacts related to land use will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: Implementation of the Project would result in the introduction of a new industrial use in an area of the City that has, until recently, been largely undeveloped. While it is acknowledged that development of the Project would result in a permanent change to the perceived rural character of the Project area, the proposed land use is consistent with the City's General Plan Land Use Element. The Project is also consistent with SCAG's regional plans and policies and the Western Riverside County MSHCP. With approval of the requested zone change (from Business Park to Light Industrial) and Municipal Code Amendment, in addition to approval of the discretionary actions identified in Section II (A)(3) of these Findings, the Project's contributions to potential cumulative land use impacts related to General Plan, Zoning, and Regional Plan consistency are less-than-significant. There are no known or probable off-site development proposals that would not, or could not, comply with applicable General Plan provisions; or that would otherwise adversely compound land use approvals requested by the Project, and so be determined to be cumulatively significant. It is assumed that other development projects within the cumulative impact area will also request appropriate discretionary land use approval where necessary, thereby reducing potential cumulative impacts. (DEIR, pgs. 5-5 to 5-7) Accordingly, any impacts to land use would not be cumulatively considerable and no mitigation is required.

2. Traffic and Circulation

a. Increase in Roadway Hazards

Potential Significant Impact: Whether the Project would substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment).

Findings: Potential impacts of the Project related to increased roadway hazards are discussed in detail in Section 4.2 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to increased hazards will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: To ensure appropriate design and implementation of all Project access improvements, the final design of the Project site plan, to include locations and design of proposed driveways, shall be reviewed and approved by the City Traffic Engineer. Efficient and safe operations of the Project are provided by on-site and localized circulation and intersection improvements included as components of the Project. The safety of bicyclists and pedestrians shall be taken into consideration during the final design of future intersections within the vicinity of the Project. Additionally, sight distance at each Project access point shall be reviewed with respect to standard Caltrans/City of Moreno Valley sight distance standards at the time of preparation of final grading, landscape and street improvement plans. Temporary and short-term traffic detours and traffic disruption that may result during Project construction is adequately addressed through the submittal of a construction area traffic management plan as required by the City Engineer. The required construction area traffic management plan will identify traffic control for any street closure, detour, or other disruption to traffic circulation. The plan also identifies construction vehicle access routes, hours of construction traffic, traffic controls and detours. Implementation of the approved construction area traffic management plan and resulting construction traffic control measures reduces potential circulation system impacts during construction to levels that are less-than-significant. (DEIR, pgs. 4.2-84 to 4.2-85) Therefore, no mitigation is required.

b. Emergency Access

Potential Significant Impact: Whether the Project would result in inadequate emergency access or access to nearby uses.

Findings: Potential impacts of the Project related to emergency access are discussed in detail in Section 4.2 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to emergency access will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: Implementation of the construction area traffic management plan/construction traffic control measures will assure adequate emergency access during the construction of the Project. Adequate emergency access will be provided upon completion of the Project improvements and mitigation measures. Prior to buildout of the local roadway system, which will ultimately include a bridge over the Quincy Channel, analysis included in the DEIR indicates that emergency vehicles serving the Project vicinity will be able to meet or exceed Moreno Valley Fire Protection Agency objectives for a five-minute response time using any of three alternate routes. Additionally, buildout of the local roadway system will improve overall emergency response to the area. (DEIR, pgs. 4.2-86 to 4.2-88) Accordingly, any impacts related to emergency access would be less-than-significant and no mitigation is required.

c. Alternative Transportation

Potential Significant Impact: Whether the Project would conflict with adopted policies supporting alternative transportation.

Findings: Potential impacts of the Project related to alternative transportation are discussed in detail in Section 4.2 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to alternative transportation will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: Riverside Transit Agency (RTA) currently provides fixed-route bus service regionally along SR-60, and locally via Moreno Beach Drive, allowing for the possibility of future connections near the Project site. City staff has coordinated with RTA and determined that installation of a bus stop or turn-out will not be required of the Project. However, the Project does not propose elements or aspects that would interfere or conflict with

the future provision of transit services. The Project will provide pedestrian and bikeway facilities consistent with City Municipal Code requirements to be identified in the Project Conditions of Approval, thereby reducing potential impacts below significance thresholds. Accordingly, the potential for the Project to conflict with policies supporting alternative transportation is determined to be less-than-significant. (DEIR, pg. 4.2-89) Therefore, no mitigation is required.

d. Air Traffic Patterns

Potential Significant Impact: Whether the Project would increase or otherwise affect existing air traffic patterns.

Findings: Potential impacts of the Project related to air traffic patterns are discussed in detail in Section 4.2 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to any change in air traffic patterns will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project site is not located within an Airport Area of Influence or Airport Land Use Plan (ALUP). The March Inland Port/March Air Reserve Base is the airport located nearest the Project site, approximately five miles to the southwest. The Project does not propose elements that would affect, or be affected by, air traffic facilities. Accordingly, the potential for the Project to conflict with policies supporting alternative transportation is determined to be less-than-significant. (DEIR, pgs. 4.2-89 to 4.2-90) Therefore, no mitigation is required.

3. <u>Air Quality</u>

a. Air Quality Management Plan Consistency

Potential Significant Impact: Whether the Project would conflict with or obstruct implementation of the applicable air quality plan.

Findings: Potential impacts of the Project related to the applicable air quality plan are discussed in detail in Section 4.3 of the DEIR. Based on the entire record before us, this Council finds that development of the Project will not result in significant impacts related to inconsistencies with the applicable air quality plan and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project is consistent with, and will not impede or otherwise conflict with implementation of the Air Quality Management Plan ("AQMP"). The

Project is consistent with AQMP Consistency Criterion No. 1 because it will not cause a potential increase in the frequency or severity of existing air quality violations or cause or contribute to new violations, or delay the timely attainment of air quality standards or the interim emissions reductions specified in the AQMP. (DEIR, pgs. 4.3-51 to 4.3-52) The Project will not exceed the California Ambient Air Quality Standards ("CAAQS") for localized criteria pollutants during construction operations. While operational emissions will be generated in excess of SCAQMD's regional threshold criteria, these emissions are already accounted for in the AQMP since the Project is consistent with the land uses and development intensities reflected in the City General Plan and incorporated in the adopted AQMP. Consistent with intent and provisions of the AQMP, the Project will implement all feasible mitigation, and comply with all applicable SCAQMD rules developed to reduce air pollutant emissions. The Project is also consistent with AQMP Consistency Criterion No. 2 because the extent of air pollutant emissions generated by the Project would be no greater than is reflected in the current General Plan and incorporated in the adopted AQMP. Because the Project is consistent with the General Plan Land Use designation of Business Park/Light Industrial, it does not exceed growth projections contained in the City's General Plan, and is consistent with growth assumptions in the AQMP. (DEIR, pgs. 4.3-52 to 4.3-53) Accordingly, impacts related to consistency with the applicable air quality plan will be less-than-significant and no mitigation is required.

b. Objectionable Odors

Potential Significant Impact: Whether the Project would create objectionable odors affecting a substantial number of people.

Findings: Potential impacts of the Project related to objectionable odors are discussed in detail in Section 4.3 of the DEIR. Based on the entire record before us, this Council finds that development of the Project will not result in significant impacts due to objectionable odors and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project does not propose land uses typically associated with emitting objectionable odors. Potential odors during Project construction may result from heavy equipment exhaust and the application of asphalt and architectural coatings. Standard construction requirements would minimize odor impacts from construction. The construction odor emissions would be temporary, short-term, and intermittent in nature and would cease upon

completion of the respective phase of construction and is thus considered less-than-significant. Project-related operational odor sources such as vehicle exhaust and routine painting/ maintenance activities are typical of industrial/commercial activities and would be localized to the immediate Project vicinity, with little or no off-site effects. (DEIR, pg. 4.3-88) Accordingly, impacts related to objectionable odors will be less-than-significant and no mitigation is required.

c. Greenhouse Gas Emissions

2. Potential Significant Impact: Whether the Project would directly or indirectly generate greenhouse gas emissions that may have a significant impact on the environment.

3. Findings: Potential impacts of the Project related to greenhouse gas emissions are discussed in detail in Section 4.3 of the DEIR. Based on the entire record before us, this Council finds that development of the Project will not result in significant impacts related to the direct or indirect creation of greenhouse gas emissions and, therefore, no mitigation is required. Nonetheless, in order to reduce Project-related operational source air pollutants and greenhouse gas emissions to the extent feasible, and to promote sustainability through conservation of energy and other natural resources, the following Mitigation Measures 4.3.11 through 4.3.13 will be implemented through the MMRP.

4.3.11 *Buildings shall surpass incumbent California Title 24 Energy Efficiency performance standards by a minimum of 20 percent for water heating and space heating and cooling. Verification of increased energy efficiencies shall be documented in Title 24 Compliance Reports provided by the Applicant, and reviewed and approved by the City prior to the issuance of the first building permit. Any combination of the following design features may be used to fulfill this mitigation measure provided that the total increase in efficiency meets or exceeds 20 percent.*

- *Increase in insulation such that heat transfer and thermal bridging is minimized;*
- *Limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption;*
- *Incorporate dual-paned or other energy efficient windows;*

- *Incorporate energy efficient space heating and cooling equipment;*
- *Interior and exterior energy efficient lighting which exceeds the California Title 24 Energy Efficiency performance standards shall be installed, as deemed acceptable by the City of Moreno Valley. Automatic devices to turn off lights when they are not needed shall be implemented;*
- *To the extent that they are compatible with landscaping guidelines established by the City of Moreno Valley, shade producing trees, particularly those that shade buildings and paved surfaces such as streets and parking lots and buildings shall be planted at the Project site.*
- *Paint and surface color palette for the Project shall emphasize light and off-white colors which will reflect heat away from the buildings.*
- *All buildings shall be designed to accommodate renewable energy sources, such as photovoltaic solar electricity systems, appropriate to their architectural design.*

4.3.12 *The Project shall be designed to facilitate the reduction of waste generated by building occupants that is hauled to and disposed of in landfills by providing easily accessible areas that are dedicated to the collection and storage of recyclable materials including: paper, cardboard, glass, plastics, and metals. Locations of proposed recyclable materials collection areas are subject to review and approval by the City. Prior to Final Site Plan approval, locations of proposed recyclable materials collection areas shall be delineated on the Project Site Plan.*

4.3.13 *GHG emissions reductions measures shall also include the following:*

- *The Project shall provide secure, weather-protected on-site bicycle storage/parking consistent with City of Moreno Valley requirements;*
- *The Project shall provide pedestrian and bicycle connections to surrounding areas, consistent with provisions of the City of Moreno Valley General Plan. Location and configurations of proposed pedestrian and bicycle connections are subject to review and approval by the City. Prior to Final Site Plan*

approval, pedestrian and bicycle connections shall be indicated on the Project Site Plan;

- *The Project shall provide onsite showers (one for males and one for females). Lockers for employees shall be provided.*
- *Any traffic signals installed as part of the Project will utilize light emitting diodes (LEDs);*
- *The Project will establish a Transportation Management Association (TMA). The TMA will coordinate with other TMAs within the City to encourage and coordinate carpooling among building occupants. The TMA will advertise its services to building occupants, and offer transit and/or other incentives to reduce GHG emissions. Additionally, a shuttle will be provided during any one hour period where more than 20 employees utilize public transit. A plan will be submitted by the TMA to the City within two months of Project completion that outlines the measures implemented by the TMA, as well as contact information;*
- *The Project shall provide preferential parking for carpools and vanpool. Locations and configurations of proposed preferential parking for carpools and vanpools are subject to review and approval by the City. Prior to Final Site Plan approval, preferential parking for carpools and vanpools shall be delineated on the Project Site Plan;*
- *The Project shall provide at least two electric vehicle charging stations. Locations and configurations of proposed charging stations are subject to review and approval by the City. Prior to issuance of the first building permit, stub outs for charging stations shall be indicated on the Project building plans.*
- *Lease/purchase documents shall identify that tenants are encouraged to provide incentives to realize the following:*
    - *Implementation of compressed workweek schedules;*
    - *SmartWay partnership;*

- *Achievement of at least 20% per year (as a percentage of previous percentage, not total trips) increase in percentage of consolidated trips carried by SmartWay carriers until it reaches a minimum of 90% of all long haul trips carried by SmartWay 1.0 or greater carriers.*
- *Achievement of at least 15% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 85% of all consolidator trips carried by SmartWay 1.0 or greater carriers.*
- *Use of fleet vehicles conforming to 2010 air quality standards or better.*
- *Installation of catalytic converters on gasoline-powered equipment.*
- *Inclusion of electric powered and/or compressed natural gas fueled trucks and/or vehicles in fleets;*
- *Establishment and use of carpool/vanpool programs, complemented by parking fees for single-occupancy vehicles;*
- *Provision of preferential parking for EV and CNG vehicles;*
- *Use of electrical equipment (instead of gasoline-powered equipment) for landscape maintenance;*
- *Use of electric (instead of diesel or gasoline-powered) yard trucks; and*
- *Use of SmartWay 1.25 rated trucks.*

Facts in Support of the Findings: As indicated in Section 15064(b) of the CEQA Guidelines, the determination of significance of greenhouse gases is not "ironclad;" rather, the "determination of whether a project may have a significant effect on the environment calls for careful judgment" by the City "based to the extent possible on scientific and factual data." The City of Moreno Valley has not adopted a numeric threshold of significance for emissions of greenhouse gases. Nonetheless, the DEIR's analysis demonstrates that the Project will not exceed the proposed quantitative thresholds of CARB or the SCAQMD. Accordingly, Project greenhouse gas emissions impacts are considered less-than-significant. (DEIR, pgs. 4.3-88 to 4.3-94)

a. Greenhouse Gas Emission Reduction Plan Consistency

Potential Significant Impact: Whether the Project would conflict with any applicable plan, policy or regulation adopted for the purposes of reducing the emissions of greenhouse gases.

Findings: Potential impacts of the Project related to consistency with greenhouse gas emission reduction plans are discussed in detail in Section 4.3 of the DEIR. Based on the entire record before us, this Council finds that development of the Project will not result in significant impacts related to inconsistencies with the applicable greenhouse gas emissions reduction plans and, therefore, no mitigation is required.

Facts in Support of the Findings: In the absence of approved guidelines or thresholds, the Project's consistency with the State's goals for reducing GHG emissions is assessed by determining whether the Project is consistent with or obstructs the 39 Recommended Actions identified by CARB in its Climate Change Scoping Plan. As documented in the DEIR, the Project is consistent with, or otherwise not in conflict with the CARB Scoping Plan recommended measures and actions and the GHG emission reduction strategies set forth in the 2006 CAT Report. Additionally, Project GHG emissions will be further reduced with implementation of the Project design features and mitigation measures. (DEIR, pgs. 4.3-94 to 4.3-110) Accordingly, impacts related to consistency with applicable greenhouse gas emissions reduction plans will be less-than-significant and no mitigation is required.

4. Noise

a. Ground-Borne Vibration/Ground-Bourne Noise

Potential Significant Impact: Whether the Project would result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels.

Findings: Potential impacts of the Project relating groundborne vibration and groundborne noise are discussed in detail in Section 4.4 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to ground-borne vibration and groundborne noise will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project does not propose activities or uses that would result in long-term substantial or even perceptible vibration levels. (DEIR, pg. 4.4-28) Although

heavy equipment employed during Project construction could potentially generate groundborne vibration resulting in annoyance at area residential land uses, the only sensitive receptor close enough to the Project site to experience disturbance is the single residence located at 28855 Fir Avenue. Vibration-producing activities at this location are unlikely to be sustained during the entire construction period, but will occur rather only during the times that heavy construction equipment in the vicinity of this residence at the Project site perimeter. (DEIR, pgs. 4.4-27 to 4.4-28) Accordingly, potential groundborne vibration impacts due to Project construction or operations are less-than-significant and no mitigation is required.

b. Aircraft Noise

Potential Significant Impact: Whether the Project would result in significant impacts related to aircraft noise.

Findings: Potential impacts of the Project related to aircraft noise are discussed in detail in Section 4.4 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to aircraft noise will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project site is not located within an airport land use plan or within two miles of a public airport, public use airport, or private airstrip. While occasional aircraft overflight noise from regional air facilities is expected to occur, the Project would not expose people residing or working in the Project area to excessive noise levels from aircraft operations. (DEIR, pg. 4.4-28) Accordingly, impacts related to aircraft noise will be less-than-significant and no mitigation is required.

5. Water Supply

a. Effect on Groundwater Supplies

Potential Significant Impact: Whether the Project would substantially deplete groundwater supplies or interfere substantially with groundwater recharge.

Findings: Potential impacts of the Project in regard to groundwater supply are discussed in detail in Section 4.5 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to groundwater supply will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project does not propose nor require direct ground water withdrawals. Water to be provided to the Project will be supplied from imported water through MWD, with no impact to groundwater supplies. As such, the Project would not substantially deplete groundwater supplies. Nor will the Project substantially interfere with groundwater recharge capabilities. No designated groundwater recharge facilities exist within or proximate to the Project site, nor does the Project propose elements or operations that would directly or indirectly affect any designated groundwater recharge facilities. The Project will establish open space areas and landscaping allowing for potential capture, retention and infiltration of storm waters to the groundwater table. Accordingly, Project-related impacts relative to groundwater supply and recharge are less-than-significant. (DEIR, pgs. 4.5-26 to 4.5-27) Therefore, no mitigation is required.

b. Require New Water Supplies

Potential Significant Impact: Whether the Project would require new or expanded water supplies.

Findings: Potential impacts of the Project in regard to water supply are discussed in detail in Section 4.5 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to groundwater supply will occur as a result of development of the Project and, therefore, no mitigation is required. Nonetheless, in order to further reduce the Project's overall water use, ensure ongoing availability and reliability of water supplies within the EMWD service area, and provide for timely, monitored compliance with requirements stipulated in the Project Water Supply Assessment (WSA), the following EMWD Conditions of Approval are incorporated as EIR Mitigation Measure 4.5.1 through 4.5.4. Prior to building permit issuance, the developer shall provide a will-serve letter from EMWD demonstrating compliance with the following Conditions of Approval.

4.5.1 *Prior to the issuance of building permits, the Project Applicant shall contribute funding toward the acquisition of new water supplies, new treatment or recycled water facilities, and water efficiency measures for existing customers to develop new water supplies. The extent of additional funding shall be determined by the EMWD and may take the form of a new component of connection fees or a separate charge.*

4.5.2 *The Applicant shall install water efficient devices and landscaping according to the requirements of EMWD's water use efficiency ordinance(s) effective at the time of Project construction.*

4.5.3 *The Applicant shall meet with EMWD staff at the earliest feasible date to develop a Plan of Service (POS) for the Project. The POS shall detail water, wastewater and recycled water facilities requirements to serve the Project, to be constructed by the Applicant.*

4.5.4 *Until the Project begins construction, the Project Water Supply Assessment shall be reviewed for its continued accuracy and adequacy every three (3) years, commencing on the WSA approval date of June 4, 2008. The Project Applicant shall maintain communication with EMWD on the status of the Project, and the lead agency shall request the referenced three-year periodic review and update of the WSA. If neither the project applicant nor the lead agency contacts EMWD within three (3) years of approval of this WSA, it shall be assumed that the Project no longer requires the estimated water demand as calculated in the WSA. The demand for the Project will not be considered in assessments for future projects, and the assessment provided within the Project WSA shall be considered invalid.*

Facts in Support of the Findings: As required under SB 610/221, a WSA has been prepared for the Project. The Project WSA demonstrates water supply sufficiency from existing and planned resources, and under conditions that are even more restrictive than the single-year and multiple-dry year scenario standards of SB 610. Within the WSA, Eastern has stipulated Conditions of Approval ensuring implementation and operation of the Project in a manner that provides for efficient use of available water supplies. With the implementation of these conditions, incorporated in the DEIR as Mitigation Measures 4.5.1 through 4.5.4, Project-related impacts relative to water supply are less-than-significant. (DEIR, pgs. 4.5-27 to 4.5-29)

c. Cumulative Impacts Related to Water Supply

Potential Significant Impact: Whether the Project would result in cumulatively considerable impacts related to water supply.

Findings: Potential cumulative impacts of the Project related to water supply are discussed in detail in Section 5.1.1.5 of the DEIR. Based on the entire record before us, this Council finds that no cumulatively significant impacts related to water supply will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: Potential cumulative or areawide impacts attributable to water demands of the Project are adequately planned and provided for under local and regional water management plans. It is assumed that other development projects within the cumulative impact area will also be realized consistent with development anticipated by the adopted Urban Water Management Plan (UWMP), and, like the Project, be required to pay connection and use fees providing for improvement and maintenance of serving water systems, thereby reducing potential cumulative impacts. Based on the preceding discussion, the Project's potential contribution to cumulative impacts in regard to water supply is not considerable, and the cumulative effects of the Project are less-than-significant. (DEIR, pg. 5-17) Therefore, no mitigation is required.

6. <u>Hydrology and Water Quality</u>

a. Violate Water Quality Standards

Potential Significant Impact: Whether the Project would violate any water quality standards or waste discharge requirements; result in erosion or siltation on- or off-site; or otherwise substantially degrade water quality.

Findings: Potential impacts of the Project related to water quality are discussed in detail in Section 4.6 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to any exceedance of water quality or waste discharge standards will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: Potential erosion and siltation impacts related to Project construction will be addressed through the preparation and implementation of a City-approved Storm Water Pollution Prevention Plan (SWPPP), which is required to identify sources of sediments and other pollutants that could affect the quality of storm water discharge, and associated Best Management Practices (BMPs) such as the installation of filter fabric fences, sandbars, and checkdams to reduce pollutants within storm water discharge consistent with City,

County, and Regional Water Quality Control Board (RWQCB) performance standards. To prevent or reduce the effects of urban runoff that could result from long-term Project operations, a Project-specific Water Quality Management Plan (WQMP) will be implemented consistent with the requirements of Riverside County's National Pollutant Discharge Elimination System (NPDES) permit. The Project WQMP will incorporate selected BMPs approved by the City, the Riverside County Flood Control and Water Conservation District, and the Santa Ana RWQCB to establish a program and means to prevent or minimize potential storm water pollutant discharges over the life of the Project. As such, the potential for the Project to violate any water quality standards or waste discharge requirements; result in erosion or siltation on- or off-site; or otherwise substantially degrade water quality is determined to be less-than-significant. (DEIR, pgs. 4.6-16 to 4.6-22) Accordingly, no mitigation is required.

b. Flooding on- or off-site

Potential Significant Impact: Whether the Project would 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 amount of surface runoff in a manner that would result in flooding on- or off-site; create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems; or provide substantial additional sources of polluted runoff.

Findings: Potential impacts of the Project relating flooding and stormwater management are discussed in detail in Section 4.6 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to flooding or excess runoff will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project's drainage facilities will maintain existing drainage patterns (trending from northwest to southeast) will be maintained, and no stormwater runoff from the Project site will be directed to the Quincy Channel. Project storm water management improvements will be implemented to accommodate existing off-site flows in combination with increased onsite storm water discharge rates/volumes, and to address Project-related urban storm water pollutants. These include construction of a concrete cut-off wall protection barrier along the westerly edge of the Project area, to be located and designed so as not to impact any Delineated Jurisdictional Areas along the eastern bank of Quincy Channel,

and to help prevent any further erosion caused by migrating flows from the Quincy culvert crossing the SR-60 freeway. Along the south side of the Project, within the Fir (future Eucalyptus) Avenue right-of-way, drainage facilities will be installed consistent with Riverside County's Moreno Area Drainage Plan (ADP) line D-3. Along the east side of the property, the existing 60-inch culvert will remain in place to convey the runoff from north of the freeway to the existing drainage ditch on the west side of Redlands Boulevard. (DEIR, pgs. 4.6-23 to 4.6-25)

On-site, a series of underground pipes has been designed to collect the runoff from around the proposed facility. The underground pipes will be routed to the proposed bio-retention basins and detention basin at the south side of the facility. These basins would reduce storm water discharge from the site to levels equivalent to pre-development conditions, thereby precluding incremental impacts to receiving storm drain facilities. The on-site detention basin system will be designed to detain the differential runoff created due to the development of the site for the 2, 5, 10 and 100 year; 1, 3, 6 and 24 hour storm events. The detention basins will be equipped with an overflow structure that will release runoff into the public storm drain facility (Line D-3) and will ultimately drain to the drainage ditch along the west side of Redlands Boulevard.

Prior to issuance of grading permits, detailed final grading and drainage plans will be reviewed and approved by the City, in compliance with City, County, and SARWQCB requirements. Implementation of approved Project drainage improvements ensures that the Project would appropriately convey storm water runoff without adversely affecting upstream or downstream drainage characteristics. Further, pursuant to the Project SWPPP and WQMP (which, as discussed previously, are designed to minimize potential hydrologic and water quality impacts), Project-generated storm water runoff would not constitute a substantial pollutant source. (DEIR, pgs. 4.6-24 to 4.6-25) Accordingly, the Project would not substantially alter existing drainage patterns and has been developed in a manner that will assure that future runoff does not create any flooding issues, or otherwise exceed the capacity of stormwater drainage systems. Accordingly, any impacts related to flooding and stormwater management would be less-than-significant and no mitigation is required.

c. Place Structures or Housing within a 100-Year Floodplain

Potential Significant Impact: Whether the Project would place housing or structures that would impede or redirect flood flows within a 100-year flood hazard area.

Findings: Potential impacts of the Project related to hydrology and flooding are discussed in detail in Section 4.6 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to the placement of structures or housing within a 100-year floodplain will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project site is not located within a 100-year flood hazard area, nor is the Project site located within a Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) 100-year floodplain. Further, the Project does not propose the construction of housing. Implementation of new drainage facilities will ensure adequate flood carrying capacity for storm drainage generated on-site, as well as existing runoff entering the Project site from adjacent properties. As such, the potential for the Project to place housing or structures within a 100-year flood hazard area which would impede or redirect flood flows is less-than-significant. (DEIR, pg. 4.6-27) Accordingly, no mitigation is required.

d. Other Flood Hazards

Potential Significant Impact: Whether the Project would 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; or inundation by seiche, tsunami, or mudflow.

Findings: Potential impacts of the Project related to flood hazards discussed in detail in Section II-E of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to flood hazards will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project site is not located within a dam inundation area, nor does the Project site lie within a General Plan-designated 100-year flood hazard area or FIRM 100-year floodplain area. Notwithstanding, in order to preclude potential flood damage, the Project will be designed to provide protection of the proposed buildings and Project employees for the 100-year flood event by ensuring that the finished floor is set a minimum of one foot above the 100-year on-site flood elevation. Further, the proposed Project site is not

located within the vicinity of a hazardous coastal area, large water body, or unstable hills or slope. As such, the Project would not expose people to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam; or by inundation from a seiche, tsunami, or mudflow. (DEIR, pg. 4.6-28) Accordingly, no mitigation is required.

e. Cumulative Impacts Related to Hydrology and Water Quality

Potential Significant Impact: Whether the Project would result in cumulatively significant impacts related to hydrology and water quality.

Findings: Potential cumulative impacts of the Project related to hydrology and water quality are discussed in detail in Section 5.1.1.6 of the DEIR. Based on the entire record before us, this Council finds that no significant cumulative impacts related to hydrology and water quality will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The cumulative impact area for hydrology/water quality impact considerations is generally defined as the area within the jurisdiction of the Santa Ana RWQCB. In accordance with NPDES requirements, the Project proponent will be required to prepare a construction activities erosion control plan to alleviate potential sedimentation and construction storm water discharge contamination impacts of the Project. The Project incorporates storm water management components, including drainage facilities and BMPs, which collectively act to ensure that post-development storm water discharge rates and volumes do not exceed pre-development conditions. Moreover, the Project's proposed storm water management systems will be designed, constructed and maintained so as to ensure compliance with City, RCFCWQCD, and RWQCB storm water quality requirements. In these regards, prior to issuance of building permits, all proposed storm water management components are subject to review and approval by the City, RCFCWQCD, and RWQCB. Ancillary facilities will also be subject to reviewed and approved by Caltrans. Storm water management components to be implemented by the Project, in combination with mandated compliance with State, RWQCB, and City storm water management requirements ensures that adequate storm water conveyance and treatment facilities will be provided to support development and operations of the Project. (DEIR, pgs. 5-18 to 5-19) Accordingly, the Project's potential contribution to cumulative

hydrology and water quality impacts would not be considerable, and the cumulative effects of the Project are less-than-significant.

7. Cultural Resources

a. Disturbance of Human Remains

Potential Significant Impact: Whether the Project would disturb any human remains, including those interred outside of formal cemeteries.

Findings: Potential impacts of the Project related to the potential disturbance of human remains are discussed in detail in Section 4.7 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to the disturbance of human remains will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The likelihood of encountering human remains in the course of Project development is remote; however, as required by California Health and Safety Code Section 7050.5, should human remains be found, no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. The County Coroner must be notified of the find immediately. If the remains are found to be prehistoric, the coroner would coordinate with the California Native American Heritage Commission as required by State law. Based on compliance with these existing regulations, the Project's potential to adversely disturb human remains is considered unlikely. (DEIR, pg. 4.7-14) Accordingly, any impacts associated with the disturbance of human remains would be less-than-significant and no mitigation is required.

b. Cumulative Impacts Related to Cultural Resources

Potential Significant Impact: Whether the Project would result in cumulative considerable impacts to cultural resources.

Findings: Potential cumulative impacts of the Project on cultural resources are discussed in detail in Section 5.1.1.7 of the DEIR. Based on the entire record before us, this Council finds that no cumulatively significant impacts related to cultural resources will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The cumulative impact area for prehistoric, archaeological, and historic resources generally includes the Perris Plain/Perris Valley area (including the Cities

of Moreno Valley and Perris, and surrounding unincorporated communities). Impacts to any cultural resources within this area would be site-specific. In the event that potentially significant resources are encountered at any development sites within the cumulative impact area, specific mitigation measures would be applied before construction activities could proceed. There are no known or probable potentially significant off-site development proposals that would interact with, or compound Project-related cultural resources impacts, that could be determined to be cumulatively significant. To the extent that each development proposal within the cumulative impact area provides appropriate mitigation during landform modification activities, cumulative impacts to cultural resources are reduced below significance thresholds. Based on the preceding, the Project's potential contribution to cumulative cultural resources impacts is not considerable, and the cumulative effects of the Project are less-than-significant. (DEIR, pg. 5-19) Therefore, no mitigation is required.

8. <u>Biological Resources</u>

a. Federally Protected Wetlands

Potential Significant Impact: Whether the Project would have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act.

Findings: Potential impacts of the Project related to federally protected wetlands are discussed in detail in Section 4.8 of the DEIR. Based on the entire record before us, this Council finds that development of the Project will not result in significant impacts related to federally protected wetlands and, therefore, no mitigation is required.

Facts in Support of the Findings: **N**o federally protected wetlands, as defined by Section 404 of the Clean Water Act, exist in the Project area. The Quincy Channel, an ephemeral drainage that runs along the western edge of the Project site, and an existing off-site drainage channel on the west side of Redlands Boulevard contain Army Corps of Engineers (Corps) and California Department of Fish and Game (CDFG) jurisdictional areas, but these channels do not contain federally protected wetlands, as defined by Section 404 of the Clean Water Act. Nor does the Project propose uses or facilities that would otherwise substantively and adversely affect Section 404 federally protected wetlands. Accordingly, potential impacts would be less-than-significant. (DEIR, pg. 4.8-29) Therefore, no mitigation is required.

b. Wildlife Movement, Migration, and Nursery Sites

Potential Significant Impact: Whether the Project would interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident migratory wildlife corridors, or impede the use of native wildlife nursery sites.

Findings: Potential impacts of the Project related to wildlife movement, migration, and nursery sites are discussed in detail in Section 4.8 the DEIR. Based on the entire record before us, this Council finds that development of the Project will not result in significant impacts related to wildlife movement, migration, and nursery sites and, therefore, no mitigation is required.

Facts in Support of the Findings: During preparation of the MSHCP, wildlife corridors and habitat linkages throughout western Riverside County were analyzed extensively. No MSHCP wildlife habitat linkages or movement corridors were identified at the Project site. Nor does the Project propose facilities or activities that would substantively and adversely affect any offsite designated wildlife habitat linkage or movement corridor. On this basis, the potential for the Project to interfere substantially with the movement of any native resident or migratory fish or wildlife species, or with established native resident or migratory wildlife corridors, or impede the use of wildlife nursery sites, is determined to be less-than-significant. (DEIR, pgs. 4.8-29 to 4.8-30) Therefore, no mitigation is required.

c. Local Policies or Ordinances Protecting Biological Resources

Potential Significant Impact: Whether the Project would conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.

Findings: Potential impacts of the Project related to local policies or ordinances protecting biological resources are discussed in detail in Section 4.8 of the DEIR. Based on the entire record before us, this Council finds that development of the Project will not result in significant impacts related to local policies or ordinances protecting biological resources and, therefore, no mitigation is required.

Facts in Support of the Findings: No local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance, have been identified as applicable to the Project. (DEIR, pg. 4.8-30) Accordingly, impacts related to local policies or ordinances protecting biological resources will be less-than-significant and no mitigation is required.

f. Consistency with Applicable Habitat Conservation Plans

Potential Significant Impact: Whether the Project would conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

Findings: Potential impacts of the Project related to consistency with the applicable Habitat Conservation Plan are discussed in detail in Section 4.8 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to consistency with applicable Habitat Conservation Plan policies will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The City of Moreno Valley is a participating agency in the Western Riverside County Multiple-Species Habitat Conservation Plan (MSHCP). As such, only projects consistent with the MSHCP will be developed within the City. The Project Biological Resources Assessment includes a discussion of MSHCP compliance, and determines that the Project "is in full compliance with the Western Riverside County MSHCP, assuming the focused burrowing owl surveys are conducted in spring 2009." These surveys were conducted in July 2009, and found no burrowing owls or evidence of their occupation on-site. As such, the Project is in compliance with the MSHCP. (DEIR, pg. 4.8-31) Accordingly, any impacts related to consistency with the MSHCP would be less-than-significant and no mitigation is required. This species has not been recorded within the Project area in the past and is presumed absent from the site. Additionally, the Project is consistent with the Habitat Conservation Plan for the Stephens' Kangaroo Rat, which allows for incidental take of Stephens' Kangaroo Rat for projects located within the plan area. With payment of the appropriate mitigation fee, which the City requires as a standard procedure during the processing of development applications, any potential impacts to Stephens' kangaroo rat would be less-than-significant.

d. Cumulative Impacts Related to Biological Resources

Potential Significant Impact: Whether the Project would result in cumulatively significant impacts to biological resources.

Findings: Potential cumulative impacts of the Project related to biological resources are discussed in detail in Section 5.1.1.8 of the DEIR. Based on the entire record before us, this

Council finds that no cumulatively significant impacts related to biological resources will occur as a result of development of the Project.

Facts in Support of the Findings: Implementation of mitigation measures proposed in the MMRP would reduce potential impacts to biological resources to levels that are less-than-significant. In this regard, mitigation of Project-specific biological resources impacts will also reduce the Project's potential incremental contributions to cumulative biological resources impacts within the region such that no additional mitigation for cumulative biological resources impacts is required. To the extent that each development proposal within the cumulative impact area(s) provides appropriate mitigation, cumulative impacts to biological resources are reduced to levels that are less-than-significant. Pursuant to the provisions of CEQA, each development project within the cumulative impact area that requires a discretionary action by a public agency will be assessed for its potential impacts on biological resources. Appropriate biological resources mitigation will also be required of other projects within the cumulative impact area(s). In this regard, it is noted that because the future extension of Fir (future Eucalyptus) Avenue to the west across Quincy Channel is not a part of the proposed Project, the future crossing activities will require separate regulatory permits and approvals as well as specific mitigation for impacts, similar to the mitigation included in the DEIR. With the application of the mitigation measures identified in the MMRP, the Project's potential contribution to cumulative impacts in regard to biological resources is not considerable, and the cumulative effects of the Project are determined to be less-than-significant. (DEIR, pgs. 5-20 to 5-23) Accordingly, no mitigation is required.

9. Aesthetics

a. Scenic Resources

Potential Significant Impact: Whether the Project would substantially damage scenic resources, including, but not limited to, trees, rock outcroppings and historic buildings within a State scenic highway.

Findings: Potential impacts of the Project related to scenic resources are discussed in detail in Section 4.9 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to scenic resources will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: The Project site is comprised of vacant disturbed property and does not contain designated scenic resources. No rock outcroppings or historic buildings are located onsite. Although the City's General Plan designates SR-60 as a local scenic road, this highway is not included in the California Department of Transportation's list of Officially Designated Scenic Highways. The Project will replace the existing, mature pine trees along its northerly boundary (adjacent to SR-60) with a double-row of new trees, in order to visually screen the Project from the view of freeway travelers. Pursuant to the City's criteria for the removal of mature trees, at least three new trees will be planted in the place of each mature tree that is removed. New trees will be drought-resistant, and will be planted and irrigated in coordination with Caltrans and City requirements. (DEIR, pg. 4.8-19) Accordingly, impacts to scenic resources would be less-than-significant and no mitigation is required.

b. Visual Character

Potential Significant Impact: Whether the Project would substantially degrade the existing visual character or quality of the site and its surroundings.

Findings: Potential impacts of the Project related to visual character are discussed in detail in Section 4.9 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to visual character will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: Determinations of visual character and quality are inherently subjective by nature. The DEIR acknowledges that the proposed alteration of the Project site from its current undeveloped state to light industrial development will represent a noticeable change in baseline visual characteristics. It is further noted that development of the subject site with business park and/or light industrial uses reflects buildout of the area anticipated under the General Plan, resulting in substantial visual change of the area, whether under the Project, or some other unspecified development proposal. To provide a visual transition and buffer between southerly adjacent properties (zoned for large lot residential uses) and the Project site, the Project incorporates a 250-foot landscaped setback along its southerly boundary. Masonry walls (which would be planted with vines on the public-facing sides to provide a landscape screen and deter graffiti) are also proposed to screen the Project's operations from surrounding land uses. As supported by the preceding discussions, and with implementation of

the Project's design features, the Project's potential to substantially degrade the existing visual character or quality of the site and its surroundings is less-than-significant. (DEIR, pgs. 4.8-20 to 4.8-21) Accordingly, any impacts to the area's visual character would be less-than-significant and no mitigation is required.

c. Light or Glare

Potential Significant Impact: Whether the Project would create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

Findings: Potential impacts of the Project related to light and glare are discussed in detail Section 4.9 of the DEIR. Based on the entire record before us, this Council finds that no significant impacts related to light and glare will occur as a result of development of the Project and, therefore, no mitigation is required.

Facts in Support of the Findings: Onsite lighting, including parking lot and loading dock lighting, will be required to comply with all applicable sections of the City's zoning ordinance, including but not limited to Section 9.08.100, "Lighting." Project lighting will be designed and implemented so as to illuminate the site without causing undue light or glare, and to avoid light overspill on adjacent properties. (DEIR, pgs. 4.9-23 to 4.9-25) Accordingly, any impacts related to light and glare would be less-than-significant and no mitigation is required

B. ENVIRONMENTAL IMPACTS MITIGATED TO A LEVEL OF LESS-THAN-SIGNIFICANT

Public Resources Code Section 21081 states that no public agency shall approve or carry out a project for which an EIR has been completed which identifies one or more significant effects unless the public agency makes one or more of the following findings:

I. Changes or alterations have been required in, or incorporated into, the Project which mitigate or avoid the significant effects on the environment.

II. Those changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency.

III. Specific economic, legal, social, technological, or other considerations make infeasible the mitigation measures or alternatives identified in the EIR, and

overriding economic, legal, social, technological, or other benefits of the Project outweigh the significant effects on the environment.

Certain of the following issues from the environmental categories analyzed in the EIR, including Traffic and Circulation, Cultural Resources, and Biological Resources, were found to be potentially significant, but can be mitigated to a less-than-significant level with the imposition of mitigation measures. This Council hereby finds pursuant to *Public Resources Code* Section 21081 that all potentially significant impacts listed below can and will be mitigated to below a level of significance by imposition of the mitigation measures in the EIR; and that these mitigation measures are included as Conditions of Approval and set forth in the MMRP adopted by this Council. Specific findings of this Council for each category of such impacts are set forth in detail below.

1. <u>Traffic and Circulation</u>

a. Substantial Increase in Traffic

Potential Significant Impact: The EIR evaluated and concluded that the Project-related traffic could contribute to level of service (LOS) exceedances under Opening Year conditions at the intersection of Redlands Boulevard at the SR-60 westbound ramps, and at the intersection of Redlands Boulevard at Fir (future Eucalyptus) Avenue.

Finding: Implementation of the following mitigation measures will reduce potential Opening Year traffic impacts at affected intersections:

4.2.1 Redlands Boulevard at SR-60 Westbound Ramps Improvements:

- *Install a traffic signal.*

This improvement is currently approved, programmed, and permitted by Caltrans. If not otherwise completed prior to Project opening, the required traffic signal shall be constructed by the Applicant prior to issuance of the first Certificate of Occupancy.

4.2.2 Redlands Boulevard at Fir (future Eucalyptus) Avenue Improvements:

Prior to issuance of the first Certificate of Occupancy, the Applicant shall construct the following improvements:

- *Install a traffic signal;*

- *Construct a southbound right turn auxiliary lane which extends the full length of the segment of Redlands Boulevard between the SR-60 Eastbound Ramps and Fir (future Eucalyptus) Avenue for a southbound lane configuration of one shared left-through lane and one right turn lane; and*

- *Construct an eastbound left-turn lane with 300 feet of storage for an eastbound lane configuration of one left-turn lane and one shared through-or-right-turn-lane.*

Facts in Support of the Finding: Based on analysis performed as part of the Project Traffic Impact Analysis (TIA), the Project would contribute additional traffic to preexisting Opening Year Ambient Condition deficiencies occurring at the intersection of Redlands Boulevard at the SR-60 westbound ramps. Also, with the addition of Project traffic, the intersection of Redlands Boulevard at Fir (future Eucalyptus) Avenue would perform unacceptably during peak hours. (DEIR, pgs. 4.2-31 through 4.2-34) However, with implementation of the roadway improvements identified in Mitigation Measures 4.2.1 and 4.2.2, these impacts will be reduced to a less-than-significant level. (DEIR, pg. 4.2-35)

2. <u>Cultural Resources</u>

a. Archaeological/Historic Resources

Potential Significant Impact: The EIR evaluated and concluded that the Project construction activities could potentially disturb unknown or unrecorded archaeological or historic resources which may be present in a buried context.

Finding: Implementation of the following mitigation measures will reduce potential impacts to archaeological and/or historic resources to a less-than-significant level:

4.7.1 *A professional cultural resources monitor (Project Paleontological Monitor) shall conduct full-time monitoring throughout site excavation and grading activities. The monitor shall be equipped to salvage and record the location of historic and/or archaeological resources as they may be unearthed to avoid construction delays, consistent with the requirements of California Public Resources Code Section 21083.2. The monitor shall be empowered to temporarily halt or divert*

equipment to allow removal of abundant or large specimens or finds and to allow the preparation of recovered resources to a point of identification. One monitor for both archaeological and paleontological resources is sufficient if the monitor is qualified in both disciplines to the satisfaction of the City of Moreno Valley.

4.7.2 *Should historic or prehistoric resources of potential significance be identified, a qualified archaeologist shall be contacted to assess the find(s) and make recommendations in regard to further monitoring. Consistent with the requirements of Public Resources Code section 21083.2., resources shall be left in an undisturbed state. Where preservation in place is infeasible, all recovered resources shall then be curated in an established, accredited museum repository with permanent retrievable archaeological/historic resource storage. A report of findings shall also be prepared by a qualified archaeologist, and shall include an itemized inventory of any specimens recovered. The report and confirmation of curation of any recovered resources from an accredited museum repository shall signify completion of the program to mitigate impacts to archaeological/historic resources. If disturbed resources are required to be collected and preserved, the applicant shall be required to participate financially up to the limits imposed by Public Resources Code Section 21083.2.*

Facts in Support of the Finding: No known cultural resources of significance exist within the Project site. Additionally, no significant evidence of the early twentieth century occupation of the property was identified by the Project Cultural Resources Investigation. Nonetheless, some potential exists for resources to be located onsite in a buried context. Implementation of Mitigation measures 4.7.1 and 4.7.2 will ensure that archaeological and/or historic resources that may be unearthed during Project construction will be identified and preserved consistent with the recommendations of the Cultural Resources Study and California law. Accordingly, the Project's potential to impact archaeological or historic resources is less-than-significant as mitigated. (DEIR, pgs. 4.7-11 through 4.7-13)

b. Paleontological Resources

Potential Significant Impact: The EIR evaluated and concluded that the Project construction activities could potentially disturb unique paleontological resources which may be present in a buried context.

Finding: Implementation of the following mitigation measure will reduce potential impacts to paleontological resources to a less-than-significant level:

4.7.3 *Prior to the issuance of a grading permit, a City-approved Project Paleontologist shall be retained to initiate and supervise paleontological mitigation-monitoring in all areas of the Project site, subject to the following certain constraints:*

- *Once excavations reach ten (10) feet in depth, monitoring of excavation in areas identified as likely to contain paleontologic resources by a qualified paleontologic monitor or his/her representative must take place;*
- *A paleontological mitigation-monitoring plan shall be developed before grading begins;*
- *Paleontological monitors shall be equipped to salvage and record the location of fossils as they are unearthed to avoid construction delays and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates;*
- *Monitors must be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens; and*
- *Monitoring may be reduced if the potentially fossiliferous units described herein are not present, or, if present, are determined upon exposure and examination by qualified paleontologic personnel to have low potential to contain fossil resources.*

Facts in Support of the Finding: Based on information presented in the Cultural Resources Investigation, the Project area is considered to have a moderate level of sensitivity for paleontological resources, indicating that paleontological resources may be encountered within the Project site. The area consists of older Quaternary alluvial deposits that have been associated with fossil specimens, which are covered by surficial deposits of younger Quaternary alluvium. In the course of Project site preparation activities, paleontological specimens may be uncovered. Mitigation Measure 4.7.3 requires paleontological monitoring during ground-disturbing activities that would exceed the relative depths of the younger alluvium on-site. Implementation of this mitigation measure would ensure that paleontological resources which may be present within

subsurface areas of the site are adequately identified and preserved. Accordingly, the Project's potential to impact paleontological resources is less-than-significant as mitigated. (DEIR, pgs. 4.7-13 through 4.7-14)

3. <u>Biological Resources</u>

a. Vegetation Communities and Special Status Plant Species

Potential Significant Impact: The EIR evaluated and concluded that the Project's construction activities could have an adverse effect on CDFG and Corps jurisdictional areas, including riparian habitat areas existing on-site within the Quincy Channel, and off-site within the existing drainage channel adjacent to Redlands Boulevard.

Finding: Implementation of the following Mitigation will reduce potential impacts to jurisdictional areas to a less-than-significant level:

4.8.1 Prior to the issuance of a grading permit, a "no touch" area shall be staked along the westerly limit of Project development as defined by the alignment of the scour wall proposed along the Quincy Channel. Importantly, the westerly limits of development shall be established so as to preclude potential permanent impacts to CDFG and/or Corps Jurisdictional Areas within the westerly adjacent Quincy Channel. Prior to the issuance of a grading permit, a City-approved Project biologist shall be retained to initiate and supervise monitoring of construction activities to ensure protection and preservation of adjacent Channel areas.

4.8.2 Prior to issuance of a grading permit, the proposed scour wall to be located between the developed Project site and the Quincy Channel shall be shown on the grading plans. Alignment of the scour wall shall be field-determined and physically delineated by the Project biologist in consultation with the City. Importantly, the scour wall alignment shall be established so as to preclude potential impacts to CDFG and/or Corps Jurisdictional Areas within the westerly adjacent Quincy Channel. Ongoing monitoring of construction activities shall be maintained throughout implementation of the scour wall to ensure protection and preservation of adjacent Channel areas.

4.8.3 Prior to issuance of a building permit, landscape and irrigation plans shall be approved which demonstrate that no invasive, non-native plants will be planted or seeded within 150 feet of the avoided riparian habitat along the Quincy Channel.

4.8.4 Prior to the issuance of any grading permits and prior to any physical disturbance of any jurisdictional areas, 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.

4.8.5 Prior to issuance of a grading permit, the Applicant shall develop and implement a Habitat Mitigation and Monitoring Plan (HMMP) to restore impacted riparian (mulefat) habitat. Prior to implementation, the HMMP shall be reviewed and approved by the CDFG. If in its final design, the CDFG-approved HMMP involves use or restoration of USACE or RWQCB jurisdictional areas, USACE and/or RWQCB approval shall also be obtained. The HMMP shall, at a minimum, meet the following requirements:

- *A habitat replacement and/or enhancement ratio of at least 1:1 for temporary impact;*
- *A success criterion of at least 80 percent cover of native riparian vegetation for replaced habitat;*
- *Additional requirements, including a 3-year establishment period for the replacement habitat, regular trash removal, native plant re-vegetation for areas temporarily disturbed by construction, and regular maintenance and monitoring activities to ensure the success of the mitigation plan; and*
- *Prior to the issuance of a grading permit, as part of the Project HMMP, appropriate maintenance and monitoring protocols will be developed in concert with CDFG based on final Project designs, and the ultimate scope, location, and type of mitigation reflected in the HMMP as approved by CDFG.*

Facts in Support of the Finding: Design of the Project includes a buffer area to provide physical separation between the developed site and the adjacent Quincy Channel, in order to

minimize direct impacts to the Channel's habitat areas and associated vegetation communities and special status plant species. However, construction of the "scour wall" that would be implemented to prevent further erosion along the Quincy Channel could result in direct, temporary impacts to approximately 0.003 acres (22 lineal feet) of mulefat vegetated riparian habitat determined to be within California Department of Fish & Game (CDFG) jurisdictional areas. (DEIR pgs. 4.8-18 through 4.8-20) Additionally, implementation of drainage improvements associated with the Project could result in a potential direct permanent impact to 0.08 acres of un-vegetated riparian habitat located in the existing drainage channel adjacent to Redlands Boulevard (DEIR, pgs. 4.8-21 to 4.8-22). This 0.08 acres has been determined to be jurisdictional under the Army Corps of Engineers (Corps), CDFG, State Water Resources Control Board (SWRCB), and MSHCP Riverine/Riparian Habitat (as defined under Section 6.1.2 of the MSHCP) programs. Indirect impacts to proximate candidate, sensitive, or special status plant species could occur through the introduction of invasive plant species as a result of Project implementation. (DEIR pg. 4.8-23) With implementation of Mitigation Measures 4.8.1 to 4.8.5, Project impacts related to vegetation communities and sensitive plant species will be reduced to a less-than-significant level.

b. Nesting Birds

Potential Significant Impact: The EIR evaluated and concluded that the Project could have an adverse effect on nesting birds, which are protected under both the Migratory Bird Treaty Act and California Fish and Game Code.

Finding: Implementation of the following mitigation measure will reduce potential impacts to the nesting birds to a less-than-significant level:

4.8.6 *If possible, all vegetation removal activities shall be scheduled from August 1 to February 1, which is outside the general avian nesting season. This would ensure that no active nests would be disturbed and that removal could proceed rapidly. If vegetation is to be cleared during the nesting season (February 15 – July 31), all suitable habitat will be thoroughly surveyed for the presence of nesting birds within 72 hours prior to clearing. All surveys shall be performed by a qualified Project biologist to be retained by the Applicant and vetted by the City. The survey results shall be submitted by the Project Applicant to the Planning*

Division. If any active nests are detected, the nest(s) shall be flagged in the field and mapped on the construction plans along with a minimum 50-foot buffer and up to 300 feet for raptors, with the final buffer distance to be determined by the Project biologist. The buffer area shall be avoided until the nesting cycle is complete or it is determined that the nest has failed. In addition, the Project biologist will be present on the site to monitor vegetation removal to ensure that any nests, which were not detected during the initial survey, are not disturbed.

Facts in Support of the Finding: The removal of existing vegetation within the Project site as part of construction could affect nesting birds. Disturbing or destroying active nests is a violation of the Migratory Bird Treaty Act. In addition, nests and eggs are protected under California Fish and Game Code Section 3503.5. Project implementation must be accomplished in a manner that avoids impacts to active nests during the breeding season. (DEIR, pg. 4.8-25) Therefore, implementation of Mitigation Measure 4.8.6 is required to ensure that potential Project impacts related to nesting birds are reduced to a less-than-significant level.

c. Burrowing Owls

Potential Significant Impact: The EIR evaluated and concluded that the Project could have an adverse effect on the Burrowing Owl, a special-status wildlife species.

Finding: Implementation of the following mitigation measure will reduce potential impacts to the Burrowing Owl to a less-than-significant level:

4.8.7 *Within 30 days of site clearing activities, a pre-construction burrowing owl survey shall be conducted to document the presence/absence of any occupied owl burrows. Any owls present shall be passively or actively relocated following CDFG approved protocols, and with CDFG permission, prior to commencement of clearing. The survey shall be submitted to the Planning Division prior to issuance of a grading permit.*

Facts in Support of the Finding: The Project area is located within the MSHCP burrowing owl survey area. Focused burrowing owl surveys are required during the owl breeding season (April through August), pursuant to Section 6.3.2 and Appendix E, "Summary of Species Survey

Requirements. (DEIR, pgs. 4.8-25 to 4.8-26) Therefore, implementation of Mitigation Measure 4.8-7 will reduce Project impacts related to the Burrowing Owl to a less-than-significant level.

d. Riparian Habitat

Potential Significant Impact: The EIR evaluated and concluded that the Project could adversely affect riparian habitat/CDFG jurisdictional areas.

Finding: Implementation of the preceding Mitigation Measures 4.8.1 through 4.8.5 will reduce potential impacts to riparian habitat to a less-than-significant level.

Facts in Support of the Finding: Construction of the Project's proposed scour wall in the westerly portion of the Project site, adjacent to the Quincy Channel, will result in the temporary disturbance of an estimated 0.003 acres (22 lineal feet) of vegetated mulefat riparian habitat/CDFG jurisdictional areas. The Project will have no direct impacts to any 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. Fish and Wildlife Service. Potential indirect impacts may occur to proximate sensitive natural communities should invasive plant species be introduced to the area through Project implementation. (DEIR pg. 4.8-28) With implementation of Mitigation Measures 4.8.1 to 4.8.5, Project impacts related to riparian habitat will be reduced to a less-than-significant level.

C. ENVIRONMENTAL IMPACTS NOT FULLY MITIGATED TO A LEVEL OF LESS-THAN-SIGNIFICANT

The Moreno Valley City Council finds the following environmental impacts identified in the EIR remain significant even after application of all feasible mitigation measures: cumulative traffic impacts to study area intersections and roadway segments; cumulative traffic impacts to mainline freeway segments; short-term construction air quality impacts; long-term operational air quality impacts; cumulative air quality impacts; short-term construction noise impacts (individually and cumulatively); and change to scenic vistas (individually and cumulatively).

In accordance with CEQA Guidelines Section 15092(b)(2), the City Council of the City of Moreno Valley cannot approve the project unless it first finds (1) under *Public Resources Code* Section 21081(a)(3), and CEQA Guidelines Section 15091(a)(3), that specific economic, legal, social technological, or other considerations, including provisions of employment

opportunities to highly trained workers make infeasible the mitigation measures or project alternatives identified in the FEIR; and (2) under CEQA Guidelines section 15092(b), that the remaining significant effects are acceptable due to overriding concerns described in the CEQA Guidelines Section 15093 and, therefore, a statement of overriding considerations is included herein.

1. <u>Traffic and Circulation</u>

a. Intersection Operations

Significant Unavoidable Impact: The EIR evaluated and concluded that Project-related traffic would cumulatively exceed established level of service standards, affecting certain intersection locations under Opening Year cumulative conditions and cumulative General Plan buildout conditions.

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant but will be reduced to the extent feasible through mitigation measures. The Council finds that Mitigation Measures 4.2.3 through 4.2.8, addressing Opening Year cumulative conditions, and Mitigation Measures 4.2.9 through 4.2.17, addressing cumulative General Plan buildout conditions, are incorporated into the MMRP for the Project, and will be implemented as specified therein. However, the Council finds that even with application of these mitigation measures, cumulative intersection operation impacts are considered significant and unavoidable.

4.2.3 Moreno Beach Drive at SR-60 Eastbound Ramps Improvements:

- *Construct an eastbound right-turn lane and re-stripe the shared left-or-right-turn lane as an exclusive left-turn lane, for an eastbound lane configuration of one left-turn lane and one right-turn lane. These improvements would require the dedication of right-of-way from the south side of the SR-60 Eastbound Ramps and re-striping of all lanes on the west leg of the intersection.*

These improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year Cumulative traffic impacts at the intersection of Moreno Beach Drive at SR-60 Eastbound Ramps.

4.2.4 Moreno Beach Drive at SR-60 Westbound Ramps Improvements:

- *Coordinate traffic signal timing with the signal at the intersection of Moreno Beach Drive at SR-60 Eastbound Ramps. These improvements would be funded through Project participation in the TUMF Program. Although the intersection of Moreno Beach Drive at SR-60 Westbound Ramps is anticipated to operate at an acceptable LOS, the coordination of traffic signal timing with the signal at the intersection of Moreno Beach Drive at SR-60 Eastbound Ramps would ensure continued satisfactory operations.*

The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year Cumulative traffic impacts at the intersection of Moreno Beach Drive at SR-60 Westbound Ramps.

4.2.5 Redlands Boulevard at SR-60 Westbound Ramps Improvements:

- *Install a traffic signal (a TUMF improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.1);*
- *Construct a second northbound through lane and a right-turn lane with overlap phasing, for a northbound lane configuration of one left-turn lane, two through lanes and one right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way on the east side of Redlands Boulevard and re-striping of all lanes on the south leg of the intersection; and*
- *Construct a second southbound through lane, for a southbound lane configuration of one left-turn lane and two through lanes. These improvements would require the dedication of right-of-way on the west side of Redlands Boulevard and re-striping of all lanes on the north leg of the intersection.*

The traffic signal noted above will be constructed by the Project pursuant to Mitigation Measure 4.2.1. The remaining improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF,

thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year Cumulative traffic impacts at the intersection of Redlands Boulevard at SR-60 Westbound Ramps.

4.2.6 Redlands Boulevard at SR-60 Eastbound Ramps Improvements:

- *Construct a second northbound through lane for a northbound lane configuration of one left turn lane and two through lanes. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard and restriping of all lanes on the south leg of the intersection;*
- *Construct a second southbound through lane, for a southbound lane configuration of one left-turn lane and two through lanes. These improvements would require the dedication of right-of-way on the west side of Redlands Boulevard and re-striping of all lanes on the north leg of the intersection; and*
- *Construct an eastbound right-turn lane and re-stripe the shared left-or-right turn lane as an exclusive left-turn lane, for an eastbound lane configuration of one left-turn lane and one right-turn lane. These improvements would require the dedication of right-of-way on the south side of the SR-60 Eastbound Ramps and re-striping of all lanes on the west leg of the intersection.*

These improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year cumulative traffic impacts at the intersection of Redlands Boulevard at SR-60 Eastbound Ramps.

4.2.7 Redlands Boulevard at Fir (future Eucalyptus) Avenue Improvements:

- *Install a traffic signal (a DIF improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.2).*
- *Construct a northbound left-turn lane with 200 feet of storage and a second through lane, for a northbound lane configuration of one left-turn lane, one through lane, and one shared through-or-right-turn-lane. These improvements*

would require the dedication of right-of-way from the east side of Redlands Boulevard, and restriping of all lanes on the south leg of the intersection. Construction of the northbound through lane would be funded through participation in the TUMF Program; remaining improvements would be funded through participation in the DIF Program.

- *Construct a southbound left-turn lane with 250 feet of storage, a second left-turn lane that extends back to the SR-60 Eastbound Ramps, a second through lane, and a right-turn lane with overlap phasing and a pocket length that is the full length of the segment, for a southbound lane configuration of two left-turn lanes, two through lanes, and one right-turn-lane with overlap phasing. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard, and restriping of all lanes on the north leg of the intersection. Construction of the southbound through lane would be funded through participation in the TUMF program. Construction of one southbound left-turn lane would be funded through participation in the DIF program. The noted right-turn southbound lane would be constructed by the Project pursuant to Mitigation Measure 4.2.2. Overlap phasing to this right-turn lane will be added when determined appropriate by the City Traffic Engineer, and will be funded through fair share fee participation. Remaining improvements would also be funded through fair share fee contributions.*

- *Construct dual eastbound left-turn lanes with 300 feet of storage and a second through lane, for an eastbound lane configuration of two left-turn lanes, one through lane, and one shared through-or-right-turn-lane. These improvements would require the dedication of right-of-way from the south side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the west leg of the intersection. A single eastbound turn with 300 feet of storage will be constructed by the Project under Opening Year Ambient Conditions pursuant to Mitigation Measure 4.2.2. The remaining improvements would be funded through participation in the DIF Program.*

- *Construct a westbound left-turn lane, a second through lane, and a right-turn lane with overlap phasing, providing 200 feet of storage for both the left-turn and right-turn lanes, for a westbound lane configuration of one left-turn lane, two through lanes, and one right-turn-lane with overlap phasing. These improvements would require the dedication of right-of-way from the north side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the east leg of the intersection. Construction of the westbound left and through lanes would be funded through participation in the DIF Program; remaining improvements would be funded through fair share fee participation.*

4.2.8 *Quincy Street at Fir (future Eucalyptus) Avenue Improvements:*

- *Install a stop-control on the south leg of the intersection;*
- *Construct a northbound shared left-or-right-turn lane. Quincy Street should be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction;*
- *Construct an eastbound shared through-or-right-turn lane. The Fir (future Eucalyptus) Avenue extension should be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction; and*
- *Construct a westbound left-turn lane and through lane. The Fir (future Eucalyptus) Avenue extension should be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction.*

These improvements would be funded through participation in the DIF Program. The Project will pay required DIF, facilitating construction of new intersection improvements at Quincy Street at Fir (future Eucalyptus) Avenue.

4.2.9 *Moreno Beach Drive at SR-60 Eastbound Ramps Improvements:*

- *Construct the SR-60 eastbound on- and off-ramps, designed as a standard diamond and consistent with the proposed SR-60 Freeway/Moreno Beach Drive interchange design, and install a traffic signal at the new intersection;*
- *Construct a third northbound through lane, for a northbound lane configuration of three through lanes and a right-turn lane. These*

improvements would require the dedication of right-of-way from the east side of Moreno Beach Drive and re-striping of all lanes on the south leg of the intersection;

- *Construct the SR-60 eastbound off-ramp with an eastbound lane configuration of one left-turn lane and dual right-turn lanes; and*
- *Construct the SR-60 eastbound on-ramp on Moreno Beach Drive with a minimum of two travel lanes.*

These improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Moreno Beach Drive at SR-60 Eastbound Ramps.

4.2.10 Moreno Beach Drive at SR-60 Westbound Ramps Improvements:

- *Construct a second northbound through lane, for a northbound lane configuration of two through lanes and a right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the east side of Moreno Beach Drive and re-striping of all lanes on the south leg of the intersection);*
- *In addition to the planned on-ramp for southbound vehicles which is part of the future SR-60/Moreno Beach Drive interchange design, a second southbound through lane and a right-turn lane, for a southbound lane configuration of two through lanes and a right-turn lane. These improvements would require dedication on the west side of Moreno Beach Drive and re-striping of all lanes on the north leg of the intersection;*
- *Construct the SR-60 westbound on-ramp for vehicles traveling southbound on Moreno Beach Drive with a minimum of one travel lane; and*
- *Construct a second westbound left-turn lane, for a westbound lane configuration of two left-turn lanes and a right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way*

from the north side of the SR-60 Westbound Ramps and re-striping of all lanes on the east leg of the intersection.

These improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Moreno Beach Drive at SR-60 Westbound Ramps.

4.2.11 Moreno Beach Drive at Fir (future Eucalyptus) Avenue Improvements:

- *Construct dual northbound left-turn lanes and re-stripe the northbound right-turn lane as a shared through-or-right turn lane for a northbound lane configuration of two left-turn lanes, two through lanes and a shared through-or-right turn lane. These improvements would require the dedication of right-of-way from the east side of Moreno Beach Drive and re-striping of all lanes on the south leg of the intersection. Restriping of the northbound right-turn lane as a shared through-or-right turn lane would be funded through participation in the DIF Program. Remaining improvements would be funded through fair share fee participation;*
- *Construct a southbound left-turn lane and a right-turn lane with overlap phasing, for a southbound lane configuration of two left-turn lanes, three through lanes and a right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the west side of Moreno Beach Drive and re-striping of all lanes on the north leg of the intersection, and would be funded through fair share fee participation;*
- *Construct the new eastbound leg of this intersection with dual left-turn lanes, a through lane, and a shared through-or-right-turn lane. Construction of one eastbound left-turn lane, the eastbound through lane, and the eastbound shared through-or-right-turn lane would be funded through participation in the DIF Program. Remaining improvements would be funded through fair share fee participation; and*

- *Construct a westbound through lane and implement overlap phasing on the right-turn movement, for a westbound lane configuration of one left-turn lane, two through lanes, and a right-turn lane with overlap phasing. This improvement would be funded through fair share fee participation.*

The Project will pay required DIF and fair share fees, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Moreno Beach Drive at Fir (future Eucalyptus) Avenue.

4.2.12 *Quincy Street at Fir (future Eucalyptus) Avenue Improvements:*

- *Install a stop-control on the south leg of the intersection;*
- *Construct a northbound shared left-or-right-turn lane;*
- *Construct the eastbound approach of the Fir (future Eucalyptus) Avenue extension with a through lane and a shared through-or-right-turn lane; and*
- *Construct the westbound approach of the Fir (future Eucalyptus) Avenue extension with a left-turn lane, a through lane, and a shared through-or-right-turn lane.*

These improvements would be funded through participation in the DIF Program. The Project will pay required DIF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Quincy Street at Fir (future Eucalyptus) Avenue.

4.2.13 *Redlands Boulevard at SR-60 Westbound Ramps Improvements:*

- *Install a traffic signal (a TUMF improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.1);*
- *Construct a northbound through lane and a right-turn lane with overlap phasing, for a northbound lane configuration of one left-turn lane, two through lanes and one right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the east side*

of Redlands Boulevard and re-striping of all lanes on the south leg of the intersection;

- *Construct a southbound left-turn lane and a through lane, for a southbound lane configuration of two left-turn lanes and a through lane, and a shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard and re-striping of all lanes on the north leg of the intersection; and*
- *Construct a westbound left-turn lane and a right-turn lane, for a westbound lane configuration of one left-turn lane, one shared left-through lane and a right-turn lane. These improvements would require the dedication of right-of-way from the north side of the SR-60 Westbound Ramps and re-striping of all lanes on the east leg of the intersection.*

The traffic signal noted above will be constructed by the Project pursuant to Mitigation Measure 4.2.1. The remaining improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at Redlands Boulevard at SR-60 Westbound Ramps.

4.2.14 *Redlands Boulevard at SR-60 Eastbound Ramps Improvements:*

- *Construct two northbound through lanes, for a northbound lane configuration of one left-turn lane and three through lanes, with the pocket length for the northbound left-turn lane at the full length of the segment. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard, and restriping of all lanes on the south leg of the intersection;*
- *Construct two southbound through lanes, for a southbound lane configuration of two through lanes and a shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the west side*

of Redlands Boulevard and re-striping of all lanes on the north leg of the intersection; and

- *Re-stripe the shared eastbound left-or-right-turn lane as an exclusive left-turn lane, for an eastbound lane configuration of two left-turn lanes and one right-turn lane. These improvements would require the dedication of right-of-way on the south side of the SR-60 Eastbound Ramps and re-striping of all lanes on the west leg of the intersection.*

These improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Redlands Boulevard at SR-60 Eastbound Ramps.

4.2.15 *Redlands Boulevard at Fir (future Eucalyptus) Avenue Improvements:*

- *Install a traffic signal (a DIF improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.2).*
- *Construct a northbound left turn lane with 200-feet of storage and a second through lane for a northbound lane configuration of one left turn lane, one through lane and one shared through right turn lane. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard. Restriping of all lanes on the south leg of the intersection, and construction of the northbound through lane would be funded through participation in the TUMF Program. Remaining improvements would be funded through participation in the DIF Program;*
- *Construct a southbound left turn lane with 250-feet of storage, a second left turn lane that extends back to the SR-60 Eastbound ramps, a second through lane and a right turn lane with overlap phasing for a southbound lane configuration of two left turn lanes, two through lanes and one right turn lane with overlap phasing, with a right-turn pocket length that extends the full length of the segment. These improvements would require the dedication of*

right-of-way from the west side of Redlands Boulevard, and restriping of all lanes on the north leg of the intersection. Construction of the southbound through lane would be funded through participation in the TUMF Program. Construction of one southbound left-turn lane would be funded through participation in the DIF program. The noted right-turn southbound lane would be constructed by the Project pursuant to Mitigation Measure 4.2.2. Overlap phasing for this right-turn lane will be added when determined appropriate by the City Traffic Engineer, and will be funded through fair share fee participation. Remaining improvements would also be funded through Fair Share Fees;

- *Construct dual eastbound left-turn lanes with 300 feet of storage and a second through lane, for an eastbound lane configuration of two left-turn lanes, one through lane, and one shared through-or-right-turn-lane. These improvements would require the dedication of right-of-way from the south side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the west leg of the intersection. A single eastbound turn with 300 feet of storage will be constructed by the Project under Opening Year Ambient Conditions pursuant to Mitigation Measure 4.2.2. The remaining improvements would be funded through participation in the DIF Program; and*
- *Construct a westbound left-turn lane, one through lane, and a right-turn lane with overlap phasing, for a westbound lane configuration of one left-turn lane, two through lanes, and one right-turn-lane with overlap phasing [these improvements would require the dedication of right-of-way from the north side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the east leg of the intersection]. Construction of the westbound left and through lanes would be funded through participation in the DIF Program; remaining improvements would be funded through participation in the fair share fee assessments.*

The Project will pay required TUMF, DIF and fair share fees, thereby satisfying its proportional fee responsibilities for improvements required to mitigate

General Plan Buildout traffic impacts at the intersection of Redlands Boulevard at Fir (future Eucalyptus) Avenue.

4.2.16 Redlands Boulevard at Eucalyptus (future Encilia) Avenue Improvements:

- *Install a traffic signal. This improvement would be funded through participation in the DIF Program;*
- *Construct a northbound left-turn lane and a shared through-or-right-turn lane, for a northbound lane configuration of one left-turn lane, one through lane and one shared through-or-right turn lane. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard and re-striping of all lanes on the south leg of the intersection. Construction of the northbound left-turn lane would be funded through participation in the DIF Program; remaining improvements would be funded through participation in the TUMF Program;*
- *Construct a southbound left-turn lane, a through lane, and a right-turn lane, for a southbound lane configuration of one left-turn lane, two through lanes, and one right-turn-lane. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard, and restriping of all lanes on the north leg of the intersection. Construction of the southbound through lane would be funded through participation in the TUMF Program; remaining improvements would be funded through participation in the DIF program;*
- *Re-stripe the eastbound right-turn lane as a through lane and construct an additional shared through-or-right-turn lane, for an eastbound lane configuration of one left-turn lane, one through lane, and one shared through-or-right-turn lane. These improvements would require the dedication of right-of-way with from the south side of Eucalyptus (future Encilia) Avenue and the re-striping of all lanes on the west leg of the intersection, and would be funded through participation in the DIF Program; and*

- *Construct the westbound approach with one left-turn lane, one through lane, and one shared through-or-right-turn-lane. These improvements would require the dedication of right-of-way from the north side of Eucalyptus (future Encilia) Avenue, and the re-striping of all lanes on the east leg of the intersection, and would be funded through participation in the DIF Program.*

The Project will pay required TUMF and DIF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Redlands Boulevard at Eucalyptus (future Encilia) Avenue.

4.2.17 Redlands Boulevard at Cottonwood Avenue Improvements:

- *Construct a northbound through lane, for a northbound lane configuration of one left-turn lane, one through lane and one shared through-or-right turn lane. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard, and the re-striping of all lanes on the south leg of the intersection, and would be funded through participation in the TUMF Program;*
- *Construct a southbound left-turn lane and a through lane, for a southbound lane configuration of one left-turn lane, two through lanes, and one right-turn-lane. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard, and the restriping of all lanes on the north leg of the intersection. Construction of the southbound through lane would be funded through participation in the TUMF Program; remaining improvements would be funded through participation in the DIF Program;*
- *Re-stripe the eastbound right-turn lane as a through lane, and construct an additional through-or-right-turn lane, for an eastbound lane configuration of one left-turn lane, one through lane, and one shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the south side of Cottonwood Avenue, and the re-striping of all lanes on the west leg of the intersection, and would be funded through participation in the DIF Program; and*

- *Construct the westbound approach with one left-turn lane, one through lane, and one shared through-or-right-turn-lane. These improvements would require the dedication of right-of-way from the north side of Cottonwood Avenue, and the re-striping of all lanes on the east leg of the intersection, and would be funded through participation in the DIF Program.*

The Project will pay required TUMF and DIF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Redlands Boulevard at Cottonwood Avenue.

Facts in Support of the Finding: With completion of the improvements recommended under Mitigation Measures 4.2.3 through 4.2.17, acceptable levels of service would be realized at all Study Area intersections under cumulative Opening Year and General Plan buildout conditions with the Project. (See DEIR Tables 4.2-10 and 4.2-11) Improvements necessary to mitigate potentially significant intersection impacts would be accomplished in part by the Project, with the balance of required improvements realized under combined TUMF, DIF, and fair share fee traffic improvement programs. With specific regard to Project payment of Development Impact Fees (DIF), it is recognized that the City, as an interim and temporary measure, has reduced required DIF payments by 50%. Notwithstanding, the reduced DIF payment program is considered to have sufficient funds to construct prioritized improvements necessary to alleviate traffic impacts. That is, over time, the City's DIF structure, allocation of fees, and prioritization of improvements is able to flexibly respond to traffic demands within the City such that funding for all necessary improvements is available in a timely manner. It is further noted that should supplemental funds be required, the City is able to secure these funds through other sources including but not limited to: state and federal grants, redevelopment funds and Measure A gas tax funds.

However, timely completion of the required improvements in total cannot be assured based on Project participation in mandated traffic impact fee programs (TUMF, DIF, and fair share). Further, ramp and interchange improvements affecting the SR-60 are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency. The Project's contribution to intersection impacts is therefore determined to be cumulatively significant and unavoidable notwithstanding mitigation. (DEIR, pgs. 4.2-36 to 4.2-55).

b. Roadway Segments

Significant Unavoidable Impact: The EIR evaluated and concluded that Project-related traffic would cumulatively exceed established level of service standards, affecting certain roadway segments under Opening Year cumulative conditions.

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant but will be reduced to the extent feasible through mitigation measures. The Council finds that Mitigation Measures 4.2.18 and 4.2.19 are incorporated into the MMRP for the Project, and will be implemented as specified therein. However, the Council finds that even with application of these mitigation measures, cumulative roadway segment impacts are considered significant and unavoidable.

4.2.18 *Quincy Street south of Fir (future Eucalyptus) Avenue Improvements:*

- *Construct Quincy Street south of Eucalyptus Avenue as a two-lane undivided roadway with a minimum of one travel lane in each direction.*

The Project will pay required DIF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year cumulative traffic impacts at the segment of Quincy Street south of Fir (future Eucalyptus) Avenue.

4.2.19 *Fir (future Eucalyptus) Avenue west of Quincy Street to the westerly Project boundary and Fir (future Eucalyptus) Avenue east of Redlands Boulevard Improvements:*

- *Construct the Fir (future Eucalyptus) Avenue extension from the current terminus near the Auto Mall to Quincy Street, and connecting to Fir (future Eucalyptus) Avenue at the westerly project boundary. Continue Fir (future Eucalyptus) Avenue east of Redlands Boulevard. Fir (future Eucalyptus) Avenue is to be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction.*

The Project will pay required DIF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year cumulative traffic impacts affecting the segment of Fir (future Eucalyptus) Avenue between

the Auto Mall and the westerly Project Boundary, and Fir (future Eucalyptus) Avenue east of Redlands Boulevard.

Facts in Support of the Finding: With completion of the improvements recommended under Mitigation Measures 4.2.7, 4.2.18 and 4.2.19, acceptable V/C and LOS conditions would be realized at all Study Area roadway segments under Opening Year Cumulative Conditions with the Project. Implementation of the previously identified Mitigation Measure 4.2.7 would ensure acceptable conditions at the segment of Redlands Boulevard located north of the SR-60 Westbound Ramps to Eucalyptus (future Encilia) Avenue. (See DEIR Table 4.2-13) Improvements necessary to mitigate potentially significant Opening Year Cumulative Condition roadway segment impacts would be accomplished in part by the Project, with the balance of required improvements realized under combined TUMF, DIF, and fair share fee traffic improvement programs. With specific regard to Project payment of Development Impact Fees (DIF), it is recognized that the City, as an interim and temporary measure, has reduced required DIF payments by 50%. Notwithstanding, the reduced DIF payment program is considered to have sufficient funds to construct prioritized improvements necessary to alleviate traffic impacts. That is, over time, the City's DIF structure, allocation of fees, and prioritization of improvements is able to flexibly respond to traffic demands within the City such that funding for all necessary improvements is available in a timely manner. It is further noted that should supplemental funds be required, the City is able to secure these funds through other sources including but not limited to: state and federal grants, redevelopment funds and Measure A gas tax funds.

However, timely completion of the required improvements in total cannot be assured based on Project participation in mandated traffic impact fee programs (TUMF, DIF, and fair share). Further, roadway segment improvements at or affecting the SR-60 at Redlands Boulevard interchange improvements are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency. As such, there are no feasible mitigation measures that will reduce the Project's roadway segment impacts under Opening Year cumulative conditions below significance thresholds. (DEIR, pgs. 4.2-60 through 4.2-67)

c. Freeway Mainline Segments

Significant Unavoidable Impact: The EIR evaluated and concluded that Project-related traffic would cumulatively exceed established level of service standards at study area freeway segments under General Plan buildout conditions.

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant there are no known feasible mitigation measures that could reduce this impact to a level of less than significant. Accordingly, Project-related impacts to Study Area freeway mainline segments under General Plan buildout conditions will remain significant and unavoidable.

Facts in Support of the Finding: The EIR determined that implementation of the Project would contribute additional traffic to segments of SR-60 within the Study Area that under General Plan buildout conditions (with or without the Project) are projected to operate under deficient conditions. While it is foreseeable that improvements to SR-60 in the Project vicinity will be completed prior to General Plan Buildout, timely completion of these improvements cannot be definitively assured. Further, SR-60 mainline improvements are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency. As such, there are no feasible mitigation measures that will reduce the Project's roadway segment impacts under Opening Year cumulative conditions below significance thresholds. (DEIR, pgs. 4.2-79 to 4.2-80) As such, the Project's potential to adversely affect scenic vistas is determined to be individually significant and cumulatively considerable.

2. <u>Air Quality</u>

a. Short-Term Construction Emissions

Significant Unavoidable Impact: The EIR evaluated and concluded that the Project's construction source emissions would temporarily exceed SCAQMD regional and localized significance thresholds, thereby potentially violating an air quality standard or contributing to an existing or projected air quality violation.

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant but will be reduced to the extent feasible through mitigation measures. The Council finds that Mitigation Measures 4.3.1 through 4.3.9 are incorporated into the MMRP for

the Project, and will be implemented as specified therein. However, the Council finds that even with application of these mitigation measures, construction emissions-related air quality impacts are considered significant and unavoidable.

4.3.1 *Consistent with URBEMIS modeling inputs and to effect implementation of Rule SCAQMD Rule 403, the following measures shall be incorporated:*

- *All clearing, grading, earth-moving, or excavation activities shall cease when winds exceed 25 mph per SCAQMD guidelines in order to limit fugitive dust emissions.*
- *The contractor shall ensure that all disturbed unpaved roads and disturbed areas within the Project are watered at least three times daily during dry weather. Watering, with complete coverage of disturbed areas, shall occur at least three times a day, preferably in the mid-morning, afternoon, and after work is done for the day.*
- *The contractor shall ensure that traffic speeds on unpaved roads and Project site areas are reduced to 15 miles per hour or less to reduce* PM_{10} *and* $PM_{2.5}$ *fugitive dust haul road emissions.*
- *Site disturbance during mass grading and fine grading activities shall not exceed 13.66 acres per day.*
- *Ground cover shall be replaced, and/or non-toxic soil stabilizers shall be applied (according to manufacturers' specifications) to any inactive construction areas (previously graded areas inactive for ten days or more);*
- *In support of Project plan specifications and contract document language; and as means of controlling on-site construction vehicle speeds, for the duration of Project construction activities, speed limit signs (15 mph maximum) shall be posted at entry points to the Project site, and along any unpaved roads providing access to or within the Project site and/or any unpaved designated on-site travel routes.*

4.3.2 *The contractor shall minimize pollutant emissions by maintaining equipment engines in good condition and in proper tune according to manufacturer's*

specifications and during smog season (May through October) by not allowing construction equipment to be left idling for more than five minutes (per California law).

4.3.3 *The contractor shall ensure use of low-sulfur diesel fuel in construction equipment as required by the California Air Resources Board (CARB) (diesel fuel with sulfur content of 15 ppm by weight or less).*

4.3.4 *Contractor(s) shall ensure that all off-road heavy-duty construction equipment utilized during construction activity shall be CARB Tier 2 Certified or better.*

4.3.5 *In order to reduce localized Project impacts to sensitive receptors in the Project vicinity during construction, construction equipment staging areas shall be located at least 300 feet away from sensitive receptors.*

4.3.6 *During Project construction, existing electrical power sources (e.g., power poles) shall be utilized to power electric construction tools including saws, drills and compressors, to minimize the need for diesel or gasoline powered electric generators.*

4.3.7 *The Applicant shall use "Zero-Volatile Organic Compounds" paints, coatings, and solvents with a VOC content lower than required under Rule 1113 (not to exceed 150 grams/liter; 1.25 pounds/gallon). High Pressure Low Volume (HPLV) applications of paints, coatings and solvents shall be consistent with South Coast Air Quality Management District Rule 1113. Alternatively, the Applicant shall use materials that do not require painting or are pre-painted.*

4.3.8 *Grading plans, construction specifications and bid documents shall also include the following notations:*

- *Off-road construction equipment shall utilize alternative fuels e.g., biodiesel fuel (a minimum of B20), natural gas (CNG), liquefied natural gas (LNG), propane, except for equipment where use of such fuels l fuel would void the equipment warranty;*
- *Gravel pads shall be provided at all access points to prevent tracking of mud onto public roads;*

- *Install and maintain trackout control devices at all access points where paved and unpaved access or travel routes intersect;*
- *The contractor or builder shall designate a person or person(s) to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite;*
- *The contractor or builder shall post a publicly visible sign with the telephone number and person to contact regarding dust complaints. The contact person shall take corrective action within 24 hours;*
- *High pressure injectors shall be provided on diesel construction equipment where feasible;*
- *Engine size of construction equipment shall be limited to the minimum practical size;*
- *Substitute gasoline-powered for diesel powered construction equipment where feasible;*
- *Use electric construction equipment where feasible;*
- *Install catalytic converters on gasoline-powered equipment where feasible;*
- *Ride-sharing program for the construction crew shall be encouraged and shall be supported by contractor(s) via incentives or other inducement;*
- *Documentation shall be provided to the City of Moreno Valley indicating that construction workers have been encouraged to carpool or otherwise reduce VMT to the greatest extent practical, including providing information on available park and ride programs;*
- *Lunch services shall be provided onsite during construction to minimize the need for offsite vehicle trips;*
- *All forklifts used during construction and in subsequent operation of the Project shall be electric or natural gas powered.*

4.3.9 *Throughout Project construction, a construction relations officer/community liaison, appointed by the Applicant, shall be retained on-site. In coordination and*

cooperation with the City, the construction relations officer/community liaison shall respond to any concerns related to PM10 (fugitive dust) generation or other construction-related air quality issues.

Facts in Support of the Finding: Even after compliance with applicable SCAQMD Rules and implementation of Mitigation Measures 4.3.1 through 4.3.9, Project construction activities would temporarily exceed SCAQMD regional emissions thresholds for volatile organic compounds (VOC) and oxides of nitrogen (NOx); and would also temporarily exceed localized emissions thresholds for particulate matter (PM_{10} and $PM_{2.5}$). (See DEIR Tables 4.3-9 and 4.3-10) Project construction-related emissions in exceedance of SCAQMD's regional and localized significance thresholds are therefore determined to be significant and unavoidable air quality impacts notwithstanding mitigation. (DEIR, pgs. 4.3-53 through 4.3-65).

b. Long-Term Operational Emissions

Significant Unavoidable Impact: The EIR evaluated and concluded that the Project could potentially exceed SCAQMD daily emissions significance thresholds.

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant but will be reduced to the extent feasible through mitigation. The Council finds that Mitigation Measure 4.3.10 is incorporated into the MMRP for the Project, and will be implemented as specified therein. However, the Council finds that even with application of this mitigation measure, operational emissions-related air quality impacts are considered significant and unavoidable.

4.3.10 *All Project entrances shall be posted with signs which state:*

- *Truck drivers shall turn off engines when not in use;*
- *Diesel delivery trucks servicing the Project shall not idle for more than three (3) minutes; and*
- *Telephone numbers of the building facilities manager and CARB, to report violations.*

Facts in Support of the Finding: Even after compliance with applicable SCAQMD Rules and implementation of Mitigation Measure 4.3.10, as well as Mitigation Measures 4.3.11 through 4.3.13 enumerated in Section V(A)(3)(c) above, Project operational activities will exceed SCAQMD daily emissions thresholds for VOC and NOx. (DEIR Table 4.3.13) Project operational-related impacts that exceed long-term, operational emissions thresholds are therefore determined to be significant and unavoidable air quality impacts notwithstanding mitigation. (DEIR, pgs. 4.3-65 to 4.3.73)

c. Sensitive Receptors

Significant Unavoidable Impact: The EIR evaluated and concluded that Project construction activities could temporarily expose sensitive receptors to potentially substantial pollutant concentrations.

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant but will be reduced to the extent feasible through mitigation measures. The Council finds that Mitigation Measures 4.3.1 through 4.3.9, enumerated in Section C(2)(a) above, are incorporated into the MMRP for the Project, and will be implemented as specified therein. However, the Council finds that even with application of these mitigation measures, the Project will result in cumulatively significant and unavoidable air quality impacts.

Facts in Support of the Finding: Even after compliance with applicable SCAQMD Rules and implementation of Mitigation Measures 4.3.1 through 4.3.9, the Project's construction source emissions could result in the temporary exposure of sensitive receptors to PM_{10} and $PM_{2.5}$ emissions in excess of applicable SCAQMD localized significance thresholds. Existing sensitive receptors are identified as a single developed residential use located at 28855 Fir Avenue. Although additional parcels zoned for residential land uses (potential future sensitive receptors) are present within the area of LST exceedance, they are largely undeveloped. All other study area receptor locations (existing residences south of Eucalyptus (future Encilia) Avenue and north of SR-60, and area school sites) are well beyond the area of the Project's temporary LST exceedances for particulate matter. (DEIR, pgs. 4.3-73 through 4.3-76)

d. Cumulative Air Quality Impacts

Significant Unavoidable Impact: The EIR evaluated and concluded that the Project could potentially result in a cumulatively considerable net increase of criteria pollutants for which the project region is in non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors).

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant but will be reduced to the extent feasible through mitigation measures. The Council finds that Mitigation Measures 4.3.1 through 4.3.13, enumerated in Sections A(3)(c) and C(2)(a) & (b) above, are incorporated into the MMRP for the Project, and will be implemented as specified therein. However, the Council finds that even with application of these mitigation measures, the Project will result in cumulatively significant and unavoidable air quality impacts.

Facts in Support of the Finding: The Project is located within non-attainment areas for PM_{10}, $PM_{2.5}$, and ozone (VOC and NOx are ozone precursors). Even after compliance with applicable SCAQMD Rules and implementation of Mitigation Measures 4.3.1 through 4.3.13, the Project will result in the following cumulatively significant and unavoidable air quality impacts: (1) Short-term Project construction activities that exceed the regional thresholds for VOC and NOx emissions are cumulatively significant for the duration of construction activities; (2) Short-term Project construction activities that exceed the localized significance thresholds for PM_{10} and $PM_{2.5}$ emissions are cumulatively significant for the duration of construction activities; (3) Long-term operations of the Project that exceeds the regional thresholds for VOC and NOx are cumulatively significant; and (4) The Project's operational VOC and NOx emissions, in combination with VOC and NOx emissions generated by other sources affecting the encompassing ozone non-attainment areas, will result in a cumulatively considerable net increase of this pollutant within the nonattainment areas. (DEIR, pgs. 5-12 to 5-13)

3. <u>Noise</u>

a. Short-Term Construction Noise (Individual and Cumulative)

Significant Unavoidable Impact: The EIR evaluated and concluded that the Project could potentially result in the 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; and potentially result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project.

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant but will be reduced to the extent feasible through mitigation measures. The Council finds that Mitigation Measures 4.4.1 through 4.4.4, presented below, are incorporated into the MMRP for the Project, and will be implemented as specified therein. However, the Council finds that even with application of these mitigation measures, short-term construction-related noise impacts are considered significant and unavoidable, and are determined cumulatively considerable for the duration of Project construction activities.

4.4.1 *Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that during all Project site construction, construction contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturers' standards. And further that the construction contractor shall place all stationary construction equipment so that emitted noise is directed away from off-site receptors nearest the Project site. The statement in the plans and specifications shall be reviewed and approved by the City of Moreno Valley Planning Department, or their designee.*

4.4.2 *Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that the construction contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and off-site receptors nearest the Project site during all project construction. The statement in the plans and specifications shall be reviewed and approved by the City of Moreno Valley Planning Department, or their designee.*

4.4.3 *Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that construction activities, including haul truck operations, shall be limited to the hours between 7:00 a.m. and 8:00 p.m. Monday through Friday. No Project-related construction activities shall occur on*

weekends or Federal holidays. The statement in the plans and specifications shall be reviewed and approved by the City of Moreno Valley Planning Department, or their designee.

4.4.4 *Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that for the duration of grading and site preparation activities, temporary construction noise curtains or similar line-of-sight noise reduction measures shall be installed along the Project's southerly boundary. Noise curtains shall be installed so as to provide maximum reduction for noise sensitive uses (at present a single residence located southerly of the Project site) and shown on the grading plans prepared for the Project.*

Facts in Support of the Finding: Even with implementation of Mitigation Measures 4.4.1 through 4.4.4, the Project's construction activities would result in a temporary exceedance of applicable noise level standards and a temporary increase in ambient noise levels in the Project vicinity. Because construction noise levels are conservatively estimated to exceed the City's maximum permissible sound level for daytime hours as received at a residential land use (60 dBA Leq), construction noise is considered a significant and unavoidable impact of the Project. (DEIR, pgs. 4.4-15 to 4.4-21). Cumulative noise impacts for the duration of construction activities are also recognized as significant. (DEIR, pg. 5-14) As such, short-term construction noise impacts are determined to be individually and cumulatively significant notwithstanding mitigation.

4. Aesthetics

a. Scenic Vistas (Individual and Cumulative)

Significant Unavoidable Impact: The EIR evaluated and concluded that the Project could have an adverse effect on a scenic vista.

Finding: Based on the entire record before us, this Council finds that this impact is potentially significant as there are no known feasible mitigation measures that could reduce this impact to a level of less than significant. Accordingly, Project-related impacts to scenic vistas will remain significant and unavoidable.

Facts in Support of the Finding: The EIR determined that implementation of the Project would potentially result in the restriction or interruption of near and distant scenic vistas. The Project proposes a single large structure (more than 970,000 square feet), that would alter and or/obstruct views through the currently undeveloped Project area. View obstruction will be limited to some extent by engineering and grading requirements that will establish the Project's building pad considerably below the grade of the adjacent SR-60. The Project will nonetheless interrupt the expansive views of open space and mountains from SR-60, Redlands Boulevard, Fir (future Eucalyptus) Avenue, and other areas surrounding the Project site. In order to minimize the viewshed impacts of the Project, the building height or overall scale would need to be substantially reduced. Reducing the height of the building is considered infeasible, since the facility's height is largely dictated by the logistics use, and the need to provide standard "dock-high" bays for the loading and unloading of trucks. Similarly, the proposed Project intends to serve a market need for users that demand a large, integrated facility. As such, the concept of substantially reducing the size of the building, or creating multiple buildings in lieu of one single building would compromise a basic objective of the Project. As such, there are no feasible mitigation measures that will reduce the Project's potential aesthetic impacts on scenic vistas below significance thresholds. (DEIR, pgs. 4.9-10 through 4.9-19) In combination with other known or probably development projects in the vicinity, the Project would also result in the cumulatively considerable restriction or interruption of near and distant scenic views. (DEIR, pgs. 5-23 to 5-15) As such, the Project's potential to adversely affect scenic vistas is determined to be individually significant and cumulatively considerable.

D. ADEQUACY OF THE RANGE OF PROJECT ALTERNATIVES

The EIR analyzed three alternatives to the Project as proposed, and evaluated these alternatives for their ability to meet the Project's objectives as described in Section II.B above. CEQA requires the evaluation of a "No Project Alternative" to assess a maximum net change in the environment as a result of implementation of the Project. At the direction of the City of Moreno Valley, two different "No Project" scenarios have been evaluated. The first, referred to as the No Project/No Build Alternative, assumes the site would remain in its current undeveloped state. The second, referred to as the No Project/Existing Zoning Alternative, makes a reasoned assessment as to the future development of the subject site should the Project under consideration not be developed. A Reduced Intensity Alternative was also selected for analysis. CEQA

requires the evaluation of alternatives that can reduce the significance of identified impacts and "feasibly attain most of the basic objectives of the proposed Project." Thus, in order to develop a range of reasonable alternatives, the Project Objectives must be considered when this Council is evaluating the alternatives.

1. Alternative 1 – No Project/No Build Alternative

Description: Under the No Project/No Build Alternative (hereinafter referenced as the "No Build" Alternative), it is presumed that if the Project or some similar development proposal is not implemented on the subject site, then there would be no other known or probable scenarios for the subject property, the site would likely remain in its current undeveloped state for the foreseeable future. (DEIR, pg. 5-31)

Impacts: The No Build Alternative would result in a significant lessening of impacts when compared to the proposed Project. (DEIR, pgs. 5-25 through 5-65) Similar to the Project, the No Build Alternative would result in less than significant impacts in the following areas: Land Use; Water Supply; Hydrology and Water Quality; Cultural Resources; and Biological Resources. No discretionary actions or zone change would be required under the No Build Alternative. (DEIR, pg. 5-48) In addition, the Project's significant and unavoidable traffic impacts, construction noise impacts, construction and operational air quality impacts, and impacts to scenic vistas would not occur. (DEIR, pgs. 5-50 to 5-65) Under the No Build Alternative, potential traffic/transportation impacts would be representative of existing conditions. The No Build Alternative would reduce the aggregate amount of fee contributions available for long-term traffic improvements when compared to fee contributions realized under the Project. Additionally, the No Build Alternative would not realize Project-specific road widening/lane reconfiguration and signalization improvements as detailed in the Project Traffic Impact Analysis. Significant freeway mainline segment deficiencies would persist with or without the Project. (DEIR, pg. 5-49). Visual attributes of the Project site would remain in their current state. (DEIR, pg. 5-63)

Objectives: Under the No Build Alternative, the subject site would remain in its current undeveloped state, and none of the Project Objectives would be achieved. (DEIR, pg. 5-64)

Finding: Under the No Build Alternative, no development would occur. This Alternative would avoid all of the significant and unavoidable impacts associated with traffic, air quality, noise and aesthetics that have been identified within the DEIR. However, the City Council finds

that the No Build Alternative would not fulfill any of the Project Objectives. Because the No Build Alternative will not fulfill the Project Objectives, the City Council hereby rejects the No Build Alternative.

2. Alternative 2 – No Project/Existing Zoning Alternative

Description: The No Project/Existing Zoning Alternative (hereinafter referenced as the "No Project" Alternative), considers the environmental conditions that would occur if the subject site were developed consistent with its existing Business Park zoning designation. To allow for quantified comparison of potential traffic impacts and related vehicular source air quality and noise impacts, the No Project Alternative assumes the site is developed consistent with assumptions employed in the City's General Plan Buildout traffic modeling, which was projected to be approximately four (4) times higher than would otherwise be generated by logistics/distribution warehouse uses such as those proposed under the Project.. (DEIR, pgs. 5-31 to 5-32)

Impacts: The No Project Alternative would result in a significant lessening of impacts when compared to the proposed Project. (DEIR, pgs. 5-25 through 5-72; EIR topical areas: Land Use; Water Supply; Hydrology and Water Quality; Cultural Resources; and Biological Resources.) Under the No Project Alternative, a zone change would not be required. (DEIR, pg. 5-48) The Project's significant and unavoidable construction noise impacts and construction source air quality impacts would likely be similar to those of the Project. (DEIR, pgs. 5-52 and 5-56) Potential traffic impacts could be substantively increased under the No Project Alternative, due to the increased traffic associated with Business Park land uses. Significant mainline freeway segment impacts under General Plan Buildout conditions would persist, and due to increased traffic generation under the No Project Alternative, would likely be exacerbated. (DEIR, pgs. 5-50 to 5-51) Associated vehicular (operational) air pollutant emissions would similarly be increased when compared to the Project; however, the vehicle mix under the No Project Alterative would likely reflect decreased heavy truck traffic. Significant VOC and NOx emissions thresholds exceedances occurring under the Project would be incrementally greater under the No Project Alternative. (DEIR, pg. 5-53). Vehicular noise would also likely increase under the No Project Alternative based on increased trip generation. However, as with the Project, it is considered unlikely that sensitive receptors would be affected by potential vehicular

noise levels based on their physical separation from roadways and the presence of intervening noise-attenuating walls. (DEIR, pg. 5-57) Potential impacts to viewsheds may be reduced under the No Project Alternative, since the Business Park zoning designation would limit maximum individual building areas to 50,000 square feet. This limitation on individual building sizes could allow for configurations of the developed site that would provide additional or varied views through the Project site to off-site scenic resources. (DEIR, pg. 5-63)

Objectives: Business Park/Light Industrial uses that could be implemented under the No Project Alternative could substantially achieve the Project's development objectives for the site. Like the Project, it is anticipated that new development under the No Project Alternative would be designed and implemented so as to be compatible with neighboring land uses. The No Project Alternative would effectively capitalize on the site's regional freeway accessibility and visibility. New jobs, including light industrial, office, limited support commercial, or research and development employment opportunities would be created by the No Project Alternative. This Alternative would also provide additional tax revenues available to the City. (DEIR, pgs. 5-64 to 5-65)

Finding: Under the No Project Alternative, development of a business park development with a similar scale to that of the Project would occur. This Alternative would reduce the Project's potential aesthetic impacts, in that a series of smaller buildings could be constructed in place of the Project's single structure, allowing views through the site. However, none of the Project's remaining significant and unavoidable environmental impacts would be reduced under the No Project Alternative. Conversely, increased trip generation under a business park land use would likely lead to increased traffic, with correlating increases in air pollutant emissions and vehicular noise. Although the No Project Alternative could substantially achieve the Project's Objectives, because the No Project Alternative would not reduce the majority of the Project's significant and unavoidable impacts, the City Council hereby rejects the No Project Alternative.

3. Alternative 3 – Reduced Intensity Alternative

Description: The Reduced Intensity Alternative assumes the same general land use type as the Project, but at a development intensity scoped to reduce the extent of regional threshold exceedances for VOC based on operational emissions that would otherwise result from the Project. In that the same type of development is proposed, most if not all the Project Objectives would be achieved to a certain extent. (DEIR, pg. 5-33) Implementation of the Reduced Intensity Alternative would yield approximately 684,200 square feet of development, a reduction of approximately 27 percent or approximately 253,060 square feet, when compared to the approximately 937,260 square-foot Project analyzed in the EIR. (DEIR, pg. 5-48).

Impacts: The Reduced Intensity Alternative would result in similar, albeit slightly lessened, impacts when compared to the Project. (DEIR, pgs. 5-25 through 5-72; EIR topical areas: Land Use; Water Supply; Hydrology and Water Quality; Cultural Resources; and Biological Resources.) Under the Reduced Intensity Alternative, maximum construction-related emissions from site preparation and grading would likely be the same as for the Project, though it would occur within a shorter time frame due to the reduced development area. In this regard, the maximum daily site disturbance and amount of equipment employed concurrently would likely be similar to the construction scenario envisioned for the Project. As with the Project, mitigated construction-related emissions would still exceed SCAQMD emissions thresholds. Because the scope of development would be reduced under this Alternative, the duration of construction activities and resulting construction emissions and noise may be reduced when compared to the Project. (DEIR, pgs. 5-51 and 5-57) Based on its reduced scope of development and associated reductions in vehicle trips and vehicular emissions, long-term operations under the Reduced Intensity Alternative would be reduced by approximately 27 percent when compared to the Project. Operational NOx, PM_{10}, and $PM_{2.5}$ emissions under this Alternative would, however, still exceed applicable SCAQMD thresholds. Accordingly, as with the Project, this Alternative would result in cumulatively significant emissions contributions to existing non-attainment conditions for ozone and particulates. (DEIR, pgs. 5-53 to 5-55) The Reduced Intensity Alternative would result in an approximate 27 percent reduction in development intensity, with a commensurate reduction in trip generation when compared to the Project. The extent of area-wide traffic improvements and required traffic impact mitigation realized under the Project would also be reduced. Significant freeway mainline traffic impacts projected to occur under

General Plan buildout conditions would persist with or without development under the Reduced Intensity Alternative. As such, freeway impacts under this scenario would be less than the Project, but likely still be considered significant. (DEIR, pg. 5-51) The reduced area of development under the Reduced Intensity Alternative would also incrementally reduce significant viewshed impacts otherwise occurring under the Project. (DEIR, pg. 5-64)

Objectives: The Reduced Intensity Alternative would, to some degree, realize the Project Objectives. However, because the scale of the development would be diminished under this Alternative, the resulting generation of sales tax, the number of jobs created, and potential second tier economic benefits to the City and region (e.g. wholesale/retail support sales; temporary and long-term construction jobs, and facilities maintenance employment opportunities) would likely be reduced when compared to the Project. (DEIR, pg. 5-65)

Finding: Under the Reduced Intensity Alternative, a light industrial warehouse/ distribution facility reduced by approximately 27 percent (or 263,000 square feet) would be realized as compared to the Project. The City Council hereby finds that the Reduced Intensity Alternative will not avoid or substantially reduce the significant and unavoidable construction noise impacts and construction and operational air quality impacts identified in the EIR. This Alternative would not meet Project Objectives to the same extent as the Project. Furthermore, the scale of the reduction in intensity would not maximize or realize the economic potential of the site. Based on the reduced scope of development, the Reduced Intensity Alternative would diminish capacities and capabilities to satisfy existing and projected unmet market demands within the trade area. The Reduced Intensity Alternative would also result in comparatively fewer opportunities to provide jobs, as compared to the Project. Therefore, the City Council rejects the Reduced Intensity Alternative on the basis that it fails to avoid or substantially reduce the significant and unavoidable impacts of the Project and does not meet the Project Objectives as well as the Project. The City Council also finds that each of these considerations constitutes a ground for rejecting this alternative that is independently sufficient to support the City Council's rejection of this alternative.

4. <u>Alternatives Considered and Rejected</u>

A variety of additional alternatives were considered as part of the DEIR's Alternatives Analysis. (DEIR, pgs. 5-32 through 5-41) An Extended Construction Alternative

and Multiple Building Design Alternative were considered and ultimately rejected based on infeasibility. Additionally, four Alternative Site locations were considered within the DEIR. The criteria for identifying potential alternate sites included:

- Location within the City of Moreno Valley;
- Appropriate General Plan and zoning designations, or the ability to be so-designated;
- Minimum size of 50 acres and a roughly rectangular shape;
- Location proximate to locate transportation corridors or at a regional transportation hub;
- Currently undeveloped or underutilized;
- Currently available;
- Access to existing or planned adequate serving infrastructure; and
- Able to support operations in a manner compatible with other proximate land uses.

Each of the four sites that were analyzed met the general requirements in that each was currently vacant, more than 50 acres and roughly a rectangular configuration; each was zoned for industrial uses and served by nearby utilities and infrastructure. Alternative Sites 1 through 4 are locally accessible and also located near the I-215 freeway, a regional transportation corridor. (DEIR, Figure 5.2-1) Upon further analysis, each of these sites was found to be currently unavailable. Alternative Site 1 currently has applications under review by the City for 1.6 million square feet of distribution warehouse uses, while development plans have been submitted and approved for Alternative Sites 2, 3 and 4.

5. <u>Environmentally Superior Alternative</u>

Based on comparative reductions in traffic generation, and associated reductions in noise and air emissions, and generally reduced scale, among the Alternatives considered, the Reduced Intensity Alternative would result in the greatest reduction in environmental effects, and is thus considered the environmentally superior alternative. (DEIR, pg. 5-65). The Reduced Intensity Alternative would also generally reduce other environmental effects of the Project, and

to a limited degree, realize attainment of the basic Project Objectives. (DEIR pgs. 5-47 to 5-65) Development of the Project or the Reduced Intensity Alternative would contribute to area employment and the City's overall tax base. However, because scope of land uses would be substantively reduced under the Reduced Intensity Alternative, the resulting effective realization of the Project Objectives, to include economic benefits to the City and region, would likely be similarly diminished. (DEIR, pg. VI-40)

E. GROWTH-INDUCING IMPACTS

CEQA requires a discussion of ways in which the proposed Project could be growth inducing. Specifically, CEQA Guidelines Section 1512602(d) states than an EIR must describe the ways in which the proposed Project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment.

The types of employment opportunities offered by the Project (both management and regular employees) are relatively common throughout Southern California and are unlikely to generate significant population migration (if any). Any Project-related employment demands would likely be filled by the existing surplus personnel pool within the Moreno Valley area, and/or neighboring communities, especially with the currently low jobs per household ratio in the City, and regionally high unemployment rates. The Project would not foster growth or a concentration of population in excess of what is assumed in pertinent master plans, land use plans, or in projections made by regional planning. (DEIR, pgs. 5-67 to 5-68)

Currently, the Project site is vacant and undeveloped. However, expansions of water and wastewater systems, along with other urban utilities, are programmed to serve the vicinity consistent with anticipated development of the City and region. In order to accommodate forecasted growth of the City and region over the long term, it is anticipated these improvements will be implemented regardless of the City's ultimate decision on the Westridge Commerce Center Project. The Project is not considered to provide an inducement to other lands within its vicinity to undertake unanticipated development due to the availability of new or expanded infrastructure systems. (DEIR, pgs. 5-68 to 5-69)

Notwithstanding, development of the Project as envisioned will entail upgrade/modification of infrastructure in the immediate Project vicinity, including abutting roadways, the local water distribution and sewer collection systems, and storm drainage

conveyance facilities. Infrastructure improvements necessitated by the implementation of the Project may facilitate and encourage development of nearby properties. However, the characteristics and intensities of development that could occur on these properties are governed by the Moreno Valley General Plan. Development of these properties within the context of the approved General Plan should not result in unforeseen impacts or impacts that cannot be mitigated. (*Id.*)

Additionally, it is recognized that provision of services, e.g., utilities, fire protection, and law enforcement, may be expanded or otherwise enhanced to meet additional demands of the Project. Project design and payment of impact mitigation fees reduces individual and cumulative impacts in these regards. Services expansion or enhancements based on incremental demands of the Project will not result in substantial additional capacity that could be considered growth inducing. (*Id.*)

Investment in the Project would have local and regional economic impacts which may result in indirect growth-inducing effects. The Project's potential economic benefits could indirectly result in employment growth in the region. This growth, in combination with other anticipated employment growth in the region, could indirectly result in population growth and an increased demand for housing. (*Id.*) Such growth has a variety of potential effects on the physical environment, including but not limited to, effects on air quality, ambient noise levels, traffic impacts, and water quality. It is not anticipated that the additional employment opportunities created by the Project would be substantial enough to produce noticeable population growth within the City and region. (DEIR, p. 5-68)

F. SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL CHANGES

Public Resources Code Section 21100(b)(2)(B) and CEQA Guidelines Sections 15126(c), 15126.2(c), and 15127, require that for certain types or categories of projects, an EIR must address significant irreversible environmental changes that would occur should the project be implemented. As presented at CEQA Guidelines Section 15127, the topic of Significant Irreversible Environmental Changes needs to be addressed in EIRs prepared in connection with any of the following activities:

(a) The adoption, amendment, or enactment of a plan, policy, or ordinance of a public agency;

(b) The adoption by a local agency formation commission of a resolution making determinations; or

(c) A project which will be subject to the requirements for preparing of an environmental impact statement pursuant to the requirements of the National Environmental Policy Act of 1969, 42 U.S.C. Sections 4321-4347.

The Project qualifies under Guidelines §15127 (a) in that a zone change is required in order to implement the Project. As such, this EIR analysis addresses any significant irreversible environmental changes which would be involved in the proposed action should it be implemented [Guidelines, Sections 15126(e) and 15127]. An impact would fall into this category if:

- A project would involve a large commitment of nonrenewable resources;
- The primary and secondary impacts of a project would generally commit future generations to similar uses;
- A project involves uses in which irreversible damage could result from any potential environmental incidents associated with the project; or
- The proposed consumption of resources is not justified (e.g., the project results in wasteful use of energy).

With regard to the above considerations, various natural resources, in the form of construction materials and energy resources, will be used in the construction of the Project, but their use is not expected to result in shortfalls in the availability of these resources. The Project presents no significant possibility of irreversible environmental damage "from any potential environmental incidents associated with the project." The Project does not propose facilities or uses that would result in potentially significant environmental incidents. Moreover, all feasible mitigation is incorporated in the Project to reduce its potential environmental effects. As discussed herein, the Project will not result in or cause unwarranted or wasteful use of resources, including energy. (DEIR, pgs. 5-73 to 5-74)

9. STATEMENT OF OVERRIDING CONSIDERATIONS

The Moreno Valley City Council adopts this Statement of Overriding Considerations with respect to the significant unavoidable impacts associated with adoption of the Project as addressed in the EIR, specifically:

1. Traffic Impacts – Intersections and Roadway Segments (Cumulative); and
2. Traffic Impacts – Mainline Freeway Segments (Cumulative).
3. Short-Term Construction Air Quality Impacts (Individual and Cumulative);
4. Long-Term Operational Emissions (Individual and Cumulative);
5. Short-Term Construction Noise (Individual and Cumulative); and
6. Aesthetic Impacts – Change to Scenic Vistas (Individual and Cumulative)

The Moreno Valley City Council hereby declares that, pursuant to CEQA Guidelines Section 15093, the City Council has balanced the benefits of the proposed Project against any significant and unavoidable environmental impacts in determining whether to approve the proposed Project. If the benefits of the proposed Project outweigh the unavoidable adverse environmental impacts, those impacts are considered "acceptable."

The City Council hereby declares that the EIR has identified and discussed significant effects that may occur as a result of the Project. With the implementation of the mitigation measures discussed in the EIR, these impacts can be mitigated to a level of less than significant except for the unavoidable and significant impacts discussed in Section V(D) herein.

The City Council hereby declares that it has made a reasonable and good faith effort to eliminate or substantially mitigate the potential impacts resulting from the Project.

The City Council hereby declares that to the extent any mitigation measures recommended to the City are not incorporated, such mitigation measures are infeasible because they would impose restrictions on the Project that would prohibit the realization of specific economic, social, and other benefits that this City Council finds outweigh the unmitigated impacts.

The City Council further finds that except for the Project, all other alternatives set forth in the EIR are infeasible because they would prohibit the realization of the Project objectives and/or specific economic, social or other benefits that this City Council finds outweigh any environmental benefits of the alternatives.

The City Council hereby declares that, having reduced the adverse significant environmental effects of the Project, to the extent feasible by adopting the proposed mitigation measures, having considered the entire administrative record on the Project and having weighed the benefits of the Project against its unavoidable significant impact after mitigation, the City Council has determined that the social, economic and environmental benefits of the Project outweigh the potential unavoidable significant impacts and render those potential significant impacts acceptable based on the following considerations:

- The Project will provide development consistent with the General Plan and in conformance with municipal standards, codes and policies;
- The Project provides development that improves and maximizes economic viability of a vacant site by transitioning the Project site into a productive light industrial use;
- The Project is located at the intersection of a major street and an interstate freeway, maximizing access opportunities for the convenience of operations;
- The Project creates additional employment-generating opportunities for the City of Moreno Valley and surrounding communities; and
- The Project provides adequate infrastructure and public amenities, including upgrading and widened streets, signal upgrades and utility improvements.

As the CEQA Lead Agency for the proposed action, the City of Moreno Valley has reviewed the Project description and the alternatives presented in the EIR, and fully understands the Project and Project alternatives proposed for development. Further, this Council finds that all potential adverse environmental impacts and all feasible mitigation measures to reduce the impacts from the project have been identified in the Draft EIR, the Final EIR and public testimony. This Council also finds that a reasonable range of alternatives was considered in the EIR and this document, Section V(E) above, and finds that approval of the Project is appropriate.

This Council has identified economic and social benefits and important policy objectives, Section V(H) above, which result from implementing the Project. The Council has balanced these substantial social and economic benefits against the unavoidable significant adverse effects of the Project. Given the substantial social and economic benefits that will accrue from the Project, this Council finds that the benefits identified herein override the unavoidable environmental effects.

California Public Resource Code 21002 provides: "In the event specific economic, social and other conditions make infeasible such Project alternatives or such mitigation measures, individual projects can be approved in spite of one or more significant effects thereof." Section 21002.1(c) provides: "In the event that economic, social, or other conditions make it infeasible to mitigate one or more significant effects of a project on the environment, the project may nonetheless be approved or carried out at the discretion of a public agency…" Finally, California Administrative Code, Title 4, 15093 (a) states: "If the benefits of a proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered 'acceptable.'"

The City Council hereby declares that the foregoing benefits provided to the public through approval and implementation of the Project outweighs the identified significant adverse environmental impacts of the Project that cannot be mitigated. The City Council finds that each of the Project benefits outweighs the unavoidable adverse environmental impacts identified in the EIR and, therefore, finds those impacts to be acceptable.

10. CERTIFICATION OF THE FINAL ENVIRONMENTAL IMPACT REPORT

The Moreno Valley City Council finds that it has reviewed and considered the FEIR in evaluating the Project, that the FEIR is an accurate and objective statement that fully complies with CEQA and the CEQA Guidelines, and that the FEIR reflects the independent judgment of the City Council.

The City Council declares that no new significant information as defined by CEQA Guidelines Section 15088.5 has been received by the City Council after the circulation of the DEIR that would require recirculation. All of the information added to the FEIR merely clarifies,

amplifies or makes insignificant modifications to an already adequate DEIR pursuant to CEQA Guidelines Section 15088.5(b).

The City Council hereby certifies the EIR based on the following findings and conclusions:

A. <u>Findings</u>

1. CEQA Compliance

As the decision-making body for the Project, the City Council has reviewed and considered the information contained in the Findings and supporting documentation. The City Council determines that the Findings contain a complete and accurate reporting of the environmental impacts and mitigation measures associated with the Project, as well as complete and accurate reporting of the unavoidable impacts and benefits of the Proposed Project as detailed in the Statement of Overriding Considerations. The City Council finds that the EIR was prepared in compliance with CEQA and that the City Council complied with CEQA's procedural and substantive requirements.

2. Significant Unavoidable Impacts/Statement of Overriding Considerations:

The Project will have significant adverse impacts even following adoption of all feasible mitigation measures which are required by the City Council. The following significant environmental impacts have been identified in the FEIR and will require mitigation but cannot be mitigated to a level of insignificance as set forth in Section V(D) of these Findings: Traffic Impacts – Intersections and Roadway Segments (Cumulative); Traffic Impacts – Freeway Mainline Segments (Cumulative); Short-Term Construction Air Quality Impacts (Individual and Cumulative); Long-Term Operational Emissions (Individual and Cumulative); Short-Term Construction Noise (Individual and Cumulative); and Aesthetic Impacts – Changes to Scenic Vistas (Individual and Cumulative). The City Council has eliminated or substantially reduced environmental impacts where feasible as described in the Findings, and the City Council determines that the remaining unavoidable significant adverse impacts are acceptable due to the reasons set forth in the preceding Statement of Overriding Considerations.

3. Conclusions

a. All potentially significant environmental impacts from implementation of the proposed Project have been identified in the FEIR and, with the implementation of the mitigation measures defined herein and set forth in the MMRP, will be mitigated to a less-than-significant level, except for the impacts identified in Section V(D) above.

b. Other reasonable alternatives to the proposed Project that could feasibly achieve the basic objectives of the proposed Project have been considered and rejected in favor of the proposed Project.

c. Environmental, economic, social and other considerations and benefits derived from the development of the proposed Project override and make infeasible any alternatives to the proposed Project or further mitigation measures beyond those incorporated into the proposed Project.

11. ADOPTION OF MITIGATION MONITORING AND REPORTING PROGRAM

Pursuant to *Public Resources Code* Section 21081.6, the City Council hereby adopts, as conditions of approval of the Project, the MMRP set forth in Section 4.0 of the Final EIR. In the event of any inconsistencies between the mitigation measures as set forth herein and the MMRP, the MMRP shall control, except to the extent that a mitigation measure contained herein is inadvertently omitted from the MMRP, in which case such mitigation measure shall be deemed as if it were included in the MMRP.

4.0 MITIGATION MONITORING PLAN

4.1 INTRODUCTION

To ensure that the mitigation measures contained in this EIR are properly implemented, a monitoring program has been developed pursuant to State law. This Mitigation Monitoring Plan (MMP) identifies measures incorporated in the Project which reduce its potential environmental effects; the entities responsible for implementation and monitoring of mitigation measures; and the appropriate timing for implementation of mitigation measures. As described in *CEQA* § 15097, this MMP employs both reporting on, and monitoring of, Project mitigation measures.

The objectives of the MMP are to:

- Assign responsibility for, and ensure proper implementation of, mitigation measures;
- Assign responsibility for, and provide for monitoring and reporting of, compliance with mitigation measures;
- Provide the mechanism to identify areas of noncompliance and need for enforcement action before irreversible environmental damage occurs.

Mitigation monitoring and reporting procedures incorporated in the Project are presented in the following Section 4.2. Specific mitigation measures incorporated in the Project, mitigation timing, and implementation and reporting/monitoring responsibilities are presented at Table 4.2-1.

EXHIBIT B

4.2 MITIGATION MONITORING AND REPORTING

Mitigation Monitoring and Responsibilities

As the Lead Agency, the City of Moreno Valley is responsible for ensuring full compliance with the mitigation measures adopted for the proposed Project. The City will monitor and report on all mitigation activities. Mitigation measures will be implemented at different stages of development throughout the Project area. In this regard, the responsibilities for implementation have been assigned to the Applicant, Contractor, or a combination thereof.

If during the course of Project implementation, any of the mitigation measures identified herein cannot be successfully implemented, the City shall be immediately informed, and the City will then inform any affected responsible agencies. The City, in conjunction with any affected responsible agencies, will then determine if modification to the Project is required and/or whether alternative mitigation is appropriate.

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporti Frequency
Traffic and Circulation				
4.2.1 Redlands Boulevard at SR-60 Westbound Ramps Improvements: • *Install a traffic signal.* *This improvement is currently approved, programmed, and permitted by Caltrans. If not otherwise completed prior to Project opening, the required traffic signal shall be constructed by the Applicant prior to issuance of the first Certificate of Occupancy.*	Prior to issuance of first Certificate of Occupancy	Applicant	City of Moreno Valley Development Department, California Department of Transportation	Before issuance of first Certificate of Occupancy
4.2.2 Redlands Boulevard at Fir (future Eucalyptus) Avenue Improvements: *Prior to issuance of the first Certificate of Occupancy, the Applicant shall construct the following improvements:* • *Install a traffic signal;* • *Construct a southbound right turn auxiliary lane which extends the full length of the segment of Redlands Boulevard between the SR-60 Eastbound Ramps and Fir (future Eucalyptus) Avenue for a southbound lane configuration of one shared left-through lane and one right turn lane; and* • *Construct an eastbound left-turn lane with 300 feet of storage for an eastbound lane configuration of one left-turn lane and one shared through-or-right-turn-lane.*	Prior to issuance of first Certificate of Occupancy	Applicant	City of Moreno Valley Development Department	Before issuance of first Certificate of Occupancy
4.2.3 Moreno Beach Drive at SR-60 Eastbound Ramps Improvements: • *Construct an eastbound right-turn lane and re-stripe the shared left-or-right-turn lane as an exclusive left-turn lane,*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

Table 4.2-1
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Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.3 (cont'd) *for an eastbound lane configuration of one left-turn lane and one right-turn lane. These improvements would require the dedication of right-of-way from the south side of the SR-60 Eastbound Ramps and re-striping of all lanes on the west leg of the intersection.* *These improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year Cumulative traffic impacts at the intersection of Moreno Beach Drive at SR-60 Eastbound Ramps.*				
4.2.4 Moreno Beach Drive at SR-60 Westbound Ramps Improvements: • *Coordinate traffic signal timing with the signal at the intersection of Moreno Beach Drive at SR-60 Eastbound Ramps. These improvements would be funded through Project participation in the TUMF Program. Although the intersection of Moreno Beach Drive at SR-60 Westbound Ramps is anticipated to operate at an acceptable LOS, the coordination of traffic signal timing with the signal at the intersection of Moreno Beach Drive at SR-60 Eastbound Ramps would ensure continued satisfactory operations.* *The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year Cumulative traffic impacts at the intersection of Moreno Beach Drive at SR-60 Westbound Ramps.*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporti Frequency
4.2.5 Redlands Boulevard at SR-60 Westbound Ramps Improvements: • *Install a traffic signal (a TUMF improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.1);* • *Construct a second northbound through lane and a right-turn lane with overlap phasing, for a northbound lane configuration of one left-turn lane, two through lanes and one right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way on the east side of Redlands Boulevard and re-striping of all lanes on the south leg of the intersection; and* • *Construct a second southbound through lane, for a southbound lane configuration of one left-turn lane and two through lanes. These improvements would require the dedication of right-of-way on the west side of Redlands Boulevard and re-striping of all lanes on the north leg of the intersection.* *The traffic signal noted above will be constructed by the Project pursuant to Mitigation Measure 4.2.1. The remaining improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year Cumulative traffic impacts at the intersection of Redlands Boulevard at SR-60 Westbound Ramps.*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.6 Redlands Boulevard at SR-60 Eastbound Ramps Improvements: • *Construct a second northbound through lane for a northbound lane configuration of one left turn lane and two through lanes. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard and restriping of all lanes on the south leg of the intersection;* • *Construct a second southbound through lane, for a southbound lane configuration of one left-turn lane and two through lanes. These improvements would require the dedication of right-of-way on the west side of Redlands Boulevard and re-striping of all lanes on the north leg of the intersection; and* • *Construct an eastbound right-turn lane and re-stripe the shared left-or-right turn lane as an exclusive left-turn lane, for an eastbound lane configuration of one left-turn lane and one right-turn lane. These improvements would require the dedication of right-of-way on the south side of the SR-60 Eastbound Ramps and re-striping of all lanes on the west leg of the intersection.* *These improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year cumulative traffic impacts at the intersection of Redlands Boulevard at SR-60 Eastbound Ramps.*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

Table 4.2-1
Westridge Commerce Center Project
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Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporti Frequency
4.2.7 Redlands Boulevard at Fir (future Eucalyptus) Avenue Improvements: • *Install a traffic signal (a DIF[1] improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.2);* • *Construct a northbound left-turn lane with 200 feet of storage and a second through lane, for a northbound lane configuration of one left-turn lane, one through lane, and one shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard, and restriping of all lanes on the south leg of the intersection. Construction of the northbound through lane would be funded through participation in the TUMF Program; remaining improvements would be funded through participation in the DIF Program.* • *Construct a southbound left-turn lane with 250 feet of storage, a second left-turn lane that extends back to the SR-60 Eastbound Ramps, a second through lane, and a right-turn lane with overlap phasing and a pocket length that is the full length of the segment, for a southbound lane configuration of two left-turn lanes, two through lanes, and one right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard, and restriping of all lanes on the north leg of the intersection. Construction of the southbound through lane would be funded through*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

[1] With specific regard to Project payment of Development Impact Fees (DIF), it is recognized that the City, as an interim and temporary measure, has reduced required DIF payments by 50%. Notwithstanding, the reduced DIF payment program is considered to have sufficient funds to construct prioritized improvements necessary to alleviate traffic impacts. That is, over time, the City's DIF structure, allocation of fees, and prioritization of improvements is able to flexibly respond to traffic demands within the City such that funding for all necessary improvements is available in a timely manner. It is further noted that should supplemental funds be required, the City is able to secure these funds through other sources including but not limited to: state and federal grants, redevelopment funds and Measure A gas tax funds.

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.7 (cont'd)				
participation in the TUMF program. Construction of one southbound left-turn lane would be funded through participation in the DIF program. The noted right-turn southbound lane would be constructed by the Project pursuant to Mitigation Measure 4.2.2. Overlap phasing to this right-turn lane will be added when determined appropriate by the City Traffic Engineer, and will be funded through fair share fee participation. Remaining improvements would also be funded through fair share fee contributions.				
• *Construct dual eastbound left-turn lanes with 300 feet of storage and a second through lane, for an eastbound lane configuration of two left-turn lanes, one through lane, and one shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the south side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the west leg of the intersection. A single eastbound turn with 300 feet of storage will be constructed by the Project under Opening Year Ambient Conditions pursuant to Mitigation Measure 4.2.2. The remaining improvements would be funded through participation in the DIF Program.*				
• *Construct a westbound left-turn lane, a second through lane, and a right-turn lane with overlap phasing, providing 200 feet of storage for both the left-turn and right-turn lanes, for a westbound lane configuration of one left-turn lane, two through lanes, and one right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the north side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the east*				

Table 4.2-1
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Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporti Frequency
4.2.7 (cont'd) *leg of the intersection. Construction of the westbound left and through lanes would be funded through participation in the DIF Program; remaining improvements would be funded through fair share fee participation.*				
4.2.8 Quincy Street at Fir (future Eucalyptus) Avenue Improvements: • *Install a stop-control on the south leg of the intersection;* • *Construct a northbound shared left-or-right-turn lane. Quincy Street should be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction;* • *Construct an eastbound shared through-or-right-turn lane. The Fir (future Eucalyptus) Avenue extension should be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction; and* • *Construct a westbound left-turn lane and through lane. The Fir (future Eucalyptus) Avenue extension should be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction.* *These improvements would be funded through participation in the DIF Program. The Project will pay required DIF, facilitating construction of new intersection improvements at Quincy Street at Fir (future Eucalyptus) Avenue.*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.9 Moreno Beach Drive at SR-60 Eastbound Ramps Improvements: • *Construct the SR-60 eastbound on- and off-ramps, designed as a standard diamond and consistent with the proposed SR-60 Freeway/Moreno Beach Drive interchange design, and install a traffic signal at the new intersection;* • *Construct a third northbound through lane, for a northbound lane configuration of three through lanes and a right-turn lane. These improvements would require the dedication of right-of-way from the east side of Moreno Beach Drive and re-striping of all lanes on the south leg of the intersection;* • *Construct the SR-60 eastbound off-ramp with an eastbound lane configuration of one left-turn lane and dual right-turn lanes; and* • *Construct the SR-60 eastbound on-ramp on Moreno Beach Drive with a minimum of two travel lanes.* *These improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Moreno Beach Drive at SR-60 Eastbound Ramps.*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit
4.2.10 Moreno Beach Drive at SR-60 Westbound Ramps Improvements: • *Construct a second northbound through lane, for a northbound lane configuration of two through lanes and a right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the east side of Moreno Beach Drive and re-striping of all lanes on the south leg of the intersection;*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

Table 4.2-1
Westridge Commerce Center Project
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Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporti Frequency
4.2.10 (cont'd) • *In addition to the planned on-ramp for southbound vehicles which is part of the future SR-60/Moreno Beach Drive interchange design, a second southbound through lane and a right-turn lane, for a southbound lane configuration of two through lanes and a right-turn lane. These improvements would require dedication on the west side of Moreno Beach Drive and re-striping of all lanes on the north leg of the intersection;* • *Construct the SR-60 westbound on-ramp for vehicles traveling southbound on Moreno Beach Drive with a minimum of one travel lane; and* • *Construct a second westbound left-turn lane, for a westbound lane configuration of two left-turn lanes and a right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the north side of the SR-60 Westbound Ramps and re-striping of all lanes on the east leg of the intersection.* *These improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Moreno Beach Drive at SR-60 Westbound Ramps.*				
4.2.11 Moreno Beach Drive at Fir (future Eucalyptus) Avenue Improvements: • *Construct dual northbound left-turn lanes and re-stripe the northbound right-turn lane as a shared through-or-right turn lane for a northbound lane configuration of two left-turn lanes, two through lanes and a shared through-or-right turn lane. These improvements would require the dedication of*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

Table 4.2-1
Westridge Commerce Center Project
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Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.11 (cont'd)				
right-of-way from the east side of Moreno Beach Drive and re-striping of all lanes on the south leg of the intersection. Restriping of the northbound right-turn lane as a shared through-or-right turn lane would be funded through participation in the DIF Program. Remaining improvements would be funded through fair share fee participation;				
• *Construct a southbound left-turn lane and a right-turn lane with overlap phasing, for a southbound lane configuration of two left-turn lanes, three through lanes and a right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the west side of Moreno Beach Drive and re-striping of all lanes on the north leg of the intersection, and would be funded through fair share fee participation;*				
• *Construct the new eastbound leg of this intersection with dual left-turn lanes, a through lane, and a shared through-or-right-turn lane. Construction of one eastbound left-turn lane, the eastbound through lane, and the eastbound shared through-or-right-turn lane would be funded through participation in the DIF Program. Remaining improvements would be funded through fair share fee participation; and*				
• *Construct a westbound through lane and implement overlap phasing on the right-turn movement, for a westbound lane configuration of one left-turn lane, two through lanes, and a right-turn lane with overlap phasing. This improvement would be funded through fair share fee participation.*				
The Project will pay required DIF and fair share fees, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Moreno Beach Drive at Fir (future Eucalyptus) Avenue.				

Table 4.2-1
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Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporti Frequency
4.2.12 Quincy Street at Fir (future Eucalyptus) Avenue Improvements: • *Install a stop-control on the south leg of the intersection;* • *Construct a northbound shared left-or-right-turn lane;* • *Construct the eastbound approach of the Fir (future Eucalyptus) Avenue extension with a through lane and a shared through-or-right-turn lane; and* • *Construct the westbound approach of the Fir (future Eucalyptus) Avenue extension with a left-turn lane, a through lane, and a shared through-or-right-turn lane.* *These improvements would be funded through participation in the DIF Program. The Project will pay required DIF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Quincy Street at Fir (future Eucalyptus) Avenue.*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit
4.2.13 Redlands Boulevard at SR-60 Westbound Ramps Improvements: • *Install a traffic signal (a TUMF improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.1);* • *Construct a northbound through lane and a right-turn lane with overlap phasing, for a northbound lane configuration of one left-turn lane, two through lanes and one right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard and re-striping of all lanes on the south leg of the intersection;* • *Construct a southbound left-turn lane and a through lane, for a southbound lane configuration of two left-turn lanes and a through lane, and a shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the west side of*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

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Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.13 (cont'd) *Redlands Boulevard and re-striping of all lanes on the north leg of the intersection; and* • *Construct a westbound left-turn lane and a right-turn lane, for a westbound lane configuration of one left-turn lane, one shared left-through lane and a right-turn lane. These improvements would require the dedication of right-of-way from the north side of the SR-60 Westbound Ramps and re-striping of all lanes on the east leg of the intersection.* *The traffic signal noted above will be constructed by the Project pursuant to Mitigation Measure 4.2.1. The remaining improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at Redlands Boulevard at SR-60 Westbound Ramps.*				
4.2.14 Redlands Boulevard at SR-60 Eastbound Ramps Improvements: • *Construct two northbound through lanes, for a northbound lane configuration of one left-turn lane and three through lanes, with the pocket length for the northbound left-turn lane at the full length of the segment. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard, and restriping of all lanes on the south leg of the intersection;* • *Construct two southbound through lanes, for a southbound lane configuration of two through lanes and a shared through-or-right-turn lane. These improvements would*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

Table 4.2-1
Westridge Commerce Center Project
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Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporti Frequency
4.2.14 (cont'd) *require the dedication of right-of-way from the west side of Redlands Boulevard and re-striping of all lanes on the north leg of the intersection; and* • *Re-stripe the shared eastbound left-or-right-turn lane as an exclusive left-turn lane, for an eastbound lane configuration of two left-turn lanes and one right-turn lane. These improvements would require the dedication of right-of-way on the south side of the SR-60 Eastbound Ramps and re-striping of all lanes on the west leg of the intersection.* *These improvements would be funded through participation in the TUMF Program. The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Redlands Boulevard at SR-60 Eastbound Ramps.*				
4.2.15 Redlands Boulevard at Fir (future Eucalyptus) Avenue Improvements: • *Install a traffic signal (a DIF improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.2);* • *Construct a left-turn lane with 200 feet of storage and a second through lane for a northbound lane configuration of one left-turn lane, one through lane and one shared through right-turn lane. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard. Restriping of all lanes on the south leg of the intersection, and construction of the northbound through lane would be funded through participation in the TUMF Program. Remaining improvements would be funded through participation in the DIF Program;*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

Table 4.2-1
Westridge Commerce Center Project
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Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.15 (cont'd)				
• *Construct a southbound left turn lane with 250 feet of storage, a second left-turn lane that extends back to the SR-60 Eastbound ramps, a second through lane and a right turn lane with overlap phasing for a southbound lane configuration of two left turn lanes, two through lanes and one right turn lane with overlap phasing, with a right turn pocket length that extends the full length of the segment. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard, and restriping of all lanes on the north leg of the intersection. Construction of the southbound through lane would be funded through participation in the TUMF Program. Construction of one southbound left-turn lane would be funded through participation in the DIF program. The noted right-turn southbound lane would be constructed by the Project pursuant to Mitigation Measure 4.2.2. Overlap phasing for this right-turn lane will be added when determined appropriate by the City Traffic Engineer, and will be funded through fair share fee participation. Remaining improvements would also be funded through fair share fees;*				
• *Construct dual eastbound left-turn lanes with 300 feet of storage and a second through lane, for an eastbound lane configuration of two left-turn lanes, one through lane, and one shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the south side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the west leg of the intersection. A single eastbound turn lane with 300 feet of storage will be constructed by the Project under Opening Year Ambient Conditions pursuant to Mitigation*				

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Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporti Frequency
4.2.15 (cont'd) *Measure 4.2.2. The remaining improvements would be funded through participation in the DIF Program; and* • *Construct a westbound left-turn lane, one through lane, and a right-turn lane with overlap phasing, for a westbound lane configuration of one left-turn lane, two through lanes, and one right-turn-lane with overlap phasing [these improvements would require the dedication of right-of-way from the north side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the east leg of the intersection]. Construction of the westbound left and through lanes would be funded through participation in the DIF Program; remaining improvements would be funded through participation in the fair share fee assessments.* *The Project will pay required TUMF, DIF and fair share fees, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Redlands Boulevard at Fir (future Eucalyptus) Avenue.*				
4.2.16 Redlands Boulevard at Eucalyptus (future Encilia) Avenue Improvements: • *Install a traffic signal. This improvement would be funded through participation in the DIF Program;* • *Construct a northbound left-turn lane and a shared through-or-right-turn lane, for a northbound lane configuration of one left-turn lane, one through lane and one shared through-or-right turn lane. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard and re-striping of all lanes on the south leg of the intersection. Construction of the northbound left-turn lane*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

Table 4.2-1
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Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.2.16 (cont'd)				
would be funded through participation in the DIF Program; remaining improvements would be funded through participation in the TUMF Program;				
• *Construct a southbound left-turn lane, a through lane, and a right-turn lane, for a southbound lane configuration of one left-turn lane, two through lanes, and one right-turn-lane. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard, and restriping of all lanes on the north leg of the intersection. Construction of the southbound through lane would be funded through participation in the TUMF Program; remaining improvements would be funded through participation in the DIF program;*				
• *Re-stripe the eastbound right-turn lane as a through lane and construct an additional shared through-or-right-turn lane, for an eastbound lane configuration of one left-turn lane, one through lane, and one shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the south side of Eucalyptus (future Encilia) Avenue and the re-striping of all lanes on the west leg of the intersection, and would be funded through participation in the DIF Program; and*				
• *Construct the westbound approach with one left-turn lane, one through lane, and one shared through-or-right-turn-lane. These improvements would require the dedication of right-of-way from the north side of Eucalyptus (future Encilia) Avenue, and the re-striping of all lanes on the east leg of the intersection, and would be funded through participation in the DIF Program.*				

Table 4.2-1
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Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporti Frequency
4.2.16 (cont'd) *The Project will pay required TUMF and DIF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Redlands Boulevard at Eucalyptus (future Encilia) Avenue.*				
4.2.17 Redlands Boulevard at Cottonwood Avenue Improvements: • *Construct a northbound through lane, for a northbound lane configuration of one left-turn lane, one through lane and one shared through-or-right turn lane. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard, and the re-striping of all lanes on the south leg of the intersection, and would be funded through participation in the TUMF Program;* • *Construct a southbound left-turn lane and a through lane, for a southbound lane configuration of one left-turn lane, two through lanes, and one right-turn-lane. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard, and the restriping of all lanes on the north leg of the intersection. Construction of the southbound through lane would be funded through participation in the TUMF Program; remaining improvements would be funded through participation in the DIF Program;* • *Re-stripe the eastbound right-turn lane as a through lane, and construct an additional through-or-right-turn lane, for an eastbound lane configuration of one left-turn lane, one through lane, and one shared through-or-right-turn lane. These improvements would require the dedication of right-of-*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

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4.2.17 (cont'd) *way from the south side of Cottonwood Avenue, and the re-striping of all lanes on the west leg of the intersection, and would be funded through participation in the DIF Program; and* • *Construct the westbound approach with one left-turn lane, one through lane, and one shared through-or-right-turn-lane. These improvements would require the dedication of right-of-way from the north side of Cottonwood Avenue, and the re-striping of all lanes on the east leg of the intersection, and would be funded through participation in the DIF Program.* *The Project will pay required TUMF and DIF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate General Plan Buildout traffic impacts at the intersection of Redlands Boulevard at Cottonwood Avenue.*				
4.2.18 Quincy Street south of Fir (future Eucalyptus) Avenue Improvements: • *Construct Quincy Street south of Eucalyptus Avenue as a two-lane undivided roadway with a minimum of one travel lane in each direction.* *The Project will pay required DIF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year cumulative traffic impacts at the segment of Quincy Street south of Fir (future Eucalyptus) Avenue.*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit
4.2.19 Fir (future Eucalyptus) Avenue west of Quincy Street to the westerly Project boundary and Fir (future Eucalyptus) east of Redlands Boulevard Improvements:	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development	Before issuance of fi building permit

Table 4.2-1
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Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporti Frequency
4.2.19 (cont'd)			Department	
• *Construct the Fir (future Eucalyptus) Avenue extension from the current terminus near the Auto Mall to Quincy Street, and connecting to Fir (future Eucalyptus) Avenue at the westerly project boundary. Continue Fir (future Eucalyptus) Avenue east of Redlands Boulevard. Fir (future Eucalyptus) Avenue is to be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction.*				
The Project will pay required DIF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year cumulative traffic impacts affecting the segment of Fir (future Eucalyptus) Avenue between the Auto Mall and the westerly Project Boundary, and Fir (future Eucalyptus) Avenue east of Redlands Boulevard.				
Air Quality				
To facilitate monitoring and compliance, applicable SCAQMD and CARB regulatory requirements are restated as Mitigation Measures 4.3.1 through 4.3.3 below, and shall be incorporated in all Project plans, specifications and contract documents.				
4.3.1 Consistent with URBEMIS modeling inputs and to effect implementation of SCAQMD Rule 403, the following measures shall be incorporated :	Ongoing throughout construction	Contractor	City Building Official, SCAQMD	Ongoing throughout construction
• *All clearing, grading, earth-moving, or excavation activities shall cease when winds exceed 25 mph per SCAQMD guidelines in order to limit fugitive dust emissions.*				
• *The contractor shall ensure that all disturbed unpaved roads and disturbed areas within the Project are watered at least*				

Table 4.2-1
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Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.3.1 (cont'd) *three times daily during dry weather. Watering, with complete coverage of disturbed areas, shall occur at least three times a day, preferably in the mid-morning, afternoon, and after work is done for the day.* • *The contractor shall ensure that traffic speeds on unpaved roads and Project site areas are reduced to 15 miles per hour or less to reduce PM10 and PM2.5 fugitive dust haul road emissions.* • *Site disturbance during mass grading and fine grading activities shall not exceed 13.66 acres per day.* • *Ground cover shall be replaced, and/or non-toxic soil stabilizers shall be applied (according to manufacturers' specifications) to any inactive construction areas (previously graded areas inactive for ten days or more).* • *In support of Project plan specifications and contract document language; and as means of controlling on-site construction vehicle speeds, for the duration of Project construction activities, speed limit signs (15 mph maximum) shall be posted at entry points to the Project site, and along any unpaved roads providing access to or within the Project site and/or any unpaved designated on-site travel routes.*				
4.3.2 The contractor shall minimize pollutant emissions by maintaining equipment engines in good condition and in proper tune according to manufacturer's specifications and during smog season (May through October) by not allowing construction equipment to be left idling for more than five minutes (per California law).	Ongoing throughout construction	Contractor	City of Moreno Valley Building Official, SCAQMD	Ongoing throughout construction

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporti Frequency
4.3.3 The contractor shall ensure use of low-sulfur diesel fuel in construction equipment as required by the California Air Resources Board (CARB) (diesel fuel with sulfur content of 15 ppm by weight or less).	Ongoing throughout construction	Contractor	City of Moreno Valley Building Official, SCAQMD	Ongoing throughout construction
Additional mitigation required of the Project is identified below, and shall be shall be incorporated in all Project plans, specifications and contract documents.				
4.3.4 Contractor(s) shall ensure that all off-road heavy-duty construction equipment utilized during construction activity shall be CARB Tier 2 Certified or better.	Ongoing throughout construction	Contractor	City of Moreno Valley Building Official, SCAQMD	Ongoing throughout construction
4.3.5 In order to reduce localized Project impacts to sensitive receptors in the Project vicinity during construction, construction equipment staging areas shall be located at least 300 feet away from sensitive receptors.	Ongoing throughout construction	Contractor	City of Moreno Valley Building Official, SCAQMD	Ongoing throughout construction
4.3.6 During Project construction, existing electrical power sources (e.g., power poles) shall be utilized to power electric construction tools including saws, drills and compressors, to minimize the need for diesel or gasoline powered electric generators.	Ongoing throughout construction	Contractor	City of Moreno Valley Building Official, SCAQMD	Ongoing throughout construction
4.3.7 The Applicant shall use "Zero-Volatile Organic Compounds" paints, coatings, and solvents with a VOC content lower than required under Rule 1113 (not to exceed 150 grams/liter; 1.25 pounds/gallon). High Pressure Low Volume	Ongoing throughout construction	Contractor	City of Moreno Valley Building Official, SCAQMD	Ongoing throughout construction

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.3.7 (cont'd) *(HPLV) applications of paints, coatings, and solvents shall be consistent with South Coast Air Quality Management District Rule 1113. Alternatively, the Applicant shall use materials that do not require painting or are pre-painted.*				
4.3.8 Grading plans, construction specifications and bid documents shall also include the following notations: • *Off-road construction equipment shall utilize alternative fuels e.g., biodiesel fuel (a minimum of B20), natural gas (CNG), liquefied natural gas (LNG), propane, except for equipment where use of such fuels would void the equipment warranty;* • *Gravel pads shall be provided at all access points to prevent tracking of mud onto public roads;* • *Install and maintain trackout control devices at all access points where paved and unpaved access or travel routes intersect;* • *The contractor or builder shall designate a person or person(s) to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite;* • *The contractor or builder shall post a publicly visible sign with the telephone number and person to contact regarding dust complaints. The contact person shall take corrective action within 24 hours;* • *High pressure injectors shall be provided on diesel construction equipment where feasible;*	Ongoing throughout construction	Contractor	City of Moreno Valley Building Official, SCAQMD	Ongoing throughout construction

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporti Frequency
4.3.8 (cont'd) • *Engine size of construction equipment shall be limited to the minimum practical size;* • *Substitute gasoline-powered for diesel powered construction equipment where feasible;* • *Use electric construction equipment where feasible;* • *Install catalytic converters on gasoline-powered equipment where feasible;* • *Ride-sharing program for the construction crew shall be encouraged and shall be supported by contractor(s) via incentives or other inducement;* • *Documentation shall be provided to the City of Moreno Valley indicating that construction workers have been encouraged to carpool or otherwise reduce VMT to the greatest extent practical, including providing information on available park and ride programs;* • *Lunch services shall be provided onsite during construction to minimize the need for offsite vehicle trips;* • *All forklifts used during construction and in subsequent operation of the Project shall be electric or natural gas powered.*				
4.3.9 Throughout Project construction, a construction relations officer/community liaison, appointed by the Applicant, shall be retained on-site. In coordination and cooperation with the City, the construction relations officer/community liaison shall respond to any concerns related to PM10 (fugitive dust) generation or other construction-related air quality issues.	Throughout Project construction	Applicant	City of Moreno Valley Development Department	Throughout Project construction

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.3.10 All Project entrances shall be posted with signs which state: • *Truck drivers shall turn off engines when not in use;* • *Diesel delivery trucks servicing the Project shall not idle for more than three (3) minutes; and* • *Telephone numbers of the building facilities manager and CARB, to report violations.* *These measures shall be enforced by the on-site facilities manager (or equivalent).*	Prior to issuance of first Certificate of Occupancy	Contractor	City of Moreno Valley Development Department	Before issuance of first Certificate of Occupancy
Although potential Project-related Global Climate Change (GCC) impacts would be less-than-significant, the following Mitigation Measures 4.3.11 through 4.3.14 are provided to reduce Project related operational source air pollutants and greenhouse gas emissions to the extent feasible, and to promote sustainability through conservation of energy and other natural resources.				
4.3.11 Buildings shall surpass incumbent California Title 24 Energy Efficiency performance standards by a minimum of 20 percent for water heating and space heating and cooling. Verification of increased energy efficiencies shall be documented in Title 24 Compliance Reports provided by the Applicant, and reviewed and approved by the City prior to the issuance of the first building permit. Any combination of the following design features may be used to fulfill this mitigation measure provided that the total increase in efficiency meets or exceeds 20 percent. • *Increase in insulation such that heat transfer and thermal bridging is minimized;* • *Limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption;*	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporti Frequency
4.3.11 (cont'd) • *Incorporate dual-paned or other energy efficient windows;* • *Incorporate energy efficient space heating and cooling equipment;* • *Interior and exterior energy efficient lighting which exceeds the California Title 24 Energy Efficiency performance standards shall be installed, as deemed acceptable by the City of Moreno Valley. Automatic devices to turn off lights when they are not needed shall be implemented;* • *To the extent that they are compatible with landscaping guidelines established by the City of Moreno Valley, shade producing trees, particularly those that shade buildings and paved surfaces such as streets and parking lots and buildings shall be planted at the Project site.* • *Paint and surface color palette for the Project shall emphasize light and off-white colors which will reflect heat away from the buildings.* • *All buildings shall be designed to accommodate renewable energy sources, such as photovoltaic solar electricity systems, appropriate to their architectural design.*				
4.3.12 The Project shall be designed to facilitate the reduction of waste generated by building occupants that is hauled to and disposed of in landfills by providing easily accessible areas that are dedicated to the collection and storage of recyclable materials including: paper, cardboard, glass, plastics, and metals. Locations of proposed recyclable materials collection areas are subject to review and approval by the City. Prior to Final Site Plan approval, locations of proposed recyclable materials collection areas shall be delineated on the Project Site Plan.	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.3.13 GHG emissions reductions measures shall also include the following: • *The Project shall provide secure, weather-protected on-site bicycle storage/parking consistent with City of Moreno Valley requirements;* • *The Project shall provide pedestrian and bicycle connections to surrounding areas, consistent with provisions of the City of Moreno Valley General Plan. Location and configurations of proposed pedestrian and bicycle connections are subject to review and approval by the City. Prior to Final Site Plan approval, pedestrian and bicycle connections shall be indicated on the Project Site Plan;* • *The Project shall provide onsite showers (one for males and one for females). Lockers for employees shall be provided.* • *Any traffic signals installed as part of the Project will utilize light emitting diodes (LEDs);* • *The Project will establish a Transportation Management Association (TMA). The TMA will coordinate with other TMAs within the City to encourage and coordinate carpooling among building occupants. The TMA will advertise its services to building occupants, and offer transit and/or other incentives to reduce GHG emissions. Additionally, a shuttle will be provided during any one hour period where more than 20 employees or construction workers utilize public transit. A plan will be submitted by the TMA to the City within two months of Project completion that outlines the measures implemented by the TMA, as well as contact information; The Project shall*	Prior to issuance of first Certificate of Occupancy	Contractor	City of Moreno Valley Development Department	Before issuance of first Certificate of Occupancy

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporti Frequency
4.3.13 (cont'd)				
provide preferential parking for carpools and vanpool. Locations and configurations of proposed preferential parking for carpools and vanpools are subject to review and approval by the City. Prior to Final Site Plan approval, preferential parking for carpools and vanpools shall be delineated on the Project Site Plan;				
• *The Project shall provide at least two electric vehicle charging stations. Locations and configurations of proposed charging stations are subject to review and approval by the City. Prior to issuance of the first building permit, stub outs for charging stations shall be indicated on the Project building plans.*				
• *Lease/purchase documents shall identify that tenants are encouraged to provide incentives to realize the following:*				
o *Implementation of compressed workweek schedules;*				
o *SmartWay partnership;*				
o *Achievement of at least 20% per year (as a percentage of previous percentage, not total trips) increase in percentage of consolidated trips carried by SmartWay carriers until it reaches a minimum of 90% of all long haul trips carried by SmartWay 1.0 or greater carriers.*				
o *Achievement of at least 15% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 85% of all consolidator trips carried by SmartWay 1.0 or greater carriers.*				
o *Use of fleet vehicles conforming to 2010 air quality standards or better.*				

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.3.13 (cont'd) o *Installation of catalytic converters on gasoline-powered equipment.* o *Inclusion of electric powered and/or compressed natural gas fueled trucks and/or vehicles in fleets;* o *Establishment and use of carpool/vanpool programs, complemented by parking fees for single-occupancy vehicles;* o *Provision of preferential parking for EV and CNG vehicles;* o *Use of electrical equipment (instead of gasoline-powered equipment) for landscape maintenance;* o *Use of electric (instead of diesel or gasoline-powered) yard trucks;* o *Use of SmartWay 1.25 rated trucks.*				
4.4 Noise				
4.4.1 Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that during all Project site construction, construction contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturers' standards. And further that the construction contractor shall place all stationary construction equipment so that emitted noise is directed away from off-site receptors nearest the Project site. The statement in the plans and specifications shall be reviewed and approved by the City of Moreno Valley Planning Department, or their designee.	Prior to issuance of first grading or building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading or building permit

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporti Frequency
4.4.2 Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that the construction contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and off-site receptors nearest the Project site during all Project construction. The statement in the plans and specifications shall be reviewed and approved by the City of Moreno Valley Planning Department, or their designee.	Prior to issuance of first grading or building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading or building permit
4.4.3 Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that construction activities, including haul truck operations, shall be limited to the hours between 7:00 a.m. and 8:00 p.m. Monday through Friday. No Project-related construction activities shall occur on weekends or Federal holidays. To the extent feasible, haul routes shall not pass sensitive land uses or residential dwellings. The statement in the plans and specifications shall be reviewed and approved by the City of Moreno Valley Planning Department, or their designee.	Prior to issuance of first grading or building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading or building permit
4.4.4 Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that for the duration of grading and site preparation activities, temporary construction noise curtains or similar line-of-sight noise reduction measures shall be installed along the Project's southerly boundary. Noise curtains shall be installed so as to provide maximum reduction for noise sensitive uses (at present a single residence located southerly of the Project site) and shown on the grading plans prepared for the Project.	Prior to issuance of first grading or building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading or building permit

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.5 Water Supply				
To further minimize the Project's overall water use, ensure on-going availability and reliability of water supplies within the EMWD service area, and provide for timely, monitored compliance with requirements stipulated in the Project WSA, the following EMWD Conditions of Approval are incorporated as EIR Mitigation Measures. Prior to building permit issuance, the developer shall provide a will-serve letter from EMWD demonstrating compliance with the following Conditions of Approval.				
4.5.1 Prior to the issuance of building permits, the Project Applicant shall contribute funding toward the acquisition of new water supplies, new treatment or recycled water facilities, and water efficiency measures for existing customers to develop new water supplies. The extent of additional funding shall be determined by the EMWD and may take the form of a new component of connection fees or a separate charge.	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit
4.5.2 The Applicant shall install water efficient devices and landscaping according to the requirements of EMWD's water use efficiency ordinance(s) effective at the time of Project construction.	Prior to issuance of first Certificate of Occupancy	Applicant	City of Moreno Valley Development Department	Before issuance of first Certificate of Occupancy
4.5.3 The Applicant shall meet with EMWD staff at the earliest feasible date to develop a Plan of Service (POS) for the Project. The POS shall detail water, wastewater and recycled water facilities requirements to serve the Project, to be constructed by the Applicant.	Prior to issuance of first grading or building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading or building pe

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporti Frequency
4.5.4 Until the Project begins construction, the Project Water Supply Assessment shall be reviewed for its continued accuracy and adequacy every three (3) years, commencing on the WSA approval date of June 4, 2008. The Project Applicant shall maintain communication with EMWD on the status of the Project, and the lead agency shall request the referenced three-year periodic review and update of the WSA. If neither the Project applicant nor the lead agency contacts EMWD within three (3) years of approval of this WSA, it shall be assumed that the Project no longer requires the estimated water demand as calculated in the WSA. The demand for the Project will not be considered in assessments for future projects, and the assessment provided within the Project WSA shall be considered invalid.				
<u>Cultural Resources</u>				
4.7.1 A professional cultural resources monitor (Project Paleontological Monitor) shall conduct full-time monitoring throughout site excavation and grading activities. The monitor shall be equipped to salvage and/or record the location of historic and/or archaeological resources as they may be unearthed to avoid construction delays, consistent with the requirements of California Public Resources Code Section 21083.2. The monitor shall be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens or finds and to allow the preparation of recovered resources to a point of identification. One monitor for both archaeological and paleontological resources is sufficient if the monitor is qualified in both disciplines to the satisfaction of the City of Moreno Valley.	Ongoing throughout site excavation and grading activities	Applicant	City of Moreno Valley Development Department	Ongoing throughout site excavation and grading activities

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.7.2 Should historic or prehistoric resources of potential significance be identified, a qualified archaeologist shall be contacted to assess the find(s) and make recommendations in regard to further monitoring. Resources shall be left in an undisturbed state where feasible. Where preservation in place is infeasible, all recovered resources shall then be curated in an established, accredited museum repository with permanent retrievable archaeological/historic resource storage. A report of findings shall also be prepared by a qualified archaeologist, and shall include an itemized inventory of any specimens recovered. The report and confirmation of curation of any recovered resources from an accredited museum repository shall signify completion of the program to mitigate impacts to archaeological/ historic resources. If disturbed resources are required to be collected and preserved, the applicant shall be required to participate financially up to the limits imposed by Public Resources Code Section 21083.2.	Prior to issuance of first Certificate of Occupancy	Applicant	City of Moreno Valley Development Department	Before issuance of first Certificate of Occupancy
4.7.3 Prior to the issuance of a grading permit, a City-approved Project Paleontologist shall be retained to initiate and supervise paleontological mitigation-monitoring in all areas of the Project site, subject to the following certain constraints: • *Once excavations reach ten (10) feet in depth, monitoring of excavation in areas identified as likely to contain paleontological resources by a qualified paleontological monitor or his/her representative must take place;* • *A paleontological mitigation-monitoring plan shall be developed before grading begins;* • *Paleontological monitors shall be equipped to salvage and/or record the location of fossils as they are unearthed to avoid*	Prior to issuance of first grading permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading permit

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporti Frequency
4.7.3 (cont'd) *construction delays and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates;* • *Monitors must be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens; and* • *Monitoring may be reduced if the potentially fossiliferous units described herein are not present, or, if present, are determined upon exposure and examination by qualified paleontological personnel to have low potential to contain fossil resources.*				
4.8 Biological Resources				
4.8.1 Prior to the issuance of a grading permit, a "no touch" area shall be staked along the westerly limit of Project development as defined by the alignment of the scour wall proposed along the Quincy Channel. Importantly, the westerly limits of development shall be established so as to preclude potential permanent impacts to CDFG and/or Corps Jurisdictional Areas within the westerly adjacent Quincy Channel. Prior to the issuance of a grading permit, a City-approved Project biologist shall be retained to initiate and supervise monitoring of construction activities to ensure protection and preservation of adjacent Channel areas.	Prior to issuance of first grading permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading permit
4.8.2 Prior to issuance of a grading permit, the proposed scour wall to be located between the developed Project site and the Quincy Channel shall be shown on the grading plans. Alignment	Prior to issuance of first grading permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading permit

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.8.2 (cont'd) *of the scour wall shall be field-determined and physically delineated by the Project biologist in consultation with the City. Importantly, the scour wall alignment shall be established so as to preclude potential impacts to CDFG and/or Corps Jurisdictional Areas within the westerly adjacent Quincy Channel. Ongoing monitoring of construction activities shall be maintained throughout implementation of the scour wall to ensure protection and preservation of adjacent Channel areas.*				
4.8.3 Prior to issuance of a building permit, landscape and irrigation plans shall be approved which demonstrate that no invasive, non-native plants will be planted or seeded within 150 feet of the avoided riparian habitat along the Quincy Channel.	Prior to issuance of first building permit	Applicant	City of Moreno Valley Development Department	Before issuance of first building permit
4.8.4 Prior to the issuance of <u>any</u> grading permits and prior to any physical disturbance of any jurisdictional areas, 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.	Prior to issuance of first grading permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading permit
4.8.5 Prior to issuance of a grading permit, the Applicant shall develop and implement a Habitat Mitigation and Monitoring Plan (HMMP) to restore impacted riparian (mulefat) habitat. Prior to implementation, the HMMP shall be reviewed and approved by the	Prior to issuance of first grading permit	Applicant	City of Moreno Valley Development Department	Before issuance of fi grading permit

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporti Frequency
4.8.5 (cont'd) *CDFG. If in its final design, the CDFG-approved HMMP involves use or restoration of USACE or RWQCB jurisdictional areas, USACE and/or RWQCB approval shall also be obtained. The HMMP shall, at a minimum, meet the following requirements:* • *A habitat replacement and/or enhancement ratio of at least 1:1 for temporary impact;* • *A success criterion of at least 80 percent cover of native riparian vegetation for replaced habitat; and* • *Additional requirements, including a 3-year establishment period for the replacement habitat, regular trash removal, native plant re-vegetation for areas temporarily disturbed by construction and regular maintenance and monitoring activities to ensure the success of the mitigation plan; and* • *Prior to the issuance of a grading permit, as part of the Project HMMP, appropriate maintenance and monitoring protocols will be developed in concert with CDFG based on final Project designs, and the ultimate scope, location, and type of mitigation reflected in the HMMP as approved by CDFG.*				
4.8.6 If possible, all vegetation removal activities shall be scheduled from August 1 to February 1, which is outside the general avian nesting season. This would ensure that no active nests would be disturbed and that removal could proceed rapidly. If vegetation is to be cleared during the nesting season (February 15 – July 31), all suitable habitat will be thoroughly surveyed for the presence of nesting birds within 72 hours prior to clearing. All surveys shall be performed by a qualified Project biologist to be	Prior to issuance of first grading permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading permit

Table 4.2-1
Westridge Commerce Center Project
Mitigation Monitoring Plan

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/Reporting Frequency
4.8.6 (cont'd) *retained by the Applicant and vetted by the City. The survey results shall be submitted by the Project Applicant to the Planning Division. If any active nests are detected, the nest(s) shall be flagged in the field and mapped on the construction plans along with a minimum 50-foot buffer and up to 300 feet for raptors, with the final buffer distance to be determined by the Project biologist. The buffer area shall be avoided until the nesting cycle is complete or it is determined that the nest has failed. In addition, the Project biologist will be present on the site to monitor vegetation removal to ensure that any nests, which were not detected during the initial survey, are not disturbed.*				
4.8.7 Within 30 days of site clearing activities, a pre-construction burrowing owl survey shall be conducted to document the presence/absence of any occupied owl burrows. Any owls present shall be passively or actively relocated following CDFG approved protocols, and with CDFG permission, prior to commencement of clearing. The survey shall be submitted to the Planning Division prior to issuance of a grading permit.	Prior to issuance of first grading permit	Applicant	City of Moreno Valley Development Department	Before issuance of first grading permit

ORDINANCE NO. 829

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING ZONE CHANGE APPLICATION PA08-0098 TO CHANGE THE ZONE FROM BUSINESS PARK TO LIGHT INDUSTRIAL FOR A 55 ACRE SITE (ASSESSOR'S PARCEL NUMBERS 488-330-003 THROUGH -006 AND -026).

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1 GENERAL:

1.1 The applicant, Ridge Rancho Belago, LLC, has filed application PA08-0098, requesting an amendment of the City' Official Zoning Atlas as described in this ordinance.

1.2 Pursuant to the provisions of the law, a public hearing was held before the City Council on July 12, 2011.

1.3 The matter was fully discussed, and the public and other agencies presented testimony and documentation.

1.4 An Environmental Impact Report is proposed for the project under California Environmental Quality Act (CEQA) guidelines.

SECTION 2 FINDINGS:

2.1 Based upon substantial evidence presented to this City Council on July 12, 2011, including written and oral staff reports, and the record from the public hearing, this City Council hereby specifically finds as follows:

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

   FACT: The project proposes a change to the Zoning Atlas for properties located within Assessor's Parcel Numbers 488-330-003 through -006 and -026 from Business Park (BP) to Light Industrial (LI). Potential impacts to traffic and air quality have been examined through the preparation of a Final Environmental Impact Report. Subject to approval of the Final Environmental Impact Report, the proposed Zone Change is consistent with and does not conflict with the goals, objective, policies or programs of the General Plan.

2. Health, Safety and Welfare – The proposed amendment will not adversely affect the public health, safety or general welfare.

ATTACHMENT 4

FACT: The proposed Zone Change will not adversely affect the public health, safety or general welfare. A Final EIR has been prepared to address the potential environmental impacts of the Zone Change in accordance with the provisions of the California Environmental Quality Act (CEQA). Subject to approval of the Final EIR, the proposed Zone Change will not have a significant affect on public health or be materially injurious to surrounding properties or the environment as a whole.

3. Conformance with the Zoning Regulations – The proposed pre-zoning is consistent with the purposes and intent of Title 9 of the City of Moreno Valley Municipal Code.

FACT: The applicant has met the City's Municipal Code and other regulations to change the zone. As proposed, the zone change from BP to LI for the 55 acre project site is consistent with the purposes and intent of Title 9.

SECTION 3 AMENDMENT OF THE OFFICIAL ZONING ATLAS:

3.1 The City of Moreno Valley Official Zoning Atlas, as adopted by Ordinance No. 359, on April 14, 1992, of the City of Moreno Valley, and as amended thereafter from time to time by the City Council of the City of Moreno Valley, is further amended by placing in effect the zone or zone classification as shown on the attached map (marked "Exhibit A" and included herein by reference and on file in the office of the City Clerk).

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 _____, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

ORDINANCE JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, _____, City Clerk of the City of Moreno Valley, California, do hereby certify that Ordinance No. _____ had its first reading on _____, _____ and had its second reading on _____, _____, and was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the _____day of _____, _____, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

ORDINANCE NO. 830

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING APPLICATION PA10-0017 AMENDING THE MUNICIPAL CODE TO MAKE CHANGES TO CHAPTER 9.05 INDUSTRIAL DISTRICTS.

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1 GENERAL:

1.1 The applicant, Ridge Rancho Belago, LLC, has filed Municipal Code Amendment application PA10-0017, requesting an amendment to the City's Municipal Code, which proposes revisions to Chapter 9.05 of Title 9 to provide a minimum separation/buffering of warehouse/industrial facilities over 50,000 square feet from adjacent residential districts.

1.2 Pursuant to the provisions of the law, a public hearing was held before the City Council on July 12, 2011.

1.3 The matter was fully discussed, and the public and other agencies presented testimony and documentation.

1.4 Although the proposed amendment will be effective citywide, it addresses minor land use matters and does not have the potential to adversely affect the public health, safety or welfare of the population residing in the City of Moreno Valley or surrounding jurisdictions. As a minor alteration to land use limitations, the Municipal Code Amendment is determined to be exempt under California Environmental Quality Act Guidelines, per Section 15305, as a Class 5 Categorical Exemption.

SECTION 2: FINDINGS

2.1 With respect to the proposed Municipal Code Amendment, and based upon substantial evidence presented to the City Council during the public hearing on November 30, 2010, 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 Municipal Code Amendment is consistent with the General Plan, and its goals, objectives, policies and programs.

   FACT: The project proposes changes to Permitted Uses Table 9.02.020-1 of the Municipal Code. The proposed Municipal Code Amendment is consistent with and does not conflict with the goals, objective, policies or programs of the General Plan.

ATTACHMENT 5

2. Health, Safety and Welfare – The proposed amendment will not adversely affect the public health, safety or general welfare.

FACT: The proposed Municipal Code Amendment will not adversely affect the public health, safety or general welfare. As a minor alteration to land use limitations, the Municipal Code Amendment is determined to be exempt under California Environmental Quality Act Guidelines, per Section 15305, as a Class 5 Categorical Exemption. No land use changes on specific parcels of land are included in the proposed Municipal Code Amendment.

3. Conformance with Title 9 – The proposed Municipal Code Amendment is consistent with the purposes and intent of Title 9.

FACT: The proposed amendment meets all applicable Municipal Code requirements. As proposed, the amendment is consistent with the purposes and intent of Title 9.

SECTION 3 MUNICIPAL CODE AMENDMENT:

3.1 Chapter 9.02 of Title 9 of the City of Moreno Valley Municipal Code is hereby revised as follows:

Chapter 9.05 INDUSTRIAL DISTRICTS

9.05.010 Purpose and intent.

A. The primary purpose of the industrial districts is to provide a sound and diversified economic base and ample employment opportunities for the citizens of Moreno Valley. It is the further intent of this chapter to accomplish this through the establishment of a specific, well-defined pattern of industrial activities which is compatible with residential, commercial, institutional and open space uses located elsewhere in the community; has good access to the regional transportation system; accommodates the personal needs of workers and business visitors; and which meets the service needs of local businesses.

B. In addition to the above, it is the further intent of the industrial districts:

1. To reserve appropriately located areas for industrial use and protect these areas from inharmonious uses;

2. To protect residential, commercial and nuisance-free nonhazardous industrial uses from noise, odor, dust, smoke, truck traffic and other objectional influences and from fire, explosion, radiation and other hazards potentially related to certain industrial uses;

3. To provide sufficient open space around industrial structures to protect them and surrounding areas from hazard and to minimize the impact of industrial plants on nearby residential or commercial districts; and

4. To minimize traffic congestion and to avoid the overloading of utilities by restricting the construction of buildings and structures of excessive size in relation to the size of the buildable parcel. (Ord. 359 (part), 1992)

9.05.020 Industrial districts.

A. Business Park District (BP). The primary purpose of the business park (BP) district is to provide for light industrial, research and development, office-based firms and limited supportive commercial in an attractive and pleasant working environment and a prestigious location. This district is intended to provide a transition between residential and other sensitive uses and more intense industrial and warehousing uses.

B. Light Industrial District (LI). The primary purpose of the light industrial (LI) district is to provide for light manufacturing, light industrial, research and development, warehousing and distribution and multitenant industrial uses, as well as certain supporting administrative and professional offices and commercial uses on a limited basis. This district is intended as an area for light industrial uses that can meet high performance standards. This district requires buffering between residential districts and industrial and warehouse structures greater than 50,000 square feet in building area within the LI district. Please refer to the Special Site Development Standards in Section 9.05.040.B.9.

C. Industrial (I). The primary purpose of the industrial (I) district is to provide for manufacturing, research and development, warehousing and distribution and multitenant industrial uses, as well as certain supporting administrative and professional offices and commercial uses on a limited basis. This district is intended as an area for industrial uses that can meet high performance standards but that frequently do not meet site development standards appropriate to planned research and development parks.

D. Business Park-Mixed Use (BPX). The purpose of the business park-mixed use (BPX) district is to provide locations for limited convenience commercial and business support services within close proximity to industrial and business park uses. (Ord. 693 § 2 (part) (Exh. B), 2005: Ord. 590 § 2 (part), 2001; Ord. 359 (part), 1992)

9.05.030 Permitted uses for industrial districts.

For the industrial district, unless otherwise expressly provided in this title, permitted uses are limited to those described in the Permitted Uses Table 9.02.020-1 in Section 9.02.020 of this title. (Ord. 359 (part), 1992)

9.05.040 Industrial site development standards.

A. General Requirements.

1. The following table sets forth minimum property development standards for all land, buildings and structures constructed within the specified industrial districts. All sites shall conform to the dimensions set forth in this section. A development or

center may, however, be a combination of many parcels totaling at least the required site size, but its design must be integrated and unified.

2. In addition, projects must comply with the special requirements enumerated in Section 9.05.040(B), the performance standards included in Chapter 9.10 and any other applicable city ordinances, policies and programs.

Table 9.05.040-8

Industrial Site Development

Minimum Standards

Requirement	BP / LI[1]	BPX	I
1. Minimum site area (in acres)	1	1	5
2. Minimum site width (in feet)	200	200	300
3. Minimum site depth (in feet)	200	200	300
4. Minimum front building setback area (in feet)	20	20	20
5. Minimum interior side building setback area (in feet)*	*(see note below)	*(see note below)	—
6. Minimum street side building setback area (in feet)	20	20	20
7. Minimum rear building setback area (in feet)*	*(see note below)	*(see note below)	—

[1]See Special Site Development Standards 9.05.040.B.9 for unique separation requirements for structures greater than 50,000 square feet in building area.

*Structures shall be constructed on the property line or a minimum of three feet from the property line.

B. Special Site Development Standards.

1. When any industrial district abuts a property in any residential district, a minimum building setback equal to the building height, but not less than of twenty (20) feet shall be required from such residential district. Further, the ten (10) feet of such setback nearest the district boundary line shall be landscaped.

2. Where off-street parking areas industrial districts are visible from any street, screening in the form of a landscaped earthen berm, shrubs, or decorative wall three feet in height shall be erected between the required landscape area and the parking area.

3. In all industrial districts, required front building setback areas shall be landscaped. The landscaping shall consist predominantly of plant materials except for necessary walks and drives.

4. Except as otherwise permitted, a street side building setback area in any industrial district shall be used only for landscaping, pedestrian walkways, driveways or off-street parking. Where off-street parking in any industrial district is located within building setback areas, a minimum landscaped area ten (10) feet in depth shall be provided between the property line and parking area, with an additional minimum landscaped area ten (10) feet in depth required between the parking area and the building.

5. Except as otherwise permitted, required rear and interior side building setback areas in any industrial district shall be used only for landscaping, pedestrian walkways, driveways, off-street parking or loading, recreational activities or facilities, and similar accessory activities.

6. Parking for each use shall comply with the requirements of Chapter 9.11 and this section.

7. The land uses planned for each development shall be specified on the approved site plans. No use shall be established unless the development where it is located has adequate parking facilities to accommodate such use and any planned uses that share parking facilities with such use.

8. In the BP, LI and I districts, the retail sales of goods produced or warehoused in connection with a manufacturing, assembly or warehouse use may be conducted, provided that no more than fifteen (15) percent of the gross floor area of the space occupied by such use is devoted to retail sales. Any merchandise storage or display areas to which the public has access shall be considered as committed to the percentage of building area used for retail purposes.

9. In the LI district, industrial and warehouse structures greater than 50,000 square feet in building area shall be separated from any Residential district as determined by an air quality and noise impact analysis. The minimum separation distance for such uses shall be 250 feet between the Residential district and the building, truck court or loading area.

10. The parcelization of a business complex for marketing, financing or other purpose shall not establish separate privileges with respect to the maximum percentage of floor area specified in this section with respect to the BPX district. (Ord. 643 § 2.2, 2003; Ord. 616 § 2.2.5, 2005; Ord. 590 § 2 (part), 2001; Ord. 497 §§ 1.1, 1.2, 1.3, 1996; Ord. 464 §§ 1.2, 1.3, 1995; Ord. 405 §§ 1.1, 1.2, 1993; Ord. 359 (part), 1992)

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.

4.2 All prior enactments of the City, which are in conflict with this Ordinance, are hereby repealed, effective upon the date which this Ordinance becomes effective and operative.

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 _____, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

Ordinance No. 830
Date Adopted: _____

ORDINANCE JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, _____, City Clerk of the City of Moreno Valley, California, do hereby certify that Ordinance No. _____ had its first reading on _____, _____ and had its second reading on _____, _____, and was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the _____day of _____, _____, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

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RESOLUTION NO. 2011-78

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, FOR APPROVAL OF PLOT PLAN PA08-0097 FOR DEVELOPMENT OF A 937,260 SQUARE FOOT WAREHOUSE DISTRIBUTION FACILITY ON 55 ACRES LOCATED WITHIN ASSESSOR'S PARCEL NUMBERS 488-330-003 THROUGH -006 AND -026.

WHEREAS, the applicant, Ridge Rancho Belago, LLC, has filed an application for the approval of PA08-0097, a plot plan for a 937,260 square foot warehouse distribution facility on 55 acres, as described in the title of this Resolution.

WHEREAS, on July 12, 2011, the City Council held a public hearing to consider the project.

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

WHEREAS, there is hereby imposed on the subject development project 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 this project is subject to certain fees, dedications, reservations and other exactions as provided herein.

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

A. This City Council 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 City Council during the above-referenced meeting on July 12, 2011, including written and oral staff reports, and the record from the public hearing, this Planning Commission 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 General Plan encourages a mix of industrial uses to provide a diversified economic base and ample employment opportunities.

   ATTACHMENT 6

   Stated policies require the avoidance of adverse impacts on surrounding properties and the screening of industrial uses to reduce glare, noise, dust, vibrations and unsightly views. The project as designed and conditioned would achieve the objectives of the City of Moreno Valley's General Plan. The proposed project is consistent with the General Plan

and do not conflict with the goals, objectives, policies, and programs established within the Plan.

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

   FACT: The project site is current zoned BP. The project proposes a Zone Change to LI to allow for a building larger than 50,000 square feet. Subject to approval of the related Zone Change application (PA08-0098) the proposed use will comply with all applicable zoning other regulations. The project is designed in accordance with the provisions of Chapter 9.05 Industrial Districts of the City's 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 937,260 square warehouse facility as designed and conditioned will not adversely affect the public health, safety or general welfare. A Final EIR has been prepared to address the potential environmental impacts of the project in accordance with the provisions of the California Environmental Quality Act (CEQA).

4. Conformance with City Redevelopment Plans – The proposed use conforms with any applicable provisions of any city 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.

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 project is located on the south side of State Route 60 and east of the Moreno Valley Auto Mall. Land uses to the north include the freeway with BP zone land to the west and Community Commercial zone land to the east. South of the facility on the other side of Fir Avenue/Future Eucalyptus Avenue is vacant RA-2 zone land with tract homes in the RA-2 zone approximately ¾ miles further south. The proposed warehouse distribution facility is a permitted use in both the BP and LI zones, but the size proposed by the project requires a Zone Change and the proximity to the Residential district to the south requires a Municipal Code Amendment to establish a minimum separation or buffering of warehouse facilities over 50,000 square feet from adjacent Residential districts. As designed and conditioned and subject to

approval of the above mentioned Zone Change and Municipal Code Amendment, is compatible with existing and proposed land uses in the vicinity.

C. FEES, DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

1. FEES

Impact, mitigation and other fees are due and payable under currently applicable ordinances and resolutions. These fees may include but are not limited to: Development Impact Fee, Transportation Uniform Mitigation Fee (TUMF), Multi-species Habitat Conservation Plan (MSHCP) Mitigation Fee, Stephens Kangaroo Habitat Conservation fee, Underground Utilities in lieu Fee, Area Drainage Plan fee, Bridge and Thoroughfare Mitigation fee (Future) and Traffic Signal Mitigation fee. The final amount of fees payable is dependent upon information provided by the applicant and will be determined at the time the fees become due and payable.

Unless otherwise provided for by this resolution, all impact fees shall be calculated and collected at the time and in the manner provided in Chapter 3.32 of the City of Moreno Valley Municipal Code or as so provided in the applicable ordinances and resolutions. The City expressly reserves the right to amend the fees and the fee calculations consistent with applicable law.

2. DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

The adopted Conditions of Approval for PA08-0097, incorporated herein by reference, may include dedications, reservations, and exactions pursuant to Government Code Section 66020 (d) (1).

3. CITY RIGHT TO MODIFY/ADJUST; PROTEST LIMITATIONS

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.

The 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 a notice has been given 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 City Council HEREBY APPROVES Resolution No. 2011-_____, APPROVING Plot Plan PA08-0097 for a 937,260 square foot warehouse distribution facility on a 55 acre site, based on the findings in the Resolution, and the conditions of approval as attached to the resolution as Exhibit A.

APPROVED AND ADOPTED this _____ day of _____, 2011.

_____
Mayor of the City of Moreno Valley

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

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

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

CITY OF MORENO VALLEY
CONDITIONS OF APPROVAL FOR
PLOT PLAN PA08-0097 FOR A WAREHOUSE DISTRIBUTION FACILITY
ASSESSOR'S PARCEL NUMBERS: 488-330-003 TO -006 AND -026

APPROVAL DATE:
EXPIRATION DATE:

_X_ Planning (P), including Building (B), School District (S), Post Office (PO)
_X_ Fire Prevention Bureau (F)
_X_ Public Works – Land Development (LD)
_X_ Public Works – Special Districts (SD)
_X_ Public Works – Transportation Engineering (TE)
_X_ Public Works – Moreno Valley Utilities (MVU)
_X_ Parks & Community Services (PCS)
_X_ Police (PD)

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

COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT

Planning Division

P1. Approval of Plot Plan PA08-0097 is subject to adoption of a Zone Change (PA08-0098) from the Business Park zone to the Light Industrial zone for the project site and adoption of a Municipal Code Amendment (PA10-0017) to establish a minimum buffering/separation from buildings over 50,000 square in area and adjacent residential zoned land.

P2. Plot Plan PA08-0097 has been approved for development of a 937,260 square foot warehouse distribution facility, to be built on a 55 acre site within Assessor's Parcel Numbers 488-330-003 to -006 and -026. The facility includes 173 dock doors and 14,000 square feet of office. Required parking for this use equates to a total of 307 employee/visitor parking spaces and 173 truck/trailer parking spaces.

P3. Development of the warehouse facility is subject to approval of Tentative Parcel Map No. 36207 and the subsequent recordation of this map.

P4. A mitigation monitoring fee, as provided by City ordinance, shall be paid by the applicant within 30 days of project approval. No City permit or approval shall be issued until such fee is paid. (CEQA)

P5. Bicycle racks shall be provided at a minimum of five (5) percent of the required vehicular parking and shall be located near the designated office area(s).

P6. The gates into truck loading and parking areas that are within view of a public street shall be of solid metal construction or wrought iron with mesh to screen the interior of the loading area.

P7. This project shall comply with South Coast Air Quality Management District (SCAQMD) rules related to dust generation (Rule 403) and the use of architectural coatings (Rule 1113).

P8. The design of all swales and basins that are visible from the public right-of-way shall be integrated with the surrounding landscape areas.

P9. Screening walls of decorative block or concrete tilt-up construction shall be provided to fully screen the truck loading and parking area for from view from Fir/Eucalyptus Avenue.

P10. Enhanced landscape shall be provided in the planter areas near each driveway and near the office portions of the facilities.

P11. All loudspeakers, bells, gongs, buzzers or other noise attention devices installed on the project site shall be designed to ensure that the noise level at all property lines will be at or below 55 dBA for consistency with the Municipal Code.

P12. Loading or unloading activities shall be conducted from the truck bays or designated loading areas only. (MC 9.10.140, CEQA)

P13. No outdoor storage is permitted on the project site, except for truck and trailer storage in designated areas within the screened truck courts.

P14. 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)

P15. 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)

P16. PA08-0097 shall be developed in accordance with the approved plans on file in the Community & Economic 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)

P17. The developer, or the developer's successor-in-interest, shall be responsible for maintaining any undeveloped portion of the project site in a manner that provides for the control of weeds, erosion and dust. (MC 9.02.030)

P18. A drought tolerant, low water using landscape palette shall be utilized throughout the project to the extent feasible.

P19. All landscaped areas shall be maintained in a healthy and thriving condition, free from weeds, trash and debris. (MC 9.02.030)

P20. 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 Municipal Code or approved sign program, if applicable, and shall require separate application and approval by the Community & Economic Development Department - Planning Division. (MC 9.12.020)

<u>Prior to Issuance of Grading Permits</u>

P21. (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.

P22. (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 & Economic 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).

P23. (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)

P24. (GP) Prior to approval of any grading permit, the developer shall submit for review and approval of a tree plan to the Planning Division. The plan shall identify all mature trees (4 inch trunk diameter or larger) on the subject property, City right-of-way or Caltrans 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. (GP Objective 4.4, 4.5, DG)

P25. (GP) Prior to approval of any grading permit, local and master-planned multi-use trail easements shall be shown in accordance with the City's Master Trail Plan.

P26. (GP) Prior to issuance of grading permits, the developer shall pay the applicable Stephens' Kangaroo Rat (SKR) Habitat Conservation Plan mitigation fee. (Ord)

P27. (GP) For projects abutting State Highway 60, a sixteen foot reservation for future right-of-way shall be provided.

P28. (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.

P29. (GP) If a median is required, then prior to approval of any grading permits, final median enhancement/landscape/irrigation plans shall be submitted to the Community Development Department - Planning Division and Public Works Department – Special Districts for review and approval by each division. Timing of installation shall be determined by PW- Special Districts. (GP - Circulation Master Plan)

P30. (GP) Prior to issuance of any grading permits, mitigation measures contained in the Mitigation Monitoring Program approved with this project shall be implemented as provided therein.

P31. (GP) Prior to the issuance of grading permits, the grading plan shall show decorative concrete pavers for all driveway ingress/egress locations of the project. Accessible pedestrian pathways interior to the site cannot be painted. If delineation is necessary, then an alternative material is required.

P32. (GP) Prior to the issuance of a grading permit, all required planter areas, curbs, including twelve-inch concrete step outs, and required parking space striping shall be shown on the precise grading plan.

P33. (GP) Prior to the issuance of grading permits, the following burrowing owl survey requirements shall be incorporated into the grading plans in accordance with the Riverside County Multi-species Habitat Conservation Plan: Within 30 days of and prior to disturbance, a burrowing owl focused survey shall be conducted by a qualified biologist using accepted protocols. The survey shall be submitted to the Planning Division for review and approval.

P34. (GP) Prior to the issuance of grading permits, a "no touch" area shall be staked along the westerly limit of project development as defined by the scour wall and a City approved Biologist be retained to monitor construction activities to ensure protection and preservation of Channel areas. Upon the completion of the above mitigation measure an on-site grading permit may be issued for project work to commence.

P35. (GP) 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)

P36. (GP) Prior to the approval of any precise grading permits, the developer shall submit written documentation and a planting coverage map/plan to the Planning and Land Development Divisions for all parcels identified as future State Highway 60 right-of-way as well as specifications for an erosion control/wildflower hydroseed mixture appropriate to the site's climate zones and soils to be applied at a time and in a manner that optimizes germination and coverage of the parcels consistent with the erosion control requirements for the site. Said landscape shall be maintained free of weeds and overgrowth by the developer or successor in interest until such time as the parcels are transferred to the City or Caltrans.

P37. (GP) Prior to issuance of grading permits, landscape plans (trees, shrubs and groundcover) for basins maintained by an POA or other private entity shall be submitted to the Planning Division for review and approval for the sides and/or slopes. A hydroseed mix with 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 with pilasters 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.

P38. (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. A maximum 3 foot high decorative wall in lieu of a hedge or berm may be placed in setback areas adjacent to a parking lot.**
- **B. Any proposed retaining walls shall also be decorative in nature, while the combination of retaining and other walls on top shall not exceed the height requirement for the specific plan and/or Municipal Code.**
- **C. A 14 foot tall solid wall of decorative block with pilasters and a cap or concrete tilt-up construction shall be provided to screen the trucks, parked trailers and the loading areas and loading docks from view from Fir/Eucalyptus Avenue and at the northeast corner of the site.**
- **D. Wrought iron/tubular steel fence is required along portions of the northern, western and eastern property lines.**

E. A four foot tall three rail fence to match adjacent trail fencing is required to enclose the basins located along Fir/Eucalyptus Avenue.

F. **An 8 foot tall coated chain link fence is required along the western property line along the Riverside County Flood Control maintenance road.**

Prior to Issuance of Building Permits

P39. (BP) Prior to issuance of building permits, the Community & Economic 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)

P40. (BP) Prior to issuance of building permits, screening details shall be addressed on plans for roof top equipment and trash enclosures submitted for Community & Economic 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)

P41. (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 & Economic 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)

P42. (BP) Prior to issuance of building permits or as permitted by current City policy, 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)

P43. (BP) Prior to issuance of building permits, final landscaping and irrigation plans shall be submitted to the Community & Economic 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 rights-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. On site 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 as well as along Highway 60 to provide proper screening of trucks.**
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.
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 enclosures shall be provided.
J. **Dense landscape (spacing of one tree per 20 feet) shall be placed in front of the wall along all designated yard areas and vines shall be planted at the base of the wall and be directed along said wall.**
K. **A minimum size of 24" box mature trees shall be placed along the freeway or northern elevations of the building. Trees shall be in a double row or closely spaced as shown on the preliminary landscape plan?**
L. **Minimum 24 inch box Eucalyptus Nicholii shall be used for the street trees along the Eucalyptus Avenue frontage. Spacing of trees shall be limited to 80 foot on center for parkways and medians in sight line distance areas noted on the plans; however trees to the equivalency of 40 foot on center shall be planted in the parkway for the entire site. Additional denser parkway tree placement (between 25 to 30 feet on center) would be required for areas outside of the line of sight. A preferred alternative to placing trees only on the designated parkway landscape areas would be to widen the four foot landscape separation between the sidewalk and trail to 8 feet and reduce the parkway landscape to 8 feet in site line distance areas to provide additional trees within the designated line of sight areas alternating at 80 foot spacing to**

achieve the overall 40 foot spacing requirement.

M. **Focal entries of the site on Eucalyptus Avenue are void of trees and or shrubs on the preliminary landscape plan and they shall be shown on the plans, or alternatively document on the landscape and tree plans that the equivalency of one tree per 30 linear feet of building dimension visible from the parking lot and all public rights of away in addition to on tree per 30 linear feet of parking lot adjacent to the interior property is being met.**

N. **The design of all swales and basins that are visible from the public right-of-way shall be integrated with the surrounding landscape areas.**

P44. (BP) Prior to the issuance of building permits, the landscape plans shall include landscape treatment for trash enclosures located outside of a truck court, to include landscape on three sides, and trash enclosures shall 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 & Economic Development Director.

P45. (BP) Prior to the issuance of building permits, all fences and walls required or proposed on site, shall be approved by the Community & Economic Development Director. (MC 9.08.070)

P46. (BP) Prior to the issuance of building permits, downspouts will be interior to the building, or if exterior, integrated into the architecture of the building to include compatible colors and materials to the satisfaction of the Community & Economic Development Director.

P47. (BP) Prior to the issuance of building permits the building site plan shall include decorative concrete or pavers for all driveway ingress/egress locations for the project.

P48. (BP) Prior to issuance of building permits for a final map for Tentative Parcel Map No. 36207 (PA09-0022) must be approved and recorded and all conditions of approval related to the parcel map must be satisfied.

P49. (BP) Prior to issuance of any building permits, mitigation measures contained in the Mitigation Monitoring Program approved with this project shall be implemented as provided therein. (CEQA)

<u>Prior to Issuance of Certificate of Occupancy or Building Final</u>

P50. (CO) Prior to issuance of any Certificates of Occupancy or building final, mitigation measures contained in the Mitigation Monitoring Program approved with this project shall be implemented as provided therein. (CEQA) (Advisory)

P51. (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 & Economic Development Department – Planning Division. (MC 9.080.070).

P52. (CO) Prior to issuance of Certificate of Occupancy or building final, installed landscaping and irrigation shall be reviewed by the Community & Economic Development Department - Planning Division. The landscaping shall be installed in accordance with the City's Landscape Standards and the approved landscape plans.

P53. (CO) All rooftop equipment shall be appropriately screened and not visible from the Highway 60 or Eucalyptus/Fir Avenue rights of way.

MITIGATION MEASURES

P54. MM 4.2.1 Redlands Boulevard at SR-60 Westbound Ramps Improvements:
• Install a traffic signal. If not otherwise completed prior to Project opening, the required traffic signal shall be constructed by the Applicant prior to issuance of the first Certificate of Occupancy.

P55. MM 4.2.2 Redlands Boulevard at Fir (future Eucalyptus) Avenue Improvements:
Prior to issuance of the first Certificate of Occupancy, the Applicant shall construct the following improvements:
• Install a traffic signal;
• Construct a southbound right turn auxiliary lane which extends the full length of the segment of Redlands Boulevard between the SR-60 Eastbound Ramps and Fir (future Eucalyptus) Avenue for a southbound lane configuration of one shared left-through lane and one right turn lane; and
• Construct an eastbound left-turn lane with 300 feet of storage for an eastbound lane configuration of one left-turn lane and one shared through-or-right-turn-lane.

P56. MM 4.2.3 Moreno Beach Drive at SR-60 Eastbound Ramps Improvements:
• Construct an eastbound right-turn lane and re-stripe the shared left-or-righ turn lane as an exclusive left-turn lane, for an eastbound lane configuration of one left-turn lane and one right-turn lane. These improvements would require the dedication of right-of-way from the south side of the SR-60 Eastbound Ramps and re-striping of all lanes on the west leg of the intersection.

P57. MM 4.2.4 Moreno Beach Drive at SR-60 Westbound Ramps Improvements:
• Coordinate traffic signal timing with the signal at the intersection of Moreno Beach Drive at SR-60 Eastbound Ramps.

P58. MM 4.2.5 Redlands Boulevard at SR-60 Westbound Ramps Improvements:
• Install a traffic signal (a TUMF improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.1);

• Construct a second northbound through lane and a right-turn lane with overlap phasing, for a northbound lane configuration of one left-turn lane, two through lanes and one right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way on the east side of Redlands Boulevard and re-striping of all lanes on the south leg of the intersection; and

• Construct a second southbound through lane, for a southbound lane configuration of one left-turn lane and two through lanes. These improvements would require the dedication of right-of-way on the west side of Redlands Boulevard and re-striping of all lanes on the north leg of the intersection.

P59. MM 4.2.6 Redlands Boulevard at SR-60 Eastbound Ramps Improvements:

• Construct a second northbound through lane for a northbound lane configuration of one left turn lane and two through lanes. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard and restriping of all lanes on the south leg of the intersection;

• Construct a second southbound through lane, for a southbound lane configuration of one left-turn lane and two through lanes. These improvements would require the dedication of right-of-way on the west side of Redlands Boulevard and re-striping of all lanes on the north leg of the intersection; and

• Construct an eastbound right-turn lane and re-stripe the shared left-or-right turn lane as an exclusive left-turn lane, for an eastbound lane configuration of one left-turn lane and one right-turn lane. These improvements would require the dedication of right-of-way on the south side of the SR-60 Eastbound Ramps and re-striping of all lanes on the west leg of the intersection.

P60. MM 4.2.7 Redlands Boulevard at Fir (future Eucalyptus) Avenue Improvements:

• Install a traffic signal (a DIF improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.2);

• Construct a northbound left-turn lane with 200 feet of storage and a second through lane, for a northbound lane configuration of one left-turn lane, one through lane, and one shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard, and restriping of all lanes on the south leg of the intersection.

• Construct a southbound left-turn lane with 250 feet of storage, a second left-turn lane that extends back to the SR-60 Eastbound Ramps, a second through lane, and a right-turn lane with overlap phasing and a pocket length that is the full length of the segment, for a southbound lane configuration of two left-turn lanes, two through lanes, and one right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard, and restriping of all lanes on the north leg of the intersection. The noted right-turn southbound lane would be constructed by the Project pursuant to Mitigation Measure 4.2.2. Overlap phasing to this right-turn lane will be added when determined appropriate by the City Traffic Engineer,

• Construct dual eastbound left-turn lanes with 300 feet of storage and a second through lane, for an eastbound lane configuration of two left-turn lanes, one through lane, and one shared through-or-right-turn lane. These improvements would require

the dedication of right-of-way from the south side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the west leg of the intersection. A single eastbound turn with 300 feet of storage will be constructed by the Project under Opening Year Ambient Conditions pursuant to Mitigation Measure 4.2.2.

- **Construct a westbound left-turn lane, a second through lane, and a right-turn lane with overlap phasing, providing 200 feet of storage for both the left-turn and right-turn lanes, for a westbound lane configuration of one left-turn lane, two through lanes, and one right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the north side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the east leg of the intersection. Construction of the westbound left and through lanes would be funded through participation in the DIF Program; remaining improvements would be funded through fair share fee participation.**

P61. MM 4.2.8 Quincy Street at Fir (future Eucalyptus) Avenue Improvements:
• Install a stop-control on the south leg of the intersection;
• Construct a northbound shared left-or-right-turn lane. Quincy Street should be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction;
• Construct an eastbound shared through-or-right-turn lane. The Fir (future Eucalyptus) Avenue extension should be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction; and
• Construct a westbound left-turn lane and through lane. The Fir (future Eucalyptus) Avenue extension should be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction.

P62. MM 4.2.9 Moreno Beach Drive at SR-60 Eastbound Ramps Improvements:
• Construct the SR-60 eastbound on- and off-ramps, designed as a standard diamond and consistent with the proposed SR-60 Freeway/Moreno Beach Drive interchange design, and install a traffic signal at the new intersection;
• Construct a third northbound through lane, for a northbound lane configuration of three through lanes and a right-turn lane. These improvements would require the dedication of right-of-way from the east side of Moreno Beach Drive and re-striping of all lanes on the south leg of the intersection;
• Construct the SR-60 eastbound off-ramp with an eastbound lane configuration of one left-turn lane and dual right-turn lanes; and
• Construct the SR-60 eastbound on-ramp on Moreno Beach Drive with a minimum of two travel lanes.

P63. MM 4.2.10 Moreno Beach Drive at SR-60 Westbound Ramps Improvements:
• Construct a second northbound through lane, for a northbound lane configuration of two through lanes and a right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the east side of Moreno Beach Drive and re-striping of all lanes on the south leg of the intersection;

• In addition to the planned on-ramp for southbound vehicles which is part of the future SR-60/Moreno Beach Drive interchange design, a second southbound through lane and a right-turn lane, for a southbound lane configuration of two through lanes and a right-turn lane. These improvements would require dedication on the west side of Moreno Beach Drive and re-striping of all lanes on the north leg of the intersection;

• Construct the SR-60 westbound on-ramp for vehicles traveling southbound on Moreno Beach Drive with a minimum of one travel lane; and

• Construct a second westbound left-turn lane, for a westbound lane configuration of two left-turn lanes and a right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the north side of the SR-60 Westbound Ramps and re-striping of all lanes on the east leg of the intersection.

P64. MM 4.2.11 Moreno Beach Drive at Fir (future Eucalyptus) Avenue Improvements:

• Construct dual northbound left-turn lanes and re-stripe the northbound right-turn lane as a shared through-or-right turn lane for a northbound lane configuration of two left-turn lanes, two through lanes and a shared through-or-right turn lane. These improvements would require the dedication of right-of-way from the east side of Moreno Beach Drive and re-striping of all lanes on the south leg of the intersection. Restriping of the northbound right-turn lane as a shared through-or-right turn lane would be funded through participation in the DIF Program. Remaining improvements would be funded through fair share fee participation;

• Construct a southbound left-turn lane and a right-turn lane with overlap phasing, for a southbound lane configuration of two left-turn lanes, three through lanes and a right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the west side of Moreno Beach Drive and re-striping of all lanes on the north leg of the intersection, and would be funded through fair share fee participation;

• Construct the new eastbound leg of this intersection with dual left-turn lanes, a through lane, and a shared through-or-right-turn lane. Construction of one eastbound left-turn lane, the eastbound through lane, and the eastbound shared through-or-right-turn lane would be funded through participation in the DIF Program. Remaining improvements would be funded through fair share fee participation; and

• Construct a westbound through lane and implement overlap phasing on the right-turn movement, for a westbound lane configuration of one left-turn lane, two through lanes, and a right-turn lane with overlap phasing. This improvement would be funded through fair share fee participation.

P65. MM 4.2.12 Quincy Street at Fir (future Eucalyptus) Avenue Improvements:

• Install a stop-control on the south leg of the intersection;

• Construct a northbound shared left-or-right-turn lane;

• Construct the eastbound approach of the Fir (future Eucalyptus) Avenue extension with a through lane and a shared through-or-right-turn lane; and

• Construct the westbound approach of the Fir (future Eucalyptus) Avenue extension with a left-turn lane, a through lane, and a shared through-or-right-turn lane.

P66. MM 4.2.13 Redlands Boulevard at SR-60 Westbound Ramps Improvements:
• Install a traffic signal (a TUMF improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.1);
• Construct a northbound through lane and a right-turn lane with overlap phasing, for a northbound lane configuration of one left-turn lane, two through lanes and one right-turn lane with overlap phasing. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard and re-striping of all lanes on the south leg of the intersection;
• Construct a southbound left-turn lane and a through lane, for a southbound lane configuration of two left-turn lanes and a through lane, and a shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard and re-striping of all lanes on the north leg of the intersection; and
• Construct a westbound left-turn lane and a right-turn lane, for a westbound lane configuration of one left-turn lane, one shared left-through lane and a right-turn lane. These improvements would require the dedication of right-of-way from the north side of the SR-60 Westbound Ramps and re-striping of all lanes on the east leg of the intersection. The traffic signal noted above will be constructed by the Project pursuant to Mitigation Measure 4.2.1.

P67. MM 4.2.14 Redlands Boulevard at SR-60 Eastbound Ramps Improvements:
• Construct two northbound through lanes, for a northbound lane configuration of one left-turn lane and three through lanes, with the pocket length for the northbound left-turn lane at the full length of the segment. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard, and restriping of all lanes on the south leg of the intersection;
• Construct two southbound through lanes, for a southbound lane configuration of two through lanes and a shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard and re-striping of all lanes on the north leg of the intersection; and
• Re-stripe the shared eastbound left-or-right-turn lane as an exclusive left-turn lane, for an eastbound lane configuration of two left-turn lanes and one right-turn lane. These improvements would require the dedication of right-of-way on the south side of the SR-60 Eastbound Ramps and re-striping of all lanes on the west leg of the intersection.

P68. MM 4.2.15 Redlands Boulevard at Fir (future Eucalyptus) Avenue Improvements:
• Install a traffic signal (a DIF improvement to be constructed by the Project pursuant to Mitigation Measure 4.2.2);
• Construct a left-turn lane with 200 feet of storage and a second through lane for a northbound lane configuration of one left-turn lane, one through lane and one shared through right-turn lane. These improvements would require the

dedication of right-of-way from the east side of Redlands Boulevard. Restriping of all lanes on the south leg of the intersection, and construction of the northbound through lane would be funded through participation in the TUMF Program. Remaining improvements would be funded through participation in the DIF Program;

• Construct a southbound left turn lane with 250 feet of storage, a second left-turn lane that extends back to the SR-60 Eastbound ramps, a second through lane and a right turn lane with overlap phasing for a southbound lane configuration of two left turn lanes, two through lanes and one right turn lane with overlap phasing, with a right turn pocket length that extends the full length of the segment. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard, and restriping of all lanes on the north leg of the intersection. Construction of the southbound through lane would be funded through participation in the TUMF Program. Construction of one southbound left-turn lane would be funded through participation in the DIF program. The noted right-turn southbound lane would be constructed by the Project pursuant to Mitigation Measure 4.2.2. Overlap phasing for this right-turn lane will be added when determined appropriate by the City Traffic Engineer, and will be funded through fair share fee participation. Remaining improvements would also be funded through fair share fees;

• Construct dual eastbound left-turn lanes with 300 feet of storage and a second through lane, for an eastbound lane configuration of two left-turn lanes, one through lane, and one shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the south side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the west leg of the intersection. A single eastbound turn lane with 300 feet of storage will be constructed by the Project under Opening Year Ambient Conditions pursuant to Mitigation Measure 4.2.2.; and

• Construct a westbound left-turn lane, one through lane, and a right-turn lane with overlap phasing, for a westbound lane configuration of one left-turn lane, two through lanes, and one right-turn-lane with overlap phasing [these improvements would require the dedication of right-of-way from the north side of Fir (future Eucalyptus) Avenue, and restriping of all lanes on the east leg of the intersection]. Construction of the westbound left and through lanes would be funded through participation in the DIF Program; remaining improvements would be funded through participation in the fair share fee assessments.

P69. MM 4.2.16 Redlands Boulevard at Eucalyptus (future Encilia) Avenue Improvements:

• Install a traffic signal. This improvement would be funded through participation in the DIF Program;

• Construct a northbound left-turn lane and a shared through-or-right-turn lane, for a northbound lane configuration of one left-turn lane, one through lane and one shared through-or-right turn lane. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard and re-striping of all lanes on the south leg of the intersection. Construction of the northbound left-turn lane would be funded through participation in the DIF

Program; remaining improvements would be funded through participation in the TUMF Program;

• Construct a southbound left-turn lane, a through lane, and a right-turn lane, for a southbound lane configuration of one left-turn lane, two through lanes, and one right-turn-lane. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard, and restriping of all lanes on the north leg of the intersection. Construction of the southbound through lane would be funded through participation in the TUMF Program; remaining improvements would be funded through participation in the DIF program;

• Re-stripe the eastbound right-turn lane as a through lane and construct an additional shared through-or-right-turn lane, for an eastbound lane configuration of one left-turn lane, one through lane, and one shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the south side of Eucalyptus (future Encilia) Avenue and the re-striping of all lanes on the west leg of the intersection, and would be funded through participation in the DIF Program; and

• Construct the westbound approach with one left-turn lane, one through lane, and one shared through-or-right-turn-lane. These improvements would require the dedication of right-of-way from the north side of Eucalyptus (future Encilia) Avenue, and the re-striping of all lanes on the east leg of the intersection, and would be funded through participation in the DIF Program.

P70. MM 4.2.17 Redlands Boulevard at Cottonwood Avenue Improvements:

• Construct a northbound through lane, for a northbound lane configuration of one left-turn lane, one through lane and one shared through-or-right turn lane. These improvements would require the dedication of right-of-way from the east side of Redlands Boulevard, and the re-striping of all lanes on the south leg of the intersection, and would be funded through participation in the TUMF Program;

• Construct a southbound left-turn lane and a through lane, for a southbound lane configuration of one left-turn lane, two through lanes, and one right-turn-lane. These improvements would require the dedication of right-of-way from the west side of Redlands Boulevard, and the restriping of all lanes on the north leg of the intersection. Construction of the southbound through lane would be funded through participation in the TUMF Program; remaining improvements would be funded through participation in the DIF Program;

• Re-stripe the eastbound right-turn lane as a through lane, and construct an additional through-or-right-turn lane, for an eastbound lane configuration of one left-turn lane, one through lane, and one shared through-or-right-turn lane. These improvements would require the dedication of right-of-way from the south side of Cottonwood Avenue, and the re-striping of all lanes on the west leg of the intersection, and would be funded through participation in the DIF Program; and

• Construct the westbound approach with one left-turn lane, one through lane, and one shared through-or-right-turn-lane. These improvements would require the dedication of right-of-way from the north side of Cottonwood Avenue, and

the re-striping of all lanes on the east leg of the intersection, and would be funded through participation in the DIF Program.

P71. MM 4.2.18 Quincy Street south of Fir (future Eucalyptus) Avenue Improvements:
• Construct Quincy Street south of Eucalyptus Avenue as a two-lane undivided roadway with a minimum of one travel lane in each direction.

P72. MM 4.2.19 Fir (future Eucalyptus) Avenue west of Quincy Street to the westerly Project boundary and Fir (future Eucalyptus) east of Redlands Boulevard Improvements:
• Construct the Fir (future Eucalyptus) Avenue extension from the current terminus near the Auto Mall to Quincy Street, and connecting to Fir (future Eucalyptus) Avenue at the westerly project boundary. Continue Fir (future Eucalyptus) Avenue east of Redlands Boulevard. Fir (future Eucalyptus) Avenue is to be constructed as a two-lane undivided roadway with a minimum of one travel lane in each direction.

P73. MM 4.3.1 Consistent with URBEMIS modeling inputs and to effect implementation of SCAQMD Rule 403, the following measures shall be incorporated :
• All clearing, grading, earth-moving, or excavation activities shall cease when winds exceed 25 mph per SCAQMD guidelines in order to limit fugitive dust emissions.
• The contractor shall ensure that all disturbed unpaved roads and disturbed areas within the Project are watered at least three times daily during dry weather. Watering, with complete coverage of disturbed areas, shall occur at least three times a day, preferably in the mid-morning, afternoon, and after work is done for the day.
• The contractor shall ensure that traffic speeds on unpaved roads and Project site areas are reduced to 15 miles per hour or less to reduce PM10 and PM2.5 fugitive dust haul road emissions.
• Site disturbance during mass grading and fine grading activities shall not exceed 13.66 acres per day.
• Ground cover shall be replaced, and/or non-toxic soil stabilizers shall be applied (according to manufacturers' specifications) to any inactive construction areas (previously graded areas inactive for ten days or more).
• In support of Project plan specifications and contract document language; and as means of controlling on-site construction vehicle speeds, for the duration of Project construction activities, speed limit signs (15 mph maximum) shall be posted at entry points to the Project site, and along any unpaved roads providing access to or within the Project site and/or any unpaved designated on-site travel routes.

P74. MM 4.3.2 The contractor shall minimize pollutant emissions by maintaining equipment engines in good condition and in proper tune according to

manufacturer's specifications and during smog season (May through October) by not allowing construction equipment to be left idling for more than five minutes (per California law).

P75. MM 4.3.3 The contractor shall ensure use of low-sulfur diesel fuel in construction equipment as required by the California Air Resources Board (CARB) (diesel fuel with sulfur content of 15 ppm by weight or less).

P76. MM 4.3.4 Contractor(s) shall ensure that all off-road heavy-duty construction equipment utilized during construction activity shall be CARB Tier 2 Certified or better.

P77. MM 4.3.5 In order to reduce localized Project impacts to sensitive receptors in the Project vicinity during construction, construction equipment staging areas shall be located at least 300 feet away from sensitive receptors.

P78. MM 4.3.6 During Project construction, existing electrical power sources (e.g., power poles) shall be utilized to power electric construction tools including saws, drills and compressors, to minimize the need for diesel or gasoline powered electric generators.

P79. MM 4.3.7 The Applicant shall use "Zero-Volatile Organic Compounds" paints, coatings, and solvents with a VOC content lower than required under Rule 1113 (not to exceed 150 grams/liter; 1.25 pounds/gallon). High Pressure Low Volume (HPLV) applications of paints, coatings, and solvents shall be consistent with South Coast Air Quality Management District Rule 1113. Alternatively, the Applicant shall use materials that do not require painting or are pre-painted.

P80. MM 4.3.8 Grading plans, construction specifications and bid documents shall also include the following notations:

- **Off-road construction equipment shall utilize alternative fuels e.g., biodiesel fuel (a minimum of B20), natural gas (CNG), liquefied natural gas (LNG), propane, except for equipment where use of such fuels would void the equipment warranty;**
- **Gravel pads shall be provided at all access points to prevent tracking of mud onto public roads;**
- **Install and maintain trackout control devices at all access points where paved and unpaved access or travel routes intersect;**
- **The contractor or builder shall designate a person or person(s) to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite;**
- **The contractor or builder shall post a publicly visible sign with the telephone number and person to contact regarding dust complaints. The contact person shall take corrective action within 24 hours;**
- **High pressure injectors shall be provided on diesel construction equipment where feasible;**
- **Engine size of construction equipment shall be limited to the minimum**

practical size;
• Substitute gasoline-powered for diesel powered construction equipment where feasible;
• Use electric construction equipment where feasible;
• Install catalytic converters on gasoline-powered equipment where feasible;
• Ride-sharing program for the construction crew shall be encouraged and shall be supported by contractor(s) via incentives or other inducement;
• Documentation shall be provided to the City of Moreno Valley indicating that construction workers have been encouraged to carpool or otherwise reduce VMT to the greatest extent practical, including providing information on available park and ride programs;
• Lunch services shall be provided onsite during construction to minimize the need for offsite vehicle trips;
• All forklifts used during construction and in subsequent operation of the Project shall be electric or natural gas powered.

P81. MM 4.3.9 Throughout Project construction, a construction relations officer/community liaison, appointed by the Applicant, shall be retained on-site. In coordination and cooperation with the City, the construction relations officer/community liaison shall respond to any concerns related to PM10 (fugitive dust) generation or other construction-related air quality issues.

P82. MM 4.3.10 All Project entrances shall be posted with signs which state:
• Truck drivers shall turn off engines when not in use;
• Diesel delivery trucks servicing the Project shall not idle for more than three (3) minutes; and
• Telephone numbers of the building facilities manager and CARB, to report violations.
These measures shall be enforced by the on-site facilities manager (or equivalent).

P83. MM 4.3.11 Buildings shall surpass incumbent California Title 24 Energy Efficiency performance standards by a minimum of 20 percent for water heating and space heating and cooling. Verification of increased energy efficiencies shall be documented in Title 24 Compliance Reports provided by the Applicant, and reviewed and approved by the City prior to the issuance of the first building permit. Any combination of the following design features may be used to fulfill this mitigation measure provided that the total increase in efficiency meets or exceeds 20 percent.
• Increase in insulation such that heat transfer and thermal bridging is minimized;
• Limit air leakage through the structure or within the heating and cooling distribution system to minimize energy consumption;
• Incorporate dual-paned or other energy efficient windows;
• Incorporate energy efficient space heating and cooling equipment;
• Interior and exterior energy efficient lighting which exceeds the California Title 24 Energy Efficiency performance standards shall be installed, as deemed acceptable by the City of Moreno Valley. Automatic devices to turn off lights

when they are not needed shall be implemented;
• To the extent that they are compatible with landscaping guidelines established by the City of Moreno Valley, shade producing trees, particularly those that shade buildings and paved surfaces such as streets and parking lots and buildings shall be planted at the Project site.
• Paint and surface color palette for the Project shall emphasize light and off-white colors which will reflect heat away from the buildings.
All buildings shall be designed to accommodate renewable energy sources, such as photovoltaic solar electricity systems, appropriate to their architectural design.

P84. MM 4.3.12 The Project shall be designed to facilitate the reduction of waste generated by building occupants that is hauled to and disposed of in landfills by providing easily accessible areas that are dedicated to the collection and storage of recyclable materials including: paper, cardboard, glass, plastics, and metals. Locations of proposed recyclable materials collection areas are subject to review and approval by the City. Prior to Final Site Plan approval, locations of proposed recyclable materials collection areas shall be delineated on the Project Site Plan.

P85. MM 4.3.13 GHG emissions reductions measures shall also include the following:
• The Project shall provide secure, weather-protected on-site bicycle storage/parking consistent with City of Moreno Valley requirements;
• The Project shall provide pedestrian and bicycle connections to surrounding areas, consistent with provisions of the City of Moreno Valley General Plan. Location and configurations of proposed pedestrian and bicycle connections are subject to review and approval by the City. Prior to Final Site Plan approval, pedestrian and bicycle connections shall be indicated on the Project Site Plan;
• The Project shall provide onsite showers (one for males and one for females). Lockers for employees shall be provided.
• Any traffic signals installed as part of the Project will utilize light emitting diodes (LEDs);
• The Project will establish a Transportation Management Association (TMA). The TMA will coordinate with other TMAs within the City to encourage and coordinate carpooling among building occupants. The TMA will advertise its services to building occupants, and offer transit and/or other incentives to reduce GHG emissions. Additionally, a shuttle will be provided during any one hour period where more than 20 employees or construction workers utilize public transit. A plan will be submitted by the TMA to the City within two months of Project completion that outlines the measures implemented by the TMA, as well as contact information; The Project shall provide preferential parking for carpools and vanpool. Locations and configurations of proposed preferential parking for carpools and vanpools are subject to review and approval by the City. Prior to Final Site Plan approval, preferential parking for carpools and vanpools shall be delineated on the Project Site Plan;
• The Project shall provide at least two electric vehicle charging stations.

Locations and configurations of proposed charging stations are subject to review and approval by the City. Prior to issuance of the first building permit, stub outs for charging stations shall be indicated on the Project building plans.

- **Lease/purchase documents shall identify that tenants are encouraged to provide incentives to realize the following:**
  - **Implementation of compressed workweek schedules;**
  - **SmartWay partnership;**
  - **Achievement of at least 20% per year (as a percentage of previous percentage, not total trips) increase in percentage of consolidated trips carried by SmartWay carriers until it reaches a minimum of 90% of all long haul trips carried by SmartWay 1.0 or greater carriers.**
  - **Achievement of at least 15% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 85% of all consolidator trips carried by SmartWay 1.0 or greater carriers.**
  - **Use of fleet vehicles conforming to 2010 air quality standards or better.**
  - **Installation of catalytic converters on gasoline-powered equipment.**
  - **Inclusion of electric powered and/or compressed natural gas fueled trucks and/or vehicles in fleets;**
  - **Establishment and use of carpool/vanpool programs, complemented by parking fees for single-occupancy vehicles;**
  - **Provision of preferential parking for EV and CNG vehicles;**
  - **Use of electrical equipment (instead of gasoline-powered equipment) for landscape maintenance;**
  - **Use of electric (instead of diesel or gasoline-powered) yard trucks;**
  - **Use of SmartWay 1.25 rated trucks.**

P86. MM 4.4.1 Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that during all Project site construction, construction contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturers' standards. And further that the construction contractor shall place all stationary construction equipment so that emitted noise is directed away from off-site receptors nearest the Project site. The statement in the plans and specifications shall be reviewed and approved by the City of Moreno Valley Planning Department, or their designee.

P87. MM 4.4.2 Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that the construction contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise sources and off-site receptors nearest the Project site during all Project construction. The statement in the plans and specifications shall be reviewed and approved by the City of Moreno Valley Planning Department, or their designee.

P88. MM 4.4.3 Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that construction activities, including haul truck operations, shall be limited to the hours between 7:00 a.m. and 8:00 p.m. Monday through Friday. No Project-related construction activities shall occur on weekends or Federal holidays. To the extent feasible, haul routes shall not pass sensitive land uses or residential dwellings. The statement in the plans and specifications shall be reviewed and approved by the City of Moreno Valley Planning Department, or their designee.

P89. MM 4.4.4 Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that for the duration of grading and site preparation activities, temporary construction noise curtains or similar line-of-sight noise reduction measures shall be installed along the Project's southerly boundary. Noise curtains shall be installed so as to provide maximum reduction for noise sensitive uses (at present a single residence located southerly of the Project site) and shown on the grading plans prepared for the Project.

P90. MM 4.5.1 Prior to the issuance of building permits, the Project Applicant shall contribute funding toward the acquisition of new water supplies, new treatment or recycled water facilities, and water efficiency measures for existing customers to develop new water supplies. The extent of additional funding shall be determined by the EMWD and may take the form of a new component of connection fees or a separate charge.

P91. MM 4.5.2 The Applicant shall install water efficient devices and landscaping according to the requirements of EMWD's water use efficiency ordinance(s) effective at the time of Project construction.

P92. MM 4.5.3 The Applicant shall meet with EMWD staff at the earliest feasible date to develop a Plan of Service (POS) for the Project. The POS shall detail water, wastewater and recycled water facilities requirements to serve the Project, to be constructed by the Applicant.

P93. MM 4.5.4 Until the Project begins construction, the Project Water Supply Assessment shall be reviewed for its continued accuracy and adequacy every three (3) years, commencing on the WSA approval date of June 4, 2008. The Project Applicant shall maintain communication with EMWD on the status of the Project, and the lead agency shall request the referenced three-year periodic review and update of the WSA. If neither the Project applicant nor the lead agency contacts EMWD within three (3) years of approval of this WSA, it shall be assumed that the Project no longer requires the estimated water demand as calculated in the WSA. The demand for the Project will not be considered in assessments for future projects, and the assessment provided within the Project WSA shall be considered invalid.

P94. MM 4.7.1 A professional cultural resources monitor (Project Paleontological Monitor) shall conduct full-time monitoring throughout site excavation and grading activities. The monitor shall be equipped to salvage and/or record the location of historic and/or archaeological resources as they may be unearthed to avoid construction delays, consistent with the requirements of California Public Resources Code Section 21083.2. The monitor shall be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens or finds and to allow the preparation of recovered resources to a point of identification. One monitor for both archaeological and paleontological resources is sufficient if the monitor is qualified in both disciplines to the satisfaction of the City of Moreno Valley.

P95. MM 4.7.2 Should historic or prehistoric resources of potential significance be identified, a qualified archaeologist shall be contacted to assess the find(s) and make recommendations in regard to further monitoring. Resources shall be left in an undisturbed state where feasible. Where preservation in place is infeasible, all recovered resources shall then be curated in an established, accredited museum repository with permanent retrievable archaeological/historic resource storage. A report of findings shall also be prepared by a qualified archaeologist, and shall include an itemized inventory of any specimens recovered. The report and confirmation of curation of any recovered resources from an accredited museum repository shall signify completion of the program to mitigate impacts to archaeological/ historic resources. If disturbed resources are required to be collected and preserved, the applicant shall be required to participate financially up to the limits imposed by Public Resources Code Section 21083.2.

P96. MM 4.7.3 Prior to the issuance of a grading permit, a City-approved Project Paleontologist shall be retained to initiate and supervise paleontological mitigation-monitoring in all areas of the Project site, subject to the following certain constraints:

- **Once excavations reach ten (10) feet in depth, monitoring of excavation in areas identified as likely to contain paleontological resources by a qualified paleontological monitor or his/her representative must take place;**
- **A paleontological mitigation-monitoring plan shall be developed before grading begins;**
- **Paleontological monitors shall be equipped to salvage and/or record the location of fossils as they are unearthed to avoid construction delays and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates;**
- **Monitors must be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens; and**
- **Monitoring may be reduced if the potentially fossiliferous units described herein are not present, or, if present, are determined upon exposure and examination by qualified paleontological personnel to have low potential to contain fossil resources**

P97. MM 4.8.1 Prior to the issuance of a grading permit, a "no touch" area shall be staked along the westerly limit of Project development as defined by the alignment of the scour wall proposed along the Quincy Channel. Importantly, the westerly limits of development shall be established so as to preclude potential permanent impacts to CDFG and/or Corps Jurisdictional Areas within the westerly adjacent Quincy Channel. Prior to the issuance of a grading permit, a City-approved Project biologist shall be retained to initiate and supervise monitoring of construction activities to ensure protection and preservation of adjacent Channel areas.

P98. MM 4.8.2 Prior to issuance of a grading permit, the proposed scour wall to be located between the developed Project site and the Quincy Channel shall be shown on the grading plans. Alignment of the scour wall shall be field-determined and physically delineated by the Project biologist in consultation with the City. Importantly, the scour wall alignment shall be established so as to preclude potential impacts to CDFG and/or Corps Jurisdictional Areas within the westerly adjacent Quincy Channel. Ongoing monitoring of construction activities shall be maintained throughout implementation of the scour wall to ensure protection and preservation of adjacent Channel areas.

P99. MM 4.8.3 Prior to issuance of a building permit, landscape and irrigation plans shall be approved which demonstrate that no invasive, non-native plants will be planted or seeded within 150 feet of the avoided riparian habitat along the Quincy Channel.

P100. MM 4.8.4 Prior to the issuance of <u>any</u> grading permits and prior to any physical disturbance of any jurisdictional areas, 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.

P101. MM 4.8.5 Prior to issuance of a grading permit, the Applicant shall develop and implement a Habitat Mitigation and Monitoring Plan (HMMP) to restore impacted riparian (mulefat) habitat. Prior to implementation, the HMMP shall be reviewed and approved by the CDFG. If in its final design, the CDFG-approved HMMP involves use or restoration of USACE or RWQCB jurisdictional areas, USACE and/or RWQCB approval shall also be obtained. The HMMP shall, at a minimum, meet the following requirements:

• A habitat replacement and/or enhancement ratio of at least 1:1 for temporary impact;

• A success criterion of at least 80 percent cover of native riparian vegetation for replaced habitat; and

• Additional requirements, including a 3-year establishment period for the replacement habitat, regular trash removal, native plant re-vegetation for areas

temporarily disturbed by construction and regular maintenance and monitoring activities to ensure the success of the mitigation plan; and

• Prior to the issuance of a grading permit, as part of the Project HMMP, appropriate maintenance and monitoring protocols will be developed in concert with CDFG based on final Project designs, and the ultimate scope, location, and type of mitigation reflected in the HMMP as approved by CDFG.

P102. MM 4.8.6 If possible, all vegetation removal activities shall be scheduled from August 1 to February 1, which is outside the general avian nesting season. This would ensure that no active nests would be disturbed and that removal could proceed rapidly. If vegetation is to be cleared during the nesting season (February 15 – July 31), all suitable habitat will be thoroughly surveyed for the presence of nesting birds within 72 hours prior to clearing. All surveys shall be performed by a qualified Project biologist to be retained by the Applicant and vetted by the City. The survey results shall be submitted by the Project Applicant to the Planning Division. If any active nests are detected, the nest(s) shall be flagged in the field and mapped on the construction plans along with a minimum 50-foot buffer and up to 300 feet for raptors, with the final buffer distance to be determined by the Project biologist. The buffer area shall be avoided until the nesting cycle is complete or it is determined that the nest has failed. In addition, the Project biologist will be present on the site to monitor vegetation removal to ensure that any nests, which were not detected during the initial survey, are not disturbed.

P103. MM 4.8.7 Within 30 days of site clearing activities, a pre-construction burrowing owl survey shall be conducted to document the presence/absence of any occupied owl burrows. Any owls present shall be passively or actively relocated following CDFG approved protocols, and with CDFG permission, prior to commencement of clearing. The survey shall be submitted to the Planning Division prior to issuance of a grading permit.

<u>Building and Safety Division</u>

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.

B2. (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.

FIRE PREVENTION BUREAU

1. **Prior to building permits being issued, the applicant shall complete the proposed pipeline improvements shown on EMWD WO#12713. These improvements include proposed pipeline additions on site and off.**
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) A 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 prior to credits being granted.

F3. Industrial, Commercial, Multi-family, Apartment, Condominium, Townhouse or Mobile Home Parks. A combination of on-site and off 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. 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)

F5. 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)

F6. Prior to construction and issuance of Building Permits, fire lanes and fire apparatus access roads shall have an unobstructed width of not less than 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)

F7. Prior to construction, all roads, driveways and private roads shall not exceed 12 percent grade. (CFC 503.2.7 and MVMC 8.36.050)

F8. 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)

F9. 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)

F10. 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)

F11. Prior to issuance of Building Permits, the applicant/developer shall participate in the Fire Impact Mitigation Program. (Fee Resolution as adopted by City Council)

F12. 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)

F13. Prior to issuance of Certificate of Occupancy or Building Final, "Blue Reflective Markers" shall be installed to identify fire hydrant locations in accordance with City specifications. (CFC 510.1)

F14. 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)

F15. 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)

F16. 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)

F17. 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)

F18. 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)

F19. 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.

F20. 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)

F21. 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)

F22. 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.

F23. 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.

F24. 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 & CBC Chapter 33)

F25. 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).

F26. 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)

F27. 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)

F28. 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)

F29. 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)

F30. 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)

F31. 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)

F32. Emergency and Fire Protection Plans shall be provided when required by the Fire Prevention Bureau. (CFC Section 105)

F33. Prior to construction, all traffic calming designs/devices must be approved by the Fire Marshal and City Engineer.

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 and plot plan 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) 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). Prior to approval of the related improvement or grading plans, the developer shall submit the approved drainage study, on compact disk, in (.pdf) digital format to the Land Development Division of the Public Works Department.

LD9. (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)

LD10. (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.

LD11. (G) Upon approval of the tentative tract map and 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

LD12. (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.

LD13. (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.

LD14. (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.

LD15. (GPA) Prior to approval of the grading plans for projects that will result in discharges of storm water associated with construction with a soil disturbance of one or more acres of land, the developer shall submit a Notice of Intent (NOI) and obtain a Waste Discharger's Identification number (WDID#) from the State Water Quality Control Board (SWQCB). The WDID# shall be noted on the grading plans prior to issuance of the first grading permit.

LD16. (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.

LD17. (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

LD18. (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. The final project-specific WQMP shall be submitted at the same time of grading plan submittal. The approved final WQMP shall be submitted to the Storm Water Program Manager on compact disk(s) in Microsoft Word format prior to grading plan approval.

LD19. (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.

LD20. (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.

LD21. (GPA) Prior to the approval of the grading plans, the developer shall pay applicable remaining grading plan check fees.

LD22. (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.

LD23. (GP) Prior to issuance of a grading permit, or building permit when a grading permit is not required, for projects that require a project-specific Water Quality Management Plan (WQMP), a project-specific final WQMP (F-WQMP) shall be approved. Upon approval, a WQMP Identification Number is issued by the Storm Water Management Section and shall be noted on the rough grading plans as confirmation that a project-specific F-WQMP approval has been obtained.

LD24. (GP) Prior to the issuance of a grading permit the developer shall submit recorded slope easements from adjacent landowners in any areas where grading resulting in slopes is proposed to take place outside of the project boundaries. For all other offsite grading, written permission from adjacent property owners shall be submitted.

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. (MA) Prior to approval of the map, the developer shall enter into an agreement with the City and Riverside County Flood Control and Water Conservation District establishing the terms and conditions covering the inspection, operation and maintenance of Master Drainage Plan facilities required to be constructed as part of the project. (MC 9.14.110)

LD31. (MR) Prior to recordation of the map the developer shall comply with the requirements of the City Engineer based on recommendations of the Riverside County Flood Control District regarding the construction of County Master Plan Facilities. (MC 9.14.110)

LD32. (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 90 days prior to City Council action authorizing recordation of the final map and the financial option selected. (California Government Code & Municipal Code)

LD33. (MR) Prior to recordation of the Final Map, the 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)

LD34. (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.

<u>Prior to Improvement Plan Approval or Construction Permit</u>

LD35. (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.

LD36. (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)

LD37. (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.

LD38. (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.

LD39. (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)

LD40. (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.

LD41. (IPA) Prior to approval of the improvement plans, the plans shall indicate any restrictions on trench repair pavement cuts to reflect the City's moratorium on disturbing newly-constructed pavement less than three years old and recently slurry sealed streets less than one year old. Pavement cuts for trench repairs may be allowed for emergency repairs or as specifically approved in writing by the City Engineer.

LD42. (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.

LD43. (IPA) Prior to approval of the improvement plans, any 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)

LD44. (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)

LD45. (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, as in the case where one travel lane in each direction shall not be used for drainage conveyance for emergency vehicle access on streets classified as minor arterials and greater, the developer shall provide adequate facilities as approved by the Public Works Department – Land Development Division. (MC 9.14.110)

LD46. (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)

LD47. (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.

LD48. (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.

LD49. (CP) Prior to issuance of construction permits, the developer shall pay all applicable inspection fees.

Prior to Building Permit

LD50. (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.

LD51. (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.

LD52. (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)

Prior to Certificate of Occupancy

LD53. (CO) Prior to issuance of a certificate of occupancy, if the project involves a non-residential subdivision, the map shall be recorded.

LD54. (CO) Prior to issuance of the last certificate of occupancy or building final, the developer shall pay all outstanding fees.

LD55. (CO) 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 occupancy. The fees are subject to the provisions of the enabling ordinance and the fee schedule in effect at the time of occupancy.

LD56. (CO) 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 occupancy. The fees are subject to the provisions of the enabling ordinance and the fee schedule in effect at the time of occupancy.

LD57. (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.

LD58. (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)

LD59. (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.

LD60. (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

LD61. (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

LD62. Prior to approval of the rough grading plan, this project shall demonstrate, via a final drainage study, that the increased runoff resulting from the development of this site is mitigated. 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.

LD63. Prior to approval of the precise grading plan, the developer shall obtain the following offsite dedications from the adjacent property owner(s), per separate instrument, and submitted to the City for review and approval. The offsite area referenced is located between the project's east boundary line and Redlands Boulevard.

a. A 10-foot street right-of-way dedication on the north side of Eucalyptus Avenue (formerly Fir Avenue) starting from this project's east boundary line east to Redlands Boulevard to ensure a centerline to north right-of-way distance of 50 feet for an Arterial, City Standard 104A.

b. A 39-foot half street right-of-way dedication on the entire east side of "A" Street within the adjacent offsite properties 488-330-027 and 488-330-028 to ensure a centerline to east right-of-way distance of 39 feet for an Industrial Collector, City Standard 106.

c. A 2-foot public access easement for the portions of sidewalk which are outside of the public right-of-way, along the north side of Eucalyptus Avenue from this project's east property line east to Redlands Boulevard.

d. An 11-foot multi-use trail easement to the City adjoining and north of the 2-foot public access easement listed above for trail purposes, along the north side of Eucalyptus Avenue from this project's east property line east to Redlands Boulevard.

e. Any necessary corner cutback right-of-way dedications per City Standard 208.

LD64. Prior to approval of the precise grading plans, the plans shall show any proposed trash enclosure as dual bin; one bin for trash and one bin for recyclables. The trash enclosure shall be per City Standard Plan 627.

LD65. Prior to approval of the precise grading plans, the grading plans shall clearly show that the parking lot conforms to current City and ADA standards. The parking lot shall be 5% maximum, 1% minimum, 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) and as approved by the City's Building and Safety Division.

LD66. Prior to precise grading plan approval, the plans shall show roof drains directed to a landscaped area rather than being routed directly to the parking lot. Alternatively, roof drain flows can be directed to private storm drains which will connect to the treatment control best management practice. This shall be shown in the approved F-WQMP.

LD67. Prior to approval of the grading and/or improvement plans, the plans shall show the relocation of the existing water line near State Highway 60 so that it is located outside of the lettered lot being conveyed to the City for future highway expansion purposes. Ideally, the water line shall be relocated within the Eucalyptus Avenue right-of-way. The developer shall coordinate with the utility purveyor Eastern Municipal Water District (EMWD) and the City. The developer will be responsible for quitclaiming the existing abandoned easement as well as obtaining any necessary new easements.

LD68. Prior to approval of the grading and/or improvement plans, the plans shall show the design for the proposed improvements to the existing Quincy Channel, along the entire west side of the project and any off-site upstream or downstream improvements, as necessary. The design shall be approved by both Riverside County Flood Control and Water Conservation District (RCFC&WCD) and the City. The improvements shall consist of, but not be limited to, construction of a scour wall including soil removal and recompaction and a maintenance access road including a driveway approach from Eucalyptus Avenue. The developer will be responsible for obtaining the appropriate permit(s) and clearance(s).

LD69. Prior to approval of the grading and/or improvement plans, the plans shall show the design for the proposed improvements to the existing ditch located on the west side of Redlands Boulevard. Improvements may include, but not be limited to, the reconstruction of the existing headwall, the installation of energy dissipater(s), and a proposed pipe culvert under Eucalyptus Avenue.

LD70. Prior to the issuance of a grading permit, the developer shall secure all necessary off-site drainage easements for the proposed offsite drainage improvements. All easements shall be plotted and labeled on the design plans. Written permission must be obtained from off-site property owner(s) for all off-site grading and easements.

LD71. Prior to approval of the improvement plans, the plans shall show the design for the installation of storm drain Line D-3 of RCFC&WCD's Moreno Area Drainage Plan (ADP). The plans shall show all accompanying drainage improvements such as catch basins, laterals, etc. to properly collect and convey storm flows to Line D-3. Line D-3 shall connect to the existing ditch located on the west side of Redlands Boulevard. The design shall be approved by both RCFC&WCD and the City.

LD72. Prior to approval of the parcel map, the map shall show the appropriate dedication along State Highway 60, shown as a lettered lot, and conveyed to the City, for future highway expansion, consistent with Caltrans' current expansion plans, as approved by the City Engineer.

LD73. Prior to approval of the parcel map, the map shall show the area near the Quincy Channel, shown as a lettered lot, to be dedicated to RCFC&WCD, for drainage improvement construction, maintenance and access purposes. The area to be dedicated shall be coordinated with and approved by both RCFC&WCD and the City.

LD74. Prior to approval of the parcel map, the map shall show the following:

a. A 10-foot street right-of-way dedication on the north side of Eucalyptus Avenue (formerly Fir Avenue) along project's south frontage to ensure a centerline to north right-of-way distance of 50 feet for an Arterial, City Standard 104A.

b. A 39-foot half street right-of-way dedication on the entire west side of "A" Street along this project's east frontage to ensure a centerline to west right-of-way distance of 39 feet for an Industrial Collector, 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 Plan 123.

d. A 4-foot minimum pedestrian right-of-way dedication behind any driveway approach per City Standard 118C, on both Eucalyptus Avenue and "A" Street.

e. A 2-foot public access easement to the City for the portions of sidewalk which are outside of the public right-of-way, along the north side of Eucalyptus Avenue.

f. An 11-foot multi-use trail easement to the City adjoining and north of the 2-foot public access easement listed above for trail purposes, along the north side of Eucalyptus Avenue.

g. Corner cutback right-of-way dedications per City Standard 208.

LD75. Prior to approval of the parcel map, 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. **Redlands Boulevard, <u>future</u> Divided Arterial, City Standard 103A (110-foot RW / 66-foot CC) shall not be constructed to its ultimate half-width improvements with this project. However, it is acknowledged that some level of interim improvements will be required to facilitate the orderly development of this project. This project shall install the required interim improvements as directed by the City's Land Development and Transportation Engineering Divisions during design plan check. Improvements might consist of, but not be limited to, pavement, base, street widening to include an auxiliary lane from the SH-60 E/B off-ramp south to Eucalyptus Avenue, redwood header, curb and/or AC berm, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, removal/relocation and/or undergrounding of any power poles with overhead utility lines less than 115,000 volts, and dry and wet utilities.**

b. **Eucalyptus Avenue (formerly Fir Avenue), Arterial, City Standard 104A (100-foot RW / 76-foot CC) shall be constructed to half-width plus an additional 18 feet south of the centerline, with an additional 5 foot gravel shoulder south of the 18 feet, along the entire project's south frontage and continuing offsite easterly to Redlands Boulevard. A 10-foot right-of-way dedication on the north side of the street, along the project's south property line, shall be shown on the parcel map. Required offsite dedications shall be per separate instrument. Improvements shall consist of, but not be limited to, pavement, base, redwood header, gravel, curb, gutter, sidewalk, a multi-use trail as approved by the City's Parks and Community Services Department, landscaping, driveway approaches, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, removal/relocation and/or undergrounding of any power poles with overhead utility lines less than 115,000 volts, and dry and wet utilities.**

c. **"A" Street, Industrial Collector, City Standard 106 (78-foot RW / 56-foot CC) shall be constructed to half-width plus an additional 18 feet minimum east of the centerline, along the project's east property line, however, per the planning level documents, the applicant has opted to construct full-width improvements. A 39-foot 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. Required offsite dedications shall be per separate instrument. 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, dry and wet utilities.**

d. **The developer shall ensure adequate turn-around on Eucalyptus Avenue at the west end of the project, east of Quincy Channel, as approved by the City's Land Development, Transportation Engineering and Fire Prevention Divisions/Department.**

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.**

f. **The developer shall install 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 of master plan storm drain lines. The developer shall construct the following storm drain lines: Line D-3 in Eucalyptus Avenue of the Moreno Master Drainage Plan.**

LD76. The Applicant shall prepare and submit for approval a final, project-specific water quality management plan (F-WQMP). 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, errata corrected 1-22-09. The F-WQMP shall be submitted and approved prior to application for and issuance of grading permits 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.

LD77. 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 TMDL for receiving waters.

a. **Project POC include Nutrients, Oxygen Demanding Substances, and Pathogens (Bacteria and Viruses).**

b. **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**

LD78. The Applicant has proposed to incorporate the use of bioretention systems. Final design details of the bioretention System and pervious concrete system must be provided in the first submittal of the F-WQMP. The size of the treatment control BMPs are 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.

LD79. 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.

LD80. 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 FWQMP, conditions of approval, and building/grading permit conditions.

d. That an adequate number of copies of the approved F-WQMP are available for the future owners/occupants of the project.

PUBLIC WORKS DEPARTMENT – SPECIAL DISTRCITS 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 PA08-0097; 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

SD1. 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.

SD2. **If a median is required to be constructed then**, 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.

SD3. **If a median is required to be constructed then**, 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.

SD4. **If a median is required to be constructed then**, plan check fees for review of parkway/median landscape plans for improvements that shall be maintained by the Moreno Valley Community Services District are due upon the first plan submittal. (MC 3.32.040)

SD5. **If a median is required to be constructed then**, inspection fees for the monitoring of landscape installation associated with Moreno Valley Community Services District maintained parkways/medians are due prior to the required pre-construction meeting. (MC 3.32.040)

SD6. 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

SD7. (BP) This project has been identified to be included in the formation of a Map Act Area of Benefit Special District for the construction of **major thoroughfares and/or freeway** improvements. The property owner(s) shall participate in such District, and pay any special tax, assessment, or fee levied upon the project property for such District. At the time of the public hearing to consider formation of the district, the property owner(s) will not protest the formation, but the property owners(s) will retain the right to object if any eventual assessment is not equitable, that is, if the financial burden of the assessment is not reasonably proportionate to the benefit which the affected property obtains from the improvements which are to be installed. (Street & Highway Code, GP Objective 2.14.2, MC 9.14.100)

SD8. (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)

SD9. *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 90 days prior to the City's issuance of a building permit and the financial option selected to fund the continued maintenance. (California Government Code)

SD10. (BP) **If a median is required to be constructed then**, 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

SD11. (CO) **If a median is required to be constructed then**, this project is conditioned to provide a funding source for the capital improvements and/or maintenance for the Fir Ave. (Future Eucalyptus Ave.) 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 90 days prior to their issuance and the financial option selected to fund the continued maintenance.

SD12. (CO) 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.

SD13. (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.

SD14. (CO) **If a median is required to be constructed then**, 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 this project.

SD15. (CO) Prior to the issuance of the first Certificate of Occupancy or building final for this project, the developer shall pay Advanced Energy fees for all applicable Zone B (Residential Street Lighting) and/or Zone C (Arterial Street Lighting and Intersection Lighting) streetlights required for this development. The developer shall provide a receipt to the Special Districts Division showing that the Advanced Energy fees have been paid in full for the number of streetlights to be accepted into the CSD Zone B and/or Zone C program. Payment shall be made to the City of Moreno Valley, as collected by the Land Development Division, based upon the Advanced Energy fee rate at the time of payment and as set forth in the current Listing of City Fees, Charges and Rates, as adopted by City Council. Any change in the project which may increase the number of streetlights to be installed will require payment of additional Advanced Energy fees at the then current fee.

PUBLIC WORKS DEPARTMENT – TRANSPORTATION ENGINEERING DIVISION

GENERAL CONDITIONS

TE1. Future Eucalyptus Avenue is classified as an Arterial (100'RW/76'CC) per City Standard Plan No. 104A. Any modifications or improvements undertaken by this project shall be consistent with the City's standards for this facility. Sidewalk shall be curb separated. The project shall construct pavement improvements from the eastern property boundary to Redlands Boulevard consistent with Land Development Condition LD76b.

TE2. Future Collector Street is classified as an Industrial Collector (78'RW/56'CC) per City Standard Plan No. 106. Any modifications or improvements undertaken by this project shall be consistent with the City's standards for this facility.

Prior to Grading Permit

TE3. (GP) Prior to issuance of a grading permit, the project applicant shall submit conceptual striping plans for street improvements along Eucalyptus Avenue as well as Redlands Boulevard.

Prior to Improvmeent Plan Approval or Construction Permit

TE4. 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.

TE5. 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.

TE6. Prior to issuance of a construction permit, construction traffic control plans prepared by a qualified, Registered Civil or Traffic engineer shall be required.

TE7. Sight distance at driveways and on streets shall conform to City Standard Plan No. 125 A, B, and C at the time of preparation of final grading, landscape, and street improvements.

TE8. Prior to final approval of the street improvement plans, interim and ultimate alignment studies shall be approved by the City Traffic Engineer.

TE9. Prior to the final approval of the street improvement plans, the project applicant shall prepare traffic signal design plans for the following intersections:

- **Redlands Boulevard/SR-60 Westbound Ramp (The City has an approved design and Caltrans permit for this intersection. The applicant shall utilize the City design for construction.)**
- **Redlands Boulevard/Future Eucalyptus Avenue**

TE10. Prior to the final approval of the street improvement plans, the project applicant shall design a southbound auxiliary lane (additional southbound lane) from the SR-60 Eastbound Ramp to Future Eucalyptus Avenue. The minimum width of the auxiliary lane shall be 16'.

TE11. Prior to the final approval of the street improvement plans, the project applicant shall design the intersection of Redlands Boulevard and Eucalyptus Avenue to provide the following geometrics:

Northbound: One left turn lane, one through lane
Southbound: One through lane, one right turn lane
Eastbound: One left turn lane, one right turn lane
Westbound: N/A

NOTE: All curb return radii shall be 50 feet.

TE12. Prior to the final approval of the street improvement plans, the project applicant shall design the intersection of Redlands Boulevard and SR-60 Eastbound Ramp to provide the following geometrics:

Northbound: One left turn lane, one through lane
Southbound: One shared through/right turn lane
Eastbound: One left turn lane, one right turn lane
Westbound: N/A

NOTE: All curb return radii shall be 50 feet.

TE13. Prior to final approval of the street improvement plans, the project applicant shall design the intersection of Redlands Boulevard and SR-60 Westbound Ramp to provide the following geometrics:

Northbound: One left turn lane, one through lane, one right turn lane
Southbound: One left turn lane, one shared through/right turn lane
Eastbound: One shared left turn/through/right turn lane
Westbound: One shared left turn/through/right turn lane

NOTE: The City has an approved design and Caltrans permit for these improvements. The applicant shall utilize the City design for construction.

TE14. Prior to issuance of a construction permit, the project applicant shall pay to the City all applicable "Fair Share" impact fees per the findings of the Environmental Impact Report.

<u>Prior to Certificated of Occupancy or Building Final</u>

TE15. (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.

TE16. (CO) Each gated entrance from a public street will be provided with the following, or as approved by the City Engineer:

A. A storage lane with length sufficient to support the queuing predicted by the traffic study (minimum of 75 feet).
B. Signing and striping at the gate, including no parking signs.
C. A separate pedestrian entry, if pedestrian access is necessary.
D. Presence loop detectors (or another device) within 1 or 2 feet of the gates that ensures that the gates remain open while any vehicle is in the queue.

All of these features must be kept in working order.

TE17. (CO) Prior to issuance of a certificate of occupancy, the project applicant shall construct the intersection/roadway improvements identified in TE9, TE10, TE11, TE12, and TE13 per the approved plans.

Prior to Acceptance of Streets Into The City-maintained Road System

TE18. 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.

PUBLIC WORKS DEPARTMENT – MORENO VALLEY UTILITY

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 PA08-0097. 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.

Prior to Recordation of Final Map

MVU1.(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

MVU2.(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.

MVU3. 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).

PARKS AND COMMUNITY SERVICES DEPARTMENT

Acknowledgement of Conditions

The following items are Parks and Community Services Department Conditions of Approval for project PA08-0097. This project shall be completed at no cost to any Government Agency. All questions regarding Parks and Community Services Department Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from the Parks and Community Services Department 951.413.3280. The applicant is fully responsible for communicating with the Parks and Community Services Department project manager regarding the conditions.

PCS1. A multi-use trail shall be designated for PA08-0097/98. The trail shall be 11' wide, located along the north side of Eucalyptus Avenue (Fir Ave.). The trail requires a crossing over Quincy Street on the north side of Eucalyptus Avenue. The trail shall be designed similar to the Highland Fairview project east of Redlands Blvd. The trail shall be dedicated as an easement to the CSD.
Additionally, a multi-use trail shall be located along the west side of Quincy Channel.

If the applicant's property includes this area, the applicant shall install the trail. The trail shall match the trail on Quincy Street, south of Cottonwood Avenue. This trail is approximately 14' wide, plus another 2' concrete step out from adjoining street (or parking lot). The applicant shall coordinate this trail with RCFC. The trail shall be dedicated as an easement to the CSD.

On November 19, 2008, the Trail Board recommended that the trail be located to the north side of Eucalyptus Avenue, being consistent with the Highland Fairview project.

Standard Trail Conditions

PCS2. Parks and Community Services Department

- **a.** Trail construction shall adhere to: The City's Standard Plans, 'The Greenbook Standard Specifications for Public Works Construction', 'California Code of Regulations Title 24' (where applicable), and the Park and Community Services Specification Guide.
- **b.** The General Contractor shall be a State of California Class 'A' General Engineering Contractor, per the Business and Professions Code Section 7056, or a combination of State of California Class 'C' licenses for which the work is being performed. Licenses must be current and in good standing, for the duration of the project.
- **c.** All utility easements shall not interfere with the trail or its fencing. A map of all easements and the corresponding easement rights shall be presented to Parks and Community Services prior to scheduling the Tentative Map for approval.

d. (R) A restriction shall be placed on lots that are adjacent to the trail, preventing openings or gates accessing the trail. This shall be done through Covenants, Conditions, and Restrictions (CC&R's). A copy of the CC&R's with this/her restriction noted shall be submitted and approved by the Director of Parks and Community Services or his/her designee prior to the recordation of the Final Map.

e. Trails shall not be shared with any above ground utilities, blocking total width access.

f. The following plans require Parks and Community Services written approval: Tentative tract/parcel maps; rough grading plans (including all Delta changes); Final Map; precise grading plans; street improvement plans; traffic signal plans; fence and wall plans; landscape plans for areas adjacent to trails; trail improvement plans.

g. (GP) A detailed rough grading plan with profile for the trail shall be submitted and approved by the Director of Parks and Community Services or his/her designee prior to the issuance of grading permits.

h. Grading certification and compaction tests are required, prior to any improvements being installed.

i. A minimum two-foot graded bench is required where trails adjoin landscaped or open space areas.

j. (R) Prior to the approval of the Final Map, a detailed map of the trail and areas adjacent to the trail shall be submitted to the Director of Parks and Community Services or his/her designee prior for review and written approval.

k. (R) All necessary documents to convey to the City and/or the Community Services District any required dedications for parks or open space, as specified on the tentative map or in these Conditions of Approval shall be submitted by the developer to Parks and Community Services, prior to the recordation of the final map.

l. (R) Prior to recordation of the Final Map, the developer shall post security (bonds) to guarantee construction of the trail to the City's standards. Copies of the bonds shall be provided to Parks and Community Services, prior to the approval of the Final Map.

m. (BP) Prior to the issuance of the first Building Permit, final improvement plans (mylars and AutoCAD & PDF file on a CD-ROM) shall be reviewed and approved by the Community Development Department – Planning Division; the Public Works Department – Land Development and Transportation Division; Fire Prevention; and Parks and Community Services Department. Landscaped areas adjacent to the park shall be designed to prevent water on the park.

n. Eight sets of complete trail improvement plans shall be submitted to Parks and Community Services for routing. Adjacent landscaping and walls shall be shown on the plans. Final construction plans and details require wet stamped and signed Mylars, eight sets of bond copies and one Mylar copy from the City signed mylars, the AutoCAD file on CD, and a PDF file on CD. As-builts for the trails have the same requirements as final plan submittals.

o. All street crossings shall be signed with approved 'STOP' signs, trail signs, and posts. All improved equestrian trail crossings at signalized intersections that are constructed at their ultimate locations shall have high mounted push buttons. These shall be coordinated through the Transportation Division.

p. CSD Zone 'A' plan check fees shall be paid prior to the second plan check.

q. CSD Zone 'A' inspection fees shall be paid prior to signing of Mylars.

r. (BP) The trail shall be surveyed and staked by the developer. The trail shall be inspected and approved by the Director of Parks and Community Services or his/her designee prior to the issuance of any building permits for production units.

s. Any damage to trails or fencing during construction shall be repaired by the developer and inspected by the Director of Parks and Community Services or his/her designee; prior to the last phase of building permit issuance.

t. A minimum 38' radius shall be incorporated on all trails where a change of direction occurs (minor or major). Additionally, widening of the trail is necessary in most situations. This is only necessary where trails share Fire Prevention access.

u. Drive approaches shall adhere to City Std. Plan #118C.

v. Concrete access areas to trails with decomposed granite surfaces shall be rough finished concrete (typically raked finish). The access shall extend to the main trail flat surface.

w. (BP) In order to prevent the delay of building permit issuance, any deviation from trail fencing materials or trail surface materials shall be submitted to Director of Parks and Community Services or his/her designee and approved in writing 60-days prior to the commencement of trail construction.

x. Any unauthorized deviation from the approved plan, specifications, City Standard Plans, or Conditions of Approval may result in the delay of building permit issuance and/or building Finals/ Certificate of Occupancy of the project conditioned for improvements.

y. Where required, decorative solid-grouted block wall (no precision block, stucco, veneer finishes, PVC, or wood fencing) with a minimum height of 72" on the trailside shall be installed along lots that adjoin the trail. Block walls shall be located solely on private property. If landscaping is to be utilized between the block wall and the trail, a PVC fence shall be installed along the trail separating the landscaping from the trail (where required). All block walls that have public view shall have an anti-graffiti coating per Parks and Community Services specifications. Combination block/tubular steel fences shall only be utilized where approved by Parks and Community Services. Tubular steel shall comply with Parks and Community Services standards. Coating for tubular steel shall be anti-graffiti coating for metal per Parks and Community Services specifications. If alternate products are requested, the requested material(s) shall be presented to the Director of Parks and Community Services or his/her designee for review and approval. Under <u>no</u> circumstances can alternate products be utilized without prior written authorization from the Director of Parks and Community Services or his/her designee.

z. Any damage to existing landscape or hardscape areas due to project construction shall be repaired/replaced by the developer, or developer's successors in interest, at no cost to the City or Community Services District.

aa. All inspections shall be requested two (2) working days in advance from the Parks and Community Services Department at the time of rough and precise grading; fence and gate installation; curb and drainage; flatwork; D.G. installation; graffiti coating; and final inspection.

bb. (BP)Trail construction in single family developments shall commence prior to 30% of total building permit issuance. Trail completion and acceptance (single family developments) for maintenance shall be completed prior to 70% of total building permit issuance.

cc. (CO)Trail construction in multi-family or commercial developments shall commence with the rough grading. Trail completion and acceptance for maintenance shall be completed prior to the issuance of 50% of the total certificates-of-occupancy (for multi-family and/or commercial developments).

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. (MC 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. (MC 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 & Economic Development Department - Building Division for routing to the Police Department. (MC 9.08.080)

RESOLUTION NO. 2011-79

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, FOR APPROVAL OF TENTATIVE PARCEL MAP 36207 (PA09-0022) TO COMBINE THE EXISTING FIVE PARCELS LOCATED WITHIN THE PROJECT SITE INTO A SINGLE 55 ACRE PARCEL.

WHEREAS, the applicant, Ridge Rancho Belago, LLC, has filed an application for the approval of Tentative Parcel Map No. 36207 (PA09-0022), to combine the existing five parcels located within the project site into a single 55 acre, as described in the title of this Resolution.

WHEREAS, on July 12, 2011, the City Council held a public hearing to consider the project.

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

WHEREAS, there is hereby imposed on the subject development project 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 this project is subject to certain fees, dedications, reservations and other exactions as provided herein.

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

A. This City Council 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 City Council during the above-referenced meeting on July 12, 2011, including written and oral staff reports, and the record from the public hearing, this Planning Commission hereby specifically finds as follows:

ATTACHMENT 7

1. Conformance with General and Specific Plans – That the proposed land division is consistent with applicable general and specific plans.

   FACT: The proposed tentative parcel map is consistent with the General Plan designation of Business Park for the project site. The proposed parcel map will combine the existing five parcels located within the project site into a single 55 acre parcel. The proposed land division is consistent with existing goals, objectives, policies and programs of the general plan.

2. Design Conformance with General and Specific Plans – That the design or improvement of the proposed land division is consistent with applicable general and specific plans.

   FACT: The tentative parcel map as designed and conditioned will provide improvements that are consistent with the requirements of the project site's General Plan land use designation of Business Park.

3. Physically Suitable for Proposed Development – That the site of the proposed land division is physically suitable for the type of development.

   FACT: The project site is comprised of multiple vacant rectangular shaped parcels that are mostly flat. The project is located on the south side of State Route 60 and east of the Moreno Valley Auto Mall. Land uses to the north include the adjacent freeway with Office zoned land north of the freeway. Land uses to the east include a mix of vacant Business Park, and residential zoned land. Land uses to the east include vacant Community Commercial zoned land. Land uses to the south include vacant RA-2 zone land on the other side of Fir Avenue/Future Eucalyptus Avenue with developed tract homes located approximately ¾ miles to the south. Overall, the project site is well suited for future development of industrial land uses.

4. Physically Suitable for Proposed Density – That the site of the proposed land division is physically suitable for the proposed density of the development.

   FACT: The project site is mostly flat and at grade along Fir Avenue/Future Eucalyptus Avenue. The parcel map is designed in accordance with the provisions of the City's Municipal Code. The project site is physically suitable for the subdivision.

5. Protection of Fish or Wildlife Habitat – 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: A Final EIR has been prepared in accordance with the provisions of the California Environmental Quality Act (CEQA), concluding that with mitigation and as conditioned and designed, the proposed subdivision would result in less than significant impacts to Fish and Wildlife resources. The project has also been determined to be consistent with the Multiple Species Habitat Conservation Plan (MSHCP).

6. Health, Safety and Welfare – 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 parcel map would not cause serious public health problems. The Eastern Municipal Water District will provide water and sewer services to the project site. There are no known hazardous conditions associated with the property, the design of the land division or the type of improvements.

7. Easements – 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: The tentative parcel map has been designed to accommodate and not conflict with existing easements on the subject site including utility and storm drain easements.

8. Consistent with Applicable City Ordinances – That the proposed land division and the associated design and improvements are consistent with applicable ordinances of the city.

   FACT: The tentative parcel map is designed in accordance with the provisions of the City's Municipal Code.

9. Passive or Natural Heating and Cooling – That the design of the land division provides, to the extent feasible, for future passive or natural heating and cooling opportunities in the subdivision.

FACT: The design of this parcel map, to the extent feasible, allows solar access for passive heating and opportunities for placement of shade trees and other vegetation for cooling.

10. Regional Housing – 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: The project does not propose housing. The project would not increase the demand for housing beyond that anticipated in the City's Housing Element or 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, the project and/or its tenants and employees 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.

C. FEES, DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

1. FEES

Impact, mitigation and other fees are due and payable under currently applicable ordinances and resolutions. These fees may include but are not limited to: Development Impact Fee, Transportation Uniform Mitigation Fee (TUMF), Multi-species Habitat Conservation Plan (MSHCP) Mitigation Fee, Stephens Kangaroo Habitat Conservation fee, Underground Utilities in lieu Fee, Area Drainage Plan fee, Bridge and Thoroughfare Mitigation fee (Future) and Traffic Signal Mitigation fee. The final amount of fees payable is dependent upon information provided by the applicant and will be determined at the time the fees become due and payable.

Unless otherwise provided for by this resolution, all impact fees shall be calculated and collected at the time and in the manner provided in Chapter 3.32 of the City of Moreno Valley Municipal Code or as so provided in the applicable ordinances and resolutions. The City expressly reserves the right to amend the fees and the fee calculations consistent with applicable law.

2. DEDICATIONS, RESERVATIONS, AND OTHER EXACTIONS

The adopted Conditions of Approval for PA09-0022, incorporated herein by reference, may include dedications, reservations, and exactions pursuant to Government Code Section 66020 (d) (1).

3. CITY RIGHT TO MODIFY/ADJUST; PROTEST LIMITATIONS

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.

The 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 a notice has been given 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 City Council HEREBY APPROVES Resolution No. 2011-_____, APPROVING Tentative Parcel Map No. 36207 (PA09-0022) to combine the existing five parcels located within the project site into a single 55 acre, subject to the attached conditions of approval included as Exhibit A.

APPROVED AND ADOPTED this _____ day of _____, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

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

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

CITY OF MORENO VALLEY
CONDITIONS OF APPROVAL FOR PA09-0022
TENTATIVE PARCEL MAP NO. 36207
ASSESSOR'S PARCEL NUMBERS: 488-330-003 TO -006 AND -026

APPROVAL DATE:
EXPIRATION DATE:

_X_ Planning (P), including Building (B), School District (S), Post Office (PO)
_X_ Fire Prevention Bureau (F)
_X_ Public Works – Land Development (LD)
_X_ Public Works – Special Districts (SD)
_X_ Public Works – Transportation Engineering (TE)
_X_ Public Works – Moreno Valley Utilities (MVU)
___ Parks & Community Services (PCS)
_X_ Police (PD)

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

COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT

Planning Division

P1. Tentative Parcel Map No. 36207 is approved for the purposes of re-configuring the existing five parcels located within the project site and creating a single 55 acre parcel with lettered lots for a storm drain channel and a future off-ramp for State Route 60.

P2. Development within Tentative Parcel Map No. 36207 shall be under separate review and approval of a plot plan or a conditional use permit application(s) and shall be subject to the requirements of the City's Municipal Code.

P3. This approval shall comply with all applicable requirements of the City of Moreno Valley Municipal Code.

P4. 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)

EXHIBIT A

P5. The site shall be developed in accordance with the approved tentative map on file in the Community & Economic Development Department -Planning Division, the Municipal Code regulations, General Plan, the Moreno Valley Industrial Area Plan and the conditions contained herein. (MC 9.14.020)

P6. 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)

P7. All landscaped areas shall be maintained in a healthy and thriving condition, free from weeds, trash and debris. (MC 9.02.030)

Prior to Issuance of Grading Permits

P8. (GP) Prior to issuance of grading permits, the developer shall pay the applicable Stephen's' Kangaroo Rat (SKR) Habitat Conservation Plan mitigation fee. (Ord)

P9. (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.

P10. (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).

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. This shall include slopes associated with swales and basins. 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. Graded slopes shall have variations that do not exceed 2:1 (GP Objective 1.5, MC 9.08.080, DG)

P12. (GP) Prior to approval of any grading permits, any required final median enhancement/landscape/irrigation plans shall be submitted to the Community Development Department - Planning Division and Public Works Department – Special Districts for review and approval by each division. Timing of installation shall be determined by PW- Special Districts. (GP - Circulation Master Plan)

P13. (GP) Prior to the issuance of a precise grading permit, the plan shall show decorative concrete pavers for all driveway ingress/egress locations of the project. Accessible pedestrian pathways interior to the site cannot be painted. If delineation is necessary, then an alternative material is required.

P14. (GP) Prior to the issuance of a precise grading permit, all required planter areas, curbs, including twelve-inch concrete step outs, and required parking space striping shall be shown on the precise grading plan.

P15. (GP) Prior to the issuance of any grading permits, the following burrowing owl survey requirements shall be incorporated into the grading plans in accordance with the Riverside County Multi-Species Habitat Conservation Plan: Within 30 days of and prior to disturbance, a burrowing owl focused survey shall be conducted by a qualified biologist using accepted protocols. The survey shall be submitted to the Planning Division for review and approval.

<u>Prior to Recordation of Final Map</u>

P16. (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)

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.

B2. (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.

FIRE PREVENTION BUREAU

1. **Prior to building permits being issued, the applicant shall complete the proposed pipeline improvements shown on EMWD WO#12713. These improvements include proposed pipeline additions on site and off.**
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) A 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 prior to credits being granted.

F3. Industrial, Commercial, Multi-family, Apartment, Condominium, Townhouse or Mobile Home Parks. A combination of on-site and off 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. 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)

F5. 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)

F6. Prior to construction and issuance of Building Permits, fire lanes and fire apparatus access roads shall have an unobstructed width of not less than 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)

F7. Prior to construction, all roads, driveways and private roads shall not exceed 12 percent grade. (CFC 503.2.7 and MVMC 8.36.050)

F8. 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)

F9. 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)

F10. 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)

F11. Prior to issuance of Building Permits, the applicant/developer shall participate in the Fire Impact Mitigation Program. (Fee Resolution as adopted by City Council)

F12. 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)

F13. Prior to issuance of Certificate of Occupancy or Building Final, “Blue Reflective Markers” shall be installed to identify fire hydrant locations in accordance with City specifications. (CFC 510.1)

F14. Prior to issuance of Certificate of Occupancy or Building Final, all <u>commercial buildings</u> 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)

F15. 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)

F16. 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)

F17. 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)

F18. 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)

F19. 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.

F20. 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)

F21. 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)

F22. 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.

F23. 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.

F24. 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 & CBC Chapter 33)

F25. 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).

F26. 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)

F27. 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)

F28. 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)

F29. 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)

F30. 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)

F31. 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)

F32. Emergency and Fire Protection Plans shall be provided when required by the Fire Prevention Bureau. (CFC Section 105)

F33. Prior to construction, all traffic calming designs/devices must be approved by the Fire Marshal and City Engineer.

~~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 and plot plan 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) 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). Prior to approval of the related improvement or grading plans, the developer shall submit the

approved drainage study, on compact disk, in (.pdf) digital format to the Land Development Division of the Public Works Department.

LD9. (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)

LD10. (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.

LD11. (G) Upon approval of the tentative tract map and 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~~

LD12. (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.

LD13. (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.

LD14. (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.

LD15. (GPA) Prior to approval of the grading plans for projects that will result in discharges of storm water associated with construction with a soil disturbance of one or more acres of land, the developer shall submit a Notice of Intent (NOI) and obtain a Waste Discharger's Identification number (WDID#) from the State Water Quality Control Board (SWQCB). The WDID# shall be noted on the grading plans prior to issuance of the first grading permit.

LD16. (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.

LD17. (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

LD18. (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. The final project-specific WQMP shall be submitted at the same time of grading plan submittal. The approved final WQMP shall be submitted to the Storm Water Program Manager on compact disk(s) in Microsoft Word format prior to grading plan approval.

LD19. (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.

LD20. (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.

LD21. (GPA) Prior to the approval of the grading plans, the developer shall pay applicable remaining grading plan check fees.

LD22. (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.

LD23. (GP) Prior to issuance of a grading permit, or building permit when a grading permit is not required, for projects that require a project-specific Water Quality Management Plan (WQMP), a project-specific final WQMP (F-WQMP) shall be approved. Upon approval, a WQMP Identification Number is issued by the Storm Water Management Section and shall be noted on the rough grading plans as confirmation that a project-specific F-WQMP approval has been obtained.

LD24. (GP) Prior to the issuance of a grading permit the developer shall submit recorded slope easements from adjacent landowners in any areas where grading resulting in slopes is proposed to take place outside of the project boundaries.

For all other offsite grading, written permission from adjacent property owners shall be submitted.

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. (MA) Prior to approval of the map, the developer shall enter into an agreement with the City and Riverside County Flood Control and Water Conservation District establishing the terms and conditions covering the inspection, operation and maintenance of Master Drainage Plan facilities required to be constructed as part of the project. (MC 9.14.110)

LD31. (MR) Prior to recordation of the map the developer shall comply with the requirements of the City Engineer based on recommendations of the Riverside County Flood Control District regarding the construction of County Master Plan Facilities. (MC 9.14.110)

LD32. (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 90 days prior to City Council action authorizing recordation of the final map and the financial option selected. (California Government Code & Municipal Code)

LD33. (MR) Prior to recordation of the Final Map, the 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)

LD34. (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.

<u>Prior to Improvement Plan Approval or Construction Permit</u>

LD35. (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.

LD36. (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)

LD37. (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.

LD38. (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.

LD39. (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)

LD40. (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.

LD41. (IPA) Prior to approval of the improvement plans, the plans shall indicate any restrictions on trench repair pavement cuts to reflect the City's moratorium on disturbing newly-constructed pavement less than three years old and recently slurry sealed streets less than one year old. Pavement cuts for trench repairs may be allowed for emergency repairs or as specifically approved in writing by the City Engineer.

LD42. (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.

LD43. (IPA) Prior to approval of the improvement plans, any 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)

LD44. (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)

LD45. (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, as in the case where one travel lane in each direction shall not be used for drainage conveyance for emergency vehicle access on streets classified as minor arterials and greater, the developer shall provide adequate facilities as approved by the Public Works Department – Land Development Division. (MC 9.14.110)

LD46. (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)

LD47. (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.

LD48. (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.

LD49. (CP) Prior to issuance of construction permits, the developer shall pay all applicable inspection fees.

<u>Prior to Building Permit</u>

LD50. (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.

LD51. (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.

LD52. (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)

~~Prior to Certificate of Occupancy~~

LD53. (CO) Prior to issuance of a certificate of occupancy, if the project involves a non-residential subdivision, the map shall be recorded.

LD54. (CO) Prior to issuance of the last certificate of occupancy or building final, the developer shall pay all outstanding fees.

LD55. (CO) 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 occupancy. The fees are subject to the provisions of the enabling ordinance and the fee schedule in effect at the time of occupancy.

LD56. (CO) 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 occupancy. The fees

are subject to the provisions of the enabling ordinance and the fee schedule in effect at the time of occupancy.

LD57. (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.

LD58. (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)

LD59. (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.

LD60. (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

LD61. (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

LD62. Prior to approval of the rough grading plan, this project shall demonstrate, via a final drainage study, that the increased runoff resulting from the development of this site is mitigated. 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.

LD63. Prior to approval of the precise grading plan, the developer shall obtain the following offsite dedications from the adjacent property owner(s), per separate instrument, and submitted to the City for review and approval. The offsite area referenced is located between the project's east boundary line and Redlands Boulevard.

a. A 10-foot street right-of-way dedication on the north side of Eucalyptus Avenue (formerly Fir Avenue) starting from this project's east boundary line east to Redlands Boulevard to ensure a centerline to north right-of-way distance of 50 feet for an Arterial, City Standard 104A.

b. A 39-foot half street right-of-way dedication on the entire east side of "A" Street within the adjacent offsite properties 488-330-027 and 488-330-028 to ensure a centerline to east right-of-way distance of 39 feet for an Industrial Collector, City Standard 106.

c. **A 2-foot public access easement for the portions of sidewalk which are outside of the public right-of-way, along the north side of Eucalyptus Avenue from this project's east property line east to Redlands Boulevard.**

d. **An 11-foot multi-use trail easement to the City adjoining and north of the 2-foot public access easement listed above for trail purposes, along the north side of Eucalyptus Avenue from this project's east property line east to Redlands Boulevard.**

e. **Any necessary corner cutback right-of-way dedications per City Standard 208.**

LD64. Prior to approval of the precise grading plans, the plans shall show any proposed trash enclosure as dual bin; one bin for trash and one bin for recyclables. The trash enclosure shall be per City Standard Plan 627.

LD65. Prior to approval of the precise grading plans, the grading plans shall clearly show that the parking lot conforms to current City and ADA standards. The parking lot shall be 5% maximum, 1% minimum, 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) and as approved by the City's Building and Safety Division.

LD66. Prior to precise grading plan approval, the plans shall show roof drains directed to a landscaped area rather than being routed directly to the parking lot. Alternatively, roof drain flows can be directed to private storm drains which will connect to the treatment control best management practice. This shall be shown in the approved F-WQMP.

LD67. Prior to approval of the grading and/or improvement plans, the plans shall show the relocation of the existing water line near State Highway 60 so that it is located outside of the lettered lot being conveyed to the City for future highway expansion purposes. Ideally, the water line shall be relocated within the Eucalyptus Avenue right-of-way. The developer shall coordinate with the utility purveyor Eastern Municipal Water District (EMWD) and the City. The developer will be responsible for quitclaiming the existing abandoned easement as well as obtaining any necessary new easements.

LD68. Prior to approval of the grading and/or improvement plans, the plans shall show the design for the proposed improvements to the existing Quincy Channel, along the entire west side of the project and any off-site upstream or downstream improvements, as necessary. The design shall be approved by both Riverside County Flood Control and Water Conservation

District (RCFC&WCD) and the City. The improvements shall consist of, but not be limited to, construction of a scour wall including soil removal and recompaction and a maintenance access road including a driveway approach from Eucalyptus Avenue. The developer will be responsible for obtaining the appropriate permit(s) and clearance(s).

LD69. Prior to approval of the grading and/or improvement plans, the plans shall show the design for the proposed improvements to the existing ditch located on the west side of Redlands Boulevard. Improvements may include, but not be limited to, the reconstruction of the existing headwall, the installation of energy dissipater(s), and a proposed pipe culvert under Eucalyptus Avenue.

LD70. Prior to the issuance of a grading permit, the developer shall secure all necessary off-site drainage easements for the proposed offsite drainage improvements. All easements shall be plotted and labeled on the design plans. Written permission must be obtained from off-site property owner(s) for all off-site grading and easements.

LD71. Prior to approval of the improvement plans, the plans shall show the design for the installation of storm drain Line D-3 of RCFC&WCD's Moreno Area Drainage Plan (ADP). The plans shall show all accompanying drainage improvements such as catch basins, laterals, etc. to properly collect and convey storm flows to Line D-3. Line D-3 shall connect to the existing ditch located on the west side of Redlands Boulevard. The design shall be approved by both RCFC&WCD and the City.

LD72. Prior to approval of the parcel map, the map shall show the appropriate dedication along State Highway 60, shown as a lettered lot, and conveyed to the City, for future highway expansion, consistent with Caltrans' current expansion plans, as approved by the City Engineer.

LD73. Prior to approval of the parcel map, the map shall show the area near the Quincy Channel, shown as a lettered lot, to be dedicated to RCFC&WCD, for drainage improvement construction, maintenance and access purposes. The area to be dedicated shall be coordinated with and approved by both RCFC&WCD and the City.

LD74. Prior to approval of the parcel map, the map shall show the following:

a. A 10-foot street right-of-way dedication on the north side of Eucalyptus Avenue (formerly Fir Avenue) along project's south frontage to ensure a centerline to north right-of-way distance of 50 feet for an Arterial, City Standard 104A.

b. **A 39-foot half street right-of-way dedication on the entire west side of "A" Street along this project's east frontage to ensure a centerline to west right-of-way distance of 39 feet for an Industrial Collector, 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 Plan 123.**

d. **A 4-foot minimum pedestrian right-of-way dedication behind any driveway approach per City Standard 118C, on both Eucalyptus Avenue and "A" Street.**

e. **A 2-foot public access easement to the City for the portions of sidewalk which are outside of the public right-of-way, along the north side of Eucalyptus Avenue.**

f. **An 11-foot multi-use trail easement to the City adjoining and north of the 2-foot public access easement listed above for trail purposes, along the north side of Eucalyptus Avenue.**

g. **Corner cutback right-of-way dedications per City Standard 208.**

LD75. Prior to approval of the parcel map, 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. **Redlands Boulevard, <u>future</u> Divided Arterial, City Standard 103A (110-foot RW / 66-foot CC) shall not be constructed to its ultimate half-width improvements with this project. However, it is acknowledged that some level of interim improvements will be required to facilitate the orderly development of this project. This project shall install the required interim improvements as directed by the City's Land Development and Transportation Engineering Divisions during design plan check. Improvements might consist of, but not be limited to, pavement, base, street widening to include an auxiliary lane from the SH-60 E/B off-ramp south to Eucalyptus Avenue, redwood header, curb and/or AC berm, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, removal/relocation and/or undergrounding of any power poles with overhead utility lines less than 115,000 volts, and dry and wet utilities.**

b. **Eucalyptus Avenue (formerly Fir Avenue), Arterial, City Standard 104A (100-foot RW / 76-foot CC) shall be constructed to half-width plus an additional 18 feet south of the centerline, with an additional 5**

foot gravel shoulder south of the 18 feet, along the entire project's south frontage and continuing offsite easterly to Redlands Boulevard. A 10-foot right-of-way dedication on the north side of the street, along the project's south property line, shall be shown on the parcel map. Required offsite dedications shall be per separate instrument. Improvements shall consist of, but not be limited to, pavement, base, redwood header, gravel, curb, gutter, sidewalk, a multi-use trail as approved by the City's Parks and Community Services Department, landscaping, driveway approaches, drainage structures, any necessary offsite improvement transition/joins to existing, streetlights, pedestrian ramps, removal/relocation and/or undergrounding of any power poles with overhead utility lines less than 115,000 volts, and dry and wet utilities.

c. "A" Street, Industrial Collector, City Standard 106 (78-foot RW / 56-foot CC) shall be constructed to half-width plus an additional 18 feet minimum east of the centerline, along the project's east property line, however, per the planning level documents, the applicant has opted to construct full-width improvements. A 39-foot 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. Required offsite dedications shall be per separate instrument. 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, dry and wet utilities.

d. The developer shall ensure adequate turn-around on Eucalyptus Avenue at the west end of the project, east of Quincy Channel, as approved by the City's Land Development, Transportation Engineering and Fire Prevention Divisions/Department.

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.

f. The developer shall install 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 of master plan storm drain lines. The developer shall construct the following storm drain lines: Line D-3 in Eucalyptus Avenue of the Moreno Master Drainage Plan.

LD76. The Applicant shall prepare and submit for approval a final, project-specific water quality management plan (F-WQMP). 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, errata corrected 1-22-09. The F-WQMP shall be submitted and approved prior to application for and issuance of grading permits 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.

LD77. 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 TMDL for receiving waters.

a. Project POC include Nutrients, Oxygen Demanding Substances, and Pathogens (Bacteria and Viruses).

b. 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

LD78. The Applicant has proposed to incorporate the use of bioretention systems. Final design details of the bioretention System and pervious concrete system must be provided in the first submittal of the F-WQMP. The size of the treatment control BMPs are 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.

LD79. 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.

LD80. 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 FWQMP, conditions of approval, and building/grading permit conditions.**

d. **That an adequate number of copies of the approved F-WQMP are available for the future owners/occupants of the project.**

~~PUBLIC WORKS DEPARTMENT – SPECIAL DISTRCITS 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 PA08-0097; 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

SD1. 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.

SD2. **If a median is required to be constructed then**, 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.

SD3. **If a median is required to be constructed then**, 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.

SD4. **If a median is required to be constructed then**, plan check fees for review of parkway/median landscape plans for improvements that shall be maintained by the Moreno Valley Community Services District are due upon the first plan submittal. (MC 3.32.040)

SD5. **If a median is required to be constructed then**, inspection fees for the monitoring of landscape installation associated with Moreno Valley Community Services District maintained parkways/medians are due prior to the required pre-construction meeting. (MC 3.32.040)

SD6. 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

SD7. (BP) This project has been identified to be included in the formation of a Map Act Area of Benefit Special District for the construction of **major thoroughfares and/or freeway** improvements. The property owner(s) shall participate in such District, and pay any special tax, assessment, or fee levied upon the project property for such District. At the time of the public hearing to consider formation of the district, the property owner(s) will not protest the formation, but the property owners(s) will retain the right to object if any eventual assessment is not equitable, that is, if the financial burden of the assessment is not reasonably proportionate to the benefit which the affected property obtains from the improvements which are to be installed. (Street & Highway Code, GP Objective 2.14.2, MC 9.14.100)

SD8. (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)

SD9. *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 90 days prior to the City's issuance of a building permit

and the financial option selected to fund the continued maintenance. (California Government Code)

SD10. (BP) **If a median is required to be constructed then**, 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

SD11. (CO) **If a median is required to be constructed then**, this project is conditioned to provide a funding source for the capital improvements and/or maintenance for the Fir Ave. (Future Eucalyptus Ave.) 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 90 days prior to their issuance and the financial option selected to fund the continued maintenance.

SD12. (CO) 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.

SD13. (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.

SD14. (CO) **If a median is required to be constructed then**, 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 this project.

SD15. (CO) Prior to the issuance of the first Certificate of Occupancy or building final for this project, the developer shall pay Advanced Energy fees for all applicable Zone B (Residential Street Lighting) and/or Zone C (Arterial Street Lighting and Intersection Lighting) streetlights required for this development. The developer shall provide a receipt to the Special Districts Division showing that the Advanced Energy fees have been paid in full for the number of streetlights to be accepted into the CSD Zone B and/or Zone C program. Payment shall be made to the City of Moreno Valley, as collected by the Land Development Division, based upon the Advanced Energy fee rate at the time of payment and as set forth in the current Listing of City Fees, Charges and Rates, as adopted by City Council. Any change in the project which may increase the number of streetlights to be installed will require payment of additional Advanced Energy fees at the then current fee.

~~PUBLIC WORKS DEPARTMENT – TRANSPORTATION ENGINEERING DIVISION~~

GENERAL CONDITIONS

TE1. Future Eucalyptus Avenue is classified as an Arterial (100'RW/76'CC) per City Standard Plan No. 104A. Any modifications or improvements undertaken by this project shall be consistent with the City's standards for this facility. Sidewalk shall be curb separated. The project shall construct pavement improvements from the eastern property boundary to Redlands Boulevard consistent with Land Development Condition LD76b.

TE2. Future Collector Street is classified as an Industrial Collector (78'RW/56'CC) per City Standard Plan No. 106. Any modifications or improvements undertaken by this project shall be consistent with the City's standards for this facility.

Prior to Grading Permit

TE3. (GP) Prior to issuance of a grading permit, the project applicant shall submit conceptual striping plans for street improvements along Eucalyptus Avenue as well as Redlands Boulevard.

Prior to Improvmeent Plan Approval or Construction Permit

TE4. 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.

TE5. 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.

TE6. Prior to issuance of a construction permit, construction traffic control plans prepared by a qualified, Registered Civil or Traffic engineer shall be required.

TE7. Sight distance at driveways and on streets shall conform to City Standard Plan No. 125 A, B, and C at the time of preparation of final grading, landscape, and street improvements.

TE8. Prior to final approval of the street improvement plans, interim and ultimate alignment studies shall be approved by the City Traffic Engineer.

TE9. Prior to the final approval of the street improvement plans, the project applicant shall prepare traffic signal design plans for the following intersections:

- **Redlands Boulevard/SR-60 Westbound Ramp (The City has an approved design and Caltrans permit for this intersection. The applicant shall utilize the City design for construction.)**
- **Redlands Boulevard/Future Eucalyptus Avenue**

TE10. Prior to the final approval of the street improvement plans, the project applicant shall design a southbound auxiliary lane (additional southbound lane) from the SR-60 Eastbound Ramp to Future Eucalyptus Avenue. The minimum width of the auxiliary lane shall be 16'.

TE11. Prior to the final approval of the street improvement plans, the project applicant shall design the intersection of Redlands Boulevard and Eucalyptus Avenue to provide the following geometrics:

Northbound: One left turn lane, one through lane
Southbound: One through lane, one right turn lane
Eastbound: One left turn lane, one right turn lane
Westbound: N/A

NOTE: All curb return radii shall be 50 feet.

TE12. Prior to the final approval of the street improvement plans, the project applicant shall design the intersection of Redlands Boulevard and SR-60 Eastbound Ramp to provide the following geometrics:

Northbound: One left turn lane, one through lane
Southbound: One shared through/right turn lane
Eastbound: One left turn lane, one right turn lane
Westbound: N/A

NOTE: All curb return radii shall be 50 feet.

TE13. Prior to final approval of the street improvement plans, the project applicant shall design the intersection of Redlands Boulevard and SR-60 Westbound Ramp to provide the following geometrics:

Northbound: One left turn lane, one through lane, one right turn lane
Southbound: One left turn lane, one shared through/right turn lane
Eastbound: One shared left turn/through/right turn lane
Westbound: One shared left turn/through/right turn lane

NOTE: The City has an approved design and Caltrans permit for these improvements. The applicant shall utilize the City design for construction.

TE14. Prior to issuance of a construction permit, the project applicant shall pay to the City all applicable "Fair Share" impact fees per the findings of the Environmental Impact Report.

<u>Prior to Certificated of Occupancy or Building Final</u>

TE15. (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.

TE16. (CO) Each gated entrance from a public street will be provided with the following, or as approved by the City Engineer:

A. A storage lane with length sufficient to support the queuing predicted by the traffic study (minimum of 75 feet).
B. Signing and striping at the gate, including no parking signs.
C. A separate pedestrian entry, if pedestrian access is necessary.
D. Presence loop detectors (or another device) within 1 or 2 feet of the gates that ensures that the gates remain open while any vehicle is in the queue.

All of these features must be kept in working order.

TE17. (CO) Prior to issuance of a certificate of occupancy, the project applicant shall construct the intersection/roadway improvements identified in TE9, TE10, TE11, TE12, and TE13 per the approved plans.

<u>Prior to Acceptance of Streets Into The City-maintained Road System</u>

TE18. 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.

PUBLIC WORKS DEPARTMENT – MORENO VALLEY UTILITY

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 PA08-0097. 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.

Prior to Recordation of Final Map

MVU1.(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

MVU2.(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.

MVU3. 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).

PARKS AND COMMUNITY SERVICES DEPARTMENT

Acknowledgement of Conditions

The following items are Parks and Community Services Department Conditions of Approval for project PA08-0097. This project shall be completed at no cost to any Government Agency. All questions regarding Parks and Community Services Department Conditions including but not limited to, intent, requests for change/modification, variance and/or request for extension of time shall be sought from the Parks and Community Services Department 951.413.3280. The applicant is fully responsible for communicating with the Parks and Community Services Department project manager regarding the conditions.

PCS1. A multi-use trail shall be designated for PA08-0097/98. The trail shall be 11' wide, located along the north side of Eucalyptus Avenue (Fir Ave.). The trail requires a crossing over Quincy Street on the north side of Eucalyptus Avenue. The trail shall be designed similar to the Highland Fairview project east of Redlands Blvd. The trail shall be dedicated as an easement to the CSD.
Additionally, a multi-use trail shall be located along the west side of Quincy Channel.

If the applicant's property includes this area, the applicant shall install the trail. The trail shall match the trail on Quincy Street, south of Cottonwood Avenue. This trail is approximately 14' wide, plus another 2' concrete step out from adjoining street (or parking lot). The applicant shall coordinate this trail with RCFC. The trail shall be dedicated as an easement to the CSD.

On November 19, 2008, the Trail Board recommended that the trail be located to the north side of Eucalyptus Avenue, being consistent with the Highland Fairview project.

Standard Trail Conditions

PCS2. Parks and Community Services Department

a. Trail construction shall adhere to: The City's Standard Plans, 'The Greenbook Standard Specifications for Public Works Construction', 'California Code of Regulations Title 24' (where applicable), and the Park and Community Services Specification Guide.

b. The General Contractor shall be a State of California Class 'A' General Engineering Contractor, per the Business and Professions Code Section 7056, or a combination of State of California Class 'C' licenses for which the work is being performed. Licenses must be current and in good standing, for the duration of the project.

c. All utility easements shall not interfere with the trail or its fencing. A map of all easements and the corresponding easement rights shall be presented to Parks and Community Services prior to scheduling the Tentative Map for approval.

d. (R) A restriction shall be placed on lots that are adjacent to the trail, preventing openings or gates accessing the trail. This shall be done through Covenants, Conditions, and Restrictions (CC&R's). A copy of the CC&R's with this/her restriction noted shall be submitted and approved by the Director of Parks and Community Services or his/her designee prior to the recordation of the Final Map.

e. Trails shall not be shared with any above ground utilities, blocking total width access.

f. The following plans require Parks and Community Services written approval: Tentative tract/parcel maps; rough grading plans (including all Delta changes); Final Map; precise grading plans; street improvement plans; traffic signal plans; fence and wall plans; landscape plans for areas adjacent to trails; trail improvement plans.

g. (GP) A detailed rough grading plan with profile for the trail shall be submitted and approved by the Director of Parks and Community Services or his/her designee prior to the issuance of grading permits.

h. Grading certification and compaction tests are required, prior to any improvements being installed.

i. A minimum two-foot graded bench is required where trails adjoin landscaped or open space areas.

j. (R) Prior to the approval of the Final Map, a detailed map of the trail and areas adjacent to the trail shall be submitted to the Director of Parks and Community Services or his/her designee prior for review and written approval.

k. (R) All necessary documents to convey to the City and/or the Community Services District any required dedications for parks or open space, as specified on the tentative map or in these Conditions of Approval shall be submitted by the developer to Parks and Community Services, prior to the recordation of the final map.

l. (R) Prior to recordation of the Final Map, the developer shall post security (bonds) to guarantee construction of the trail to the City's standards. Copies of the bonds shall be provided to Parks and Community Services, prior to the approval of the Final Map.

m. (BP) Prior to the issuance of the first Building Permit, final improvement plans (mylars and AutoCAD & PDF file on a CD-ROM) shall be reviewed and approved by the Community Development Department – Planning Division; the Public Works Department – Land Development and Transportation Division; Fire Prevention; and Parks and Community Services Department. Landscaped areas adjacent to the park shall be designed to prevent water on the park.

n. Eight sets of complete trail improvement plans shall be submitted to Parks and Community Services for routing. Adjacent landscaping and walls shall be shown on the plans. Final construction plans and details require wet stamped and signed Mylars, eight sets of bond copies and one Mylar copy from the City signed mylars, the AutoCAD file on CD, and a PDF file on CD. As-builts for the trails have the same requirements as final plan submittals.

o. All street crossings shall be signed with approved 'STOP' signs, trail signs, and posts. All improved equestrian trail crossings at signalized intersections that are constructed at their ultimate locations shall have high mounted push buttons. These shall be coordinated through the Transportation Division.

p. CSD Zone 'A' plan check fees shall be paid prior to the second plan check.

q. CSD Zone 'A' inspection fees shall be paid prior to signing of Mylars.

r. (BP) The trail shall be surveyed and staked by the developer. The trail shall be inspected and approved by the Director of Parks and Community Services or his/her designee prior to the issuance of any building permits for production units.

s. Any damage to trails or fencing during construction shall be repaired by the developer and inspected by the Director of Parks and Community Services or his/her designee; prior to the last phase of building permit issuance.

t. A minimum 38' radius shall be incorporated on all trails where a change of direction occurs (minor or major). Additionally, widening of the trail is necessary in most situations. This is only necessary where trails share Fire Prevention access.

u. Drive approaches shall adhere to City Std. Plan #118C.

v. Concrete access areas to trails with decomposed granite surfaces shall be rough finished concrete (typically raked finish). The access shall extend to the main trail flat surface.

w. (BP) In order to prevent the delay of building permit issuance, any deviation from trail fencing materials or trail surface materials shall be submitted to Director of Parks and Community Services or his/her designee and approved in writing 60-days prior to the commencement of trail construction.

x. Any unauthorized deviation from the approved plan, specifications, City Standard Plans, or Conditions of Approval may result in the delay of building permit issuance and/or building Finals/ Certificate of Occupancy of the project conditioned for improvements.

y. Where required, decorative solid-grouted block wall (no precision block, stucco, veneer finishes, PVC, or wood fencing) with a minimum height of 72" on the trailside shall be installed along lots that adjoin the trail. Block walls shall be located solely on private property. If landscaping is to be utilized between the block wall and the trail, a PVC fence shall be installed along the trail separating the landscaping from the trail (where required). All block walls that have public view shall have an anti-graffiti coating per Parks and Community Services specifications. Combination block/tubular steel fences shall only be utilized where approved by Parks and Community Services. Tubular steel shall comply with Parks and Community Services standards. Coating for tubular steel shall be anti-graffiti coating for metal per Parks and

Community Services specifications. If alternate products are requested, the requested material(s) shall be presented to the Director of Parks and Community Services or his/her designee for review and approval. Under no circumstances can alternate products be utilized without prior written authorization from the Director of Parks and Community Services or his/her designee.

z. Any damage to existing landscape or hardscape areas due to project construction shall be repaired/replaced by the developer, or developer's successors in interest, at no cost to the City or Community Services District.

aa. All inspections shall be requested two (2) working days in advance from the Parks and Community Services Department at the time of rough and precise grading; fence and gate installation; curb and drainage; flatwork; D.G. installation; graffiti coating; and final inspection.

bb. (BP)Trail construction in single family developments shall commence prior to 30% of total building permit issuance. Trail completion and acceptance (single family developments) for maintenance shall be completed prior to 70% of total building permit issuance.

cc. (CO)Trail construction in multi-family or commercial developments shall commence with the rough grading. Trail completion and acceptance for maintenance shall be completed prior to the issuance of 50% of the total certificates-of-occupancy (for multi-family and/or commercial developments).

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. (MC 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. (MC 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 & Economic Development Department - Building Division for routing to the Police Department. (MC 9.08.080)

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PLANNING COMMISSION
STAFF REPORT

Case:	PA08-0098 – Zone Change PA10-0017 – Municipal Code Amendment PA08-0097 – Plot Plan PA09-0022 – Tentative Parcel Map No. 36207 P08-133 – Environmental Impact Report
Date:	May 12, 2011
Applicant:	Ridge Rancho Belago LLC
Representative:	Dennis Rice
Location:	South side of State Route 60, on the north side of Eucalyptus Avenue and approximately 650 feet west of Redlands Boulevard
Proposal:	Plot Plan for a 937,260 square foot warehouse facility on 55 acres; a Zone Change from Business Park to Light Industrial; Tentative Parcel Map No. 36207 to create a single parcel; and a Municipal Code amendment to Chapter 9.05 Industrial Districts to provide a minimum separation or buffering of warehouse/industrial facilities over 50,000 square feet from adjacent residential districts. An Environmental Impact Report has been prepared for the proposal.
Redevelopment Area:	No
Recommendation:	Approval

SUMMARY

This project proposes the development of a 937,260 square foot warehouse facility on 55 acres. The project requires approval of a tentative parcel map, Zone Change and a Municipal Code Amendment, and certification of a Final EIR.

ATTACHMENT 8

PROJECT DESCRIPTION

The applicant, Ridge Rancho Belago, LLC, has submitted five applications for development of the West Ridge Commerce Center Project, which include a Zone Change, a Municipal Code Amendment, a Plot Plan, a Tentative Parcel Map, and an Environmental Impact Report, in order to develop a 937,260 square foot warehouse facility on a 55-acre site (Assessor's Parcel Numbers 488-330-003 through -006 and -026) located on south side of the Moreno Valley Freeway, on the north side of Fir Avenue/Future Eucalyptus Avenue and approximately 650 feet west of Redlands Boulevard.

Zone Change

The project site is currently zoned Business Park (BP) with a Business Park (BP) General Plan land use designation. The Business Park zone limits warehouse buildings to no more than 50,000 square feet. A Zone Change to Light Industrial (LI) is required to allow the larger building proposed by the project. Both the BP and LI zones are compatible with the BP General Plan land use designation.

Land uses to the west include a mix of BP and various residential zones and to east properties are zoned Community Commercial and Light Industrial. Land uses to the south across future Eucalyptus are Residential 2 (Residential – up to 2 units per acre). In other portions of the City, the BP zone provides a buffer between the LI zone and residential zones. In providing for this separation or buffering for the proposed project, a new standard within Chapter 9.05 Industrial Districts of Title 9 and is presented as Municipal Code Amendment in the following section.

Municipal Code Amendment

Buffering of the proposed warehouse/industrial development from the residentially zoned properties to the south was a concern raised and reviewed for the project. Future Eucalyptus Avenue will separate the proposed project from the residentially zoned properties to the south. There is an existing single family residence immediately to the south of the project site, this residence and the vacant residential property to the south have been reviewed as sensitive receptors.

In order to provide greater compatibility between current and proposed land uses, the air quality study included in the project Environmental Impact Report (EIR) proposes a buffer zone of approximately 250 feet from the project's truck court to the residential zone to the south (centerline of Fir Avenue/Future Eucalyptus Avenue).

The Municipal Code currently identifies the Business Park (BP) district as the zone to "provide a transition between residential and other sensitive uses and more intense industrial and warehousing uses".

Application PA10-0017 for a Municipal Code Amendment proposes to add a standard to the Light Industrial zone that would require industrial and warehouse structures greater than 50,000 square feet in building area to be separated from any Residential district as determined by an air quality and noise impact analysis. The minimum separation distance for such uses shall be 250 feet between the Residential district and the building, truck court or loading area.

If approved, the proposed amendment would be effective City-wide.

Please see Exhibit E to Planning Commission Resolution No. 2011-13 for a copy of the proposed revisions to Chapter 9.05 Industrial Districts of Title 9.

Plot Plan

The Plot Plan is for a 937,260 square foot warehouse distribution facility, to be located on 55 acres located south of the Moreno Valley Freeway and approximately 650 east of Redlands Boulevard. The warehouse facility is a permitted use in the existing Business Park zone and also permitted in the proposed Light Industrial zone. The building is set back 435 from the centerline of Fir/Future Eucalyptus Street while the adjacent truck court is set back 250 from the centerline of Fir/Future Eucalyptus Street.

The warehouse facility includes 173 loading docks with roll-up doors, truck staging and parking areas for 175 trailers within the enclosed truck court, two office areas and 307 parking spaces for employees and visitors. Proposed parking exceeds the City's requirements for truck and employee/visitor parking for a warehouse use.

The loading and truck parking areas have been placed on the northern and southern elevations and are screened by perimeter concrete tilt-up walls with slopes with a tree row also required along the State Route 60 frontage. The lettered lot at the northeast corner of the site will be planted with groundcover and maintained by the applicant/developer until the property is transferred to Caltrans for future development of the reconfigured Redlands Boulevard offramp.

The project has been conditioned to provide standard parking lot and setback landscape to include ground cover shrubs and trees. Two on-site detention/water quality basins will be extensively landscaped. The project's Fir Avenue/Future Eucalyptus Avenue frontage will be developed with curb, gutter, parkway, sidewalk and a segment of multi-use trail.

Tentative Parcel Map

Tentative Parcel Map No. 36207 is proposed to combine the five parcels located within the project site into a single 55 acre parcel with lettered lots to convey property to Caltrans for future development of a new off-ramp and to Riverside County Flood Control for maintenance of a portion of the adjacent Quincy Channel.

Site

The project site is comprised of vacant land that is mostly level and at grade with Fir Avenue/Future Eucalyptus Avenue and at or below grade of adjacent State Route 60. There are no trees, rock outcroppings or existing structures located within the limits of the project site. The project site includes a portion of the Quincy Channel which includes some riparian vegetation.

Surrounding Area

The project is located in an area that includes a mix of business park, office, commercial, residential and agricultural uses. Developed land within proximity to the project site includes citrus groves, the Moreno Valley Auto Mall and Moreno Beach Plaza (Walmart) center to the west at Moreno Beach Drive, the 1.8 million square foot Highland Fairview Business Park (Skechers) warehouse facility under construction to the east between Redlands and Theodore and large lot subdivisions approximately 1/4 mile to the south in the RA-2 zone. Developed uses to the north on the other side of State Route 60 include an RV storage site, a telecommunications antenna, a residence and a feed store.

The vacant 120 acre site to the west is currently proposed for development of a 2.2 million square foot industrial park by ProLogis, The site for this neighboring project is currently zoned Business Park, Business Park Mixed Use, R15, R5, and RA-2. That applicant is proposing a General Plan Amendment and Zone Change from existing zoning to Light Industrial.

Access

The project site will be accessed directly from Fir Avenue/Future Eucalyptus Avenue via Redlands Boulevard and State Route 60. This portion of Fir Avenue/Future Eucalyptus Avenue would be constructed by the applicant/developer as a condition of the project.

The driveways and interior drive aisles associated with the project have been approved by the Fire Prevention Bureau for fire truck access and turnaround. The site has also been designed for adequate truck maneuvering and turnaround within the designated loading zones located on the north and south elevations of the building.

Design

Site design of the proposed warehouse distribution facility is consistent with requirements of the City's Municipal Code.

The architectural design of the building is a concrete tilt-up construction. Building and wall colors include earthtones, with varying amounts of accent colors and vertical features to break up the architecture of building. Roof top equipment will be screened from public view by parapet walls.

Staff worked with the applicant to ensure that all sides of the building include architectural treatment. The loading bays and trailer storage areas along the northern and southern elevations have been screened from view. The screen wall along the south elevation is a fourteen (14) foot wall of concrete tilt-up construction which will match the building design and colors.

Landscaping for the site is proposed at around 13% of the site area including the water quality/detention basins. The City's Municipal Code does not require a minimum percentage of landscape on a site. Instead, there are requirements for landscape setback areas along perimeter streets, parking lot landscape, street trees and landscape treatments around the perimeter of the buildings where visible from the public right-of-way. The project as designed meets the City's current landscape criteria.

Signs are not a part of this approval and will be reviewed and approved under separate administrative permit.

REVIEW PROCESS

In the review of this project, consideration was given to the potential impact to surrounding land uses by the proposed Zone Change and Municipal Code Amendment as well as the Plot Plan for the warehouse facility.

Upon review at PRSC on November 19, 2008, modifications were required to the site plan. Comments from staff included revisions to the layout of the parking lot, access from adjacent roads, screening, architecture, typical street sections, grading and the submittal of required technical studies.

Subsequent PRSC reviews occurred in May and September 2009, and April, August and November 2010. Upon review of a final draft of the site plan and completion of the Final Environmental Impact Report, a determination was made to schedule this project for a Planning Commission public hearing on May 12, 2011.

The applicant held a community meeting on February 27, 2008, to present the project to neighboring property owners. There were approximately 30 people in attendance. Concerns raised at the meeting were related to the proposed land use changes, traffic, noise, light and glare, aesthetics, quality of life, impacts to property values, air quality, crime, and storm runoff.

ENVIRONMENTAL

Initial Study/Notice of Preparation

An Initial Study was completed after all discretionary applications were deemed complete. Based on the information within the Initial Study, an Environmental Impact Report (EIR) was recommended to be prepared. A Notice of Preparation for the EIR was issued on October 1, 2009, with the public comment period beginning on October 5, 2009 and ending on November 3, 2009. A public meeting to receive input on the issues to be covered by the EIR was held at City Hall on October 28, 2009.

Draft Environmental Impact Report

Subsequent to that meeting, draft environmental documents were prepared by the applicant's consultant Applied Planning and submitted to the City and its peer consultant for review.

City staff and the peer review consultant reviewed the draft environmental documents for compliance with the California Environmental Quality Act (CEQA) Guidelines and required revisions to address identified questions and concerns. After revisions were incorporated into the document, the Draft EIR was circulated for a 45-day public review period, starting on October 22, 2010, and ending on December 6, 2010. A public information meeting was held during the comment period on December 2, 2010

The Draft EIR was sent to all required State and local agencies and numerous interested parties on October 18, 2010, as well as to the City's Environmental and Historical Preservation Board. Twenty-four comment letters were provided during the 45-day review period. An additional two letters were received after the end of the review period.

Final Environmental Impact Report

Responses to the twenty-four comments received during the 45 day review period are included in the Response to Comments. Comment letters were received on December 10, 2010, from the South Coast Air Quality Management District and from a resident, Tom Hyatt. Due to the lateness of the letters, they were not included in the Response to Comments and instead have been addressed in a separate attachment to this staff report.

The Response to Comments and related documents were mailed to all interested parties and responsible agencies on April 28, 2011, to allow for their review prior to Planning Commission hearing, in excess of the minimum notice period of 10 days required by CEQA. As was the case with the Draft EIR, the draft Final EIR was provided for public review at City Hall, the City Library and posted on the City's website.

Significant and Unavoidable Impacts

Analysis presented in the EIR indicates that the proposed project will have a number of potentially significant impacts, either as direct result of the proposed project or cumulatively with other proposed projects on traffic and circulation, air quality, noise, and aesthetics. The EIR includes a number of proposed mitigation measures to reduce or eliminate potential significant impacts. Even with proposed mitigation, a number of potential impacts cannot be reduced to a less than significant level. As identified in the document, these noted impacts above are considered to be significant and unavoidable.

Although impacts to traffic and circulation, air quality, noise, and aesthetics cannot be reduced to less than significant levels, CEQA allows a decision making body to consider a statement of overriding considerations and findings. CEQA requires the decision making agency to balance the economic, legal, social, technological or other benefits of a proposed project against its unavoidable environmental impacts when determining whether to approve the proposed project. This would include project benefits such as the creation of jobs or other beneficial project features versus project impacts that cannot be mitigated to less than significant levels. If the decision making body determines that the benefits of a proposed project outweigh the unavoidable adverse environmental effects, it may approve a statement of overriding considerations and approve the project.

Mitigation Measures

The EIR includes mitigation measures intended to reduce project-specific and cumulative impacts for Traffic and Circulation, Air Quality/Greenhouse Gas Emissions, Noise, Water Supply, Cultural Resources, and Biological Resources. All other environmental effects evaluated in the EIR are considered to be less than significant, or can be adequately mitigated below significant thresholds.

Mitigation measures are included to reduce the environmental impacts where possible, even where the impacts could not be reduced to less than significant levels. All mitigation measures have also been included as conditions of approval for the project.

Approval and Certification

The Planning Commission will take public testimony on the EIR and project and forward a recommendation to City Council. Before the proposed project can be acted upon, the City Council will need to review the final environmental document, receive public testimony and either certify or reject the EIR and project Mitigation Monitoring Program.

Municipal Code Amendment

Although the proposed Municipal Code Amendment will be effective Citywide, it is considered a minor alteration to land use limitations which qualifies as exempt under California Environmental Quality Act Guidelines, per Section 15305, as a Class 5 Categorical Exemption.

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. As of the date of report preparation, staff had received no public inquiries in response to the noticing for this project.

REVIEW AGENCY COMMENTS

Staff received the following responses to the Project Review Staff Committee transmittal; which was sent to all responsible reviewing agencies.

Agency	Response Date	Comments
Southern California Edison	October 27, 2008	No Issues
Riverside County Flood Control	December 1, 2008	District Master Plan Facilities

Conditions of approval have been included to address concerns from the responding agencies.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission adopt Resolution No. 2011-13 and thereby recommend that the City Council take the following actions:

1. **APPROVE AND CERTIFY** that the Environmental Impact Report (EIR) for the West Ridge Commerce Center Project (Exhibit A) has been completed in compliance with the California Environmental Quality Act; and

2. **APPROVE** Zone Change PA08-0097 for 55 acres from Business Park (BP) to Light Industrial (LI) as shown on Exhibit B;

3. **APPROVE** Municipal Code Amendment PA10-0017 to provide for setbacks and buffering of warehouse/industrial building from adjacent residential zones as shown on Exhibit C;

4. **APPROVE** PA08-0097 (Plot Plan), subject to the attached conditions of approval included as Exhibit D; and

5. **APPROVE** PA09-0022 (Tentative Parcel Map No. 36207), subject to the attached conditions of approval included as Exhibit E.

Prepared by:

Jeff Bradshaw
Associate Planner

Approved by:

John C. Terell, AICP
Planning Official

ATTACHMENTS:

1. Public Hearing Notice
2. Planning Commission Resolution No. 2011-13
   Exhibit A - Final Environmental Impact Report
   Exhibit B – Zone Change Map
   Exhibit C – Municipal Code Amendment
   Exhibit D – Plot Plan Conditions of Approval
   Exhibit E – Parcel Map Conditions of Approval
3. Site Plan
4. Elevations
5. Color Rendering
6. Cross Sections – Line of Sight
7. Preliminary Landscape Plan
8. Tentative Parcel Map 36207
9. Aerial Photograph
10. Response to SCAQMD comments
11. Response to Tom Hyatt comments

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3. Case Number:	**P08-133**	**Environmental Impact Report**
	PA08-0097	**Plot Plan**
	PA08-0098	**Zone Change**
	PA09-0022	**Tentative Parcel Map No. 36207**
	PA10-0017	**Municipal Code Amendment**

Case Planner: **Jeff Bradshaw**

ASSOCIATE PLANNER BRADSHAW – Thank you. Good evening Vice Chair Baker and members of the Planning Commission. My name is Jeff Bradshaw. I'm an Associate Planner with the Planning Division. The item before you this evening is proposed by the Applicant; Ridge Rancho Belago. They have submitted five applications as part of this proposal. They include a Zone Change, a Municipal Code Amendment, Plot Plan, Tentative Parcel Map and an Environmental Impact Report and those applications are all part of a proposal to develop a 937,260 square foot warehouse distribution facility on a 55 acre site. This is located in the east part of Moreno Valley on the south side of the Moreno Valley Freeway, on the north side of Fir or future Eucalyptus Avenue and about 650 feet west of Redlands Boulevard. I am going to try to present the information to you as succinctly as I can. This is a fairly large project and somewhat complicated project so I hope you'll bear with me as I present the information and I want to make sure it is clear to you; both the Commission and the public.

Starting with the Zone Change, the project is currently zoned Business Park or BP. The General Plan designation for this site is consistent with that. It also has a Business Park General Plan designation. One of the standards of the Business Park zone is the limitation that it places on warehouse structures that are developed within that zone and there is a limit on individual structures being no larger than 50,000 square feet. The Zone Changes proposed in this case to allow for the building that is being proposed; a single structure that would exceed that limitation, so the change proposed is to go from Business Park to Light Industrial Zone and that will allow for the larger building. It is important to note that both the present Business Park Zone as well as the proposed Light Industrial Zone are both consistent with the underlying General Plan designation that is there on that site.

The Municipal Code Amendment that is proposed and if I could provide just a little background on that proposal…Under the current… one of the current standards again under the Business Park Zone is this concept that that district would act as a buffer or transition area between Business Park development and adjacent residential zoning and other sensitive land uses. Even though this site would be separated from property to the south by Eucalyptus Avenue, it is still in its present location located in proximity to residential zoning and so what is proposed by the applicant is to establish in addition to the Business Park

ATTACHMENT 9

separation concept; to establish an alternative or another way of buffering sensitive land use from these larger warehouse sites and so the proposal is a new standard or change to Chapter 9.05 of Title 9, the Industrial District Section and the concept is to add a requirement within the Light Industrial Zone that would require warehouse structures that are larger than 50,000 square feet be separated from any adjacent residential zoning by a minimum separation distance of 250 feet and that would be between the residential district boundary and any warehouse building or truck court loading area and that is a minimum. At the same time the language also suggests that that separation or buffering distance be determined by the results of Air Quality and Noise Impact Studies, so while 250 feet might be the minimum, we might have a project where the studies may actually ask for more than that and so the accompanied Municipal Code Amendment offers another way for development to occur in close proximity or adjacent to residential zoning. And for reference purposes the revised language that is being proposed to that section is attached to Planning Commission Resolution 2011-13 and that is included as Exhibit E for reference.

With regards to the development of the building, the structure that is proposed again is 937,260 square feet. The construction type that is being proposed is concrete tilt-up with architectural treatments on all four sides of the building. The colors for the building and the perimeter walls are earth tones with varying amounts of accent colors and vertical features to help break up the architecture. The facility as designed provides parking for both the trucks and for the employees and visitors to the site. There are 173 loading dock doors. This facility and the project as designed exceeds the City's requirements for parking for trucks, employees and visitors. The loading and truck areas would be screened from view from offsite. The truck court is enclosed by 14 foot tall perimeter concrete tilt-up walls that would screen the loading activities on both the north and south sides of the building. In addition to that, the activity there is screened by slopes and a tree row that also has been conditioned and required of the project along the State Route 60 frontage of the property. You might have noted on the Site Plan there is some area at the northeast corner of the property that extends out into what would be future Cal Trans right-of-way and that area will be maintained by the Applicant with some interim landscape until such time that the property convey to Cal Trans for development of future off-ramp improvements at Redlands Boulevard. As noted on the Site Plan the project has been conditioned and designed to accommodate required landscaping for the parking lot, the project's perimeter, the water quality basins and retention basins that are on site. All those areas will be landscaped to be consistent with the City standards. The future Eucalyptus Avenue frontage will include parkway, a sidewalk and there is also a segment of multi-use trail that will be built by the developer to satisfy City General Plan requirements.

I also wanted to point out some of the obligations that the Applicant has or the developer rather for street improvements associated with this project. They are required to construct at the Eucalyptus Avenue frontage across their site and that

improvement actually extends from their property eastward to Redlands Boulevard. They would be responsible for constructing Street A which is along the eastern property line of the project to a half-width. They are responsible for traffic signal improvements at Redlands Boulevard at the westbound off-ramp as well as at the intersection of Redlands and Eucalyptus Avenue. They will also be responsible for constructing an additional southbound lane on Redlands Boulevard that extends from the eastbound off-ramp down to Eucalyptus and finally they are also required to work with the City to construct turning lanes at a number of intersections there at Redlands Boulevard and the on and off ramps at the 60 freeway, so all of those are required of the project and must occur before occupancy permits are allowed for the building.

The project site is comprised of multiple parcels and so there is a Parcel Map that accompanies this development. The intent of that map would be to combine the five parcels into a single usable parcel so they can develop the 55 acres. It would also allow for the opportunity to convey property to both Cal Trans in the future for off-ramp improvements as well as the Riverside County Flood Control District to complete storm drain or channel improvements in the Quincy Channel along the western property line.

I want to provide just some background on the Environmental that is required for this project because of the scale and size of this project and the potential impacts that would result from its construction. An Environmental Impact Report was required for this project and going back to when this project was submitted, Staff had the opportunity to work with an Environmental Consultant to prepare an Initial Study Check List and out of that Check List it was determined that there were some CEQA categories that needed to be examined further. There was a Notice of Preparation of an EIR that was circulated in October of 2009. The result of that was the City was able to receive responses from various responsible agencies and members of the community. Here they identified concerns that they had with that document. And were able to hold a public meeting in October of 2009 for their input. That information was used in the preparation of a draft document that was prepared and routed to Staff and to a third party; a peer review consultant that was hired by the City to assist in the review of that document and over the course of the next year we worked with the consultant in the preparation of that document. When that document was complete and ready, it was made available; the draft of that document was made available to the public for comment and that was a period that began in October of 2010 and ended on December 6th, 2010.

Again as part of that process we held another community meeting and were able to receive comments from the community as well as other responsible agencies about that document. Following that response period City Staff worked with the consultant to prepare responses to those comments and was able to complete the final EIR and make the response to comments available and distribute those in April of this year.

The Staff Report when it was circulated to you included both the draft document as well as the response to comments and hopefully you had an opportunity to be able to review that information. Another effort the City made to be able to put the information out and have it available for the public was placing it online on the City's website for access as well as making it available in a hardcopy format at both the City and at the library. Again as we examined the project, there were a number of categories that were identified as having the potential for having impacts and through the review of the project it was determined that mitigation measures were required in some instances. Those have been introduced in the document and are included to help reduce impacts where possible. There are categories or instances where the impacts were not reduced to less than significant levels but in all instances mitigation measures have been applied and the impacts reduced to the extent possible.

The EIR did include mitigation measures for the following categories and the intent again to reduce impacts and those are for traffic and circulation, air quality, greenhouse gas emissions, noise, water supply, cultural resources and biological resources as well. The analysis in the EIR indicated that the project would have a number of potentially significant impacts and again in some of those categories and those include traffic circulation, air quality, noise and aesthetics. The EIR identifies mitigation measures to help reduce those, but even with mitigation the categories that I just listed do result in some impacts that can't be reduced to a less than significant level. The California Environmental Quality Act does allow for the decision body which would be the City Council to ultimately consider in instances like this a Statement of Overriding Consideration and make findings in response to that situation and if the decision making body were to determine that the benefits of the project outweigh the adverse environmental effects, it could approve the project with a Statement of Overriding Consideration.

The project presented this evening; standard notification was completed for this project. A Display notice was published in the newspaper; the site was posted as well as notices being sent to all property owners within 300 feet of the property and of this evening I had received 6 comment letters connected to this evening's public hearing and this would be in addition to any comments that were provided through the review of the environmental document. I believe copies of that correspondence was provided to you and there should be copies on the dais and those were letters that were submitted to us from the Sierra Club; from South Coast Air Quality Management District; from Johnson and Sedlack which is an Attorney that represents some residents here in town; some organizations and then also from an individual named Paul Claxton and so all that information has been made available for you.

Additionally there was a memo prepared this evening. It is the yellow correspondence that you have and the intent of that memo is to identify some corrections that Staff noted that needed to be made to the Resolution and was one of those was a correction to some text that shouldn't have been in the

Resolution; it was an oversight. It was text from another project that needed to be deleted and the other was some additional language that we felt made your action this evening, if you choose to approve the project or recommend approval rather, to make that action more complete. I believe that Transportation had one correction that they were going to suggest to the Conditions of Approval, so I'll give some time to Michael Lloyd from Transportation.

TRANSPORTATION ENGINEER LLOYD – Good evening Commissioners, this is Michael Lloyd with Transportation Engineering. I'd like to provide some clarification on Condition TE10. The condition was intended for Redlands Boulevard and the way it was worded initially wasn't clear, so I'd like to amend the condition such that it would read "prior to the final approval of the street improvement plans, the project applicant shall design a southbound auxiliary lane, additional southbound lane on Redlands Boulevard from the State Route 60 eastbound ramp to future Eucalyptus Avenue. The minimum width of the auxiliary lane shall be 16 feet". Thank you.

PLANNING OFFICIAL TERELL – Yeah and with that I believe that the Community and Economic Development Director wanted to follow-up on Jeff's report.

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – Thank you. I'm Barry Foster. I'm the Community and Economic Development Director. I just wanted to offer up some ideas from an economic development standpoint and offer my support for this project. I hope that you got a copy; I actually gave out a table. Did you all get a copy of that? I hope you are aware that a couple of weeks ago the City Council actually approved an Economic Development Action Plan and with that Action plan we're looking at accelerating and doing a number of different things in the next two years to really help with development in the community, but most importantly we are looking to increase employment opportunities; create jobs in this community. We think that the driving force in improving the economy in Moreno Valley is to help with the job market; is to address the fact that we've got a 16.2 percent unemployment rate.

A lot of our residents that do have employment have to leave the community for work. I think in the past couple of years, we've done a fairly good job of creating jobs. We've created over 3,600 jobs in the last few years in some very challenging economic times but we really need to do a lot more and so really the focus of that Economic Development Plan is to look at opportunities at a number of areas in the community to try to create more jobs; more employment opportunities for our residents and I think that if you look at these charts they are pretty eye opening in looking at the challenges that we face and kind of where we are at right now. If you look at the top one we are looking at a number of communities in the Inland Region that are fairly similar in size to Moreno Valley with the exception of maybe Chino in terms of population, but you can look really at the work force that is currently there in those other communities versus the

housing units in those communities and that is really what you striving to do is you are looking for a balance between the number of housing units and the jobs that you have in your community. That is not the number of people; that is not your residents that have jobs; that is the jobs that you have in your community; that are situated in your community. If you look at that list, the only community that is upside down is Moreno Valley. We really need to do a lot better job at creating employment opportunities here in this community and really try to improve that balance. We are significantly out of balance right now. If you drop down to the second group on that table, you can look at those same communities and look at the inventory that is currently developed for Industrial and Business Park in those communities and jobs again; and again we are very lacking in terms of inventory.

With opening of Skechers, we'll have 10.1 million square feet in this community. That is very low in comparison with those other communities that are very similar in size and population. Even the City of Chino which has half the population that we have has 30 million more square feet than we have right now. We need to provide opportunities to have industrial distribution logistics in this community. That is the one way that we are going to help stimulate and produce new employment opportunities and jobs in this community that our residents desperately need to have. If you go down and look at the last part at the survey; that is a current survey that shows the zoning that is currently in place. The project that you are looking at tonight has a Business Park zoning already in place and we're also looking at Industrial, so even including the zoning that you already have in terms of the Business Park, we have 9 percent. At the height; at the top there is Ontario with 25 with the vast majority of those communities are somewhere in the middle there. What is the sweet spot? Where should we be?

I'm not offering any ideas now, but it is certainly should be higher than what we have, so that Economic Development Action Plan that we are really advocating is looking at ways to re-zone areas that are undeveloped to produce jobs. If you look enough people would counter and say we'll got all this property in the south part of town in the Industrial Specific Plan area; you've got some property across the street here. If you develop what is currently zoned there and there are a lot of projects that are being looked at in those areas, you will probably have another 12 million square feet that you could do fairly easily. You still are only doubling what we currently have. You are still nowhere near where the rest of these communities are at. You are really selling yourself short in terms of having available undeveloped land for opportunities with zoning for distribution, light manufacturing and logistics. You are really selling yourself short to have those opportunities for that kind of development, so that's why we are looking at and trying to stress that there are opportunities in the east part of Moreno Valley in that Rancho Belago area where this property is located in to look at opportunities; to make sure that we have property that is zoned properly that can produce jobs.

The real question with this project is it is currently zoned Business Park, so you are not allowed to do a building greater than 50,000 square feet. It is the same situation that Highland Fairview had with Skechers. It had the same zoning in place. It is do you want a number of small buildings or one large building that can be master designed with four sided architecture and all those kinds of things… with this property if you kept it in place with the way it is you could do 19 or more smaller buildings 50,000 square feet or less. That market is not here. I really don't know when that market will come back. That market of those small industrial buildings it is just not here and I really don't know when and if it will come back again.

The opportunity where the large retailers are looking for is what Skechers did. It is taking 5 buildings that they currently have in Ontario and Mira Loma and putting them into one 1.8 million square foot facility that is better planned and better designed. Skechers saves 15 million dollars annually on their operating costs by moving to that facility. It is state of the art in terms of automation and everything else. It still produces 1,100 jobs; different kinds of jobs. They are not the old school fork lift and all that kind of thing. It is higher tech. It is all computers and that and that is really the direction that logistics is going to, but they are consolidated into one large building and saving money. That is what a number of retailers have seen and that is what they are looking and they need more product; they need opportunities to have those kinds of buildings and that is what the developer is proposing, is one 965,000 square foot building rather than 19 or more smaller buildings. The developer has a solid track record. They have built a lot of projects across the street. They are a national developer. They brought in Serta Mattress; Minka Lighting, ResMed, Frazee Paint and we are working on tentative improvements for Harbor Freight right now. They brought in National…Very respected companies that have produced jobs for this community.

That is really what we need. We need to look at opportunities and make sure that we the proper zoning in place, so this project has done all the EIR's; they've done… there are 80 pages of conditions of approval for this project. They have a significant buffer from the residential, but really the question is do you want 19 or more smaller buildings or do you want one large building. That really is the question, so with that I think from an economic development standpoint, certainly we support the project and I'm happy to answer any questions.

VICE CHAIR BAKER – Are there any Commissioner with questions for Staff?

COMMISSIONER OWINGS – Could I start up?

VICE CHAIR BAKER – Go for it Tom

COMMISSIONER OWINGS – Okay first of all I'd like to clarify something for the new Commissioners so should I address you Mr. Bradshaw?

ASSOCIATE PLANNER BRADSHAW – I'd be happy to try to answer any questions that you have.

COMMISSIONER OWINGS – Because this Applicant is asking for a Zone Change, doesn't the Planning Commission have the absolute discretion as to whether or not to grant approval for this zone change? In other words take for example last week… a guy comes in and he has a little 16 house housing unit and it meets all the standards; it meets all the criteria; the Planning Commission would be hard pressed to not approve that without a really proper statement of findings, but in this particular case isn't it true that we have absolute discretion whether or not to approve the Zone Change?

ASSOCIATE PLANNER BRADSHAW – This type of a change along with the Municipal Code Amendment starts with the Staff presentation to the Planning Commission and their role is to review the information and make a recommendation.

COMMISSIONER OWINGS – No I'm not questioning that, I'm just trying to find our proper role. We have absolute discretion don't we whether or not we approve the Zone Change?

ASSOCIATE PLANNER BRADSHAW – The result of this evening would be a recommendation to Council.

COMMISSIONER OWINGS – Right, but we have absolute discretion, correct?

PLANNING OFFICIAL TERELL – That's correct Commissioner… this is what is called a discretionary review and therefore the Commission has as you said absolute discretion to recommend approval, denial or something in between.

COMMISSIONER OWINGS – So if you have absolute discretion we could potentially bargain for something that would go some standard in excess of the current standards for our approval, correct?

PLANNING OFFICIAL TERELL – You can ask…

COMMISSIONER OWINGS – We'll that's a bargain. Both parties have to agree right… we established that earlier

PLANNING OFFICIAL TERELL – That's correct

COMMISSIONER OWINGS - Okay I can tell that I'm not going to be a second term Commissioner. Can you tell that right now? You know first of all has there been a tenant identified for this?

PLANNING OFFICIAL TERELL – Well that's really a question for the Applicant but our understanding is there is not a tenant.

COMMISSIONER OWINGS – So this is a spec building so we have no idea what type of business that is going to be housed in this 930,000 square foot building, correct?

PLANNING OFFICIAL TERELL – The specific type; no. It would have to be a range of business that is permitted in that zone.

COMMISSIONER OWINGS – So I looked at the South Coast Air Quality thing and you guys are the experts on all of this and this is a bit above my pay grade in terms of understanding some it, so we have to rely on you to make sure that I do and I do trust the City Staff to make the proper direction or to make the proper responses, but isn't a little hard to ascertain what the traffic would be on Redlands Boulevard if we don't know what type of business is going to go in that 900,000 square foot building.

PLANNING OFFICIAL TERELL – Well I'll defer to Michael Lloyd to answer that question but typically this is a term of our… we look at what is called the reasonable; it's often called worst case development based on agreed standards and I'll let Michael kind of explain exactly how…

COMMISSIONER OWINGS – Well I don't really want to get into lengthy detail, what I just really want to do…

PLANNING OFFICIAL TERELL – Oh it will be short

COMMISSIONER OWINGS – Okay, I just want a general answer to the question in general. Wouldn't it be kind of hard to ascertain the impact to the community both on traffic or pollution? It seems like I read through all of these people's concerns. They seem to center around traffic on the 60 center, traffic on Redlands Boulevard and they center on overall air quality as a result of the trucks etc, so it seems to me that it is a bit difficult to ascertain with any degree of accuracy unless we know what type of person is going to go into it and I'm just looking for sort of a general idea of whether you agree with that or not.

PLANNING OFFICIAL TERELL – Well the assessment was done as this being a warehouse facility, so it is a facility that has a certain number of truck docks and there are averages; accepted standards, but again I'll defer to Michael to talk about that.

COMMISSIONER OWINGS – Okay Michael… you know because there seems to be quite a bit of difference between and take for an example a Big 5 in Riverside across from Raceway Ford and the Skechers plant up here. You know Skechers has lots of truck bays. They may not be all used at one time. They

may be used sort of for storage until they are filled or until they are directed. The Big 5 is not quite like that and you know from an honest observation of a neighbor of Big 5 which is close to a million square feet, I never see a truck go in or out of it. I would say the impact to the traffic in front of Raceway is almost negligible if any. The employees create more of a traffic problem than the trucks or anything so that is quite a different plant than maybe might or warehoused or might be placed in this particular project, correct.

TRANSPORTATION ENGINEER LLOYD – Correct… there is variation from warehouse to warehouse but as John indicated the standards that we follow are based upon averages, so the calculations are based upon observations as you indicated where there are some warehouses that have lower truck volumes versus warehouses that would have higher truck volumes and we develop averages and then apply it to the proposed project's total square footage and then distribute that traffic onto that street system for analysis.

COMMISSIONER OWINGS – Okay thank you. John it is my understanding that Fairview Highland is prohibited from any traffic on Redlands Boulevard as a result of an agreement between Highland Fairview and the Sierra Club. Is that correct?

PLANNING OFFICIAL TERELL – They are… there is a preclusion of opening up the road that connects to Redlands Boulevard until a future phase of that development and there is a restriction on the …

COMMISSIONER OWINGS - … truck traffic on Redlands Boulevard, right? That is why all truck traffic in Highland Fairview is directed to Theodore?

PLANNING OFFICIAL TERELL – Well as part of Phase 1, it is all directed to there because there is no connection to Redlands in Phase 1, but by Phase 3 there will be a connection and trucks will be directed to Theodore. Obviously once a truck leaves that facility it can't be prohibited from going to Redlands because Redlands is actually a truck route, but the intent and the agreement as you said with the Settlement Agreement subsequent to the approval of that project did kind of give a proactive requirement on the part of Highland Fairview as the landlord to direct trucks towards Theodore.

COMMISSIONER OWINGS – So you say you know Redlands Boulevard is a truck route, so if you know could you please tell me the basis on which the Sierra Club made that part of their agreement with Highland Fairview. I mean what was the purpose of it; what was their concern and how did the agreement resolve their concern or address their concern?

PLANNING OFFICIAL TERELL – Well I can't speak for them. I think there was a concern of adding a lot of truck traffic to a route that is heavily used for commuter traffic primarily from Moreno Valley to the freeway or from Moreno

Valley to and from Redlands, so there was a concern about if trucks go to Redlands they might be more likely to drive north to and through San Timoteo Canyon to get to the 10 freeway, so I think that was as I recall was their major concern was that trucks needed to be directed towards the freeway.

COMMISSIONER OWINGS – That concern would be just as valid for this proposed project wouldn't it as it was for Highland Fairview?

PLANNING OFFICIAL TERELL – I can't speak for them…

COMMISSIONER OWINGS – In your opinion

PLANNING OFFICIAL TERELL - … but I would suspect they might have a similar concern as I think is expressed maybe in some of their comment letters in the Environmental Impact Report.

COMMISSIONER OWINGS – So maybe impossible to direct traffic from the new project to Theodore but is there a similar possibility of a solution that Sierra Club was able to work out with the developer of Highland Fairview with the current developer of this proposed project?

PLANNING OFFICIAL TERELL – There are not the same options for this property. Obviously this property is much smaller than the Highland Fairview project. It is roughly a third the size of that and truck traffic can go towards Redlands or at some future date could go towards Moreno Beach, which I'm not sure that is a better alternative.

COMMISSIONER OWINGS – Okay, when addressing Tom Hyatt's concerns in your packet in locating the warehouse to another area, the City Staff recommended five alternative sites and reasons why the five alternative sites were not suitable. Noticeably absent from the list was Highland Fairview's property which has approximately 20 to 40 million square feet of available warehouse space. Is there a reason the Staff did not include Highland Fairview in the analysis?

PLANNING OFFICIAL TERELL – Are you referencing in the alternative section of the EIR? I think the…

COMMISSIONER OWINGS – Well in your response to Tom Hyatt's letter, you stated that you had Staff look at the available sites and there were five and there were actually four but you added a fifth one and that none of those sites were really suitable for this project, so I was just wondering why Highland Fairview was not on …

PLANNING OFFICIAL TERELL – The reason is because other than the Skechers facility, the Highland Fairview property to the south does not currently permit this kind of development on it.

COMMISSIONER OWINGS – Well neither did some of the sites that you proposed as alternate sites, so I don't see that as a criteria for excluding it. You even mentioned in one of your comments that some of those sites would require a zone change.

PLANNING OFFICIAL TERELL – Well I guess I need you to reference the particular page because I am not the person that responded to that.

COMMISSIONER OWINGS – It was actually Jeff because it is unfair to put you on the hot seat. But anyhow is there any reason why Highland Fairview was not included as a potential alternate for a site when you were responding to Mr. Hyatt.

PLANNING OFFICIAL TERELL – I can't think of a particular reason why it would not have been included or it was not included.

COMMISSIONER OWINGS – Okay, alright, this question is for both I think for you John and for you Mr. Foster. It is my understanding the City and you just kind of eluded to that fact, just to prove a City Development Plan or I think that is probably the wrong terminology but you get the idea… what is it; the Action Plan last month and you know from what I read off of the website it was approved by City Council 5 – 0 which designated the area east of Redlands Boulevard as the future corporate park development. How does this project fit into that development plan? Why doesn't it? If the City Council directs in their plan that this type of development would be placed east of Redlands Boulevard, why are we recommending approval for this plan at its current location?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – I'm not sure specifically mentioned east of Redlands. It talked about the Rancho Belago area and that's a much bigger area.

COMMISSIONER OWINGS – It does mention that particularly east of Redlands Boulevard.

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – I think it was specifically talking about the Moreno Highlands Plan.

COMMISSIONER OWINGS – Let me ask you a question. If it says, if the current plan approved by the City Council says that this type of development should occur east of Redlands Boulevard, would that alter the Planning Staff's opinion of the project?

PLANNING OFFICIAL TERELL – No, I believe and if I can speak to the most recent action by the City Council; that related to creating additional General Plan designated areas where industrial development could occur and this particular site is already in the General Plan allowing industrial uses.

COMMISSIONER OWINGS – Well it is not allowing the use that they are asking right now or we wouldn't be talking about it.

PLANNING OFFICIAL TERELL – That's correct, but it does allow industrial uses.

COMMISSIONER OWINGS – Alright, I'm bordering on arguing here and I'm sorry. Did the Planning Staff give consideration to require the consistent architectural design consistent with Highland Fairview's building be made a condition of this project to prevent the area from becoming a hodge-podge of building designs. If you look at the industrial site on Sycamore Canyon between Alessandro and Box Springs, it looks like a checkerboard. It looks like somebody said let's try this and let's try that, let's try this and you know this is going to be visible from the freeway and if we are trying to make Rancho Belago into a up-scaled community development park why wouldn't higher standards be required of this building, so the simple question is did you consider it?

PLANNING OFFICIAL TERELL – Well I'm not quite sure what you mean by higher than what?

COMMISSIONER OWINGS – Well you know I'm not talking but beauty is in the eye of the beholder, whether it is a pretty building or it is an ugly building, but it seems to me that there could have been some consideration given and I just want to know if you did to making this project a condition of approval for the zone change that this builder; that this development be consistent in its architectural design with Highland Fairview.

PLANNING OFFICIAL TERELL – And I guess the quick answer to that is no. This is not part of a Specific Plan that has established a particular type of design. Staff did look at this and wanted a high quality of design and also if you look at it, it includes of similarities. The color palette is similar. It is basically white. Most of the building is white and it also includes the spandrel glass which is a material that is very prevalent on the corners of the Skechers building.

COMMISSIONER OWINGS – But there would be nothing that would prevent this Planning Commission to make that a condition of approval, would it?

PLANNING OFFICIAL TERELL – I guess if we could define what that meant…

COMMISSIONER OWINGS – Well at least consistent with the project. I think that's pretty clear. I have seen that lots in Planning Commissions.

PLANNING OFFICIAL TERELL – I would ask for clarification of it because we would not… I mean Planning Staff would never recommend that this building look exactly like the Skechers building. Probably different than Sycamore Canyon which I agree there is quite a variety of architecture over there and colors; is the Ontario Business Park east of the Airport. It is actually a Specific Plan but you look at the buildings and they are sort of different but they all kind of blend in.

COMMISSIONER OWINGS – John you know there is no standard for Moreno Valley for this; there is no City standard, so the Planning Commission has to act as that standard. Wouldn't you agree? We have to be the one that set the standards.

PLANNING OFFICIAL TERELL – You need to provide direction to set the standards. That is correct.

COMMISSIONER OWINGS – So if we want to have an upscale development park there, shouldn't some consideration be given to creating a building that is consistent with the largest building in the City?

PLANNING OFFICIAL TERELL – And I guess my contention would be that it is.

COMMISSIONER OWINGS – So then Mr. Foster I just was wondering instructionally, could you tell me what the definition of work force is on the chart you passed out.

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – It is all jobs in that community. I don't have a break down on types. It is total work force.

COMMISSIONER OWINGS – When you say all jobs is that all jobs held by people who live in Moreno Valley or is that all jobs held by anybody?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – No, those are jobs that are currently in Moreno for all types and that is the same thing with those other communities.

COMMISSIONER OWINGS – So for example taking Ontario, we don't really know if anybody that works; that 107,000 do we know if they live in Ontario?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – No

COMMISSIONER OWINGS – We don't, so that might be an unfair comparison right?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – No what we are looking at is a jobs balance of housing units…

COMMISSIONER OWINGS – But it really doesn't measure employment in Moreno Valley does it?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – No it does not.

COMMISSIONER OWINGS – Thank you. Alright, Industrial Business Park down here where you have these percentages is for each of those, are you trying to equate Industrial Business Park square footage with the percent with employment? Is that what you are saying that there is a direct correlation?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – That's the percentage of Industrial and Business Park zoning in Moreno Valley and those other communities and there is a correlation between the jobs that you can produce from that kind of development.

COMMISSIONER OWINGS – But there might be other factors that might cause Moreno Valley for example to be less than Ontario that are not taken into consideration in this analysis?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – Yes there is

COMMISSIONER OWINGS – Thank you and there could be many factors, right?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – Yes

COMMISSIONER OWINGS – Thank you… so the real question is my opinion… Let me ask you a question too. What is your official title for the City?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – Community and Economic Development Director

COMMISSIONER OWINGS – So are you John's boss?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – Yes

COMMISSIONER OWINGS – Do you feel a bit funny about advocating so heavily for this in front of this Planning Commission when in fact they are supposed to be the City Staff and take an objective look?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – My comments were from an economic development standpoint.

COMMISSIONER OWINGS – Well I appreciate that you are wearing that hat, but when you are back in the office does that present a problem?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – No

COMMISSIONER OWINGS – Thank you. So that's about it. Thank you.

COMMISSIONER VAN NATTA – I wrote a list of questions and you have hit most of them already but I do have a question. Isn't there plans in the future for a school over on that side of town like maybe north of the freeway north off of Ironwood someplace or sometime in the future?

PLANNING OFFICIAL TERELL – The School District is considering two potential sites for a future High School. They have not yet made a determination. One of those is on Ironwood west of Redlands and the other is at Ironwood and Nason.

COMMISSIONER VAN NATTA – Okay would it be likely that students from the south side of the freeway would be attending that school?

PLANNING OFFICIAL TERELL – It's hard to tell but one of the other things that I participate in is the School Attendance Boundary Committee as a representative and the intent of the School District Staff in looking for High School 5 is really to have all students north of the freeway go to a high school north of the freeway. Valley View High School which is the closest High School in that location, half of their students come from north of the freeway, so one of the thoughts about having High School 5 north of the freeway is that they could have the freeway as a dividing line for school attendance boundaries, but there is nothing to say that students south of the freeway might not attend there just like students north of the freeway now attend Valley View.

COMMISSIONER VAN NATTA – Okay because I'm looking at the traffic patterns here and I'm concerned about people who are going to the north side to the south side, whether it is for work or whether they are driving through San Timoteo to get to work or something like that because if Redlands is now going to be used as a truck route in and out of this location and Moreno Beach is a very busy intersection there with all the businesses and everything and Theodore is being used by trucks, that really limits the amount of access that people south of the freeway have to north of the freeway or to that route up there through the hills to go to work in San Bernardino or Redlands or any place up there and I remember all the debate that went on about building the Highland Fairview project and people concerned about traffic and I remember how strongly it was emphasized that oh no it is not going to be a problem. All that traffic is going to in and out of Theodore and I even saw I thought at one point an architectural rendition showing how it was going to be developed along the future Eucalyptus Avenue to where the trucks could not even go through there to get back onto the

freeway, they would have to leave the Highland Fairview project, go to Theodore and get on the freeway, so this comment about them being able to use Redlands in the future was a little puzzling to me because I thought it was really clear that the truck traffic was going to be on Theodore.

PLANNING OFFICIAL TERELL – That is the intent of that project and that is the commitment of the developer of that project. The graphic that was shown that I think showed kind of and looked at what is similar across Sunnymead Boulevard as you get up at Frederick, but that is not a requirement of that project. It was just a suggestion that they had or something that might prohibit or you know really make it physically impossible for trucks to go towards to Redlands. The reality is that they've made an affirmative commitment to direct to director traffic to Theodore, but in the final analysis, they can't. It would be very difficult to never have a truck go that way, but your question I think was what is the impact on Redlands Boulevard relative to truck traffic and I'm going to defer to Michael Lloyd because that is an element of the Traffic Study to identify how many trucks and motor vehicles would be accessing Redlands Boulevard to get to the freeway and what is the mitigation to make sure that with that additional truck traffic, should it be approved, that street still operates at a safe and appropriate level consistent with our General Plan.

COMMISSIONER VAN NATTA – And as an add-on to that question I would ask other than I heard you speak about a traffic lane on Redlands Boulevard, but I didn't hear about any specific improvements that this developer would be contributing to on the Redlands interchange. I think it is going to need more than just adding a simple traffic lane to do that and recalling again what we went through on the approval. I mean I watched all the meetings and everything like that and all the things that were required for the development for Highland Fairview. Are there similar mitigations being required of this developer? How much money is going to be put into developing freeway on-ramps and off-ramps and that whole interchange there that is going to be chargeable to this site which isn't a third of the Highland Fairview but more like 40 percent?

PLANNING OFFICIAL TERELL – Well Highland Fairview is actually approved for 2.4 million square feet of industrial and then it has its commercial in addition to that, so it is the total and not just the current building, but yes there are similar mitigation measures and I'll defer to Michael to kind of list those briefly.

TRANSPORTATION ENGINEER LLOYD – Good evening again; Michael Lloyd with Transportation Engineering. Based on the Traffic Study that was conducted for this project, the project applicant would be required to install a traffic signal at Redlands Boulevard and the State Route 60 westbound ramp. They would also be required to install a traffic signal at Redlands Boulevard and Eucalyptus Avenue. The applicant would be required to construct an additional southbound auxiliary lane along Redlands Boulevard between State Route 60 eastbound ramp down to Eucalyptus Avenue. The applicant would also be required to

improve the intersection of Redlands and Eucalyptus to include turn lanes; that includes a northbound left as well as a southbound right turn lane. The project applicant would also be required to improve the intersection of Redlands Boulevard and State Route 60 eastbound ramp to provide turn lanes. Currently there is a northbound left turn lane. This project would be required to install in the eastbound direction a left turn lane as well as a right turn lane. Currently there is only one lane there, so this would be required to put in an additional turn lane to accommodate the right turning trucks and cars. This project would also be required to install improvements at Redlands and the State Route 60 westbound ramp. I don't recall off the top of my head and I apologize what turn lanes are out there currently today, but I believe there is a northbound through lane; a southbound through lane and this project would be required to construct a northbound right turn lane again to accommodate traffic from south of freeway turning onto the ramp and those are the specific improvements that this project would be required to construct.

PLANNING OFFICIAL TERELL – And those would be similar but not the same as the improvement that Highland Fairview is doing on Theodore.

COMMISSIONER VAN NATTA – Uh huh, so that is in anticipation of a great number of trucks going up and down on Redlands which still doesn't address the fact of what about people going in private cars north and south of the freeway. That still doesn't leave us a safe and easy way to get across without being subject to additional traffic there, but okay I see…

PLANNING OFFICIAL TERELL – There will be additional traffic and there will be truck traffic, so I think the Traffic Study shows that it would meet the standards for the City of Moreno Valley for its General Plan, but again it is obviously going to be more traffic than is there today and trucks that are not there today.

COMMISSIONER VAN NATTA – But what is difficult is gauging the amount of traffic because we were able to take a look at and you know count how many trucks was Skechers going to use because we knew who the tenant was going to be and what are their plans and when do they run and everything else like that, but this still leaves a lot of questions about that. My other question has to do with the chart that you gave us and you are comparing several different communities here to Moreno Valley, but then when you get down into the Industrial and Business Park zoning who have included a couple of other communities. I just want to make sure John was listening because I had a question.

PLANNING OFFICIAL TERELL – I'm sorry… I was just checking because we were thinking that the Traffic Consultant that prepared the study; obviously Michael reviewed it and is very well versed in the City's standards, but it is our understanding that the Traffic Engineer who prepared the Study that was reviewed by Michael is also here, so if we need him I just wanted to verify that but I'm sorry, your question…

COMMISSIONER VAN NATTA – Okay… yeah but just in response to that, that still is using supposed numbers of maybe and we don't know until we know who the tenant is going to be on that property how it is going to be affected.

PLANNING OFFICIAL TERELL – Right and the reason we do that is because first of all a tenant is not… let me go back. For the Highland Fairview project, the analysis was done the same way as the analysis for this project. The added information was for Skechers as they had more specific information which was lower than what the study indicated, so it was just more information, but the standard; that project was actually reviewed based on the same standard of an average and Skechers identified their truck traffic is lower than the average and whether that changed the decision or not I'm not sure, but the other thing to take into account is once a building is built, we can't assume that the same tenant will be there until the building is torn down or redeveloped, so that's why we have to look at it at this average.

COMMISSIONER VAN NATTA – I understand that when you have somebody in with a 20 year lease or something, at least you know you have some certainty of what is going on for the next 20 years. In looking at your chart here with your Industrial Business Park zoning and the other cities that have been added here and you said there is correlation to employment levels and the amount of Industrial and Business Park zoning in a city, does that mean that Perris with 21.7 percent of Industrial and Business Park zoning as compared to Moreno Valley's with 9 percent has a lower unemployment rate?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – No

COMMISSIONER VAN NATTA – I didn't think so

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – We didn't have the work force numbers for those three communities so we didn't include those.

COMMISSIONER VAN NATTA – Because it is my understanding that Perris' unemployment level is just as disastrous as Moreno Valley's and yet they have more than double the amount of Industrial and Business Park zoning within their City, which there again we get back into we don't who the tenant is and it is kind of like if I wanted to rent out a room in my house because I need more money, I'm going to very, very careful who I rent to because I want to protect my children and I want to make sure it is safe and everything like that and knowing who is going to be moving in is kind of a nice thing to know if we have it and in this case we don't have it. All we know is that it is going to increase truck traffic on a street that we as the residents were told before was going to be protected from truck traffic. I guess I'm arguing and I should be just asking questions. Okay that was all I had to know.

COMMISSIONER SALAS – I'm kind of confused. Are we adding a lane to the ramp or are they going to add a lane or are they going to widen the ramp… I mean the bridge over the freeway? Are they widening that?

TRANSPORTATION ENGINEER LLOYD – They would not be conditioned to widen the bridge structure.

COMMISSIONER SALAS – So in other words we're going to add lanes that are going to funnel down to one lane because that is only a one lane going across. Is that correct?

TRANSPORTATION ENGINEER LLOYD – That is correct

COMMISSIONER SALAS – That's not good

COMMISSIONER OWINGS – Just to follow-up to your question, when you say you know if they have been moved out 12 years; a tenant moves out in 10 years, John wouldn't they still be bound by the conditions of approval if they moved in 20 years from now or 30 years and then they'd be right back here asking us to amend those conditions, so it's not really an accurate analogy is it?

PLANNING OFFICIAL TERELL – As long as they can continue to meet the conditions of approval and typically the environmental is done for this broader range of possibilities and not just a specific tenant. That was my point.

COMMISSIONER OWINGS – If Big 5 went out of business tomorrow in their distribution center across from our dealership, any potential tenant would be bound by any of the conditions of approval for that project and they would have to come here or to the Planning Commission in Riverside to seek changes to it, so it's not like it's open season when someone moves out.

PLANNING OFFICIAL TERELL – No, they still have to comply with the conditions of approval and again the conditions of approval, other than special conditions that might have been added are based on the averages. They are not based the specific tenant.

COMMISSIONER OWINGS – So and then on these Industrial Business Park zoning statistics we really probably should have a breakdown between the Industrial and the Business Park portion of it; right, the large buildings versus the small buildings for each of those cities before we can make any real beginning of any kind of analysis as to which one of those types of businesses produces the most business. Now I understand now that the current business climate says you know the bigger buildings are more in favor than the smaller buildings, but there is no real correlation between the size of the building and jobs created are there?

COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR FOSTER – There is not and cities will differ in terms of what they classify as a Business Park. Not every city is unique to what Moreno Valley does where they require that 50,000 square feet or smaller. There are a lot of communities that would have Business Park zoning that would require a larger building.

COMMISSIONER OWINGS – You know I just, if by manner of just reminding everybody the definition of average; it is the best of the worse and worst of the best, so depending on where you fit in on that average, it could be good or it could be bad, so that is just more of a comment.

VICE CHAIR BAKER – Okay, is there anyone else for comments to the Staff?

COMMISSIONER OWINGS – I do have one. I hate to belabor it but intellectual honesty demands me to ask you this question. Paul Claxton writes and he says I can hardly wait for 200 semi trucks an hour to roll down the 60 Freeway, Ironwood and other streets creating the noise and the pollution. That is not a factual statement is it?

PLANNING OFFICIAL TERELL – That is related to the Skechers warehouse, right; the comment…

COMMISSIONER OWINGS – Well right, but even that… is that factual?

PLANNING OFFICIAL TERELL – No

COMMISSIONER OWINGS – It is not factual, so what would that actual number be?

PLANNING OFFICIAL TERELL – Something less than 200… There was a number there and I thought it was something of over a little over a thousand was the average… kind of the… It wasn't related to the specific… I believe with Skechers it was a very low number because they knew exactly how many trucks that would be coming in and out of there…

COMMISSIONER OWINGS – And they certainly wouldn't be on Ironwood would they?

PLANNING OFFICIAL TERELL – No, Ironwood is not a truck route is it?

TRANSPORTATION ENGINEER LLOYD – That is correct. Ironwood in this particular area is not a truck route and so they would be prohibited from using Ironwood.

COMMISSIONER OWINGS – Well he goes onto say this warehouse hasn't created a single job in the City. That's not true either is it?

PLANNING OFFICIAL TERELL – Well it has created construction jobs certainly already.

COMMISSIONER OWINGS – Alright… Well I just think everybody should be honest in their comments.

VICE CHAIR BAKER – Okay, moving on. Does anyone else want to comment? At this point I think we'd like to bring the Applicant forward. Would you please state your name and address for the record.

APPLICANT RICE – Sure my name is Dennis Rice and I reside at 201 Covina, Long Beach, California. I'm with Ridge Property Trust and we're the developer of the proposed project which we call West Ridge Commerce Center. By way of background, Ridge Property Trust is a private real estate investment trust. It was mentioned earlier that we are a national company. We are headquartered in Chicago. We have an office here in Southern California, one in Dallas, Texas and one in Monterey, Mexico and we've done some other work in the City of Moreno Valley and also here in the East Inland Empire. Specifically we have developed about half of the Centerpoint Business Park Project across the street here, which is bounded by Frederick to the west; Cactus to the south; Alessandro to the north and Heacock to the east there. We've built five buildings totaling about 1.85 million square feet. They are all 100 percent leased right now and we have about six more buildings to build there, totaling about just under 1.2 million square feet and that will finish out that project. It is 162 acres. We also have a building down in Perris that we developed. It was 1,310,000 square feet and that was leased out to Hanes Brands and we have room down there to do about another 2.6 million square feet in addition to the building that we're proposing today of 937,000 square feet.

One thing I'd like to point out with the Hanes Brands because we have talked about truck traffic and averages and the best of the worst and the worst of the best, is Hanes again is 1,310,000 square feet. They have and depending on their season; right now they are in their back to school season. They employ between 800 and 900 people in that facility. They average throughout the year 25 inbound trucks and they average 40 trucks per day that are outbound, so a total of about 65 trucks per day on average, which kind of goes to some degree with what Mr. Owings was saying with the Big 5 facility over there near the Raceway Ford Dealership. Before I go any further, I'd like to thank the City Staff; especially Jeff and John. We've worked really hard on this project to get it to this point. Also, I appreciate all the input of the other Planning groups and all the different departments within Public Works, Parks and Community Services and the Police and Fire folks. We've owned this property now for a little over 4 years. We bought it in March of 2007.
One thing I would like to talk a little bit more about the project. I think Jeff did a great job of explaining all the particulars about the project, but one thing we did

and I believe you may have gotten this package from me is we did a Community Outreach Program that we started about a year ago in June of 2010 and what we did with that program is we mailed about 20,000 project brochures to the residents on the east side. It was a four page color brochure that had a tear away card that people could mail back in and what we got out of that was about 154 responses out of the 20,000. Six of those went undecided; 29 were in opposition of the project and 119 were in support of the project. Back in October of 2010 we hosted a project Open House at our Centerpoint Project where we invited all the people that replied to the cards, various community leaders within the City of Moreno Valley and also the different Moreno Valley Chamber of Commerce's and back then in November we did a promotion to make the community aware of the Public Hearing/Public Information Meeting that was going to take place on December 2nd and also on November 13th and December 11th, we walked door to door on that east end of town and handed out about 800 project brochures on this particular project here and engage with people and answered any questions that they might have with regards to the project within the packages all the response cards that we got in the mail and again some were in opposition and some were in favor and there were some good comments and we have a project website that people can go and refer to.

We have a link to the Draft EIR and also the Final EIR. We also have a 1-800 number they can call and can leave a message and we get back to them and try to answer any questions they may have or discuss any issues that they have. With that we've got our team here that put together the EIR; Ross Geller and Charlie Wray with Applied Planning and are here to answer any questions and also we've got Eric Affith(?) with Urban Crossroads to answer any questions with regards to the Traffic Study that was done.

COMMISSIONER OWINGS – Mr. Chairman may I ask a few questions?

VICE CHAIR BAKER – Yes

COMMISSIONER OWINGS – Mr. Rice my name is Tom Owings; welcome.

APPLICANT RICE – Thank you

COMMISSIONER OWINGS – You know my view of this job is I don't have a dog in the hunt. I am not on anyone's payroll except my own and I feel that our job as Commissioners is just to make sure that everybody in the audience has their questions answered that they would ask if they were sitting here, so I hope you will take my questions in that spirit.

APPLICANT RICE – Sure

COMMISSIONER OWINGS – This is a very impressive book and in fair disclosure/ full disclosure I live on Canterbury Downs Way, which is not within

300 feet of your project, but I do live within a close proximity to it, so I did get one of these beautiful folders that you sent; questionnaires. I looked it over from head to toe and I couldn't find anywhere in here where you said how large this building was going to be in this brochure. There is nowhere in this brochure does it say it's a million square feet and now I do have to tell you that I've had two cataracts repaired since then or prior to that so I have may have missed it, but I don't see it and I just wondered why it wasn't mentioned when you got the public response.

APPLICANT RICE – Yeah, I don't know the answer to that Commissioner. I believe there were references to the website where you could gather that information.

COMMISSIONER OWINGS – Well you know the question just is begging you know if it is going to create a lot of jobs and have all the positive attributes or things to the community that are attributed by the size of it, that we would mention the size, but that is okay. So then the other thing that I noticed in it was that there were like 19 people who said they were against your project and they basically talked about traffic congestion. You know there were a few vague illusions to you know livability of the neighborhood but really I just don't know, I can't put a finger on what that is… Traffic we all know; pollution we all know and congestion around it by trucks, we all know, so of the people that said that they in favor of it, other than the fact that they didn't realize it was a million square feet. I didn't see a lot of comments about it. There were a few that said jobs, so I wondered if you could address how many jobs will be brought to the community as a result of it, since we don't even know who is going occupy it.

APPLICANT RICE – That is a great question. I don't know the number of jobs. All I can tell you is…

COMMISSIONER OWINGS – Okay, but you do allude to it in your brochure as 300.

APPLICANT RICE – That is based on the number of parking stalls that are available

COMMISSIONER OWINGS – The parking stalls respectfully don't equate to jobs.

APPLICANT RICE – True

COMMISSIONER OWINGS – Especially in the days where they stress so much carpooling

APPLICANT RICE – Right and I'll give you an example of that down in Perris at the Hanes Brand building, they have 800 to 900 jobs. We have 375 stalls associated with that building.

COMMISSIONER OWINGS – But there again, those are all estimates. You say to the Planning Staff that we are going to have 300 jobs and they tell you how many parking spots you need.

APPLICANT RICE – No, I think that is based on…

COMMISSIONER OWINGS – Well it is based on a Code

PLANNING OFFICIAL TERELL – It is based on the square footage of the building

COMMISSIONER OWINGS – Right, so it is a formula

APPLICANT RICE – Right

COMMISSIONER OWINGS – It doesn't necessarily equate to jobs

APPLICANT RICE – You could have more or you could have less

COMMISSIONER OWINGS – So what I'm asking you is you know it doesn't that that 300 number in this brochure really equates to anything except parking spaces. Is that a fair analysis?

APPLICANT RICE – I guess so, yes

COMMISSIONER OWINGS – And another thing I noticed is that a hundred and something people that said they were in favor of the project, many of them didn't say what zip code they were in and there were a lot of different streets. Was any attempt made on your part on your behalf to determine how many of the people in favor of this project were really living within proximity to the building?

APPLICANT RICE – No, we did not do that

COMMISSIONER OWINGS – So there could be people that aren't even in the same zip code responding that they are support of it. Is that an accurate statement?

APPLICANT RICE – It could be accurate. We could give you a copy of the mailing list if you'd like

COMMISSIONER OWINGS – Well I understand it, but that's a lot of time for me to get a map out and find out where all these people are. I'm just asking did you make any attempt to determine the proximity.

APPLICANT RICE – No we did not

COMMISSIONER OWINGS – So there could be people who are saying they are in favor of it that live on the other end of town.

APPLICANT RICE – Well the mailing list was pretty much directed to the east end of town.

COMMISSIONER OWINGS – Okay, but I noticed there is one in here for 95551 and it would seem that this building is in 95555, which is the largest zip code in the city.

APPLICANT RICE – Okay

COMMISSIONER OWINGS – So my point is there obviously were people who were mailed this survey… I'm not trying to be argumentative; I'm trying to figure how much weight I should give this survey.

APPLICANT RICE – What I think I'll do is I'll get you a copy of the list and…

COMMISSIONER OWINGS – No, I'm asking you to tell me now.

APPLICANT RICE – I don't have that information with me here…

COMMISSIONER OWINGS – The question is simple. Let me finish the question and then you can answer it. There is a possibility that people said they were in favor of this that do not in close proximity to the building. Is that a correct statement?

APPLICANT RICE – If you say it is, then I'll agree with you.

COMMISSIONER OWINGS – I'm asking you. You did the study.

APPLICANT RICE – We mailed it out to 20,000 people Commissioner…

COMMISSIONER OWINGS – So a fair response is would be you don't know
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APPLICANT RICE – I don't know and what I'll do…

COMMISSIONER OWINGS – I can accept I don't know

APPLICANT RICE – Okay, what I'll do is I'll go back and we'll pull those cards and we'll map those 119 people were.

COMMISSIONER OWINGS – So you mentioned Hanes… I like your example of Hanes, but that is not the tenant here, right?

APPLICANT RICE – That's correct

COMMISSIONER OWINGS – Okay, so their usage really might not relate to the potential use/potential tenant here.

APPLICANT RICE – Absolutely

COMMISSIONER OWINGS – So have you ever signed as a developer; have you ever signed a lease for the development of a large building and then gone to the City and sought entitlements?

APPLICANT RICE – No, because I don't think I could build the building without…

COMMISSIONER OWINGS – Well you sign the lease conditioned on entitlements, right? Have you ever done that?

APPLICANT RICE – No

COMMISSIONER OWINGS – Okay, so that is not a practice among builders of large buildings?

APPLICANT RICE – No and I don't think there is really any tenants in the market that would ever sign a lease conditioned on entitlements because there is no guarantee that they are going to be able to get that building.

COMMISSIONER OWINGS – Are you familiar with Skechers?

APPLICANT RICE – Sure

COMMISSIONER OWINGS – Did they sign a lease prior to having all their entitlements?

APPLICANT RICE – I don't know
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COMMISSIONER OWINGS – I think they did. John do you know?

PLANNING OFFICIAL TERELL – Well that was what…that was said and…

COMMISSIONER OWINGS – So to the best of your knowledge Skechers signed a lease prior to having its entitlements?

PLANNING OFFICIAL TERELL – Yeah, but I will say that is very unusual

COMMISSIONER OWINGS – That's unusual, but that's what happened, right?

PLANNING OFFICIAL TERELL – Yes

COMMISSIONER OWINGS – Okay, but you have never done that?

APPLICANT RICE – No

COMMISSIONER OWINGS – So it would make it more difficult to get somebody to sign on without entitlements?

APPLICANT RICE – It would. If you weren't able to get the entitlements they obviously would want a right to cancel the lease

COMMISSIONER OWINGS – But right; I agree with that. That would be obvious. My point is this; you know this is kind of a pig in a poke to us and it would sure… and I'd probably vote for it in a nanosecond if I knew who was going in there and the City had some way of really having a better estimate of all the impact that it could have to the City and the residents around and so you know I'm just trying to get to that point to I can vote for your project, so I'm just wondering could we or how uncomfortable you'd be to say come back to us after you've had a tenant in mind or even…

APPLICANT RICE – And then seek entitlements then…

COMMISSIONER OWINGS – Well seek the zoning change, yes

APPLICANT RICE – Um, I think it would be very difficult because there are other opportunities for those tenants to do those build to suits with a guarantee that they can get that building and there is obviously a lot involved planning wise for a user of that size to know that they are guaranteed a building there or not.

COMMISSIONER OWINGS – Would you have any objections to my earlier comments to making the building consistent to the Skechers building architecturally?

APPLICANT RICE – I think like you said, the beauty is in the eye of the beholder and I think this building is just as good or if not better than the Skechers building.

COMMISSIONER OWINGS – Well in terms of the standard of construction, would you say it is going to be the same standard of construction?

APPLICANT RICE – What is standard of construction mean?

COMMISSIONER OWINGS – Well the level of construction; excuse me; wrong term. Would it be the same level of…?

APPLICANT RICE – Yes, it will be a concrete tilt-up; extensive amount of glass. It has got a lot of that metal that you see on the Skechers building around the square windows.

COMMISSIONER OWINGS – Yeah but, okay, but it does look totally different than the Skechers building to me. Would you have an objection to a condition that would require you to make it more consistent with the Skechers building?

APPLICANT RICE – I think I would, yeah

COMMISSIONER OWINGS – Fair enough

APPLICANT RICE – Skechers is Skechers and we don't want to be like Skechers and we don't want to be like Highland Fairview. We want to have our own identity and I think it is better for the City too.

COMMISSIONER OWINGS – Well you know it seems to me that you are going to want people to move or whatever tenant comes into that particular building is going to want people to live where they work, right?

APPLICANT RICE – Yes

COMMISSIONER OWINGS – So we have to have an eye to protecting the visual impact that this building will have in the very area in which we're going to ask these people to live. Would you agree with that?

APPLICANT RICE – Absolutely

COMMISSIONER OWINGS – You know, initially when Skechers opens, it is my understanding that most of the people that will be employed there probably still live in Ontario, so it is our job as a City to seek those people to come over here and live here so that there being here means something; taxes; spending their money here; etc, etc., so it would seem to me that we don't want to have an eyesore from one end of the 60 freeway to the other of these large buildings that all look alike, so I'm hard pressed to understand while consistency in architectural design is so objectionable, but with that I'll just pass it on to the other Commissioners.

COMMISSIONER VAN NATTA – I had a little time on my hands while I was watching Dancing with the Stars the other night and I went through a couple of pages of the comments, just where you had the addresses and stuff of the people and I did mark down on a map. I used red for the people who were against it and green for the people who said yes they would like it and I know you probably can't see too much of that here and this isn't all of them by any means, but it might not surprise you to know that the closer they were to the project and the more rural or larger the properties that they lived in, the more likely they were

to say they did not want the project there and that most of the responses that said yes they liked the project were clear down along the south side of town along LaSalle, south of Iris; some of them over in the 92551 area and so it seems like those that are most impacted with the project and have the biggest objection to the traffic and everything else like that were the ones that were closer, so just kind of respond to what you were asking him about that and that does kind of give a feel there, but also I circled in purple on this from your report here when you said that you did door to door in a particular area and with one exception and that was clear down on this side of here, just going through those first couple of pages where there were yeses and no's, all the ones that were within that area that you seem to feel that were most impacted where the ones that said they didn't like the idea of the project there, but that was just to elaborate on what you were talking about where it was. I didn't really have any other questions beyond that except for your hotline and I'm looking at what you gave us on your hotline and the answers that they were allowed to give after name, phone number, email address, their options were yes, undecided and looking for work. There wasn't anything there that said no, so if they did call into the hotline and it is interesting that almost everybody that said yes, also marked the looking for work, which might have impacted their answer yes, but why wouldn't the hotline have an opportunity to say they didn't like it rather than yes or undecided.

APPLICANT RICE – I don't know the answer to that question

COMMISSIONER VAN NATTA – Okay, fair enough, thank you.

VICE CHAIR BAKER – Is there anyone else? Okay, Commissioner Crothers has a quick question?

COMMISSIONER CROTHERS – I just want to thank my fellow Commissioners for bringing up some of the issues that I also have while going over these proposed projects and I just want to thank you for being so efficient and thorough.

VICE CHAIR BAKER – Is there anyone else for questions to the Applicant?

COMMISSIONER OWINGS – You know Mr. Rice I wonder is there anything that we should have asked you that we didn't that you'd like to elaborate on or any of the people that you brought with you that could inform us of the traffic situations beyond or any of the other concerns that you would like to address tonight?

APPLICANT RICE – No I think you did a pretty good job. Nothing comes to mind that I would want to ask you right now. We have put a lot of work into this and I appreciate your consideration. I guess I could ask my team if they have got anything they'd like to contribute.

COMMISSIONER OWINGS – Certainly, with your permission Mr. Chairman

APPLICANT RICE – We'll wait until Public Comments. Okay, thank you

PLANNING OFFICIAL TERELL – Yeah Chair, at this time and I don't know if this might be an appropriate time to take a short break if you like or not before we start the Public Comments. I do know that Commissioner Crothers has to leave to go to work, so…

VICE CHAIR BAKER – That's fine, do we need a…

COMMISSIONER OWINGS – Maybe we should just soldier on

PLANNING OFFICIAL TERELL – That's up to you, but I just wanted to give Commissioner Crothers…

VICE CHAIR BAKER – She is going to work, so if want to keep moving forward, I'm with you on it okay.

PLANNING OFFICIAL TERELL – Obviously we'll have a tape of these minutes, so should a decision not be made tonight you would have an opportunity to review those and still participate.

VICE CHAIR BAKER – Oh do you want to take a break?

COMMISSIONER SALAS – No go ahead

VICE CHAIR BAKER – You're okay… We'll open the Hearing up for Public Comments on Item No. 3.

PLANNING OFFICIAL TERELL – If we can just hold off allowing Commissioner Crothers to leave and then we can start so she is not walking in front of somebody that is speaking.

VICE CHAIR BAKER – Thank you. Okay our first speaker will be Susan Zeitz; excuse me and we do have a three minute limit. Please state your name and address.

PLANNING OFFICIAL TERELL – Yeah unfortunately those are the rules that have been established, so…

SPEAKER ZEITZ – My name is Susan Zeitz and I've lived here since 1984 at 26386 Ironwood Avenue here in Moreno Valley; unfortunately on Ironwood. I'd like to address a few of the things that you guys have been talking about versus my original thing; high schools. The majority of students who go to Valley View come north from the north side come from the north west and that's where the High School needs to be. Putting a High School on site number one or two, but especially number one is like a Cinderella story. They are trying to fit the land to

the project instead of the project to the land. Additional traffic is going to be a nightmare. Two High Schools so close together with more than 3,000 hormonally challenged teenagers is not a good idea.

VICE CHAIR BAKER – Would you address the subject matter here

SPEAKER ZEITZ - I'm getting there.

VICE CHAIR BAKER – Okay you've got three minutes

SPEAKER ZEITZ – You guys covered all this stuff too. Yes you did, I heard High School and I heard all kinds of stuff; traffic; bridges; gas prices over there; the truckers are not going to stick with the freeway routes, they are going to go the shortest route. They are going to be on Ironwood. Any increase on big rig traffic north on Redlands Boulevard is going to be a nightmare for the people who live on the other side of the side hill. There is already a problem and people trying to go around these rigs on Ironwood and on Redlands Boulevard and different places are going to have more head on collisions, so traffic is already bad on Ironwood; it is already bad on Redlands Boulevard. The bridge is a nightmare on Nason trying to get to the High Schools because improvements weren't done when those projects were approved other at Target and all that.

The same thing with Skechers; narrow bridge; wide roads on either side; it is a no-brainer. It is going to be a problem. They already exceed the speed limit on all of that area over there. I don't know why the planners let them put in the buildings before they make all of the improvements. The warehouses on the northeast and southeast are ludicrous, they should be near the freeway interchanges and not on the end of the town where they are going to try to take shortcuts and they are going to impact not only the people immediately there but a lot of other people too.

The State of California requires that every City and County have an adopted General Plan to provide guidance and direction, but it doesn't say they should continuously manipulate it to suit those with monitorial resources beyond the means of most of its citizens. Some of our citizens like us moved into this area because it is largely rural. Some moved into this area because they liked the original General Plan. Everyone can understand a General Plan will change a little over time but not to the extent that our City becomes unrecognizable from the first plan. Every time someone wants a petition to change or amend the General Plan the City Council should first take into consideration the City's original General Plan and not it's most recent predecessor. We purchased our home in 1984 before the incorporation and went to the City meetings and the planning meetings and we liked the way the plan was made, but every time someone comes; every time a developer comes in and waves money in front of you and the City Council, bam, we have an amended General Plan.

Often the only people that are notified are those people within 300 feet. It is ludicrous because what happens in Moreno Valley truly affects every taxpaying citizen and the City is sneaky. I feel that any time there is a petition to change or modify the original and I do mean the first one General Plan that written notice should go out to every taxpaying citizen and not just those within the 300 feet. This buyer; these people; they bought this building for almost 3 million dollars knowing that it's not for what they want. They want to put a warehouse there but they didn't buy it… they bought it knowing it wasn't zoned for that, so they are feeling pretty certain that they are going to come in front of Moreno Valley and they are going to be able to change it. You know if they thought you'd say no, they'd still have spent that money for a piece of property that they can't build a warehouse on; I don't know. The Press Enterprise quotes Darryl Hill who is the Vice President of the Dom Commercial Real Estate services sold the property; it says obviously they wouldn't have purchased this property if Skechers hadn't happened. It is wrong to come into an area of rural homes and farmlands and build something not in keeping with the area. You should have never allowed Skechers.

Don't compound the mistake by allowing more warehouses or commercial properties to ruin the rest of the northeast and southeast end of our Valley. Keep the industry to the east of Perris Boulevard. Stipulate that before pristine land can be plowed under and covered in concrete that the unused or underused commercial areas be utilized first until there just isn't anyplace left to expand. Don't make our valley one continuous gigantic concrete city. Development should be done where it has the least amount of impact both on land and its citizens. Draw the line. Stand your ground. Once pristine land is covered in cement it is gone forever. Preserve what is left of our rural areas of our valley for future generations. I hadn't spoken up about this before because I just found out about it because I live more than 300 feet away and I'm against or any other warehouses being built on the northeast or southeast end of our valley. Thank you for giving me the time.

VICE CHAIR BAKER – You're welcome. Our next Speaker is Deanna Reeder. State your name and address for the record please.

SPEAKER READER – My name is Deanna Reeder and I live in District 3 and I appreciate Mr. Owings and Ms. Van Natta; your questions very much because we need to question the things that we do. Mr. Ramirez, I'm going through these comment cards here and you have a comment card here that you were for the West Ridge Warehouse, which means that you probably should exclude yourself from voting on this because you are not an unbiased party. You are a very biased party. You've already participated in getting it here. Mr. Baker, the last City Council meeting I was at you sat whispering in Mr. Benzeevi's ear through the meeting. I don't think you are very unbiased either. If you are going to be up there making decisions on people projects maybe you should show just a little more discretion on where you hang out and who you hang out with. You should

at least put on an air that you are unbiased about it. Now in case you didn't know Mr. Rice is on the Rancho Belago Economic Council, Board of Directors along with Benzeevi and you know some of his good old boy club and that's fine; it is his project, but you all need to be doing your jobs in representing the people of this City. I believe most of you were appointed because they expected you to vote the way Mr. Benzeevi wants you to vote. Now that might not happen and that's not a bad thing. Like I said I appreciate the questions; surprised as all whatever, but I do appreciate it. I watched… well I send out emails to people and urge them to send out emails or contact or go to meetings or what have you; you have one email that is in there by Mr. Hyatt and I know there was a lot more emails so I'm just wondering where they were at, because most of the people that I contacted that sent emails on, actually explain why.

On the Skechers project; if you read their emails, most of them were weenie jobs. Well you know what, when they built Skechers, they had what a thousand people working there and the unemployment in Moreno Valley went up the entire time. Guess what; what jobs now; didn't happen and the people that are going to work there aren't from Moreno Valley. Now by attrition, eventually some of them will be from Moreno Valley, but jobs now didn't; it is not going to happen; tax base that's not going to happen. That's a pile of crap too. We have a 14 million dollar deficit and Skechers is supposed to contribute 190 thousand dollars a year in economic benefit; so in three years that is 570 thousand dollars. How come we can't get 14 million from them because it is not going to happen? You know what when we say jobs and we say economic benefit, these are empty promises. Please do not approve a speculative building. I mean even the ones that aren't speculative aren't giving us what they said they were. It obstructs the view more than they said. It is not going to have the landscaping they promised. You try to get out of the other stuff and… Mr. Rice I approve of the things that you put in District 4 just so everybody knows where I live at. Through my backyard I look at a big blue Walgreen's building. Now Skechers was put where it was supposed to be I would be looking at it every day. I don't look at it every day because it is not where is supposed to be. Now if this building was put where it is supposed to be I would be looking at this, so you know these people that tell me this nimbi crap; that's crap because if you put it where it is supposed to be I would be looking at it from my backyard and I don't have a problem doing that because that is where it is supposed to go, so the next person that tells me nimbi, you can do whatever with it; I'm not going to say it but you get the idea, so that is not the case.

Things are planned. You need to put things where are they are planned. You need to approve them where they are planned. Mr. Benzeevi bought his approval and just like in San Bernardino, eventually I'm he is going to pay for it. In fact I'm very sure eventually he is going to pay for it. But you know what, it has been what six years since what they did in San Bernardino happened and are just now getting indicted. Things take time; but don't worry, it will happen. Please don't let him buy an approval and then start getting other warehouses where they don't belong. This warehouse does not belong there and just like I

told Mr. Benzeevi and I did. I said if you put the warehouse where it supposed to go I will support it. I did. I offered to support the Skechers if it where it was supposed to go and I am not anti-warehouses. Now if Mr. Rice will put the building where it should go, I will support it. I will not support over there and I will ask that you listen to the citizens of the City; not the 500 that Mr. Benzeevi paid to show up in buses, but the actual people that live here. Thank you.

VICE CHAIR BAKER – Thank you. The next Speaker we have is Alisha Zeitz. Please state your name for the record and your address.

SPEAKER ZEITZ – Hello my name is Alisha Zeitz and I live at 26386 Ironwood Avenue. I am the face of the youth who will need a future job. I will need to apply to College and jobs in the next year, so if this Skechers building is bringing in 1,100 jobs that are mostly technology based, how am I or any of my 3,000 plus piers going to get a job with this expertise at Skechers. I begin with this question. It has been brought to my family's attention that the City of Moreno Valley City Council per their City of Moreno Valley Deficit Elimination Plan has removed funding from our Moreno Beach Fire Station 58 at Eucalyptus Avenue and Moreno Beach Drive in the Auto Center across from Walmart. This cut eliminates 8 sworn firefighters and truck 58; our City's only paramedic truck company. Calls will be assigned to the remaining stations in the City which they expect will drop their response time to 60 percent efficiency, which can be the difference between life and death. Yet you propose adding more industry which increases the change of industrial accidents where those services will be needed the most and increase the number of big rigs coming and going in and out of our valley, which increases the unfortunate, but likely chance of negative interaction between those tens of thousands of ton trucks with our family vehicles.

The northeast and the southeast end of the valley will be affected the most because we will now be the furthest from help0. This is another good reason to keep the northeast and southeast areas of our valley rural and not allow further commercial or warehouse industry into this area. Also the City of Moreno Valley is located with the South Coast Air Basin. The basin is a physical unit that due to low wind speeds and prevailing inversion layers retains pollutants for substantial periods. This slow dispersal of pollutants results in high concentrations of primary pollutants including carbon monoxide. The basin also supports the formation of the ozone. The atmospheric haze created by the presence of these pollutants is known as smog. Adding more industry to the northeast and southeast end of the valley will further pollute our homes. Please don't change the zoning to allow more warehouses. Let's retain rural areas of our valley. Thank you.

VICE CHAIR BAKER – Thank you. As it sits here I have no more Speaker Slips for this item, so I'm going to close the Public Hearing.

PLANNING OFFICIAL TERELL – At this time I think if you could leave the Public Hearing open and call the Applicant back.

VICE CHAIR BAKER – Okay, sorry about that. We'll open the Public Hearing up and let's do that. Mr. Rice do you want to come forward and rebuttal some of those comments.

APPLICANT RICE- Yeah I think just a couple of clarifications. Susan had mentioned purchasing the property for 3 million dollars. That wasn't our particular site; the site immediately east of us between our east boundary and Redlands was sold; my understanding in reading a newspaper article less than 30 days ago and I believe the price was 2 or 3 million dollars or so. It wasn't our site and then Ms. Reeder had mentioned something about me being on the Board with Iddo; on a Rancho Belago Board, which I have no idea what she is talking about because I'm on no Board for Rancho Belago.

VICE CHAIR BAKER – Okay, thank you

APPLICANT RICE – You bet

PLANNING OFFICIAL TERELL – So are you going to close the Public Hearing?

VICE CHAIR BAKER – Yeah, I'll close that.

PLANNING OFFICIAL TERELL - I wanted to kind of have the City Attorney comment on one of the comments that was made.

DEPUTY CITY ATTORNEY BRYANT – One of the comments supposed that a Commissioner may have pre-judged the item. I just wanted to remind the Commissioners that if anybody has pre-judged an item before the finding, they might want to recuse themself from making a decision if they have pre-judged it. Perhaps more facts have come out but as long as you can keep an open mind and think you can go ahead and make a decision on the item.

COMMISSIONER OWINGS – I think it is important to note that he wrote that card before he was a member of the Planning Commission. So are we into…

VICE CHAIR BAKER – So what we do next is we are into Commissioner's Debate over the project.

COMMISSIONER OWINGS – Mr. Chairman or Mr. Commissioner could I… I'm probably going to hate myself for these comments but… I would like to first all say that I trust every person at this dais. I trust your motives and the people who are against this project or any project who use ad hominem attacks to discredit a project really are hurting themselves and I think that this City will never get to a point where it will grow in a positive way if we don't stop all of this; this non-fact

base of personal attacks. Whether or not Iddo Benzeevi is a good person or a bad person, he has certain rights in this City and they should be obeyed or they should be respected. Every person in this room has certain rights that need to be respected by Mr. Benzeevi and everybody else and we need to live by those rules, so I would really just encourage everyone and I know this is going to fall on deaf ears, but we need to stop this.

There is not a single person involved in this Planning Commission that has dishonorable motives and if they do you know it is not our place to judge them. Let their votes and their comments stand for that, so I apologize to you and I know that today I didn't receive any but I know that next week I might, so I would just hope that we could all restrain ourselves from those types of attacks and especially to you Mr. Rice and I apologize for myself. In terms of the question that is before us, you know I believe that I heard everything that was said by the people who were here speaking.

I do believe that markets change and I think that these folks bought this property with the intent to do something with it that was consistent with the current zoning and I think that the market no one could foresee 2009 and the market changed and so now they want to do something different with it and unlike the earlier situation, this is not a contractual agreement, this is a matter of property rights, so I agree that they have the right to ask for this and I happen to agree that under certain circumstances it should probably be granted, but I personally cannot vote for the project until I know who the tenant is and I especially can't vote for it when there is 40,000 square feet or 40 million square feet of potential space somewhere else or within eyeshot of the building, so until we know who is there, I feel that it is impossible to judge the exact impact to the community and therefore

I will vote no, but I will tell you this Mr. Rice, if you bring a tenant here and can bring this thing down to more manageable numbers and be more persuasive about actual jobs and impacts to the area you'd have my vote in two seconds and that is the situation that I find myself in tonight and I appreciate everybody listening.

COMMISSIONER RAMIREZ – I just want to address what was mentioned about me earlier. Again as Commissioners we take this obligation as a privilege to serve the people. We are here to provide a non-biased, but yet intelligent perspective opinion on what is presented to us. The future of our community is basically our responsibility; our State. Wherever we build today is going to be here well after we are gone; it is going to be for our kids; for our future, so having said that I am going to say clearly I am here to vote against this and the reason why is because the traffic situation on Redlands Boulevard jeopardizes the security of everyone there. I believe the future of our community if we are to develop in an economic and industrial way, we have to do it in an efficient, logistical manner. I think Theodore Boulevard is the ideal location to route traffic in and out of the City. I think we should protect our citizens, especially those that

live off of Redlands north and south of the freeway, so the concern that I have also is that I agree with Commissioner Owings is that it is hard for us to say yes; let's go ahead and vote for this when we don't have a tenant that will bring jobs. It is all speculative. You know the other projects that they have south of the City; those have tenants already. I would like to see a tenant that will come into our community that would be basically at the cutting edge of the economic industry; basically like Skechers in other words; a tenant that is willing to be here for the long haul that is committed to help this community prosper and thrive. That's all I have to say. Thank you.

COMMISSIONER VAN NATTA – I don't think that we can always expect that when somebody is building an industrial building that they are going to know who in advance who the tenant is going to be and I think that is an unrealistic expectation and usually isn't going to happen. They may have some perspective tenants but it not going to be that often that somebody does a project of this size that's build to suit like the Highland Fairview project did for the Skechers tenant, but my objection to this project has to do with fact that it was very, very clear when Highland Fairview was putting their application in for their huge building in on the east end of town that that was a major paradigm shift for a lot of people; that that was not what a lot of people saw that was going to happen on that end of town and even though it may end up being the best thing for the City it was only approved after a lot of people were convinced that it was going to be pretty much curtailed to that area from Redlands east and that it wasn't going to increase truck traffic coming through the residential area there along Redlands and that future development of this type was going to be encouraged to be other high end tenants like the Skechers project and that that was the only way that we could tolerate that kind of development on the east end of town, was if it was upscale; if it was somewhat contained and so forth. This project is lovely as a warehouse as it is, looks just the same as the other big box warehouses that are in other areas of town. I don't think it reflects the level of or the type of building that we want to see on the east end of town, but more than that it puts truck traffic onto Redlands Boulevard and for no other reason than that I would vote against this project just because of the impact that it is going to have on the residents of that area and their somewhat semi-rural even though much less rural than it used to lifestyle.

COMMISSIONER SALAS – I like the project. I like idea of the project. I agree with Barry on that we need it, but again the only thing that I don't like about this project is traffic. If Mr. Rice would come to me and tell me that they are going to improve the off-ramp and widen it when we could actually have a car and a truck going at the same time both directions, because it is going to be another Nason and the 60 freeway there. It is just going to be backed up. The cars are going to be backed up. There is going to be a stop sign there or a light or whatever is going to be there. It is going to be horrible. The traffic is going to be backed up forever. That is where everybody goes to San Timoteo to get out of town to go to

Redlands and stuff, so that's what is going to keep me from supporting this project. Thank you.

VICE CHAIR BAKER – No they leave it to me. You know this is a double-edged sword here. We need to get some community development going here and you can't do it without putting… and the problem we've got here in Moreno Valley in the proportion of roof-tops to commercial property is way out of whack and I don't know how to get it back. I mean we've got to get some commercial property in this town and no one wants it in their area. I mean you know obviously these fellows own the land and they say go to the south. Well they don't own the land in the south part of Moreno Valley or they don't own the property out there by Gilman Springs or Theodore, so I don't know. It seems like to me and this is just me talking, we're really stymieing ourselves here and I understand all the traffic problems; the smog and everything you are considering but somewhere we are going to have to bite the bullet and go forward with this. Obviously I'm probably in the minority here. I don't whether we ought to vote on this. We've got two Commissioners absent. This is a big hit here. Looks like right now it is going to fail and John you may give us some guidance on this. Do whatever you like.

PLANNING OFFICIAL TERELL – Well you have the option to continue it if you like so that the other two Commissioners could participate. You also have the ability to continue to ask the Applicant if he would like to continue it, if he would like to provide additional information that might address some of your concerns that came tonight. Based on your comments though, I can count to four and it looks there are four Commissioners that are not in favor of recommending this project and therefore that is a majority.

VICE CHAIR BAKER – Well you know and I don't know if it's proper or not and I don't know how on earth, because I've been in property rentals and stuff, how you can have a spec property and that deal with Skechers was really a strange deal where he had a tenant lined up and lease signed before he even built the building and I don't know, I'd sure like to talk or have Mr. Rice address that if that is even possible. I don't know, is that out of line to bring the Applicant back up?

PLANNING OFFICIAL TERELL – You can do that. I can give you… I'll just let you know should you choose not to recommend this project, by the Code your action is final unless appealed. The options that are available to Ridge Realty are they can choose to appeal this and send it to the City Council. It won't automatically go there.

COMMISSIONER OWINGS – No but given the current makeup of the City Council, they stand a very good chance of success and so you know if I were advising them, that's what I would advise them to do, but I'm not advising them so…

PLANNING OFFICIAL TERELL – Yes, that certainly was the circumstance of Skechers, so I wouldn't say that would happen this time but the options that are available to the Commission are to continue it if you like and I'd say continue it if you'd like more information that you think you would change your decision and if that is not the case then I would suggest you take the action tonight and Ridge Realty has the opportunity to appeal that decision should they choose to do so.

COMMISSIONER OWINGS – Well it seems like let's just do a quick poll. I know that I'm not going to be persuaded to by any new information at this point unless of course it was really earth shattering.

COMMISSIONER VAN NATTA – I can't see anything that would change unless they had some other route of getting on the freeway other than using Redlands and I don't see any way that they are going to be able to do that.

VICE CHAIR BAKER – Let me ask you this. How is this every going to get straightened out there? I mean somebody is going to move in there eventually whether you put 19 buildings in there or you put one big one in.

COMMISSIONER SALAS – That's true too

VICE CHAIR BAKER – I mean you're going to have some traffic there…

COMMISSIONER OWINGS – It is different traffic though and we don't know what it is going to be and that's point. You know if we made exceptions for every zoning change that comes before us on the basis of my God that is the only way we are going to fill that property then we may as well not have zoning laws.

COMMISSIONER VAN NATTA – There might be another use for that that is more palatable. All I know what is being proposed right now is not to me palatable and there might be a better use for the land than a single big warehouse that brings a lot of trucks in and out. Business Park… maybe there isn't a call for Business Park right now. Maybe we'll be asked to consider some other type of zoning change for something else there. That's you know; we just have to look at the project we have before us.

COMMISSIONER OWINGS – You know Mr. Chairman, just back to where we were; John and I both agree that there are probably four votes against three. You know if we wait for next meeting and put it over, they have to wait a whole month and then the vote might be 7 to 4 or 7 to 0, in which case the City Council would be more persuaded to uphold our decision. I think what is best for the Applicant at this time is to just for us to move forward with the four vote Commission. It will come out 4 – 1 and two people not here. That doesn't really give a clear indication of where we are at and City Council is going to do what they are going to do and my guess is they are going to override our recommendation.

VICE CHAIR BAKER – Let me ask you this. In the zoning deal how did you come with 50,000 square feet? That isn't even a Home Depot and I imagine a Target is more. I know it's more than 50,000.

PLANNING OFFICIAL TERELL – It was based on…

VICE CHAIR BAKER – What do you get for 50,000? Is that a Best Buy?

PLANNING OFFICIAL TERELL – Well let me clarify it. The 50,000 square foot limit is not the limit on any building, it's the limit on a warehouse industrial building and as I think has been mentioned, the type of traffic in a large warehouse is different than the traffic in a small warehouse. There is more traffic with smaller buildings. Nineteen smaller buildings would have more traffic but they would have more cars and fewer trucks. The larger the building gets the more trucks you have and fewer passenger vehicles, so the overall traffic is actually less with the larger the building but the truck traffic is higher.

COMMISSIONER SALAS – Okay, so he could come back to us and say I've decided to put 17 buildings there instead and make a Business Park there, right?

PLANNING OFFICIAL TERELL – Under the current zoning and if he did that, pretty much like the tract you had at your last meeting you more or less and I won't say you have to approve it, but your options are less because there is a right to build that size building. The current opportunity; there is not an opportunity to build this building currently without a zone change.

COMMISSIONER SALAS – Okay with that said I'm going to change my mind. I'm going to support the project.

COMMISSIONER OWINGS – So we probably need to just call the question.

PLANNING OFFICIAL TERELL – So I guess somebody needs to make a…

VICE CHAIR BAKER – Okay, let's go for the vote on this and I want to make it clear here that the way that I'm feeling about this no one has bought my vote or twisted my ear. It is just strictly the way I feel on you know on moving Moreno Valley forward. I don't know. I don't totally understand a lot of this, I really don't.

COMMISSIONER OWINGS – You know Mr. Chairman I bet Mr. Rice would agree with me, if we were to vote this project or the zoning change down, there would be a little celebration over at Iddo's headquarters tomorrow, so it is kind of interesting that the supporters of it are so anti-Skechers would really probably be helping that you know by voting it down. We're probably helping Iddo. It is his project because you know we are pushing things over that direction, so with that being said let's call the question.

VICE CHAIR BAKER – Okay let's get to the… we're going to have to have a move and a second on this. Is somebody in a position because you've got quite a bit of stuff here to read off?

PLANNING OFFICIAL TERELL – Okay and I'll kind of give you a little bit of guidance on that. If someone wants to make a recommendation to approve, read what is in the Staff Report. If someone wants to make a recommendation to not recommend; basically for denial, then just make that recommendation of a denial. We'll have to bring back a resolution to you that states; that matches your action at your next meeting; not that Ridge Realty can't appeal it in the meantime, but we'll need a resolution approved by you before we actually go to Council. But you don't need to take all those actions about every single little thing. Basically if you recommend denial of the Zone Change you are precluded from recommending approval of any of the other actions that are before you, so it is just… If I perceive what that might be, it would to deny the Zone Change.

COMMISSIONER OWINGS – Would a simple motion then to just simply say I move to **DENY** the Zone Change be appropriate.

PLANNING OFFICIAL TERELL – Correct

COMMISSIONER OWINGS – So moved

COMMISSIONER VAN NATTA – Second

VICE CHAIR BAKER – Okay to the vote; all in favor?

Opposed – 3 (Commissioner Owings, Commissioner Van Natta, Commissioner Ramirez)

Motion carries 3 – 2 – 2, (with 2 Absent – Commissioner Dozier, Commissioner Crothers)

PLANNING OFFICIAL TERELL – So with that the wrap up on that is that this action shall become final unless appealed to the City Council within 15 days.

VICE CHAIR BAKER – Thank you

Westridge Commerce Center
Final Environmental Impact Report

Prepared for:
City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92552
City Case # P08-133

Prepared by:

appliedplanning inc

April 2011

ATTACHMENT 10

Item No. E.3

FINAL ENVIRONMENTAL IMPACT REPORT

for the

Westridge Commerce Center Project

State Clearinghouse Number:
2009101008

Prepared for:

The City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92553
City Case No. P08-133

Prepared by:

Applied Planning, Inc.
5817 Pine Avenue, Suite A
Chino Hills, CA 91709

April 2011

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Item No. E.3

1.0 Introduction

1.0 INTRODUCTION

1.1 OVERVIEW

This document, combined with the Draft Environmental Impact Report (EIR), constitutes the Final EIR for the Westridge Commerce Center Project (Project). The Draft EIR describes existing environmental conditions relevant to the proposal, evaluates the Project's potential environmental effects, and identifies mitigation measures to reduce or avoid the potentially significant impacts. The Draft EIR was circulated for public review and comment from October 21, 2010 through December 6, 2010.

1.2 CONTENT AND FORMAT

Subsequent to this introductory section, Section 2.0 of this document contains corrections and errata to the Draft EIR. Section 3.0 contains copies of each comment letter received on the Draft EIR, along with annotated responses to each comment contained within the letters. The Project Mitigation Monitoring Plan, which includes additional measures developed as a part of this Final EIR, is presented in Section 4.0.

1.3 DRAFT EIR COMMENTORS

A total of twenty-four (24) comment letters were received from various agencies and organizations. Additionally, four comment cards were received at a December 2, 2010 public meeting that was held to discuss the Project. The following Table 1.3-1 identifies the Draft EIR commentors. For reference purposes, comments are numbered and may be referred to by an acronym within the Responses to Comments (Final EIR Section 3.0). These acronyms, along with the dates of correspondence received, are also included in Table 1.3-1. Comments denoted with an asterisk * were received subsequent to the stated close of comments date (December 6, 2010), and are therefore not provided responses within Section 3 of this Final EIR. The Lead Agency has, however, attached these late comments and their corresponding responses to the Project staff report.

Table 1.3-1
Draft EIR Commentors

Commentor	Acronym	Correspondence Date
State Agencies		
Office of Planning & Research - State Clearinghouse	SCH	12/7/10
California Department of Fish and Game	CDFG	12/3/10
California Department of Transportation	DOT	12/6/10
County and Regional Agencies		
Eastern Municipal Water District	EMWD	12/6/10
Riverside County Flood Control and Water Conservation District	RCFC	11/29/10
South Coast Air Quality Management District	AQMD	12/10/10*
Local Organizations and Individuals		
Marcia Amino	MA	12/5/10
Lynne Ashley	LA	12/5/10
Gerald M. Budlong	GB	12/2/10
Center for Community Action and Environmental Justice	CCA	12/6/10
Paul Claxton	PC	12/5/10
Stephen Crews	SCR	12/6/10
Friends of the Northern San Jacinto Valley	FNSJ	12/6/10
Susan Gilchrist	SG	12/6/10
Highland Fairview	HF	12/6/10
Tom Hyatt	TH	12/10/10*
Johnson & Sedlack	JS	12/6/10
Shelly Mesa	SM	12/6/10
Ned and Dawn Newkirk	NDN	12/6/10
Deanna Reeder, Letter 1	DR1	12/6/10
Deanna Reeder, Letter 2	DR2	12/6/10
Residents for a Liveable Moreno Valley	RLMV	12/3/10
Sierra Club	SC	12/6/10
Thomas Thornsley	TT	12/6/10
Comment Cards Received at the City of Moreno Valley Public Meeting, December 2, 2010		
Amora Johnson	AJ-C	12/2/10
Richard Johnson	RJ-C	12/2/10
Deanna Reeder	DR-C	12/2/10
Sierra Club	SC-C	12/2/10

* Comments received after the stated close of comments date (12/06/10).

1.4 POINT OF CONTACT

The Lead Agency for this Project is the City of Moreno Valley. Any questions or comments regarding the preparation of this document, its assumptions, or its conclusions, should be referred to:

Jeff Bradshaw, Associate Planner
City of Moreno Valley
Development Department
14177 Frederick Street
Moreno Valley, CA 92553

1.5 PROJECT SUMMARY

The following information is summarized from the Project Description in the Draft EIR. For additional detail in regard to Project characteristics and Project-related improvements, along with analyses of the Project's potential environmental impacts, please refer to Draft EIR Sections 3.0 and 4.0, respectively.

1.5.1 Project Location

The Project site is located southwesterly of the State Route 60/Redlands Boulevard interchange, within the easterly portion of the City of Moreno Valley. The approximately 55-acre site is bounded to the north by State Route 60 (SR-60), to the west by the Quincy Channel, to the south by Fir Avenue (future Eucalyptus Avenue), and by a vacant parcel to the east. The Project's easterly boundary parallels Redlands Boulevard, which is located approximately 700 feet to the east.

1.5.2 Project Overview

The subject of this EIR is the proposed development of the Westridge Commerce Center, which has been initiated by the Project proponent, Ridge Property Trust. Together with supporting improvements, the Project will provide for approximately 937,260 square feet of new light industrial warehouse/distribution uses.

In addition, the Project includes the development of supporting infrastructure, including roadway improvements, all necessary utilities including storm water management detention/retention basins, and paved, on-site parking areas.

1.5.3 Project Objectives

Primary objectives of the Project, as identified by the Project Applicant, are as follows:

- Transition the existing site into a productive use;
- Develop a project that is sensitive to the surrounding land uses;
- Provide jobs-producing, light industrial uses to the City of Moreno Valley and local community;
- Capitalize on the site's regional freeway access; and
- Increase economic benefits to the City of Moreno Valley through increased tax generation and job creation.

1.5.4 Discretionary Actions

Necessary discretionary actions, permits, and consultations allowing for implementation and operation of the Project will include, but are not limited to, the following.

1.5.4.1 Lead Agency Discretionary Actions and Permits

- **Certification of the EIR (City Case # P08-133).** The proposed development is a Project under CEQA, and may result in significant environmental impacts. Lead Agency certification of the Project EIR is required;

- **A zone change from Business Park to Light Industrial (City Case # PA08-0098).** The proposed zone change will allow for construction and operation of the Project's distribution warehouse uses as configured;

- **Amendment to Municipal Code Section 9.05.020 B (City Case # PA10-0017) [Light Industrial Districts],** to provide objective standards for the development of Light Industrial uses adjacent to residentially-zoned property to ensure the protection of the health, safety and welfare of future residents;

- **Parcel Map Approval (City Case # PA09-0022)** to consolidate and reconfigure existing parcels defining the Project site, and to provide necessary easements and dedications;

- **Development Plan Review (City Case # PA08-0097)** pursuant to City of Moreno Valley Municipal Code Section 9.02.030 [Development Review Process], et al.;

- **Construction, grading, and encroachment permits** allowing implementation of the Project facilities within City of Moreno Valley jurisdictional areas; and

- **Vacation and/or dedication of public rights-of-way and easements** as elements of the proposed parcel map, or independent of the map. Rights-of-way and easements will provide public access, and ensure appropriate alignment of and access to infrastructure and utilities.

1.5.4.2 Responsible and Trustee Agency Discretionary Actions, Permits, and Consultation

- **Permitting and Consultation through the California Department of Fish and Game (CDFG)**, to include:

  - **Lake and Streambed Alteration Agreement (LSA)** addressing potential CDFG jurisdictional area impacts resulting from the Project; and
  - **Consultation** regarding the possible relocation of resident burrowing owls (if burrowing owls are determined to be present on the subject site during required pre-construction surveys).

- **CWA Section 404 and Army Corps of Engineers (ACOE) permitting** will be required for Project activities affecting off-site ACOE jurisdictional areas. CWA Section 404 permitting may also be required should the Project riparian habitat mitigation plan involve or require use of off-site federal jurisdictional areas;

- **Permitting required by/through CWA Section 401 and Santa Ana Regional Water Quality Control Board (SARWQCB)** pursuant to requirements of the National Pollutant Discharge Elimination System (NPDES) Permit;

- **Permitting required by/through the South Coast Air Quality Management District (SCAQMD)** for certain equipment to be temporarily employed within the Project during construction, and/or permanently installed and used over the life of the Project; and

- **Permitting by/through the California Department of Transportation (Caltrans**) for improvements within or that may affect Caltrans rights-of-way.

1.5.4.3 City Development Applications

In support of requested discretionary approvals and permits noted above, development applications submitted by the Project Applicant include:

- **Plot Plan** for a 937,260 square foot warehouse distribution facility;

- **Zone Change** from Business Park to Light Industrial;

- **Tentative Parcel Map** No. 36207 to combine the Project's five parcels into a single parcel; and

- **Application to Amend the City Municipal Code.** The Project Applicant is requesting a Municipal Code text Amendment to Section 9.05.020 B. The requested Amendment would provide objective standards for the development of Light Industrial uses adjacent to residentially-zoned property in order to ensure the protection of the health, safety and welfare of future residents.

2.0 Revisions and Errata Corrections

2.0 REVISIONS AND ERRATA CORRECTIONS

2.1 INTRODUCTION

Based on the comments received on the Draft EIR (which are provided in full in Section 3.0 of this Final EIR), this Section presents revisions to the text and graphic illustrations of the Draft EIR. For text corrections, additional text is identified by **bold underlined text**, while deletions are indicated by ~~strikeout font~~. All text revisions affecting mitigation measures have been incorporated into the Mitigation Monitoring Plan presented in Section 4.0 of this Final EIR. It should be noted that the revisions and corrections provided here expand and clarify analyses previously provided, and do not constitute substantive new information. Conclusions of the Draft EIR are not affected by these revisions.

2.2 TEXT REVISIONS

2.2.1 Text Revisions to Draft EIR Section 3.0, Project Description

Consistent with the comments provided by Thomas Thornsley, the text at DEIR Section 3.5.12, Page 3-17 (excerpt following) is amended to also include notation of screening discussed previously at DEIR Page 3-9:

> **3.5.12 Screening**
>
> Screening within the Project site will be provided for under Zoning Code Section 9.08.150, "Screening Requirements," and Section 9.10.160, "Outdoor Storage, Trash Areas, and Service Areas." As required under

these portions of the Code, the Project final site plan and building designs shall incorporate screening of mechanical equipment and trash areas. Southerly facing loading docks and adjacent truckyard areas will be screened from off-site views by an approximately 14-foot high screenwall spanning approximately 1,200 feet, across the length of southerly-facing truckyard areas. **Project loading areas will be screened from view on the north and the northernmost portion of the east side by 8-foot high masonry screenwalls** . . .

2.2.2 Text Revisions to Draft EIR Section 4.3, Air Quality

A typographical error appearing in the first paragraph of Draft EIR Page 4.3-68 is corrected as follows, providing consistency with the described trip length/vehicle speed reported in Air Quality Analysis.

> Therefore, for purposes of the operational LST analysis the average trip length in URBEMIS was altered to ~~0.5~~ **0.3** miles which conservatively characterizes on-site vehicle travel. Additionally, the vehicle speed in URBEMIS was altered to ~~five~~ **ten** miles per hour as a conservative measure to account for on-site vehicular travel.

Additionally, in response to correspondence from the South Coast Air Quality Management District and others, the Draft EIR's Air Quality Mitigation Measures are revised as follows.

> *4.3.1* ***Consistent with URBEMIS modeling inputs and to effect*** ~~***The following measures shall be incorporated as***~~ *implementation of* ***SCAQMD*** *Rule 403****, the following measures shall be incorporated****:*

- *All clearing, grading, earth-moving, or excavation activities shall cease when winds exceed 25 mph per SCAQMD guidelines in order to limit fugitive dust emissions.*
- *The contractor shall ensure that all disturbed unpaved roads and disturbed areas within the Project are watered at least three times daily during dry weather. Watering, with complete coverage of disturbed areas, shall occur at least three times a day, preferably in the mid-morning, afternoon, and after work is done for the day.*
- *The contractor shall ensure that traffic speeds on unpaved roads and Project site areas are reduced to 15 miles per hour or less to reduce PM10 and PM2.5 fugitive dust haul road emissions.*
- ***Site disturbance during mass grading and fine grading activities shall not exceed 13.66 acres per day.***
- ***Ground cover shall be replaced, and/or non-toxic soil stabilizers shall be applied (according to manufacturers' specifications) to any inactive construction areas (previously graded areas inactive for ten days or more);***
- ***In support of Project plan specifications and contract document language; and as means of controlling on-site construction vehicle speeds, for the duration of Project construction activities, speed limit signs (15 mph maximum) shall be posted at entry points to the Project site, and along any unpaved roads providing access to or within the Project site and/or any unpaved designated on-site travel routes.***

~~*4.3.4 Construction contractors shall use only lowpolluting paints and coatings as defined in SCAQMD Rule 1113.*~~

4.3.5~~4~~ *Contractor(s) shall ensure that all off-road heavy-duty construction equipment utilized during construction activity shall be CARB Tier 2 Certified or better.*

4.3.~~6~~5 In order to reduce localized Project impacts to sensitive receptors in the Project vicinity during construction, construction equipment staging areas shall be located at least 300 feet away from sensitive receptors.

*4.3.~~7~~6 During Project construction, existing electrical power sources (e.g., power poles) shall be ~~provided for~~ **utilized to** power electric construction tools including saws, drills and compressors, to minimize the need for diesel or gasoline powered electric generators.*

*4.3.~~8~~7 The Applicant shall use ~~Zero Volatile Organic Compounds paints (no more than 150 grams/liter of VOC) and/or High Pressure Low Volume (HPLV) applications~~ **"Zero-Volatile Organic Compounds" paints, coatings, and solvents with a VOC content lower than required under Rule 1113 (not to exceed 150 grams/liter; 1.25 pounds/gallon). High Pressure Low Volume (HPLV) applications of paints, coatings, and solvents shall be** consistent with South Coast Air Quality Management District Rule 1113. Alternatively, the Applicant shall use materials that do not require painting or are pre-painted.*

*4.3.~~9~~8 Grading plans, construction specifications and bid documents shall **also** include ~~notation that off-road construction equipment shall utilize biodiesel fuel (a minimum of B20), except for equipment where the use of biodiesel fuel would void the equipment warranty.~~ **the following notations:***

- ***Off-road construction equipment shall utilize alternative fuels e.g., biodiesel fuel (a minimum of B20), natural gas (CNG), liquefied natural gas (LNG), propane, except for equipment where use of such fuels would void the equipment warranty;***

- ***Gravel pads shall be provided at all access points to prevent tracking of mud onto public roads;***
- ***Install and maintain trackout control devices at all access points where paved and unpaved access or travel routes intersect;***
- ***The contractor or builder shall designate a person or person(s) to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite;***
- ***The contractor or builder shall post a publicly visible sign with the telephone number and person to contact regarding dust complaints. The contact person shall take corrective action within 24 hours;***
- ***High pressure injectors shall be provided on diesel construction equipment where feasible;***
- ***Engine size of construction equipment shall be limited to the minimum practical size;***
- ***Substitute gasoline-powered for diesel powered construction equipment where feasible;***
- ***Use electric construction equipment where feasible;***
- ***Install catalytic converters on gasoline-powered equipment where feasible;***
- ***Ride-sharing program for the construction crew shall be encouraged and shall be supported by contractor(s) via incentives or other inducement;***
- ***Documentation shall be provided to the City of Moreno Valley indicating that construction workers have been encouraged to carpool or otherwise reduce VMT to the greatest extent practical, including providing information on available park and ride programs;***
- ***Lunch services shall be provided onsite during construction to minimize the need for offsite vehicle trips;***

• All forklifts used during construction and in subsequent operation of the Project shall be electric or natural gas powered.

4.3.9 Throughout Project construction, a construction relations officer/community liaison, appointed by the Applicant, shall be retained on-site. In coordination and cooperation with the City, the construction relations officer/community liaison shall respond to any concerns related to PM_{10} (fugitive dust) generation or other construction-related air quality issues.

4.3.13 GHG emissions reductions measures shall also include the following:

- *The Project shall provide* ***secure, weather-protected*** *on-site bicycle storage/parking~~. Bicycle storage parking/quantity and location shall be~~ consistent with City of Moreno Valley requirements;*
- *The Project shall provide pedestrian and bicycle connections to surrounding areas, consistent with provisions of the City of Moreno Valley General Plan. Location and configurations of proposed pedestrian and bicycle connections are subject to review and approval by the City. Prior to Final Site Plan approval, pedestrian and bicycle connections shall be indicated on the Project Site Plan;*
- ***The Project shall provide onsite showers (one for males and one for females). Lockers for employees shall be provided.***
- *Any traffic signals installed as part of the Project will utilize light emitting diodes (LEDs);*
- *The Project will establish a Transportation Management Association (TMA). The TMA will coordinate with other TMAs within the City to encourage and coordinate carpooling among building occupants. The TMA will advertise its services to building occupants, and offer transit and/or other incentives to reduce GHG emissions. Additionally, a shuttle will be provided during any one hour period where more than 20 employees or construction workers utilize public transit. A plan will be submitted by the TMA to the City within two months of Project completion that outlines the measures implemented by the TMA, as well as contact information;*

- *The Project shall provide preferential parking for carpools and vanpool. Locations and configurations of proposed preferential parking for carpools and vanpools are subject to review and approval by the City. Prior to Final Site Plan approval, preferential parking for carpools and vanpools shall be delineated on the Project Site Plan;*
- *The Project shall provide at least two electric vehicle charging stations. Locations and configurations of proposed charging stations are subject to review and approval by the City. Prior to issuance of the first building permit, stub outs for charging stations shall be indicated on the Project building plans.*
- ***Lease/purchase documents shall identify that tenants are encouraged to provide incentives to realize the following:***
  - ***Implementation of compressed workweek schedules;***
  - ***SmartWay partnership;***
  - ***Achievement of at least 20% per year (as a percentage of previous percentage, not total trips) increase in percentage of consolidated trips carried by SmartWay carriers until it reaches a minimum of 90% of all long haul trips carried by SmartWay 1.0 or greater carriers.***
  - ***Achievement of at least 15% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 85% of all consolidator trips carried by SmartWay 1.0 or greater carriers.***
  - ***Use of fleet vehicles conforming to 2010 air quality standards or better.***
  - ***Installation of catalytic converters on gasoline-powered equipment.***
  - ***Inclusion of electric powered and/or compressed natural gas fueled trucks and/or vehicles in fleets;***
  - ***Establishment and use of carpool/vanpool programs, complemented by parking fees for single-occupancy vehicles;***
  - ***Provision of preferential parking for EV and CNG vehicles;***
  - ***Use of electrical equipment (instead of gasoline-powered equipment) for landscape maintenance;***

- ***Use of electric (instead of diesel or gasoline-powered) yard trucks; and***
- ***Use of SmartWay 1.25 rated trucks.***

2.2.3 Text Revisions to Draft EIR Section 4.5, Water Supply

In response to correspondence from the Eastern Municipal Water District, Mitigation Measure 4.5.3 is revised as follows:

> *4.5.3 The Applicant shall meet with EMWD staff* ***at the earliest feasible date*** *to develop a Plan of Service (POS) for the Project. The POS shall detail water, wastewater and recycled water* ***facilities*** *requirements to serve the Project****, to be constructed by the Applicant****.*

2.2.4 Text Revisions to Draft EIR Section 4.7, Cultural Resources

In order to ensure that, where appropriate, cultural resources are preserved in place, the following amendments to Mitigation Measures 4.7.1, 4.7.2, and 4.7.3 have been incorporated.

> *4.7.1 A professional cultural resources monitor (Project Paleontological Monitor) shall conduct full-time monitoring throughout site excavation and grading activities. The monitor shall be equipped to salvage and/****or*** *record the location of historic and/or archaeological resources as they may be unearthed to avoid construction delays****, consistent with the requirements of California Public Resources Code Section 21083.2****. The monitor shall be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens or finds and to allow the preparation of recovered resources to a point of identification. One monitor for both archaeological and paleontological resources is sufficient if the monitor is qualified in both disciplines to the satisfaction of the City of Moreno Valley.*

4.7.2 *Should historic or prehistoric resources of potential significance be identified, a qualified archaeologist shall be contacted to assess the find(s) and make recommendations in regard to further monitoring.* ***Resources shall be left in an undisturbed state where feasible. Where preservation in place is infeasible, a****~~A~~ll recovered resources shall then be curated in an established, accredited museum repository with permanent retrievable archaeological/historic resource storage. A report of findings shall also be prepared by a qualified archaeologist, and shall include an itemized inventory of any specimens recovered. The report and confirmation of curation of any recovered resources from an accredited museum repository shall signify completion of the program to mitigate impacts to archaeological/historic resources. If disturbed resources are required to be collected and preserved, the applicant shall be required to participate financially up to the limits imposed by Public Resources Code Section 21083.2.*

4.7.3 *Prior to the issuance of a grading permit, a City-approved Project Paleontologist shall be retained to initiate and supervise paleontological mitigation-monitoring in all areas of the Project site, subject to the following certain constraints:*

- *Once excavations reach ten (10) feet in depth, monitoring of excavation in areas identified as likely to contain paleontologic resources by a qualified paleontologic monitor or his/her representative must take place;*
- *A paleontological mitigation-monitoring plan shall be developed before grading begins;*
- *Paleontological monitors shall be equipped to salvage* ***and/or record the location of*** *fossils as they are unearthed to avoid construction delays and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates;*

- *Monitors must be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens; and*
- *Monitoring may be reduced if the potentially fossiliferous units described herein are not present, or, if present, are determined upon exposure and examination by qualified paleontologic personnel to have low potential to contain fossil resources.*

2.2.5 Text Revisions to Draft EIR Section 4.8, Biological Resources

In response to correspondence from the California Department of Fish and Game, Mitigation Measure 4.8.5 is revised as follows:

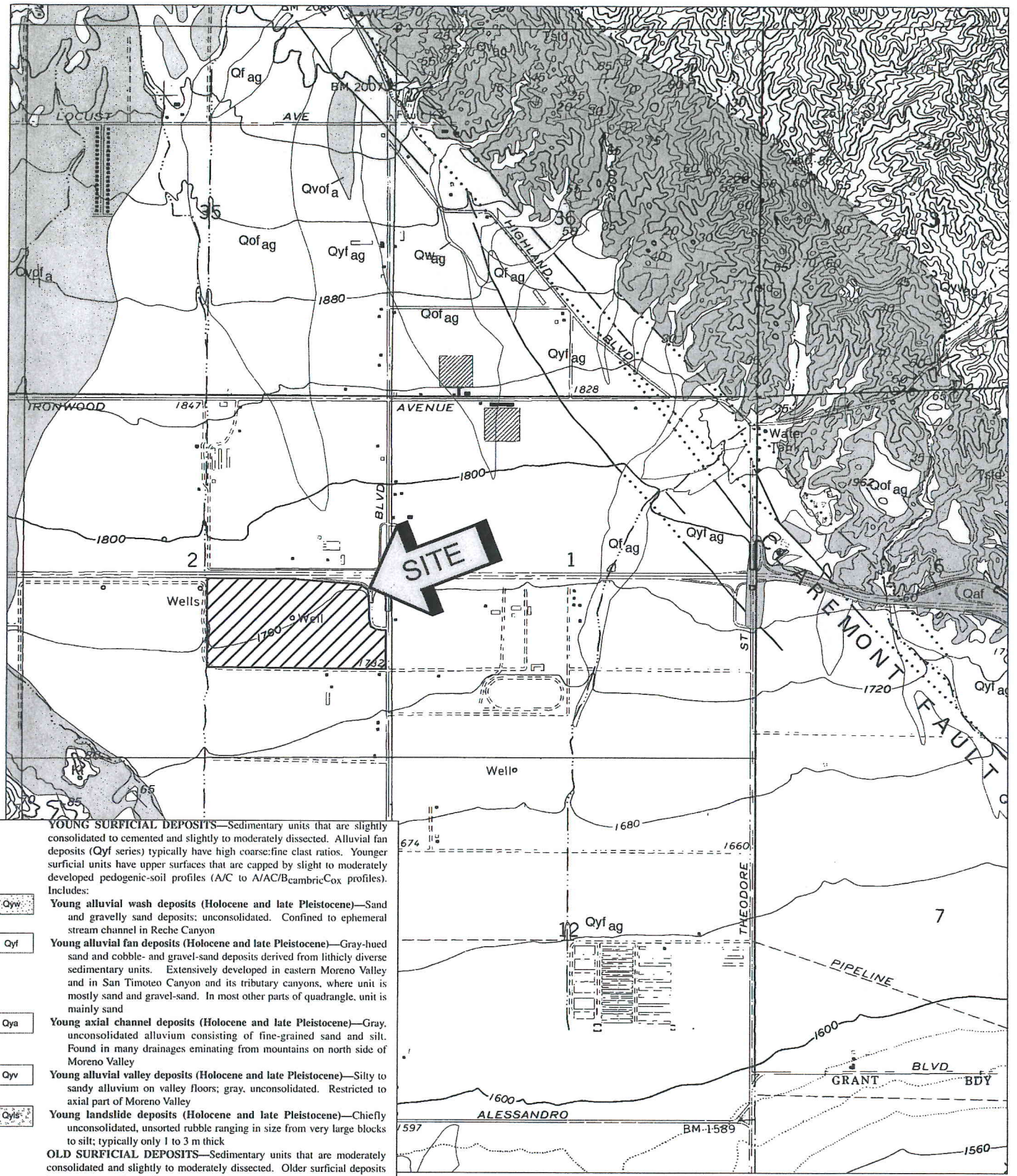
4.8.5 Prior to issuance of a grading permit, the Applicant shall develop and implement a Habitat Mitigation and Monitoring Plan (HMMP) to restore impacted riparian (mulefat) habitat. Prior to implementation, the HMMP shall be reviewed and approved by the CDFG. If in its final design, the CDFG-approved HMMP involves use or restoration of USACE or RWQCB jurisdictional areas, USACE and/or RWQCB approval shall also be obtained. The HMMP shall, at a minimum, meet the following requirements:

- *A habitat replacement and/or enhancement ratio of at least 1:1 for temporary impact;*
- *A success criterion of at least 80 percent cover of native riparian vegetation for replaced habitat;*
- *Additional requirements, including a 3-year establishment period for the replacement habitat, regular trash removal,* ***native plant re-vegetation for areas temporarily disturbed by construction,*** *and regular maintenance and monitoring activities to ensure the success of the mitigation plan****; and***

- ***Prior to the issuance of a grading permit, as part of the Project HMMP, appropriate maintenance and monitoring protocols will be developed in concert with CDFG based on final Project designs, and the ultimate scope, location, and type of mitigation reflected in the HMMP as approved by CDFG*.**

2.3 REVISIONS TO GRAPHIC ILLUSTRATIONS

In response to comments received from Gerald M. Budlong, a City of Moreno Valley Environmental and Historical Preservation Board member, several geologic maps, which were used as points of reference in the preparation of the Project Geotechnical Investigation, are incorporated on the following pages as "Plates 1 through 4."



YOUNG SURFICIAL DEPOSITS—Sedimentary units that are slightly consolidated to cemented and slightly to moderately dissected. Alluvial fan deposits (Qyf series) typically have high coarse:fine clast ratios. Younger surficial units have upper surfaces that are capped by slight to moderately developed pedogenic-soil profiles (A/C to A/AC/$B_{cambric}C_{ox}$ profiles). Includes:

Qyw — **Young alluvial wash deposits (Holocene and late Pleistocene)**—Sand and gravelly sand deposits; unconsolidated. Confined to ephemeral stream channel in Reche Canyon

Qyf — **Young alluvial fan deposits (Holocene and late Pleistocene)**—Gray-hued sand and cobble- and gravel-sand deposits derived from lithicly diverse sedimentary units. Extensively developed in eastern Moreno Valley and in San Timoteo Canyon and its tributary canyons, where unit is mostly sand and gravel-sand. In most other parts of quadrangle, unit is mainly sand

Qya — **Young axial channel deposits (Holocene and late Pleistocene)**—Gray, unconsolidated alluvium consisting of fine-grained sand and silt. Found in many drainages eminating from mountains on north side of Moreno Valley

Qyv — **Young alluvial valley deposits (Holocene and late Pleistocene)**—Silty to sandy alluvium on valley floors; gray, unconsolidated. Restricted to axial part of Moreno Valley

Qyls — **Young landslide deposits (Holocene and late Pleistocene)**—Chiefly unconsolidated, unsorted rubble ranging in size from very large blocks to silt; typically only 1 to 3 m thick

OLD SURFICIAL DEPOSITS—Sedimentary units that are moderately consolidated and slightly to moderately dissected. Older surficial deposits have upper surfaces that are capped by moderately to well-developed pedogenic soils (A/AB/B/C_{ox} profiles and Bt horizons as much as 1 to 2 m thick and maximum hues in the range of 10YR 5/4 and 6/4 through 7.5YR 6/4 to 4/4 and mature Bt horizons reaching 5YR 5/6). Includes:

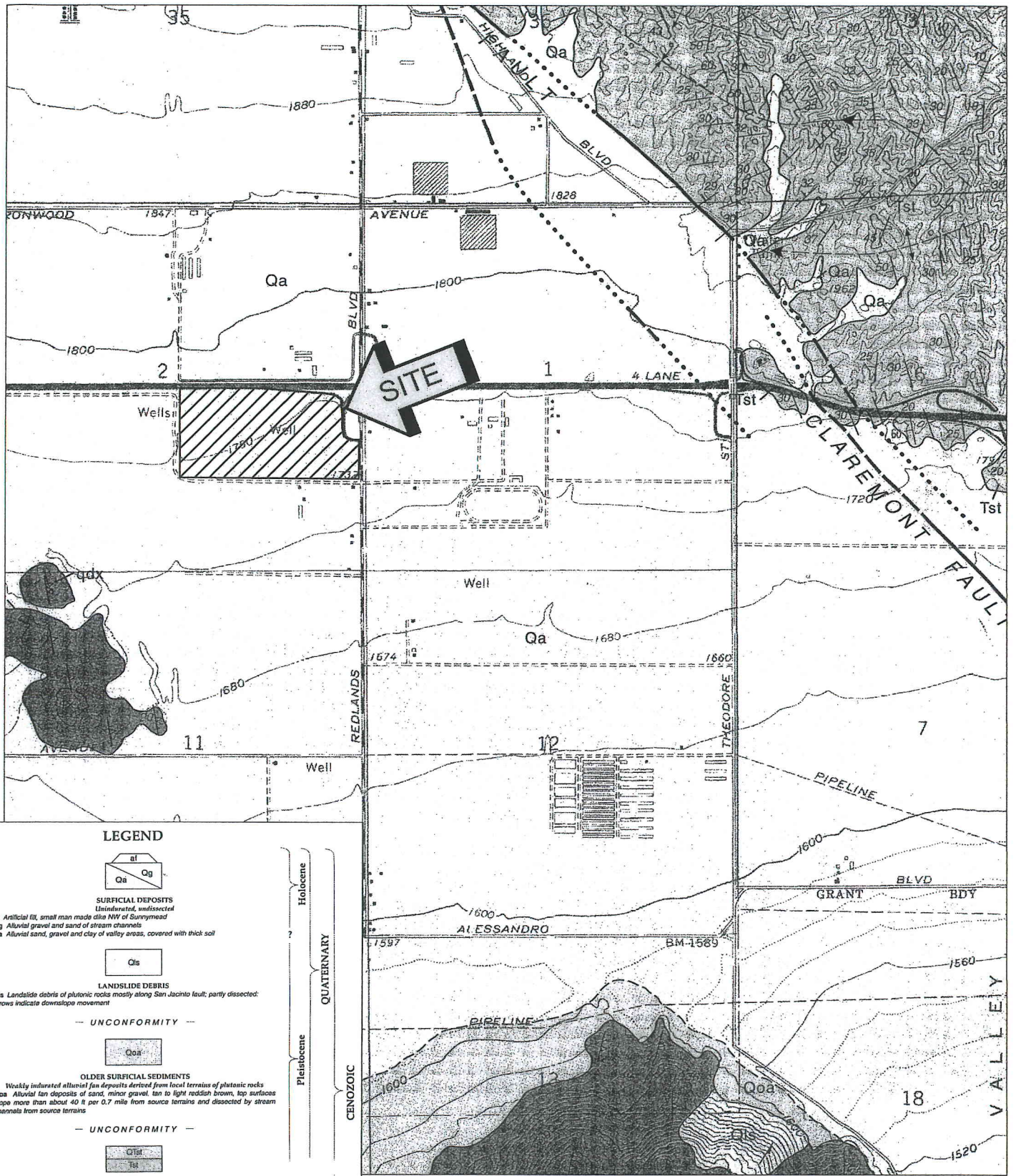
Qof — **Old alluvial fan deposits (late to middle Pleistocene)**—Indurated, sandy and gravely alluvial fan deposits, found on south side of San Timoteo Badlands and in Reche Canyon. Slightly to moderately dissected: reddish-brown. Some deposits include thin, discontinuous surface layer

SOURCE: "GEOLOGIC MAP OF THE SUNNYMEAD 7.5' QUADRANGLE, RIVERSIDE COUNTY, CALIFORNIA" MORTON AND MATTI, 2001

GEOLOGIC MAP
PROPOSED WEST RIDGE BUSINESS CENTER
MORENO VALLEY, CALIFORNIA
SCALE: 1" = 2000'
DRAWN: DRK CHKD: JAS
SCG PROJECT 06G285-2
PLATE 1

SoCalGeo

SOUTHERN CALIFORNIA GEOTECHNICAL



LEGEND

af / Qg / Qa

SURFICIAL DEPOSITS
Unindurated, undissected

af *Artificial fill, small man made dike NW of Sunnymead*
Qg *Alluvial gravel and sand of stream channels*
Qa *Alluvial sand, gravel and clay of valley areas, covered with thick soil*

Qls

LANDSLIDE DEBRIS
Qls *Landslide debris of plutonic rocks mostly along San Jacinto fault; partly dissected: arrows indicate downslope movement*

— UNCONFORMITY —

Qoa

OLDER SURFICIAL SEDIMENTS
Weakly indurated alluvial fan deposits derived from local terrains of plutonic rocks
Qoa *Alluvial fan deposits of sand, minor gravel, tan to light reddish brown, top surfaces slope more than about 40 ft per 0.7 mile from source terrains and dissected by stream channels from source terrains*

— UNCONFORMITY —

QTst / Tst

SAN TIMOTEO FORMATION
(San Timoteo beds of Frick, 1921) stream-laid alluvial sediments of detritus derived from plutonic and metamorphic rocks of San Bernadino Mountains area, weakly indurated, upper part yielded vertebrate fauna diagnostic of Blancan Stage, Plio-Pleistocene (Frick, 1921, Savage, et. al. 1954), or Irvingtonian 1 Stage, earliest Pleistocene (Repenning, 1987); main part inferred to be of Pliocene age (Morton and Matti, 2001)
QTst *Upper part, sandstone, light gray to tan, fine to coarse grained, arkosic, bedded and minor conglomerate of pebbles and cobbles of mostly granitic detritus, some of gneissic rocks and quartzite; includes thin layers of soft greenish to light reddish silty claystone, unconformably (?) overlain by Qoa in this quadrangle*
Tst *Main part (middle part of Morton and Matti, 2001); lithologically similar to upper part; within 1 km of San Jacinto fault includes more conglomerate; base not exposed in this quadrangle*

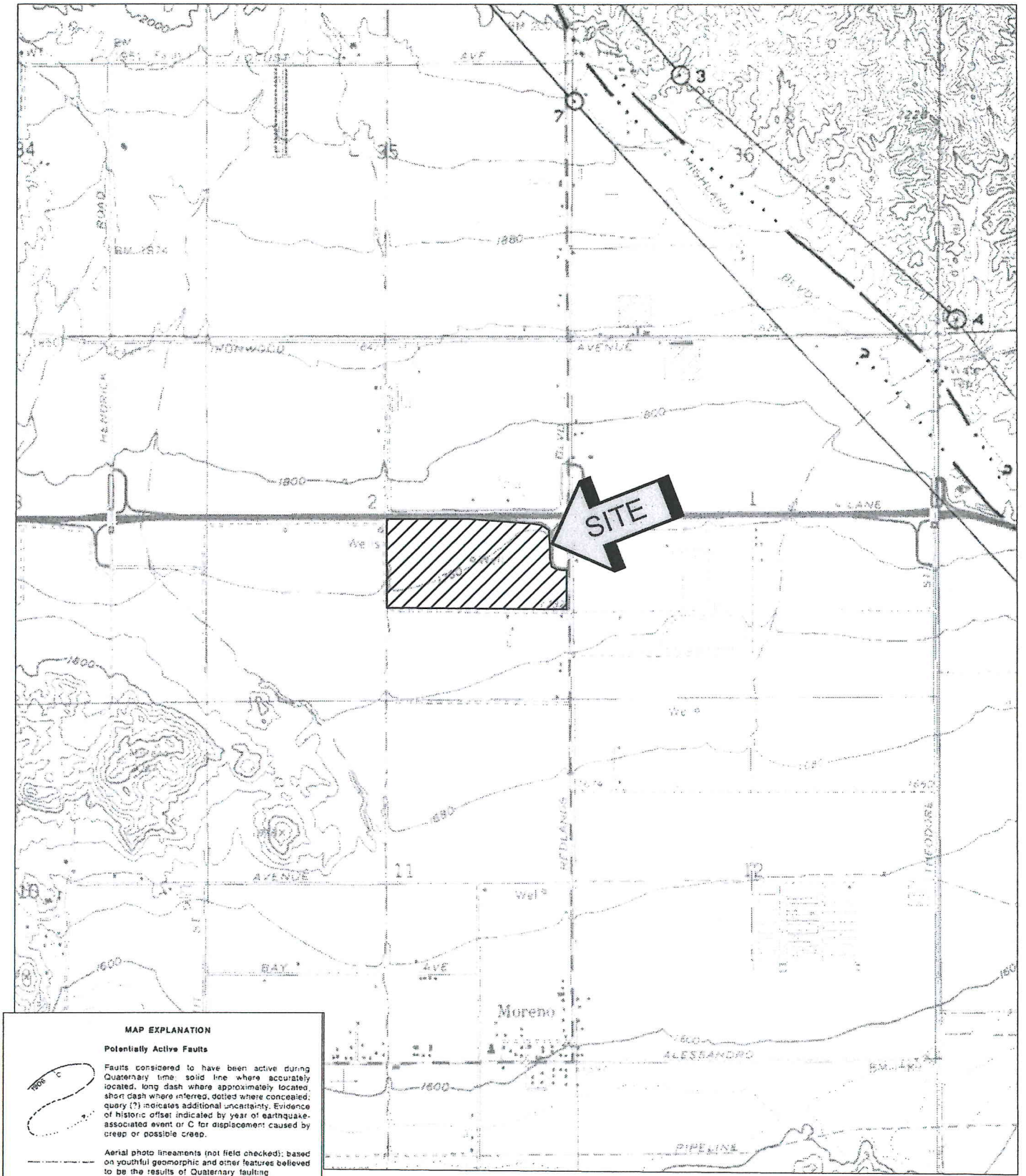
Holocene / Pleistocene — QUATERNARY
Pliocene — TERTIARY
CENOZOIC

SOURCE: "GEOLOGIC MAP OF THE SUNNYMEAD/SOUTH ½ OF REDLANDS QUADRANGLES, SAN BERNARDINO AND RIVERSIDE COUNTY, CALIFORNIA" DIBBLEE, 2003

GEOLOGIC MAP
PROPOSED WEST RIDGE BUSINESS CENTER
MORENO VALLEY, CALIFORNIA
SCALE: 1" = 2000'
DRAWN: DRK CHKD: JAS
SCG PROJECT 06G285-2
PLATE 2

SoCalGeo
SOUTHERN CALIFORNIA GEOTECHNICAL

Item No. E.3



MAP EXPLANATION

Potentially Active Faults

Faults considered to have been active during Quaternary time: solid line where accurately located, long dash where approximately located, short dash where inferred, dotted where concealed; query (?) indicates additional uncertainty. Evidence of historic offset indicated by year of earthquake-associated event or C for displacement caused by creep or possible creep.

Aerial photo lineaments (not field checked); based on youthful geomorphic and other features believed to be the results of Quaternary faulting

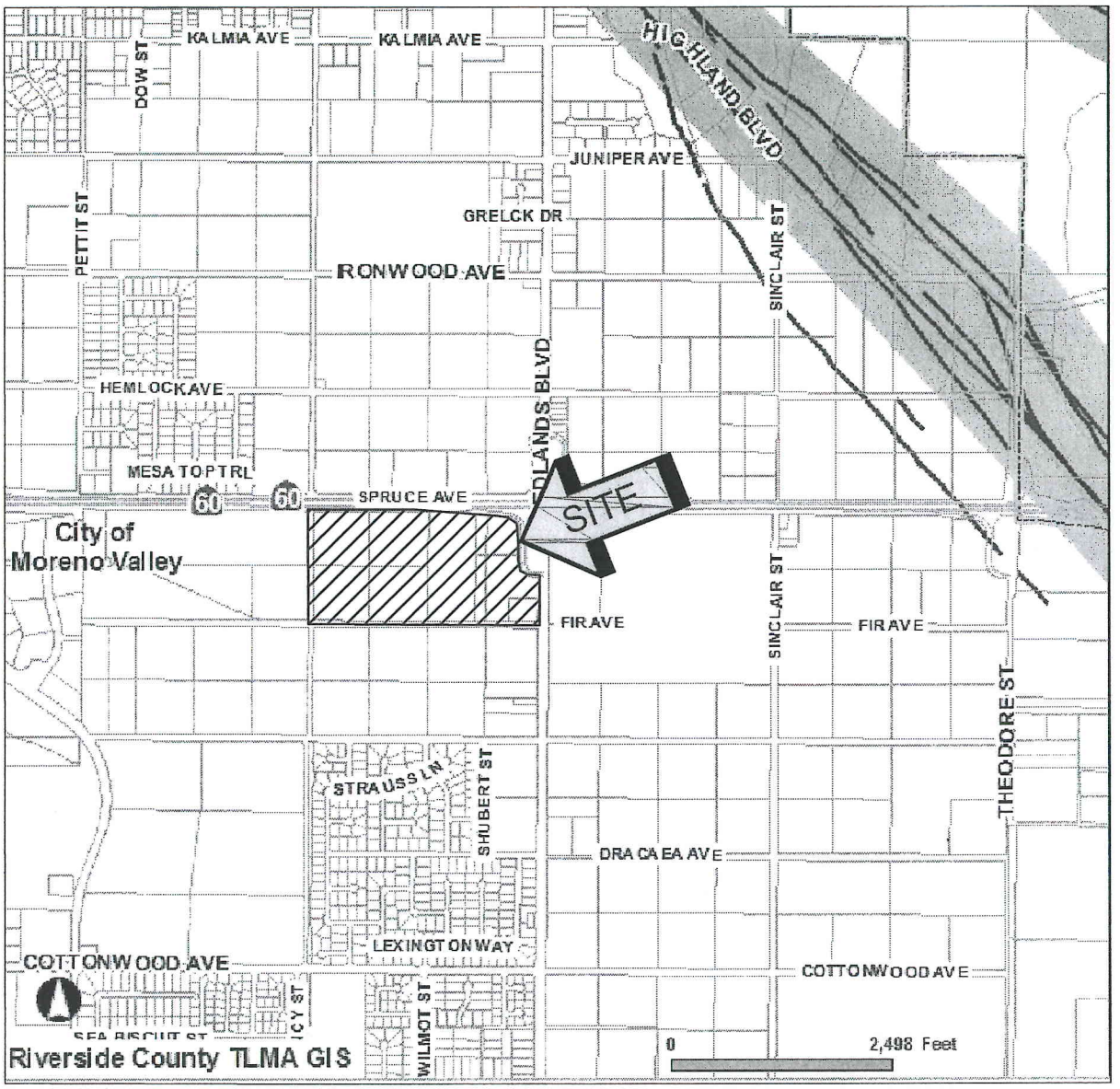
Special Studies Zone Boundaries

These are delineated as straight-line segments that connect consecutively numbered turning points so as to define one or more special studies zone segments.

Seaward projection of zone boundary.

SOURCE: "ALQUIST-PRIOLO EARTHQUAKE FAULT ZONES MAP, SUNNYMEAD QUADRANGLE"

ALQUIST-PRIOLO EARTHQUAKE FAULT ZONE MAP	
PROPOSED WEST RIDGE BUSINESS CENTER	
MORENO VALLEY, CALIFORNIA	
SCALE: 1" = 2000'	SOUTHERN CALIFORNIA GEOTECHNICAL
DRAWN: DRK CHKD: JAS	
SCG PROJECT 06G285-2	
PLATE 3	



FAULT ZONES
12/15/2010

- INTERSTATES
- HIGHWAYS
- PARCELS
- ALQUIST-PRIOLO
- RIVERSIDE COUNTY
- COUNTY FAULT ZONE
- SAN JACINTO FAULT ZONE
- CITY

SOURCE: "RIVERSIDE COUNTY LAND INFORMATION SYSTEM - FAULT ZONES"

RIVERSIDE COUNTY FAULT ZONES MAP
PROPOSED WEST RIDGE BUSINESS CENTER
MORENO VALLEY, CALIFORNIA
SCALE: 1" = 2000'
DRAWN: DRK CHKD: JAS
SCG PROJECT 06G285-2
PLATE 4

SoCalGeo
SOUTHERN CALIFORNIA GEOTECHNICAL

Item No. E.3

3.0 Comments and Responses

3.0 COMMENTS AND RESPONSES

3.1 INTRODUCTION

The City of Moreno Valley's Responses to Comments on its Draft EIR for the Westridge Commerce Center are presented herein as required by California Code of Regulations, title 14 (hereinafter, "State *CEQA Guidelines*") Sections 15089, 15132, and 15088. Specifically, *CEQA Guidelines* Section 15088, subd. (a) requires that: "[t]he lead agency . . . evaluate comments on environmental issues received from persons who reviewed the draft EIR and . . . prepare a written response. The lead agency shall respond to comments received during the noticed comment period and any extensions and may respond to late comments." The 45-day comment period on the Draft EIR commenced on October 21, 2010 and concluded December 6, 2010.

Additionally, and as required by Section 15088, the City of Moreno Valley will provide written responses to all comments on the Draft EIR received from public agencies during the 45-day public review period at least 10 days prior to the proposed certification of the Program EIR.

In summary, the City's written responses describe the disposition of significant environmental issues raised and any revisions to the Draft EIR made as a result of the comments. Additionally, the City's written responses provide a good faith, reasoned analysis of all environmental issues raised and cite to specific factual and legal support for the Draft EIR's conclusions.

3.1.1 Comments Received

The following section presents a list of the comment letters received during the Draft EIR public review period. Comment letters have been organized by State agencies, County and regional agencies, and comments received from local organizations and individuals. Each letter has been assigned an identifying designation (generally an acronym or name abbreviation), and topical items within each letter have been numbered. Table 3-1 lists all commentor letters received by the City in regard to the Draft EIR, and the designation assigned to each. Comments with an asterisk * were received subsequent to the stated close of comments date (December 6, 2010), and are therefore not included with the provided responses herein. The Lead Agency has, however, included these late comments and their corresponding responses in the Project staff report.

Table 3-1
Draft EIR Commentors

Commentor	Acronym Assigned	Correspondence Date
State Agencies		
Office of Planning & Research - State Clearinghouse	SCH	12/7/10
California Department of Fish and Game	CDFG	12/3/10
California Department of Transportation	DOT	12/6/10
County and Regional Agencies		
Eastern Municipal Water District	EMWD	12/6/10
Riverside County Flood Control and Water Conservation District	RCFC	11/29/10
South Coast Air Quality Management District	AQMD	12/10/10*
Local Organizations and Individuals		
Marcia Amino	MA	12/5/10
Lynne Ashley	LA	12/5/10
Gerald M. Budlong	GB	12/2/10
Center for Community Action and Environmental Justice	CCA	12/6/10
Paul Claxton	PC	12/5/10
Stephen Crews	SCR	12/6/10
Friends of the Northern San Jacinto Valley	FNSJ	12/6/10

Table 3-1
Draft EIR Commentors

Commentor	Acronym Assigned	Correspondence Date
Susan Gilchrist	SG	12/6/10
Highland Fairview	HF	12/6/10
Tom Hyatt	TH	12/10/10*
Johnson & Sedlack, on behalf of Residents for a Liveable Moreno Valley, and Moreno Valley Group of Sierra Club.	JS	12/6/10
Shelly Mesa	SM	12/6/10
Ned and Dawn Newkirk	NDN	12/6/10
Deanna Reeder, Letter 1	DR1	12/6/10
Deanna Reeder, Letter 2	DR2	12/6/10
Residents for a Liveable Moreno Valley	RLMV	12/3/10
Sierra Club	SC	12/6/10
Thomas Thornsley	TT	12/6/10
Comment Cards Received at the City of Moreno Valley Public Meeting, December 2, 2010		
Amora Johnson	AJ-C	12/2/10
Richard Johnson	RJ-C	12/2/10
Deanna Reeder	DR-C	12/2/10
Sierra Club	SC-C	12/2/10

* Comments received after the stated close of comments date (12/06/10).

The comment letters and the corresponding numbered responses are presented on the following pages.

STATE OF CALIFORNIA

Governor's Office of Planning and Research

State Clearinghouse and Planning Unit

Arnold Schwarzenegger
Governor

Cathleen Cox
Acting Director

December 7, 2010

RECEIVED
DEC 13 2010
CITY OF MORENO VALLEY

Jeff Bradshaw
City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92553

Subject: PA08-0097 (Plot Plan), PA08-0098 (Zone Change), PA09-0022 (TPM 36207, & PA10-0017 (Code Amendment)
SCH#: 2009101008

Dear Jeff Bradshaw:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. The review period closed on December 6, 2010, and no state agencies submitted comments by that date. This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act.

Please call the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process. If you have a question about the above-named project, please refer to the ten-digit State Clearinghouse number when contacting this office. SCH-1

Sincerely,

Scott Morgan
Director, State Clearinghouse

1400 TENTH STREET P.O. BOX 3044 SACRAMENTO, CALIFORNIA 95812-3044
TEL (916) 445-0613 FAX (916) 323-3018 www.opr.ca.gov

Document Details Report
State Clearinghouse Data Base

SCH# 2009101008
Project Title PA08-0097 (Plot Plan), PA08-0098 (Zone Change), PA09-0022 (TPM 36207, & PA10-0017 (Code Amendment)
Lead Agency Moreno Valley, City of

Type EIR Draft EIR

Description The West Ridge Commerce Center project proposes a 937,260 square foot industrial warehouse building on approximately 55 acres located on the south side of State Route 60, on the north side of Eucalyptus Avenue and ~650 feet west of Redlands Boulevard. The proposed warehouse use requires a change of zone from the Business Park land use district to the Light Industrial land use district. The project also requires approval of Tentative Parcel Map No. 36207 to combine the project parcels into a single parcel and a Municipal Code Amendment to establish a minimum buffering distance between warehouse distribution activities in the LI zone and adjacent residential zones. THe Quincy Channel, which is a segment of the City's Master Plan of Drainage, runs along the west site boundary and the project will be responsible for some channel improvements.

Lead Agency Contact

Name Jeff Bradshaw
Agency City of Moreno Valley
Phone (951) 413-3224 **Fax**
email
Address 14177 Frederick Street
City Moreno Valley **State** CA **Zip** 92553

Project Location

County Riverside
City Moreno Valley
Region
Lat / Long 33° 56' 7.7" N / 117° 09' 34.5" W
Cross Streets Fir/Eucalyptus Avenue, Redlands Boulevard
Parcel No. 488-330-003 to 006 & 026
Township 3S **Range** 3W **Section** 2 **Base** SBB&M

Proximity to:

Highways SR 60
Airports No
Railways No
Waterways No
Schools No
Land Use GPD: Business Park
Z: Business Park

Project Issues Aesthetic/Visual; Air Quality; Archaeologic-Historic; Biological Resources; Drainage/Absorption; Flood Plain/Flooding; Landuse; Noise; Public Services; Soil Erosion/Compaction/Grading; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wetland/Riparian

Reviewing Agencies Resources Agency; Department of Conservation; Department of Fish and Game, Region 6; Office of Historic Preservation; Department of Parks and Recreation; Department of Water Resources; California Highway Patrol; Caltrans, District 8; Air Resources Board, Major Industrial Projects; Regional Water Quality Control Board, Region 8; Native American Heritage Commission

Date Received 10/21/2010 **Start of Review** 10/21/2010 **End of Review** 12/06/2010

Note: Blanks in data fields result from insufficient information provided by lead age

Item No. E.3

STATE OF CALIFORNIA
GOVERNOR'S OFFICE OF PLANNING AND RESEARCH
STATE CLEARINGHOUSE
SCH No. 2009101008

Response SCH-1

State Clearinghouse receipt of the Westridge Commerce Center Draft EIR is acknowledged, as is distribution of the Draft EIR to the listed State Agencies. The State-assigned Clearinghouse reference number (SCH No. 2009101008) and dates of the public review period for the Draft EIR (October 21, 2010 through December 6, 2010) are also acknowledged.

California Natural Resources Agency
DEPARTMENT OF FISH AND GAME
http://www.dfg.ca.gov
Inland Deserts Region
3602 Inland Empire Blvd., Suite C-200
Ontario, CA 91764
(909) 484-0167

ARNOLD SCHWARZENEGGER, Governor
JOHN McCAMMAN, Director

December 3, 2010

RECEIVED
DEC - 7 2010
CITY OF MORENO VALLEY

Jeff Bradshaw
City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92552

Re: Draft Environmental Impact Report for Westridge Commerce Center
SCH No. 2009101008

Dear Mr. Bradshaw:

The Department of Fish and Game (Department) appreciates this opportunity to comment on the Draft Environmental Impact Report (DEIR) for the Westridge Commerce Center. The Department is responding as a Trustee Agency for fish and wildlife resources [Fish and Game Code sections 711.7 and 1802 and the California Environmental Quality Act Guidelines (CEQA) section 15386] and as a Responsible Agency regarding any discretionary actions (CEQA Guidelines section 15381), such as a Lake and Streambed Alteration Agreement (Section 1600 *et seq.*) or a California Endangered Species Incidental Take Permit (Fish and Game Code Sections 2080 and 2080.1). CDFG-1

For this project the Department will be acting as a Trustee and Responsible Agency. As per Section 15096 of the California Environmental Quality Act statute, as a Responsible Agency the Department is obligated to focus its comments on any shortcomings in the CEQA document, the appropriateness of the CEQA document utilized, and additional alternatives or mitigation measures which the CEQA document should include.

The site is located in the City of Moreno Valley, County of Riverside and is bounded on the north by SR-60 and Spruce Avenue, on the south by Eucalyptus Avenue, on the east by vacant land and Redlands Boulevard, and on the west by the Quincy Channel and agricultural land. Surrounding development consists of vacant and agricultural land. CDFG-2

The proposed project consists of a 937,260 square foot industrial warehouse building on 55 acres. The Quincy Channel runs along the western boundary and will require improvements.

MSHCP

The project is located within the boundary of the Western Riverside Multiple Species Habitat Conservation Plan (MSHCP) and is subject to the provisions and policies of that plan. The MSHCP is a Natural Communities Conservation Plan that provides coverage for 146 species and up to 510,000 acres. Participants in the MSHCP are issued take authorization for covered species and do not require Federal or State Endangered Species Act Permits. The City of Moreno Valley is an MSHCP participant. CDFG-3

The project is not within Cell Criteria Areas and does not require additional surveys and narrow endemic surveys, however, burrowing owl surveys are required. Initial surveys showed that burrowing owl was not present. CDFG-3 cont'd.

Recommendations

Per section 15096 of the CEQA statute, as a Responsible Agency the Department is obligated to focus its comments on any inadequacies of the CEQA document and additional alternatives or mitigation measures which should be included in the CEQA document. As a Responsible Agency the Department will be obligated to consult the final CEQA document to prepare a Lake and Streambed Alteration Agreement or a California Endangered Species Incidental Take Permit. If the final CEQA document fails to identify and adequately mitigate all of the impacts of the proposed project and any alternatives, the project proponents will be required to reinitiate the CEQA process at their expense, or fund another CEQA process under the direction of the Department to identify and adequately mitigate all impacts associated with any Department discretionary actions.

The Department recommends that the Lead Agency clarify the issues raised below and provide a response to these comments in the Final Environmental Impact Report (FEIR) or subsequent CEQA document. CDFG-4

1. Submittal of a 1600 Lake or Streambed Alteration Agreement Notification form for impacts to State jurisdictional waters;
2. Include native plant revegetation for areas temporarily disturbed by construction in the maintenance and monitoring plan;
3. Submit a copy of the maintenance and monitoring plan for the review and approval of the Department.

Biological Resources

A biological assessment was conducted in October, 2008. Biological Resources Assessments for the project site include the following: Burrowing Owl surveys in July, 2009, an off-site biological assessment in May, 2010 and a wetland jurisdictional delineation in February, 2010.

Biological habitat communities on the site include mulefat riparian, ruderal and agricultural. The site is highly disturbed and was formerly utilized for agricultural purposes. No focused biological surveys were required. Two southern black walnut trees were found on site. CDFG-5

Impacts and Mitigation

Section 14(a) of Appendix G of the CEQA Guidelines provides an outline for significant biological impacts. Section (a) asks whether the project will have a substantial adverse effect "...either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species...". CDFG-6

Section (b) asks, in part, whether the project will have a substantial adverse effect on any riparian habitat or other sensitive natural community identified by the California Department of Fish and Game.

Impacts to terrestrial biological resources are minimal. Mitigation for these impacts is provided for by participation in the MSHCP. The project is also located within the fee area for the Stephens Kangaroo Rat Habitat Conservation Plan. No burrowing owl were found on the site. CDFG-6 cont'd

Streambed Alteration Agreements and CEQA

The site is located adjacent to the Quincy Channel. Potential receiving waters from Quincy Channel are the Heacock Channel, Perris Valley Storm Drain and the San Jacinto River. The project site is not within the 100-year floodplain. The Channel is 1,295 linear feet with 2.4 acres of riparian habitat. Sheet flow from the site drains to the east to the jurisdictional channel along the west side of Redlands Boulevard. Both channels collect runoff from SR-60 and north of SR-60. The applicant is proposing to construct a scour wall adjacent to this channel. Along with the scour wall will be a maintenance road and a 50-150 foot buffer between the development and the Channel. The stream is an eroded earthen channel that collects runoff from three five foot wide culverts under SR-60. CDFG-7

Impacts to Quincy Channel will be from a channel crossing, not the scour wall. Impacts will also occur to an off-site channel. Permanent impacts are .003 acres to the Quincy Channel and 0.08 acres to the channel to the east (off-site). The applicant is proposing to mitigate impacts to jurisdictional State waters and riparian habitat by replacing riparian habitat at a 1:1 ratio, success criteria, and a three year maintenance and monitoring plan. CDFG-8

If the CEQA documents do not fully identify potential impacts to lakes, streams, and associated resources and provide adequate avoidance, mitigation, monitoring, funding sources, a habitat management plan and reporting commitments, additional CEQA documentation will be required prior to execution (signing) of the Agreement. In order to avoid delays or repetition of the CEQA process, potential impacts to a stream or lake, as well as avoidance and mitigation measures need to be discussed within this CEQA document. CDFG-9

The Department opposes the elimination of drainages, lakes and their associated habitats. The Department recommends avoiding the stream and riparian habitat to the greatest extent possible. Any unavoidable impacts need to be compensated with the creation and/or restoration of in-kind habitat either on-site or off-site at a minimum 3:1 replacement-to-impact ratio, depending on the impacts and proposed mitigation. Additional mitigation requirements through the Department's Streambed Alteration Agreement process may be required depending on the quality of habitat impacted, proposed mitigation, project design, and other factors. CDFG-10

We recommend submitting a notification early on, since modification of the proposed project may be required to avoid or reduce impacts to fish and wildlife resources. To obtain a Streambed Alteration Agreement notification package, please call (562) 430-7924.

The following information will be required for the processing of a Streambed Alteration Agreement and the Department recommends incorporating this information to avoid subsequent CEQA documentation and project delays:

1) Delineation of lakes, streams, and associated habitat that will be temporarily and/or permanently impacted by the proposed project (include an estimate of impact to each habitat type);
2) Discussion of avoidance measures to reduce project impacts; and,
3) Discussion of potential mitigation measures required to reduce the project impacts to a level of insignificance.

CDFG-11

Section 15370 of the CEQA guidelines includes a definition of mitigation. It states that mitigation includes:

1) Avoiding the impact altogether by not taking a certain action or parts of an action,
2) Minimizing impacts by limiting the degree or magnitude of the action and its implementation,
3) Rectifying the impact by repairing, rehabilitating, or restoring the impacted environment,
4) Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action,
5) Compensating for the impact by replacing or providing substitute resources or environments.

CDFG-12

In the absence of specific mitigation measures in the CEQA documents, the Department believes that it cannot fulfill its obligations as a Trustee and Responsible Agency for fish and wildlife resources. Permit negotiations conducted after and outside of the CEQA process deprive the public of its rights to know what project impacts are and how they are being mitigated in violation of CEQA Section 15002. Also, because mitigation to offset the impacts was not identified in the CEQA document, the Department does not believe that the Lead Agency can make the determination that impacts to jurisdictional drainages and/or riparian habitat are "less than significant" without knowing what the specific impacts and mitigation measures are that will reduce those impacts.

Thank you for this opportunity to comment. Please contact Robin Maloney-Rames at (909) 980-3818, if you have any questions regarding this letter.

Sincerely,

Jeff Brandt
Senior Environmental Scientist

cc: Michael Flores

STATE OF CALIFORNIA
DEPARTMENT OF FISH AND GAME

Letter Dated December 3, 2010

Response CDFG-1

The commentor notes CDFG's status as a responding Trustee Agency for California's fish and wildlife resources, and as a Responsible Agency for CDFG discretionary actions and permits. For the Project under consideration, the commentor notes that CDFG provides comments as both a Trustee and Responsible Agency. The commentor notes further that, pursuant to *CEQA Guidelines* Section 15096, comments provided by Responsible Agencies should focus on shortcomings on an EIR, and on additional alternatives or mitigation to be included in the EIR.

Trustee and Responsible Agency status of CDFG is recognized. The *CEQA Guidelines* Section 15096 directions for comments on EIRs to be provided by Responsible Agencies are acknowledged. It is noted further the *CEQA Guidelines* Section 15096 requires that Responsible Agencies limit their comments to ". . . those project activities which are in the agency's area of expertise or which are required to be carried out or approved by the agency or which will be subject to the exercise of powers by the agency."

Response CDFG-2

The Project location and scope as summarized by the commentor is materially correct. Please refer also to the detailed Project Description presented in Draft EIR Section 3.0.

Response CDFG-3

The commentor notes location of the Project within the Western Riverside Multiple Species Habitat Conservation Plan (MSHCP).Attributes of the MSHCP and species "take" authorization for MSCHP participants are noted by the commentor. The commentor identifies the City of Moreno Valley as a participant in the MSHCP. The

commentor states further that the Project does not lie within [MSHCP] Cell Criteria Areas, and does not require surveys other than for burrowing owls. The commentor notes that initial [Draft EIR] surveys conducted for the Project indicate that owls are not present on the subject site.

Provisions of the MSHCP are noted, as is the City's status as an MSHCP participant. Species survey requirements for the Project, as stated by the commentor, are consistent with surveys conducted in conjunction with preparation of the Draft EIR. Results of the Project Burrowing Owl Survey (Survey) are summarized in Draft EIR Section 4.8, "Biological Resources," and the Survey is provided at Draft EIR Appendix G.As noted by the commentor, the initial Survey results indicate that burrowing owls are not present on the Project site. The Survey notes that "[n]o burrowing owls or their sign were detected during the surveys and there was no evidence that any burrowing owls occur onsite. In addition, this species has not been recorded from the project area in the past." [Survey, Page 6.] Further, the Draft EIR notes that "[t]he Project area does provide suitable burrowing owl foraging habitat; however, no burrowing owls or their sign were detected during the Project burrowing owl survey." (Draft EIR, Page 4.8-8.)

<u>Response CDFG-4</u>

The commentor reiterates *CEQA Guidelines* Section 15096 provisions and requirements. The commentor notes that CDFG will consult the EIR for the purposes of preparing a Lake and Streambed Alteration Agreement and/or issuance of an Incidental Take Permit. The commentor lists three (3) issues to be clarified in the Final EIR:

1. Submittal of a 1600 Lake or Streambed Alteration Agreement Notification form for impacts to State jurisdictional waters;
2. Include native plant re-vegetation for areas temporarily disturbed by construction in the maintenance and monitoring plan;
3. Submit a copy of the maintenance and monitoring plan for the review and approval of the Department.

The following responses are provided to the issues/requirements cited by the commentor.

1. Submittal of a 1600 Lake or Streambed Alteration Agreement Notification form for impacts to State jurisdictional waters. Draft EIR Mitigation Measure 4.8.4 requires that a lake and streambed alteration agreement (Section 1600 permit) or waiver be obtained prior to the issuance of any grading permit and that written verification of the permit or waiver be provided to the Lead Agency (Community Development Department-Planning Division and the Public Works Department-Land Development Division).In support of the Permit, the Draft EIR identifies estimated impacts at CDFG jurisdictional areas and habitat, and identifies responding mitigation. This information will be included in subsequent Section 1600 Permit documentation for the Project. Relevant EIR text is excerpted below:

> [T]he channel is jurisdictional under the U.S. Army Corps of Engineers, the California Department of Fish and Game, the California Regional Water Quality Control Board and the MSHCP Riverine/Riparian Habitat (as defined under Section 6.1.2 of the MSHCP) programs. Under a maximum potential impact scenario, construction of off-site improvements could result in permanent disturbance and alteration of approximately 0.08 acres (710 lineal feet of 5-foot wide channel, or a total of 3,550 square feet) of un-vegetated riparian habitat. Consultation and permits from these agencies will be required prior to any disturbance of this channel (Draft EIR, Page 4.8-10).

As summarized in Draft EIR Section 4.8 and presented in detail in the Project Jurisdictional Delineation, construction of the Project's proposed scour wall in the westerly portion of the Project site, adjacent to the Quincy Channel, will result in the temporary disturbance of an estimated 0.003 acres (22 lineal feet) of vegetated mulefat

riparian habitat/CDFG jurisdictional areas. This is a potentially significant impact, as acknowledged on Draft EIR Page 4.8-23.

The following mitigation measures addressing potential impacts to jurisdictional/ habitat areas were incorporated in the Draft EIR, and will be reflected in subsequent Section 1600 Permit documentation.

4.8.1 Prior to the issuance of a grading permit, a "no touch" area shall be staked along the westerly limit of Project development as defined by the alignment of the scour wall proposed along the Quincy Channel. Importantly, the westerly limits of development shall be established so as to preclude potential permanent impacts to CDFG and/or Corps Jurisdictional Areas within the westerly adjacent Quincy Channel. Prior to the issuance of a grading permit, a City-approved Project biologist shall be retained to initiate and supervise monitoring of construction activities to ensure protection and preservation of adjacent Channel areas.

4.8.2 Prior to issuance of a grading permit, the proposed scour wall to be located between the developed Project site and the Quincy Channel shall be shown on the grading plans. Alignment of the scour wall shall be field-determined and physically delineated by the Project biologist in consultation with the City. Importantly, the scour wall alignment shall be established so as to preclude potential impacts to CDFG and/or Corps Jurisdictional Areas within the westerly adjacent Quincy Channel. Ongoing monitoring of construction activities shall be maintained throughout implementation of the scour wall to ensure protection and preservation of adjacent Channel areas.

4.8.3 Prior to issuance of a building permit, landscape and irrigation plans shall be approved which demonstrate that no invasive, non-native plants will be

planted or seeded within 150 feet of the avoided riparian habitat along the Quincy Channel.

4.8.4 Prior to the issuance of <u>any</u> grading permits and prior to any physical disturbance of any jurisdictional areas, 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.

4.8.5 Prior to issuance of a grading permit, the Applicant shall develop and implement a Habitat Mitigation and Monitoring Plan (HMMP) to restore impacted riparian (mulefat) habitat. Prior to implementation, the HMMP shall be reviewed and approved by the CDFG. If in its final design, the CDFG-approved HMMP involves use or restoration of USACE or RWQCB jurisdictional areas, USACE and/or RWQCB approval shall also be obtained. The HMMP shall, at a minimum, meet the following requirements:

- *A habitat replacement and/or enhancement ratio of at least 1:1 for temporary impact;*
- *A success criterion of at least 80 percent cover of native riparian vegetation for replaced habitat; and*
- *Additional requirements, including a 3-year establishment period for the replacement habitat, regular trash removal, and regular maintenance and monitoring activities to ensure the success of the mitigation plan*

(Draft EIR Pages 4.8-23 through 4.8-24).

The commentor incorrectly states subsequently (please refer to Comment CDFG-8) that "[i]mpacts to the Quincy Channel will be from a channel crossing, not the scour wall." Potential impacts from a future crossing of the Quincy Channel at Fir (future Eucalyptus) Avenue are described in the Project Jurisdictional Delineation; however, this crossing is not part of the Project and is not required to support the Project. As noted in Footnote 2 on Draft EIR Page 4.8-19, repeated here for ease of reference:

> The EIR Jurisdictional Delineation also acknowledges jurisdictional impacts and associated mitigation and permitting requirements associated with the future bridge crossing of Fir (Eucalyptus) Avenue at the Quincy Channel, located southwesterly adjacent to the Project site. This bridge crossing, to be implemented by the City or others at a future date as a part of areawide circulation system improvements, will permanently impact an estimated 0.47 acres of CDFG jurisdictional areas, with temporary impacts to an additional 0.06 acres of CDFG jurisdictional area. Affected CDFG jurisdictional areas encompass ACOE and RWQCB jurisdictional areas. These are not Project-related impacts, but are however considered in this EIR and CEQA within the context of cumulative impacts. Please refer also to EIR Section 5.1.1.8, Cumulative Biological Resources impacts (Draft EIR Page 4.8-19).

2. Include native plant re-vegetation for areas temporarily disturbed by construction in the maintenance and monitoring plan. The last bullet point at Mitigation Measure 4.8.5 is amended as follows to include native plant re-vegetation for areas temporarily disturbed by construction.

- *Additional requirements, including a 3-year establishment period for the replacement habitat, regular trash removal**, native plant re-vegetation for areas temporarily disturbed by construction,** and regular maintenance and monitoring activities to ensure the success of the mitigation plan.*

3. Submit a copy of the maintenance and monitoring plan for the review and approval of the Department. As noted above at Mitigation Measure 4.8.5 (as amended):

> *[The Project] HMMP shall, at a minimum, meet the following requirements:*
> - *A habitat replacement and/or enhancement ratio of at least 1:1 for temporary impact;*
> - *A success criterion of at least 80 percent cover of native riparian vegetation for replaced habitat; and*
> - *Additional requirements, including a 3-year establishment period for the replacement habitat, regular trash removal**, native plant re-vegetation for areas temporarily disturbed by construction,** and regular maintenance and monitoring activities to ensure the success of the mitigation plan.*

While the Draft EIR presents a reasoned best estimate of impacts and proposed responsive mitigation based on Project design concepts, details such as monitoring and maintenance of mitigation for impacts to jurisdictional areas and affected habitat are more effectively developed based on final Project designs including detailed grading plans, utility plans design and final building designs. As matter of clarification, the following bullet point is added to Mitigation Measure 4.8.5:

- ***Prior to the issuance of a grading permit, as part of the Project HMMP, appropriate maintenance and monitoring protocols will be developed in concert with CDFG based on final Project designs, and the ultimate scope, location, and type of mitigation reflected in the HMMP as approved by CDFG.***

With these revisions, Mitigation Measure 4.8.5 in total will be worded as presented below. These revisions will be reflected in Final EIR Section 2.0, "Revisions and Errata," as well as in the Mitigation Monitoring Plan presented in Final EIR Section 4.0.

4.8.5 Prior to issuance of a grading permit, the Applicant shall develop and implement a Habitat Mitigation and Monitoring Plan (HMMP) to restore impacted riparian (mulefat) habitat. Prior to implementation, the HMMP shall be reviewed and approved by the CDFG. If in its final design, the CDFG-approved HMMP involves use or restoration of USACE or RWQCB jurisdictional areas, USACE and/or RWQCB approval shall also be obtained. The HMMP shall, at a minimum, meet the following requirements:

- *A habitat replacement and/or enhancement ratio of at least 1:1 for temporary impact;*
- *A success criterion of at least 80 percent cover of native riparian vegetation for replaced habitat;*
- *Additional requirements, including a 3-year establishment period for the replacement habitat, regular trash removal, native plant re-vegetation for areas temporarily disturbed by construction, and regular maintenance and monitoring activities to ensure the success of the mitigation plan.*
- *Prior to the issuance of a grading permit, as part of the Project HMMP, appropriate maintenance and monitoring protocols will be developed in concert with CDFG based on final Project designs, and the ultimate scope, location, and type of mitigation reflected in the HMMP as approved by CDFG.*

Response CDFG-5

The commentor notes biological resources surveys conducted for the Project, and comments further that no focused surveys were required. Surveys and survey results noted by the commentor are materially correct. No further response is required.

Response CDFG-6

The commentor cites *CEQA Guidelines* Appendix G suggested threshold considerations addressing habitat modifications and potential impacts to candidate, sensitive or special status species, riparian habitat, or other sensitive natural communities. The commentor notes that [Project] impacts to terrestrial biological resources are minimal, and that mitigation for these impacts is provided for through participation in the encompassing MSHCP. The Project also lies within the fee area for the Stephens' Kangaroo Rat (SKR) Habitat Conservation Plan. Potential impacts to SKR are addressed though fee payments consistent with provisions of the SKR Habitat Conservation Plan. The above statements provided by the commentor are materially correct. No further response is required.

Response CDFG-7

The commentor summarizes physical characteristics of the Quincy Channel (Channel), located westerly of the Project site. The commentor notes that the Project Applicant proposes to construct a scour wall adjacent to the Channel. A maintenance road will be constructed on the easterly (developed side) of the wall and an approximate 50-150 foot buffer area will be provided between the wall and the developed warehouse areas.

The commentor's summary descriptions of the Channel and Applicant-initiated improvements are materially correct. No further response is required.

Response CDFG-8

The commentor incorrectly states that "[i]mpacts to the Quincy Channel will be from a channel crossing, not the scour wall." As noted in the preceding Response CDFG-4, potential impacts from a future crossing of the Quincy Channel at Fir (Future Eucalyptus) are described in the Project Jurisdictional Delineation; however, this crossing is not part of the Project and is not required to support the Project.

As noted by the commentor, the Draft EIR acknowledges that the Project will result in or cause approximately 0.003 acres of *temporary* [emphasis added] impact to CDFG jurisdictional area along the Quincy Channel due to construction of the scour wall. Impacts arising from eventual future crossing of the Channel are not Project-specific and no mitigation is proposed by the Project. Potential cumulative impacts of the crossing are discussed at Draft EIR Section 5.1.1.8:

> . . .[I]t is noted that the ultimate design of Fir (future Eucalyptus) Avenue includes the construction of a crossing to span Quincy Channel. This future channel crossing is not considered a component of the proposed [P]roject and is contingent on vicinity development, which may occur in the next several years. The future construction of a channel crossing could result in permanent and temporary impacts on [the] Quincy Channel. These potential impacts are identified within Section 5.2.2 of the Jurisdictional Delineation Report in Draft EIR Appendix G. Because the future extension of Fir (future Eucalyptus) Avenue to the west across Quincy Channel is not a part of the proposed Project, the future crossing activities will require separate regulatory permits and approvals as well as specific mitigation for impacts, similar to the mitigation included in this EIR. It is further noted, however, that the ultimate extension of Eucalyptus Avenue, including the construction of a Quincy Channel crossing, is included in the City's General Plan Circulation Element, and as such, has been considered as a part of the City's General Plan EIR. Cumulative Project impacts are not affected by the extension of Fir (future Eucalyptus) Avenue or the construction of a Quincy Channel crossing (Draft EIR Pages 5-22 through 5-23).

<u>Response CDFG-9</u>

The commentor states that"[i]f the CEQA documents do not fully identify potential impacts to lakes, streams, and associated resources and provide adequate avoidance,

mitigation, monitoring, funding sources, a habitat management plan and reporting commitments, additional CEQA documentation will be required prior to execution (signing) of the Agreement."

The commentor's statement/concern is recognized; however, such concerns are not germane to the Project or to the Draft EIR. Potential Project-related impacts to lakes, streams, and associated resources are fully disclosed and discussed in the Draft EIR and supporting technical studies presented in Draft EIR Appendix G. A summary of impacts and proposed mitigation is provided in preceding responses CDFG-1 through CDFG-8. Please refer also to the detailed discussions presented in Draft EIR Section 4.8, "Biological Resources," and supporting technical studies provided in Draft EIR Appendix G, "Biological Resource Assessments." Moreover, all areas of potential jurisdictional impacts are avoided to the extent possible and mitigated where complete avoidance is infeasible. The discussion provided as part of Draft EIR Mitigation Measures 4.8.1 through 4.8.3, as excerpted below, requires and promotes avoidance. The complete text of these mitigation measures is provided in the preceding Response CDFG-4.

> *. . . Importantly, the westerly limits of development shall be established so as to preclude potential permanent impacts to CDFG and/or Corps Jurisdictional Areas within the westerly adjacent Quincy Channel . . . a City-approved Project biologist shall be retained to initiate and supervise monitoring of construction activities to ensure protection and preservation of adjacent Channel areas.*
>
> *. . .Alignment of the scour wall shall be field-determined and physically delineated by the Project biologist in consultation with the City. Importantly, the scour wall alignment shall be established so as to preclude potential impacts to CDFG and/or Corps Jurisdictional Areas within the westerly adjacent Quincy Channel. Ongoing monitoring of construction activities shall be maintained*

throughout implementation of the scour wall to ensure protection and preservation of adjacent Channel areas.

*. . . [N]o invasive, non-native plants will be planted or seeded within 150 feet of the avoided riparian habitat along the Quincy Channel (*Draft EIR Page23).

Response CDFG-10

The commentor states that "[t]he Department opposes the elimination of drainages, lakes and their associated habitats. The Department recommends avoiding the stream and riparian habitat to the greatest extent possible. Any unavoidable impacts need to be compensated with the creation and/or restoration of in-kind habitat either on-site or off-site at a minimum 3:l replacement-to-impact ratio, depending on the impacts and proposed mitigation. Additional mitigation requirements through the Department's Streambed Alteration Agreement process may be required depending on the quality of habitat impacted, proposed mitigation, project design, and other factors."

The Project does not propose elimination of drainages, lakes and their associated habitats. Mitigation is proposed for the Project's temporary impact to 0.003 acres of riparian (mulefat) habitat.[1]The ultimate scope and location of mitigation will be determined in consultation with CDFG through the Streambed Alteration Agreement Notification/Permit process (or waiver), to be completed prior to the issuance of any grading permits and prior to any physical disturbance of any jurisdictional areas. Notification/Permit processes will be initiated by the Applicant at the earliest practicable date. Given the nominal scope of habitat impact (0.003 acres), its relative distance from proposed areas of development, and intervening buffering areas provided, no substantive alteration of the Project is proposed nor anticipated to be

[1] Total impacts to jurisdictional areas are estimated at 0.083 acres: 0.003 acres temporary impact to jurisdictional mulefat habitat; 0.08 acres permanent impact to non-habitat jurisdictional areas.

required in order to successfully mitigate the Project's temporary impacts to riparian habitat. Contact information provided by the commentor is noted.

Response CDFG-11

The commentor notes the following informational requirements for a Streambed Alteration Agreement, and recommends its incorporation in CEQA documents:

> 1) Delineation of lakes, streams, and associated habitat that will be temporarily and/or permanently impacted by the proposed project (include an estimate of impact to each habitat type);
> 2) Discussion of avoidance measures to reduce project impacts; and,
> 3)Discussion of potential mitigation measures required to reduce the project impacts to a level of insignificance.

The above information is provided in the Draft EIR and supporting jurisdictional delineation information presented at Draft EIR Appendix G. Excerpted germane Draft EIR discussions are presented below, and the commentor is referred to full detailed discussions presented in the body of the Draft EIR, specifically, within Section 1.0, Summary; Section 4.8, Biological Resources; and Section 5.0, Other CEQA Considerations. Supporting technical studies are provided at Draft EIR Appendix G, Biological Resource Assessments.

1. **Delineation of lakes, streams, and associated habitat that will be temporarily and/or permanently impacted by the proposed project (include an estimate of impact to each habitat type).**The Draft EIR states that "[p]roject construction activities will result in the following potentially significant impacts: Potential direct temporary impacts to 0.003 acres, (22 lineal feet) of mulefat vegetated riparian habitat; and Potential direct permanent impact to 0.08 acres of un-vegetated riparian habitat" (Draft EIR Page 1-77, et al.).

2. **Discussion of avoidance measures to reduce project impacts.** The Draft EIR states that "[a]maintenance road will be provided along the easterly edge of the scour wall, and Westerly of the scour wall, a buffer area averaging in width from approximately 50 feet to 150 feet will be established, providing separation between the developed site and the adjacent Quincy Channel. This physical separation between the developed site and the Channel habitat areas minimizes or precludes direct impacts to the Channel and its associated vegetation communities and special status plant species." (Draft EIR Page 4.8-18, *et al.*) Please refer also to the preceding Response CDFG-9.

3. **Discussion of potential mitigation measures required to reduce the project impacts to a level of insignificance.** Please refer to Draft EIR Mitigation Measures 4.8.1 through 4.8.5 (as amended through these responses), presented in the preceding Response CDFG-4.

Response CDFG-12

The commentor cites *CEQA Guidelines* Section 15370, which describes/defines mitigation, and states that CDFG cannot fulfill its obligations absent defined impacts and proposed mitigation. CDFG point of contact information is provided.

Project impacts are fully and appropriately defined and disclosed as summarized in the preceding responses and presented in detail in the Draft EIR (0.08 acres permanent impact to non-habitat jurisdictional areas; 0.003 acres temporary impact to jurisdictional mulefat habitat). Mitigation is proposed for impacts determined to be potentially significant. Mitigation includes restoration/replacement habitat at a minimum 1:1 ratio. The Lead Agency considers the defined area of impact and proposed mitigation to be consistent with CDFG requirements, and supports the Department's obligations and responsibilities as a Trustee and Responsible Agency. Project impacts, as mitigated, are considered to be less-than-significant. Mitigation as revised herein is included in

response to CDFG comments. CDFG staff were contacted (phone conversation 12.16.10) to clarify information provided in the DEIR and discuss CDFG concerns. Subsequent to that conversation, a draft of these responses was emailed to CDFG staff. As indicated in the following email response from CDFG, CDFG staff concurs with the substance of these responses and proposed revisions to the Draft EIR text.

From: Robin Maloney-Rames <RMaloney@dfg.ca.gov>
Date: December 29, 2010 9:13:07 AM PST
To: <cray@appliedplanning.com>
Subject: **Re: Westridge Draft EIR-CDFG Comments and Responses (Draft)**

Hello Charly:

I took a look at the letter and response to comments. It seems to be in order. If you could include this with the Response to Comments I would appreciate it.

thanks
Robin

Environmental Scientist
Dept. of Fish and Game
Eastern Sierra Inland Deserts Region 6
3602 Inland Empire Blvd., Suite C-220
Ontario, CA 91764
(909) 980-3818

Thank you for contacting the California Department of Fish and Game. Pursuant to Governor's Executive Order S-12-10, we are closed on the second, third and fourth Friday of each month.

STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY ARNOLD SCHWARZENEGGER, Governor

DEPARTMENT OF TRANSPORTATION
DISTRICT 8
PLANNING
464 WEST 4th STREET, 6th Floor MS 725
SAN BERNARDINO, CA 92401-1400
PHONE (909) 383-4557
FAX (909) 383-6890
TTY (909) 383-6300

Flex your power!
Be energy efficient!

December 6, 2010

Jeff Bradshaw
City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92552

Westridge Development Draft Environmental Impact Report (October 2010). SCH: 009101008.
Riv-60-PM19.0/20.4

Dear Mr. Bradshaw,

We have completed our review for the above noted project which is located south of State Route 60 (SR-60) east of Quincy Channel, and north of Fir Avenue in the City of Moreno Valley. The project proposal comprises of the construction of 937,260 square feet of new light industrcial warehouse/distribution area.

As the owner and operator of the State Highway System (SHS), it is our responsibility to coordinate and consult with local jurisdictions when proposed development may impact our facilities. As the responsible agency under the California Environmental Quality Act (CEQA), it is also our responsibility to make recommendations to offset associated impacts with the proposed project. Although the project is under the jurisdiction of the County of Riverside due to the Project's potential impact to State facilities it is also subject to the policies and regulations that govern the SHS. DOT-1

We have the following comments:

Traffic Operations

1. Please include a Stacking Distance analysis for the Moreno Beach Road . DOT-2

2. Traffic Impact Study (page 124, Table 6-11); under Redlands Blvd at SR-60 Westbound Ramp, please include: WBL, WBR, EBL & EBR. Additionally, under SR-60 at eastbound Ramps, please include: SBR. DOT-3

3. Due to the potential high volumes of truck traffic, please ensure that the ramp intersection will accommodate STAA truck turning movements. DOT-4

4. Please include the ramp merge/diverge analysis for SR-60 at Moreno Beach Dr. and at Redlands Blvd. DOT-5

Mr. Bradshaw
December 6, 2010
Page 2

Hydrology

1. Although the proposed improvements should have no significant effect on Caltrans facilities, the documentation submitted did not give specific details how the runoff from the freeway SR-60 will be captured and contained. We would expect the developer's engineer to address this issue during the design and permit approval process. DOT-6

Permit Requirements:

1. Any proposed alterations to existing improvements within State right-of-way may only be performed upon issuance of a valid encroachment permit and must conform to current Caltrans design standards and construction practices.
2. Review and approval of street, grading and drainage construction plans will be necessary prior to permit issuance. Information regarding permit application and submittal requirements may be obtained by contacting:

Office of Encroachment Permits
Department of Transportation
464 West 4th Street, 6th Floor, MS-619
San Bernardino, CA 92401-1400
(909) 383-4526

DOT-7

We appreciate the opportunity to offer comments concerning this project. If you have any questions regarding this letter, please contact Joe Shaer at (909) 383-6908 or myself at (909) 383-4557 for assistance.

Sincerely,

DANIEL KOPULSKY
Office Chief
Community Planning/IGR-CEQA

STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION, DISTRICT 8

Letter Dated December 6, 2010

Response DOT-1

Caltrans jurisdiction and statutory responsibilities in regard to the proposed Project's potential effects on SR-60 are acknowledged. Agency review of the Draft EIR is appreciated.

Response DOT-2

The commentor requests a stacking distance analysis for Moreno Beach Road. Within the context of the Caltrans Guide for the Preparation Traffic Impact Studies (State Of California Department Of Transportation), December 2002, the traffic impact analysis consultant, guided by local input and expertise of the Lead Agency, established the parameters and extent of the Project Traffic Impact Analysis (TIA). The Project is anticipated to contribute nominal[2] traffic to Moreno Beach Road for opening year conditions; and would contribute less than 50 peak hour trips to Moreno Beach Road under long-range conditions.

Pursuant to applicable CMP TIA guidelines (see Caltrans TIS Guidelines, Page 2), it is typically unnecessary for projects generating less than 50 peak hour trips to assess potential impacts in regard to stacking or progression through an interchange area. The Lead Agency has not indicated special circumstances or other considerations that would indicate a requirement for a stacking distance analysis for Moreno Beach Road, nor is such the conclusion of the TIA consultant.

[2] Nominal traffic contributions are defined less than 50 vehicles per day (Project TIA Page 44, et al.)

Response DOT-3

The commentor requests specific analysis of the westbound left-turn, westbound right-turn, eastbound left-turn, and eastbound right-turn movements at the Redlands Boulevard/SR-60 Westbound Ramps. Analysis of the southbound right-turn movement at Redlands Boulevard/SR-60 Eastbound Ramps is also requested.

The westbound left-turn, westbound right-turn, eastbound left-turn, and eastbound right-turn movements at the Redlands Boulevard/SR-60 Westbound Ramps were not individually reported since they are shared lanes, and the queues associated with these movements are reflected in the 95th percentile queue presented for the westbound and eastbound through movements, respectively. Similarly, the southbound right-turn movement at Redlands Boulevard/SR-60 Eastbound Ramps was not reported individually since it is a shared movement with the southbound through lane. Please refer also to TIA Table 4-1 (Intersection Analysis for Existing Conditions).

Response DOT-4

As noted in the discussion of regional access (Draft EIR Section 4.2.2.2 on Page4.2-8), the Project has been designed to accommodate future interchange improvements planned by Caltrans at Redlands Boulevard and the SR-60, which would upgrade the existing rural configuration to a standard diamond interchange. (Please refer to Figure 3.5-1, Site Plan Concept). The Project would, upon approval, be responsible for payment of Traffic Uniform Mitigation Fee (TUMF) contributions; however, interchange improvements would be constructed by Caltrans, and are not a part of the proposed Project. When designed, reviewed and constructed, it is presumed that the ramps will be required to be consistent with Caltrans design standards, and will accommodate STAA truck turning movements.

Response DOT-5

According to the Transportation Research Board's *Highway Capacity Manual*, the influence area for a merge junction is 1,500 feet downstream, and the influence area for a

diverge junction is 1,500 feet upstream. The distance between the ramps at Redlands Boulevard and Moreno Beach Boulevard is approximately 6,600 feet. There are no other merge/diverge junctions (i.e., interchanges) within the 1,500-foot influence areas of the ramps at Moreno Beach Boulevard and Redlands Boulevard, and as such, merge and diverge analyses were determined unwarranted as part of the Project TIA.

Response DOT-6

As noted by the commentor, specific concerns in regard to the design of collectors for runoff from the SR-60 onto the site will be addressed as part of the design and permit approval process. In general, as discussed in Draft EIR Section 4.6, "Hydrology and Water Quality," storm water will be collected onsite through a series of catch basins and clarifiers, and directed to a municipal drainage system, connections for which would be constructed adjacent to the site within the rights-of-way of Fir (future Eucalyptus) Avenue and Redlands Boulevard.

Response DOT-7

The required review of street, grading and drainage construction plans by Caltrans personnel prior to the issuance of encroachment permits is acknowledged. The address and contact information provided is appreciated.

EASTERN MUNICIPAL WATER DISTRICT
SINCE 1950

Board of Directors

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Ronald W. Sullivan

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Director of the Metropolitan Water District of So. Calif.
Randy A. Record

Legal Counsel
Redwine and Sherrill

December 6, 2010

Jeff Bradshaw, Associate Planner
City of Moreno Valley
Development Department
14177 Frederick Street
Moreno Valley, CA 92553

SUBJECT: West Ridge Commerce Center Project
Draft Environmental Impact Report
SCH No. 2009101008

Dear Mr. Bradshaw:

Thank you for the opportunity to review the Draft Environmental Impact Report (DEIR) for the above referenced project. The project is generally described as a plot plan for development of a 937,260 square foot warehouse distribution on building on a 55 acre site, Related applications include a Zone Change from Business Park to Light Industrial, a tentative parcel map to combine five parcels into a single parcel and a lettered lot that would be dedicated to the Riverside County Flood Control District for storm channel improvements, and a Municipal Code Amendment to establish a buffering distance between warehouse distribution land uses in the light industrial zone and adjacent residential zones. EMWD-1

Eastern Municipal Water District (EMWD) offers the following comments with respect to this DEIR document:

1- Please revise Mitigation Measure 4.5.3, on page 4.5-29, as follows (revisions indicated in ***bold italics***): EMWD-2

4.5.3 ***In this East Moreno Valley area, existing water, sewer and recycled water facilities are not adequate to accommodate the Project. Therefore, from a facilities perspective, the Project would be conditioned to construct off-site and on-site water, sewer and recycled facilities needed to serve the***

Mailing Address: Post Office Box 8300 Perris, CA 92572-8300 Telephone: (951) 928-3777 Fax: (951) 928-6177
Location: 2270 Trumble Road Perris, CA 92570 Internet : www.emwd.org

City of Moreno Valley
December 6, 2010
Page 2

Project. Accordingly, a Plan of Services (POS) must be completed and submitted by the Applicant, for EMWD's approval. As soon as possible, the Applicant shall meet with EMWD staff to develop a Plan Of Service (POS) for the Project. The POS shall detail water, wastewater and recycled water ***facilities*** requirements to serve the project, ***to be constructed by the Applicant. Additionally, there could be temporary service impacts while constructing or extending facilities required for this Project, which should be evaluated in the Final EIR.*** EMWD-2 cont'd.

2- Please note the Water Supply Assessment (WSA) expiration date is June 4, 2011. EMWD-3

Again, EMWD appreciates the opportunity to comment on this project. Please forward future environmental documents for this project and the response to the above comments prior to EIR certification to the attention of Karen Hackett at the mailing address shown on page one. If you have questions concerning these comments, please feel free to contact Karen Hackett at 951 928-3777, Ext. 4462, or myself at Ext. 4455. EMWD-4

Sincerely,

Joseph B. Lewis
Director of Engineering Services

JBL:ME:RR:KAH

cc: E. Lovsted

Encl.

EASTERN MUNICIPAL WATER DISTRICT
SINCE 1950

Board of Directors

President
David J. Slawson

Vice President
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Treasurer
Joseph J. Kuebler, CPA

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Board Secretary
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General Manager
Anthony J. Pack

Director of the Metropolitan Water District of So. Calif.
Randy A. Record

Legal Counsel
Redwine and Sherrill

Developers/Engineers

Will your project require service from Eastern Municipal Water District for water, sewer or recycled water?

EMWD requires beginning dialogue with the applicant at an early point in site design and development of a project, in order to assess the infrastructure needs. Accordingly, we offer to meet with developers/engineers for one initial due-diligence meeting, without requiring a deposit. This meeting is to review your project and determine potential service from EMWD. The objective is to provide a forum to resolve any questions about our development process and help to determine if there are any potential issues that may exist in the area concerning EMWD facilities (water, sewer or recycled water). Afterward, should you decide to pursue your project(s) with EMWD, we will require you to deposit funds and open a Work Order. This Work Order is used to cover staff time and research required to generate a Plan of Service. No improvement plans will be accepted until this pre-project phase is completed and an EMWD Plan of Service has been approved.

In an ongoing effort to develop a dependable and reliable water supply for its customers, EMWD's goal is to maximize the use of recycled water, for landscape demands. All projects that include landscaped areas are carefully considered for recycled water use. This process needs to begin early to avoid unnecessary delays. EMWD-5

In order to set up a Due Diligence meeting we need:

1- A completed Due Diligence questionnaire.
2- Your proposed agenda for the due-diligence meeting
3- Location Map
4- Proposed development plan layout if available (hard copy and JPEG format)

I encourage developers/engineers to become familiar with EMWD New Development processes, while designing your project. They have been developed over many years and serve a great importance as they can prevent complications and save time.
More information can be found at http://www.emwd.org/new_biz/new-biz-dev.html

If at any point in time there are questions or concerns, please do not hesitate to contact me

Sincerely,

Linda H. Petersen
Development Coordinator ex. 4310
Petersel@emwd.org

EASTERN MUNICIPAL WATER DISTRICT

Letter Dated December 6, 2010

Response EMWD-1

The commentor has accurately summarized the general aspects of the proposed Project and required discretionary actions.

Response EMWD-2

As discussed in the EIR, the Project's impacts to water supplies is less-than-significant. Notwithstanding, mitigation is provided to ensure timely construction of service lines/facilities necessary to serve the Project. In this regard, the Lead Agency acknowledges the District's desire to clarify the referenced Mitigation Measure 4.5.3, which is discussed in Draft EIR Section 4.5, "Water Supply." Accordingly, the language of this mitigation measure has been amended as follows.

> *4.5.3 The Applicant shall meet with EMWD staff* ***at the earliest feasible date*** *to develop a Plan of Service (POS) for the Project. The POS shall detail water, wastewater and recycled water* ***facilities*** *requirements to serve the Project,* ***to be constructed by the Applicant****.*

Related to the Project POS, preliminary information provided by EMWD indicates that provision of adequate fire flows for the area west of Redlands Boulevard and south of SR-60 will require construction of a 24-inch water line within the Fir (future Eucalyptus Avenue) extending westerly from Redlands Boulevard to connect to an existing 24-inch line at the approximate alignment of Petit Street. The extent of the actual construction of the line is not known at this time and is ultimately dependent on the timing of improvements constructed as a part of adjacent proposals. Regardless of these other projects, Certificate of Occupancy for the Project is conditioned on the provision of

adequate fire flows whether achieved by this new line, or by other means acceptable to EMWD and the City Fire Department.

To ensure monitoring and enforcement, this revision to Mitigation Measure 4.5.3 is reflected in the Project Mitigation Monitoring Plan (Final EIR Section 4.0), and in Final EIR Section 2.0, Revisions and Errata. Additional explanatory language provided by the commentor is not considered appropriate for inclusion in this mitigation measure.

The Applicant's responsibility for the construction of all required infrastructure to serve the Project, including but not limited to the extension of off-site and on-site water, wastewater, and recycled water facilities, is acknowledged. As noted in the discussion of Water/Sewer Services on Draft EIR Page 3-21, "[a]lignment of service lines, and connection to existing services will be as required by EMWD."

The possibility of temporary service impacts during the construction or extension of facilities is acknowledged. Coordination with the District in regard to planned or proposed construction actions will occur as part of the preparation of the required POS (identified in Mitigation Measure 4.5.3, above). Additionally, notification of potential utility service disruptions would be provided to existing residents and/or business owners in the area by the developer, acting to minimize their effects. The results and conclusions of the Draft EIR are not affected.

<u>Response EMWD-3</u>

As noted in Draft EIR Mitigation Measure 4.5.4 (excerpted below), the upcoming expiration date of the Project's Water Supply Assessment is acknowledged.

> *4.5.4 Until the Project begins construction, the Project Water Supply Assessment shall be reviewed for its continued accuracy and adequacy every three (3) years, commencing on the WSA approval date of June 4, 2008.The Project Applicant shall maintain communication with EMWD*

on the status of the Project, and the lead agency shall request the referenced three-year periodic review and update of the WSA. If neither the Project applicant nor the lead agency contacts EMWD within three (3) years of approval of this WSA, it shall be assumed that the Project no longer requires the estimated water demand as calculated in the WSA.

Response EMWD-4

As requested, and pursuant to Public Resources Code §21092.5, the District will receive a written response to these comments at least ten days prior to the certification of this EIR.

Response EMWD-5

EMWD provides a standardized Notice to Developers and Engineers outlining EMWD requirements and processes necessary to ensure adequate and timely provision of services.

The Notice to Developers and Engineers (Notice) attached to the above-referenced comment letter is acknowledged, and has been incorporated in this Final EIR for ease of reference. The Applicant consulted with EMWD early in the planning process (due diligence meeting conducted with EMWD staff on January 27, 2009) in order to determine the likely scope and type of improvements required. At the earliest feasible date, the Applicant will coordinate with EMWD in developing the POS for the Project consistent with provisions of the Notice.

WARREN D. WILLIAMS
General Manager-Chief Engineer

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RIVERSIDE, CA 92501
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134314

RIVERSIDE COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT

November 29, 2010

RECEIVED
DEC - 6 2010
CITY OF MORENO VALLEY

Mr. Jeff Bradshaw
City of Moreno Valley
Community Development Department
14177 Frederick Street
Moreno Valley, CA 92553

~~Dear Mr. B~~radshaw:

Re: Notice of Availability
West Ridge Commerce Center Project
Draft Environmental Impact Report

This letter is written in response to the Notice of Availability West Ridge Commerce Center Project Draft Environmental Impact Report. The purpose of the proposed project is to develop a 937,260 sq. ft. warehouse distribution building on a 55 acre site located near Eucalyptus Avenue and Redlands Boulevard. The project also requests a zone change of five parcels from Business Park to Light Industrial, combining the five parcels into one and a lettered lot that would be dedicated to the Riverside County Flood Control District for storm channel improvements, and a Municipal Code Amendment. RCFC-1

The Riverside County Flood Control and Water Conservation District (District) has reviewed the DEIR and has the following comments:

This project involves District Master Drainage Plan facilities, namely Moreno Line G-7 and D-3. The District will accept ownership of such facilities on written request of the City. Facilities must be constructed to District standards and District plan check and inspection will be required for District acceptance. Plan check and administrative fees will be required. RCFC-2

This project is located within the limits of the District's Moreno Area Drainage Plan for which drainage fees have been adopted; applicable fees should be paid by cashier's check or money order only to the Flood Control District or City prior to issuance of grading permits. Fees to be paid should be at the rate in effect at the time of issuance of the actual permit.

The District is signatory to the Western Riverside County Municipal Species Habitat Conservation Plan (MSHCP). If it is anticipated that the City will request that the District own, operate and maintain the above referenced facilities, the applicant will need to demonstrate that all construction related activities within the District right-of-way or easement are consistent with the MSHCP. To accomplish this, the CEQA document should include a MSHCP consistency report with all of its supporting documents and provide adequate mitigation in accordance with all applicable MSHCP requirements. The MSHCP consistency report should address, at a minimum, Sections 3.2, 3.2.1, 6.1.2, 6.1.3, 6.1.4, 6.3.2, 7.5.3 and Appendix C of the MSHCP. RCFC-3

134314

Mr. Jeff Bradshaw -2- November 29, 2010
City of Moreno Valley
Re: Notice of Availability
West Ridge Commerce Center Project
Draft Environmental Impact Report

General Information

This project may require a National Pollutant Discharge Elimination System (NPDES) permit from the State Water Resources Control Board. Clearance for grading, recordation or other final approval should not be given until the City has determined that the project has been granted a permit or is shown to be exempt.

If this project involves a Federal Emergency Management Agency (FEMA) mapped floodplain, then the City should require the applicant to provide all studies, calculations, plans and other information required to meet FEMA requirements, and should further require that the applicant obtain a Conditional Letter of Map Revision (CLOMR) prior to grading, recordation or other final approval of the project, and a Letter of Map Revision (LOMR) prior to occupancy. RCFC-4

If a natural watercourse or mapped floodplain is impacted by this project, the City should require the applicant to obtain a Section 1602 Agreement from the California Department of Fish and Game and a Clean Water Act Section 404 Permit from the U.S. Army Corps of Engineers or written correspondence from these agencies indicating the project is exempt from these requirements. A Clean Water Act Section 401 Water Quality Certification may be required from the local California Regional Water Quality Control Board prior to issuance of the Corps 404 permit.

Very truly yours,

Edwin Quinonez

EDWIN QUINONEZ
Senior Civil Engineer

c: Riverside County Planning Department
Attn: Kathleen Browne

AJK:EQ:blj

RIVERSIDECOUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

Letter Dated November 29, 2010

Response RCFC-1

The commentor has accurately summarized the general aspects of the proposed Project and its required discretionary actions.

Response RCFC-2

The District's requirements in regard to transfer of ownership, standards for construction, inspection and fees are acknowledged.

Response RCFC-3

The assessment of the Project's potential to conflict with any applicable habitat conservation plan or natural community conservation plan (Draft EIR Page 4.1-31), indicates that the Project site is within the jurisdiction of the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP).The Project's compliance with all referenced sections of the MSHCP is documented within the *Report on Habitat Assessments and Biological Surveys for the Westridge Project Site* (Pages 42-43, Draft EIR Appendix G).

Response RCFC-4

RCFC provides general information addressing: National Pollutant Discharge Elimination System (NPDES) permit requirements; Federal Emergency Management Agency (FEMA) requirements for projects or actions within or affecting FEMA-mapped floodplains; and Army Corps of Engineers (ACOE)/California Department of Fish and Game (CDFG) requirements for projects or actions within or affecting natural watercourses or mapped floodplains.

The Lead Agency appreciates the general information on permitting requirements provided by the District. As noted in the Draft EIR's discussion of stormwater

permitting (Section 4.6.3.3, Pages 4.6-10 through 4.6-13), the Project is required to obtain clearance from the State Water Resources Control Board pursuant to the NPDES Statewide Industrial Storm Water Permit for General Construction activities. The Project does not lie within, nor would it otherwise affect any mapped floodplain areas. As such, the Project is not subject to FEMA floodplain requirements. As required through Project Mitigation Measure 4.8.4, the Applicant is required to obtain a streambed alteration agreement or permit, or a written waiver of the requirement for such an agreement or permit prior to physical disturbance of any jurisdictional areas.

December 5, 2010

Jeff Bradshaw, Associate Planner
Moreno Valley Planning Division
City of Moreno Valley
14177 Frederick Street
Moreno Valley 92552

Re: PROPOSED WAREHOUSE PROJECT, WESTRIDGE COMMERCE CENTER
CITY CASE #P08-133

Dear Mr. Bradshaw:

I am a Moreno Valley resident, and have looked at the Westridge Commerce Center Draft Environmental Report and feel compelled to comment on this proposed project. I believe the proposed project; a 937,260 square foot warehouse distribution building on a 55-acre site located on the north side of Eucalyptus Avenue, approximately 650 feet west of Redlands Boulevard will negatively impact the overall quality of life in Moreno Valley**. I ask that this project be denied and not be built to the scope/size requested or in the area Ridge Property Trust is asking for it to be built on.** MA-1

The preamble to our City's General Plan states, "The City of Moreno Valley embraces the interests of its residents and strives to meet their needs by creating a sense of community. The commitment to this vision encourages attractive amenities and a full range of public services while promoting **a safe and healthy environment. It is the goal of the City to improve the quality of life …"** and after reviewing the EIR it is apparent that this project will negatively affect: Air Quality, Traffic Congestion, Destroy Aesthetics, Impact Water, Incur Large amounts of Solid Waste, Bring More Light and Noise that overall will result in a deterioration of the quality of life enjoyed by residents of our city overall and in particular residents living on the East Side of our City and also hurt the children in our city by these negative impacts. MA-2

A survey taken for the City's General Plan also found out that **47% of our residents wanted to retain the rural character of northeast Moreno Valley** (10% disagreed). This project destroys that rural character, and it would be in the best interests of the residents of our City to honor that desire by denying this project. MA-3

I do not agree with the philosophy that for economic development to occur and for there to be jobs that I must lower my standard of living to achieve this. The 900 jobs that the EIR for this project suggests will occur, are in no way guaranteed to meet that number nor are they guaranteed to even go to a portion of Moreno Valley residents and this is a tactic that is playing upon the need for jobs in our City by promises that may not be kept, because there is no written contract that will guarantee this job number or that they go to local residents. MA-4

The EIR states repeatedly that the effects of this project are minimal and not significant in magnitude, however, if this were true this developer would not have to ask for a Zone Change from Business Park to Light Industrial because the proposed warehouse/distribution center at 937,260 sq. ft. exceeds Business Park footage in our City's General Plan of 50,000 sq. ft. This request in no way benefits the health, safety or welfare of current residents much less future residents as stated in the EIR. MA-5

This EIR also uses the approval of the 2.6 million square feet for the Highland Fairview Project as a tool for their requests to be granted. Due to the approval and development of Highland Fairview's mega warehouse and approval of the ProLogis project, any additional project(s) that incur additional MA-6

Jeff Bradshaw, Associate Planner
Moreno Valley Planning Division

Re: PROPOSED WAREHOUSE PROJECT
WESTRIDGE COMMERCE CENTER
CITY CASE #P08-133
2

truck traffic, and diesel particulate matters into the air, as well as changing the scenic view by building another mega warehouse that will be open 24 hours per day, the accompanying lighting, noise, air pollution, traffic congestion, MUST be factored into the overall effect and impact of the Highland Fairview and ProLogis Projects to determine the real effects that will occur to the residents in the area of this development and the City as a whole. MA-6 cont'd.

With the State of California, Riverside County, and Moreno Valley all suffering from large budget deficits it is unknown when the necessary funds to upgrade the freeway, overpasses, roads will be able to be completed, and with numerous diesel trucks that will come from this project, the damage to local roads, streets, and increased congestion, as well as increased dirty air and diesel particulate will hurt our city's overall quality of life and could result in increased traffic accidents and costs to our police and fire as a result. MA-7

Again, our City's General Plan states, "The image of the community is perceived from freeways, streets and the point of view of the pedestrian. The viewer forms an impression about the beauty and safety of the community as he or she views the surrounding buildings …" If mega warehouses and distribution centers continue to be built along the eastern portion of our city and exceptions to the business park/light industrial maximum square footage of 50,000 sq. ft. continues to be ignored our city will suffer from negative impressions because we are allowing ourselves to become a warehouse ghetto, and that will also hurt property values of the residents surrounding this project as well as the others of the same ilk, and ultimately will cause depressed property values to continue if not decrease even more than they already have. By denying this project you will be protecting our home values and our city's image rather than letting the 60 freeway become a vision of mega warehouse distribution centers that were never intended to be built en masse in this part of our city. MA-8

In section 5.3.2.2 Industrial Development of the Moreno Valley General Plan it says, "Industrial and business park development is concentrated in the southern part of the City, generally located south of Iris Avenue and north of San Michele Road to the Perris city limits." Approving this project, as the others that have been approved, goes against what was to be an orderly and organized location for industrial and business park developments, not the east end of our city that was to have the rural characteristics valued and protected.

Although this project says it will get water from MWD and that there is no problem, I would point out that EMWD is still in a Stage 2 Water Shortage and goes on to say in their newsletter, that all EMWD customers are required to eliminate water waste, so how does approving mass warehouses help to not add more stress to our lack of water? And in their 10/21/10 newsletter, MWD says, "Southern California's water reserves are still low
Southern California continues to face significant water supply challenges in 2010 and beyond. … During the past three years, Metropolitan has tapped its reserves to maintain deliveries to its 26 member agencies and 19 million Southern Californians. Our reserves are down by about 50 percent. With water uncertainties facing the state, the challenge ahead is to continue to lower demand and stretch our reserve supplies as much as possible … Approving mega warehouse projects does not help in our struggle to maintain adequate water supplies whether it be from EMWD resources or MWD resources. This is another reason this project should be denied. MA-9

Regarding the increase diesel truck traffic that will occur if this project is approved, in a presentation, Truck Management Strategies in Los Angeles, by Susan Bok, AICP a Senior Transportation Planner, MA-10

Jeff Bradshaw, Associate Planner
Moreno Valley Planning Division

Re: PROPOSED WAREHOUSE PROJECT
WESTRIDGE COMMERCE CENTER
CITY CASE #P08-133
3

Los Angeles it was noted that "Trucks often pass through or near residential areas en route to … distribution centers… safety, air pollution, vibration and noise impacts on residents, Truck impacts on roadway surfaces: 1 truck = 10,000 cars" which is a negative health and safety impact that will be incurred on the resident of Moreno Valley if this project is approved. MA-10 cont'd.

In an article from: Contemporary Economic Policy | January 1, 2007 | Bluffstone, Randall A.; Ouderkirk, Brad | Copyright:

> "II. THE ENVIRONMENTAL ISSUES
>
> Diesel exhaust is made up of gas and particulates. Gases include hydrocarbons, carbon dioxide, carbon monoxide, nitrogen oxides, and sulfur oxides, but particulates are of special concern because they are associated with a variety of cancers and cardiopulmonary problems that have been shown to increase the risk of mortality. Relative to gasoline engines, heavy-duty diesel trucks, such as those used in the logistics industry, typically emit at least 24 times more fine particulate matter per mile traveled (Kirchstetter et al., 1999). Health effects associated with these particles fall disproportionately on vulnerable populations, such as the young, elderly, and those who already have compromised respiratory systems.
>
> Recently, the toxic and especially carcinogenic effects of diesel particulate matter (DPM), much of which comes from trucks, have been highlighted. The State of California and the U.S. Environmental Protection Agency (USEPA) have identified more than 40 toxic pollutants in diesel emissions, and in 1998 the California Air Resources Board (CARB) named it a toxic air contaminant (CARB, 2000; Lippmann et al., 2003; Ostro and Chestnut, 1998; SCAQMD, 2003). MA-11
>
> Particulates are classified according to their diameters. Those less than 2.5 [micro]m ([PM.sub.2.5]) pose the greatest threat to human health because smaller size allows deeper penetration into lung tissues as well as longer float times (as much as several days under dry conditions) and therefore wider deposition. DPM is particularly light, with a mean particle diameter of 0.2 [micro]m, but as much as 20% of DPM can be less than 0.05 [micro]m, which floats longer and penetrates deeper than larger particles. DPM also has a large surface area, making it an ideal carrier for a variety of toxic compounds. DPM typically makes up 10-30% of total [PM.sub.2.5] concentrations. The federal limit for [PM.sub.2.5] is 15 [micro]g/[m.sup.3] average annual concentration and 65 [micro]g/[m.sup.3] maximum concentration during any 24-h period. California has a stricter annual average concentration standard of 12 [micro]g/[m.sup.3]. DPM-specific standards do not exist.
>
> The eastern Inland Empire and particularly the I-215, I-10, and I-15 freeway corridors have very high particulate concentrations. In 2003, Riverside and San Bernardino counties ranked first and second, respectively, in the nation for total particulate pollution (CARB/American Lung Association, 2004). For example, at the Rubidoux monitoring station in Riverside, during the period 2000-2002 the average annual [PM.sub.2.5] concentration was 28.9 [micro]g/[m.sup.3], which is about 1.75 times the federal limit and

Jeff Bradshaw, Associate Planner
Moreno Valley Planning Division

Re: PROPOSED WAREHOUSE PROJECT
WESTRIDGE COMMERCE CENTER
CITY CASE #P08-133
4

> more than twice the state …Warehouses, trucks, and [PM.sub.2.5]: human health and logistics industry growth in the eastern Inland Empire.(Report)"

This article spells out the health dangers from increased diesel truck traffic to our elderly, children, and our overall population, and this is a very real and dangerous and I might add, unnecessary and unacceptable health risk(s) and as such, this project should be denied as this should not be the price we have to pay for "900 jobs". MA-11 cont'd.

Sincerely,

Marcia Amino
10363 Crest Brook Drive
Moreno Valley 92557
951-247-8225

MARCIA AMINO

Letter Dated December 5, 2010

Response MA-1

The commentor, a Moreno Valley resident, expresses concern regarding the impact of the Project on the overall quality of life within the City and requests the Project be denied as proposed. These opinions are acknowledged.

Response MA-2

The commentor provides an excerpt of the City's General Plan regarding City goals and offers that the Project is not in keeping with the stated goals of the General Plan. Notwithstanding the commentor's opinions, Project consistency with the applicable provisions of the General Plan are substantiated within each EIR topical section (Land Use-Pages 4.1-17 through 4.1-20; Traffic/Circulation-Pages 4.2-23, 4.2-24; Air Quality-Page 4.3-18; Noise-Pages 4.4-10, 4.4-11; Water Supply-Pages 4.5-24, 4.5-25; Hydrology and Water Quality-Pages 4.6-13, 4.6-14; Cultural Resources-Page 4.7-10; Biological Resources-Pages 4.8-11, 4.8-12; and Aesthetics-Page 4.9-5 through 4.9-7. The commentor's statements and opinions regarding the Project will be forwarded to the decision-makers for their consideration.

Response MA-3

The commentor references a survey of opinion (regarding the City's General Plan) of Moreno Valley residents, wherein 47 percent of residents want to retain the rural character of the area. Notwithstanding poll results offered by the commentor, development of the site with industrial/business park uses is anticipated under the site's current General Plan land Use designation (Business Park/Light Industrial). Please refer also to the discussion of Project consistency with existing land use plans and policies (DEIR Pages 4.1-17 through 4.1-30). Moreover, design and visual attributes of the Project are consistent with General Plan (Community Development Element) Objectives

and Policies generally addressing design and aesthetic considerations (please refer to DEIR Pages 4.9-5 through 4.9-7). The commentor's statements and opinions regarding the Project will be forwarded to the decision-makers for their consideration.

Response MA-4

The commentor's assertion that there is no written guarantee that the entire number of jobs referenced in the Draft EIR (approximately 900 jobs)[3] will be filled by Moreno Valley residents is accurate. However, the types of warehousing employment offered by the Project are not considered growth-inducing, as these types of jobs typically draw from the local employment pool and do not induce long commutes.

Response MA-5

Contrary to the commentor's assertion that "the EIR states repeatedly that the effects of this project are minimal and not significant in magnitude," the Draft EIR contains 50 mitigation measures, specifically developed to reduce the identified potentially significant impacts. Additionally, the environmental topics of traffic, air quality, and noise were found to have significant and unavoidable impacts, even after the implementation of all feasible mitigation. Please refer to Table 1.10-1 of the Draft EIR for a summary all of Project-related impacts.

The commentor also states an opinion regarding the Project's requested zone change. The General Plan's limitation of square footage (50,000) is per building. It is important to note that the total square footage and uses proposed by the Project are allowed under the site's current General Plan land use designation. The zone change is required to

[3] Based on one (1) job per 1,030 square feet of development, Riverside County General Plan Appendix E, Buildout Assumptions and Methodology, Page 6, Light Industrial employment multiplier (*See* DEIR, Page 5-44).

allow the proposed uses to be contained within a building larger than 50,000 square feet.

Response MA-6

The commentor expresses concern regarding the cumulative effects of the Project when combined with other vicinity projects. As identified at Draft EIR Table 5.1-1, and illustrated in Figure 5.1-1, a number of current or anticipated "related projects" were identified within the cumulative scope of the Westridge Commerce Center Project. In total, 11 related projects were included within the Draft EIR cumulative analysis, including both projects referenced by the commentor ("Highland Fairview and ProLogis").

In addition to the identified related projects, the cumulative impacts analysis assumed development of the area in a manner consistent with the City of Moreno Valley General Plan, and reflecting the anticipated growth of the region. The analysis of cumulative impacts considered potentially significant impacts that could be considered cumulatively considerable when viewed in the context of known related projects and generalized ambient growth of the City and region. The commentor is referred to Section 5.0, "Other CEQA Topics" of the Draft EIR.

Response MA-7

While the State-wide budget deficit is out of the scope of the EIR, it should be noted that the Project will pay nearly $6 million in fees for local school, library, fire, and police facilities and local street improvements. Additionally, the Project will invest nearly $1 million in regional transportation improvements. Implementation will also produce nearly $1 million for regional water, sewer and flood control improvements. The Project's impacts on traffic, air quality, and public services are addressed in the EIR.

Response MA-8

The commentor expresses an opinion regarding the Project's role in what she perceives as the degradation of property values and the City's image as a whole. The commentor also asserts that the Project, along with other similar vicinity projects, is a direct contrast of the vision of the General Plan. The project's impacts on aesthetics and consistency with the City's General Plan are addressed in the EIR. The commentor's statements and opinions regarding the Project will be forwarded to the decision-makers for their consideration.

Response MA-9

As required under SB 610/221, a Water Supply Assessment (WSA) has been prepared by the serving water purveyor, Eastern Municipal Water District (EMWD). The Project WSA demonstrates water supply sufficiency from existing and planned resources, and under conditions that are even more restrictive than the single-year and multiple-dry year scenario standards of SB 610. Within the WSA, EMWD has stipulated Conditions of Approval ensuring implementation and operation of the Project in a manner that provides for efficient use of available water supplies. The commentor is referred to Section 4.5, "Water Supply" and Appendix E of the Draft EIR.

Response MA-10

The commentor references a Los Angeles County presentation regarding diesel truck management strategies. Specifically, the commentor excerpts a portion of the presentation regarding diesel truck trips through residential neighborhoods.

It should be noted that Project traffic will not pass through residential neighborhoods. The Project's proximity to State Route 60 minimizes the amount of truck trips occurring on residential streets. Trucks will exit Redlands Boulevard (passing properties designated for commercial and warehouse distribution uses), then turn right on Fir Avenue (future Eucalyptus) to access the site. Properties located south of Fir Avenue (future Eucalyptus) are designated for residential uses; however, trucks will not require

the use of internal neighborhood streets. Ultimate configuration of Redlands Boulevard under its current General Plan designation is a four-lane, divided arterial roadway. Fir Avenue (future Eucalyptus) is designated as an arterial roadway with a 104-foot right-of-way from west of Moreno Beach Drive to east of Redlands Boulevard. Please refer also to DEIR Section 4.3, Air Quality; and DEIR Section 4.4, Noise.

The basis for the statement "1 truck = 10,000 cars" noted in the presentation is unclear. As presented in Section 4.2, "Traffic and Circulation" of the Draft EIR, "passenger car equivalent" (PCE) factors were utilized in the analysis. Specifically, Page 4.2-19 of the Draft EIR states:

> "As seen in Table 4.2-5, "passenger car equivalent" (PCE) factors, ranging from 1.5 to 3.0, have been applied to ensure that truck volumes are accurately accounted for in terms of their proportional contributions to traffic impacts. More specifically, the Project Trip Generation Forecast equates two-axle trucks to 1.5 passenger cars. Three-axle trucks are considered the equivalent of two (2) passenger cars; and trucks with four (4) or more axles are counted as the equivalent of three passenger cars. Employing these PCE factors, the Project is anticipated to generate 2,930 Passenger Car Equivalent (PCE) trips per day, with 191 PCE trips occurring during the AM peak hour, and 225 PCE trips occurring during the PM peak hour."

The PCE factors employed within the Draft EIR were derived from San Bernardino Associated Governments (SANBAG). SANBAG is the metropolitan planning organization for the County, with policy makers consisting of mayors, councilmembers, and county supervisors, and the funding agency for the county's transit systems.

Response MA-11

The commentor excerpts an article regarding the health dangers of diesel truck traffic. Similarly, Section 4.3, "Air Quality" of the Draft EIR presents background information, including the dangers of criteria pollutants. Additionally, a Health Risk Assessment of Diesel Particulate Emissions was prepared to address Diesel Particulate Matter (DPM) generated by diesel trucks and the operation of heavy duty equipment. The Health Risk Assessment was prepared in accordance with the document *Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis* (SCAQMD 2003). Results of the Health Risk Assessment (HRA) are summarized at Draft EIR Pages 4.3-80 through 4.3-86, and the HRA is presented in its entirety at Appendix C to the Draft EIR.

Mitigation was developed to address DPM generation (Mitigation Measure 4.3.10). The Draft EIR concluded that, with mitigation, no sensitive receptors or off-site workers will be exposed to DPM-source cancer risks exceeding the SCAQMD's significance criteria. Additionally, the commentor expresses an opinion that the dangers are "unnecessary and unacceptable" and requests that the Project be denied. These opinions will be forwarded to the decision-makers for their consideration.

From: Lynne Ashley [lynneashley70@yahoo.com]
Sent: Sunday, December 05, 2010 8:52 AM

Dear Jeffrey,

I live on the North side of the freeway, Ironwood and Moreno Beach, I am very concerned about the health risks for myself and my family with the possibility of more warehouses coming to the East end of Moreno Valley, please see my concerns below.

How will the toxic diesel truck emissions affect the people who will live on the south side of Fir when both this warehouse and Pro Logis as well as Skechers are at full operation? LA-1

What measures could be implemented during the construction and operation of this warehouse which could lessen the impact on noise, air quality and global warming, but which you are not going to put into place? LA-2

What will you do to protect the warehouse workers from the effects of toxic diesel pollution? LA-3

I understand that you do not have a tenant for the building and do not plan to build until you do. Are there any large amounts toxic materials which you would allow to be warehoused at this location? This includes materials which become toxic when burning. If such tenants do occupy this warehouse what are you planning to do in order to protect the residents/workers from the smoke plumes and spills? LA-4

Why are you not making sure this almost 1,000,000 sq foot building is built to Leadership in Energy and Environmental Design (LEED) standards? The very minimum should be Silver. Please explain why your company will not build and advertise that this will be at least a LEED Silver project and reject any attempt by the tenant to prevent such building standards? LA-5

How will this project be growth inducing for similar projects? LA-6

How many toxic diesel trucks do you calculate to use Redlands Blvd to come/go north out of town that are either coming or going from your warehouse? How many large diesel trucks do you calculate will use Redlands Blvd to come/go north out of town when Skechers, Westridge Commerce Center and Pro Logis are in full operation? LA-7

Since there is only one lane that allows drivers to continue west out of town-- the other forces you off at Central Ave-- how will this project impact the merger to this single lane? How many diesel trucks will come form your project, Skechers and Pro Logis combined during a typical 24 hour day? How will these trucks impact that single lane heading west? What Level of Service (LOS) presently exists and what will the LOS be as a result of these three warehouses? LA-8

Sincerely,

Lynne Ashley
12285 Deep Valley Trail
Moreno Valley, CA 92555

LYNNE ASHLEY

Email Dated December 5, 2010

Response LA-1

The commentor expresses concerns about the effect of diesel truck emissions on the future sensitive receptors located on the south side of Fir Avenue. A Health Risk Assessment of Diesel Particulate Emissions was prepared to address Diesel Particulate Matter (DPM) generated by diesel trucks and the operation of heavy duty equipment. The Health Risk Assessment was prepared in accordance with the document Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis (SCAQMD 2003). The Health Risk Assessment is summarized within the Draft EIR (see Page 4.3-80) and presented in its entirety as Appendix C to the Draft EIR.

Regionally, the SCAQMD has conducted a cumulative analysis of the toxic air contaminants (including DPM emissions) and their resulting health risks for all of Southern California. This study, Multiple Air Toxics Exposure Study in the South Coast Air Basin, or MATES III, indicates the average excess cancer risk level from exposure to TACs is approximately 1,200 in one million basin-wide. These estimates were based on monitoring data collected at ten fixed sites within the South Coast Air Basin.

None of the fixed monitoring sites are within the immediate Project area. However, MATES III has extrapolated cancer risk levels throughout the Basin by using grid-specific modeling. In this regard, MATES III grid modeling predicted a cancer risk of 524 in one million for the Project area. DPM is included in this cancer risk along with all other TAC sources, and accounts for the predominance (83.6 percent) of the total risk shown in MATES III. The Project will not contribute cumulatively to TACs other than DPM, however, the Project DPM emissions levels are not significant. That is, as discussed in Section 4.3 of the Draft EIR, the SCREEN3 screening analysis prepared for

the Project indicates that the maximally impacted modeled receptor would be exposed to a mitigated inhalation cancer risk of no more than 8.6 in 1 million, which is less than the SCAQMD exposure threshold of 10 in 1 million.

Though the Project DPM emissions would add to existing levels of DPM within the basin, the Project's contribution and associated MICR as mitigated is not individually significant and is not cumulatively considerable. [3]

Response LA-2

The commentor asks if there are additional mitigation measures not currently contained within the Draft EIR which would lessen noise, air quality, and global warming impacts of the Project. It should be noted that no significant Project-related impacts regarding global warming have been identified. All feasible mitigation measures have been employed within the Draft EIR to reduce any potentially significant impacts. However, as summarized at DEIR Pages 1-18 and 1-19, the Project will result in certain significant and unavoidable air quality and noise impacts.

---

3 [T]he AQMD uses the same significance thresholds for project specific and cumulative impacts for all environmental topics analyzed in an Environmental Assessment or EIR. The only case where the significance thresholds for project specific and cumulative impacts differ is the Hazard Index (HI) significance threshold for toxic air contaminant (TAC) emissions. The project specific (project increment) significance threshold is HI > 1.0 while the cumulative (facility-wide) is HI > 3.0. It should be noted that the HI is only one of three TAC emission significance thresholds considered (when applicable) in a CEQA analysis. The other two are the maximum individual cancer risk (MICR) and the cancer burden, both of which use the same significance thresholds (MICR of 10 in 1 million and cancer burden of 0.5) for project specific and cumulative impacts. Projects that exceed the project-specific significance thresholds are considered by the SCAQMD to be cumulatively considerable. This is the reason project-specific and cumulative significance thresholds are the same. Conversely, projects that do not exceed the project-specific thresholds are generally not considered to be cumulatively significant (South Coast Air Quality Management District White Paper on Potential Control Strategies to Address Cumulative Impacts from Air Pollution, Appendix D, Page D-3).

Response LA-3

As discussed in the Draft EIR (Page 4.3-80), South Coast Air Quality Management District (SCAQMD) guidance does not require assessment of the potential health risk to on-site workers. Similarly, the following excerpts from the California Office of Health Hazard Assessment (OEHHA) document *Air Toxics Hot Spots Program Risk Assessment Guidelines-The Air Toxics Hot Spots Program Guidance Manual for Preparation of Health Risk Assessments* (OEHHA 2003), also indicate that it is not necessary to examine the health effects to on-site workers unless required by RCRA (Resource Conservation and Recovery Act)/CERCLA (Comprehensive Environmental Response, Compensation, and Liability Act) or the worker resides on-site.

> If a facility must also comply with RCRA/CERCLA HRA requirements, health effects to on-site workers may also need to be addressed. The DTSC's Remedial Project Manager should be consulted on this issue. In some cases it may be appropriate to evaluate risks to on-site receptors. The district should be consulted about special cases for which evaluation of on-site receptors is appropriate, such as facilities frequented by the public or where people may reside (e.g., military facilities).
>
> On-site workers are protected by the California Division of Occupational Safety and Health (CAL/OSHA) and do not have to be evaluated under the Hot Spots program, unless the worker also lives on the facility site, or property. Occasionally, facilities like prisons, military bases, and universities have worker housing within the facility. In these situations the evaluation of on-site cancer risks, and/or acute and chronic non-cancer hazard indices is appropriate under the Hot Spots program.

Since none of these provisions apply to the Project, risk to on-site workers was not evaluated in the Draft EIR.

Response LA-4

The commentor is concerned about the future tenants of the proposed Project, and whether or not hazards materials would be housed at the site. As stated within the Hazards and Hazardous Materials section of the Project Initial Study, presented as Appendix A to the Draft EIR:

> "During construction activities, the Project will require limited transport of potentially hazardous materials (e.g., paints, solvents, fertilizer, etc.) to and from the Project site. Additionally, operation of the Project could involve the temporary storage and handling of potentially hazardous materials such as pesticides, fertilizers, or paint products that are pre-packaged for distribution and use. This type of storage, transfer, use and disposal of potentially hazardous materials is extensively regulated at the local, State and federal levels. It is not anticipated that the development of the Project would result in conditions that are not currently addressed by existing regulations…"

No potentially hazardous materials, beyond those described above, are anticipated to be handled at the site. Any such materials used/housed on-site will be subject to applicable local, State and federal laws.

Response LA-5

Contrary to the commentor's assertion that the Project will not be built to Leadership in Energy and Environmental Design (LEED) standards, the following discussion can be found on Page 3-16 of the Draft EIR:

> "The Westridge Commerce Center Project reflects design and operational criteria established under the Leadership in Energy and Environmental Design (LEED) Green Building Rating System, a program developed by the United States Green Building Council. This program includes a rating

system that can be applied to new construction as well as tenant improvement projects with performance goals in multiple environmental categories.

LEED certification is contingent, among other requirements, on demonstrated and documented conservation and efficient use of available resources. It is recognized that not all LEED performance standards are applicable or appropriate for the Project, and that different standards may be utilized by the Project's end user(s). However, the Project, as a whole, will be developed as a LEED-certified facility.

In support of LEED-certification, resources conservation, reduction in energy consumption and associated reductions in air pollutant emissions and greenhouse gases (GHGs), the Project will achieve a minimum of 20 percent in energy efficiencies beyond incumbent Title 24 Energy Efficiency standards, as well as compliance with other applicable state and federal energy standards."

The ultimate level of LEED certification cannot be determined at this time, since the tenant(s) for the Project, and therefore specific environmental strategies to be employed at the facility, are unknown. It is also important to note that no significant impacts have been identified in regard to the energy conservation attributes of the Project; nor would any of the identified significant impacts of the Project be reduced based on a certain level of LEED certification.

Response LA-6

The commentor expresses concern regarding the growth-inducing effects of the proposed Project. The California Environmental Quality Act (CEQA) requires a discussion of the ways in which a project could be growth-inducing. (Pub. Resources Code, § 21100, subd. (b)(5); CEQA Guidelines, §§ 15126, subd. (d), 15126.2, subd (d).) To

this end, Section 5.3, "Growth-Inducing Impacts of the Proposed Action" of the Draft EIR, contains such a discussion.

As presented on Pages 5-67 through 5-68 of the Draft EIR, it is unlikely that the Project would directly result in any significant population growth, and would not result in population growth for the City beyond that reflected in adopted growth forecasts.

Development of the Project as envisioned will entail upgrade of infrastructure in the immediate Project vicinity, including abutting roadways, the local water distribution and sewer collection systems, and storm drainage conveyance facilities. It is acknowledged within the Draft EIR that infrastructure improvements necessitated by the implementation of the Project may facilitate and encourage development of nearby properties. The City will review all proposed development to ensure compatibility with evolving City and regional land use plans acting to reduce or avoid potentially adverse effects of growth.

Response LA-7

Estimated opening-year average daily Project-generated truck traffic ingressing/ egressing the Project site via Redlands Boulevard includes:

- 97 two-axle trucks;
- 220 three-axle trucks; and
- 539 four-axle trucks.

Please refer also to detailed trip generation and trip distribution analyses and supporting discussions are presented in the Project TIA (EIR Appendix B, TIA Pages 51-76).

Cumulative opening year average daily traffic along Redlands Boulevard north of Fir (future Eucalyptus) Avenue is estimated at 30, 400 trips (see TIA Page 115, Exhibit 6-10).

This is inclusive of all trips/all vehicle categories generated by existing, proposed or anticipated development, and includes trips generated by the Westridge Project, Skechers, and Pro Logis cited by the commentor.

Notwithstanding the above-cited average daily truck/traffic volumes, the more germane issue with regard to potential truck traffic impacts is peak hour passenger car equivalent (PCE) intersection traffic volumes. As noted subsequently in this response, all Project-specific traffic impacts, inclusive of truck traffic impacts, are reduced to levels that are less-than-significant. If the commentor's concerns are not really truck traffic volumes, but rather truck-generated diesel emissions, the Project Health Risk Assessment (HRA) summarized at EIR Section 4.4, "Air Quality," and discussed in detail in the Project HRA Study (included at EIR Appendix C) substantiates that with application of mitigation, Project-related diesel emissions will not result in significant adverse health risks.

The commentor is also referred to Section 4.2, "Traffic and Circulation," of the Draft EIR, which includes the following excerpted discussion:

> As seen in Table 4.2-5, "passenger car equivalent" (PCE) factors, ranging from 1.5 to 3.0, have been applied to ensure that truck volumes are accurately accounted for in terms of their proportional contributions to traffic impacts. More specifically, the Project Trip Generation Forecast equates two-axle trucks to 1.5 passenger cars. Three-axle trucks are considered the equivalent of two (2) passenger cars; and trucks with four (4) or more axles are counted as the equivalent of three passenger cars. Employing these PCE factors, the Project is anticipated to generate 2,930 Passenger Car Equivalent (PCE) trips per day, with 191 PCE trips occurring during the AM peak hour, and 225 PCE trips occurring during the PM peak hour. (Draft EIR Page 4.2-18.)

Additionally, with regard to cumulative traffic impacts, Page 4.2-67 of the Draft EIR states:

> As indicated at Table 4.2-13, with completion of the improvements recommended under Mitigation Measure 4.2.7, 4.2.18 and 4.2.19, acceptable V/C and LOS conditions would be realized at all Study Area roadway segments under Opening Year Cumulative Conditions with the Project. Improvements necessary to mitigate potentially significant Opening Year Cumulative Condition roadway segment impacts would be accomplished in part by the Project, with the balance of required improvements realized under combined TUMF, DIF, and fair share fee traffic improvement programs. However, timely completion of the required improvements in total cannot be assured based on Project participation in mandated traffic impact fee programs (TUMF, DIF, and fair share). Further, roadway segment improvements at or affecting the SR-60 at Redlands Boulevard interchange improvements are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency. ***The Project's incremental contributions to Opening Year Cumulative Traffic Impacts at, or affecting, the following roadway segments are therefore considered cumulatively significant and unavoidable:***
>
> - Redlands Boulevard north of the SR-60 Westbound Ramps to Eucalyptus (future Encilia) Avenue;
>
> - Quincy Street south of Fir (future Eucalyptus) Avenue (future street); and

- Fir (future Eucalyptus) Avenue west of Quincy Street to the westerly Project boundary (future street) and Fir (future Eucalyptus) Avenue east of Redlands Boulevard.

Should the Project be approved, the Lead Agency is required to adopt a Statement of Overriding Considerations acknowledging the Project's individually and/or cumulatively significant environmental impacts.

It is further noted that with specific regard to Redlands Boulevard, this road is a designated truck route in the County and a direct route to San Timoteo Canyon Road through Redlands (also designated as a truck route). It is appropriate for Redlands Boulevard to convey Project-related and area truck traffic. To maintain the continuity between affected agencies, the truck route designation for Redlands Boulevard cannot be practically removed. Moreover, there is no feasible means to restrict Redlands Boulevard to local truck trips only, given its direct connection, with no alternative routes, to the previously mention roadways. Further, there is no suggested or demonstrated environmental benefit that would result from restricting use of Redlands Boulevard. The commentor's remarks are forwarded to the decision-makers for their consideration.

Response LA-8

In response to the commentor's concerns regarding the levels of service on westbound State Route 60, the Project's Traffic Impact Analysis (TIA, included as Draft EIR Appendix B) examined performance on the SR-60 as part of Appendix 7.8. The City of Moreno Valley requested that a basic freeway segment analysis be conducted between Box Springs Road/Fair Isle Drive and the I-215 Freeway along the SR-60 Freeway, and included in the TIA. As indicated in the Introduction to this Study (Page 7.8-3), "[i]t should be noted that this analysis was not requested due to potential impacts from the project itself, as these impacts would be nominal, but rather to analyze the current and future projected operations within the segment based on freeway lane geometrics."

The study concludes that "[a]s vehicular traffic increases on the freeway mainline under each of the future analysis scenarios, the densities on each basic freeway segment are anticipated to increase and peak hour level of service operations are anticipated to progressively worsen." It is in part on this basis that the Draft EIR acknowledges significant cumulative traffic impacts affecting freeway segments in the Project area. As noted in the summary of mitigation on Draft EIR Page 1-51, "[u]nder Opening Year Cumulative Conditions and General Plan Buildout Conditions, cumulative LOS impacts of traffic generated by the project in combination with traffic generated by ambient growth and other development projects will result in potentially significant cumulative traffic impacts affecting SR-60 freeway segments within the Study Area." Because freeway mainline improvements such as widening are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency, no mitigation was identified that could be feasibly implemented. As such, the Draft EIR found that the Project would have a significant and unavoidable impact in regard to exceedance of LOS thresholds on certain study area freeway segments.

RECEIVED
DEC - 2 2010
CITY OF MORENO VALLEY

CITY OF MORENO VALLEY
ENVIRONMENTAL AND HISTORICAL PRESERVATION BOARD
COMMENTS OF BOARD MEMBER GERALD M. BUDLONG
24821 Metric Drive
Moreno Valley, CA 92557
December 2, 2010

SUBJECT: WESTRIDGE COMMERCE CENTER DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR}
STATE CLEARINGHOUSE NUMBER 2009101008

COMMENT GLOBAL TO ALL APPLICABLE DEIR FIGURES: Why are the applicable figures throughout the DEIR not drawn to scale? How can the reader duplicate the science when for instance the maps and plans are not drawn to scale? GB-1

1.0 SUMMARY page 1-8 Geology and Soils. The DEIR addresses the Checklist Category "Geology and Soils" in a Geotechnical Investigation prepared for the Project site and is designated Appendices H. Geotechnical Investigation in the EIR. Therefore comments on the CEQA Geology and Soils Category will be addressed below in the Appendices H.

APPENDICES H. GEOTECHNICAL INVESTIGATION, Project No. 06G258-1 Proposed West Ridge Business Center, January 10, 2007, Southern California Geotechnical, Inc.

2.0 SCOPE OF SERVICES, page 3.

"The scope of services performed for this project was in accordance with our Proposal No. 06P420, dated November 20, 2006. The scope of services included a visual site reconnaissance, subsurface exploration, field and laboratory testing, and geotechnical engineering analysis to provide criteria for preparing the design of the building foundation, building floor slabs, and parking lot pavements along with site preparation recommendations and construction considerations for the proposed development. The evaluation of the environmental aspect of this site was beyond the scope of services for this geotechnical investigation." GB-2

COMMENT: The subject geotechnical investigation appears to consist of a foundation analysis for future foundations for buildings and parking lot pavements. The scope does not evaluate the environmental aspect of this site. Please define what environmental aspects of the site are missing from this report? Is one of the missing environmental aspects a detailed seismic study of this site which defines buried fault(s} and their potential of rupturing the ground surface above them?

3.3 Previous Studies, page 5.

"As part of our investigation of the site, we were provided with one geotechnical report prepared by LGC Inland, Inc. pertaining to the north east portion of the site. The report is summarized below:"

COMMENT: I cannot find a copy of the LGC Inland, geotechnical report in the DEIR , Appendices or anywhere else in the DEIR? Should not the DEIR Appendices contain a complete copy of this study rather than just a one-paragraph summary? GB-3

6.1 Seismic Design Parameters, page 9

"Faulting and Seismicity
Research of available maps indicates that the subject site is not located with an Alquist-Priolo Earthquake fault zone. Therefore, the possibility of significant fault rupture on the site is not located with an Alquist-Priolo Earthquake Fault Zone. Therefore, the possibility of significant fault rupture of the site is considered to be low."

COMMENT: I cannot find a list of references with subject Appendix H. What are your references used to research the faulting and seismicity conclusions in this study? GB-4

UBCSEIS
Version 1.03
COMPUTATION OF 1997 UNIFORM BUILDING CODE SEISMIC DESIGN PARAMETERS, JOB NUMBER: 06G258-1, JOB NAME: West Ridge Business Center, DATE: 12-30-2006, FAULT-DATA-FILE NAME: CDMGUBRC. DAT lists the nearest type A fault as the San Andreas fault 19.8 km away and the nearest type B fault as the San Jacinto-San Jacinto Valley fault 1.0 km away. This table lists faults up to 1000 km away from the site.

COMMENT: Why is the Casa Loma fault missing from this table? Within the city jurisdiction of San Jacinto, the Casa Loma fault is very prominent with a displacement approximately of 20 vertical feet and designated as an Alquist-Priolo Earthquake Fault Zone and proceeds northwest to the vicinity of the San Jacinto Wildlife Area where the State Earthquake Zone terminates. GB-5

The following study provides geologic evidence of the continuance of the Casa Loma fault located northwest of the State Earthquake Zone. R M Environmental, Inc. prepared a Preliminary Geotechnical Investigation on January 19, 2004, under Project No03-406 for a proposed 347 lot single-family-residential development, 120 +- acres, Assessors Parcel Numbers (APNs) 477-120-(001, 006, 007, 008, 014, 015), near the intersection of Pettit Street and Highway 50 in the City of Moreno Valley. This site abuts the West

Ridge Business Center site on the east side of the single-family residential development site. GB-5, cont'd

Page 1 of this Geotechnical Investigation presents a scope of work presented in the form of six (6) bullets. The second bullet states"Geologic Mapping of the site by our geologist".

COMMENT: Why does the scope of the West Ridge Business Center geotechnical investigation omit the geologic mapping of the site by a geologist? GB-6

Page 4 of the R M geotechnical study states "the Casa Loma Fault zone inferred to be located on or within 500 feet of the northeast corner of the site. The site is not located with an Alquist Priolo Earthquake Studies Zone for fault rupture hazard."

"Based on review of the Riverside County Seismic Safety Element (Environ, 1976), the Casa Loma has been inferred as trending in a northwest to southeast direction near the northeast corner of the site. The inferred trace of the Casa Loma fault has been based on the projection of the Reche Canyon Fault to the northwest with the Hemet-San Jacinto faults, the Casa Loma fault may be considered as active."

"The projected fault location and the recommended hazard zone for the Casa Loma fault in the site are shown on Plate 1. Prior to development of the site in this zone, a geologic fault investigation should be conducted to the evaluate if faulting has occurred on the site, and the activity of faulting, if present."

Page 6, 5.2 Ground Rupture states: "A potential for ground rupture exist in the northeast portion of the site. The Casa Loma fault has been mapped as projecting from a northwest to southwest direction near the northeast corner of the site. Prior to development of the northeast portion of the site, a geologic fault investigation should be conducted to the evaluate if faulting has occurred on the site, and the activity of faulting, if present." GB-7

"The projected fault location and recommended hazard zone for the Casa Loma fault in the site are shown on Plate 1."

The inferred trace of the Casa Loma fault as delineated by the geologist of RM Geotechnical enters the vicinity of the northwest corner of the West Ridge Center property and extends southeast across the property, leaving the property midway at the southern boundary of the site. The recommended hazard zone delineated by the RM Geotechnical geologist covers approximately two-thirds of the proposed footprint of the proposed 937,260 square foot building of West Ridge Center.

For more than 20 years I have been an appointed member of the City Ecological Protection Advisory Committee (name changed to Environmental and Historical Preservation Board) except for the 2.5 years where I served as a member of the City Planning Commission. During my tenure I have always expressed the need for detailed

geologic fault investigations to be conducted to delineate the trace of the Casa Loma fault and to evaluate if faulting has occurred on the site and the activity of faulting.
Also since the availability of the U.S. Geological Survey (USGS) Earthquake Hazards Program, I have monitored the recorded earthquake events in Moreno Valley. This USGS program records all earthquakes occurring in the United States for the past 7-days, having a magnitude of 1. I have shared to the Environmental and Historical Preservation Board, Planning Commission and the School Board of the regular USGS records of mini earthquakes along the trace of the Casa Loma fault within the city.

The most recent seismic event occurring along the Casa Loma fault recorded by the USGS was Event No. CI 14870228. This event occurred at 1:49:08 P.M., on October 28, 2010. The USGS recorded the magnitude at 1.1, at a depth of 9 miles, with the epicenter located southwest of Ironwood and Nason.

COMMENT: Why doesn't the City of Moreno Valley require a geologic fault investigation and evaluate if faulting has occurred on the site and the activity of the faulting and present the evidence in the DEIR? GB-7, cont'd

COMMENT: Why didn't Applied Planning Inc., review the City's copy of the R M Environmental Geotechnical Report and utilize the geological, faulting, and mapping data in the West Ridge Commerce Center DEIR? GB-8

COMMENT: In the past I was an Associate Instructor at San Jacinto Community College, where I conducted Physical Geography 101 classes at night and summer sessions. My final exams always had this question. "Why do you never ever build a building for human occupancy across an active fault?" Would you please answer this question, because the proposed building footprint will over lay the Casa Loma fault defined by R M Environmental Inc., a potentially active fault? GB-9

An appendix containing pages of the R M Environmental Inc. geotechnical report including the eastern part of plate 1 is included with these comments on the DEIR.

4.9 AESTHETICS

4.9.2 SETTING, page 4.9-3 Last paragraph concerns "Major Scenic Resources" addresses the badlands to the east and the Mount Russell and foothill areas to the east. GB-10

COMMENT: Why is the San Jacinto Valley containing the agricultural lands, riversidean sage habitat, and the wetlands of the State San Jacinto Wildlife Area, including Mystic Lake not included as a major scenic resource?

COMMENT: Figure 4.9-1 Major Scenic Resources delineates the San Jacinto Valley with the visual scenic resource symbol, why the inconsistency mentioned in proceeding comment. Also the San Jacinto Wildlife Area is mislabeled as Preserve rather than Area. GB-11

COMMENT: page 4.9-19 Level of Significance: Significant and Unavoidable. The California Department of Transportation's (CALTRANS) list of Officially Designated Scenic Highways is a legislative mandate upon this state agency. The state legislature also mandates cities and counties to address scenic roads and highways in their general plans. CALTRANS recognizes the importance of local scenic roads and highways. For instance, CALTRANS objected to the installation of a billboard adjacent to the right of way of U. S. Route 395(Highway 395) in the unincorporated town of Big Pine in Inyo County. Highway 395 at this location is outside of the CALTRANS Officially Designated Scenic Highway System, however the highway is a county scenic highway. CALTRANS at Inyo County Superior Court stated that the Scenic Highway Element of the Inyo County General Plan designated U.S. Route 395 as a county scenic highway as evidence for removing the billboard. The court in its decision ordered the defendant to remove the billboard in favor of CALTRANS. GB-12

What are your sources or evidence concerning the scenic values of CALTRANS Officially Designated Scenic Highways having scenic values rated higher than local scenic highways? For instance county scenic Highway 395 at Big Pine is located in the Owens Valley with the White Mountains to the east and the Sierra Nevada, including the Palisade Glacier to the west. The nickname of Owens Valley is the "Deepest Valley" the valley at 4000 feet and the surrounding mountains at 14,000 feet.

COMMENT: page 4.9-19 Why isn't the blocking of the view scape from SR-60 of the visual scenic resources consisting of the San Jacinto Valley a significant impact? Have you ever viewed the reflections of the wetlands of the San Jacinto Wildlife Area? GB-13

APPENDIX

R M Environmental, Inc., Preliminary Investigation dated January 19, 2004

COVER PAGE; Page 1- INTRODUCTION, including project scope;
Page 4 -4.0 Geology and 4.1 Regional Geologic Setting;
Page 6- 5.0 Seismicity, 5.2 Ground Rupture;
Figure 1- Location Map;
Plate 1 Site Plan with geological mapping containing projected Casa Loma fault and its recommended hazard zone. Contains only the mapped area east of the logical extension of Quincy Street, contained in three pages:
- Page 1: SR- 60 south;
- Page 2: Logical extension of Eucalyptus Avenue;
- Page 3: Title Block

GB-14

R M Environmental, Inc.

Geology - Environmental - Geotechnical Engineering

January 19, 2004
Project No. 03-406

Mr. Jeff Palmer
5511 Calumet Ave.,
La Jolla, CA., 92037

SUBJECT: PRELIMINARY GEOTECHNICAL INVESTIGATION
Proposed 347 Lot Single-Family Residential Development
120± Acres, Assessors Parcel Numbers (APNs) 477-120-(001, 006, 007, 008, 014, 015)
Near the Intersection of Pettit Street and Highway 60
City of Moreno Valley, California

Dear Mr. Palmer:

In accordance with your request, we have completed a Preliminary Geotechnical Investigation for the proposed development of the site. This report presents our findings regarding the site geotechnical conditions and recommendations for the anticipated earthwork and geotechnical design of the project.

For this investigation, we were provided with a 100-scale Site Plan/topographic map of the site titled "Eucalyptus Site, Moreno Valley, CA." This map was utilized as the base map for our Geotechnical Investigation of the site and is presented as **Plate 1**.

Provided the recommendations presented in this report are implemented during site development, the proposed project is feasible from a geotechnical standpoint.

This opportunity to be of service is sincerely appreciated. If you have any questions, please call us at (909) 446-0041.

Sincerely,

Robert C. Manning, CEG #1768/RCE #58565
President

Travis Meier
Staff Geologist

Post Office Box 575 • Calimesa, California 92320 • Telephone (909) 446-0041 • Fax (909) 446-0124

1.0 INTRODUCTION

This report presents the findings of our Preliminary Geotechnical Investigation for the proposed development of 347 single-family residential lots located southeast of the intersection of Pettit Street and Highway 60, City of Moreno Valley, California.

The site is identified as Assessor Parcel Numbers (APNs) 477-120-(001, 006, 007, 008, 014, 015). The site consists of approximately 120± acres of land located on the south side of Highway 60, southeast of the intersection of Pettit Street and Highway 60, Moreno Valley, California. The geographic setting of the site is shown on **Figure 1** - Site Location Map.

This report presents our findings regarding the site geotechnical conditions and general recommendations for the anticipated earthwork and geotechnical design of the project.

R M Environmental's scope of work for this investigation included the following:

- Review of selected background information, aerial photographs, and site reconnaissance;
- Geologic Mapping of the site by our geologist;
- Subsurface exploration by means of nine exploratory borings;
- Laboratory testing of selected soil samples obtained to evaluate geotechnical properties;
- Analysis of site conditions and test results; and
- Preparation of this report presenting our findings, conclusions, and recommendations.

1.1 Proposed Development

The proposed development of the site includes 347 single-family residential lots with associated streets and infrastructure.

It is our understanding, the proposed structures will be one to two story, wood framed, single family homes. Foundation designs are anticipated to consist of continuous and isolated shallow footing foundation systems, or utilization of post-tension type foundations. Maximum foundation loads using a continuous and isolated shallow footing foundation design are not anticipated to exceed 4 kips and 2 kips per foot for isolated and continuous footings, respectively.

4.0 GEOLOGY

4.1 Regional Geologic Setting

The site is located in the east portion of the Moreno Valley, which is part of the Perris Block area of the Peninsular Ranges Geomorphic Province of southern California. The regional geology of the site includes the San Timoteo Badlands to the northeast, Mt. Moleno to the south and southwest, and the San Jacinto Valley to the east.

Lateral displacement and uplift of the region have occurred on a series of major, northwest-trending faults which are thought to be related to the regional tectonic framework. These faults include the San Jacinto Fault zone located approximately 1 mile to the northeast, the San Andreas Fault zone located approximately 11 miles to the northeast, and the Casa Loma Fault zone inferred to be located on or within 500 feet of the northeast corner of the site. The site is not located within an Alquist Priolo Earthquake Studies Zone for fault rupture hazard.

Based on review of the Riverside County Seismic Safety Element (Environ, 1976), the Casa Loma has been inferred as trending in a northwest to southeast direction near the northeast corner of the site. The inferred trace of the Casa Loma fault has been based on the projection of the Reche Canyon Fault to the northwest with the Hemet-San Jacinto fault zone located to the southeast. Based on prior investigation of the Reche Canyon and Hemet-San Jacinto faults, the Casa Loma fault may be considered as active.

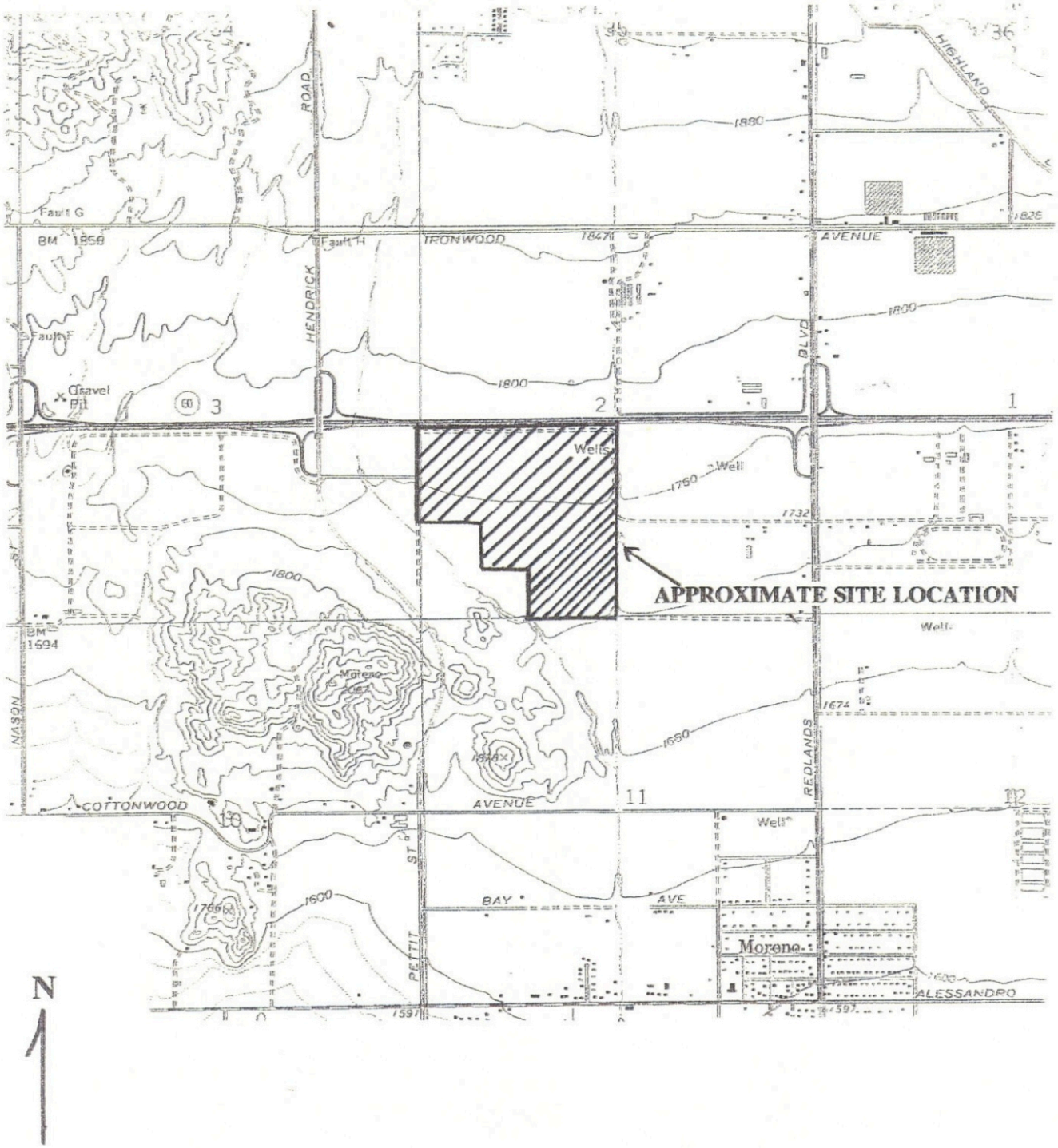
The projected fault location and the recommended hazard zone for the Casa Loma fault in the site are shown on **Plate 1**. Prior to development of the site in this zone, a geologic fault investigation should be conducted to the evaluate if faulting has occurred on the site, and the activity of faulting, if present.

4.2 Local Geology

Locally, the site is underlain by at least 50 feet of recent alluvial deposits consisting of slightly moist to very moist, loose to medium dense, soft to very stiff, slightly clayey silts, sandy silts, clayey silts, silts, and fine to medium sands.

The in-situ dry density of the encountered soils varied from approximately 93 pounds per cubic foot (pcf) to 120 pcf. The measured in-situ moisture contents varied from approximately 1.7 to 18.3 percent.

The exploratory boring logs are presented in **Appendix B**. The exploratory boring locations are shown on **Plate 1**. The laboratory test results of the in-situ soils are presented in **Appendix C**.



Scale: 1" = 2,000'

References: U.S.G.S., 1967, PR 1980, Sunnymead, California Quadrangle, 7.5 Minute Series

LOCATION MAP - 120± Acres, Near the Intersectin of Pettit Street and Highway 60, City of Moreno Valley, California

Project No. 03-406-geo	*DATE: January 2004*	*FIGURE 1*

5.0 SEISMICITY

5.1 Regional Seismicity

The site is located in a region of generally high seismicity which includes essentially all of southern California. During the design life-span of the project, the site is expected to experience ground motions from earthquakes on regional and/or local causative faults.

The site is located within Seismic Zone 4, which can be related to an "effective" peak acceleration of 0.40g, or a peak acceleration of 0.60g.

5.2 Ground Rupture

A potential for ground rupture exist in the northeast portion of the site. The Casa Loma fault has been mapped as projecting from a northwest to southwest direction near the northeast corner of the site. Prior to development of the northeast portion of the site, a geologic fault investigation should be conducted to the evaluate if faulting has occurred on the site, and the activity of faulting, if present.

The projected fault location and recommended hazard zone for the Casa Loma fault in the site are shown on **Plate 1**.

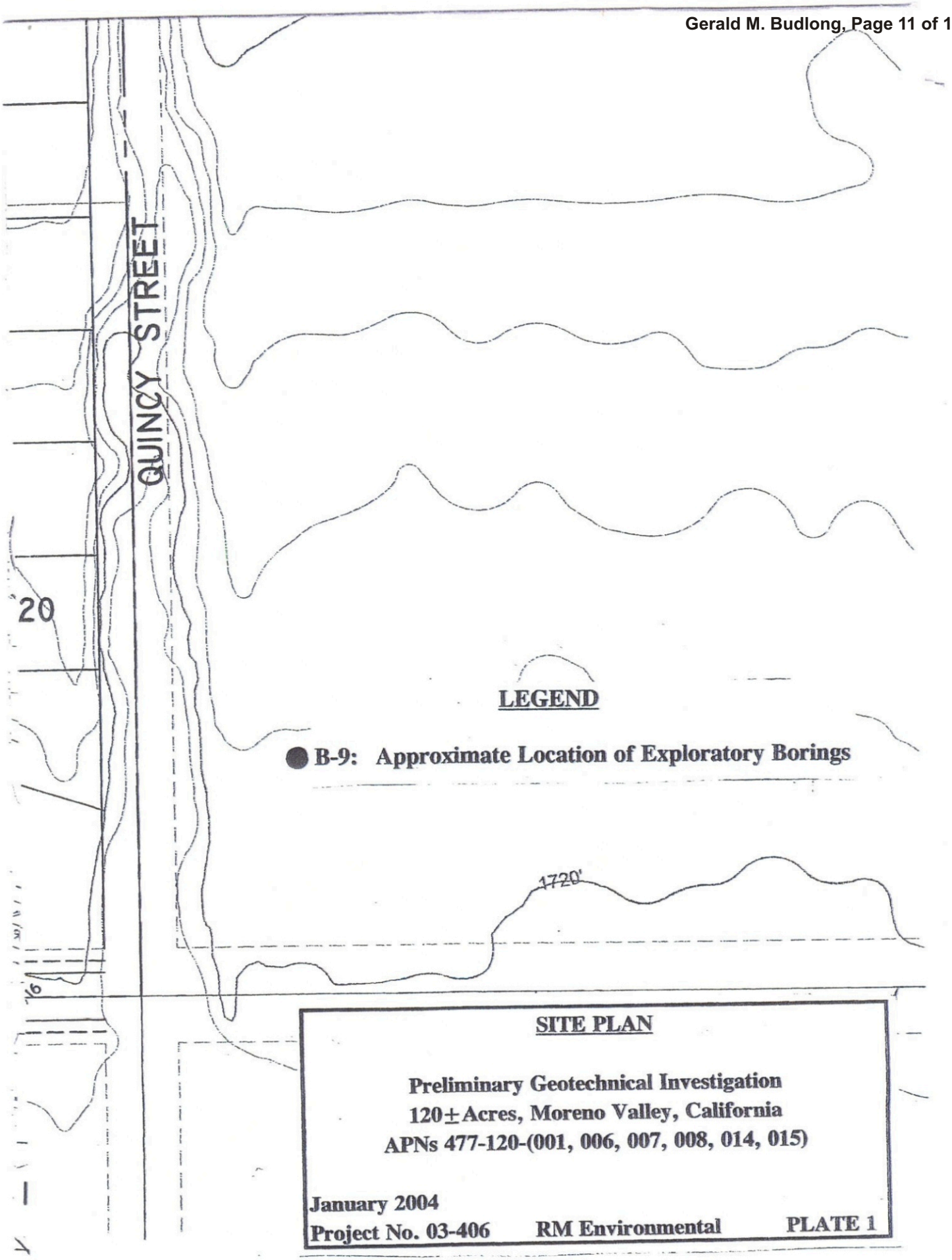
5.3 Liquefaction

Soil liquefaction is the loss of soil strength due to increased pore water pressures caused by a significant ground shaking. Liquefaction typically consists of the re-arrangement of the soil particles into a denser condition resulting, in this case, in localized areas of settlement, sand boils, and flow failures. Areas underlain by loose to medium dense soils where groundwater is within 40 to 50 feet of the surface are particularly susceptible when subject to ground accelerations such as those due to earthquake motion. Groundwater at the site is greater than 50 feet is depth; therefore, the potential of liquefaction affecting site development may be considered as low.

5.4 Geologic Lineament Analysis

For this investigation, a geologic lineament analysis was performed. This analysis included review of the referenced aerial photographs pertinent to the site. Based on the aerial photograph review, no significant topographic or vegetation alignments indicating potential faulting on or projecting into the site were observed.

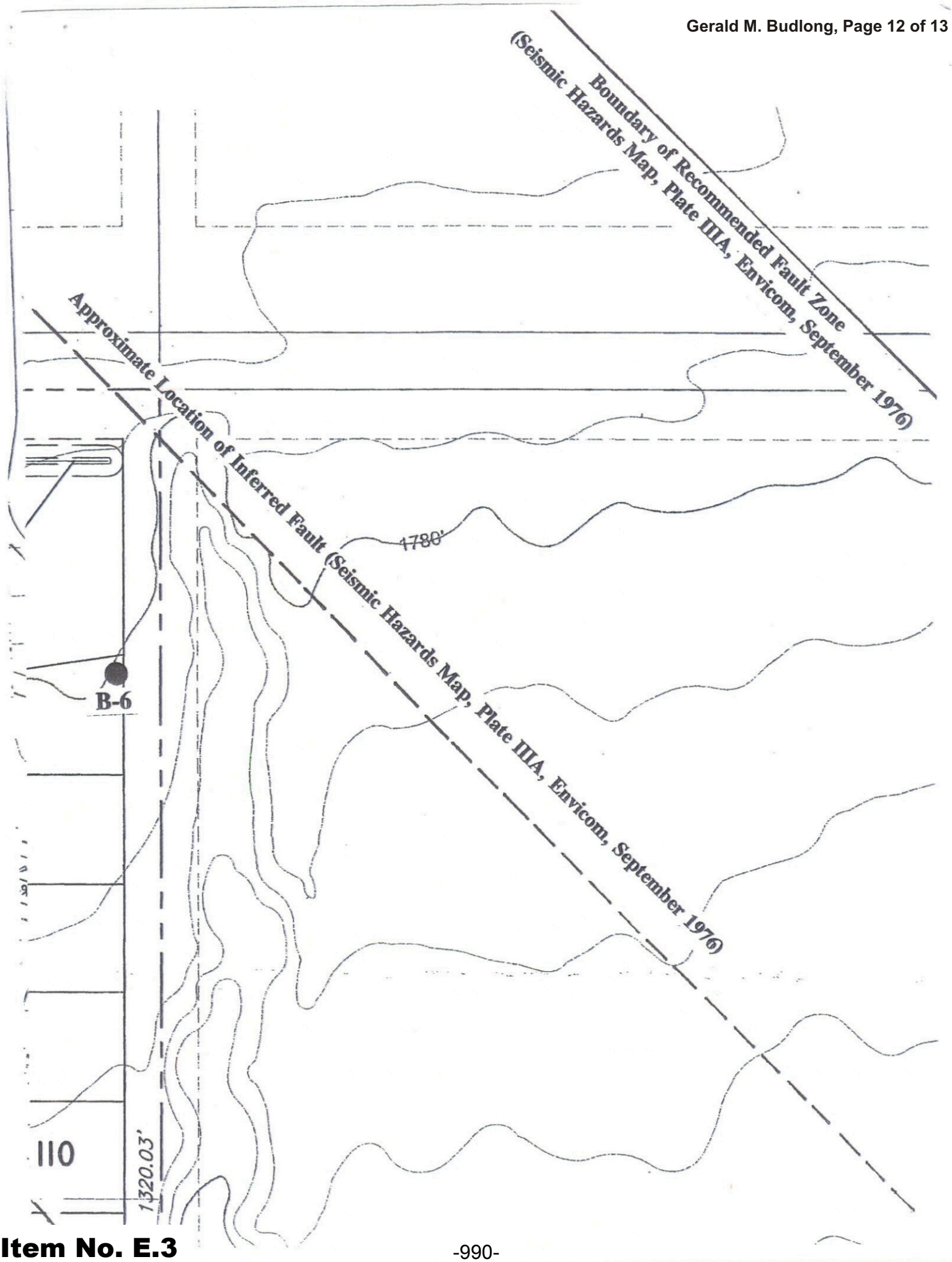
The site and surrounding areas have been farmed for over 50 years. Aerial photographs were not available prior to the observed farming activities. Therefore, the use of aerial photographs to evaluate geologic lineaments in the vicinity of the site was limited.

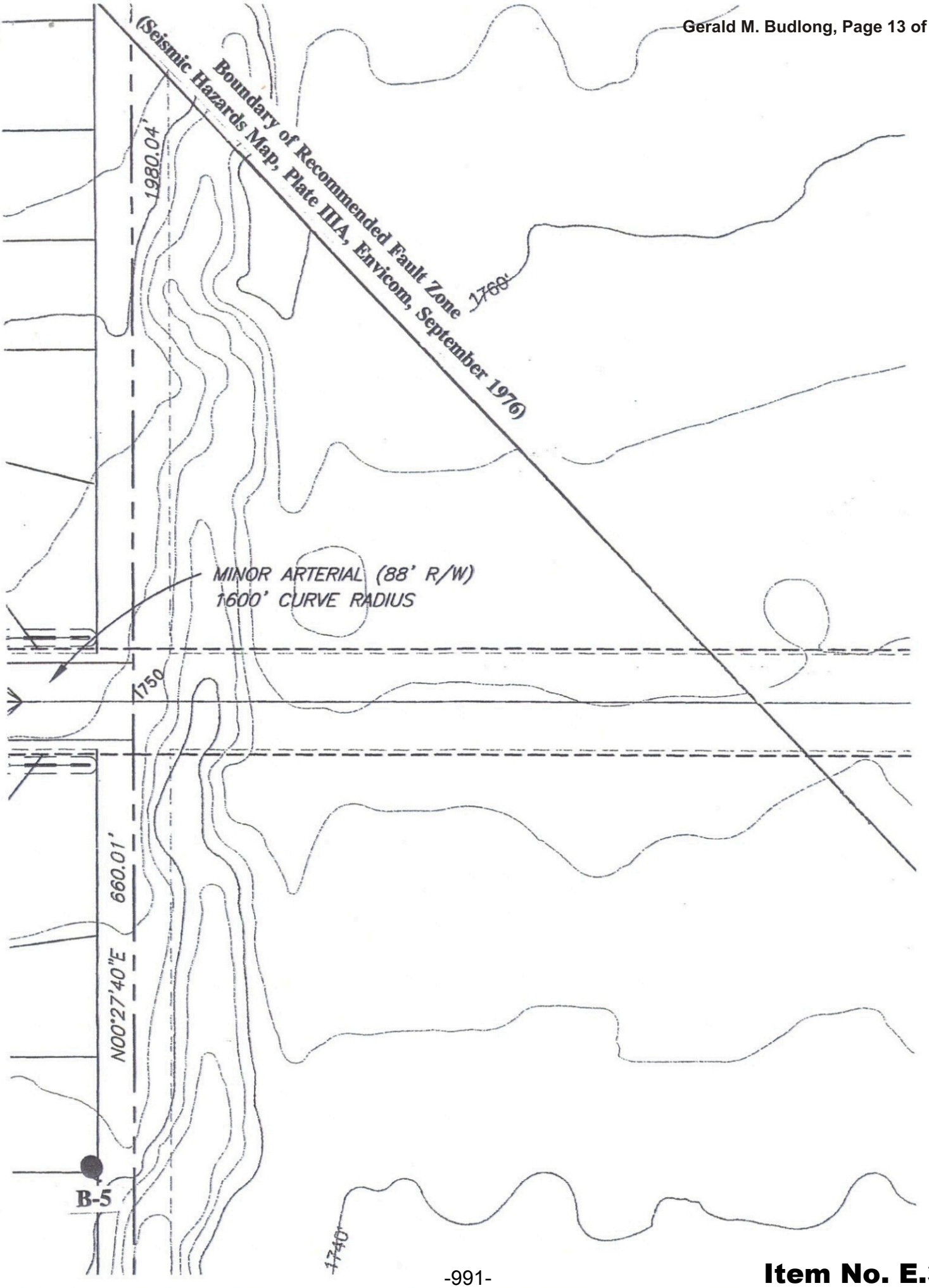


SITE PLAN

Preliminary Geotechnical Investigation
120± Acres, Moreno Valley, California
APNs 477-120-(001, 006, 007, 008, 014, 015)

January 2004
Project No. 03-406 **RM Environmental** **PLATE 1**


Boundary of Recommended Fault Zone
(Seismic Hazards Map, Plate IIIA, Envicom, September 1976)
Approximate Location of Inferred Fault (Seismic Hazards Map, Plate IIIA, Envicom, September 1976)
1780'
B-6
110
1320.03'


Boundary of Recommended Fault Zone
(Seismic Hazards Map, Plate IIIA, Envicom, September 1976)
1980.04'
1760'
MINOR ARTERIAL (88' R/W)
1600' CURVE RADIUS
1750
660.01'
N00°27'40"E
B-5
1740'

GERALD M. BUDLONG
CITY OF MORENO VALLEY ENVIRONMENTAL AND HISTORICAL PRESERVATION BOARD MEMBER

Letter dated December 2, 2010

Response GB-1

The process of reproducing maps and plans at the size required for inclusion in the Draft EIR generally involves a substantial reduction from larger source documents. Where feasible, distances are indicated within the Draft EIR's illustrations; however, for accurately scaled plans, the reader is referred either to the document's Technical Appendices, or to full-sized copies of plans and maps available at the City of Moreno Valley Planning Department.

Response GB-2

The commentor correctly describes the Project Geotechnical Investigation (prepared by Southern California Geotechnical in January 2007, and included in its entirety as Draft EIR Appendix H), and its scope of services, which included a visual site reconnaissance, subsurface exploration, field and laboratory testing, and geotechnical engineering analysis to provide recommendations in regard to building design criteria, site preparation, and construction. The Project Geotechnical Investigation was not intended to provide an environmental evaluation of the Project site; rather, the Phase I Environmental Site Assessment (Project ESA), included in Draft EIR Appendix I, addresses other environmental conditions affecting the Project site.

Both the Project ESA and the Geotechnical Investigation reference a fault study for a portion of the Project site that was prepared prior to the proposed Project application. The *Preliminary Geotechnical Investigation and Fault Study for the Proposed 31-1/2-Acre Residential Development, South of SR-60 and West of Redlands Boulevard, Assessor's Parcel Numbers 477-120-004 and 477-120-005, Moreno Valley, California (Project No. I05876-10)* was prepared by LGC Inland, Inc. (LGC) on September 12, 2005. The LGC Fault Study

states that "[n]o evidence of fracturing, offsets, or any discernable characteristics related to faulting was observed." A detailed fault study was not prepared, because it was determined unnecessary based upon Southern California Geotechnical's review of the LGC Fault Study along with other mapping of the Project site (detailed in the following Response GB-4), and their on-site reconnaissance, which found no evidence of surficial features indicating faulting (i.e., fault scarps, fault line scarps, sag ponds, fractures, or vegetated areas).

Response GB-3

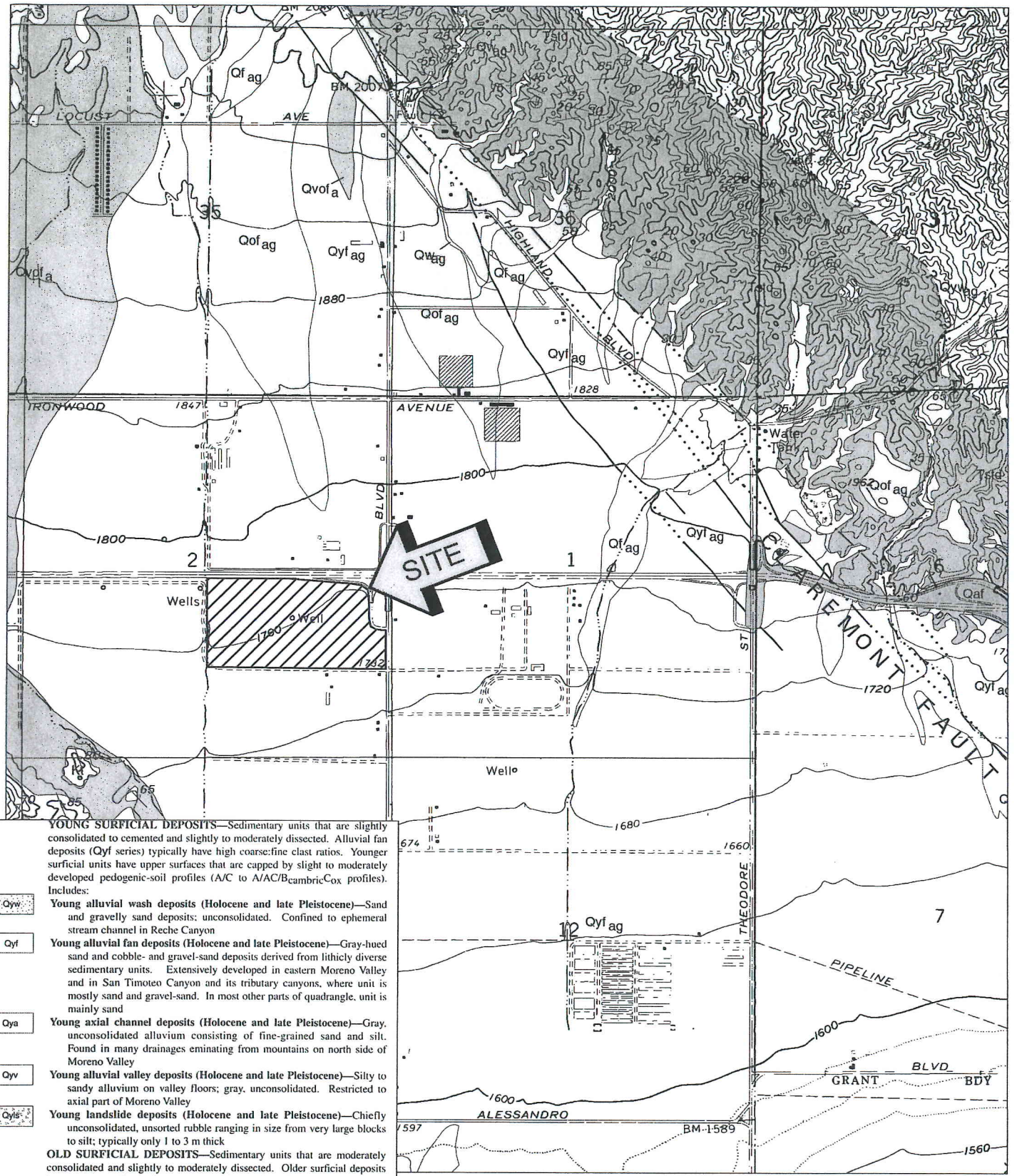
The LGC report is available through the Lead Agency (a copy is available at the Planning Department), and was considered incorporated by reference into the Project Geotechnical Investigation. As discussed in the preceding Response GB-2, because no evidence of faulting or other geologic hazard was identified in this report, it was not determined necessary for inclusion.

Response GB-4

In addition to the LGC report referenced in the preceding Responses GB-2 and GB-3, several geologic maps were used as points of reference in the preparation of the Project Geotechnical Investigation. These include the following:

- Geologic Map of the Sunnymead 7.5' Quadrangle, Riverside County, California, by Douglas M. Morton and Jonathan C. Matti, 2001;
- Geologic Map of the Sunnymead/South ½ of Redlands Quadrangles, San Bernardino and Riverside County, California, by Thomas W. Dibblee, Jr., 2003;
- Alquist-Priolo Earthquake Fault Zones Map of the Sunnymead Quadrangle; and
- Riverside County Land Information System – Fault Zone Map.

Copies of these maps are included on the following pages for ease of reference, and have also been incorporated in Final EIR Section 2.0, Revisions and Errata.



YOUNG SURFICIAL DEPOSITS—Sedimentary units that are slightly consolidated to cemented and slightly to moderately dissected. Alluvial fan deposits (Qyf series) typically have high coarse:fine clast ratios. Younger surficial units have upper surfaces that are capped by slight to moderately developed pedogenic-soil profiles (A/C to A/AC/$B_{cambric}C_{ox}$ profiles). Includes:

Qyw — **Young alluvial wash deposits (Holocene and late Pleistocene)**—Sand and gravelly sand deposits; unconsolidated. Confined to ephemeral stream channel in Reche Canyon

Qyf — **Young alluvial fan deposits (Holocene and late Pleistocene)**—Gray-hued sand and cobble- and gravel-sand deposits derived from lithicly diverse sedimentary units. Extensively developed in eastern Moreno Valley and in San Timoteo Canyon and its tributary canyons, where unit is mostly sand and gravel-sand. In most other parts of quadrangle, unit is mainly sand

Qya — **Young axial channel deposits (Holocene and late Pleistocene)**—Gray, unconsolidated alluvium consisting of fine-grained sand and silt. Found in many drainages eminating from mountains on north side of Moreno Valley

Qyv — **Young alluvial valley deposits (Holocene and late Pleistocene)**—Silty to sandy alluvium on valley floors; gray, unconsolidated. Restricted to axial part of Moreno Valley

Qyls — **Young landslide deposits (Holocene and late Pleistocene)**—Chiefly unconsolidated, unsorted rubble ranging in size from very large blocks to silt; typically only 1 to 3 m thick

OLD SURFICIAL DEPOSITS—Sedimentary units that are moderately consolidated and slightly to moderately dissected. Older surficial deposits have upper surfaces that are capped by moderately to well-developed pedogenic soils (A/AB/B/C_{ox} profiles and Bt horizons as much as 1 to 2 m thick and maximum hues in the range of 10YR 5/4 and 6/4 through 7.5YR 6/4 to 4/4 and mature Bt horizons reaching 5YR 5/6). Includes:

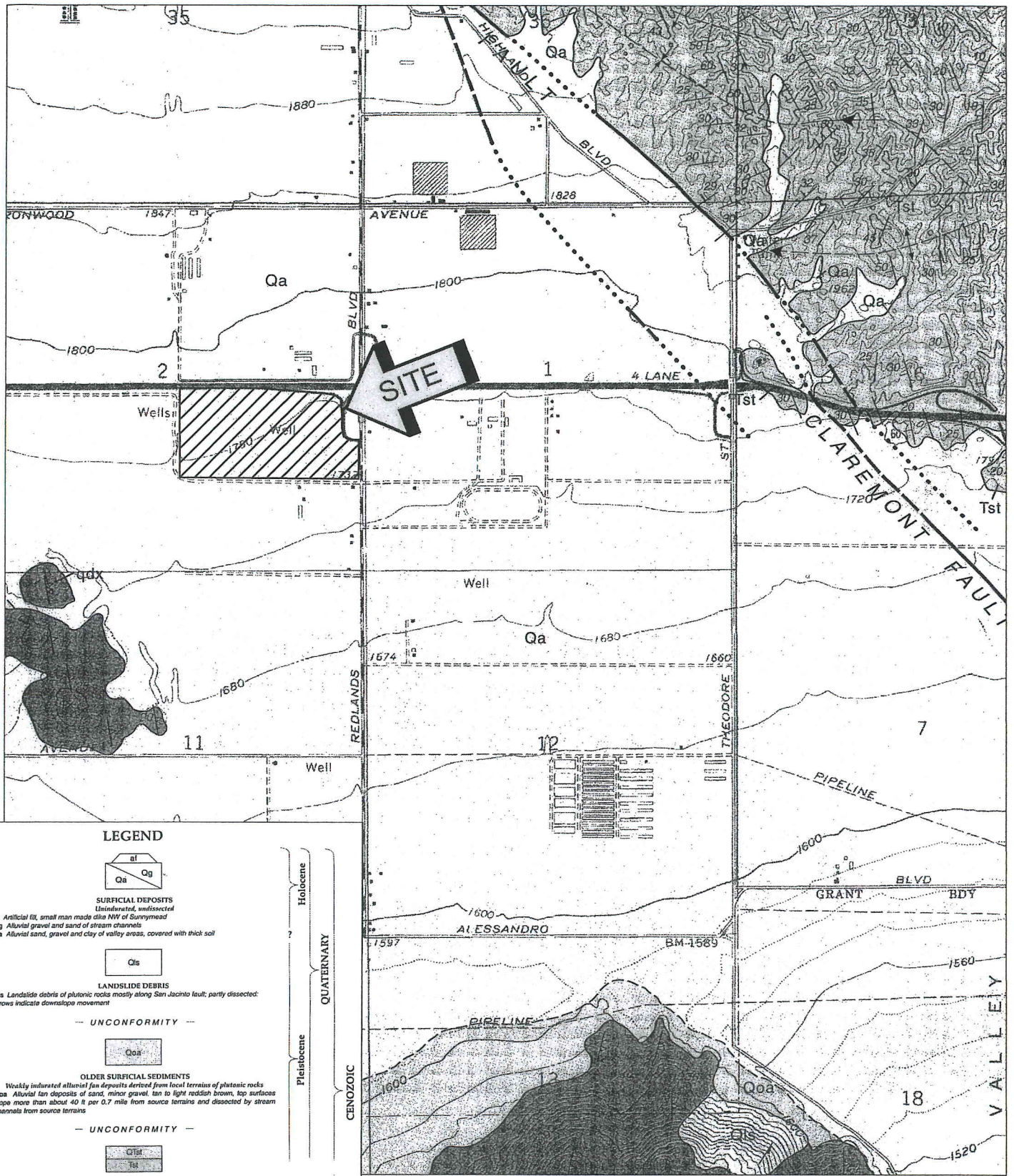
Qof — **Old alluvial fan deposits (late to middle Pleistocene)**—Indurated, sandy and gravely alluvial fan deposits, found on south side of San Timoteo Badlands and in Reche Canyon. Slightly to moderately dissected: reddish-brown. Some deposits include thin, discontinuous surface layer

SOURCE: "GEOLOGIC MAP OF THE SUNNYMEAD 7.5' QUADRANGLE, RIVERSIDE COUNTY, CALIFORNIA" MORTON AND MATTI, 2001

GEOLOGIC MAP
PROPOSED WEST RIDGE BUSINESS CENTER
MORENO VALLEY, CALIFORNIA
SCALE: 1" = 2000'
DRAWN: DRK CHKD: JAS
SCG PROJECT 06G285-2
PLATE 1

SoCalGeo

SOUTHERN CALIFORNIA GEOTECHNICAL



LEGEND

af / Qg / Qa

SURFICIAL DEPOSITS
Unindurated, undissected

af *Artificial fill, small man made dike NW of Sunnymead*
Qg *Alluvial gravel and sand of stream channels*
Qa *Alluvial sand, gravel and clay of valley areas, covered with thick soil*

Qls

LANDSLIDE DEBRIS
Qls *Landslide debris of plutonic rocks mostly along San Jacinto fault; partly dissected: arrows indicate downslope movement*

— UNCONFORMITY —

Qoa

OLDER SURFICIAL SEDIMENTS
Weakly indurated alluvial fan deposits derived from local terrains of plutonic rocks
Qoa *Alluvial fan deposits of sand, minor gravel, tan to light reddish brown, top surfaces slope more than about 40 ft per 0.7 mile from source terrains and dissected by stream channels from source terrains*

— UNCONFORMITY —

QTst / Tst

SAN TIMOTEO FORMATION
(San Timoteo beds of Frick, 1921) stream-laid alluvial sediments of detritus derived from plutonic and metamorphic rocks of San Bernadino Mountains area, weakly indurated, upper part yielded vertebrate fauna diagnostic of Blancan Stage, Plio-Pleistocene (Frick, 1921, Savage, et. al. 1954), or Irvingtonian 1 Stage, earliest Pleistocene (Repenning, 1987); main part inferred to be of Pliocene age (Morton and Matti, 2001)
QTst *Upper part, sandstone, light gray to tan, fine to coarse grained, arkosic, bedded and minor conglomerate of pebbles and cobbles of mostly granitic detritus, some of gneissic rocks and quartzite; includes thin layers of soft greenish to light reddish silty claystone, unconformably (?) overlain by Qoa in this quadrangle*
Tst *Main part (middle part of Morton and Matti, 2001); lithologically similar to upper part; within 1 km of San Jacinto fault includes more conglomerate; base not exposed in this quadrangle*

af, Qg, Qa, Qls, Qoa	Holocene	QUATERNARY
	Pleistocene	QUATERNARY
QTst, Tst	Pliocene	TERTIARY
		CENOZOIC

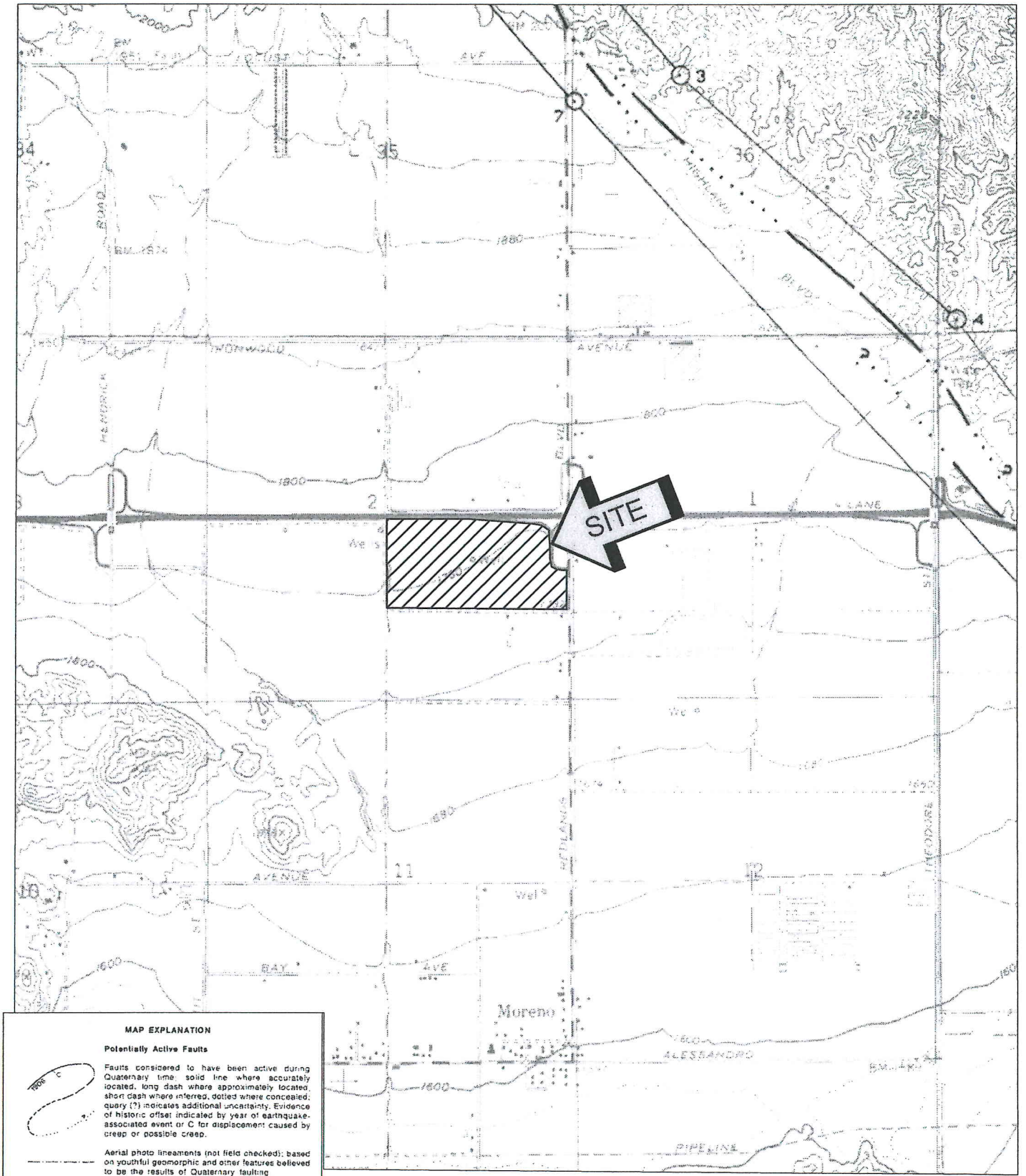
SOURCE: "GEOLOGIC MAP OF THE SUNNYMEAD/SOUTH ½ OF REDLANDS QUADRANGLES, SAN BERNARDINO AND RIVERSIDE COUNTY, CALIFORNIA" DIBBLEE, 2003

GEOLOGIC MAP
PROPOSED WEST RIDGE BUSINESS CENTER
MORENO VALLEY, CALIFORNIA

SCALE: 1" = 2000'
DRAWN: DRK
CHKD: JAS
SCG PROJECT 06G285-2
PLATE 2

SoCalGeo
SOUTHERN CALIFORNIA GEOTECHNICAL

Item No. E.3



MAP EXPLANATION

Potentially Active Faults

Faults considered to have been active during Quaternary time: solid line where accurately located, long dash where approximately located, short dash where inferred, dotted where concealed; query (?) indicates additional uncertainty. Evidence of historic offset indicated by year of earthquake-associated event or C for displacement caused by creep or possible creep.

Aerial photo lineaments (not field checked); based on youthful geomorphic and other features believed to be the results of Quaternary faulting

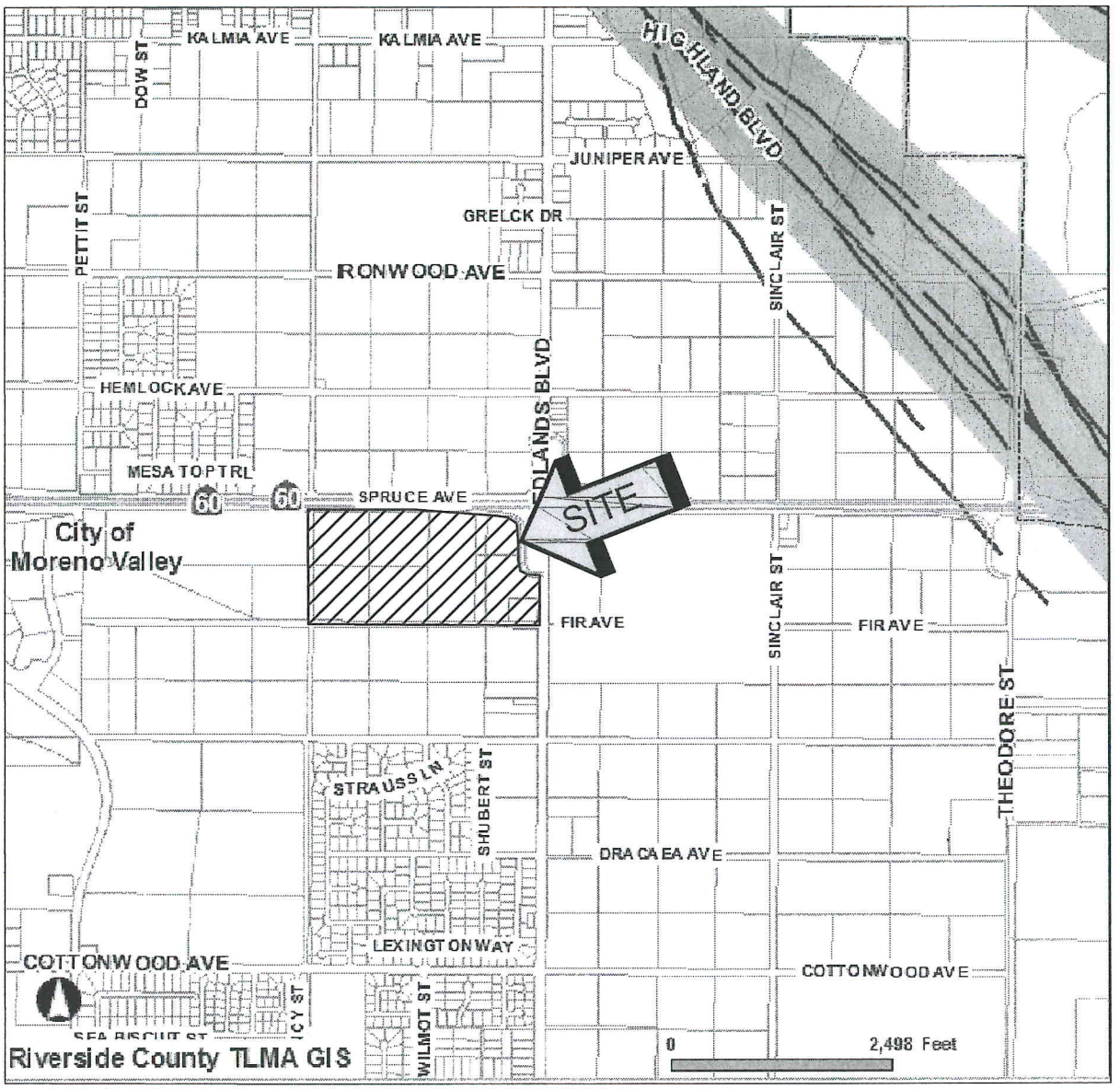
Special Studies Zone Boundaries

These are delineated as straight-line segments that connect consecutively numbered turning points so as to define one or more special studies zone segments.

Seaward projection of zone boundary.

SOURCE: "ALQUIST-PRIOLO EARTHQUAKE FAULT ZONES MAP, SUNNYMEAD QUADRANGLE"

ALQUIST-PRIOLO EARTHQUAKE FAULT ZONE MAP	
PROPOSED WEST RIDGE BUSINESS CENTER	
MORENO VALLEY, CALIFORNIA	
SCALE: 1" = 2000'	SOUTHERN CALIFORNIA GEOTECHNICAL
DRAWN: DRK CHKD: JAS	
SCG PROJECT 06G285-2	
PLATE 3	



FAULT ZONES
12/15/2010

- INTERSTATES
- HIGHWAYS
- PARCELS
- ALQUIST-PRIOLO
- RIVERSIDE COUNTY
- COUNTY FAULT ZONE
- SAN JACINTO FAULT ZONE
- CITY

SOURCE: "RIVERSIDE COUNTY LAND INFORMATION SYSTEM - FAULT ZONES"

RIVERSIDE COUNTY FAULT ZONES MAP
PROPOSED WEST RIDGE BUSINESS CENTER
MORENO VALLEY, CALIFORNIA
SCALE: 1" = 2000'
DRAWN: DRK CHKD: JAS
SCG PROJECT 06G285-2
PLATE 4

SoCalGeo
SOUTHERN CALIFORNIA GEOTECHNICAL

Item No. E.3

Response GB-5

As noted on Page 9 of the Project Geotechnical Investigation (Draft EIR Appendix H), "The 1997 UBC/2001 CBC Design Parameters have been generat[ed] using UBCSEIS, a computer program published by Thomas F. Blake (January 1998)." It is assumed that the fault parameters were not available for the Casa Loma fault at the time the UBCSEIS program was published.

It may be noted that the building code has changed since the Project Geotechnical Investigation was issued. New development must now be designed in accordance with the requirements of the incumbent edition of the California Building Code (CBC). The CBC provides procedures for earthquake resistant structural design that includes considerations for on-site soil conditions, occupancy, and the configuration of the structure including the structural system and height. The seismic design parameters are based on the soil profile and the proximity of known faults with respect to the subject site. The 2007 CBC Seismic Design Parameters are now generated using *Earthquake Ground Motion Parameters*, a software application developed by the United States Geological Survey (USGS). This software application, available at the USGS website, calculates seismic design parameters in accordance with the 2007 CBC, utilizing a database of deterministic site accelerations at 0.01 degree intervals. Since the UBCSEIS is no longer used to calculate the seismic design parameters for the proposed development, it is not considered relevant that the Casa Loma fault is not listed in the UBCSEIS database.

Please refer to the following Response GB-7 in regard to the referenced Preliminary Geotechnical Investigation for the property westerly adjacent to the Project site, prepared by RM Engineering.

Response GB-6

Please refer to the geologic maps referenced as part of the preceding Response GB-4.

Response GB-7

The commentor's inclusion of the referenced excerpts from the Preliminary Investigation prepared by RM Engineering (RME) is acknowledged. The site addressed by this report is located westerly adjacent to the Project site. Although RME recommended that a fault investigation be conducted prior to development within the portion of the site within the zone designated by the Riverside County Seismic Safety Element (Envicom, 1976), RME provided no data or evidence that an active fault was located on the site or adjacent sites. In fact, RME performed a geologic lineament analysis and concluded (on Page 6 of the referenced report) that, "[b]ased on the aerial photograph review, no significant topographic or vegetation alignments indicating potential faulting on or projecting into the site were observed." The recommendation by RME to perform a fault study was solely based on the Envicom report.

As referenced in the Project Geotechnical Investigation, Southern California Geotechnical reviewed the LGC report referenced in the preceding Response GB-2. LGC performed a fault study in the southeast portion of the Project site. The fault trench was approximately 400 feet in length and trended S48W (perpendicular to the projection of the nearest faults). The trench was excavated to a maximum depth of approximately 14 feet. LGC stated that "[n]o evidence of fracturing, offsets, or any discernable characteristics related to faulting was observed." It should also be noted that no evidence of surficial features indicating faulting (i.e., fault scarps, fault line scarps, sag ponds, fractures, or vegetated areas) were observed on the subject site at the time of the original geotechnical investigation. In addition, the two geological maps presented as part of the preceding Response GB-4 (Plates 1 and 2) indicate that the closest fault to the subject site is the Claremont Fault Section of the San Jacinto Fault Zone, located 3,700 feet northeast of the site. The mapped active portion of the Casa Loma fault is located approximately 4.5 miles southeast of the Project site.

The Project site is not located within an Alquist-Priolo Earthquake Fault Zone (Plate 3), nor is it located within a Riverside County designated fault zone (Plate 4). Based on

information from the previous LGC report and published geologic maps, it is not considered likely that the Casa Loma fault, located more than four miles southeast of the Project site, would cause on-site surface rupture.

Response GB-8

Applied Planning utilized the Project-specific Geotechnical Investigation provided in the Draft EIR, and its assessment of on-site conditions.

Response GB-9

As detailed in the preceding Response GB-7, despite the commentor's assertions to the contrary, as documented in the Project-specific Geotechnical Investigation, there is no indication that the Project building footprint will overlay any active fault, nor is there evidence of potential fault rupture.

Response GB-10

The Draft EIR's description of major scenic resources is focused primarily on those views that would be potentially affected by the Project. It may be noted that, on Draft EIR Page 4.9-3, the reader is referred to Draft EIR Figure 4.9-1, which is based on an exhibit from the Moreno Valley General Plan. This figure does indicate views of the San Jacinto Wildlife Preserve among the City's major scenic resources. As can also be seen from this figure, the San Jacinto Wildlife Area is located approximately 3.5 miles to the southeast of the Project site. Although not identified in the illustration, the California Department of Fish and Game (http://www.dfg.ca.gov/lands/wa/region6/sanjacinto/maps.html) identifies Mystic Lake as being located adjacent to the eastern boundary of the San Jacinto Wildlife Area.

Response GB-11

As noted on Draft EIR Page 4.9-3, Figure 4.9-1 is the Draft EIR is a reproduction of Moreno Valley General Plan Figure 5.11-1, and as such, reflects the labeling used in the General Plan.

Response GB-12

The Draft EIR acknowledges, on Page 4.9-10, that the Project site lies within an established view corridor adjacent to the SR-60, and that SR-60 has been locally designated in the Moreno Valley General Plan as a scenic route. Primarily on this basis, the Project was found to have a substantial adverse effect on a scenic vista, which is considered a significant and unavoidable impact. The CEQA thresholds differentiate effects on a "scenic vista" from potential impacts to "scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a State scenic highway." Although SR-60 has not been designated as a "State scenic highway," its local importance has been acknowledged in the Draft EIR.

Response GB-13

The Draft EIR acknowledges that the Project would have a substantial adverse effect on scenic vistas, which is considered a significant and unavoidable impact.

Response GB-14

The commentor's inclusion of the referenced excerpts from the Preliminary Investigation prepared by RM Engineering is acknowledged.

From: Rachel Lopez [rachel.lopez@ccaej.org]
Sent: Monday, December 06, 2010 2:19 PM
To: Jeffrey Bradshaw
Subject: Project Description 105-131
Environmental Impact Analysis 132-135

Land Use and Planning 136-169

Air Quality 261-372

Noise 373-401

This is in response to the Project # 105-131.

Mitigations for the cumulative exposure from projects that have already been approved and those that are in the process of being will have a significant effect on traffic and diesel exposure to residents within the impacted area and fall short of lowering the impacts to residents in close proximity of these projects. How can you mitigate this to include the other projects impacts. CCA-1

The Environmental Impact Analysis does not indicate or give a true picture of projected truck trips taking into account the other projects and the new Sketchers project. What types of mitigation are being initiated for these projects when they reach full capacity and are taken into account. The noise impacts to the surrounding community and its residents must also be mitigated especially with the additional projects that are in the planning process. What will those mitigations look like on a cumulative level. CCA-2

There must be in the mitigation of this project stipulations from the projected/future tenants that only 2010-compliant truck fleet cleanest trucks be allowed into the facility and create incentives or a schedule to phase in a clean truck fleet. The project should also consider other alternatives which might be to consider alternatives such as a portion of the fleet might be retrofitted or repowered and be phased in over a period of time which could reduce the air quality health risks and may be more economically feasible. CCA-3

Cumulatively Significant and Unavoidable for PM10, PM2.5, VOC and NOx exceedances; and long term VOC and *NO exceedances* this phrase is repeated several times in the Draft EIR we must not continue to approve projects in our communities that continue to impact our residents with health risks that can be avoidable with mitigation that should be implemented even before projects are proposed for review. The fact that we see unavoidable and significant in the EIRs is great concern that these projects will continue to be approved with overriding considerations or approved regardless of the impacts to existing or future residents. CCA-4

There are designated proposed residential projects being proposed along side these industrial facilities with no significant buffer areas dedicated. The SCAQMD and the Air Resources board indicate a buffer zone of not less than 1,000 ft. between a sensitive receptor and a diesel source. These issues must be addressed and mitigated with what ever means are available to the lowest levels possible with **sufficient buffer zones of not less than 1,000** to lessen those impacts. The DEIR have buffers of 250 or 300 how can the developer include/mitigate buffer zones of 1,000 ft. CCA-5

Rachel Lopez

Community Organizer

Center for Community Action and Environemtal Justice

Centro de Accin Comunitaria y Justicia Ambiental

Office - 951-360-8451 / Fax - 951-360-5950

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CENTER FOR COMMUNITY ACTION AND ENVIRONMENTAL JUSTICE
RACHEL LOPEZ

Email Dated December 6, 2010

Response CCA-1

The commentor expresses concern regarding the cumulative effects of the Project's contributions to impacts from traffic and diesel emissions when combined with other vicinity projects. As identified at Draft EIR Table 5.1-1, and illustrated in Figure 5.1-1, a number of current or anticipated "related projects" were identified within the cumulative scope of the Westridge Commerce Center Project. In total, 11 discrete related projects were included within the Draft EIR cumulative analysis, including both projects referenced by the commentor ("Highland Fairview and ProLogis"). Additionally, the cumulative analysis reflects generalized disaggregated regional growth not otherwise attributable to specific development proposals.

In addition to the identified related projects, the cumulative impacts analysis assumed development of the area in a manner consistent with the City of Moreno Valley General Plan, and reflecting the anticipated growth of the region. The analysis of cumulative impacts considered potentially significant impacts that could be considered cumulatively considerable when viewed in the context of known related projects and generalized ambient growth of the City and region. The commentor is referred to Section 5.0, "Other CEQA Topics" of the Draft EIR.

Response CCA-2

As noted in the preceding Response CCA-1, the Draft EIR did consider the effects of cumulative projects including potential cumulative truck trips, including the Highland Fairview ("Skechers") project.

With specific regard to truck traffic, estimated opening-year average daily Project-generated truck trips ingressing/egressing the Project site via Redlands Boulevard include:

- 97 two-axle trucks;
- 220 three-axle trucks; and
- 539 four-axle trucks.

Please refer also to detailed trip generation and trip distribution analyses and supporting discussions are presented in the Project TIA (EIR Appendix B, TIA Pages 51-76).

Cumulative opening year average daily traffic along Redlands Boulevard north of Fir (future Eucalyptus) Avenue is estimated at 30, 400 trips (see TIA Page 115, Exhibit 6-10), This is inclusive of all trips/all vehicle categories generated by existing, proposed or anticipated development, and includes trips generated by the Westridge Project, Skechers, and Pro Logis cited by the commentor. Vehicular noise impacts from all Project and cumulative traffic are also addressed in the DEIR, and are determined to be less-than-significant. Please refer to DEIR at Pages 4.4-21 through 4.4-23; and 5-14 through 5-17.

Notwithstanding the above-cited average daily truck/traffic volumes, the more germane issue with regard to potential truck traffic impacts is peak hour intersection passenger car equivalent (PCE) traffic volumes. As noted subsequently in this response, all Project-specific traffic impacts, inclusive of truck traffic impacts, are reduced to levels that are less-than-significant. If the commentor's concerns are not really truck traffic volumes, but rather truck-generated diesel emissions, the Project Health Risk Assessment (HRA) summarized at EIR Section 4.4, "Air Quality," and discussed in detail in the Project HRA Study (included at EIR Appendix C) substantiates that with application of

mitigation, Project-related diesel emissions will not result in significant adverse health risks.

The commentor is also referred to Section 4.2, "Traffic and Circulation," of the Draft EIR, which includes the following excerpted discussion:

> As seen in Table 4.2-5, "passenger car equivalent" (PCE) factors, ranging from 1.5 to 3.0, have been applied to ensure that truck volumes are accurately accounted for in terms of their proportional contributions to traffic impacts. More specifically, the Project Trip Generation Forecast equates two-axle trucks to 1.5 passenger cars. Three-axle trucks are considered the equivalent of two (2) passenger cars; and trucks with four (4) or more axles are counted as the equivalent of three passenger cars. Employing these PCE factors, the Project is anticipated to generate 2,930 Passenger Car Equivalent (PCE) trips per day, with 191 PCE trips occurring during the AM peak hour, and 225 PCE trips occurring during the PM peak hour. (Draft EIR Page 4.2-18.)

Additionally, with regard to cumulative traffic impacts, Page 4.2-67 of the Draft EIR states:

> As indicated at Table 4.2-13, with completion of the improvements recommended under Mitigation Measure 4.2.7, 4.2.18 and 4.2.19, acceptable V/C and LOS conditions would be realized at all Study Area roadway segments under Opening Year Cumulative Conditions with the Project. Improvements necessary to mitigate potentially significant Opening Year Cumulative Condition roadway segment impacts would be accomplished in part by the Project, with the balance of required improvements realized under combined TUMF, DIF, and fair share fee traffic improvement programs. However, timely completion of the

required improvements in total cannot be assured based on Project participation in mandated traffic impact fee programs (TUMF, DIF, and fair share). Further, roadway segment improvements at or affecting the SR-60 at Redlands Boulevard interchange improvements are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency. ***The Project's incremental contributions to Opening Year Cumulative Traffic Impacts at, or affecting, the following roadway segments are therefore considered cumulatively significant and unavoidable:***

- Redlands Boulevard north of the SR-60 Westbound Ramps to Eucalyptus (future Encilia) Avenue;

- Quincy Street south of Fir (future Eucalyptus) Avenue (future street); and

- Fir (future Eucalyptus) Avenue west of Quincy Street to the westerly Project boundary (future street) and Fir (future Eucalyptus) Avenue east of Redlands Boulevard.

Should the Project be approved, the Lead Agency is required to adopt a Statement of Overriding Considerations acknowledging the Project's individually and/or cumulatively significant environmental impacts.

Mitigation that addresses identified cumulative impacts was provided in the Draft EIR, and has been incorporated in the Project's Mitigation Monitoring Program, included in Final EIR Section 4.0. It is further noted that other development projects are required to address their own specific impacts, and projects subject to CEQA EIR mandates are also required to address cumulative impacts. In this regard, cumulative impacts are likely

overstated as these estimated impacts do not necessarily reflect or assume mitigation applied by other projects within the affected cumulative impact area.

Response CCA-3

The commentor expresses concern about emissions from diesel trucks associated with the Project. Mitigation Measure 4.3.13 has been revised to incorporate the following requirement.

> ***Lease/purchase documents shall identify that tenants are encouraged to provide incentives to realize the following:***
>
> ***• Use of fleet vehicles conforming to 2010 air quality standards or better.***

These revisions are reflected in Final EIR Section 2.0, "Revisions and Errata," as well as in the Mitigation Monitoring Plan presented in Final EIR Section 4.0.

Response CCA-4

The commentor correctly reflects the Draft EIR's finding that the Project would have a cumulatively significant air quality impact in regard to the referenced criteria pollutant exceedances (temporary construction-related PM_{10}, $PM_{2.5}$, VOC and NOx exceedances; and long-term operational VOC and NOx exceedances). The commentor's opinions regarding the possible approval of the Project with overriding considerations will be forwarded to decision-makers for their consideration.

Response CCA-5

As acknowledged in the Draft EIR (Pages 4.1-7 through 4.1-9), currently undeveloped properties to the south of Fir (future Eucalyptus) Avenue, and to the west of the Quincy Channel are designated for residential uses. Despite the commentor's assertion to the

contrary, the City has no currently active proposals for residential development on any parcels adjacent to the Westridge Commerce Center Project site.

The 1,000 foot buffer zone referenced by the commentor has been offered by the California Air Resources Board as a planning guideline, to be implemented in cases where site-specific analysis has not been conducted.[4] In the case of the Westridge Commerce Center Project, a Health Risk Assessment of Diesel Particulate Emissions was prepared to address Diesel Particulate Matter (DPM) generated by diesel trucks and the operation of heavy duty equipment. The Health Risk Assessment was prepared in accordance with the document Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis (SCAQMD 2003). The Health Risk Assessment is summarized within the Draft EIR (see Page 4.3-80) and presented in its entirety as Appendix C to the Draft EIR.

As discussed in Section 4.3 of the Draft EIR, the SCREEN3 screening analysis prepared for the Project indicates that the maximally impacted modeled receptor would be exposed to a mitigated inhalation cancer risk of no more than 8.6 in 1 million, which is less than the SCAQMD exposure threshold of 10 in 1 million. The Project HRA considers and evaluates maximum potential exposure to maximum DPM concentrations consistent with established SCAQMD methodologies. The methodology considers not only DPM source emissions (the highest concentrations of which would occur on the Project site) but also considers other exposure/risk determinants including but not limited to: relative distance to and location of receptors, wind patterns, and topography.

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[4] Please refer to the CARB *Air Quality and Land Use Handbook: A Community Health Perspective,* April 2005, Page ES-2, at the following website: http://www.arb.ca.gov/ch/handbook.pdf.

With specific regard to DPM emissions air quality impacts generated by Project traffic along area roads, the Project HRA considers potential worst case cancer risk exposures by evaluating pollutant concentrations at the Project site, which include pollutant emissions generated by all vehicles within the site in combination with emissions generated by on-site stationary sources. It is further noted that the cancer risk exposure scenario is in and of itself a conservative assessment of potential cancer risks arising from DPM exposure. That is, pursuant to the adopted SCAQMD/EPA methodologies, calculated DPM-source cancer risks are predicated on extended 70-year/30-year exposure scenarios. Both the 70-year and 30-year cancer risk assessments considered in the Draft EIR represent estimates of theoretic DPM-source cancer risks, and are based on the assumption that a person is exposed to the emission source 24 hours a day for 365 days a year for the entire length of the assumed exposure period. Individuals are typically not stationary at any given outdoor location, spending a portion of each 24-hour cycle indoors. In addition, individuals and families remaining at a given location for 70 or even 30 years would be considered the exception rather than the norm.

The California OEHHA has indicated that based on EPA studies, the EPA recommends a central tendency estimate of 9 years for residency at a given location, and a high-end estimate of 30 years for residency time. Thus, the methodologies used to determine cancer risk (e.g., the assumption of a 24-hour exposure for a 30- or 70- year period) represent a maximum theoretic cancer risk, and is not intended to account for or represent DPM exposures based on residency and occupancy tendencies. As discussed in the Draft EIR, with application of mitigation, applicable cancer risk thresholds are not exceeded. Draft EIR Table 4.3-17 (Page 4.3-86) summarizes maximum mitigated potential cancer risk exposures.

In comparison, DPM emission concentrations generated by Project vehicles traveling along area roads would be substantively reduced in that they reflect only a portion of transient vehicle traffic/emissions, and these emissions are dispersed through vehicle movements and localized winds.

From: Paul Claxton [paul1960@verizon.net]
Sent: Sunday, December 05, 2010 10:02 AM

To: Jeffrey Bradshaw

Subject: Moreno Valley Warehouses/Ridge Project

I am concerned about the efforts to rush into construction the millions of square feet worth of warehouses in the east end of Moreno Valley. These projects can do nothing positive to the natural environment of the area. My biggest concern is turning Moreno Valley into another Ontario with hundreds of diesel trucks lumbering down our roads spewing pollution, creating noise, and traffic. That additional traffic will add to commute times creating additional pollution. The 60 freeway east of this project is not contusive to big rig traffic. I've been a resident here for just nine years and I intentionally bought on the more rural east side to avoid the traffic of the 215 freeway. This project drives a stake into the heart of the city. I'm planning on leaving to seek a better managed city. PC-1

Paul Claxton
Moreno Valley CA

PAUL CLAXTON

Email Dated December 5, 2010

Response PC-1

The commentor's general concerns regarding the Project's location and the cumulative impacts of the Project when combined with other vicinity projects are noted. As identified at Draft EIR Table 5.1-1, and illustrated in Figure 5.1-1, eleven existing and planned development projects were identified within the cumulative scope of the Westridge Commerce Center Project. A thorough discussion of the cumulative impacts is presented at Draft EIR Section 5.1.

Similarly, the commentor's generalized concerns regarding the increased traffic, air quality and noise impacts are discussed in the EIR. Specifically, traffic impacts are addressed in Draft EIR Section 4.2, air quality impacts at Draft EIR Section 4.3 and noise impacts at Draft EIR Section 4.4.

The commentor's statements and opinions regarding the Project are forwarded to the decision-makers for their consideration.

COMMENTS AND QUESTIONS REGARDING THE DEIR AND LAND USEAGE IN GENERAL FOR WESTRIDGE COMMERCIAL CENTER, A.K.A. "THE RIDGE PROJECT"

Stephen Crews, Moreno Valley, CA

1. It is evident from current zoning, that lands designated commercial south of SR60, from Moreno Beach Dr. to Redlands Blvd., including land devoted for the Westridge Center, do not extend southerly for a great distance, and thus any commercial development there is not intended as a part of an extensive commercial region. In fact, for this reason, it appears this land serves as a buffer for the residentially zoned areas to the south. Thus, it is incumbent on planners and developers to ensure that properties developed in these commercially zoned areas are in keeping with aesthetics, appearance, landscape, geographic culture, and the sentiments of future residents of the predominant land use in the area, residential. This warehouse structure, with its massive edifice and size could not possibly conform to nor compliment Rancho Belago, "the land of ranches and lakes". SCR-1

   Has any consideration been given to the degradation of future residential developments in the area by the construction of an eyesore across the street?

2. One can only presume that there is a cumulative effect of air pollution from SR60, diesel trucks on the site of Westridge, and those travelling on nearby surface streets, as well as these types of contributors to air pollution from future similar developments along the freeway, and that this would have a deleterious effect on the health of citizens residing in residential neighborhoods. SCR-2

   Has this been taken into consideration, and wouldn't it be advisable to restrict commercial land use to less concentrated populations of heavy polluters, such as diesel trucks?

3. **The proposed project sits on the mouth of the entrance into the badlands heading east on SR 60, a highway that is essentially a rural route at this point, and one that is treacherous for traffic. At what point does the added introduction of truck traffic become dangerous? The route on SR60 west is extremely congested and practically at a standstill, caused by the incompletion of recent freeway construction, growth, and lack of capacity. At what point does the introduction of further truck traffic become untenable?** SCR-3
4. **The local surface roads and overpasses servicing the area of the project are dilapidated and are residential in nature. Will roads be brought up to standards, and who will pay for the inevitable degradation of heavy wear trucks cause on roads, with the potential of harm to automobile motorists?** SCR-4

STEPHEN CREWS

Letter Dated December 6, 2010

Response SCR-1

The commentor expresses an opinion regarding the land use designations (and the conformation of the proposed Project with the intent of those designations) of the properties located south of the SR-60. These statements and opinions will be forwarded to the decision-makers for their consideration.

The commentor also expresses concern regarding the consideration of nearby residential uses. It is assumed that, in this instance, the commentor is referring to aesthetic consideration. Indeed, the Draft EIR contains a detailed analysis of the Project's aesthetic attributes and impacts within Section 4.9. Specifically, the analysis examined whether the Project would:

- Have a substantial adverse effect on a scenic vista;
- Substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a State scenic highway;
- Substantially degrade the existing visual character or quality of the site and its surroundings; or
- Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

As supported by the analysis, the Project would obstruct views of off-site scenic resources, and would therefore have a substantial adverse effect on a scenic vista. This is a significant and unavoidable impact. All other potential aesthetic impacts of the

Project were determined to be less-than-significant. The commentor is also referred to Figures 4.9-2 through 4.9-8 of the Draft EIR, which illustrate line of sight and view simulations of the Project.

Response SCR-2

The commentor expresses concern regarding the cumulative effects (air pollution) of the Project when combined with other vicinity projects. As identified at Draft EIR Table 5.1-1, and illustrated in Figure 5.1-1, a number of current or anticipated "related projects" were identified within the cumulative scope of the Westridge Commerce Center Project. In total, eleven (11) distinct related projects were included within the Draft EIR cumulative analysis.

In addition to the identified related projects, the cumulative impacts analysis assumed development of the area in a manner consistent with the City of Moreno Valley General Plan, and reflecting the anticipated growth of the region. The analysis of cumulative impacts considered potentially significant impacts that could be considered cumulatively considerable when viewed in the context of known related projects and generalized ambient growth of the City and region. The commentor is referred to Section 5.0, "Other CEQA Topics" of the Draft EIR.

Cumulatively significant air quality impacts are summarized at DEIR Page 1-18, 1-19 and are discussed at DEIR pages 5-12 through 5-14.

Should the Project be approved, the Lead Agency is required to adopt Findings of Fact and a Statement of Overriding Considerations acknowledging the Project's significant environmental impacts, and substantiating that the Project benefits outweigh the unavoidable adverse environmental effects, such that the adverse environmental effects may be considered acceptable.

Response SCR-3

The commentor characterizes location of the Project "on the mouth of the entrance into the badlands heading east on SR-60." Location of the Project and proximity of the badlands are noted in the Draft EIR:

> 3.2 PROJECT LOCATION AND BOUNDARIES
>
> The Project site is located in the eastern portion of the City of Moreno Valley, in western Riverside County. Please refer to Figure 3.2-1, "Regional Location." The Project will be developed within a 54.66-acre site, which is located near the SR-60/Redlands Boulevard interchange. The site is bounded by SR-60 to the north, Fir Avenue (future Eucalyptus Avenue) to the south, the Quincy Channel to the west, and vacant land designated for commercial use between the Project's east boundary and Redlands Boulevard, approximately 700 feet to the east. Please refer also to the Project site aerial, Figure 3.2-2, "Project Vicinity" (Draft EIR Page 3-1).
>
> General Plan Final EIR Figure 5.11-1, "Major Scenic Resources," reproduced in this Draft EIR as Figure 4.9-1, indicates the Project site is located along the SR-60 scenic corridor. The Badlands area, located approximately one mile to the north, and the Mount Russell foothills and associated rock outcroppings, located approximately two miles southerly of the site (Draft EIR Page 4.9-3).

The commentor offers that SR-60 "is essentially a rural route at this point, and one that is treacherous for traffic."

Existing and programmed SR-60 configurations proximate to the Project are accurately and appropriately described in the EIR:

Regional Access

State Route 60 (SR-60), adjacent to the Project site's northerly boundary, provides regional access to the subject property and vicinity. Connection to SR-60 is provided via Redlands Boulevard, located less than one-quarter mile east of the Project site. The Project has been designed to accommodate future interchange improvements planned by Caltrans at Redlands Boulevard and the SR-60, which would upgrade the existing rural configuration to a standard diamond interchange. These interchange improvements would be constructed by Caltrans, and are not a part of the proposed Project. As demonstrated in the analysis presented in this Section, with implementation of the improvements identified subsequently (and in the Project TIA, EIR Appendix B),the existing rural interchange at Redlands Boulevard and the SR-60 will accommodate existing and anticipated future traffic, including Project-related traffic, at Opening Year and beyond. The upgrade of this interchange is included as part of the regional Western Riverside County TUMF improvement program.

The commentor provides no supporting evidence indicating any substantive potential safety concerns along the segment of SR-60 proximate to the project site. Moreover, Caltrans, the Responsible Agency for actions and projects affecting SR-60, has not suggested or indicated any significant safety issues for this segment of highway (Draft EIR, Page 4.2-8).

In response to the commentor's concerns regarding traffic on westbound State Route 60, the Project's Traffic Impact Analysis (TIA, included as Draft EIR Appendix B) examined performance on the SR-60 as part of Appendix 7.8. The City of Moreno Valley requested that a basic freeway segment analysis be conducted between Box Springs Road/Fair Isle Drive and the I-215 Freeway along the SR-60 Freeway, and included in the TIA. As indicated in the Introduction to this Study (Page 7.8-3), "[i]t should be noted that this analysis was not requested due to potential impacts from the project itself, as these

impacts would be nominal, but rather to analyze the current and future projected operations within the segment based on freeway lane geometrics."

The study concludes that "[a]s vehicular traffic increases on the freeway mainline under each of the future analysis scenarios, the densities on each basic freeway segment are anticipated to increase and peak hour level of service operations are anticipated to progressively worsen." It is in part on this basis that the Draft EIR acknowledges significant cumulative traffic impacts affecting freeway segments in the Project area. As noted in the summary of mitigation on Draft EIR Page 1-51, "[u]nder Opening Year Cumulative Conditions and General Plan Buildout Conditions, cumulative LOS impacts of traffic generated by the project in combination with traffic generated by ambient growth and other development projects will result in potentially significant cumulative traffic impacts affecting SR-60 freeway segments within the Study Area." Because freeway mainline improvements such as widening are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency, no mitigation was identified that could be feasibly implemented. As such, the Draft EIR found that the Project would have a significant and unavoidable impact in regard to exceedance of LOS thresholds on certain study area freeway segments.

The commentor also provides opinions regarding traffic and safety along SR-60. These statements and opinions will be forwarded to the decision-makers for their consideration.

Response SCR-4

The commentor expresses concern regarding the nature and condition of vicinity roadways. Section 3.0, "Project Description" of the Draft EIR includes a complete list of roadway improvements to be implemented by the Project. Roadway improvements to be implemented by the Project prior to issuance of the first Certificate of Occupancy are summarized below:

- Fir Avenue (future Eucalyptus Avenue) will be constructed to its ultimate half-section width (one-half of 104-foot right-of-way section improvements pursuant to City Standard No. 104B) as an arterial roadway from the westerly Project boundary, extending to Redlands Boulevard to the east. Signalization and turn lane improvements will be provided at the intersection of Fir Avenue (future Eucalyptus Avenue) at Redlands Boulevard consistent with City standards and requirements. At the westerly terminus of Fir Avenue (future Eucalyptus Avenue), full cul-de-sac improvements will be provided to allow for vehicle turnaround.

- An auxiliary lane along the westerly side of Redlands Boulevard will be constructed between Fir Avenue (future Eucalyptus Avenue) and the SR-60 eastbound off-ramps.

- The proposed public street (Street "A") at the Project's easterly boundary will be constructed to its ultimate half-section width (one-half of 78-foot right-of-way section improvements pursuant to City Standard No. 106) as an industrial collector roadway from the proposed northern terminus of the road to Fir Avenue (future Eucalyptus Avenue) in conjunction with development. Full improvements will be provided at the cul-de-sac "bulb" to allow for vehicle turnaround.

All roadway improvements proposed by the Project will conform with City engineering standards thereby reducing future maintenance responsibilities for these improvements. The Project will contribute fees and tax revenues to the City that may be directed to the repair and maintenance of area roads.

More specifically, the Project will pay nearly $6 million in fees for local school, library, fire, and police facilities and local street improvements. Additionally, the Project will invest nearly $1 million in regional transportation improvements. Implementation will also produce nearly $1 million for regional water, sewer and flood control improvements.

FRIENDS OF THE NORTHERN SAN JACINTO VALLEY
P.O. Box 9097
Moreno Valley, CA 92552-9097
www.northfriends.org

6 December 2010

Via e-mail: Jeffreyb@moval.org

Mr. Jeff Bradshaw, Associate Planner
City of Moreno Valley
14177 Frederick Street/P.O. Box 88005
Moreno Valley, California 92552-0805

Dear Mr. Bradshaw:

Re: Westridge Commerce Center Draft Environmental Impact Report (DEIR)—State Clearing House Number 2009101008

The Friends of the Northern San Jacinto Valley are a local conservation group dedicated to preserving and protecting the Northern San Jacinto Valley, the San Jacinto Wildlife Area, and Mystic Lake. We are a 501(c)(3) organization. Since 1991, we have sponsored monthly nature walks at the wildlife area, reviewed and commented on numerous environmental documents, attended community events to share information about the wildlife area, and we have a long history of supporting public land acquisition at the San Jacinto Wildlife Area.

We have reviewed the Draft Environmental Impact Report (DEIR) for the proposed Westridge Commerce Center and are very discouraged by the poor quality of the environmental document. To a great extent, the Draft EIR presupposes that the Moreno Valley Planning Commission and City Council will adopt a statement of overriding consideration for a number of the identified project impacts. This erroneous presumption allows the preparer of the California Environmental Quality Act (CEQA) document, Applied Planning, Inc., to avoid necessary consideration of feasible mitigation measures and to avert meaningful consideration of project alternatives to reduce or avoid significant environmental impacts. The Draft EIR incorrectly asserts that the following significant project impacts are unavoidable and the City's only prerogative is to make CEQA findings of overriding consideration. FNSJ-1

Aesthetics - Loss of Scenic Vista: Perhaps the most spectacular scenic vista from within the City of Moreno Valley is the view of Mystic Lake with the San Jacinto Mountains in the background which motorists can see while traveling east on Highway 60. This project proposes to block this scenic vista with the side of a warehouse building and summarily omits from consideration potential mitigation measures and a project alternative (Alternative Site) FNSJ-2

capable of avoiding or minimizing this aesthetic impact. The project proponents have the ability to buy land anywhere for this warehouse which will not be built until the have a tenant and this makes feasible several mitigation opportunities to avoid or lessen the loss of a scenic vista this project will incur. The pad level of the warehouse buildings is proposed to be 25 feet below the grade of Highway 60. *A project design mitigation measure limiting the building height to 25 feet would preserve the present scenic vista from the highway.* In our view, other building design mitigation measures are feasible and can be incorporated into the project to avoid or minimize the loss of this scenic resource. FNSJ-2 (cont'd)

Agriculture - Loss of Farmland of Local Importance: The Project will convert Farmland of Local Importance to nonagricultural uses and these losses will be cumulatively significant. The Draft EIR fails to consider mitigation for the loss of agricultural land this project will incur and merely dismisses mitigation measures included in the City's General Plan intended to stem the loss of agricultural land. Preservation can be a feasible means of reducing or eliminating the impact of agricultural land loss. The City's General Plan indicates agricultural lands subject to conversion can be mitigated through the purchase or transfer of development rights or the purchase of conservation easements. We believe the Loss of Agricultural lands of Local Importance must be thoroughly discussed and mitigated in the EIR. FNSJ-3

Air Quality: The project will generate long-term operational project emissions during operation that will exceed the South Coast Air Quality District's regional thresholds for a number of pollutants detrimental to community health. A recent Press-Enterprise newspaper article (September 11, 2008) indicates most of the cancer risk from Southern California air pollution is from diesel exhaust. The article also notes the Inland area still has the region's worst fine-particle pollution, which is linked to early deaths, heart attacks and, in children, stunted lung development. Diesel soot is the most toxic major ingredient of fine particle pollution. The Inland region is also recognized as having the worst ozone pollution, which causes nausea, fatigue and headaches, and aggravates asthma and other respiratory conditions. The project Draft EIR makes no attempt to mitigate or avoid these long-term operational emissions and instead asks the City Council to make findings of overriding consideration for this air quality impact. The Draft EIR fails to even consider feasible mitigation measures to reduce community exposure to these harmful long-term project pollutants. A feasible mitigation measure worthy of consideration would be for the developer and future warehouse tenant to commit to operating the facility with trucks equipped only with the latest air pollution abatement technology including diesel soot filters. Since Highland Fairview Corporate Center/Skechers project has been able to have 80% of all off-road heavy-duty construction equipment utilized during construction activity *certified as* CARB Tier III or better, your project and analysis must do at least as well. FNSJ-4

Climate Change and Greenhouse Gases: AB 32 requires that California's greenhouse gas emissions be reduced to 1990 levels by the year 2020. The Draft EIR indicates greenhouse gas emissions from the operation of the Westridge Commerce Center project will result in a significant and unavoidable impact to climate change because emissions will hinder or delay California's ability to meet the reduction targets contained in AB 32. The Draft EIR limits its consideration of emission reduction to on-site measures and will request the City Council make FNSJ-5

findings of overriding consideration for the project failure to achieve the reduction targets in AB 32. This approach is incorrect in that the CEQA analysis also needs to consider offsite mitigation remedies such as emission trading regimes and/or carbon sequestration to offset the emissions this project will generate. Given the urgency of climate change solutions, the project proponent's reliance on a finding of overriding consideration is misplaced. FNSJ-5 (cont'd)

THE EIR MUST ADEQUATELY ANALYZE AND MITIGATE AIR QUALITY IMPACTS

The EIR fails to adequately analyze and mitigate the significant impacts to air quality resulting from the project. Californians experience the worst air quality in the nation, with annual health and economic impacts estimated in at 8,800 deaths (3,000–15,000 probable range) and $71 billion ($36–$136 billion) per year (Cayan 2006). Ozone and particulate matter (PM) are the pollutants of greatest concern (maximum levels are about double California's air quality standards) and the current control programs for motor vehicles and industrial sources cost about $10 billion per year. In light of these underlying conditions it is critical that the air quality analysis be rigorous. The EIR is required to properly analyze the Projects' direct, indirect, and cumulative contribution to deteriorating air quality. FNSJ-6

A. SIGNIFICANT AIR QUALITY HAZARDS IN RIVERSIDE COUNTY

Riverside County has the dubious distinction of being one of the most polluted areas in the country. (American Lung Association 2005; American Lung Association 2008). The Project will directly result in an increase in construction emissions and vehicle trips per day which will increase the level of a broad number of criteria pollutants under the Clean Air Act. The Project will result in significant impacts to air quality that result from significant levels of emissions of Volatile Organic Compounds (VOCs), Nitrogen Oxides (NOx), Carbon Monoxide (CO), and Particulate Matter of 10 microns and 2.5 microns or less (PM10 and PM2.5). Increased diesel exhaust is particularly detrimental to long term human and lung health.

Ozone (O_3) is the chief component of the common pollutant known as "smog." Ozone is formed when emissions including reactive organic gases (ROG) and oxides of nitrogen (NOx) undergo photochemical reactions in sunlight and are transformed to O_3. Ozone irritates lung airways and causes inflammation much like a sunburn. Ozone causes wheezing, coughing, pain when taking a deep breath, and breathing difficulties during outdoor activities. The American Lung Association focuses on ozone as one of the most hazardous of the common air pollutants. (American Lung Association 2008). Repeated exposure to ozone pollution for several months may cause permanent lung damage. Children, the elderly, and those with respiratory problems are most at risk, but anyone who spends time outdoors may be affected. Even at very low levels, ozone triggers a variety of health problems including aggravated asthma, reduced lung capacity, and increased susceptibility to pneumonia and bronchitis. Ozone also interferes with the ability of plants to produce and store food, which makes them more susceptible to disease, insects, and weather, and damages the leaves of trees and plants, ruining the appearance of cities, national FNSJ-7

parks, and recreation areas. Ozone also reduces crop yields, and is, in fact, responsible for 98% of air quality related crop damage in California. A revised EIR must discuss the proposed project's production of ozone precursor emissions and the direct, indirect, and cumulative impact both on human health and on vegetation and wildlife habitat, especially habitat for threatened, endangered, and sensitive species.

Particulate matter (PM) is a category of pollutant which includes the respirable particles suspended in the the air. PM is classified into "coarse" particles, PM_{10}, or those under 10 microns in diameter, and "fine" particles, $PM_{2.5}$, or those under 2.5 microns in diameter, and comes from a variety of sources including diesel exhaust, windblown dust from agriculture and construction and motor vehicles. Because the human respiratory system's ability to filter out harmful particles decreases as particles size decreases, the smallest particles lodge deepest in the lungs and are especially dangerous. PM can contain at least 40 toxic chemicals including heavy metals, nitrates, sulfates, and aerosols, as well as soot, soil, and dust. FNSJ-7 (cont'd)

PM is associated with extreme health consequences. PM causes premature death, aggravates asthma, increases coughing, painful breathing, and chronic bronchitis, and decreases lung function. Lung inflammation caused by inhaling PM can also lead to changes in heart rhythm, constriction of blood vessels, blood coagulation, and increased risk of heart attacks. Unlike what is believed about some other air pollutants, there is no "safe" level of PM pollution: even very low levels of PM lead to health impacts. (EWG 2002 at 25). One study found that in Riverside County alone, 353 deaths per year are due to current PM10 levels, and 42,149 asthma attacks per year are due to current PM10 levels. (EWG 2002 at 19). The EIR's failure to address basic information on the link between air quality, health impacts, and impacts to biological resources render it inadequate. This and other information must be analyzed in a revised EIR so that the project's air quality impacts can be analyzed in the full environmental context.

B. THE EIR FAILS TO ADEQUATELY DESCRIBE THE PROJECT AND ENVIRONMENTAL SETTING

The EIR must provide a stable and accurate project description in order to properly inform decision makers and the public, as well as provide a proper basis for analysis of impacts and mitigation to address those impacts. Here the EIR fails to fully disclose and analyze the air quality impacts from diesel emissions. One of the project objectives is to "transition the existing site into a productive use" provided by over 900,000 square feet of industrial warehouse/distribution. (DEIR at 3-4). Presumably much of the transportation and traffic associated with industrial warehouse and distribution facilities will be diesel truck traffic, which poses a much greater threat to human health due to the carcinogenic effects of diesel exhaust and fine particulates associated with diesel emissions. However, the EIR fails to describe what types of vehicles will be accessing the facility, in what volumes, at what frequency, and during what times. The EIR must fully disclose the types of vehicles that will be associated with the Project because those different vehicles pose very different threats and must be analyzed and mitigated in different fashions. FNSJ-8

The EIR also fails to adequately describe the environmental baseline of the area affected and regional setting in order to properly inform the CEQA process. CEQA Guidelines § 15125(a) &(c). The EIR also fails to adequately describe the environmental baseline of the area affected and regional setting in order to properly inform the CEQA process. CEQA Guidelines § 15125(a) &(c). The Project is located across Fir Street from land that is zoned residential. The diesel trucks will enter and exit the project by using Fir and therefore will significantly impact future residents. Setting the building 250 feet back from these residential uses does not protect them from each and every diesel truck that enters and exit the Project. The direct, indirect and growth inducing impacts of this project have not been thoroughly analyzed – especially for the future residents immediately south of the project. The 2,000,000 sq. foot Highland Fairview Corporate Center/Skechers project and also the proposed 2,000,000 square foot ProLogis are on either side of this project and will also probably use Fir Street. The California Air Resources Board and others confirm that living close to high traffic and the associated emissions may lead to adverse health effects beyond those associated with regional air pollution in urban areas. (CARB 2005). Specifically, these studies found reduced lung function and increased asthma in children within 1,000 feet of heavy traffic. Id. In addition to the respiratory health effects, proximity to freeways increases potential cancer risk. Id. FNSJ-8 (cont'd)

Some land uses are considered more sensitive to air pollution than others due to the types of population groups or activities involved. The South Coast Air Quality Management District ("SCAQMD") includes in its list of sensitive receptors, residences, schools, playgrounds, childcare centers, convalescent homes, retirement homes, rehabilitation centers, and athletic facilities. Sensitive population groups include children, the elderly, and the acutely and chronically ill, especially those with cardiorespiratory diseases. Residential areas are also considered to be sensitive to air pollution because residents tend to be home for extended periods of time, resulting in sustained exposure to any pollutant present. The Project fails to adequately identify the number and their distance from the 240 daily (24-7) moving diesel trucks related to this project as well as that of ProLogis and Highland Fairview Corporate Center/Skechers.

C. THE EIR FAILS TO ADEQUATELY EXAMINE THE PROJECT'S HEALTH RISKS

The EIR air quality analysis fails to adequately address the Project's effect on the community's health. Although the DEIR acknowledges that proximity to roads is related to adverse health outcomes, including respiratory problems, the document fails to conduct this critical study of demonstrating what the qualitative or quantitative risk is associated to nearby residents as result of the Project. The Project can lead to increased rates of asthma, decreased, lung or cardiac function, and other threats, but there is no analysis of what that means for the regional residents or visitors. As with other important impact analyses it appears that the EIR authors use their failure to gather data as an excuse for their inability to document the Project's impacts. Such an approach violates the fundamental tenets of CEQA. Without this information, it is all but impossible to accurately and effectively gauge the severity and extent of the health', effects that would result from building the proposed Project. Again, the agencies have a duty to "painstakingly ferret out" the Project's impacts. *Envt'l Planning and Information Council of W.* FNSJ-9

El Dorado County v. County of El Dorado (1982) 131 Cal. App. 3d 350,357. It is critically important that the EIR emphasize the cumulative impacts of negative air quality and not simply dismiss those issues without thorough analysis and mitigation. FNSJ-9 (cont'd)

D. THE EIR FAILS TO ADEQUATELY ANALYZE AND IMPOSE MITIGATION MEASURES FOR SIGNIFICANT IMPACTS TO AIR QUALITY

In an attempt to subvert the procedural requirements of CEQA the EIR fails to adopt feasible mitigation measures that would have substantially lessened significant environmental impacts resulting from the Project. To effectuate its overarching purpose of reducing environmental harm, CEQA requires that "public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen" a Project's significant environmental effects. Pub. Res. Code § 21002; Guidelines 15021. CEQA's substantive mandate is clear, "each public agency shall mitigate or avoid the significant effects on the environment of projects that it caries out or approves whenever it is feasible to do so." Pub. Res. Code § 21002.1(b) (emphasis added).. Mitigation of a project's significant impacts is one of the "most important" functions of CEQA. *Sierra Club v. Gilroy City Counci*l, 222 Cal.App.3d 30, 41 (1990). FNSJ-10

There are numerous mitigation measures that could be adopted to reduce the significant air quality impacts associated with this project. Many of the mitigation measures outlined to reduce the significant impacts associated with greenhouse gas emissions can reduce criteria pollutants. Therefore the EIR should fully analyze all greenhouse gas and criteria pollutant mitigation measures in order to reduce the significant impacts to air quality, or describe why those mitigation measures are infeasible.

I. THE EIR MUST ADEQUATELY ADDRESS THE IMPACTS OF GLOBAL WARMING AND CLIMATE CHANGE

The Draft EIR must thoroughly evaluate alternatives and mitigation measures that would reduce the Project's greenhouse gas emissions. Curbing greenhouse gas emissions to limit the effects of climate change is one of the most urgent challenges of our time. Fortunately, the California Environmental Quality Act ("CEQA"), Cal. Pub. Res. Code §§ 21000 et seq., 14 Cal. Code Regs. § 15000 et seq. ("Guidelines"), set forth a clear and mandatory process to address the Project's greenhouse gas and global warming impacts. This letter sets forth how this analysis should be completed. FNSJ-11

A. THE EIR MUST ADDRESS THE IMPACT GLOBAL WARMING WILL HAVE ON THE PROJECT

Unfortunately, the EIR fails to address the impacts of global warming on the Project contrary to the requirements under CEQA. California's temperatures are expected to rise "dramatically" over the course of this century (Cayan 2007). These factors will impact the planned project, as well as exacerbate its own environmental impacts. Global warming will affect California's climate, resulting in such impacts as increased temperatures and wildfires, and FNSJ-12

a reduction in snowpack and precipitation levels and water availability. These factors will impact development under any Moreno Valley General Plan Update, as well as exacerbate its own environmental impacts. Therefore, these factors must be considered in the EIR. *See* Guidelines § 15126.2(a) (an EIR "shall also analyze any significant environmental effects the project might cause by bringing development and people into the area affected.") The EIR must use its best efforts to find out and disclose all it reasonably can about the impacts of climate change on the environment and—most importantly—use that information to form an educated opinion about how to plan and adapt for the impacts of climate change. (California Attorney General 2009). Examples of how global warming will impact development under the Moreno Valley General Plan and intensify the environmental impacts it will already have are discussed below. It is not an exhaustive list.

The rise in temperatures resulting from global warming will create a more conducive environment for air pollution formation (Cayan 2007). This will intensify the adverse effects the proposed project will already have on air quality in the project area and threaten residents' health (Cayan 2007).

Significantly for the state, as well as the project area, is global warming's impact on water supply. The IPCC specifically identified the American West as vulnerable, warning, "Projected warming in the western mountains by the mid-21st century is very likely to cause large decreases in snowpack, earlier snow melt, more winter rain events, increased peak winter flows and flooding, and reduced summer flows" (IPCC 2007b). Recently, researches found that an increase in atmospheric greenhouse gases has contributed to a "coming crisis in water supply for the western United States" (Barnett 2008). Using several climate models and comparing the results, the researches found that "warmer temperatures accompany" decreases in snow pack and precipitation and the timing of runoff, impacting river flow and water levels (Barnett 2008). These researchers concluded with high confidence that up to 60 percent of the "climate related trends of river flow, winter air temperature and snow pack between 1950-1999" are human-induced (Barnett 2008). This, the researchers wrote, is "not good news for those living in the western United States" (Barnett 2008). FNSJ-12 (cont'd)

The California Center on Climate Change has also recognized the problem global warming presents to the state's water supply and predicts that if greenhouse gas emissions continue under the business-as-usual scenario, this snowpack could decline up to 70-90 percent, affecting winter recreation, water supply and natural ecosystems (Cayan 2007). Global warming will affect snowpack and precipitation levels, and California will face significant impacts, as its ecosystems depend upon relatively constant precipitation levels and water resources are already under strain (Cayan 2007). The decrease in snowpack in the Sierra Nevada will lead to a decrease in California's already "over-stretched" water supplies (Cayan 2007). It could also potentially reduce hydropower and lead to the loss of winter recreation (Cayan 2007). All of this means "major changes" in water management and allocation will have to be made (Cayan 2007). Thus, global warming may directly affect the City's ability to supply clean, affordable water to the residents, or force the City to change how it will utilize water, and it may also impact other activities outside the project area, such as agriculture.

Scientists indicate that climate change will also exacerbate the problem of flooding by increasing the frequency and magnitude of large storms, which in turn will cause an increase in the size and frequency of flood events (NRDC 2007). The increasing cost of flood damages and potential loss of life will put more pressure on water managers to provide greater flood protection (NRDC 2007). At the same time, changing climate conditions (decreased snowpack, earlier runoff, larger peak events, etc.) will make predicting and maximizing water supply more difficult (NRDC 2007). These changes in hazard risk and water supply availability must be considered during environmental review.

Water quality, in addition to water quantity and timing, will also be impacted. Changes in precipitation, flow, and temperature associated with climate change will likely exacerbate water quality problems (NRDC 2007). Changes in precipitation affect water quantity, flow rates, and flow timing (Gleick 2000). Shifting weather patterns are also jeopardizing water quality and quantity in many countries, where groundwater systems are overdrawn (Epstein 2005). Decreased flows can exacerbate the effect of temperature increases, raise the concentration of pollutants, increase residence time of pollutants, and heighten salinity levels in arid regions (Schindler 1997). FNSJ-12 (cont'd)

These are only examples of how global warming will impact the proposed project and intensify the environmental impacts the project will already have. It is not an exhaustive list. Thus, when assessing the impact of the Project on air quality, water supply, flood hazards, and biological resources, the EIR must take into account global warming. To ignore the impact of global warming on the Project and the resources impacted by the Project significantly understates the Project's impacts.

B. The EIR's Significance Determination is Flawed

i. The EIR Fails to Properly Frame the Question of the Significance of the Project's Greenhouse Gas Impacts

As the EIR properly recognizes, the greenhouse gas emissions generated by the Project constitute a significant impact. (DEIR at 4.3-110). However, the DEIR improperly limits the consideration of its determination of significance to whether the project would significantly hinder or delay California's ability to meet reduction targets contained in AB 32. While the emission reduction targets set by AB 32 are important, they are only a first interim step toward a longer emission reduction pathway necessary to avoiding dangerous anthropogenic interference (DAI) with the climate system. While Project impacts remain significant, the significance criteria should be revised to recognize California's long term emission targets set by Executive Order S-3-05 and consider the extent to which these reductions are consistent with the emission reduction pathway necessary to avoid DAI. FNSJ-13

The relevant environmental objective with regard to a project's impact on global warming is stabilization of greenhouse gas concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference ("DAI") with the climate system. Framing the objective of a threshold of significance in the context of preventing DAI with the climate system

is consistent with the policy of CEQA. As set forth in Public Resources Code Section 21000(d), "The capacity of the environment is limited, and it is the intent of the Legislature that the government of the state take immediate steps to identify any critical thresholds for the health and safety of the people of the state and take all coordinated actions necessary to prevent such thresholds being reached." With regard to climate change, the prevention of DAI is the critical threshold to protect the health and safety of the people of California. The prevention of DAI with the climate is also the objective adopted by the international community. As set forth in the United Nations Framework Convention on Climate Change, to which the United States is a party: "The ultimate objective of this Convention and any related legal instruments that the Conference of the Parties may adopt is to achieve, in accordance with the relevant provisions of the Convention, stabilization of greenhouse gas concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference with the climate system."[1]

Dangerous anthropogenic interference with the climate system is a defined concept from which a threshold of significance under CEQA can be derived. While environmental impacts from global warming are already being experienced, dangerous anthropogenic interference has typically been defined at temperature increases above 2°C from pre-industrial levels, or a 450 ppm atmospheric concentration of CO_2 eq. (Union of Concerned Scientists 2007). 2050 is the time frame commonly set by scientists in which to achieve the emission reductions necessary for climate stabilization. The emission reduction scenario set by AB 32 and Executive Order S-3-05, whereby emissions are reduced to 1990 levels by 2020 and then to 80% below 1990 levels by 2050, is consistent with a stabilization scenario in the +/- 450 ppm range.[2] FNSJ-13 (cont'd)

However, climate scientists, including NASA's premier climatologist, James Hansen, are increasingly calling for more stringent stabilization targets in order to sufficiently reduce the risk of catastrophic outcomes. The best available scientific evidence now indicates that a 2°C temperature increase from pre-industrial levels is well past the point where severe and irreversible impacts will occur. It is now estimated that a mean global temperature increase of 1.5°C above pre-industrial levels has the potential to trigger irreversible melting of the Greenland ice sheet, a process that would result in an eventual 7m sea level rise over and above that caused by thermal expansion of the oceans, and potentially causing an additional sea level rise of 0.75m as soon as 2100. (Warren 2006 at 95). Specific consequences of a 2°C temperature rise from pre-industrial levels include the loss of 97% of the world's coral reefs and the transformation of 16% of global ecosystems. Approximately one to three billion people would experience an increase in water stress, sea level rise and cyclones would displace millions from the world's coastlines and agricultural yields would fall in the developed world. (Warren 2006). In the Arctic, ecosystem disruption is predicted owing to complete loss of summer sea ice, with only 42% of the tundra remaining stable. This would destroy the Inuit hunting culture and cause the extinction of the polar bear and large losses in global populations of birds. Moreover, because

1 United Nations Framework Convention on Climate Change (UNFCCC), art. 2, May 9, 1992, *available at* http://unfccc.int/essential_background/convention/background/items/1349.php.

2 While the emission reduction targets embodied in AB 32 and Executive Order S-3-05 can inform a determination of significance thresholds, this is because they reflect scientific data on needed emissions reductions. Under CEQA, regulatory standards can serve as proxies for significance only to the extent that they accurately reflect the level at which an impact can be said to be less than significant. *See, e.g., Protect the Historic Amador Waterways v. Amador Water Agency*, 116 Cal. App. 4th 1099, 1109 (2004).

Arctic ice functions to reflect heat back into the atmosphere, its loss would allow more sunlight to heat the Arctic Ocean and further accelerate the buildup heat and the melting of the Greenland ice sheet. In the Antarctic, key marine mollusks are predicted to become extinct with damaging ramifications for the rest of the Antarctic marine ecosystem. (Warren 2006). As the devastating and irreversible impacts resulting from a 2°C mean global temperature rise are far in excess of any reasonable definition of "dangerous" interference with the climate, a 2°C target is not an acceptable objective for climate policy.

Moreover, equating a particular atmospheric concentration of greenhouse gases with a specific temperature increase involves a significant degree of uncertainty. This is because climate sensitivity – the extent to which temperatures will rise as a result of increasing concentrations of heat-trapping gases – depends on Earth's response to certain physical processes that are not fully understood. (Cayan 2007 at 4). For example, as greenhouse gas emissions cause temperatures to rise, the atmosphere can hold more water vapor, which traps heat and raises temperatures further – a positive feedback. Clouds created by this water vapor could absorb and re-radiate outgoing infrared radiation from Earth's surface (another positive feedback) or reflect more incoming shortwave radiation from the sun before it reaches Earth's surface (a negative feedback). (Cayan 2007). Thus, due to uncertainty in climate sensitivity, scientists estimate that the mean probability of exceeding 2°C where stabilizing greenhouse gases at a CO_2eq level of 450 ppm is 54% with a 30% probability that global average temperature would rise more than 3°C. (Cayan 2007; Union of Concerned Scientists 2007). This is effectively the equivalent of flipping a coin in the hopes that our children and grandchildren will not be confronted with the displacement of millions of people due to sea level rise, irreversible loss of entire ecosystems, and the triggering of multiple climatic "tipping points" wherein climate change begins to feed on itself and spin rapidly out of control. FNSJ-13 (cont'd)

As noted by the Attorney General in a recent guidance on the treatment of climate change in general plans, "the targets set by AB 32 and Executive Order S-3-05 can inform the CEQA analysis." (California Attorney General 2009 at 4). However, while the emission reduction targets embodied in AB 32 and Executive Order S-3-05 can inform a determination of significance thresholds, this is because they reflect scientific data on needed emissions reductions. *See* Guidelines § 15064(b) ("[t]he determination of whether a project may have a significant effect on the environment calls for careful judgment … based to the extent possible on scientific and factual data."). Under CEQA, regulatory standards can serve as proxies for significance only to the extent that they accurately reflect the level at which an impact can be said to be less than significant. *See, e.g., Protect the Historic Amador Waterways v. Amador Water Agency*, 116 Cal. App. 4th 1099, 1109 (2004). Thus, to properly address the question of the significance of Project impacts, the EIR should set forth the environmental objective of stabilization of greenhouse gas concentrations in the atmosphere at a level that would prevent DAI with the climate system, discuss California's emission reduction targets and the extent to which these targets are sufficient to meet avoid DAI. In this manner, the EIR will set forth the issues related to the significance of Project impacts in a manner that accurately informs decision makers and the public.

ii. To Properly Evaluate Significance and Fulfill Its Informational Mandate, the EIR Must Compare Project Emissions with Emission Reduction Targets Set by AB 32 and Executive Order S-3-05

Although the EIR asserts that the Project would interfere with the goals of AB 32, the EIR fails to provide any data on Project emissions as compared with 1990 levels. Accordingly, it is impossible to analyze the extent to which the Project exceeds AB 32 emission reduction mandates. The EIR must be revised to provide this data.

FNSJ-14

Moreover, in a failure to adequately describe the Project, the EIR fails to note the year for which the Project envisions build-out. Should the next Moreno Valley General Plan update contemplate growth past 2020, its significance analysis should evaluate the extent to which the Project complies with Executive Order targets. While the trajectory of reductions under Executive Order S-3-05 has not been definitely established, the EIR should make an appropriate assumption, such as a linear decrease to 2050 to determine significance criteria for the undisclosed year of build-out. Thus, if Moreno Valley's General Plan is intended to accommodate growth until 2030, then the EIR could compare Project emissions with emissions approximately 27% below 1990 levels.

C. THE EIR MUST ANALYZE AND ADOPT ALL FEASIBLE MITIGATION MEASURES TO REDUCE THE PROJECT'S GREENHOUSE GAS EMISSIONS

In addition to thoroughly evaluating project alternatives, because it is clear that the project's greenhouse gas emissions will cumulatively contribute to global warming, "the EIR must propose and describe mitigation measures that will minimize the significant environmental effects that the EIR has identified." *Napa Citizens for Honest Gov't v. Napa County Bd. of Supervisors*, 91 Cal.App.4th 342, 360 (2001). CEQA requires that agencies "mitigate or avoid the significant effects on the environment of projects that it carries out or approves whenever it is feasible to do so." Pub. Res. Code § 21002.1(b). Mitigation of a project's significant impacts is one of the "most important" functions of CEQA. *Sierra Club v. Gilroy City Council*, 222 Cal.App.3d 30, 41 (1990). Therefore, it is the "policy of the state that public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures which will avoid or substantially lessen the significant environmental effects of such projects." Pub. Res. Code § 21002. Importantly, mitigation measures must be "fully enforceable through permit conditions, agreements, or other measures" so "that feasible mitigation measures will actually be implemented as a condition of development." *Federation of Hillside & Canyon Ass'ns v. City of Los Angeles*, 83 Cal.App.4th 1252, 1261 (2000).

FNSJ-15

There are any number of feasible measures that can be incorporated into a Climate Action Plan to reduce vehicle miles traveled, energy use, waste, water consumption and other sources of emissions. The California Air Pollution Control Officer's Association (CAPCOA) White Paper on CEQA and Climate Change identifies existing and potential mitigation measures that could be applied to projects during the CEQA process to reduce a project's GHG emissions. (CAPCOA 2008 at Appendix B). The California Office of the Attorney General also has developed a list of reduction mechanisms to be incorporated through the CEQA process. (California Office of the

Attorney General 2008b). These resources provide a rich and varied array of mitigation measures to be incorporated in both the programmatic and project level. Furthermore, substantial federal funding is available to implement these projects so that implementation of greenhouse gas mitigation measures is economically feasible.3 Because CEQA requires the adoption of all feasible mitigation measures to reduce significant impacts like climate change the Project must adopt all feasible mitigation measures to reduce GHGs or provide substantial evidence as to why the mitigation measures are infeasible. Pub. Res. Code § 21081(a)(3). FNSJ-15 (cont'd)

i. Land Use Measures Reducing Traffic Flow

The development plan for the proposed project should incorporate public transit into the project design and should attempt to facilitate the use of public transit. (California Office of the Attorney General 2008). Significant effort needs to be shown as to how carpooling will be instituted and alternative fueled cars will be encouraged with special onsite parking location/electrical plug-ins. Will there be on-site eating facilities with food in order to limit driving off site? FNSJ-16

ii. Land Use and Energy

The EIR should consider mitigation measures that will ensure the Project will use energy efficiently and conservatively. In doing so, it should analyze incorporating "green building" in the development. Green buildings are those buildings that lower energy consumption, use renewable energy, conserve water, harness natural light and ventilation, use environmentally friendly materials and minimize waste (Commission for Environmental Cooperation 2008).

Buildings create environmental impacts throughout their lifecycle, from the construction phase to their actual use to their eventual destruction (Commission for Environmental Cooperation 2008). In the United States, buildings account for 40 percent of total energy use, 68 percent of total electricity consumption, and 60 percent of total non-industrial waste (Commission for Environmental Cooperation 2008). Buildings also significantly contribute to the release of greenhouse gases. In the U.S. they account for 38 percent of total carbon dioxide emissions (Commission for Environmental Cooperation 2008). More specifically, residential buildings cause up to 1,210 megatons of carbon dioxide, while commercial building create approximately 1,020 megatons (Commission for Environmental Cooperation 2008). This is because buildings require a lot of energy for their day to day operations. Most of the coal-fired power plants – one of the biggest sources of greenhouse gas emissions – slated for development in the United States will supply buildings with the energy they need. In fact, 76 percent of the energy these plants produce will go to operating buildings in the U.S. (Commission for Environmental Cooperation 2008). FNSJ-17

3 Energy Efficiency and Conservation Block Grants are offered by the U.S. Department of Energy to municipalities in order to meet the following purposes: reduce fossil fuel emissions in a manner that is environmentally sustainable and, to the maximum extent practicable, maximizes benefits for local and regional communities; reduce the total energy use of the eligible entities; and improve energy efficiency in the building sector, the transportation sector, and other appropriate sectors. (US DOE 2009). See http://www.eecbg.energy.gov/

Using green building techniques, however, can substantially reduce buildings' influence in increasing greenhouse gas emissions. Green buildings help reduce the amount of energy used to light, heat, cool and operate buildings and substitute carbon-based energy sources with alternatives that do not result in greenhouse gas emissions (Commission for Environmental Cooperation 2008). Currently green buildings can reduce energy by 30 percent or more and carbon emissions by 35 percent. (Commission for Environmental Cooperation 2008). The technologies available for green building are already in wide-use and include "passive solar design, high-efficiency lighting and appliances, highly efficient ventilation and cooling systems, solar water heaters, insulation materials and techniques, high-reflectivity building materials and multiple glazing (IPCC 2007c). Additionally, the U.S. Green Building Council (USGBC), a private, nonprofit corporation, has established a nationwide green building rating system, called Leadership in Energy and Environmental Design ("LEED"). The LEED standard supports and certifies successful green building design, construction and operations. It is one of the most widely used and recognized systems, and to obtain LEED certification from the USGBC, project architects must verify in writing that design elements meet established LEED goals. We expect the project's minimum LEED certification to be Silver. And the EIR needs to explain why this would not be your goal. FNSJ-17 (cont'd)

Specific mitigation for the greenhouse gas emissions generated by the Project's energy consumption include, but are not limited to: FNSJ-18

- Analyzing and incorporating the U.S. Green Building Council's LEED (Leadership in Energy and Environmental Design) or comparable standards for energy- and resource-efficient building during pre-design, design, construction, operations and management.
- Designing buildings for passive heating and cooling, and natural light, including building orientation, proper orientation and placement of windows, overhangs, skylights, etc.;
- Designing buildings for maximum energy efficiency including the maximum possible insulation, use of compact florescent or other low-energy lighting, use of energy efficient appliances, etc.
- Reducing the use of pavement and impermeable surfaces;
- Requiring water re-use systems;
- Installing light emitting diodes (LEDs) for traffic, street and other outdoor lighting
- Limiting the hours of operation of outdoor lighting
- Maximizing water conservation measures in buildings and landscaping, using drought-tolerant plants in lieu of turf, planting shade trees;
- Ensure that the Project is fully served by full recycling and composting services;
- Ensure that the Project's wastewater and solid waste will be treated in facilities where greenhouse gas emissions are minimized and captured.
- Installing the maximum possible photovoltaic array on the building roofs and/or on the project site to generate all of the electricity required by the Project, and utilizing wind energy to the extent necessary and feasible;
- Installing solar water heating systems to generate all of the Project's hot water requirements;
- Installing solar or wind powered electric vehicle and plug-in hybrid vehicle charging

stations to reduce emissions from vehicle trips. FNSJ-18 (cont'd)

iii. Mitigation Related to Project Construction

- Utilize recycled, low-carbon, and otherwise climate-friendly building materials such as salvaged and recycled-content materials for building, hard surfaces, and non-plant landscaping materials;
- Minimize, reuse, and recycle construction-related waste;
- Minimize grading, earth-moving, and other energy-intensive construction practices;
- Landscape to preserve natural vegetation and maintain watershed integrity;
- Utilize alternative fuels in construction equipment and require construction equipment to utilize the best available technology to reduce emissions.

FNSJ-19

iv. Transportation Mitigation Measures

- Encourage and promote ride sharing programs through such methods as a specific percentage of parking spaces for ride sharing vehicles;
- Create a car sharing program within the planned community;
- Create a light vehicle network, such as a neighborhood electric vehicle (NEV) system;
- Provide necessary facilities and infrastructure to encourage residents to use low or zero-emission vehicles, for example, by developing electric vehicle charging facilities and conveniently located alternative fueling stations;
- Provide a shuttle service to public transit within and beyond the planned community;
- Incorporate bicycle lanes and routes into the planned community's street systems.

FNSJ-20

v. Carbon Offsets

After all measures have been implemented to reduce emissions in the first instance, remaining emissions that cannot be eliminated may be mitigated through offsets. Preference should be given to offset mitigation measures in that are in close proximity to the project. (SCAQMD 2008). In other words project applicants should prioritize first on mitigation onsite, then on mitigation in the neighborhood or air district, next in state, then finally out of state. (SQAQMD 2008). Care should be taken to ensure that offsets purchased are real (additional), permanent, and verified, and all aspects of the offsets should be discussed in the EIR. As demonstrated by the Office of the Attorney General and SCAQMD offsets are a feasible CEQA mitigation measures[4] once all feasible mitigation measures have been adopted to reduce the Project's carbon footprint and produce energy using renewable sources. (SCAQMD 2008).

FNSJ-21

4 The California Attorney General's Office has adopted CEQA settlements calling for the auditing, reduction, and offsetting of greenhouse gas emissions related with a Project demonstrating that offsets are a feasible way to reduce a Project's negative environmental effects on global warming. See http://ag.ca.gov/newsalerts/release.php?id=1466&category=global%20warming See generally http://ag.ca.gov/globalwarming/ceqa.php

II. THE EIR MUST CONSIDER A REASONABLE RANGE OF ALTERNATIVES

The EIR failed to consider a meaningful analysis of reasonable alternatives to the Project in order to lessen or avoid the Project's significant impacts. CEQA mandates that significant environmental damage be avoided or substantially lessened where feasible. Pub. Res. Code § 21002; Guidelines §§ 15002(a)(3), 15021(a)(2), 15126(d). A rigorous analysis of reasonable alternatives to the project must be provided to comply with this strict mandate. "Without meaningful analysis of alternatives in the EIR, neither courts nor the public can fulfill their proper roles in the CEQA process." *Laurel Heights Improvement Ass'n v. Regents of University of California*, 47 Cal.3d 376, 404 (1988). Moreover, "[a] potential alternative should not be excluded from consideration merely because it 'would impede to some degree the attainment of the project objectives, or would be more costly" even when that alternative includes Project development on an alternative site. *Save Round Valley Alliance v. County of Inyo*, 157 Cal. App. 4th 1437, 1456-57 (2007) (quotations omitted).

In analyzing the no-project alternative, the EIR must discuss the need for this project and whether the uses that would potentially utilize the Project can be accommodated in existing areas. As CAPCOA states in its white paper, one way local governments can avoid significant increases in greenhouse gas emissions and help solve the problem of global warming is to "facilitate more efficient and economic use of the lands" already developed within the community (CAPCOA 2008). Reinvesting in existing communities is "appreciably" more efficient than new development and may even result in a net reduction of greenhouse gases (CAPCOA 2008). The EIR should consider an alternative that relies more on higher-density mixed commercial/residential development projects on existing disturbed lands in order to support the reduction of vehicle trips, promote alternatives to individual vehicle travel, and encourage efficient delivery of services and goods (Office of the California Attorney General 2008). The Westridge Commerce Center does not have a tenant and the Project proponent does not plan to build the Project until they do. They already have at least one warehouse that sits empty. FNSJ-22

An analysis of alternatives should also quantify the estimated greenhouse gas emissions, quantified impacts to biological resources, water resources including water quality and water availability, and traffic resulting from each proposed alternative.

Biological Resources: To a great extent the Draft EIR avoids an actual on the ground biological resource impact assessment. Instead the Draft EIR makes the claim that the cumulative wildlife resource impacts of this project will be mitigated by the payment of the Stephens' Kangaroo Rat Habitat Conservation Plan (SKRHCP) mitigation fee and the Multi-Species Habitat Conservation Plan (MSHCP) mitigation fee. It is important to recognize neither the SKRHCP nor the MSHCP exempts this project from full compliance with the requirements of CEQA. The Draft EIR does not indicate the amount of the SKRHCP mitigation fee or the amount of the MSHCP mitigation fee the project proponent will pay in order to reduce the cumulative wildlife resource impacts of this project to a less than significant level. Nor does the document indicate the mitigation fee amounts the City has collected thus far for SKRHCP and MSHCP wildlife mitigation and to FNSJ-23

what extent those fees have been used to mitigate cumulative wildlife resource impacts from previously approved projects within the jurisdiction. A lead agency, in this case the City of Moreno Valley, must provide supporting facts and provide analysis to support its conclusion that the payment of SKRHCP and MSHCP mitigation fees will render the project cumulative wildlife resource impacts to less than significant. Absent this analysis, the cumulative wildlife resource impacts this project will incur must be viewed as cumulatively considerable. FNSJ-23 (cont'd)

Thank you for the opportunity to comment on the Draft EIR for this project. The Friends would like to be informed of all documents, meetings and public hearings related to this project. Please provide us with a copy of the final EIR and other pertinent documents related to this project. Please contact us at our mailing address which is listed on the first page of this letter. FNSJ-24

Sincerely

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EXHIBITS
(Incorporated by Reference)

American Lung Association 2005, webpage printout of Riverside County, California, State of the Air 2005.

American Lung Association 2008, State of the Air 2008.

American Lung Association 2008, Highlights of Recent Research on Particulate Air Pollution: Effects of Long-Term Exposure, October 2008.

Barnett et al., "Human-Induced Changes in the Hydrology of the Western United States," Science, Jan. 31, 2008.

California Office of Planning and Research 2008, Technical Advisory, CEQA and Climate Change: Addressing Climate Change through California Environmental Quality Act Review, June 17, 2008.

California Office of the Attorney General 2008, The California Environmental Quality Act: Addressing Global Warming at the Local Agency Level, Mitigation Measures. Available at http://ag.ca.gov/globalwarming/pdf/GW_mitigation_measures.pdf

California Office of the Attorney General 2009, Climate Change, The California Environmental Quality Act, and General Plan Updates: Straightforward Answers to Some Frequently Asked Questions (updated March 6, 2009). http://ag.ca.gov/globalwarming/pdf/CEQA_GP_FAQs.pdf FNSJ-25

CAPCOA. 2008. CEQA & Climate Change, Evaluating and Addressing Greenhouse Gas Emissions from Projects Subject to the California Environmental Quality Act.

CARB 2005, California Air Resources Board, AIR QUALITY AND LAND USE HANDBOOK: A COMMUNITY HEALTH PERSPECTIVE

CARB 2008, California Air Resources Board, Climate Change Proposed Scoping Plan, October 2008.

Cayan, et al. 2007. Our Changing Climate: Assessing the Risks to California. California Climate Change Center. Available at: http://www.climatechange.ca.gov/biennial_reports/2006report/index.html.

Center for Natural Lands Management (CNLM), webpage of March SKR Preserve

Center for Natural Lands Management (CNLM), March SKR Preserve Brochure

Center for Natural Lands Management (CNLM), March SKR Preserve, Sensitive Bird Locations Spring 2008, Map produced Dec. 12, 2008.

Commission for Environmental Cooperation, Greenbuilding in North America (2008). Available at http://www.cec.org/pubs_docs/documents/index.cfm?varlan=ENGLISH&ID=2242

COSEWIC 2006, COMMITTEE ON THE STATUS OF ENDANGERED WILDLIFE IN CANADA, Assessment and Update Status Report on the Ord's kangaroo rat (Dipodomys ordii) in Canada

EWG 2002, Environmental Working Group, Particle Civics, How Cleaner Air in California Will Save Lives & Money.

Erman et al. 1996, MANAGEMENT AND LAND USE BUFFERS, Appendix 3 to the Section 5 Riparian Areas and Wetlands from the Sierra Nevada Ecosystem Project.

Gleick, Peter H. et al., 2000. Water: "The Potential Consequences of Climate Variability and Change for the Water Resources of the United States." The report of the Water Sector Assessment Team of the National Assessment of the Potential Consequences of Climate Variability and Change," U.S. Global Change Research Program, Pacific Institute for Studies in Development, Environment, and Security.

IPCC 2007a, Summary for Policymakers, in Climate Change 2007: The Physical Science Basis, Contribution of Working Group I to the Fourth Assessment Report of the Intergovernmental Panel on Climate Change (2007).

IPCC. 2007b. Technical Summary in CLIMATE CHANGE 2007: IMPACTS, ADAPTATION AND VULNERABILITY, CONTRIBUTIONS OF WORKING GROUP II TO THE FOURTH ASSESSMENT REPORT OF THE INTERGOVERNMENTAL PANEL ON CLIMATE CHANGE at 62 (M. Parry et al., eds. Cambridge Univ. Press 2007).

IPCC, G. Meehl et al. 2007c, *Global Climate Projections in* CLIMATE CHANGE 2007: THE PHYSICAL SCIENCE BASIS, CONTRIBUTION OF WORKING GROUP I TO THE FOURTH ASSESSMENT REPORT OF THE INTERGOVERNMENTAL PANEL ON CLIMATE CHANGE (Susan Soloman et al., eds., Cambridge Univ. Press 2007).

McClenaghan, Jr., L.R. and H.D. Truesdale 2002. Genetic Structure of Endangered Stephens' Kangaroo Rat Populations in Southern California. The Southwestern Naturalist, 47(4):539-549

NRDC 2007, "In Hot Water: Water Management Strategies to Weather the Effects of Global Warming" Nelson et. al. available at http://www.nrdc.org/globalWarming/hotwater/contents.asp

NRDC 2008, "Hotter and Drier: The West's Changed Water Supply." S. Saunders et al.

MSHCP, Riverside County Integrated Project, Western Riverside County MSHCP, Species Accounts, Mammals.

FNSJ-25 (cont'd)

SCAQMD 2008, South Coast Air Quality Management District, Draft Guidance Document – Interim CEQA Greenhouse Gas (GHG) Significance Threshold, October 2008.

SKR HCP EIS/EIR, Riverside County Habitat Conservation Agency, Final Environmental Impact Statement Report for the Long Term Stephens' Kangaroo Rat Habitat Conservation Plan.

SKR HCP, Riverside County Habitat Conservation Agency, Habitat Conservation Plan for the Stephens' Kangaroo Rat, 1996.

SKR HCP Figure 26, Riverside County Habitat Conservation Agency, Habitat Conservation Plan for the Stephens' Kangaroo Rat, 1996

USFWS BO, United States Fish and Wildlife Service, Intra-Service Formal Section 7 Consultation for Issuance of an Endangered Species Act Section 10(a)(1)(B) Permit (TE-088609-0) for the Western Riverside County Multiple Species Habitat Conservation Plan, Riverside County, California, June 22, 2004.

USFWS MSHCP IA, IMPLEMENTING AGREEMENT for the WESTERN RIVERSIDE COUNTY MULTIPLE SPECIES HABITAT CONSERVATION PLAN/NATURAL COMMUNITY CONSERVATION PLAN

FNSJ-25 (cont'd)

FRIENDS OF NORTHERN SAN JACINTO VALLEY

Letter Dated December 6, 2010

Response FNSJ-1

The commentor's opinions in regard to the "quality of the environmental document" will be forwarded to decision-makers for their consideration. The Draft EIR has been prepared to identify the environmental impacts that could result from Project implementation and, where feasible, provides mitigation measures to substantially lessen or avoid the significant effects on the environment. The City of Moreno Valley, the Lead Agency for this Project, is required to consider the Project in its entirety before determining whether to approve the adoption of overriding considerations. As noted in *CEQA Guidelines* § 15093:

(a) CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposal project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered "acceptable."

(b) When the lead agency approves a project which will result in the occurrence of significant effects which are identified in the final EIR but are not avoided or substantially lessened, the agency shall state in writing the specific reasons to support its action based on the final EIR and/or other information in the record. The statement of overriding considerations shall be supported by substantial evidence in the record.

(c) If an agency makes a statement of overriding considerations, the statement should be included in the record of the project approval and should be mentioned in the notice of determination. This statement does not substitute for, and shall be in addition to, findings required pursuant to Section 15091.

The commentor concludes by correctly noting the Draft EIR's finding that the Westridge Commerce Center Project will result in certain significant and unavoidable impacts in regard to scenic vistas and air quality, but erroneously includes agriculture and global climate change in its summary of Project-related impacts. Specific topical concerns are addressed in the following Responses FNSJ-2 through FNSJ-5.

Response FNSJ-2

As discussed in the Draft EIR (Page 4.9-11), "[n]otwithstanding the proposed depressed building pad area, as illustrated in Figures 4.9-4 through 4.9-8, the Project will nonetheless interrupt the expansive views of open space and mountains from SR-60, Redlands Boulevard, Fir (future Eucalyptus) Avenue, and other areas surrounding the Project site. The building will be visible from higher elevations to the north, east, and south, and the rooftop of the building may be visible at a distance from higher elevations." This "interruption" of scenic views has been identified in the Draft EIR (Page 4.9-19 *et al.*) as an individually and cumulatively significant Project impact.

As further noted on Draft EIR Page 4.9-11, "[t]he Project's intent is to create a regional-serving warehouse/logistics facility. In order to minimize the viewshed impacts of the Project, the building height or overall scale would need to be substantially reduced. Reducing the height of the building is considered infeasible, since the facility's height is largely dictated by the logistics use, and the need to provide standard "dock-high" bays for the loading and unloading of trucks." A tenable high-cube warehouse design with a 25-foot building height (estimated internal clear height of 15-20 feet) such as offered by the commentor, does not exist, and is contrary to the very term "high cube." The high-cube warehouse building height concept defines the viability of its internal operations,

which are realized through closely-consolidated and easily-accessible warehoused goods, and use of efficient, high-lift material handling equipment. In another context, in order to accommodate the same volume of warehoused goods and logistics traffic, the floor area of a 45-foot high warehouse would have to be increased by a minimum of 80 percent if reconfigured as a 25-foot high structure. In the case of the Westridge Project, the currently proposed approximately 940,000-square-foot building would have to be at least 1.7 million square feet in size in order to accommodate comparable volume of warehoused goods. This increase in area does not even account for necessary additional internal aisle ways, utilities, service areas, vestibules, etc. Moreover, if constructed as a substantively larger but lower building footprint there would be the additional construction costs, expanded areas of disturbance, increased infrastructure costs, and decreased operational/energy efficiencies associated with such a large building footprint. The suggested 25-foot high building offered by the commentor is untenable and infeasible.

Despite the commentor's assertions to the contrary, the Draft EIR does address, at length, the alternatives that were considered and rejected as part of the review of Project alternatives, including alternative sites. The text on Draft EIR Pages 5-37 through 5-44 provides the basis upon which each of the considered alternative sites was rejected from further consideration. The results and conclusions of the Draft EIR are not affected.

Response FNSJ-3

As discussed in the Draft EIR (Pages 1-7 to 1-8), potential impacts regarding the conversion of farmland to non-agricultural uses were considered as part of the Draft EIR and found not to be potentially significant. Despite the commentor's assertions that the Draft EIR "dismisses mitigation measures included in the City's General Plan," the potential loss of agricultural land due to General Plan implementation was acknowledged in the General Plan Final Program EIR (GPEIR) as significant and unavoidable. The GPEIR (Page 5.8-10) states that, "[s]ince the feasible mitigation measures that are available to reduce the impact to loss of farmland within the planning

area are not consistent with the project objectives and land uses of the General Plan alternatives, no mitigation measure is proposed and the impact will be significant and unavoidable." Certification of the GPEIR required the City to adopt overriding considerations in regard to all impacts determined significant and unavoidable, including the potential for loss of agricultural lands. On this basis, the Project's Initial Study correctly concluded that the Project would not have the potential to result in significant impacts beyond those already addressed in the City's GPEIR. Because the Project's potential impacts are less-than-significant in this regard, no mitigation is required. The commentor's opinions to the contrary will be forwarded to decision-makers for their review. The results and conclusions of the Draft EIR are not affected.

Response FNSJ-4

The Draft EIR acknowledges the Project's potential impacts in regard to long-term operational exceedance of SCAQMD standards for the emission of the criteria pollutants VOC (volatile organic compounds) and NOx (oxides of nitrogen). Despite the commentor's assertions to the contrary, the Draft EIR addresses the Project's potential to result in health risks relative to diesel emission exposure on Pages 4.3-79 through 4.3-86. As discussed at Draft EIR Page 4.3-84, with implementation of Mitigation Measure 4.3-10, which would be implemented to control on-site idling, the Project's potential to expose sensitive receptors to substantial diesel emission-related pollutant concentrations were identified as less-than-significant. It may be noted that Mitigation Measure 4.3.5, as discussed in the Draft EIR (Page 4.3-62 *et al.*), specifically requires Project contractor(s) to ensure that all off-road heavy-duty construction equipment utilized during construction activity shall be CARB Tier 2 Certified or better. Additional mitigation is proposed within this Final EIR addressing operational and construction-source emissions (please refer to revised mitigation presented within the EIR Mitigation Monitoring Program, Final EIR Section 4.0. The commentor erroneously contends that "Since Highland Fairview Corporate Center Skechers project has been able to have 80 % of all off-road heavy-duty construction equipment utilized during construction activity certified as CARB Tier III or better, your project and analysis must do at least as well."

There is no requirement that the Project implement a given mitigation measure simply because it was applied elsewhere. Such an approach discounts appropriate nexus between impacts and mitigation.

Response FNSJ-5

The commentor misrepresents and misstates the findings of the Draft EIR with regard to the potential significance of the Project's GHG emissions impacts and the Project's potential GCC impacts.

In the Draft EIR's analysis of cumulative impacts (Page 5-13 to 5-14), it is specifically noted that "[i]n regard to the emission of greenhouse gases, the Project's Climate Change Analysis indicated that with the implementation of all Project design features and mitigation measures, greenhouse gas emissions would be reduced, and that the Project is consistent with state strategies to reduce greenhouse gases, including the California Air Resources Board (CARB) Scoping Plan's recommended measures, and the greenhouse gas emission reduction strategies set forth in the 2006 Climate Action Team (CAT) report.

Therefore, the Project would not hinder or delay implementation of AB 32. On this basis, the Project's individual and cumulative impact on climate change is less-than-significant. With specific regard to a cumulative-level analysis of GCC impacts, it is acknowledged that climate change is a global issue and the contribution of each greenhouse gas generated by the Project may have a cumulative effect. As noted in these responses, *CEQA Guidelines* Section 15064(h) (4) importantly provides that . . . "[t]he mere existence of significant cumulative impacts caused by other projects alone shall not constitute substantial evidence that the proposed project's incremental effects are cumulatively considerable." Moreover, the EIR qualitative assessment of the Project's impacts based upon consistency with the CARB Scoping Plan and the 2006 CAT Report supports the conclusion that the Project's greenhouse gas emissions are not cumulatively considerable.

The commentor cites various GHG/GCC mitigation schemes, none of which are required in this case since the Project's GHG/GCC individual and cumulative impacts are less-than-significant. Mitigation measures are not required for effects which are not found to be significant. CEQA Guidelines § 15126.4, subd. (a) (3).

Response FNSJ-6

The Lead Agency disagrees with the commentor's assertions regarding the adequacy of the Draft EIR's air quality analysis. Detailed analysis of the Project's potential air quality impacts are presented at EIR Section 4.3, "Air Quality." Supporting technical studies [*Westridge Commerce Center Air Quality Impact Analysis, City of Moreno Valley, California* (Urban Crossroads, Inc.), February 3, 2010; *Westridge Commerce Center Health Risk Assessment, City of Moreno Valley, California* (Urban Crossroads, Inc.), February 3, 2010; and *Westridge Commerce Center Climate Change Analysis, City of Moreno Valley*, California (Urban Crossroads, Inc.), February 3, 2010] specifically. The cited analyses address the direct, indirect ,and cumulative impacts of the Project..

As detailed in the following responses FNSJ-7 through FNSJ-21, appropriate and enforceable mitigation of the Project's potentially significant individual and cumulative air quality impacts, including potential impacts related to global climate change, have been proposed within the Draft EIR. Appropriate mitigation measures have been carried forward into the Mitigation Monitoring Program included at Section 4.0 within this Final EIR. For each proposed mitigation measure, the MMP identifies: mitigation timing, the responsible mitigation implementation entity, the responsible mitigation monitoring/reporting entity, and mitigation monitoring/reporting frequency. In combination, these provision act to ensure mitigation enforceability.

Response FNSJ-7

The Draft EIR describes, at considerable length (Pages 4.3-4 through 4.3-10), the criteria air pollutants referenced by the commentor, including the possible health effects that have led to the monitoring and control of these pollutants as part of the environmental

review process. With specific regard to commentor-expressed ozone concerns, the Lead Agency has adopted SCAQMD regional thresholds for the ozone precursors NOx and VOC. These thresholds are based on the highest level of permitted emissions, and exceedance of these thresholds indicates that mitigation measures should be applied, not that specific health or other environmental damage would occur. The Project applies all feasible mitigation measures to reduce potentially significant Project-related ozone precursor emissions (NOx and VOCs). Significant NOx and VOC impacts resulting from the Project (regional threshold exceedances) are summarized at DEIR Page 1-17, 1-18. The Project will not exceed applicable localized significance thresholds for NO_2 (DEIR at Page 4.3-61 et al.). The AQMD has not established localized significance thresholds for VOC emissions.

Project NOx and VOC emissions are predominantly generated by mobile sources beyond control of the Lead Agency and/or the Applicant [approximately 99.9 percent of Project NOx emissions (by weight) are from vehicles; approximately 92.5 percent of Project VOC emissions (by weight) are from vehicles). Even after compliance with SCAQMD rules and regulations, and the application of EIR mitigation measures, operational pollutant emissions would exceed applicable SCAQMD regional emission thresholds for VOC and NOx. These impacts are therefore considered to be individually significant. It is noted however, that the Project land use and proposed development are consistent with development and associated air pollutant emissions impacts reflected in and anticipated by the applicable Air Quality Management Plan (AQMP).].

The SCAQMD has established that impacts to air quality are significant if there is a potential to contribute or cause localized exceedances of the federal and/or state ambient air quality standards. Collectively, these are referred to as localized significance thresholds (LSTs). The additional potential secondary effects of ozone to plants and habitat cited by the commentor are noted. There is no demonstrable evidence or support indicating that the Project would cause or substantively contribute to adverse effects to plants or habitat, and to conclude otherwise is speculative.

Lastly, it is noted that the Project is consistent with the applicable Air Quality Management Plan (see EIR at Pages 4.3-49 through 4.3-53) indicating that it would not interfere with projected downward-trending ozone levels within the SCAQMD.[5]

The commentor also provides information regarding $PM_{10}/PM_{2.5}$ characteristics. Applicable $PM_{10}/PM_{2.5}$ thresholds are established by the SCAQMD. Potential effects of Project-related temporary localized construction-source $PM_{10}/PM_{2.5}$ emissions impacts are discussed and disclosed in the EIR:

> For modeling purposes, receptors were conservatively placed at a distance of 25 meters (approximately 82 feet) from the site, which is the most conservative distance recommended for use by the SCAQMD. As previously discussed, even with application of all feasible mitigation measures, localized PM_{10} and $PM_{2.5}$ construction-source emissions will exceed applicable LSTs. More specifically, during construction activity (after mitigation), PM_{10} emissions concentrations will exceed applicable LSTs at receptors located 71 meters (approximately 233 feet) or nearer, and $PM_{2.5}$ emissions concentrations will exceed applicable LSTs at receptors located 35 meters (approximately 115 feet) or nearer.
>
> These LST exceedances represent a potentially significant impact to sensitive receptors in the Project vicinity for short-term construction activity. It is noted, however, that these exceedances would affect only one existing residence, located to the south of the Project site at 28855 Fir (future Eucalyptus) Avenue. Although parcels designated for residential land uses are present within the area of LST exceedance, they are largely

[5]*Summary Of The Ozone Air Quality Forum and Technical Roundtable*(Frederick W. Lurmann Sonoma Technology, Inc. for the South Coast Air Quality Management District) January 2007, Pages 2-5, 2-6.

> undeveloped. All other study area receptor locations (existing residences south of Eucalyptus (future Encilia) Avenue and north of SR-60, and area school sites) are well beyond the area of the Project's temporary LST exceedances for particulate matter.
>
> It is noted that these exceedances would occur temporarily and intermittently during site preparation and grading processes, and would not substantively affect any receptors at greater distances from the emissions source. Moreover, in that construction emissions are short-term and intermittent, they will not result in any chronic or long-term impacts (Draft EIR, Page 4.3-75).

The Project will not result in or cause long-term exceedance of applicable SCAQMD localized and/or regional thresholds PM_{10}/$PM_{2.5}$ emissions.

The commentor's opinions and statements will be forwarded to decision-makers for their review. Results and conclusions of the Draft EIR are not affected.

Response FNSJ-8

The commentor expresses concern about emissions from diesel trucks associated with the Project. A Health Risk Assessment (HRA) of Diesel Particulate Emissions was prepared to address Diesel Particulate Matter (DPM) generated by diesel trucks and the operation of heavy duty equipment. The HRA was prepared in accordance with the document *Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis* (SCAQMD 2003). The HRA is summarized within the Draft EIR (see Page 4.3-80) and presented in its entirety at Appendix C to the Draft EIR.

Contrary to the commentor's assertions otherwise, diesel and DPM emissions impacts are specifically evaluated and addressed in the DEIR (See DEIR at Pages 4.3-79 through 4.3-86, and the Project Health Risk Assessment (HRA) included at DEIR Appendix C.

Total anticipated trip generation of the Project, including a quantification of the types of vehicles expected to access the site, is identified at Draft EIR Table 4.2-6 (Page 4.2-19). This Table has been reproduced below for ease of reference.

Table 4.2-6

Westridge Commerce Center Trip Generation

Project Description	AM Peak Hour			PM Peak Hour			Daily
	Enter	Exit	Total	Enter	Exit	Total	PCE
High Cube Warehouse (937.260 thousand square feet)							
Passenger Cars	26	22	47	22	34	56	729
Truck Trips (PCE):							
2-axle	5	4	9	4	7	11	145
3-axle	16	13	29	13	21	34	440
4+axle	57	48	105	48	76	124	1,616
Net Truck Trips (PCE)	78	65	143	65	104	169	2,201
Total Trips (PCE)	**104**	**87**	**191**	**87**	**139**	**225**	**2,930**[1]

Source: *Westridge Commerce Center Traffic Impact Analysis* (Urban Crossroads) May 20, 2010 (Revised).

[1] 2,930 PCE trips = 1,585 net vehicle trips (the raw arithmetic number of truck and passenger vehicle trips) generated by the Project. It should be noted that because different classes of vehicles (e.g., passenger cars, light trucks, heavy duty trucks) exhibit differing emissions characteristics that for the purposes of quantifying and evaluating air quality impacts, vehicle trips are quantified and segregated by vehicle type. In comparison, the Project's traffic study evaluates the effects of traffic at intersections and roadways, and therefore presents the total vehicle trips in terms of Passenger Car Equivalents (PCEs), thereby recognizing and acknowledging physical size differences in vehicles and related effects on roadways and at intersections.

As indicated in this summary of the Project's trip generation, approximately 75 percent of the Project's daily trips, on average, will be attributable to trucks. As noted at Draft EIR Page 4.3-79, the Project Air Quality analysis assumed, in order to ensure a conservative analysis, that all trucks associated with the Project will be diesel-powered.

In that vehicle class and type directly affect DPM emissions, the Project HRA (please refer to DEIR Appendix C, Table 1, Project Truck Trips) also explicitly defines anticipated daily truck trips (by type) entering/exiting the Project site, as follows:

- 97 two-axle trucks;
- 220 three-axle trucks; and
- 539 four-axle trucks.

Regionally, the SCAQMD has conducted a cumulative analysis of the toxic air contaminants (including DPM emissions) and their resulting health risks for all of Southern California. This study, Multiple Air Toxics Exposure Study in the South Coast Air Basin, or MATES III, indicates the average excess cancer risk level from exposure to TACs is approximately 1,200 in one million basin-wide. These estimates were based on monitoring data collected at ten fixed sites within the South Coast Air Basin.

None of the fixed monitoring sites are within the immediate Project area. However, MATES III has extrapolated cancer risk levels throughout the Basin by using grid-specific modeling. In this regard, MATES III grid modeling predicted a cancer risk of 524 in one million for the Project area. DPM is included in this cancer risk along with all other TAC sources, and accounts for the predominance (83.6 percent) of the total risk shown in MATES III. The Project will not contribute cumulatively to TACs other than DPM, however, the Project DPM emissions levels are not significant. That is, as discussed in Section 4.3 of the Draft EIR, the SCREEN3 screening analysis prepared for the Project indicates that the maximally impacted modeled receptor would be exposed to a mitigated inhalation cancer risk of no more than 8.6 in 1 million, which is less than the SCAQMD exposure threshold of 10 in 1 million.

Though the Project DPM emissions would add to existing levels of DPM within the basin, the Project's contribution and associated MICR as mitigated is not individually significant and is not cumulatively considerable. [6]

Contrary to commentor assertions otherwise, baseline (setting) information is provided throughout the EIR. For example, general air quality setting information is presented at EIR Pages 4.3-10 through 4.3-16. Additional applicable specific baseline/setting information is also presented where it is beneficial to related discussions, e.g., the GCC Regulatory Setting is introduced at EIR Page 4.3-24 within the context of GCC/GHG considerations.

The commentor requests analysis of mobile-source DPM emissions for transient vehicles traveling along area roadways. With regard to air quality impacts generated by Project traffic along area roads, regionally significant NOx emissions impacts would result as disclosed in the EIR and discussed here. However, no locally significant operational air quality impacts would result from the Project. In this latter regard, the

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6 [T]he AQMD uses the same significance thresholds for project specific and cumulative impacts for all environmental topics analyzed in an Environmental Assessment or EIR. The only case where the significance thresholds for project specific and cumulative impacts differ is the Hazard Index (HI) significance threshold for toxic air contaminant (TAC) emissions. The project specific (project increment) significance threshold is HI > 1.0 while the cumulative (facility-wide) is HI > 3.0. It should be noted that the HI is only one of three TAC emission significance thresholds considered (when applicable) in a CEQA analysis. The other two are the maximum individual cancer risk (MICR) and the cancer burden, both of which use the same significance thresholds (MICR of 10 in 1 million and cancer burden of 0.5) for project specific and cumulative impacts. Projects that exceed the project-specific significance thresholds are considered by the SCAQMD to be cumulatively considerable. This is the reason project-specific and cumulative significance thresholds are the same. Conversely, projects that do not exceed the project-specific thresholds are generally not considered to be cumulatively significant (South Coast Air Quality Management District White Paper on Potential Control Strategies to Address Cumulative Impacts from Air Pollution, Appendix D, Page D-3).

Project Operational Localized Significance Threshold (LST) analysis considers potential worst case exposure by evaluating criteria pollutant concentrations at the Project site, which include pollutant emissions generated by all vehicles within the site in combination with emissions generated by stationary sources. As discussed in the Draft EIR, these emissions concentrations would not exceed applicable LST thresholds.

Draft EIR Table 4.3-12 (Page 4.3-69) presents the results of the Project operational LST analysis, indicating unmitigated conditions. As shown, results of the analysis indicate that long-term operational emissions will not exceed localized emissions thresholds established by the SCAQMD. Other operational mitigation measures presented in the EIR would act to further reduce already less-than-significant potential operational LST impacts.

Similarly, consistent with SCAQMD protocols and methodologies, the Project Health Risk Assessment considers maximum probable exposure to DPM concentrations, resulting from the entering, exiting and idling diesel vehicles within the Project site. Moreover, the analysis reflects long-term constant exposure (70 year, 24 hours per day) for residential receptors. With application of mitigation, even under this potential maximum exposure scenario, exposure to DPM concentrations would not exceed applicable SCAQMD thresholds (please refer to Draft EIR Table 4.3-17, Page 4.3-86).

As discussed in Section 4.3 of the Draft EIR, the SCREEN3 screening analysis prepared for the Project indicates that the maximally impacted modeled receptor would be exposed to a mitigated inhalation cancer risk of no more than 8.6 in 1 million, which is less than the SCAQMD exposure threshold of 10 in 1 million.

Regionally, the SCAQMD has conducted a cumulative analysis of the toxic air contaminants (including DPM emissions) and their resulting health risks for all of Southern California. This study, Multiple Air Toxics Exposure Study in the South Coast Air Basin, or MATES III, indicates the average excess cancer risk level from exposure to

TACs is approximately 1,200 in one million basin-wide. These estimates were based on monitoring data collected at ten fixed sites within the South Coast Air Basin.

None of the fixed monitoring sites are within the immediate Project area. However, MATES III has extrapolated cancer risk levels throughout the Basin by using grid-specific modeling. In this regard, MATES III grid modeling predicted a cancer risk of 524 in one million for the Project area. DPM is included in this cancer risk along with all other TAC sources, and accounts for the predominance (83.6 percent) of the total risk shown in MATES III. The Project will not contribute cumulatively to TACs other than DPM, and as noted above, the Project DPM emissions levels are not significant.

Though the Project DPM emissions would add to existing levels of DPM within the basin, the Project's contribution and associated MICR as mitigated is not individually significant and is not cumulatively considerable. [7]

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7 [T]he AQMD uses the same significance thresholds for project specific and cumulative impacts for all environmental topics analyzed in an Environmental Assessment or EIR. The only case where the significance thresholds for project specific and cumulative impacts differ is the Hazard Index (HI) significance threshold for toxic air contaminant (TAC) emissions. The project specific (project increment) significance threshold is HI > 1.0 while the cumulative (facility-wide) is HI > 3.0. It should be noted that the HI is only one of three TAC emission significance thresholds considered (when applicable) in a CEQA analysis. The other two are the maximum individual cancer risk (MICR) and the cancer burden, both of which use the same significance thresholds (MICR of 10 in 1 million and cancer burden of 0.5) for project specific and cumulative impacts. Projects that exceed the project-specific significance thresholds are considered by the SCAQMD to be cumulatively considerable. This is the reason project-specific and cumulative significance thresholds are the same. Conversely, projects that do not exceed the project-specific thresholds are generally not considered to be cumulatively significant (S*outh Coast Air Quality Management District White Paper on Potential Control Strategies to Address Cumulative Impacts from Air Pollution,* Appendix D, Page D-3).

Response FNSJ-9

Despite the commentor's assertion to the contrary, the Project has addressed the Project's potential to expose sensitive receptors to substantial pollutant concentrations. The analysis included in the Draft EIR (Pages 4.3-73 to 4.3-86) addresses (1) the potential effects of construction-source emissions at sensitive receptors; (2) potential carbon monoxide (CO) hotspots; and (3) the health risks of diesel particulate emissions. A Health Risk Assessment was prepared to address Diesel Particulate Matter (DPM) generated by diesel trucks and the operation of heavy duty equipment. The Health Risk Assessment was prepared in accordance with the document Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis (SCAQMD 2003). The Health Risk Assessment is summarized within the Draft EIR (see Page 4.3-80) and presented in its entirety as Appendix C to the Draft EIR.

As discussed above, Project and cumulative diesel emissions impacts are less-than-significant. Project impacts in regard to CO "hotspots" are similarly determined less-than-significant; while temporary construction-source emissions are acknowledged as significant. Please refer also to DEIR Section 4.3, Air Quality and supporting technical air quality studies presented at DEIR Appendix C.

Response FNSJ-10

As discussed in the following responses FNSJ-15, FNSJ-16, and FNSJ-18 through FNSJ-20, additional mitigation has been incorporated through the Final EIR process, to ensure that the Project's air quality and global climate change impacts are lessened to the extent feasible. These revisions are reflected in Final EIR Section 2.0, "Revisions and Errata," as well as in the Mitigation Monitoring Plan presented in Final EIR Section 4.0. Inclusion of these measures does not materially or substantively affect analysis or conclusions of the DEIR. That is, impacts that were previously determined to be less-than-significant remain less-than-significant; and impacts that were previously determined to be significant remain significant.

Response FNSJ-11

The referenced citations are acknowledged and addressed at Response FNSJ-12. Additionally, it is noted that the Project's GHG emissions impacts (as presented at Draft EIR Page 4.3-90) is consistent with Section 15064.4 of the *Guidelines*.

Response FNSJ-12

Other agency approaches to evaluation and mitigation of GHG emissions impacts are noted. It is also noted that CEQA directives allow for each Lead Agency to evaluate and address GHG emissions impacts within the context of Section 15064.4 of the *Guidelines*. The EIR analysis of GHG emissions/GCC impacts (DEIR Pages 4.3-90 through 4.3-11; DEIR Appendix C, Project Climate Change Analysis) is consistent with Section 15064.4 of the *Guidelines*.

Response FNSJ-13

The commentor misinterprets analysis and conclusions provided in the Project GCC Analysis. More specifically, the commentor misstates that the EIR analysis concludes that *greenhouse gas emissions generated by the Project constitute a significant impact.*

Such is not the case, as evidenced in germane excerpted GCC discussions presented below:

> **1.4 Summary of Findings**
>
> Results of the analysis indicate that the Project would generate GHG emissions that *may* [emphasis added] have a significant impact on the environment. However, the Project is consistent with, or otherwise not in conflict with (1) recommended measures and actions in the California Air Resources Board (CARB) December 2008 Scoping Plan (CARB Scoping Plan) setting forth strategies and measures to implement in order to achieve the GHG reductions goals set forth in the Global Warming Solutions Act of 2006 (AB 32); and (2) the GHG emission reduction strategies set forth in the 2006 Climate Action Team

(CAT) Report, prepared in response to Executive Order S-3-05, which established total GHG emission targets for the State.

As such, the Project GHG emissions are not cumulatively considerable. Further, mitigation measures are required for the Project that would further reduce GHG emissions associated with the Project beyond what is calculated herein. This analysis takes no credit for such GHG emissions reductions. Thus, this analysis conservatively estimates the overall Project impacts on climate change from GHG emissions and the actual impacts will be less than what is calculated herein (Westridge Commerce Center Climate Change Analysis, Pages 1-2).

To further clarify, germane suggested CEQA Guidelines topical questions include:

Would the project:
a) Generate greenhouse gas emissions, either directly or indirectly, that *may* [emphasis added] have a significant impact on the environment?

Language in the Project GCC study paraphrases and responds the Guidelines language. As also discussed in the Project GCC Study, it is likely that any GHG emissions reductions achieved locally and within the State will be offset by emissions increases in developing countries such as Brazil, Russia, India and China and that significant effects of climate change, such as global warming and sea level rise, will nevertheless occur due to the continuing effects of past and existing levels of emissions. In the absence of worldwide reduction commitments that are fully funded, any project level reduction measures cannot assure that significant effects on global temperatures and sea levels will be fully mitigated. That is, due to the potential global impacts [beyond the control of the Project] significant GCC impacts may occur even with implementation of the measures set forth in CARB's AB 32 Scoping Plan (see Climate Change Analysis, Page 42).

The commentor suggests alternative analysis/threshold considerations for evaluation of GCC/GHG impacts. Thresholds established in the Draft EIR are consistent with applicable provision of CEQA.

> **Findings and Recommendations**
>
> As indicated in Section 15064(b) of the CEQA Guidelines, the determination of significance of greenhouse gases is not "ironclad;" rather, the "determination of whether a project may have a significant effect on the environment calls for careful judgment" by the City "based to the extent possible on scientific and factual data." The City of Moreno Valley has not adopted a numeric threshold of significance for emissions of greenhouse gases. Nonetheless, the Project will not exceed the CARB or SCAQMD proposed quantitative thresholds. Therefore, Project GHG emissions impacts are considered less-than-significant (Draft EIR, Pages 4.3-93, 4.3-94).

Additionally, mitigation measures are required for the Project that would further reduce GHG emissions associated with the Project beyond what is calculated herein. The Draft EIR's analysis takes no credit for such GHG emissions reductions. Thus, the Draft EIR's analysis conservatively estimates the overall Project impacts on climate change from GHG emissions, and the actual impacts will be less than what is calculated in the Draft EIR and associated Westridge Commerce Center Climate Change Analysis, included as part of Draft EIR Appendix C.

<u>Response FNSJ-14</u>

Despite the commentor's statement to the contrary, the Draft EIR does not "assert that the Project would interfere with the goals of AB-32." On the contrary, the Draft EIR notes (on Page 4.3-95) that "[t]he Project's consistency with the AB 32 goals for reducing GHG emissions is assessed by determining whether the Project is consistent with or obstructs the 39 Recommended Actions identified by CARB in its Climate Change

Scoping Plan which includes nine Early Action Measures (qualitative approach). In addition, the analysis considers the numeric level of emissions generated by the Project to determine whether the emissions are cumulatively significant (quantitative approach)." Following a detailed presentation of the assessment criteria and analysis of the Project's consistency with these criteria, the Draft EIR finds (on Page 4.3-109) that "a project that is consistent with CAT strategies is consistent with the strategies suggested to reduce California's emissions to the levels proposed by Executive Order S-3-05 and AB 32, and therefore the Project will result in a less-than-significant cumulative impact on GCC."

In regard to the Project's "build-out" year, as discussed in the Draft EIR Project Description (Page 3-4), "construction is proposed to occur in one phase, with infrastructure and building construction following site preparation operations." As such, the Project would be effectively "built out" in its opening year, which is identified as 2011, as discussed at Draft EIR Page 4.2-15.

Response FNSJ-15

As discussed in the following Responses FNSJ-16 and FSNJ-18 through FNSJ-20, additional mitigation has been incorporated through the Final EIR process, to ensure that the Project's air quality and global climate change impacts are reduced to the extent feasible. These revisions are reflected in Final EIR Section 2.0, "Revisions and Errata," as well as in the Mitigation Monitoring Plan presented in Final EIR Section 4.0. It is also noted that air quality mitigation measures presented in the EIR will peripherally act to reduce GHG emissions. However, since the Project's potential GHG/GCC impacts are (individually and cumulatively) substantiated to be less-than-significant, specific mitigation of potential GHG/GCC impacts is not required. Mitigation measures are not required for effects which are not found to be significant. CEQA Guidelines § 15126.4, subd. (a) (3).

Response FNSJ-16

The commentor suggests that the Project should incorporate provisions for public transit, carpooling, and other measures as a means of reducing VMT and associated GHG emissions.

Mitigation Measure 4.3.13 has been revised, as indicated below, to include additional VMT/GHG emission reduction measures. For ease of reference, the text of this measure in its entirety is provided. Inclusion of these measures does not materially or substantively affect analysis or conclusions of the DEIR. That is, impacts that were previously determined to be less-than-significant remain less-than-significant; and impacts that were previously determined to be significant remain significant. Added measures are indicated as ***underline bold italicized*** font.

4.3.13 GHG emissions reductions measures shall also include the following:

- *The Project shall provide secure, weather-protected on-site bicycle storage/parking. Bicycle storage parking/quantity and location shall be consistent with City of Moreno Valley requirements;*
- *The Project shall provide pedestrian and bicycle connections to surrounding areas, consistent with provisions of the City of Moreno Valley General Plan. Location and configurations of proposed pedestrian and bicycle connections are subject to review and approval by the City. Prior to Final Site Plan approval, pedestrian and bicycle connections shall be indicated on the Project Site Plan;*
- ***The Project shall provide onsite showers (one for males and one for females). Lockers for employees shall be provided.***
- *Any traffic signals installed as part of the Project will utilize light emitting diodes (LEDs);*
- *The Project will establish a Transportation Management Association (TMA). The TMA will coordinate with other TMAs within the City to encourage and coordinate carpooling among building occupants. The TMA will advertise its*

services to building occupants, and offer transit and/or other incentives to reduce GHG emissions. Additionally, a shuttle will be provided during any one hour period where more than 20 employees or construction workers utilize public transit. A plan will be submitted by the TMA to the City within two months of Project completion that outlines the measures implemented by the TMA, as well as contact information;

- *The Project shall provide preferential parking for carpools and vanpool. Locations and configurations of proposed preferential parking for carpools and vanpools are subject to review and approval by the City. Prior to Final Site Plan approval, preferential parking for carpools and vanpools shall be delineated on the Project Site Plan;*
- *The Project shall provide at least two electric vehicle charging stations. Locations and configurations of proposed charging stations are subject to review and approval by the City. Prior to issuance of the first building permit, stub outs for charging stations shall be indicated on the Project building plans.*
- ***Lease/purchase documents shall identify that tenants are encouraged to provide incentives to realize the following:***
  - ***Implementation of compressed workweek schedules;***
  - ***SmartWay partnership;***
  - ***Achievement of at least 20% per year (as a percentage of previous percentage, not total trips) increase in percentage of consolidated trips carried by SmartWay carriers until it reaches a minimum of 90 %of all long haul trips carried by SmartWay 1.0 or greater carriers.***
  - ***Achievement of at least 15% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 85% of all consolidator trips carried by SmartWay 1.0 or greater carriers.***

- ***Use of fleet vehicles conforming to 2010 air quality standards or better.***
- ***Installation of catalytic converters on gasoline-powered equipment.***
- ***Inclusion of electric powered and/or compressed natural gas fueled trucks and/or vehicles in fleets;***
- ***Establishment and use of carpool/vanpool programs, complemented by parking fees for single-occupancy vehicles;***
- ***Provision of preferential parking for EV and CNG vehicles;***
- ***Use of electrical equipment (instead of gasoline-powered equipment) for landscape maintenance;***
- ***Use of electric (instead of diesel or gasoline-powered) yard trucks; and***
- ***Use of SmartWay 1.25 rated trucks.***

Response FNSJ-17

As discussed on Page 3-16 of the Draft EIR:

> "The Westridge Commerce Center Project reflects design and operational criteria established under the Leadership in Energy and Environmental Design (LEED) Green Building Rating System, a program developed by the United States Green Building Council. This program includes a rating system that can be applied to new construction as well as tenant improvement projects with performance goals in multiple environmental categories.
>
> LEED certification is contingent, among other requirements, on demonstrated and documented conservation and efficient use of available resources. It is recognized that not all LEED performance standards are applicable or appropriate for the Project, and that different standards may

be utilized by the Project's end user(s). However, the Project, as a whole, will be developed as a LEED-certified facility.

In support of LEED-certification, resources conservation, reduction in energy consumption and associated reductions in air pollutant emissions and greenhouse gases (GHGs), the Project will achieve a minimum of 20 percent in energy efficiencies beyond incumbent Title 24 Energy Efficiency standards, as well as compliance with other applicable state and federal energy standards."

The ultimate level of LEED certification cannot be determined at this time, since the tenant(s) for the Project, and therefore specific environmental strategies to be employed at the facility, are unknown. It is also important to note that no significant impacts have been identified in regard to the energy conservation attributes of the Project; nor would any of the identified significant impacts of the Project be reduced based on a certain level of LEED certification.

Response FNSJ-18

The commentor proposes numerous additional measures (presented in the following Table) as means to reduce Project-related greenhouse gas emissions relative to energy consumption. While the suggested measures may in part act to generally reduce Project energy consumption, none of the measures are required in order to achieve the mitigation of impacts identified in the Draft EIR. That is, since the Project's potential GHG/GCC impacts are (individually and cumulatively) substantiated to be less-than-significant, specific mitigation of potential GHG/GCC impacts is not required. Mitigation measures are not required for effects which are not found to be significant. CEQA Guidelines § 15126.4, subd. (a) (3).

Moreover, the commentor provides no indication as to the efficacy of the proposed measures in reducing Project impacts, nor is nexus provided between the proposed

measures and their implied environmental benefit vis-à-vis Project impacts. Certain other suggested "mitigation measures" proposed by the commentor replicate existing policies/requirements/regulations, and are not mitigation.

Additionally, in some instances, the commentor proposes measures that would further reducing environmental impacts that are already determined to be less-than-significant, or less-than-significant with application of measures already included in the Draft EIR. These measures proposed by the commentor are not included as mitigation, though the Lead Agency may impose these additional requirements; typically through Project Conditions of Approval.

Suggested Measure	Response
Analyzing and incorporating the U.S. Green Building Council's LEED (Leadership in Energy and Environmental Design) or comparable standards for energy- and resource-efficient building during pre-design, design, construction, operations and management.	**Replicates existing requirements.** As discussed in the Draft EIR (Page 3-16), the Westridge Commerce Center Project reflects design and operational criteria established under the LEED Green Building Rating System.
Designing buildings for passive heating and cooling, and natural light, including building orientation, proper orientation and placement of windows, overhangs, skylights, etc.	
Designing buildings for maximum energy efficiency including the maximum possible insulation, use of compact florescent or other low-energy lighting, use of energy efficient appliances, etc.	
Reducing the use of pavement and impermeable surfaces.	**Replicates existing requirements.** As noted in the Draft EIR (Page 4.6-13), onsite bio-retention and detention basins, along with selected areas of pervious concrete and perimeter landscape areas are provided throughout the Project site. Additional detail is included in Draft EIR Appendix F, "Water Quality Management Plan."

Suggested Measure	Response
Requiring water re-use systems.	**Replicates existing requirements.** The Project is reliant on the Eastern Municipal Water District (EMWD) for the provision of reclaimed water, as well as potable water. Nonetheless, as noted on Draft EIR Page 4.5-25, "[t]he Project will use non-potable water for irrigation to the extent that such water sources are available to the Project. In anticipation of reclaimed/recycled water availability, the Project will design and implement all irrigation systems per EMWD recycled water facilities standards."
Installing light emitting diodes (LEDs) for traffic, street and other outdoor lighting.	**Replicates existing requirements.** Use of LEDs is currently required pursuant to EIR Mitigation Measure 4.3.13.
Limiting the hours of operation of outdoor lighting.	**Replicates existing requirements.** As stated on Draft EIR Page 3-17, the Project site is located within a 45 mile radius of Mt. Palomar Observatory. Consequently, the Project must comply with County Ordinance 655, which includes restrictions in regard to hours of outdoor lighting operations. See also: www.clerkoftheboard.co.riverside.ca.us/ords/600/655.htm
Maximizing water conservation measures in buildings and landscaping, using drought-tolerant plants in lieu of turf, planting shade trees.	**Replicates existing requirements.** Project landscaping will be provided pursuant to the requirements of the Moreno Valley Municipal Code (Section 9.17.030), which specifies a variety of options to meet the drought tolerant needs of the area while ensuring an aesthetically pleasing landscape. Shade trees will be provided pursuant to the requirements of Municipal Code Section 9.17.050 subd. (d)(3).
Ensure that the Project is fully served by full recycling and composting services.	**Replicates existing requirements.** As noted on Draft EIR Page 3-14, "[p]rior to issuance of a grading permit, the Project will have in place a City approved Solid Waste Diversion and Recycling Plan that demonstrates the diversion and recycling of all salvageable and re-useable wood, metal, plastic and paper products used during Project construction. A similar plan will be in place prior to occupancy that demonstrates the diversion and recycling of all wood, metal, plastic and paper products during ongoing operation of the warehouse and office portions of the Project. The plans will include the name of the waste hauler, their assumed destination for all waste and recycled materials, and the procedures that will be followed to ensure implementation of this measure.
Ensure that the Project's wastewater and solid waste will be treated in facilities where greenhouse gas emissions are minimized and captured.	**Not required.** As discussed in the Draft EIR (Pages 3-21 and 3-22), treatment of the Project's wastewater and solid waste will be accomplished by regional providers (i.e., Eastern Municipal Water District and Waste Management of the Inland Empire), and is outside the control of the Applicant and the City of Moreno Valley.

Suggested Measure	Response
Installing the maximum possible photovoltaic array on the building roofs and/or on the project site to generate all of the electricity required by the Project, and utilizing wind energy to the extent necessary and feasible	**Not required.** As currently noted under EIR Mitigation Measure 4.3.11: "All buildings shall be designed to accommodate renewable energy sources, such as photovoltaic solar electricity systems, appropriate to their architectural design." There is no requirement or demonstrated nexus requiring full offset of Project electrical consumption through use of photovoltaics or "wind energy."
Installing solar water heating systems to generate all of the Project's hot water requirements.	
Installing solar or wind powered electric vehicle and plug-in hybrid vehicle charging stations to reduce emissions from vehicle trips.	

Response FNSJ-19

As discussed in the preceding Response FNSJ-18, the commentor's suggested mitigation measures to reduce Project impacts in regard to construction activities are addressed in the following table. It is again noted that since the Project's potential GHG/GCC impacts are (individually and cumulatively) substantiated to be less-than-significant, specific mitigation of potential GHG/GCC impacts is not required. Mitigation measures are not required for effects which are not found to be significant. CEQA Guidelines § 15126.4, subd. (a) (3).

Suggested Measure	Response
Utilize recycled, low-carbon, and otherwise climate-friendly building materials such as salvaged and recycled-content materials for building, hard surfaces, and non-plant landscaping materials.	**Not required.** Consistent with the Project's pursuit of LEED accreditation, the recommended building materials will be utilized to the extent available and feasible.
Minimize, reuse, and recycle construction-related waste.	**Replicates existing requirements.** As noted in the Draft EIR (Page 3-5), "[a]ny residual materials resulting from site preparation processes will be appropriately disposed of and/or recycled in accordance with the City's Source Reduction and Recycling Element (SRRE)."

Suggested Measure	Response
Minimize grading, earth-moving, and other energy-intensive construction practices.	**Not required, no nexus with significant impacts.** The Project will not cause or result in individually or cumulatively significant GHG/GCC impacts. There is no requirement to reduce construction-source GHG emissions. Moreover, within the context of Project-specific requirements (e.g., placement of structures approximately 25 feet below the existing grade of SR-60, and proper fill and re-compaction procedures to ensure proper foundation support, consistent with the recommendations of the Project Geotechnical Investigation, included as Draft EIR Appendix H), construction contractor(s) employ techniques and procedures so as to provide for the most efficient use of earth-moving and grading equipment as a matter of course.
Landscape to preserve natural vegetation and maintain watershed integrity.	**Replicates existing requirements.** Landscape improvements will be provided for the Project as required under the City's Zoning Code Section 9.17, "Landscape Requirements." To minimize risk of invasive non-native plants entering into the riparian habitat along the Quincy Channel, the Project includes mitigation (Measure 4.8.3) that prohibits the use of invasive non-native plant species within 150 feet of the Channel.
Utilize alternative fuels in construction equipment and require construction equipment to utilize the best available technology to reduce emissions.	**Incorporated** at revised Mitigation Measure 4.3.8.

Response FNSJ-20

As discussed in the preceding Response FNSJ-19, the commentor's suggested mitigation measures to reduce Project impacts in regard to transportation are addressed in the following table. It is again noted that since the Project's potential GHG/GCC impacts are (individually and cumulatively) substantiated to be less-than-significant, specific mitigation of potential GHG/GCC impacts is not required. Mitigation measures are not required for effects which are not found to be significant. CEQA Guidelines § 15126.4, subd. (a) (3).

Suggested Measure	Response
Encourage and promote ride sharing programs through such methods as a specific percentage of parking spaces for ride sharing vehicles.	**Incorporated** at revised Mitigation Measure 4.3.13.

Suggested Measure	Response
Create a car sharing program within the planned community.	**Incorporated** at revised Mitigation Measure 4.3.13.
Create a light vehicle network, such as a neighborhood electric vehicle (NEV) system.	**Incorporated** at revised Mitigation Measure 4.3.13.
Provide necessary facilities and infrastructure to encourage residents to use low or zero-emission vehicles, for example, by developing electric vehicle charging facilities and conveniently located alternative fueling stations.	**Incorporated** at revised Mitigation Measure 4.3.13.
Provide a shuttle service to public transit within and beyond the planned community.	**Incorporated** at revised Mitigation Measure 4.3.13.
Incorporate bicycle lanes and routes into the planned community's street systems.	**Replicates existing requirements.** The Project is required to provide pedestrian and bicycle connections to surrounding areas consistent with provisions of the City of Moreno Valley General Plan pursuant to the existing Mitigation Measure 4.3.13. This measure notes that the location and configurations of proposed pedestrian and bicycle connections are subject to review and approval by the City. Prior to Final Site Plan approval, pedestrian and bicycle connections shall be indicated on the Project Site Plan.

Response FNSJ-21

The commentor suggests that carbon offsets be purchased to address "remaining [greenhouse gas] emissions that cannot be eliminated." It is again noted that since the Project's potential GHG/GCC impacts are (individually and cumulatively) substantiated to be less-than-significant, specific mitigation of potential GHG/GCC impacts is not required. Mitigation measures are not required for effects which are not found to be significant. CEQA Guidelines § 15126.4, subd. (a) (3).

Response FNSJ-22

The Lead Agency disagrees with the commentor's assertions regarding the adequacy of the Draft EIR's analysis of alternatives. As further presented in the *CEQA Guidelines* Section 15126.6, subd. (a), an EIR need not consider every conceivable alternative, but rather, the discussion of alternatives and their relative merits and impacts should be provided in a manner that fosters informed decision-making and public participation.

To this end, the *CEQA Guidelines* indicate that the range of alternatives selected for examination in an EIR should be governed by "rule of reason," and requires the EIR to set forth only those alternatives necessary to permit an informed decision. Consistent with the provisions of the *CEQA Guidelines*, the Draft EIR's analysis of a No Project/No Build Alternative, a No Project/Existing Zoning Alternative, and a Reduced Intensity Alternative present a "reasonable range" of alternatives to the Project that would potentially lessen its environmental effects while allowing for attainment of most Project objectives.

The commentor's suggestion that "[t]he EIR should consider an alternative that relies more on higher-density mixed commercial/residential development projects on existing disturbed lands" is inconsistent not only with the Project objectives, but with the site's existing General Plan land use designation and zoning. Additionally, it is unclear that such an alternative would result in a lessening of the Project's environmental effects, particularly since commercial uses typically generate considerably higher average daily rates of traffic per square foot than light industrial uses, with correlating increases in air emissions. See for example Trip Generation 7th Edition (Institute of Traffic Engineers)trip generation rate for Specialty Retail (ITE Code 814), 44.32 trips/thousand square feet; vis-à-vis the Project trip generation rate of 3.12 trips/thousand square feet. On a related note, the EIR specifically considers a "No Project" alternative which assumes development consistent with site's current Business Park zoning designation. As with the mixed use concept proposed by the commentor, substantially increased trip generation could be expected if developed with business park uses when compared to industrial uses proposed under the Project.

> In this regard, for Traffic Analysis Zone (TAZ) 209 encompassing the Project site, the General Plan Buildout traffic model reflects development of the subject site with Business Park/Light Industrial uses, and projects approximately 4.18 times the trip generation for TAZ 209 than would otherwise be generated by logistics/distribution warehouse uses such as those proposed under the Project. The No Project Alternative considered

herein approximates trip generation for the subject site under the General Plan Buildout Scenario at four (4) times that of the Project (Draft EIR, Page 5-32).

Based on the preceding, the commentor's suggested alternative concept fails as feasible alternative to the Project, and does not merit further analysis as part of the Project EIR.

In regard to the question of whether the Project could be accommodated elsewhere, the Draft EIR addresses, at length, the possible alternative sites that were considered as part of the review of Project alternatives (this discussion is found beginning on Draft EIR Page 5-37). As stated in the *CEQA Guidelines*, Section 15126.6 subd. (f)(1)(2)(A), the "key question and first step in [the] analysis [of alternative locations] is whether any of the significant effects of the project would be avoided or substantially lessened by putting the Project in another location."

An alternative site within the City would be considered generally viable if it were located along a regional freeway transportation corridor or at a regional transportation hub; was also locally accessible; was underutilized and currently available; could be developed and operated in a manner that was compatible with other proximate land uses; and was provided, or could feasibly be provided, adequate serving utilities infrastructure. Also supporting location of the Project elsewhere, an Alternative Site should have an appropriate size and configuration (approximately 50 acres and roughly rectangular); and either exhibit appropriate General Plan and Zoning designations or could be feasibly so-designated.

Only locations that would avoid or substantially lessen significant effects of the Project need be considered. To this end, four (4) possible alternative sites were located, as follows:

- Alternative Site 1: 70 acres located between Perris Boulevard and Grove View Road, and south of Indian Avenue to the southern City limits (APNs 316-210-071, -073, -075 and -076);

- Alternative Site 2: 92 acres located between Heacock Street and Indian Street, south of Cardinal Avenue and north of San Michele Road (APNs 316-180-010, 316-170-001, -002, -004, -006, -007, -008, -010, -013, and -014);

- Alternative Site 3: 72 acres located west of Indian Street between Iris Avenue and Krameria Avenue (APNs 316-020-002, -003, -004, -005, -012, -013, -014, -015, -016, -017, -018 and -019); and

- Alternative Site 4: Approximately 69 acres located at the southeast corner of Heacock Street and Iris Avenue (APNs 316-020-001, -006, -007, -028, and -010).

Each of the four (4) sites is currently vacant; is more than 50 acres in size and of a roughly rectangular configuration; is zoned for industrial use; and is adequately served by nearby utilities and infrastructure. Further, Alternative Sites 1 through 4 are proximate to the I-215 regional transportation corridor, and are also locally accessible. Notwithstanding, these sites are all currently unavailable. Alternative Site 1 currently has applications under review for a 1.6 million square foot warehouse distribution facility, while development plans have been submitted and approved for sites 2, 3 and 4.

Other potentially suitable and available properties are located easterly of the current Project site, along the SR-60 corridor. For the purposes of the Alternative Site analysis, the vacant property located southeasterly of the intersection of SR-60 at Theodore Street was selected for analysis, and is identified as Alternative Site 5 (shown in Figure 5.2-2 of the Draft EIR). This property exhibits an appropriate Business Park/Light Industrial General Plan Land Use designation; is of adequate size and is appropriately configured; and is provided access to regional and local roadways. Utilities and services are generally available to the site. The site appears to be available for purchase; however, it

is not currently owned or controlled by the Project Applicant, and a zone change from "Business Park" to "Light Industrial," would be required, similar to the change of zone requested by the Project.

Although development of the Project on Alternative Site 5 could achieve the Project's objectives, none of the Project's potentially significant impacts would be avoided or substantially reduced. Because Alternative Site 5 would not result in the avoidance or substantive reduction of Project-related impacts, this Alternative Site was also rejected from further consideration within the Draft EIR.

The commentor's states that "[t]he Westridge Commerce Center does not have a tenant and the Project proponent does not plan to build the Project until they do. They already have at least one warehouse that sits empty." No specific tenant(s) for the Project are currently under contract. Results and conclusions of the EIR are not affected.

The Draft EIR (on Pages 5-49 to 5-62) does provide a comparative analysis of the potential impacts of each alternative in regard to greenhouse gas emissions, biological resources, water supply, water quality, and traffic. As required under *CEQA Guidelines* Section 15126.6, subd. (d), this evaluation includes "sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the proposed project."

<u>Response FNSJ-23</u>

The City disagrees with the commentor's assertion that "the Draft EIR avoids an actual on the ground biological resource impact assessment." Draft EIR Appendix G presents the Biological Resources Survey prepared for the Project, which consists of the following surveys and analysis, conducted throughout the Project area:

- General biological assessment of Project site and nearby off-site areas that could be affected by utility and circulation system improvements, as identified in the following Figure 4.8-1;

- General plant and wildlife surveys;
- Habitat assessment to examine potential for special status plant species;
- Habitat assessment to examine potential for special status wildlife species;
- Habitat assessment for burrowing owl (*Athene cunicularia*), following the recommendations of the California Department of Fish and Game, the burrowing owl survey protocol (CBOC 1993), and the Western Riverside County Multi-Species Habitat Conservation Plan (MSHCP) Section 5.3.2 and MSHCP burrowing owl survey instructions; and
- A jurisdictional delineation, which was prepared pursuant to the requirements of the California Department of Fish and Game and the Army Corps of Engineers.

As further discussed in the Draft EIR (Page 4.8-14), "[p]ayment of the mitigation fee and compliance with the requirements of the MSHCP are intended to provide full mitigation under CEQA, although certain areas within the MSHCP boundaries require additional surveys to determine the presence or absence of specific MSHCP-covered resources, including sensitive plants, burrowing owls, and riparian or riverine areas." Although focused surveys for threatened, endangered and sensitive plant and wildlife species were not conducted as part of the Project's general Biological Assessment, protocol surveys were subsequently performed to determine the presence or absence of burrowing owls within areas of potential disturbance. The *Report on Burrowing Owl Surveys for the West Ridge Project Site* (Harsmworth Associates, July 2009) is also included in Draft EIR Appendix G.

In addition, implementation of Draft EIR Mitigation Measure 4.8.7, included in the Mitigation Monitoring Program presented in Final EIR Section 4.0, will ensure that a pre-construction survey be conducted to document the location of any occupied burrows on-site. With the implementation of this mitigation measure, as well as compliance with the requirements of the MSHCP, the Project's potential to impact burrowing owls is reduced to a less-than-significant level.

The City of Moreno Valley's current schedule of non-residential impact fees indicates that the Project would be subject to an MSHCP fee of $6,597 per acre, and an additional $500 per acre SKR (Stephens' kangaroo rat) mitigation fee. On this basis, the Project would contribute approximately $390,335 to meet its fair-share responsibility for regional plant and wildlife impacts. The amount collected by the City for wildlife mitigation to date, along with the effectiveness of such fee collections, is outside the scope of the Project's environmental analysis. The Draft EIR (Page 4.8-31) notes that "[t]he Project Biological Resources Assessment includes a discussion of MSHCP compliance, and determines that the Project 'is in full compliance with the Western Riverside County MSHCP, assuming the focused burrowing owl surveys are conducted in spring 2009.' These surveys were conducted in July 2009, and found no burrowing owls or evidence of their occupation on-site. This species has not been recorded within the Project area in the past and is presumed absent from the site. As such, the Project is in compliance with the MSHCP." The results and conclusions of the Draft EIR are not affected.

Response FNSJ-24

The commentor requests receipt of future information regarding the Project, and as such, has been added to the Project distribution list at the referenced address. A copy of the Project's Final EIR has also been provided to the commentor, as requested.

Response FNSJ-25

The commentor lists numerous publications and resources exhibits incorporated by reference. With the exception of certain web-linked publications, exhibits listed "as incorporated by reference" have not been provided. Nor has their disposition, availability, or specific relevance been otherwise identified.

From: sgcricket@aol.com
Sent: Monday, December 06, 2010 3:20 PM
To: Jeffrey Bradshaw
Subject: Western Ridge Commerce Center DEIR

Comments Regarding: West Ridge Commerce Center
From: Susan Gilchrist

The project under consideration requires a zoning change from Business Park to Light Industrial. It is my understanding that this is a speculative project and there is no tenant identified. This presents a problem for the residents of the eastern portion of the City. There are currently many unoccupied warehouse buildings on Cactus and along the 215 as well as many in other Inland Empire cities. The only logical reason for presenting this project at this time is to "ride the coattails" of Highland Fairview/Skechers and get approval for another megalithic structure. Since the City permitted a building 36 times the size of the General Plan recommendation, what will prevent the Council from approving another oversized structure? The only solution will be to retain the General Plan and wait for the economy to improve so that the long range goals of a diverse job base can be reached. SG-1

Ten to fifteen years ago, business park zoning was successful and in the future it will be that way again. If zoning changes could be reversed, this would be more acceptable, but they are not. It will never revert to Business Park zoning from Light Industrial and the vision of the eastern portion of the City will be changed forever. Those driving through Moreno Valley will think the City consists of warehouses and sound walls…how attractive!

Questions for the developer:

1. Is this a speculative project or is there a tenant ready to occupy a 900,000 sq ft building? SG-2

2. What benefit is there to the residents and the City for approving a zone change at this time? SG-3

3. Why is the City moving away from the General Plan without bringing the entire process back to the residents? Moreno Valley seems to be willing to accept anything offered rather than have high standards and long range goals. The desperation is obvious and not very reassuring. Surrounding cities of Temecula, Murrieta, Menifee, Riverside, and Redlands are constructing buildings with more style and substance than is seen in Moreno Valley. These cities are attracting a variety of businesses while our City accepts the dregs. SG-4

4. Should the Council change the zoning, will the property be sold to another developer? SG-5

5. As a condition for the zone change, will the developer be willing to put an appropriate buffer of 1500 feet on the south side of Fir and develop it as a City park with a block wall on the north side of the park? SG-6

6. Could the traffic flow from both Skechers and Western Ridge be restricted from Redlands Blvd? SG-7

7. Will the building be constructed to LEEDS standards to include reinforcing the roof and installing solar panels? Will the LEEDS standards equal or exceed the Highland Fairview/Skechers building? Will the developer be conditioned to lower the building so that views will be preserved? SG-8

8. What restrictions in hours of operation will be enforced? Will trucks move during daylight hours, night hours or both? How many trucks are estimated to use the facility? SG-9

Sincerely,
Susan Gilchrist

SUSAN GILCHRIST

Email dated December 6, 2010

Response SG-1

The commentor correctly notes that approval of the Westridge Commerce Center Project would involve a change of zone for the Project site, from Business Park to Light Industrial. The commentor's opinions regarding the proposed zone change will be forwarded to decision-makers for their consideration.

Response SG-2

The commentor inquires: "Is this a speculative project or is there a tenant ready to occupy a 900,000 square foot building?" At this time, no specific tenant(s) for the Project are under contract.

Response SG-3

The commentor inquires: "What benefit is there to the residents and the City for approving a zone change at this time?" The benefits of a project are not germane to an EIR pursuant to CEQA. Nevertheless, certain potential benefits to the residents and the City are reflected in the Project Objectives. More specifically, as noted at Draft EIR Page 3-4, the Primary Objectives of the Project as identified by the Project Applicant include the following:

- Transition the existing site into a productive use;
- Provide jobs-producing, light industrial uses to the City of Moreno Valley and local community; and
- Increase economic benefits to the City of Moreno Valley through increased tax generation and job creation.

Response SG-4

The commentor inquires: "Why is the City moving away from the General Plan without bringing the entire process back to the residents?" The commentor offers opinions on City development review and approval processes, and the character of local and regional development.

As discussed in the Draft EIR (Pages 4.1-6 through 4.1-9), implementation of the Project would not propose or require a change in the Project site's General Plan land use designation. The commentor's opinions in regard to the City's approval process and the character of local and regional development will be forwarded to decision-makers for their consideration.

Response SG-5

The commentor inquires: "Should the Council change the zoning, will the property be sold to another developer?" Should the Project be approved, it is the applicant's intention to develop the site as proposed. However, there are no restrictions to prohibit the sale of the subject property. It may be noted that, regardless of ownership, Project-specific mitigation measures and other applicable regulations relative to the Project's construction and operations, including those identified in the Draft EIR, would remain in force.

Response SG-6

The commentor inquires: "As a condition of the requested zone change, will the developer be willing to put an appropriate buffer of 1,500 feet on the south side of Fir (future Eucalyptus) Avenue and develop it as a City park with a block wall on the north side of the park?" As a point of clarification, the requested zone change cannot be lawfully conditioned as suggested. Moreover, there is no codified requirement or environmental impact nexus that would require or suggest a 1,500 setback or the creation of a park southerly of the Project site. The commentor's remarks are forwarded to the decision-makers for their consideration.

Response SG-7

The commentor inquires: "Could the traffic flow from both Skechers and Western Ridge [the proposed Westridge Project] be restricted from [using] Redlands Boulevard?" Direct and practical access to the Project site is provided via Redlands Boulevard, located less than one-quarter mile easterly of the Project site. The Project provides all necessary improvements to mitigate its direct traffic impacts affecting Redlands Boulevard to levels that are less-than-significant. Additionally, appropriate mitigation is provided for all potentially significant cumulative traffic impacts affecting Redlands Boulevard.

Opening Year access to and from the SR-60 to the Westridge Project site was assumed to utilize Redlands Boulevard exclusively. The Project TIA (included as Draft EIR Appendix B) does account for the fact that, upon the development of Eucalyptus Avenue to the ultimate configuration identified in the Moreno Valley General Plan Circulation Element, Project-related traffic could also access the SR-60 at Moreno Beach Drive.

Redlands Boulevard is a designated truck route in the County and a direct route to San Timoteo Canyon Road through Redlands (also designated as a truck route). It is appropriate for Redlands Boulevard to convey Project-related and area truck traffic. To maintain the continuity between affected agencies, the truck route designation for Redlands Boulevard cannot be practically removed. Moreover, there is no feasible means to restrict Redlands Boulevard to local truck trips only, given its direct connection, with no alternative routes, to the previously mention roadways. Further, there is no suggested or demonstrated environmental benefit that would result from restricting use of Redlands Boulevard by Project traffic. The commentor's remarks are forwarded to the decision-makers for their consideration.

Response SG-8

The commentor inquires: "Will the building be constructed to LEED standards to include reinforcing the roof and installing solar panels? Will the LEEDS standards equal or exceed the Highland Fairview/Skechers building? Will the developer be conditioned to lower the building so that views will be preserved?" Similar to the recently approved Highland Fairview/Skechers project, the Westridge Commerce Center will be built to LEED standards. The following discussion at Draft EIR Page 3-16 is presented here for ease of reference.

> The Westridge Commerce Center Project reflects design and operational criteria established under the Leadership in Energy and Environmental Design (LEED) Green Building Rating System, a program developed by the United States Green Building Council. This program includes a rating system that can be applied to new construction as well as tenant improvement projects with performance goals in multiple environmental categories.
>
> LEED certification is contingent, among other requirements, on demonstrated and documented conservation and efficient use of available resources. It is recognized that not all LEED performance standards are applicable or appropriate for the Project, and that different standards may be utilized by the Project's end user(s). However, the Project, as a whole, will be developed as a LEED-certified facility.
>
> In support of LEED-certification, resources conservation, reduction in energy consumption and associated reductions in air pollutant emissions and greenhouse gases (GHGs), the Project will achieve a minimum of 20 percent in energy efficiencies beyond incumbent Title 24 Energy Efficiency standards, as well as compliance with other applicable state and federal energy standards."

The ultimate level of LEED certification cannot be determined at this time, while the tenant and therefore specific environmental strategies to be employed at the facility, are unknown. It is also important to note that no significant impacts have been identified in regard to the energy conservation attributes of the Project; nor would any of the identified significant impacts of the Project be reduced based on a certain level of LEED certification. There is no requirement that LEED standards implemented by the Highland Fairview/Skechers development be similarly implemented by the instant Project.

As further described in the Aesthetics section of the Draft EIR (Page 4.9-11) and illustrated in Draft EIR Figure 4.9-3, the Project's building foundation is planned to be located approximately 25 feet lower in elevation than the existing elevation of SR-60. Substantial reduction of the height of the building is considered infeasible, since the facility's height is largely dictated by the logistics use, and the need to provide standard "dock-high" bays for the loading and unloading of trucks." The high-cube warehouse building height concept defines the viability of its internal operations, which are realized through closely-consolidated and easily-accessible warehoused goods, and use of efficient, high-lift material handling equipment.

In another context, in order to accommodate the same volume of warehoused goods and logistics traffic, the floor area of a 45-foot high warehouse would have to be increased by a minimum of 80 percent if reconfigured for example as a 25-foot high structure. In the case of the Westridge Project, the currently proposed approximately 940,000 square foot building would have to be at least 1.7 million square feet in size in order to accommodate a comparable volume of warehoused goods. This increase in area does not even account for necessary additional internal aisle ways, utilities, service areas, vestibules, etc. Moreover, if constructed as a substantively larger but lower building footprint there would be substantial additional construction costs, expanded areas of disturbance, increased infrastructure costs, and decreased operational/energy efficiencies associated with such a large building footprint.

Response SG-9

The commentor inquires: "What restrictions in hours of operation will be enforced? Will trucks move during daylight hours, night hours or both? How many trucks are estimated to use the facility?" As noted in the Draft EIR (Page 3-4), "[f]or the purposes of the EIR analysis, the Project is assumed to be operational 24 hours per day, seven (7) days per week, except as may be otherwise limited by applicable codes or regulations." Estimated opening-year average daily Project-generated truck trips ingressing/egressing the Project site include:

- 97 two-axle trucks;
- 220 three-axle trucks; and
- 539 four-axle trucks.

Please refer also to detailed trip generation and trip distribution analyses and supporting discussions as presented in the Project TIA (EIR Appendix B, TIA Pages 51-76).

HIGHLAND FAIRVIEW

14225 Corporate Way
Moreno Valley, CA 92553
Tel: 951.867.5300

December 6, 2010

Mr. Jeff Bradshaw
Associate Planner
City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92553

SUBJECT: Westridge Commerce Center – Comments on Draft EIR

Dear Jeff,

Highland Fairview has reviewed the Draft EIR and is concerned with the manner in which the document addresses a number of environmental issues. As you know, the city imposed numerous mitigation measures and conditions of approval on the Highland Fairview Corporate Park (HFCP) project many of which are not applied to this project, despite the similarities of the two projects. Among these issues are air quality, water quality, freeway landscaping treatment, architectural design, sustainability, hazardous materials, biology, global climate change and many other environmental areas.

To address these concerns, we request a meeting with the City planning, traffic and engineering departments to review the proposed mitigations included in the Draft EIR. We are particularly concerned about the following subject areas:

1. The project's contribution to improvements to SR60 mainline and interchanges. HF-1
2. The project's contribution to improvements on Redlands Boulevard. HF has other projects in the area and insufficient improvements by this project should not be allowed.
3. Architectural standards and design comparable to that of the HFCP Skechers building should be articulated from the freeway.
4. The landscape treatment of the interface between the project and SR60 should be comparable to that required by the City for HFCP and should be consistent.
5. The need for a significant commitment from the project to address the visual relationship between the project and the SR60. For example, the HFCP project was lowered 25 feet so that its visual impact could be softened.

We request a meeting with City staff as soon as possible to address these concerns.

Sincerely,

Wayne Peterson
Vice President, Community Planning

HIGHLAND FAIRVIEW

Letter Dated December 6, 2010

Response HF-1

The subject line of this letter indicates that it contains comments on the Westridge Commerce Center Draft EIR; however, these comments do not appear to be intended to address the Draft EIR's technical analysis or findings. Instead, the comments focus on the Westridge Commerce Center's "contribution to improvements," and express concerns regarding the equity of mitigation between the Westridge Commerce Center Project and the recently approved Highland Fairview Project (a 2.6 million-square-foot light industrial/commercial development located south of SR-60 east of Redlands Boulevard). A meeting with City staff is requested "to address these concerns."

On this basis, specific technical responses are not warranted. Mitigation for the Project's potential impacts was included in the Draft EIR, and is detailed in the Project's Monitoring Program, provided in Final EIR Section 4.0. Further, the Project's architectural compatibility with City design standards, and with the Highland Fairview project, is addressed on Draft EIR Page 4.9-6.

The commentor's concerns will be forwarded to decision-makers, as requested. City staff will be pleased to meet with the commentor to discuss their concerns.

Johnson & Sedlack
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December 3, 2010

City Council
City of Moreno Valley
14177 Frederick St.
Moreno Valley, CA 92552-0805

Community Development Director
City of Moreno Valley
14177 Frederick St.
Moreno Valley, CA 92552-0805

VIA U.S. MAIL

RE: Draft Environmental Impact Report for Westridge Commerce Center, State Clearinghouse No. 2009101008.

Greetings:

This firm submits the following comments on behalf of Residents for a Livable Moreno Valley, the Moreno Valley Group of the Sierra Club, and area residents after reviewing the Draft Environmental Impact Report.

General Comments:

The California Environmental Quality Act ("CEQA") was adopted as a disclosure and transparency document. The theory is that by providing a document that adequately describes the environmental consequences of a project to decision makers and the public, the decision makers will make a rational decision based upon the true environmental consequences of the project and if they do not, the electorate can hold them accountable for their decisions. The core of this statutory structure is the adequacy of the document as an informational document.

Unfortunately, the **DEIR for this Project fails as an informational document** as it fails to adequately and accurately consider cumulative impacts throughout the document. The DEIR also misleads decision makers and the public as to the extent and severity of the Project's environmental impacts. The DEIR is often conclusory and does not provide the analysis required by CEQA to inform the public and decision makers of the analytical pathway taken from facts to conclusion. This includes often omitting to provide the information required to properly assess impacts. JS-1

Moreover, CEQA requires that where feasible mitigation exists which can substantially lessen the environmental impacts of a project, **all feasible mitigation must be adopted**. In this way

CEQA goes beyond its informational role to require that projects substantively lessen their negative effects on the environment. It is critical to proper drafting of an EIR that all feasible mitigation measures be required of a project. This has not been done with this Project. Moreover, all mitigation measures required in the EIR must be fully enforceable and certain to occur. This Project fails to ensure that all feasible mitigation will occur with this Project and instead provides vague, uncertain, and unenforceable approximations of mitigation measures. The Project is also inconsistent with the City of Moreno Valley General Plan. This is unacceptable. JS-1 (cont'd)

Project Overview:

The Westridge Commerce Center is a proposal, sponsored by ProLogis, for the construction of a 937,260 sq. ft. warehouse-distribution facility on approximately 54.66 acres of mostly undeveloped agricultural land located on the north side of Eucalyptus Avenue, west of Redlands Boulevard, near the SR-60/Redlands Boulevard interchange. The project will include approximately 173 loading docks and 14,000 square feet of office space to be divided between the southeast and southwest corners of the building. The future occupants and uses of the property are unknown at this time.

The project would require the removal of approximately 70,000 cubic yards of soil. The project would require the discretionary approval of a zone change (City Case # PA08-0098) from business park to light industrial. The project would also require an amendment to City of Moreno Valley Municipal Code section 9.05.020 B (City Case # PA10-0017) [Light Industrial Districts] due to the Project sites adjacency to residentially-zoned property and approval of Tentative Parcel Map No. 36207 (City Case # PA09-023). Adjacent to the project site is SR-60 to the north and Eucalyptus Avenue to the south. Properties to the south of the project are zoned Rural Residential ("RA-2") and designated Primary Animal Keeping Overlay ("PAKO") Zone. A residence is located near the southeasterly corner of the project site. To the west of the project site, although properties are currently under agricultural production, a proposal, also sponsored by ProLogis, has been made to develop, on 117 acres, six distribution warehouse facilities totaling 2.25 million square feet. Properties immediately to the east are designated commercial. Further east, across Redlands Boulevard, development of the 2.6 million square feet Highland Fairview Corporate Park Project has been approved. Regional access to the Project will be provided by the SR-60/Redlands Avenue interchange. JS-2

The DEIR concludes that aesthetic impacts are significant and unavoidable. Noise impacts are significant and unavoidable for the construction phase. Air quality impacts are significant and unavoidable for construction and operation phases. The DEIR also concludes cumulative aesthetic, air quality, construction noise, and traffic impacts are significant.

Cumulative Impacts:

The cumulative impact analysis is brief, lacking in evidence and data, and generally insufficient. CEQA requires that in order to adequately discuss and analyze potential significant cumulative impacts, "[a] list of past, present, and probable future projects producing related or cumulative impacts" must be included in the DEIR. (Cal. Pub. Res. C. § 15130(b)(1)(A).) The lead agency must also "define the geographic scope of the area JS-3

affected by the cumulative effect and provide a reasonable explanation for the geographic limitation used." (Cal. Pub. Res. C. § 15130(b)(2).)

Here, the DEIR looks *only* at the cumulative effects from those "probable development proposals" within a two (2)-mile radius of the Project. **The analysis does not account for any past or present projects as required under CEQA and does not "provide a reasonable explanation" for why the two-mile radius was used.** Although a discussion as to why the Traffic Impact analysis was limited to a two-mile radius was provided in the DEIR, this reasoning does not support a basis for why the Cumulative Impact Analysis section of the DEIR was limited to such a small radius and purely probable future projects. Development within Moreno Valley is occurring on a large scale and the resulting impacts should not be ignored. (See Exhibits 1 – 3.) There is also a great amount of residential development within close proximity to the Project site, yet the impacts from these projects are not included in the analysis. For instance, The Moreno Highlands Specific Plan providing for 7,700 residential units located east of the Project site and the Aqua Belle Specific Plan providing for 2,922 "Active Adult" residential units located southwesterly of the Project site are neither included in the analysis nor mentioned in the DEIR. Also, the Centerpointe Project, a 353,859 square feet distribution center (PA07-0147, PA07-0157) which was approved by the Planning Commission in early 2010 was not included. This failure to analyze any impacts from past and present projects, as well as projects outside of the two-mile radius results in an inadequate analysis of the impacts to traffic, air quality, greenhouse gas emissions, and aesthetics, among others.

JS-3 (cont'd)

Furthermore, the cumulative impact section often fails to recognize that impacts which are less than significant on their own may nonetheless be cumulatively significant. The cumulative impact analysis also fails to summarize "the expected environmental effects to be produced by those projects with specific reference to additional information stating where that information is available," as is required by CEQA. (Cal. Pub. Res. C. § 15130(b)(4).)

Therefore, the DEIR fails as an informational document as it does not provide an accurate analysis of the cumulative environmental effects that will result and therefore does not allow for sound and informed decision making on behalf of approving agencies.

General Plan Consistency:

CEQA requires that an EIR "discuss any inconsistencies between the proposed project and applicable general plans." (CEQA Guidelines 15125(d).)Yet, the DEIR fails to discuss the inconsistency of the Project with a number of applicable provisions contained within the General Plan.

JS-4

The project is inconsistent with the following General Plan provisions: Goal 2.2; Objective 2.13; and Policies 2.10.14, 2.13.1, and 2.13.3. Goal 2.2 requires that "the optimum degree of health, safety, well-being, and beauty for all areas of the community" be achieved yet the Project has numerous significant and unavoidable impacts to the safety, health and well-being of residents throughout Moreno Valley. Policy 2.10.14 requires that existing mature trees be preserved or relocated and only replaced when they cannot be preserved or relocated. Yet, although the Project will replace those existing mature pine trees along the

northerly boundary with a double-row of new trees, the DEIR fails to discuss whether these mature trees will be relocated and if not, how or why preservation or relocation of these mature trees is infeasible. Policy 2.13.3 of Objective 2.13 requires that "the sponsor of a development project…assure that all necessary infrastructure improvements…needed to support project development are available at the time that they are needed" yet, as will be discussed below, there is nothing to indicate that those improvements that will be required to mitigate for traffic will actually be implemented. JS-4 (cont'd)

Agricultural Impacts:

Although the Project will result in the conversion of farmland to non-agricultural uses the DIER finds that the impact will be less than significant. This finding is not supported by substantial evidence when the Initial Study itself states that the site is designated as Farmland of Local Importance due to the high quality of soil at the site and the Project Description states that the land has actually been used for agricultural production within the last twenty (20) years. As such, mitigation for this loss of prime agricultural land is required. It is well documented that agricultural land is the largest part of Riverside's economy. **The EIR prepared for the City of Moreno Valley General Plan recognizes that due to this loss of agricultural land, impacts are potentially significant and feasible mitigation measures would effectively lessen this significant impact.** (See Exhibit 4.) Therefore, the following mitigation measures must be adopted: JS-5

1. Purchase conservation easements on existing agricultural land to ensure that the land is never converted to urban uses.
2. Donate funds to a regional or statewide program that promotes and implements the use of agricultural land conservation easements.

Land Use and Planning:

This Project will have a significant impact to Land Use and Planning which was not adequately evaluated in the DEIR. The Project involves a zone change from Business Park to Light Industrial as well as an amendment to the Municipal Code as a result of its proximity to residential areas. The effects of the zone change and the amendment to the Muncipal Code are both potentially significant impacts which must be further evaluated and potentially mitigated in the DEIR. JS-6

Additionally, as stated on page 2-4 of the Initial Study land south of the Project site contains a Primary Animal Keeping Overlay Zone ("PAKO Zone") "in order to maintain animal keeping and the rural character of the area" yet this is not even mentioned in the DEIR. The Project's effects on this zoned area and the extent that this Project will disrupt the ability of people to keep animals in this zone must be analyzed and potentially mitigated.

Air Quality and Greenhouse Gas Emissions/Climate Change: JS-7

<u>Air Quality</u>

Air quality impacts will be significant and unavoidable during both the construction and operation phases.

Construction:

The air quality analysis is flawed and underestimates the impact on air quality during construction. The air quality analysis improperly assumes for Phase 2 Grading a value of zero Vehicle Miles Traveled (0 VMT) for on-road truck travel. This is improper as the analysis must account for the VMT by construction workers *to and from* the Project site. JS-7 (cont'd)

Even under the current analysis, without mitigation, construction of the project will result in levels of VOC, NOx, PM10, and PM2.5 exceeding SCAQMD Regional Thresholds, yet all feasible mitigation measures were not adopted to reduce construction related emissions, and the mitigation which was adopted does not sufficiently mitigate the impacts and is uncertain to occur. For example, MM 4.3.4 does not reduce VOC to the greatest extent feasible. MM 4.3.4 should be modified to require that all paints, coatings, and solvents are zero (0) VOC. JS-8

MM 4.3.1 does not sufficiently mitigate for air quality impacts and is uncertain and unenforceable. In recommending this mitigation measure, the air quality analysis stated that traffic speeds should be reduced in order to reduce PM10 and PM2.5 fugitive dust haul road emissions *by approximately 44%*. Yet, MM 4.3.1 clearly leaves out this, or an even more stringent, performance standard, as required to make the mitigation measure enforceable. MM 4.3.1 should require that traffic speeds be reduced to a level which will reduce dust emissions by 44%. This measure should also be modified to include the specific measures which the contractor shall take to ensure that traffic speeds on unpaved roads are reduced to 15 miles per hour, such as the placement of signage or other speed controlling devices. Mitigation measures should also be required to include measures which mitigate for and ensure dust control at the dump site where the soil from the project site will be placed. JS-9

MM 4.3.7 should not only require that electrical power sources "be provided" but also require that electrical construction equipment be *actually used* "whenever technically feasible." JS-10

Although the air quality analysis recommends that "[p]rior to issuance of a grading permit, the grading plans shall reference that a sign shall be posted on-site stating that construction workers need to shut off engines after five minutes of idling," this mitigation measure was not included in the DEIR. This is unacceptable, particularly since the DEIR states that air quality emissions are significant and unavoidable, and this mitigation measure is plainly feasible and would reduce air quality emission. Moreover, this measure is required by CARB, in Title 13, Chapter 10, Section 2485, Division 3 of the California Code of Regulations. This mitigation measure must be included in the DEIR. JS-11

The air quality analysis also states that in order to stabilize the soil and decrease impacts from fugitive dust due to fine and mass grading, a mitigation measure to replace ground cover in disturbed areas "quickly" should be adopted. Yet, the DEIR fails to include such a mitigation measure. Again, this is unacceptable particularly since the air quality emissions are significant and unavoidable and this mitigation would reduce both PM10 and PM2.5 by JS-12

an additional 10%. Mitigation must be included requiring that landscaping or other vegetation be planted as soon as possible after disturbance. JS-12 (con'd)

In analyzing air quality due to fine site grading activity, the air quality analysis assumes that a maximum of 13.66 acres per day will be disturbed by grading activity. In order to ensure that the effect on air quality from fugitive dust is not greater than that relied upon by the DEIR, a mitigation measure must be adopted that *limits* fine site grading activity to a level below 13.66 acres per day. In fact, an even lower maximum daily acreage should be required in order to further mitigate for these impacts. JS-13

Even after applying mitigation measures, construction air quality impacts are expected to be significant and unavoidable and well above the thresholds of significance for criteria pollutants. For example, with implementation of the mitigation measures listed in the DEIR, emissions of PM10 during construction will amount to 39.51 $\mu g/m^3$ over 24-hours, almost four times the 10.4 $\mu g/m^3$ SCAQMD Localized Significance Threshold, while emissions of PM2.5 during construction will amount to 12.40 $\mu g/m^3$ over 24-hours, well over the 10.4 $\mu g/m^3$ SCAQMD Localized Significance Threshold. Additionally, VOC will reach 205.37 lbs/day, more than two and one half times the 75 lbs/day SCAQMD Regional Significance Threshold and NOx will reach 287.12 lbs/day, almost three times the 100 lbs/day SCQAMD Regional Significance Threshold. Yet, the DEIR suggests adoption of only nine (9) mitigation measures and simply concludes that the remaining unmitigated emission are unavoidable. This is insufficient. In order to further reduce construction air quality emissions, the following additional mitigation measures should be adopted:

1. Require the purchase of NOx credits from a qualified broker to off-set construction-related air quality impacts.
2. Install gravel pads at all access points to prevent tracking of mud onto public roads.
3. Install and maintain trackout control devices in effective condition at all access points where paved and unpaved access or travel routes intersect.
4. Complete all roadways, driveways, sidewalks, etc., as soon as possible. In addition, lay building pads as soon as possible after grading unless seeding or soil binders are used.
5. Pave all roads on construction sites as soon as technically possible.
6. Limit fugitive dust sources to 20 percent opacity.
7. The contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite.
8. Post a publicly visible sign with the telephone number and person to contact regarding dust complaints. This person shall respond and take corrective action within 24 hours.
9. Require high pressure injectors on diesel construction equipment.*
10. Restrict engine size of construction equipment to the minimum practical size.*
11. Use Electric construction equipment where technically feasible.*
12. Substitute gasoline-powered for diesel-powered construction equipment.*
13. Require use of alternatively fueled construction equipment, using, e.g., compressed natural gas, liquefied natural gas, propane, or biodiesel.*
14. Implement activity management techniques including a) development of a comprehensive construction management plan designed to minimize the number of

JS-14

large construction equipment operating during any given time period; b) scheduling of construction truck trips during non-peak hours to reduce peak hour emissions; c) limitation of the length of construction work-day period; and d) phasing of construction activities.*

15. Install catalytic converters on gasoline-powered equipment.*
16. Use electricity from power poles rather than temporary diesel power generators.*
17. Alternative diesel fuels exist that achieve PM10 and NOx reductions. PuriNOx is an alternative diesel formulation that was verified by CARB on January 31, 2001 as achieving a 14% reduction in NOx and a 63% reduction in PM10 compared to CARB diesel. It can be used in any direct-injection, heavy-duty compression ignition engine and is compatible with existing engines and existing storage, distribution, and vehicle fueling facilities. Operational experience indicates little or no difference in performance and startup time, no discernable operational differences, no increased engine noise, and significantly reduced visible smoke.
18. Prior to the issuance of a grading and building permit, the applicant shall submit verification that a ridesharing program for the construction crew has been encouraged and will be supported by the contractor via incentives or other inducements.*
19. Minimize construction worker trips by requiring carpooling and providing for lunch onsite.*
20. Provide shuttle service to food service establishments/commercial areas.*
21. Provide shuttle service to transit stations/multimodal centers.*
22. Utilize only CARB certified equipment for construction activities.*
23. All forklifts shall be electric or natural gas powered.*
24. Extend grading period sufficiently to reduce air quality impacts below a level of significance.

JS-14 (cont'd)

Operational:

The Air Quality Analysis for operational emissions fails to note the variances from default values which are standard for the SCAQMD that were used when conducting the URBEMIS Analysis. **Further, the total number of trips analyzed in the air quality section (1,585.22) was over 54% less than the total number of trips estimated in the traffic analysis (2,930).** This renders the DEIR inadequate as an informational document as it does not allow one to accurately assess the Project impacts.

JS-15

The DEIR also inaccurately represents the values used in the LST Analysis. The Air Quality Analysis states that the average trip length used was 0.3 miles and the vehicle speed was 10 miles per hour. Yet, the DEIR incorrectly states that the average trip length used in the LST Analysis was 0.5 miles while the vehicle speed was 5 miles per hour. (DEIR, 4.3-68) Again, this failure in the DEIR to accurately reflect the values used in the LST Analysis renders the DEIR inadequate as an informational document.

JS-16

The DEIR and air quality analysis conclude that for long-term operational activities, even after mitigation, VOCs and NO_x will exceed SCAQMD's Regional Significance Thresholds. Without mitigation, the regional emissions of VOCs and NO_x are exceeded for both summer and winter, with NO_x greatly exceeding the threshold of 55 lbs/day with 739.69 lbs/day in the summer and 819.10 lbs/day in the winter. With the mitigation measures, the emissions of

JS-17

NO_x would be reduced by only a meager .03 lbs/day in summer and .17 lbs/day in winter and emissions of VOCs would be reduced by only .01 lbs/day. These reductions are clearly insignificant. **The mitigation measures do not actually mitigate for the significant operational impacts to NOx and VOC.** JS-17 (cont'd)

MM 4.3.11 requires that the project surpass California Title 24 Energy Efficiency performance standards by a minimum of 20 percent. This goal is to be met by using any combination of a number of listed design features. Particularly since NOx emissions are significant this mitigation measure should require that the project surpass California Title 24 Energy Efficiency standards by at least 30 percent. In fact, all design features listed should be required to be implemented as a way to mitigate the significant effects on air quality. JS-18

Additionally, many more operational mitigation measures are feasible and may be implemented through contract requirements in the purchase, sale, or lease agreement. Such mitigation must be required unless the incorporation into the contract of a mitigation measures is shown to be *infeasible*, not merely inconvenient. The following mitigation measures should be required to reduce Project operational impacts:

1. Require the utilization of zero VOC paint, coatings, and solvents.
2. Require the purchase of NOx credits from a qualified broker to off-set construction-related air quality impacts.
3. The operator of the primary facilities (buildings of 400,000 s.f. or more) shall become SmartWay Partner.*
4. The operator of the primary facilities (buildings of 400,000 s.f. or more) shall incorporate requirements or incentives sufficient to achieve at least 20% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 90% of all long haul trips carried by SmartWay 1.0 or greater carriers. Results, including backup data shall be reported to the Planning Department semi-annually.*
5. The operator of the primary facilities (buildings of 400,000 s.f. or more) shall incorporate requirements or incentives sufficient to achieve a 15% per year (as a percentage of previous percentage, not total trips) increase in percentage of consolidator trips carried by SmartWay carriers until it reaches a minimum of 85% of all consolidator trips carried by SmartWay 1.0 or greater carriers. Results, including backup data shall be reported to the Planning Department semi-annually.* JS-19
6. By the end of the year 2012 all fleet vehicles shall conform to 2010 air quality standards or better. Results, including backup data shall be reported to the Planning Department semi-annually.*
7. Install catalytic converters on gasoline-powered equipment.*
8. Alternative diesel fuels exist that achieve PM_{10} and NOx reductions. PuriNOx is an alternative diesel formulation that was verified by CARB on January 31, 2001 as achieving a 14% reduction in NOx and a 63% reduction in PM_{10} compared to CARB diesel. It can be used in any direct-injection, heavy-duty compression ignition engine and is compatible with existing engines and existing storage, distribution, and vehicle fueling facilities. Operational experience indicates little or no difference in performance and startup time, no discernable operational differences, no increased engine noise, and significantly reduced visible smoke.

9. Electrical powered equipment must be utilized in-lieu of gasoline-powered engines where technically feasible.*
10. Require each user to establish a carpool/vanpool program.*
11. Provide on-site child care or contribute to off-site child care within walking distance.*
12. Provide preferential parking for carpool/vanpool vehicles.*
13. Provide secure, weather-protected bicycle parking for employees.*
14. Provide direct safe, direct bicycle access to adjacent bicycle routes.*
15. Provide showers and lockers for employees bicycling or walking to work.*
16. Short-term bicycle parking for retail customers and other non-commute trips.*
17. Connect bicycle lanes/paths to city-wide network.*
18. Design and locate buildings to facilitate transit access, e.g., locate building entrances near transit stops, eliminate building setbacks, etc.*
19. Prohibit idling of trucks for periods exceeding three minutes.*
20. Construct transit facilities such as bus turnouts/bus bulbs, benches, shelters, etc.*
21. Provide shuttle service to food service establishments/commercial areas.*
22. Provide shuttle service to transit stations/multimodal centers.*
23. Implement parking fee for single-occupancy vehicle commuters.*
24. Implement parking cash-out program for non-driving employees.*
25. Provide direct, safe, attractive pedestrian access from project to transit stops and adjacent development.*
26. Implement a compressed workweek schedule where feasible.*
27. Provide electrical vehicle ("EV") and compressed natural gas ("CNG") vehicles in vehicle fleets.*
28. Install EV charging facilities *for a minimum of 10% of all parking spaces*.*
29. Install a CNG fueling facility.*
30. Provide preferential parking locations for EVs and CNG vehicles.*
31. Utilize electrical equipment for landscape maintenance.*
32. Utilize only CARB certified equipment for construction activities.*
33. All forklifts shall be electric or natural gas powered.*
34. Provide subsidies or incentives to employees who use public transit or carpooling, including preferential parking.*
35. Plant shade trees in parking lots to provide minimum 50% cover to reduce evaporative emissions from parked vehicles.*
36. Utilize low pressure sodium fixtures for exterior lighting including parking lots.
37. Utilize electric yard trucks.*
38. All buildings shall be constructed to LEED Platinum standards.*
39. The operator shall meet SmartWay 1.25 ratings.*
40. The operator shall use only freight companies that meet SmartWay 1.25 ratings.*
41. The developer shall install photovoltaic solar systems sufficient to offset all electrical usage.*
42. The developer shall install photovoltaic solar systems sufficient to offset all vehicular emissions.*
43. The operator shall purchase only green power.*

JS-19 (cont'd)

<u>Climate Change/GHG emissions</u>:

According to the air quality analysis, this Project would generate GHG emissions that will have a significant effect on the environment. However, the DEIR concluded that GHG emissions are less than significant since the Project's emissions will not exceed the thresholds of significance proposed by SCAQMD (stationary source GHG emissions ≥ 10,000 metric tons per year of CO_2E) or CARB (7,000 metric tons per year of CO_2E from non-transportation related GHG sources). Not only is this conclusion improper but the analysis used to determine GHG emissions is also flawed. JS-20

The thresholds for significance for SCAQMD and CARB relate only to *non-transportation/stationary* sources. Therefore, the GHG emission analysis and conclusion of less than significance is deeply flawed as it fails to account for the majority of GHG emissions for the Project which are attributable to non-stationary/mobile sources. Of the total estimated 30,003.39 metric tons/year of CO_2E, 27,858.08 metric tons/year come from mobile sources, whereas only 7% of CO_2E is derived from stationary sources. JS-21

Furthermore, the same reduced number of trips used in the air quality analysis was used for determining the impact on global climate change. For the same reasons previously discussed, this is inappropriate and does not adequately represent the negative impact this Project will have on global climate change. When the 2,930 traffic trips used in the traffic analysis is used rather than the 1,585.22 traffic trips as suggested, the GHG emission for transportation sources increases more than double from 27,858.08 CO_2E to 51,490.77 CO_2E. **Clearly, GHG emissions are far greater than that estimated in the DEIR.** JS-22

The GHG emission analysis is also deeply flawed in assuming that no new mobile source of emissions will be created by this Project. Where the project consists of a new distribution center and truck parking, the vehicular emissions in fact create a "new" mobile source of emissions as they create new trucking jobs, and do not merely redistribute the existing traffic patterns as this analysis has assumed. JS-23

The DEIR incorrectly concludes that even though GHG emissions from the Project would be significant, since the Project is consistent with the CARB Scoping Plan and the 2006 CAT Report, GHG emissions are not cumulatively considerable. Yet, this project is, in fact, inconsistent with the CARB Scoping Plan. For instance, Action T-7 recommends that trucks/trailers be retrofitted with BAT and/or CARB-approved technology, yet this Project does not require this retrofit. The DEIR also states that the Project is consistent with Action E-4 (Million Solar Roofs) which sets a target for the installation of 3,000 megawatts (MW) of new solar capacity by 2017, yet the Project does not include nor require installation of a photovoltaic solar electricity system. In order to actually work to achieve this goal of new solar capacity, the Project should require, as a mitigation measure, the installation of a photovoltaic solar electricity system Such a system may be required through contract requirements in the purchase, sale, or lease agreement. JS-24

The DEIR also states that the Project is in compliance with 2006 CAT Report GHG Emission Reduction Strategies. Yet, these determinations of compliance are not supported by any *mandatory requirements,* but rather based on mitigation measures which are not fully enforceable or feasible. For example, the DEIR states that vehicles accessing the site will be in compliance with CARB vehicle standards to the "maximum extent feasible," but does not define this or implement any standard of performance. The DEIR also states that compliance JS-25

with the State's goal of achieving 50% Statewide Recycling will be met through including "provisions for tenants to recycle," yet, there is no requirement that this goal be met. Recycling of at least 50% by the future tenant should be mandatory and required as a mitigation measure through contract requirements in the purchase, sale or lease agreement. In stating that the Project is compliant with the requirement for water use efficiency, the DEIR states that implementation of water conserving devices should be required "to the extent feasible." This language is again vague and does not include any enforceable performance standards. Also, the Project does not require compliance with the California Solar Initiative, one of the strategies identified as critical for California to meet its greenhouse gas reduction targets. The Project merely *recommends* adoption of a requirement that "[a]ll buildings be designed to accommodate renewable energy sources, such as pholtovoltaic solar energy systems…" (DEIR, pg. 1-58) Again, this should be a *required*. Furthermore, the project is also inconsistent, and/or determined to not require compliance with several other CAT strategies, notably with respect to Alternative Fuels. JS-25 (cont'd)

The DEIR fails to analyze or provide evidence as to how any alleged compliance with the strategies in the 2006 CAT Report or the CARB Scoping Plan would reduce GHG emissions from this Project so that cumulative GHG impacts would not be significant. Furthermore, the DEIR fails to show how the Project is consistent with statewide goals in AB32 of reducing carbon emissions to 1990 levels 2020 and of Executive Order S-3-05 of reducing carbon emissions to 80% below 1990 levels by 2050, when this project only contributes to and increases these carbon emissions. JS-26

The California Air Pollution Control Officer's Association ("CAPCOA") has analyzed several means of determining the significance of a project's greenhouse gas impacts under CEQA in its CEQA & Climate Change White Paper. CAPCOA determined that a threshold of zero or a quantitative threshold designed to capture 90 percent or more of likely future discretionary projects (a 900-ton CO_2E threshold) are highly effective at reducing emissions and highly consistent with the emission reduction targets set forth under AB 32 and Executive Order S-3-05. (See Exhibit 5.) The Bay Area Air Quality Management District (BAAQMD) has also drafted guidance on the determination of significance for greenhouse gas impacts. BAAQMD has recognized that there is a "gap" between state action to reduce emissions and the need to further reduce emissions from land-use driven sectors in order to reach AB 32 targets. (See Exhibit 6.) After a series of calculations, BAAQMD then determined that projects above 1,100 tons (accounting for approximately 92% of all GHG emissions from new land use development) would be considered significant, thereby requiring the adoption of all feasible mitigation measures and helping to get nearer to meeting AB 32 targets after statewide regulations are taken into account. Additionally, in the EIR for the Highland Fairview project, the City adopted a zero emissions threshold for the assessment of impacts of GHG on climate change. The Project clearly exceeds the zero threshold. Accordingly, all feasible mitigation measures must be implemented and thus all suggested design features in Mitigation Measure 4.3.11 must be required to be implemented in the Project design. JS-27

The DEIR improperly concludes that due to the Project's supposed consistency with the CARB Scoping Plan and the 2006 CAT Report "that the Project's greenhouse gas emissions are not cumulatively considerable." (DEIR, pg. 5-14) As discussed above, even if the Project were consistent with the CARB Scoping Plan and the 2006 CAT Report, GHG JS-28

emissions from the Project are not less than significant. Additionally, the conclusion that GHG emissions are not cumulatively considerable just because the emissions are not individually considerable (although not actually true) completely ignores the concept of cumulative impacts. "'Cumulatively considerable' means that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects." Guidelines § 15064(h)(1). As the DEIR admits, climate change is a global issue as emissions from sources worldwide combine to create the most pressing environmental and social problem of our time resulting in increased flooding, decreased water supply, negative impacts to biological resources, as well as numerous other negative effects. These sources may "appear insignificant when considered individually, but assume threatening dimensions when considered collectively with other sources with which they interact." *Los Angeles Unified School Dist. v. City of Los Angeles,* 58 Cal.App.4th 1019, 1025 (1997). Here, the cumulative effects on GHG emissions were not adequately analyzed. GHG emissions, which are already estimated at over 30,000 metric tons of CO_2E per year for just this Project, will have a large cumulative effect and this impact must be addressed in the DEIR and be properly mitigated. **Adoption of air quality mitigation measures marked with an asterisk and provided above will help further mitigate GHG emissions.** JS-28 (cont'd)

After all measures have been implemented to reduce emissions, any remaining emissions that cannot be eliminated may be mitigated through off-site measures. The Final Statement of Reasons for CEQA GHG Guidelines specifically contemplates off-site mitigation such as "community energy conservation projects." CAPCOA also found that a potential cost-effective offset and verifiable offset could include an energy-efficient retrofit of existing building stock in the Project area to offset the remainder of the Project's emissions. (See Exhibit 5 at 80.) Offsetting GHG emissions in the project area could also effectively reduce criteria pollutants. JS-29

Noise:

Construction:

Intermittent noise levels due to construction at the Project site are expected to reach 89 dBA at the nearest residential properties, well in excess of the daytime 60 dBA Leq allowable under the Moreno Valley Municipal Code. Even at the more distant residential neighborhoods one quarter mile away from the Project site, noise levels during construction are expected to reach 60 to 65 dBA Leq. The DEIR concludes that even after implementing four mitigation measures, that construction noise will be significant and unavoidable. Yet, the DEIR does *not* adopt all feasible mitigation measures. Also note that Mitigation Measure 4.4.3, which limits constructions activities to between 7:00 a.m. and 8:00 p.m. does *not* mitigate the fact that noise levels of 89 dBA will be in excess of the City's noise ordinance during *daytime* hours. The fact that the ordinance establishes time frames does not eliminate or lessen the environmental impact it merely means that the impacts are not subject to criminal sanctions. The threshold of significance is therefore still exceeded during the day. JS-30

Additionally, Mitigation Measure 4.4.4 merely requires that the Project plans include a statement that "for the duration of grading and site preparation activities, temporary construction noise curtains or similar line-of-sight noise reduction measures shall be JS-31

installed along the Project's southerly boundary" and should "provide maximum reduction for noise sensitive uses…." The term "maximum reduction" is vague and unenforceable. In order to ensure that this mitigation measure actually reduces the level of noise, the measure should require that these sound barriers, which should also include temporary sound walls, actually **reduce noise at sensitive receptors to no more than 60 dBA Leq.** JS-31 (cont'd)

The Noise Analysis recommends the following feasible mitigation measures which must be adopted:

1. Prepare and implement a noise mitigation program and designate whom is responsible for implementing the program, when such a program must be implemented and planned, and include such actions as noise monitoring at selected noise sensitive locations, monitoring complaints, and identification of the major sources of noise.
2. The construction contractor shall limit haul truck deliveries to the same hours specified for construction equipment. To the extent feasible, haul routes shall not pass sensitive land uses or residential dwellings.
3. Notify surrounding homeowners of expected, specific construction related noise impacts.

JS-32

In addition, the following mitigation measures, not mentioned in the Noise Analysis, should be adopted:

4. When technically feasible, electrical construction equipment should be utilized.
5. During project construction, the developer shall require all contractors to turn off all construction equipment and delivery vehicles when not in use or prohibit idling in excess of 3 minutes.

JS-33

Additionally, the DEIR improperly adopts as a threshold of significance, an audible increase in noise levels of 3.0 dBA or greater. This is an improper and inaccurate assumption and is certainly not supported by Appendix G of the *CEQA Guidelines* as stated in the DEIR. The threshold of significance is whether the project would result in "exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance…." Here, 60 dBA is the standard for residential uses and noise levels will be in excess of this standard. JS-34

In terms of ground-borne vibration, there is no evidence pointed to in the DEIR that shows that vibrations would be less than significant even though heavy equipment used during construction "could potentially generate groundborne vibration impacts." Instead the DEIR makes the conclusory statement of insignificance without data or analysis to support such a determination. The DEIR also only mentions vibration impacts to *buildings* when it should also look at impacts to people. Therefore, the DEIR again fails as an informational document. JS-35

<u>Operational - Cumulative Impacts:</u>

As previously discussed, the DEIR fails to look at all cumulatively related projects. This is improper. JS-36

The DEIR finds that the cumulative effects on existing roadways will cause an increase in noise levels of up to 9.5 dB, yet, the DEIR improperly concludes that since the impact from the Project *on its own* is less than 3 dBA that the cumulative impact is not significant. Again, this analysis is completely improper. An increase of 3 dBA is not the threshold of significance adopted for the project. The threshold of significance is whether the project would result in "exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance …." Again, that standard for residential uses is 60 dBA and noise levels will be in excess of this standard. For example, with the project, noise levels 100 feet from Redlands Boulevard south of the SR-60 eastbound off-ramp will reach 69.3 dBA and noise levels 100 feet from SR-60 will range from 82.1 to 83.9 dBA. Further, the project will cause noise levels to *increase over levels without the project* at numerous roadway segments. This is a significant impact for which all feasible mitigation must be required. JS-37

Additionally, the Noise Analysis uses noise measurements previously taken at the G.I. Trucking facility in Pomona, California, although neither the Noise Analysis nor the DEIR provide information on this facility in order to show that the activity at the G.I. Trucking facility is comparable to that which would occur at this Project. Therefore the analysis is inadequate to determine the accuracy of potential noise impacts. JS-38

The following feasible mitigation measures must be adopted as recommended in the Noise Analysis: JS-39

1. All trucks, tractors and forklifts shall be operated with proper operating and well maintained mufflers.
2. Maintain quality pavement conditions that are free of bumps to minimize truck noise.
3. Limit the number of idling trucks on the southeastern portion of the site.

Traffic and Circulation:

Interstate 15 ("I-15") and Interstate 215 ("I-215") provide access to the Project area and will most certainly be used to access the Project site. Yet, the DEIR fails to assess the impacts this Project will have on I-15 and I-215 and fails to provide feasible mitigation for projected increased traffic congestion to I-15 and I-215. In order to mitigate for the substantial impacts to these Interstates, mitigation must be included which requires the Project to contribute a fair share to CALTRANS in order to support implementation of improvements to the I-15 and I-215. JS-40

Numerous mitigation measures require that the project participate in fee programs, namely the TUMF and DIF Programs. While payment of fair share fees can be appropriate mitigation for cumulative traffic impacts, they are only adequate when there is an existing program, and that program is adequately funded. The DEIR does not provide any data to quantify roadway costs, projected revenues, or adequacy of funds for the improvements needed to mitigate traffic impacts for this project. The DEIR also fails to provide information as to the availability of existing fee programs and the financial capability of these programs to actually fund the required improvements for this project. JS-41

The traffic impact mitigation relying on the DIF program is inadequate and is not certain to mitigate traffic impacts. The City announced several months ago that the DIF fees were inadequate to actually construct all required improvements. At that time, the DIF fees were underfunded by approximately 50%. In addition, at the August 18, 2009 City Council Hearing, the City further reduced DIF fees, further increasing the shortfall. There is absolutely no evidence in the record to show that the existing program is adequately funded.

Additionally, these measures do not indicate when the fees will be paid. If required to be paid at the time of construction, the amount could be non-representative of the project's "fair share" in the future. Accordingly, there is absolutely nothing to indicate that the traffic mitigation needed can actually be completed, that mitigation will bring levels of service to acceptable levels, or that there will be adequate funding to install the improvements prior to their need. JS-41 (cont'd)

Therefore, the following mitigation measures should also be adopted:

1. Provide temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow.*
2. Provide dedicated turn lanes for movement of construction trucks and equipment on- and off-site.*
3. Reroute construction trucks away from congested streets and sensitive receptor areas.*
4. Configure construction parking to minimize traffic interference.*
5. Prior to the issuance of a grading and building permit, the applicant shall submit verification that a ridesharing program for the construction crew has been encouraged and will be supported by the contractor via incentives or other inducements.*
6. Minimize construction worker trips by requiring carpooling and providing for lunch onsite. *
7. Provide shuttle service to food service establishments/commercial areas for the construction crew.*
8. Provide shuttle service to transit stations/multimodal centers for the construction crew.*
9. Improve traffic flow by traffic synchronization.

JS-42

Again, the cumulative analysis of traffic impacts is insufficient as it fails to consider numerous projects as previously discussed. JS-43

Water Supply/Sewer:

The DEIR improperly looks to potable water demand of the project (44 acre feet per year) to determine less than significant impact on water supply, instead of total water demand. The DEIR states that the "EMWD has determined that it will be able to provide adequate water supply to meet the **potable** water demand for the project…." There is no analysis of the impact of any additional water for the Project on diminishing water supplies for other uses such as agricultural uses, despite the fact that agricultural users have been put on mandatory water reductions because of water shortages. JS-44

The DEIR fails to examine impacts from global warming and climate change to water supplies. Specifically, the DEIR does not account for decreased snow pack, expected levee failure, and salinity intrusion into coastal water tables, especially with the State Water Project. Additionally, the state-wide drought and low availability of water throughout southern California will cause water supply to likely be much lower than projected, and the project may have a very significant impact. JS-45

In order to mitigate for these significant impacts, the following mitigation measures should be adopted: JS-45 (cont'd)

1. Install permeable pavement in car parking areas.
2. Implement concave pooling areas in the landscaping to allow for groundwater recharge.

Hydrology and Water Quality:

As discussed in the Preliminary Hydrology Study, on page 6, in order to mitigate for impacts from runoff, the project should be required to "clean the sediment build up in the existing triple 60" pipes crossing under the 60 freeway as well as the existing 60" Pipe outleting into the Redlands Blvd. westerly drainage ditch. This mitigation measure must be included in the DEIR. JS-46

The DEIR fails to analyze the impact at the southwesterly corner of the Project site if the future drainage improvements that are to eventually be constructed "by others in association with eventual bridged crossing of the Quincy Channel" are not constructed or construction is delayed. The DEIR fails to indicate when these drainage improvements are to be constructed and how they will be funded. JS-47

Cultural Resources:

The DEIR fails to provide adequate information to evaluate whether prehistoric resources will be impacted as a below ground investigation was not conducted, merely a surface study, even though most prehistoric resources would be expected to be discovered underground and prehistoric resources have been identified at numerous sites within one mile of the Project site. JS-48

Additionally, the mitigation measures provided to reduce cultural resources below a level of significance are insufficient and uncertain. CEQA prefers that underground cultural resources be preserved in situ whenever possible, yet this Project fails to account for this or require mitigation which requires that resources be preserved underground. MM 4.7.1 and 4.7.3 permit only temporary halts upon discovery of cultural resources, although longer halts and delays may be necessary to properly record and remove resources. These mitigation measures state that this delay is meant to "avoid construction delays." Therefore, it is likely that the cultural resources located onsite will be unearthed, damaged, improperly recorded, etc. in order to not inconvenience construction. JS-49

Further mitigation is feasible. The mitigation measures should give the cultural resources monitor the power to halt construction for as long as necessary in order to properly unearth and remove resources, not merely do a piecemeal salvage job. Further, some option to preserve the resources in situ should be provided in the event of the discovery of extensive cultural resources. JS-50

Biological Resources:

The DEIR and biological survey conclude, without providing adequate evidence or analysis, that although common wildlife would potentially be impacted by loss of this ruderal agricultural land, that this impact would not be significant. This is a conclusory statement not supported by evidence in the DEIR. The development of farmland and open space results in a loss of habitat and in turn, wildlife. The impacts to biological resources must be accurately analyzed and mitigated. JS-51

Aesthetics:

The Project is expected to change scenic vistas and cause a significant and unavoidable aesthetic impact and cumulatively result in a substantial adverse effect on scenic views in the Project area. In an attempt to mitigate these effects, the Project should be required to conduct off-site mitigation and preserve a separate off-site scenic area within Moreno Valley, or if not feasible, within Western Riverside County. JS-52

Project Alternatives:

CEQA requires that an EIR consider a reasonable range of project alternatives that lessen significant project impacts and meet basic project objectives. In this case, the DEIR fails to satisfy this mandate by not analyzing a "reasonable range" of alternatives because besides the no-project alternatives, the DEIR only actually considers the Reduced Intensity Alternative and Alternative Site 5. Further, Alternative Site 5 would not lessen significant project impacts. Although mentioned in the DEIR, Alternative Sites 1, 2, 3, and 4 were not actually considered as these sites are unavailable since other development is already planned for these sites. Further, any rejection of project alternatives has to be supported by findings supported by substantial evidence and this evidence does not appear in the record. JS-53

Thank you for your consideration.

Sincerely,

Raymond W. Johnson, Esq. AICP
JOHNSON & SEDLACK

Encl: Exh (11)

EXHIBITS

(1) Moreno Valley New Project Maps with Commercial Development Activity, New Housing and Planned New Housing. (Accessed from the City of Moreno Valley website, December 2, 2010).

(2) Moreno Valley Residential Development Projects. (Accessed from the City of Moreno Valley website, December 2, 2010).

(3) Moreno Valley Commercial Development Projects. (Accessed from the City of Moreno Valley website, December 2, 2010).

(4) Final Environmental Impact Report, Moreno Valley General Plan: 5.8, Agricultural Resources. (July 2006).

(5) California Air Pollution Control Officers Association. (January 2008) *CEQA & Climate Change: Evaluating and Addressing Greenhouse Gas Emissions from Projects Subject to the California Environmental Quality Act.*

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(6) Bay Area Air Quality Management District. (December 7, 2009) *California Environmental Quality Act Guidelines Update, Proposed Thresholds of Significance.*

(7) U.S. Department of Transportation, Federal Highway Administration. (August 2006) *Construction Noise Handbook, Chapter 4.0 Construction Noise Criteria and Descriptors.*

(8) U.S. Department of Transportation, Federal Highway Administration. (August 2006) *Construction Noise Handbook, Chapter 9.0 Construction Equipment Noise Levels and Ranges.*

(9) U.S. Department of Housing and Urban Development. (March 1985) *The Noise Guidebook.*

(10) Suter, Dr. Alice H., Administrative Conference of the United States. (November 1991) *Noise and Its Effects.*

(11) Federal Interagency Committee on Urban Noise. (June 1980) *Guidelines for Considering Noise in Land Use Planning and Control.*

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Johnson & Sedlack, an Environmental Law firm representing plaintiff environmental groups in environmental law litigation, primarily CEQA.

City Planning:

Current Planning

- Two years principal planner, Lenexa, Kansas (consulting)
- Two and one half years principal planner, Lee's Summit, Missouri
- One year North Desert Regional Team, San Bernardino County
- Twenty-five years subdivision design: residential, commercial and industrial
- Twenty-five years as applicants representative in various jurisdictions in: Missouri, Texas, Florida, Georgia, Illinois, Wisconsin, Kansas and California
- Twelve years as applicants representative in the telecommunications field

General Plan

- Developed a policy oriented Comprehensive Plan for the City of Lenexa, Kansas.
- Updated Comprehensive Plan for the City of Lee's Summit, Missouri.
- Created innovative zoning ordinance for Lenexa, Kansas.
- Developed Draft Hillside Development Standards, San Bernardino County, CA.
- Developed Draft Grading Standards, San Bernardino County.
- Developed Draft Fiscal Impact Analysis, San Bernardino County

Environmental Analysis

- Two years, Environmental Team, San Bernardino County
  - Review and supervision of preparation of EIR's and joint EIR/EIS's
  - Preparation of Negative Declarations
  - Environmental review of proposed projects
- Eighteen years as an environmental consultant reviewing environmental documentation for plaintiffs in CEQA and NEPA litigation

JS-55

Representation:

- Represented various clients in litigation primarily in the fields of Environmental and Election law. Clients include:
  - Sierra Club
  - San Bernardino Valley Audubon Society
  - Sea & Sage Audubon Society
  - San Bernardino County Audubon Society
  - Center for Community Action and Environmental Justice
  - Endangered Habitats League
  - Rural Canyons Conservation Fund
  - California Native Plant Society
  - California Oak Foundation
  - Citizens for Responsible Growth in San Marcos
  - Union for a River Greenbelt Environment
  - Citizens to Enforce CEQA
  - Friends of Riverside's Hills
  - De Luz 2000
  - Save Walker Basin
  - Elsinore Murrieta Anza Resource Conservation District

Education:

- B. A. Economics and Political Science, Kansas State University 1970
- Masters of Community and Regional Planning, Kansas State University, 1974
- Additional graduate studies in Economics at the University of Missouri at Kansas City
- J.D. University of La Verne. 1997 Member, Law Review, Deans List, Class Valedictorian, Member Law Review, Published, Journal of Juvenile Law

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Professional Associations:

- Member, American Planning Association
- Member, American Institute of Certified Planners
- Member, Association of Environmental Professionals

Johnson & Sedlack, Attorneys at Law
26785 Camino Seco 12/97- Present
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Principal in the environmental law firm of Johnson & Sedlack. Primary areas of practice are environmental and election law. Have provided representation to the Sierra Club, Audubon Society, AT&T Wireless, Endangered Habitats League, Center for Community Action and Environmental Justice, California Native Plant Society and numerous local environmental groups. Primary practice is writ of mandate under the California Environmental Quality Act.

Planning-Environmental Solutions
26785 Camino Seco 8/94- Present
Temecula, CA 92590
(909) 506-9825

Served as applicant's representative for planning issues to the telecommunications industry. Secured government entitlements for cell sites. Provided applicant's representative services to private developers of residential projects. Provided design services for private residential development projects. Provided project management of all technical consultants on private developments including traffic, geotechnical, survey, engineering, environmental, hydrogeological, hydrologic, landscape architectural, golf course design and fire consultants.

San Bernardino County Planning Department
Environmental Team 6/91-8/94
385 N. Arrowhead
San Bernardino, CA 92415
(909) 387-4099

Responsible for coordination of production of EIR's and joint EIR/EIS's for numerous projects in the county. Prepared environmental documents for numerous projects within the county. Prepared environmental determinations and environmental review for projects within the county.

San Bernardino County Planning Department
General Plan Team 6/91-6/92
385 N. Arrowhead
San Bernardino, CA 92415
(909) 387-4099

Created draft grading ordinance, hillside development standards, water efficient landscaping ordinance, multi-family development standards, revised planned development section and fiscal impact analysis. Completed land use plans and general plan amendment for approximately 250 square miles. Prepared proposal for specific plan for the Oak Hills community. JS-55 (cont'd)

San Bernardino County Planning Department
North Desert Regional Planning Team
15505 Civic 6/90-6/91
Victorville, CA
(619) 243-8245

Worked on regional team. Reviewed general plan amendments, tentative tracts, parcel maps and conditional use permits. Prepared CEQA documents for projects.

Broadmoor Associates/Johnson Consulting
229 NW Blue Parkway
Lee's Summit, MO 64063
(816) 525-6640 2/86-6/90

Sold and leased commercial and industrial properties. Designed and developed an executive office park and an industrial park in Lee's Summit, Mo. Designed two additional industrial parks and residential subdivisions. Prepared study to determine target industries for the industrial parks. Prepared applications for tax increment financing district and grants under Economic Development Action Grant program. Prepared input/output analysis of proposed race track Provided conceptual design of 800 acre mixed use development.

Shepherd Realty Co.

Lee's Summit, MO
6/84-2-86

Sold and leased commercial and industrial properties. Performed investment analysis on properties. Provided planning consulting in subdivision design and rezoning.

Contemporary Concepts Inc.
Lee's Summit, MO
9/78-5/84
Owner

Designed and developed residential subdivision in Lee's Summit, Mo. Supervised all construction trades involved in the development process and the building of homes.

Environmental Design Association
Lee's Summit, Mo.

Project Coordinator
6/77-9/78

Was responsible for site design and preliminary building design for retirement villages in Missouri, Texas and Florida. Was responsible for preparing feasibility studies of possible conversion projects. Was in charge of working with local governments on zoning issues and any problems that might arise with projects. Coordinated work of local architects on projects. Worked with marketing staff regarding design changes needed or contemplated.

JS-55
(cont'd)

City of Lee's Summit, MO
220 SW Main
Lee's Summit, MO 64063
Community Development Director 4/75-6/77

Supervised Community Development Dept. staff. Responsible for preparation of departmental budget and C.D.B.G. budget. Administered Community Development Block Grant program. Developed initial Downtown redevelopment plan with funding from block grant funds. Served as a member of the Lee's Summit Economic Development Committee and provided staff support to them. Prepared study of available industrial sites within the City of Lee's Summit. In charge of all planning and zoning matters for the city including comprehensive plan.

Howard Needles Tammen & Bergendoff
9200 Ward Parkway
Kansas City, MO 64114
(816) 333-4800 5/73-4/75
Economist/Planner

Responsible for conducting economic and planning studies for Public and private sector clients. Consulting City Planner for Lenexa, KS.

Conducted environmental impact study on maintaining varying channel depth of the Columbia River including an input/output analysis. Environmental impact studies of dredging the Mississippi River. Worked on the Johnson County Industrial Airport industrial park master plan including a study on the demand for industrial land and the development of target industries based upon location analysis. Worked on various airport master plans. Developed policy oriented comprehensive plan for the City of Lenexa, KS. Developed innovative zoning ordinance heavily dependent upon performance standards for the City of Lenexa, KS. JS-55 (cont'd)

JOHNSON & SEDLACK

Letter Dated December 6, 2010

Response JS-1

The City disagrees with the commentor's generalized assertions regarding the adequacy of the Westridge Commerce Center Draft EIR. As detailed in the following responses, appropriate and enforceable mitigation of the Project's potentially significant individual and cumulative impacts has been identified within the Draft EIR. As appropriate, additional measures suggested by the commentor have been incorporated to further reduce impacts, but these changes do not alter the conclusions or analysis contained in the DEIR. These mitigation measures, as amended herein, have been carried forward into the Mitigation Monitoring Plan included as Section 4.0 within this Final EIR. Similarly, the commentor's contention that the Project is inconsistent with the City's General Plan is addressed in the following responses.

Response JS-2

This comment incorrectly identifies the "Project Sponsor" as ProLogis. As noted on Draft EIR Page 2-2, the Project proponent is actually Ridge Property Trust. Otherwise, the commentor has accurately summarized the general aspects of the proposed Project and its significant impacts.

Response JS-3

This comment incorrectly infers that the Draft EIR's analysis of cumulative impacts was limited to a limited geographical area surrounding the Project site. In addition to the eleven existing and planned development projects identified in Draft EIR Table 5.1-1 (please refer to Draft EIR Page 5-2), the Draft EIR notes that "the cumulative impacts analysis assumes development of the area in a manner consistent with the City of Moreno Valley General Plan, and reflecting the anticipated growth of the region. The analysis of cumulative impacts considers potentially significant impacts that could be

considered cumulatively considerable when viewed in the context of known related projects and generalized ambient growth of the City and region" (Draft EIR Page 5-4).

Affected Draft EIR discussions at Pages 5-1 through 5-25 are revised, as indicated below by **bold underlined text,** providing clarification of considered parameters and geographic scope for each cumulative impact topic.

5.1 CUMULATIVE IMPACT ANALYSIS

CEQA requires that an EIR identify any significant cumulative impacts associated with a project [Guidelines, Section 15130 (a)]. When potential cumulative impacts are not deemed significant, the document should explain the basis for that conclusion. "Cumulative impacts" are defined as "two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts." [*CEQA Guidelines*, Section 15355 (a l)]. Thus, a legally adequate cumulative impact analysis is an analysis of a particular project viewed over time and in conjunction with other related past, present and reasonably foreseeable probable future projects whose impacts might compound or interrelate with those of the project at hand. CEQA notes that the discussion of cumulative impacts should be guided by standards of practicality and reasonableness [Guidelines, Section 15130 (b)]. Only those projects whose impacts might compound or interrelate with those of the project under consideration require evaluation. CEQA does not require as much detail in the analysis of cumulative environmental impacts as must be provided for the project alone.

The Guidelines identify two basic methods for satisfying the cumulative impacts analysis requirement: the list-of-projects methodology and the summary-of-projections methodology. Because each environmental resource is affected by its surroundings in different

ways, either of the two methodologies, or a combination of both, may be applied to the analysis of cumulative impacts to each resource. For example, because the approval process and construction phase of development typically takes at least one to two years, the list-of-projects method is likely to provide a more accurate projection of growth in the near term. This method may overstate potential cumulative impacts because the considered list-of-projects may include proposals that will never be developed. Similarly, because development proposals are rarely publicly known until within five (5) years of the expected development, the summary-of-projections method provides a more accurate projection of growth over the long term. This method may not accurately predict growth in any given year, but aggregates various growth trends over the long term. Unless otherwise noted, potential cumulative impacts of the Project are considered in the context of known or probable development proposals (related projects) as well as anticipated ambient growth of the City and region.

As noted previously, the Guidelines identify "that only those projects whose impacts might compound or interrelate with those of the Project under consideration require evaluation." In this regard, it is recognized that within the context of the cumulative impacts analysis, varied criteria are employed in determining the scope and type of "cumulative projects" to be considered. For example, the analysis of cumulative traffic impacts evaluates the Project's traffic impacts in the context of other known or probable development proposals that would discernibly affect traffic conditions within the Traffic Impact Analysis Study Area, though such projects may not affect other environmental considerations.

The manner in which each resource may be affected also dictates the geographic scope of the cumulative impacts analysis. For example, cumulative traffic impacts will typically be localized to the vicinity of a given project site because after a relatively short distance, traffic patterns tend to normalize. Similar considerations factor in evaluating potential cumulative impacts for each of the EIR's environmental topics (Land Use and Planning, Traffic and Circulation, Air Quality, Noise, Water Supply, Hydrology and Water Quality, Cultural Resources, Biological Resources, and Aesthetics).

Unless otherwise noted herein, the cumulative impact analysis ultimately evaluates effects of the Project within the context of anticipated buildout of the City as envisioned under the General Plan and related regional plans. Specific cumulative projects have also been identified where this information may be different, more detailed than that provided within the General Plan or applicable regional plans, or where such specific information otherwise benefits the cumulative impact analyses.

Potential cumulative impacts of the Project are considered in the context of known or probable development proposals, as well as anticipated generalized ambient growth of the region. As identified at Table 5.1-1, and illustrated in Figure 5.1-1, a number of current or anticipated "related projects" have been identified within the cumulative scope of the Westridge Commerce Center Project. Related projects have been identified in consultation and coordination with the Lead Agency. . . .

. . . It should be noted that, with the exception of specific Project-related traffic, air quality, noise and aesthetic impacts, which are forecast to remain significant and unavoidable even after application of all feasible

mitigation, implementation of the mitigation measures identified in this Draft EIR (found in Table 1.10-1) would reduce impacts to a level that is considered less-than-significant.

5.1.1 DISCUSSION OF CUMULATIVE IMPACTS

Potential cumulative impacts for each topic of environmental concern considered in this EIR and associated Initial Study are discussed below. Assessments of potential cumulative impacts are based on development scenarios and growth projections presented in the City's General Plan, related analyses of cumulative impacts presented in the General Plan EIR, as well as potential cumulative effects of the previously-identified related projects.

5.1.1.1 Cumulative Impacts Related to Land Use and Planning

The cumulative impact area when considering potential cumulative land use and planning issues generally includes areas that are currently, or are anticipated to be, subject to provisions of the City General Plan and Zoning Ordinance. These areas include the currently incorporated areas of the City of Moreno Valley and unincorporated areas of the County of Riverside lying within the City's Sphere of Influence.

Implementation of the Westridge Commerce Center Project would result in the introduction of a new industrial use in an area of the City that has, until recently, been largely undeveloped. It is acknowledged that development of the Project would result in a permanent change to the perceived rural character of the Project area. . . .

5.1.1.2 Cumulative Impacts Related to Traffic and Circulation

The cumulative impact area for traffic circulation impacts is generally defined by the Traffic Impact Study Area as detailed within the Project

Traffic Impact Analysis (EIR Appendix B). This Area includes, but is not limited to potentially affected roadways and intersections within the City of Moreno Valley, and also considers all potentially affected Caltrans and Congestion Management Program facilities.

Project-Specific Impacts Are Reduced To Levels That Are Less-Than-Significant

Project-specific traffic impacts are addressed through implementation of on-site improvements and mitigation to be completed prior to issuance of the first Certificate of Occupancy for the Project. . . .

5.1.1.3 Cumulative Impacts Related to Air Quality

The cumulative impact area for air quality considerations is generally defined by the encompassing Air Basin and boundaries of jurisdictional air quality management agency, in this case, the South Coast Air Basin (SCAB) and the South Coast Air Quality Management District (SCAQMD) respectively. Project emissions within the context of SCAQMD's regional emissions thresholds provide an indicator of potential cumulative impacts within the jurisdictional Air Basin. Impacts to air quality from cumulative projects may occur within the entire Air Basin. Due to the defining geographic and meteorological characteristics of the Air Basin, criteria pollutant emissions that would potentially cumulatively impact air quality would be, for practical purposes, restricted to the Air Basin. Accordingly, the Basin geographic area is the appropriate limit for this cumulative Air Quality analysis. Cumulative localized impacts for pollutants are also considered, and reflect Project air pollutant emissions in the context of ambient air quality conditions more immediate to the Project site.

Global Climate Change impacts are by definition, cumulative and global in scope.

Construction-Source Pollutant Emissions

EIR Section 4.3, "Air Quality," and EIR Appendix C address potential air quality impacts of the Project. As discussed, even after compliance with all rules and regulations, Project-related construction activities will temporarily result in exceedances of applicable SCAQMD regional thresholds for VOC and NOx. . . .

5.1.1.4 Cumulative Impacts Related to Noise

The cumulative impact area for noise considerations is generally defined as surrounding properties that could receive Project-generated noise (either construction or operational), and would also include roadway corridors affected by Project-related traffic and associated vehicular noise (existing EIR discussion at Page 5-14).

5.1.1.5 Cumulative Impacts Related to Water Supply

The cumulative impact area for water is the Eastern Municipal Water District (EMWD) service area and encompassing Metropolitan Water District (MWD) jurisdiction. Water supply issues germane to the Project including cumulative water supply impacts are comprehensively addressed within The Project Water Supply Assessment, (Eastern Municipal Water District) June 4, 2008. The Project Water Supply Assessment is presented at Draft EIR Appendix E.

As discussed in Draft EIR Section 4.5, potential cumulative impacts attributable to water demands of the Project are adequately planned and provided for under local and regional water management plans. . . .

5.1.1.6 Cumulative Impacts Related to Hydrology and Water Quality

The cumulative impact area for hydrology/water quality impact considerations is generally defined as the area encompassed by the jurisdictional Regional Water Quality Control Board (RWQCB), in this case the Santa Ana Regional Water Quality Control Board. Local oversight is also provided by the City of Moreno Valley and Riverside County.

Potential hydrology and water quality impacts of the Project are addressed in EIR Section 4.6, "Hydrology and Water Quality." As discussed in the EIR, Project-related storm water management will be realized through a system of on-site detention basins and controlled release of storm waters to existing and proposed drainage facilities. . . .

5.1.1.7 Cumulative Impacts Related to Cultural Resources

The cumulative impact area for prehistoric, archaeological, and historic resources is the Perris Plain/Perris Valley area (including the Cities of Moreno Valley and Perris, and surrounding unincorporated communities). Impacts to any cultural resources within the Perris Plain/Perris Valley area would be site-specific. In the event that similar resources are encountered at any other project sites, specific mitigation measures would be applied before development could proceed.

As discussed in Draft EIR Section 4.7, potential impacts to cultural resources are determined to be less-than-significant as mitigated. . . .

5.1.1.8 Cumulative Impacts Related to Biological Resources

The cumulative impact areas for biological resources are generally defined by available habitat, species' range(s), physical constraints, and other

limiting factors as discussed within the Project Biological Resources Assessment, Draft EIR Appendix G (existing discussion at EIR Page 5-20).

5.1.1.9 Cumulative Impacts Related to Aesthetics

The cumulative impact area for aesthetic impact considerations is generally defined as the city of Moreno Valley General Plan Area. More specific to the Project, cumulative impacts of concern are impacts to views and viewsheds along SR-60 in the Project vicinity.

As presented in EIR Section 4.9, "Aesthetics," new industrial uses proposed by the Project will substantially alter the existing visual sense of the subject property, which is currently a vacant site. . . .

Related development proposals that would potentially interact with Project traffic are summarized in the Draft EIR (Draft EIR at Page 4.2-16) and identified graphically at TIA Exhibit 5-11. The developments referenced by the commentor, including the Moreno Highlands Specific Plan (adopted in 1992), the Aqua Bella Specific Plan (adopted in 2005), and Centerpointe Business Park Project (approved in 2006) are reflected in the City's most recent General Plan Amendment, which was adopted in 2006. Traffic generated by these projects is modeled in traffic planning estimates and projections of the Moreno Valley General Plan buildout condition. As clarified previously in these responses, unless otherwise noted herein, the cumulative impact analysis ultimately evaluates effects of the Project within the context of anticipated buildout of the City as envisioned under the General Plan and related regional plans. Specific cumulative projects have also been identified where this information may be different, more detailed than that provided within the General Plan or applicable regional plans, or where such specific information otherwise benefits the cumulative impact analyses.

Response JS-4

The Draft EIR addresses the Project's consistency with applicable General Plan goals, objectives and policies for each topic of analysis (please refer to Draft EIR Land Use Table 4.1-1 on Pages 4.1-18 through 4.1-20; Traffic and Circulation Table 4.2-8 on Pages 4.2-23 and 4.2-24; Air Quality Table 4.3-4 on Page 4.3-18; Noise Table 4.4-3 on Pages 4.4-10 and 4.4-11; Water Supply Table 4.5-10 on Pages 4.5-24 and 4.5-25; Hydrology and Water Quality Table 4.6-2 on Pages 4.6-13 and 4.6.14; Cultural Resources Table 4.7-1 on Page 4.7-10; Biological Resources Table 4.8-1 on Pages 4.8-11 and 4.8-12; and Aesthetics Table 4.9-1 on Pages 4.9-5 through 4.9-7).

The commentor asserts that "the Project has numerous significant and unavoidable impacts to the safety, health, and well-being of residents throughout Moreno Valley." The Project's significant and unavoidable impacts have been identified as follows: cumulative traffic impacts affecting levels of service at certain intersections, roadway segments and freeway mainline segments; individual and cumulative short-term construction source exceedance of localized air quality thresholds for particulates (PM_{10} and $PM_{2.5}$); individual and cumulative long-term operational emissions exceedances for ozone precursors (VOC and NOx); individual and cumulative short-term construction noise impacts; and individual and cumulative aesthetic impacts related to changes to scenic vistas.

The Draft EIR acknowledges that increased air emissions could affect the health of area residents (please refer to Draft EIR Section 4.3, pages 4.3-4 through 4.3-10 *et al.*). The Draft EIR further acknowledges that the Project's temporary exceedance of the South Coast Air Quality Management District's Localized Significance Thresholds (LSTs) represents a potentially significant impact to sensitive receptors in the Project vicinity for the duration of Project construction. It is noted, however, that these exceedances would affect only one existing residence, located to the south of the Project site at 28855 Fir (future Eucalyptus) Avenue. Although parcels designated for residential land uses are present within the area of LST exceedance, they are largely undeveloped. All other

study area receptor locations (existing residences south of Eucalyptus (future Encilia) Avenue and north of SR-60, and area school sites) are well beyond the area of the Project's temporary LST exceedances for particulate matter. Additionally, the Draft EIR included a Health Risk Assessment which was prepared in order to specifically address potential health risks that could result from exposure to Project-generated Diesel Particulate Matter (DPM). No health risks related to DPM were identified, and potential impacts in this regard were found to be less-than-significant (please refer to Draft EIR pages 4.3-79 to 4.3-86).

Similarly, the potential for long-term increases in noise generation to lead to health impacts are acknowledged in the Draft EIR (please refer to Draft EIR pages 4.4-3 through 4.4-4, *et al*. However, the Draft EIR identified no long-term exceedances of existing noise standards due to Project operations (please refer to Draft EIR pages 4.4-21 through 4.4-26). The significant noise impacts identified in the Draft EIR were the result of Project construction activities, and as such, would be temporary and intermittent.

The Project will implement all feasible mitigation as summarized at revised Table 1.10-1. Notwithstanding, significant impacts are anticipated to occur from Project construction and/or operations. These significant impacts are summarized at EIR Table 1.8-1 (Draft EIR Pages 1.1-17 through 1.1-20). CEQA does not prohibit the Lead Agency from approving a project with significant impacts. As provided for under CEQA Section 15093 subd. (a):

> (a) CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits,

> of a proposal project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered "acceptable."

Should the Project be approved, the Lead Agency is required to adopt Findings of Fact and a Statement of Overriding Considerations acknowledging the Project's significant environmental impacts, and substantiating that the Project benefits outweigh the unavoidable adverse environmental effects, such that the adverse environmental effects may be considered acceptable. General Plan goal, objective, and policies cited by the commentor are provided in their entirety in the following table, along with a discussion of the Project's consistency with each of these provisions.

Goal/Objective/Policy	Project Consistency
Goal 2.2: An organized, well-designed, high quality, and functional balance of urban and rural land uses that will meet the needs of a diverse population, and promote the optimum degree of health, safety, well-being, and beauty for all areas of the community, while maintaining a sound economic base.	**Consistent**. The Project is permitted under the site's current General Plan Land Use Designation, reflecting consistency with the City's goal to establish an organized, well-designed, high quality, and functional balance of urban and rural land uses that will meet the needs of a diverse population. The Project establishes contemporary industrial facilities. As noted at EIR Page 3-5, "[f]inal designs of the Project building will be realized consistent with industrial design requirements and standards identified under Municipal Code Section 9.05.040, "Industrial Site Development Standards." Site plan and design concepts are articulated at EIR Section 3.0, Project Description. Moreover, the Project is required to comply with Development Plan Review provisions established within City of Moreno Valley Municipal Code Section 9.02.030. The Project will contribute to a functional balance by affecting the City's economic base through increased property tax revenues based on improvement of the vacant site. The Project proposes new industrial development within the City, and will create additional job opportunities (temporary construction jobs and as well as permanent warehouse staff and management positions)anticipated to be filled from local employment pools. At buildout, the Project is anticipated to generate up to approximately 900 permanent jobs.
Objective 2.13: Coordinate development activity with the provision of public infrastructure and services to eliminate possible gaps in service provision.	**Consistent.** The Project will provide all necessary infrastructure improvements to ensure safe and efficient operations. As discussed in the Draft EIR (Pages 1-10 to 1-11), no possible gaps in public services or utilities have been identified in regard to Project implementation. Please refer also to the discussion of Project infrastructure presented at Draft EIR Pages 3-21 through 3-23. The Project will also be responsible for providing on-site and off-site roadway infrastructure improvements, prior to the issuance of occupancy permits, as presented at Draft EIR pages 3-7 and 3-8.

Goal/Objective/Policy	Project Consistency
Policy 2.10.14: Preserve or relocate existing mature trees and vegetation where practical. Mature trees shall be replaced when they cannot be preserved or relocated.	**Consistent.** The Project design concept as well as programmed Caltrans improvements to adjacent SR-60 would require elimination of certain mature pine trees existing along the existing northerly boundary of the subject property. That is, these trees will be displaced by Project and Caltrans improvements, and cannot be maintained in place. As discussed at Draft EIR Page 4.9-19, the Project will replace the existing, mature pine trees along its northerly boundary (adjacent to SR-60) with a double-row of new trees, in order to visually screen the Project from the view of freeway travelers. Pursuant to the City's criteria for the removal of mature trees, at least three new trees will be planted in the place of each mature tree that is removed. New trees will be drought-resistant, and will be planted and irrigated in coordination with Caltrans and City requirements.
Policy 2.13.1: Limit the amount of development to that which can be adequately served by public services and facilities, based upon current information concerning the capability of public services and facilities.	**Consistent.** As discussed in the Draft EIR (Pages 1-10 to 1-11), no possible gaps in public services or utilities have been identified in regard to Project implementation. The Project's potential to result in Projects-specific impacts due to insufficient roadway infrastructure have been addressed within the Draft EIR (Section 4.3, "Traffic and Circulation," Mitigation Measures 4.2.1, 4.2.2), and are identifies as less-than-significant as mitigated.
Policy 2.13.3: It shall be the ultimate responsibility of the sponsor of a development project to assure that all necessary infrastructure improvements (including system wide improvements) needed to support project development are available at the time that they are needed.	

It is acknowledged that not every provision of the General Plan was addressed within the Westridge Draft EIR; however, the Lead Agency disagrees with the commentor's assertion that the Draft EIR is thus inconsistent with the General Plan. The results and conclusions of the Draft EIR are not affected.

Response JS-5

The commentor correctly notes that the Draft EIR identifies potential impacts regarding the conversion of farmland to non-agricultural uses to be a less-than-significant impact. However, the comment misconstrues the findings of the City's General Plan in regard

to this issue. As referenced in the discussion of Agricultural Resources analysis from the Moreno Valley General Plan Final Program EIR, which was attached to the commentor's letter and identified by the commentor as "Exhibit 4," and has been included in Appendix A of this Final EIR), the potential loss of agricultural land due to General Plan implementation was acknowledged in the General Plan Final Program EIR (GPEIR) as significant and unavoidable. The GPEIR states that, "[s]ince the feasible mitigation measures that are available to reduce the impact to loss of farmland within the planning area are not consistent with the project objectives and land uses of the General Plan alternatives, no mitigation measure is proposed and the impact will be significant and unavoidable." Certification of the GPEIR required the City to adopt overriding considerations in regard to all impacts determined significant and unavoidable, including the potential for loss of agricultural lands. The Project land uses are consistent land uses reflected in the General Plan, and the Project would not result in impacts to farmlands differing substantively from those considered and evaluated in the GPEIR.

Moreover, relevant CEQA threshold considerations address lands defined as "Prime Farmland," "Unique Farmland," or "Farmland of Statewide Significance." In the case of the Project, the subject site does not qualify as any of these.[8] The mitigation measures identified by the commentor are unnecessary. The results and conclusions of the Draft EIR are not affected.

Response JS-6

This comment is unclear about the nature of the significant impact that will result should the Project's proposed zone change and Municipal Code amendment be

[8]State of California Department of Conservation, Division of Land Resources Protection, Farmland Mapping and Monitoring Program Riverside County Important Farmland 2008 (Sheet 1 of 3) identifies the Project site as "Farmland of Local Importance."

adopted. The proposed code amendment provides additional protection of residential uses in instances where industrial uses may be proposed within adjacent zone districts. The amendment would apply City-wide. The Code Amendment Application is on file with the City. The Draft EIR addresses the proposed zone change and Municipal Code amendment as part of the Land Use analysis (please refer to Draft EIR Pages 4.1-20 through 4.1-23. Specifically, the following discussion appears in regard to this topic.

> The Project proposes a change of zone from Business Park to Light Industrial, and the City General Plan envisions and allows for extensive implementation of either or both types of land uses along the southerly edge of SR-60 as it traverses the City. While both types of uses (business park and/or light industrial, including distribution warehouse uses) are provided for under the General Plan, the site's current Business Park zoning designation does not permit these uses within single structures of more than 50,000 square feet. The Light Industrial zone designation requested by the Applicant does permit single structures of more than 50,000 square feet. The impetus of the zone change requested by the Project Applicant is to therefore to allow for construction of a single warehouse use greater than 50,000 square feet in size.
>
> Key to compatibility of the Project's proposed Light Industrial zoning with adjacent residentially zoned land uses is design, implementation, and operation of the Project in a manner consistent with the high performance standards required of uses proposed within the City's Light Industrial zone district. Supporting the proposed zone change, and codifying design solutions proposed the Project, a Municipal Code Amendment is also proposed. The proposed Municipal Code Amendment requires a minimum separation of 250 feet between light industrial uses and residentially-zoned properties. This 250-foot minimum separation shall be increased as required to fully mitigate any

potentially significant health risks and/or potentially significant operational noise impacts at adjacent residential properties (Draft EIR Pages 4.1-22, 23).

The Draft EIR adequately and appropriately considers all potential land use and planning impacts, consistent with the methods set forth in the CEQA Guidelines. To these ends, the Draft EIR considers all pertinent land use plans, policies, regulations. There is no substantiation or indication that the Project would result in or cause potential interference with animal keeping on nearby properties. The Draft EIR acknowledges that "development of the Project would result in a permanent change to the perceived rural character of the Project area" (Draft EIR Page 5-5). Moreover, zone changes and amendments to the municipal code do not trigger any of the thresholds of significance under CEQA Guidelines Appendix G.

However, this change is consistent with the existing General Plan designation for the Project site. Further, potential effects on adjacent land uses are minimized by the 250-foot buffer area that would be provided by the Municipal Code amendment referenced above.

With approval of the Project's requested zone change and requested Municipal Code amendment to establish objective standards for the development of Light Industrial uses adjacent to residentially-zoned property, the Project's potential to result in significant land use impacts was determined to be less-than-significant. The results and conclusions of the Draft EIR are not affected.

Response JS-7

Despite the commentor's assertions to the contrary, the Project's air quality analysis does account for construction worker travel to and from the site. As noted in the Draft EIR (Page 4.3-56), "[c]onstruction emissions for construction worker vehicles traveling to and from the Project site, as well as vendor trips are also accounted for within the

Project construction emissions modeling." Worker trips for all construction phases are clearly identified and accounted for in the air quality modeling (see URBEMIS construction emission modeling data in Draft EIR Appendix C. Specifically, please refer to Appendix A of the Project Air Quality Impact Analysis). No indication of zero VMT for construction workers is found. The results and conclusions of the EIR are not affected.

Response JS-8

The commentor states that "all feasible mitigation measures were not adopted . . . and the mitigation which was adopted does not sufficiently mitigate the impacts and is uncertain to occur." The commentor requests Mitigation Measure 4.3.4 to specifically include zero VOC applications for all "paints, coatings, and solvents."

Draft EIR Mitigation Measure 4.3.4 serves as a formal restatement a of SCAQMD rules. As noted in the Draft EIR (Page 4.3-61), "[i]n order to facilitate monitoring and compliance, applicable SCAQMD and CARB regulatory requirements are restated as mitigation measures, and shall be incorporated in all Project plans, specifications and contract documents." Complementing SCAQMD rule compliance, the Draft EIR incorporates additional requirements as mitigation measures. "Additional mitigation required of the Project is identified below, and shall be incorporated in all Project plans, specifications and contract documents." (Draft EIR Page 4.3-62) Mitigation Measure 4.3.8 currently requires Zero VOC paint applications. In response to the commentor's suggestion, Mitigation Measure 4.3.7 is amended to read as follows:

> ~~*Zero Volatile Organic Compounds paints (no more than 150 grams/liter of VOC) and/or High Pressure Low Volume (HPLV) applications*~~***"Zero-Volatile Organic Compounds" paints, coatings, and solvents with a VOC content lower than required under Rule 1113. The Project shall surpass Rule 1113 minimum requirements through specification that VOC content shall not exceed 150 grams/liter; 1.25 pounds/gallon. High Pressure Low Volume***

(HPLV) applications of paints, coatings, and solvents shall be *consistent with South Coast Air Quality Management District Rule 1113. Alternatively, the Applicant shall use materials that do not require painting or are pre-painted.*

This revision has been reflected in Final EIR Section 2.0, "Revisions and Errata," and incorporated in the Final EIR's Mitigation Monitoring Program, presented at Section 4.0. Other than suggested language modification of SCAQMD rules, the commentor offers no new or revised mitigation for consideration here. Absent specific suggestions or requested revisions, further response in this regard is not possible. The conclusions of the EIR are not affected.

Response JS-9

The commentor appears to misinterpret Air Quality modeling protocols and outputs, stating that " . . . [i]n recommending this mitigation measure, the air quality analysis stated that traffic speeds should be reduced in order to reduce PM_{10} and $PM_{2.5}$ fugitive dust haul road emissions by approximately 44%. Yet, Mitigation Measure 4.3.1 clearly leaves out this, or an even more stringent, performance standard, as required to make the mitigation measure enforceable. Mitigation Measure 4.3.1 should require that traffic speeds be reduced to a level which will reduce dust emissions by 44%."

To clarify, Mitigation Measure 4.3.1 is a formal restatement of SCAQMD Rule 403 provisions. URBEMIS modeling of the Rule application yields a 44 percent reduction in PM_{10} emissions. As suggested by the commentor, additional language specifying on-site speed controls is added to Mitigation Measure 4.3.1:

- ***In support of Project plan specifications and contract document language; and as means of controlling on-site construction vehicle speeds, for the duration of Project construction activities, speed limit signs (15 mph maximum) shall be posted at entry points to the Project***

site, and along any unpaved roads providing access to or within the Project site and/or any unpaved designated on-site travel routes.

This revision has been reflected in Final EIR Section 2.0, "Revisions and Errata," and incorporated in the Final EIR's Mitigation Monitoring Program, presented at Section 4.0. Results and conclusions of the EIR are not affected.

Response JS-10

The commentor suggests explicit notation indicating required use of available electrical power during construction activities. In response to the commentor's suggestion, Mitigation Measure 4.3.6 is amended as follows:

> *4.3.6 During Project construction, existing electrical power sources (e.g., power takeoffs from existing or temporary power poles) shall be ~~provided for~~ **utilized to** power electric construction tools including saws, drills and compressors, to minimize the need for diesel or gasoline powered electric generators.*

This revision has been reflected in Final EIR Section 2.0, "Revisions and Errata," and incorporated in the Final EIR's Mitigation Monitoring Program, presented at Section 4.0. Results and conclusions of the EIR are not affected.

Response JS-11

Please note that introductory language included prior to the introduction of construction-source emissions mitigation measures states: *"To facilitate monitoring and compliance, applicable SCAQMD and CARB regulatory requirements are restated as Mitigation Measures 4.3.1 through 4.3.4 below, and shall be incorporated in all Project plans, specifications and contract documents."*

Existing Mitigation Measure 4.3.2, which read, "[t]he contractor shall minimize pollutant emissions by maintaining equipment engines in good condition and in proper

tune according to manufacturer's specifications and during smog season (May through October) by not allowing construction equipment to be left idling for more than five minutes (per California law)"is deleted and replaced with the following:

> ***4.3.2 The contractor shall minimize pollutant emissions by maintaining equipment engines in good condition and in proper tune according to manufacturer's specifications and by not allowing construction equipment to be left idling for more than five minutes (per California law).***

Response JS-12

The commentor states that "[t]he air quality analysis also states that in order to stabilize the soil and decrease impacts from fugitive dust due to fine and mass grading, a mitigation measure to replace ground cover in disturbed areas 'quickly' should be adopted." In fact, this statement does not appear to be included in the Project Air Quality Analysis. The mitigation input calling for the Project to replace ground cover in disturbed areas quickly is, however, a parameter reflected in the URBEMIS modeling output. Revised Mitigation Measure 4.3.1 is amended to reflect this specific parameter:

- ***Ground cover shall be replaced, and/or non-toxic soil stabilizers shall be applied (according to manufacturers' specifications) to any inactive construction areas (previously graded areas inactive for ten days or more);***

This revision has been reflected in Final EIR Section 2.0, "Revisions and Errata," and incorporated in the Final EIR's Mitigation Monitoring Program, presented at Section 4.0. Results and conclusions of the EIR are not affected.

Response JS-13

The commentor notes that an estimated disturbance area of 13.66 acres per day is reflected in the Air Quality modeling. The commentor suggests that a mitigation measure be included limiting site disturbance to less than 13.66 acres per day. The estimated disturbance of 13.66 acres per day (approximately one-quarter of the Project site) likely overstates actual disturbance and is employed for emissions modeling purposes and to develop mitigation addressing the likely maximum impact scenario. To assume or propose unrealistically limited grading of the site is contrary to CEQA disclosure mandates. Further, due to daily limits on grading, there would be incrementally increased impacts due to extended periods of fugitive dust, extended exposure to construction noise, and extended traffic disturbance. The commentor is referred to EIR Section 5.2.2.1, "Extended Construction Alternative Considered and Rejected," which specifically considers and rejects limited grading of the Project site. To ensure consistency with URBEMIS modeling assumptions, new Mitigation Measure 4.3.1 is revised to include the following specification:

- ***Site disturbance during mass grading and fine grading activities shall not exceed 13.66 acres per day.***

This revision has been reflected in Final EIR Section 2.0, "Revisions and Errata," and incorporated in the Final EIR's Mitigation Monitoring Program, presented at Section 4.0. Results and conclusions of the EIR are not affected.

Response JS-14

The commentor proposes numerous additional measures (following) as means to reduce Project-related construction-source emissions air quality impacts. Each of these measures is evaluated in the table which follows. Measures offered by the commentor are not required in order to achieve the level(s) of mitigation identified in the Draft EIR. Moreover, the commentor provides no indication as to the efficacy of the proposed

measures in reducing Project impacts, nor is nexus provided between the proposed measures and their implied environmental benefit vis-à-vis Project impacts.

As detailed in the Table which follows, in certain instances, the measures proposed by the commentor would likely result in net increased detrimental environmental effects (e.g., suggested prolonging of construction activities, premature implementation of unproven technologies to address GHG emissions). Certain other suggested "mitigation measures" proposed by the commentor replicate existing policies/requirements/regulations, and are not mitigation. Please refer also to the following text from the Draft EIR:

> . . . In some cases, these impacts may appear to be potentially significant. However, existing public policies, regulations, and procedures adequately address these potential effects, thereby reducing them to a less-than-significant level, without the need for additional mitigation (Draft EIR Page 4-2).

It is further noted that in some instances, the commentor proposes additional operational emission measures as means of further reducing environmental impacts that are already determined to be less-than-significant, or less-than-significant with application of measures already included in the Draft EIR. These measures proposed by the commentor are not included as mitigation, though the Lead Agency may, at its discretion, impose these additional requirements; typically through Project Conditions of Approval. Lastly, the Lead Agency's experience with many of the measures suggested by the commentor indicates that while good in concept, the suggested measures prove to be ineffective, or otherwise inordinately cumbersome in their application; to the extent that the measures cannot be realistically or practically implemented. Accordingly, such measures are noted as recommendations, but are not required.

Suggested Measure	Response
1. Require the purchase of NOx credits from a qualified broker to offset construction-related air quality impacts.	**Infeasible.** NOx emissions credits are generally applied toward operational emissions at major source facilities (e.g., refineries, power plants, etc.). NOx emissions credits are not commonly used to address short-term construction emissions. It would be impractical to purchase offsets for the Project's construction impacts since the actual amount of construction emissions set forth in the Draft EIR represent an overestimation of actual emissions (i.e., the Air Quality Analysis assumes all construction equipment is operating eight hours per day as a "worst-case" scenario), and because the actual Project construction schedule (duration) is not known with a great deal of certainty and is subject to change based on availability of contractors, equipment, materials, etc. Further, any emission reduction credits would not result in any reduction to construction emissions on-site or in the immediate vicinity of the Project. The suggested measure is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental and technological factors and is therefore infeasible.
2. Install gravel pads at all access points to prevent tracking of mud onto public roads.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
3. Install and maintain trackout control devices in effective condition at all access points where paved and unpaved access or travel routes intersect.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
4. Complete all roadways, driveways, sidewalks, etc. as soon as possible. In addition, lay building pads as soon as possible after grading unless seeding or soil binders are used.	**Incorporated** at revised Mitigation Measure 4.3.1, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
5. Pave all roads on construction sites as soon as technically possible.	**Infeasible.** It is infeasible and ineffective to pave roads within construction sites or at construction site access points. Such pavement is destroyed in the process of construction and/or is in perpetual state of disrepair. Paving temporary roads within construction areas unnecessarily increases VOC generation, with little or no discernible reduction in other air pollutant emissions. The suggested measure is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental and technological factors and is therefore infeasible.
6. Limit fugitive dust sources to 20 percent opacity.	**Replicates existing requirements.** Please refer to SCAQMD Rule 403.
7. The contractor or builder shall designate a person or person(s) to monitor the dust control program and	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."

Suggested Measure	Response
to order increased watering, as necessary, to prevent transport of dust offsite.	
8. Post a publicly visible sign with the telephone number and person to contact regarding dust complaints. The person shall take corrective action within 24 hours.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
9. Require high pressure injectors on diesel construction equipment.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
10. Restrict engine size of construction equipment to the minimum practical size.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
11. Use electric construction equipment where technically feasible.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
12. Substitute gasoline-powered for diesel powered construction equipment.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
13. Require use of alternatively fueled construction equipment, using, e.g., compressed natural gas, liquefied natural gas, propane or biodiesel.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
14. Implement activity management techniques including: a) development of construction management plan to minimize the number of large construction equipment operating during any given time period; b) scheduling of construction truck trips during non-peak hours to reduce peak hour emissions; c) limitation of the length of construction work-day period; and d) phasing of construction activities.	**Not required, counterproductive.** Construction contractor(s) employ techniques and procedures so as to provide for the most efficient operation of their construction activities. No demonstrated or suggested nexus between the suggested measures and project impacts. The commentor indicates further that this measure would reduce greenhouse gas emissions; however, none of the measures would demonstrably reduce total greenhouse gas emissions. As also discussed in these responses, measures acting to prolong construction (e.g., restricted use of equipment, limitation of the length of construction work-day period; phasing of construction activities) tend to increase rather than decrease environmental impacts due to extended and periods of disturbance.
15. Install catalytic converters on gasoline-powered equipment.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
16. Use electricity from power poles rather than temporary diesel power generators.	**Replicates existing requirements.** This requirement is currently reflected at EIR Mitigation Measure 4.3.6, presented , in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
17. Alternative diesel fuels exist that achieve PM_{10} and NOx reductions. PuriNOx is an alternative diesel	**Infeasible.** The Lead Agency has determined that Lubrizol, the producer of PuriNox ceased production of PuriNox in December 2006. Furthermore, conversations with South

Suggested Measure	Response
formulation that was verified by ARB on January 31, 2001 as achieving a 14 percent reduction in NOx and a 63 percent reduction in PM_{10} compared to CARD diesel fuel. It can be used in any direct-injection, heavy-duty compression ignition engine and is compatible with existing engines in existing storage, distribution, and vehicle fueling facilities. Operational experience indicates that little or no difference in performance and start-up time, no discernable operational differences, no increased engine noise, and significantly reduced visible smoke.	Coast Air Quality Management (District representatives James Koizumi and Steve Smith) confirmed that PuriNox is not expected to be commercially available in the foreseeable future. The suggested measure is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental and technological factors and is therefore infeasible.
18. Prior to the issuance of a grading and building permit, the applicant shall submit verification that a ride-sharing program for the construction crew has been encouraged and will be supported by contractor via incentives or other inducements.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
19. Minimize construction worker trips by requiring carpooling and providing for lunch onsite.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
20. Provide shuttle service to food service establishments/commercial areas.	**Incorporated.** Shuttle services for construction workers provided pursuant to revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
21. Provide shuttle service to transit stations/multimodal stations.	**Incorporated.** Shuttle services for construction workers provided pursuant to revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
22. Utilize only CARB certified equipment for construction activities.	**Replicates existing requirements.** As a matter of California law, all construction equipment, whether or not it is used for this Project, is required to meet California Air Resources Board (CARB) emissions standards.
23. All forklifts shall be electric or natural gas powered.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan.".

Suggested Measure	Response
24. Extend grading period sufficiently to reduce air quality impacts below a level of significance.	**Infeasible, counterproductive.** Extending the grading schedule would (1) increase the Project's grading costs; (2) hinder effective management, organizing, and scheduling of construction tasks; and (3) result in adverse environmental trade-offs as a result of prolonged disturbance in the Project area, including but not limited to: extended periods of increased noise levels; prolonged generation of fugitive dust and VOCs; increased erosion exposure and associated water quality issues; and additional traffic disturbances associated with on-site construction activities. The suggested measure is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental and technological factors and is therefore infeasible.

Response JS-15

The commentor states: "[t]he Air Quality Analysis for operational emissions fails to note the variances from default values which are standard for the SCAQMD that were used when conducting the URBEMIS Analysis. Further, the total number of trips analyzed in the air quality section (1,585.22) was over 54% less than the total number of trips estimated in the traffic analysis (2,930). This renders the DEIR inadequate as an informational document as it does not allow one to accurately assess the Project impacts."

It appears that the commentor has incorrectly interpreted and applied default URBEMIS values. SCAQMD does not typically conduct project-level URBEMIS modeling for other than their own projects. Moreover, default values are just that, the "default" condition. Changes to default values are appropriate when specific Project attributes or operational characteristics are known, as is the case for the Project. In this regard, the Air Quality analysis specifically recognizes vehicle types and trip generation characteristics of the Project. Known vehicle trip generation characteristics provide a more accurate assessment of Project vehicular-source emissions impacts than does application of default URBEMIS values.

The commentor appears to misinterpret and misapply vehicle trip generation characteristics and their use in developing estimated air pollutant emissions impacts vis-à-vis use of trip generation estimates for the purposes of traffic modeling. More specifically, as noted in the Project Air Quality Analysis, Project operational (vehicular) impacts are dependent on both overall daily vehicle trip generation and the effect of the Project on peak hour traffic volumes and traffic operations in the vicinity of the Project. The Project related operational air quality impact centers primarily on the approximate 1,585 net vehicle trips generated by the Project (at project buildout). Trip characteristics available from the *Westridge Commerce Center Traffic Impact Analysis* (Urban Crossroads, Inc., October 8, 2009, included in Draft EIR Appendix B) were utilized in this analysis. It should be noted that the Project's traffic study presents the total Project vehicle trips in terms of Passenger Car Equivalents, or PCEs (the 2,930 PCE value cited by the commentor) in an effort to recognize and acknowledge the effects of heavy vehicles at the study area intersections. For purpose of the air quality study, emissions were calculated based on the type of vehicle (e.g., passenger cars and trucks) a more detailed discussion of how the actual number of vehicles were programmed into the model is presented in Draft EIR Appendix C. Specifically, page 37 of the Project Air Quality Analysis refers to its own Appendix B for review. Parallel information is provided in the Draft EIR, and reprinted below for ease of reference.

> 2,930 PCE trips = 1,585 net vehicle trips (the raw arithmetic number of truck and passenger vehicle trips) generated by the Project. It should be noted that because different classes of vehicles (e.g., passenger cars, light trucks, heavy duty trucks) exhibit differing emissions characteristics that for the purposes of quantifying and evaluating air quality impacts, vehicle trips are quantified and segregated by vehicle type. In comparison, the Project's traffic study evaluates the effects of traffic at intersections and roadways, and therefore presents the total vehicle trips in terms of Passenger Car Equivalents (PCEs), thereby recognizing and

> acknowledging physical size differences in vehicles and related effects on roadways and at intersections (Draft EIR Page 4.2-19).

Project operational (vehicular) impacts are dependent on both overall daily vehicle trip generation and the effect of the Project on peak hour traffic volumes and traffic operations in the vicinity of the Project. Assessment of the Project's operational air quality impact centers primarily on the approximately 1,585 net vehicle trips generated by the Project (or, the arithmetic sum of truck and passenger vehicle trips). Trip generation characteristics for the Project are presented in Draft EIR Appendix B, the *Westridge Commerce Center Traffic Impact Analysis* (Urban Crossroads, Inc., October 8, 2009). The results and conclusions of the Draft EIR are not affected.

Response JS-16

The commentor notes discrepancies between the Draft EIR text and the Air Quality Study regarding vehicle trip length and vehicle speed employed in the LST analysis. Notwithstanding, the quantified LST emissions impacts reported in the Draft EIR (Table 4.3-12) are consistent with the LST values presented in the Air Quality Analysis (Table 4-5). The typographic error at Draft EIR Page 4.3-68 is corrected (below) consistent with the described trip length/vehicle speed reported in Air Quality Analysis.

> Therefore, for purposes of the operational LST analysis the average trip length in URBEMIS was altered to ~~0.5~~ **0.3** miles which conservatively characterizes on-site vehicle travel. Additionally, the vehicle speed in URBEMIS was altered to ~~five~~ **ten** miles per hour as a conservative measure to account for on-site vehicular travel.

These corrections have been incorporated in Final EIR Section 2.0, "Revisions and Errata." The results and conclusions of the Draft EIR are not affected.

Response JS-17

The commentor provides opinions regarding the efficacy of mitigation proposed as means of reducing Project operational NOx and VOC emissions. It is important to note that substantially all of the estimated NOx emissions are from mobile sources – principally vehicle exhaust, and vehicle tail pipe source emissions are regulated by CARB and USEPA. The Lead Agency cannot control emissions from the tailpipes of vehicles traveling to/from the facility.

In addition, the Project is compliant with the SCAQMD's attainment plans, as the use of the site for industrial purposes was included in the previous SCAQMD's ozone and PM attainment plans. The Project implements all feasible mitigation measures and complies with all applicable CARB and SCAQMD Rules directed toward reduction of NOx and VOC emissions. The Lead Agency will however, adopt and implement EIR mitigation measures that minimize vehicle emissions generated on-site and by employees, but those vehicle miles are minor compared with the total vehicle miles used in the studies; and further, URBEMIS does not account for any reductions for those measures.

The Draft EIR clearly states that even with application of proposed mitigation, Project operational NOx and VOC emissions will exceed applicable SCAQMD regional thresholds. Should the Project be approved, the Lead Agency is required to adopt a Statement of Overriding Considerations acknowledging Project exceedances for operational-source NOx and VOC emissions.

Response JS-18

The commentor arbitrarily suggests a 30 percent increase in energy efficiency beyond the requirements provided under Title 24 Building Energy Efficiency Standards, inferring a somehow substantial resultant decrease in NOx emissions. Consistent with the provisions of Executive Order, S-20-04 (CA 2004),which sets a goal of reducing energy use in public and private buildings by 20 percent by 2015 (as compared with

2003 levels), the Project will achieve a minimum 20 percent increase in building efficiencies beyond Title 24 requirements (please refer to Mitigation Measure 4.3.11).

As noted previously, the predominance of Project operational NOx emissions are vehicle-generated, and beyond the control of the Applicant or Lead Agency. Any reduction in NOx emissions resulting from increased building/facility energy efficiencies would be, at best, nominal. Even assuming "zero" NOx emissions from building/area sources, NOx emissions would be reduced by approximately 0.09 to 0.11 percent (0.0009 to 0.0011), and would still exceed applicable SCAQMD regional thresholds. No additional Title 24 enhancements are proposed, nor are any required. Results and conclusions of the EIR are not affected.

Response JS-19

The commentor proposes numerous additional measures as a means to reduce Project-related operational-source air quality impacts. Each of these measures is evaluated in the Table which follows. While the suggested measures may in part act to generally reduce Project impacts, none of the measures are required in order to achieve the levels of mitigation identified in the Draft EIR. Moreover, the commentor provides no indication as to the efficacy of the proposed measures in reducing Project impacts, nor is nexus provided between the proposed measures and their implied environmental benefit vis-à-vis Project impacts.

With specific regard to proposed measures targeting GHG emissions reductions, arguably, the proposed measures may prove of little net benefit, while imposing significant cost and economic burdens. Case studies have indicated that GHG measures implemented to date have yielded marginal benefits when compared to economic costs. Moreover, premature implementation of unproven measures would be detrimental by diverting resources that could be made available to other, more effective strategies. Please refer also to the attached: *The AB 32 Challenge: Reducing*

California's Greenhouse Gas Emissions (Gregory Freeman, Nancy D. Sidhu, PhD, Myasnik Poghosyan) January 2008.

As discussed in the Table which follows, in certain instances, the measures proposed by the commentor would likely result in net increased detrimental environmental effects (e.g., suggested prolonging of construction activities, premature implementation of unproven technologies to address GHG emissions). Certain other suggested "mitigation measures" proposed by the commentor replicate existing policies/requirements/regulations, and are not mitigation. Please refer also to Draft EIR Page 4-2:

> . . . In some cases, these impacts may appear to be potentially significant. However, existing public policies, regulations, and procedures adequately address these potential effects, thereby reducing them to a less-than-significant level, without the need for additional mitigation. . . .

It is further noted that in some instances, the commentor proposes additional measures as means of further reducing environmental impacts that are already determined to be less-than-significant, or less-than-significant with application of measures already included in the Draft EIR. These measures proposed by the commentor are not included as mitigation, though the Lead Agency may, at its discretion, impose these additional requirements; typically through Project Conditions of Approval. Lastly, the Lead Agency's experience with many of the measures suggested by the commentor indicates that while good in concept, the suggested measures prove to be ineffective, or otherwise inordinately cumbersome in their application; to the extent, that the measures cannot be realistically or practically implemented. Accordingly, such measures are noted as recommendations, but are not required.

Suggested Measure	Response
1. Require the utilization of zero VOC paint, coatings and solvents.	**Incorporated.** This requirement is reflected at EIR Mitigation Measure 4.3.7, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan." Mitigation Measure language has been revised as suggested by SCAQMD.
2. Require the purchase of NOx credits from a qualified broker to off-set construction-related air quality impacts.	**Infeasible.** Please refer to Response JS-14, item No. 1.
3. The operator of the primary facilities (buildings of 400,000 s.f. or more) shall become a SmartWay partner.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
4.The operator of the primary facilities (buildings of 400,000 s.f. or more) shall incorporate requirements or incentives sufficient to achieve at least 20% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 90%of all long haul trips carried by SmartWay 1.0 or greater carriers. Results including backup data shall be reported to the Planning Department semi-annually.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
5. The operator of the primary facilities (buildings of 400,000 s.f. or more) shall incorporate requirements or incentives sufficient to achieve at least 15% per year (as a percentage of previous percentage, not total trips) increase in percentage of long haul trips carried by SmartWay carriers until it reaches a minimum of 85% of all consolidator trips carried by SmartWay 1.0 or greater carriers. Results including backup data shall be reported to the Planning Department semi-annually.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
6. By the end of the year 2012 all fleet vehicles shall conform to 2010 air quality standards or better. Results, including backup data shall be reported to the Planning Department semi-annually.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
7. Install catalytic converters on gasoline-powered equipment.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."

Suggested Measure	Response
8. Alternative diesel fuels exist that achieve PM_{10} and NOx reductions. PuriNOx is an alternative diesel formulation that was verified by ARB on January 31, 2001 as achieving a 14 percent reduction in NOx and a 63 percent reduction in PM_{10} compared to CARD diesel fuel. It can be used in any direct-injection, heavy-duty compression ignition engine and is compatible with existing engines in existing storage, distribution, and vehicle fueling facilities. Operational experience indicates that little or no difference in performance and start-up time, no discernable operational differences, no increased engine noise, and significantly reduced visible smoke.	**Infeasible.** The Lead Agency has determined that Lubrizol, the producer of PuriNox ceased production of PuriNox in December 2006. Furthermore, conversations with South Coast Air Quality Management District representatives James Koizumi and Steve Smith confirmed that PuriNox is not expected to be commercially available in the foreseeable future. The suggested measure is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental and technological factors and is therefore infeasible.
9. Electrical powered equipment must be utilized in-lieu of gasoline-powered engines where technically feasible.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
10. Require each user to establish a carpool/vanpool program.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
11. Provide on-site child care or contribute to off-site child care within walking distance.	**Infeasible, counterproductive.** Childcare facilities are not compatible with the proposed industrial warehouse uses. Moreover, there is no demonstrated nexus with Project-related operational emissions impacts requiring or suggesting implementation of childcare facilities. The suggested measure is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental and technological factors and is therefore infeasible.
12. Provide preferential parking for carpool/vanpool vehicles.	**Replicates existing requirements.** Preferential parking for carpools/vanpools is currently required pursuant to EIR Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
13. Provide secure, weather-protected bicycle parking for employees.	**Incorporated** at revised EIR Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
14. Provide direct, safe bicycle access to adjacent bicycle routes.	**Replicates existing requirements.** Direct, safe bicycle access is currently provided pursuant to Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
15. Provide showers and lockers for employees bicycling or walking to work.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."

Suggested Measure	Response
16. Short-term bicycle parking for retail customers and other non-commute trips.	**Replicates existing requirements.** The Project does not propose retail uses. Bicycle parking is currently provided pursuant to Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
17. Connect bicycle lanes/paths to city-wide network.	**Replicates existing requirements.** Bicycle path connections are currently provided pursuant to EIR Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
18. Design and locate buildings to facilitate transit access, e.g. locate building entrances near transit stops, eliminate building setbacks, etc.	**Infeasible, counterproductive.** No transit stops exist proximate to the Project site such that building orientation would have any material effect on use of, or access to transit. Elimination of building setbacks as suggested would increase potential air quality, noise and visual impacts when compared to the Project as proposed. The suggested measure is not germane to the Project, and is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental and technological factors and is therefore infeasible.
19. Prohibit idling of trucks for periods extending three minutes.	**Replicates existing requirements.** EIR Mitigation Measure 4.3.11 currently prohibits the idling of trucks for more than three (3) minutes.
20. Construct transit facilities such as bus turnouts/bus bulbs, benches, shelters, etc.	**Not required per Responsible Agency.** Riverside Transit Agency (RTA) provides fixed-route bus service regionally along SR-60, and locally via Moreno Beach Drive, allowing for the possibility of future connections near the Project site. The Lead Agency has coordinated with RTA and determined that installation of a bus stop or turn-out will not be required of the Project.
21. Provide shuttle service to food service establishments/commercial areas.	**Replicates existing requirements.** EIR Mitigation Measure 4.3.13 currently includes provisions for shuttle services.
22. Provide shuttle service to transit stations/multimodal centers.	**Replicates existing requirements.** EIR Mitigation Measure 4.3.13 currently includes provisions for shuttle services.
23. Implement parking fee for single-occupancy vehicle commuters.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
24. Implement parking cash-out program for non-driving employees.	**Not applicable.** In that there is no current or proposed parking subsidy, there is no available parking "cash out" resource or mechanism. As noted herein, other tenable incentives are provided as means of reducing vehicle trips.

Suggested Measure	Response
25. Provide direct, safe, attractive pedestrian access from project to transit stops and adjacent development.	**Replicates existing requirements.** The site is not currently provided transit service, nor is pedestrian access to the nearest transit stop possible at this time. Pursuant to the requirements of the City's Master Plan of Trails, the Project will dedicate and construct an 11-foot wide community trail segment along the southerly Project boundary, on the north side of Fir Avenue (future Eucalyptus Avenue). Upon development of the adjacent parcel(s), the trail is planned to continue off-site to the east and to the west, as part of the future Quincy Channel overcrossing.
26. Implement a compressed workweek schedule where feasible.	**Incorporated** at revised Mitigation Measure 4.3.13.
27. Provide electrical vehicle (EV) and compressed natural gas (CN) vehicles in vehicle fleets.	**Incorporated** at revised Mitigation Measure 4.3.13.
28. Install EV charging facilities for a minimum of 10% of all parking spaces.	**Infeasible.** The Project will provide, at minimum, two EV charging stations, as required by Mitigation Measure 4.3.13. There is no demonstrable evidence that installation of additional EV charging facilities would substantially reduce or eliminate the Project's operational emissions because chargeable electric vehicles represent a small percentage of vehicles on the road. Moreover, on a regional basis, increased power demands at electrical outlets/EV charging stations tend to increase power plant emissions, acting to offset any potential emissions reductions from individual sources such as motor vehicles. Further, it is noted that next generation transportation technologies are in flux. It is premature, inefficient and counter-productive to assign substantial assets to predetermined transportation solutions. The suggested measure is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental and technological factors and is therefore infeasible.

Suggested Measure	Response
29. Install a CNG fueling facility.	**Infeasible.** As noted above, next generation transportation technologies are in flux. It is premature, inefficient and counter-productive to assign substantial assets to predetermined transportation solutions. Further, for CNG fuel to be a reasonable alternative to diesel fuel for the logistics industry, a reasonable distribution network must be in place so that drivers can be assured that they can re-fuel when making deliveries across the region. No such distribution system is presently in place nor is one likely to be developed in the near future. The installation of a stand-alone CNG fueling facility at this location would provide no benefit because no reasonable distribution system is in place. CNG-fueled vehicles have been found to be most useful for limited range, closed-circuit usage such as municipal fleets (refuse collection, city vehicles, and buses), taxi fleets, and local delivery services. Lastly, as with the commentor's suggestion for EV facilities, the installation of a CNG fueling facility is unlikely to substantially reduce or eliminate the Project's operational emissions because CNG vehicles represent a small percentage of vehicles on the road. Furthermore, the Draft EIR has not evaluated the potential environmental impacts related to the construction and operation of a CNG fueling facility. A Lead Agency is under no obligation to impose Mitigation Measures that in and of themselves may constitute a new "project" for purposes of CEQA. (See e.g., *Concerned Citizens of South Central L.A. v. Los Angeles Unified School District*, 24 Cal.App.4th, 826 (1994)). The suggested measure is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental and technological factors and is therefore infeasible.
30. Provide preferential parking locations for EVs and CNG vehicles.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
31. Utilize electrical equipment for landscape maintenance.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
32. Utilize only CARB-certified equipment for construction activities.	**Replicates existing requirements.** As a matter of California law, all construction equipment, whether or not it is used for this Project, is required to meet California Air Resources Board (CARB) emissions standards.
33. All forklifts shall be electric or natural gas powered.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
34. Provide subsidies or incentives to employees who use public transit or carpooling, including preferential parking.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."

Suggested Measure	Response
35. Plant shade trees in parking lots to provide minimum 50% cover to reduce evaporative emissions from parked vehicles.	**Replicates existing requirements.** Please refer to City of Moreno Valley Municipal Code 9.17.050 (D) (3).
36. Utilize low pressure sodium fixtures for exterior lighting, including parking lots.	**Replicates existing requirements.** As stated on Draft EIR Page 3-17, the Project site is located within a 45 mile radius of Mt. Palomar Observatory. Consequently, the Project must comply with County Ordinance 655 which requires that all outdoor lighting within the Project area will be provided by low-pressure sodium hooded lights.
37. Utilize electric yard trucks.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
38. All buildings shall be constructed to LEED Platinum standards.	**Not required, no nexus with significant impacts.** As discussed on Pages 3-18 and 5-79 of the Draft EIR, the Project, as a whole, will be developed as a LEED-certified facility. LEED certification is contingent, among other requirements, on demonstrated and documented conservation and efficient use of available resources. It is recognized that not all LEED performance standards are applicable or appropriate for the Project, and that different standards may be utilized by the Project's end user(s). Additionally, the LEED rating system is not the appropriate standard for determining building efficiency. The California Title 24 Building Energy Efficiency Standards are the appropriate baseline. As set forth in the Draft EIR, the Project will achieve a minimum of 20 percent in energy efficiencies beyond incumbent Title 24 Energy Efficiency standards, as well as compliance with other applicable state and federal energy standards. There is no requirement for LEED certification as mitigation of Project impacts. While LEED-certified facilities may tend to reduce various environmental effects, LEED certification is a voluntary exercise to be pursued by the Applicant outside of and independent of CEQA mandates.
39. The operator shall meet SmartWay 1.25 ratings.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
40. The operator shall use only freight companies that meet SmartWay 1.25 ratings.	**Incorporated** at revised Mitigation Measure 4.3.13, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
41. The developer shall install photovoltaic solar systems sufficient to offset all electrical usage.	**Not required, no nexus with significant impacts.** As currently noted under EIR Mitigation Measure 4.3.11: "All buildings shall be designed to accommodate renewable energy sources, such as photovoltaic solar electricity systems, appropriate to their architectural design." There is no requirement or demonstrated nexus requiring full offset of Project electrical consumption through use of photovoltaics.

Suggested Measure	Response
42. The developer shall install photovoltaic solar systems sufficient to offset all vehicular emissions.	**Not required, no nexus with significant impacts.** As currently noted under EIR Mitigation Measure 4.3.11: "All buildings shall be designed to accommodate renewable energy sources, such as photovoltaic solar electricity systems, appropriate to their architectural design." There is no requirement or demonstrated nexus requiring full offset of Project vehicular emissions through use of photovoltaics.
43. The operator shall purchase only green power.	**Infeasible, not required, no nexus with significant impacts.** Power to the Project will be provided from the locally available electrical grid. The term "green power" is undefined, and moreover the Lead Agency has no practical way to require that power be provided from specified sources, "green" or otherwise. The suggested measure is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental and technological factors and is therefore infeasible. There is no requirement or demonstrated nexus requiring the Project to "purchase only 'green power'."

Results and conclusion of the Draft EIR are not affected.

Response JS-20

The commentor appears to misinterpret analysis and conclusions provided in the Project GCC Analysis. More specifically, the commentor misstates that the analysis concludes that the Project ***will*** *[emphasis added]* have a significant effect on the environment.

To further clarify, germane suggested CEQA Guidelines topical questions include:

> Would the project:
> a) Generate greenhouse gas emissions, either directly or indirectly, that ***may*** *[emphasis added]* have a significant impact on the environment?

In the absence of worldwide reduction commitments that are fully funded, any project level reduction measures cannot assure that significant effects on global temperatures and sea levels will be fully mitigated. That is, due to the potential global impacts

[beyond the control of the Project] significant GCC impacts may occur even with implementation of the measures set forth in CARB's AB 32 Scoping Plan (see *Climate Change Analysis*, Page 42).

The commentor states that the finding of "less-than-significant" Project GCC impacts is based on non-exceedance of (draft) CARB and SCAQMD GHG emissions thresholds. Though this is the case, the GCC Study clearly states that these thresholds are not applicable to the Project:

> CARB's Draft Threshold Of Significance For Industrial Projects Has Not Been Finalized And Is Not Applicable To The Proposed Project (*Climate Change Analysis,* Page 40).
>
> SCAQMD's Adopted GHG Threshold Applies Only To Projects Where It Is The Lead Agency And Is Not Applicable To The Proposed Project (*Climate Change Analysis*, Page 41).

As discussed in the *Climate Change Analysis*, there are no adopted quantitative GHG emissions thresholds applicable to the Project. Absent such quantified thresholds, the CARB and SCAQMD GHG emissions standards nonetheless provide an indication of current policies and strategic approaches employed in evaluating and addressing GHG emissions and potential GCC impacts, and may portend similar future statewide, regional, and/or local quantified thresholds. The clearly stated threshold considerations applicable to the Project are:

1. Would the proposed project generate GHG that may have a cumulatively significant impact on the environment; and

2. Would the proposed project conflict with GHG reduction measures identified in CARB's AB 32 Scoping Plan.

As concluded in the *Climate Change Analysis*, the answer to both of the preceding questions is "no," yielding the conclusion that the Project GCC impacts are less-than-significant. Moreover, as also discussed in the *Climate Change Analysis*, Project GHG emissions would not exceed either CARB or SCAQMD GHG emissions thresholds, further supporting the conclusion that the Project GCC impacts are less-than-significant. As a matter of clarification, the abbreviated conclusion presented at Draft EIR Page 4.3-94 is expanded/revised as follows:

> ~~Nonetheless, the Project will not exceed the CARB or SCAQMD proposed quantitative thresholds. Therefore, Project GHG emissions impacts are considered less-than-significant.~~ **As noted in the preceding discussions, it is generally accepted that the magnitude of global climate change effects is so substantial and the contribution of an individual project to global climate change is so extremely minuscule that direct significant adverse impacts would be highly unlikely.**
>
> **In evaluating the potential global climate change impacts of the Project, every attempt has been made to accurately and comprehensively quantify the greenhouse gas emissions associated with the Project. However, a number of inherent limitations are unavoidable in compiling or estimating project-level GHG emissions. Among these limitations, the use of models that measure overall emissions increases without accounting for existing emissions tend to substantially overstate the GHG emissions impacts of a new development projects. This makes an accurate analysis of GHG emissions substantially different from other air quality impacts, where the "addition" of redistributed emissions can make a substantial difference to overall air quality. Notably, not all the vehicular trips that result from the Project will be "new" vehicle trips, but that a majority of these trips already occur elsewhere, and currently generate GHG**

emissions within a global context. For example, the Project will not create entirely new truck trips (globally). However, implementation of the Project would establish a new destination point for trucks already utilizing the area roadway system. Within the scope of limitations and considerations noted herein, a Project GHG emissions inventory has been prepared as recommended under OPR's technical advisory.

The City of Moreno Valley has not adopted a numeric threshold of significance for emissions of greenhouse gases. However, guidance and an indication of the potential significance of the Project's GHG emission impacts is inferred by comparing Project GHG emissions levels against germane proposed or adopted GHG emissions impacts thresholds. To this end, Project GHG emissions have been compared to GHG emissions thresholds developed by state Responsible Agencies charged with oversight and regulation of air pollutant emissions, the SCAQMD and CARB. As indicated herein, Project GHG emissions would not exceed the thresholds developed by those agencies.

Based on the preceding discussions and supporting analysis provided in the Project Global Climate Change Analysis included at EIR Appendix C, the Project's potential to generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment is less-than-significant.

This revision has been reflected in Final EIR Section 2.0, "Revisions and Errata," and incorporated in the Final EIR's Mitigation Monitoring Program, presented at Section 4.0. Results and conclusions of the EIR are not affected.

Response JS-21

The commentor reiterates the Draft EIR discussion that the CARB and SCAQMD GHG emissions thresholds consider only non-transportation sources. To clarify, the thresholds address all stationary GHG sources, but do not include mobile sources. To a certain extent this limitation on threshold considerations reflect the previously noted limitations involved in attempting to estimate "new" emissions associated with vehicle trips to/from new facilities. Nonetheless, the thresholds and their interpretation and application are correct as stated in the EIR and Project *Climate Change Analysis* (included at EIR Appendix C).

Contrary to the commentor's assertion, the *Climate Change Analysis* is not "deeply flawed" through an omission of mobile-source GHG emissions. Mobile-source emissions are clearly identified and quantified at *Climate Change Analysis*, Page 45, Table 2-4 (27,858.08metric tonsCO2E) and at Draft EIR Table 4.3-18 (Page 4.3-92). Mobile source emissions are not however, by CARB and SCAQMD-defined thresholds, utilized by those agencies in determining GHG emissions significance for their facilities. Project facilities emissions of GHG would not exceed GHG thresholds established by CARB and SCAQMD for their facilities. As noted above, this fact is considered within the entirety of the Climate Change Analysis, and in evaluating the Project's potential GCC impact significance, which is, as correctly concluded in the EIR, less-than-significant.

Response JS-22

The commentor reiterates incorrect calculation and interpretation of Project vehicle trip generation. Please refer to Responses JS-15, JS-20, and JS-21. Results and conclusions of the EIR are not affected.

Response JS-23

The commentor states that "[t]he GHG emission analysis is also deeply flawed in assuming that no new mobile source of emissions will be created by this Project." This

opinion, along with the commentor's related statements and conclusions, are addressed in preceding Responses JS-15, JS-20 and JS-21, which provide clarification regarding mobile-source GHG emissions evaluated and addressed in the EIR. The Draft EIR analyzes both the mobile and stationary GHG emissions associated with the Project. The EIR analysis conservatively does not assume mere redistribution of existing GHG emissions, particularly with regard to vehicle emissions when considered in a global context. Results and conclusions of the EIR are not affected.

Response JS-24

The commentor provides opinions on GHG emissions thresholds and GHG emissions reductions strategies. The commentor disagrees with finding that Project GHG emissions are not cumulatively considerable. Commentor opinions and statements are forwarded to the decision-makers for their consideration.

Contrary to commentor opinions and statements, in point of fact, an exhaustive and accurate assessment of the Project's GHG emissions impacts and related potential GCC impacts are presented in the Draft EIR (Pages 4.3-23 through 4.3-47, Pages 4.3-88 through Pages 4.3-111, at al.), and supporting technical Global Climate Change Analysis included at Draft EIR Appendix C. These discussions not only establish Project consistency with the CARB Scoping Plan (one component of the EIR analysis), but also provide detailed discussion of the sources and effects of GHG emissions, consider and evaluate the Project in the context of existing and proposed GHG emissions reductions strategies, and provides an analysis of Project GHG emissions vis-à-vis adopted and anticipated thresholds. Importantly, the analysis provided in the EIR is consistent with applicable CEQA directives:

> Based on the direction provided in Section 15064.4 of the *Guidelines*, a lead agency should make a good-faith effort, based on available information, to describe, calculate, or estimate the amount of greenhouse gas emissions associated with a project. Because the methodologies for

performing this assessment are anticipated to evolve over time, a lead agency shall have discretion to determine, in the context of a particular project, whether to:

1. Use a model or methodology to quantify greenhouse gas emissions associated with a project and which of any available model or methodology to use. The lead agency has discretion to select the model it considers most appropriate provided it supports its decision with substantial evidence. The lead agency should also include a qualitative discussion or analysis regarding the limitations of the particular model or methodology selected for use.

2. Rely on qualitative or other performance based standards for estimating the significance of greenhouse gas emissions (Draft EIR Page 4.3-35).

Substantial evidence provided in the Draft EIR, as summarized above, supports the conclusion that the Project's greenhouse gas emissions are not cumulatively considerable.

The commentor notes *recommended* [emphasis added] CARB Scoping Plan Actions, and misinterprets these as Project requirements. The commentor cites specifically, **Action T-7**: Sector-Transportation; Recommended Action-Heavy Duty Vehicle Greenhouse Gas Emission Reduction Measure - Aerodynamic Efficiency; and **Action E-4**: Sector-Electricity and Natural Gas-Recommended Action-Million Solar Roofs. As noted in the Draft EIR (Pages 4.3-99, 4.3-100), the Project will not conflict with applicable recommended Actions. Consistent with other revisions proposed herein, Action T-7, Action E-4 applicability discussions at Page 4.3-102 are deleted and replaced with the following:

- Action T-7 **recommends existing trucks/trailers to be retrofitted with the best available technology and/or CARB-approved technology. Implementation of such a standard is not within the purview of the Project. GHG emissions reductions would be achieved however through standards compliance by vehicles accessing the Project. Further, pursuant to EIR Mitigation Measure 4.3.13, tenants are encouraged to provide incentives to realize Smartway certification, and to use fleet vehicles conforming to CARB 2010 emissions standards or better, thereby reducing GHG emissions. The Project supports, and would not interfere with Action T-7.**

  Action E-4 **promotes solar generated electricity. As discussed within this EIR, the Project design accommodates renewable energy sources, such as photovoltaic solar electricity systems. (Draft EIR Mitigation Measure 4.3.11 requires in part that: "*All buildings shall be designed to accommodate renewable energy sources, such as photovoltaic solar electricity systems, appropriate to their architectural design.*") The Project supports, and would not interfere with Action E-4.**

It is further noted that the AB-32 Scoping Plan merely sets forth concepts, the implementation of which will be refined during the rulemaking process contemplated under AB-32. Thus, merely because Action T-7 recommends that existing trucks/trailers be retrofitted with the best available technology and/or CARB-approved technology; and/or that Action E-4 promotes solar generated electricity does not mean that a given project must require best available technology retrofits; nor install PV solar panels on its roof in order to be consistent with the Scoping Plan.

Please refer also to the complete discussion of Project consistency with applicable recommended CARB Scoping Plan Actions presented at Draft EIR Pages 4.3-98 through 4.3-103. The results and conclusions of the EIR are not affected.

Response JS-25

The commentor reiterates opinions on GHG emissions thresholds and GHG emissions reductions strategies. The commentor disagrees with finding that Project GHG emissions are not cumulatively considerable, but provides no supporting analysis or evidence. In point of fact, as supported by the discussion in the EIR, the project will not result in significant GHG/GCC emissions impacts, and no mitigation is required. Measures included in the EIR, including those addressing recycling, water conservation, and solar energy systems, therefore further reduce GHG/GCC impacts that, even absent mitigation, are less-than-significant. Commentor's citation to EIR statements that: "*vehicles accessing the site will be in compliance with CARB vehicle standards to the maximum extent feasible*" are not found. Adopted applicable CARB standards are regulatory in nature, and required of all vehicles. Please refer also to the preceding Response JS-24.

Response JS-26

The commentor reiterates opinions on GHG emissions thresholds and GHG emissions reductions strategies. The commentor cites various 2006 CAT Report GHG Emission Reduction Strategies, contending the Project does not support applicable strategies. The commentor incorrectly interprets the strategies as requirements of the Project. Specific citations of the commentor include compliance with CARB vehicle standards, source reduction and recycling, California solar initiative recommendations, and the use of alternative fuels.

The approach suggested by the commentor is not required under the CEQA Guidelines, and is not the approach employed by the Lead Agency here. Comparison of this Project with the CAT strategies and AB-32 Scoping Plan concepts is made for the purpose of evaluating whether the project conflicts with an applicable plan, policy, or regulation adopted for the purposes of reducing emissions of greenhouse gases. That is the applicable threshold under the CEQA Guidelines. Upon determining that the Project does not conflict with these plans, the Lead Agency appropriately concluded

that the impacts are less than significant, and therefore, no mitigation is required. Project support of, and compliance with, applicable 2006 CAT Report GHG Emission Reduction Strategies is presented at Draft EIR Pages 4.3-103 through 4.3-110. With specific regard to Project compliance with CARB vehicle standards, search of the EIR text does not yield the phrase "maximum extent feasible" as suggested by the commentor. EIR discussions of strategies noted by the commentor as excerpted from Draft EIR Table 4.3-20, are presented below.

Table 4.3-20
Project Compliance with Applicable 2006 CAT Report
Greenhouse Gas Emission Reduction Strategies

Strategy	Applicability/Compliance
California Air Resource Board	
Vehicle Climate Change Standards AB 1493 (Pavley) required the state to develop and adopt regulations that achieve the maximum feasible and cost-effective reduction of climate change emissions emitted by passenger vehicles and light duty trucks. Regulations were adopted by the CARB in September 2004.	Enforcement of State regulation is beyond the scope of the Project. The Project will not interfere or conflict with AB 1493 (Pavley).
Other Light Duty Vehicle Technology New standards would be adopted to phase in beginning in the 2017 model.	Enforcement of State standards for Light Duty Vehicles is beyond the scope of the Project. The Project will not interfere or conflict with new standards adopted for Light Duty Vehicles.
Heavy-Duty Vehicle Emission Reduction Measures Increased efficiency in the design of heavy-duty vehicles and an education program for the heavy-duty vehicle sector.	Enforcement of State standards for Heavy Duty Vehicles is beyond the scope of the Project. The Project will not interfere or conflict with new standards adopted for Heavy Duty Vehicles.
Diesel Anti-Idling In July 2004, the CARB adopted a measure to limit diesel-fueled commercial motor vehicle idling.	Heavy-duty diesel trucks that access the Project site will be required to limit idling to no more than three (3) minutes (EIR Mitigation Measure 4.3.10).
Alternative Fuels: Biodiesel Blends CARB would develop regulations to require the use of 1 to 4 percent biodiesel displacement of California diesel fuel.	When CARB adopts regulations for the use of biodiesel fuel in heavy duty trucks, trucks supplying the commercial uses will comply with this measure.
Hydrogen Highway The California Hydrogen Highway Network (CA H2 Net) is a State initiative to promote the use of hydrogen as a means of diversifying the sources of transportation energy.	Not Applicable.

Table 4.3-20
Project Compliance with Applicable 2006 CAT Report
Greenhouse Gas Emission Reduction Strategies

Strategy	Applicability/Compliance
Integrated Waste Management Board	
Achieve 50 percent Statewide Recycling Goal Achieving California's 50 percent waste diversion mandate as established by the Integrated Waste Management Act of 1989, (AB 939, Sher, Chapter 1095, Statutes of 1989), will reduce climate change emissions associated with energy intensive material extraction and production as well as methane emission from landfills. A diversion rate of 48 percent has been achieved on a statewide basis. Therefore, a 2 percent additional reduction is needed.	In support of AB 939, the Project will comply with requirements of the City of Moreno valley Source reduction and Recycling Element (SRRE), to include additional waste reduction/waste recycling measures as may be implemented by the City. Project design will include provisions for tenants to recycle.
Zero Waste - High Recycling Additional recycling beyond the State's 50 percent recycling goal.	In support of AB 939, the Project will comply with requirements of the City of Moreno valley Source reduction and Recycling Element (SRRE), to include additional waste reduction/waste recycling measures as may be implemented by the City. Project design will include provisions for tenants to recycle.
Department of Water Resources	
Water Use Efficiency Approximately 19 percent of all electricity, 30 percent of all natural gas, and 88 million gallons of diesel are used to convey, treat, distribute and use water and wastewater. Increasing the efficiency of water transport and reducing water use would reduce GHG emissions.	In support of water Use Efficiency strategies, the Project will implement U.S. EPA Certified WaterSense labeled or equivalent faucets and high-efficiency toilets (HETs), and implement water-conserving shower heads to the extent feasible.
California Energy Commission (CEC)	
Building Energy Efficiency Standards in Place and in Progress Public Resources Code 25402 authorizes the CEC to adopt and periodically update its building energy efficiency standards (that apply to newly constructed buildings and additions to and alterations to existing buildings).	As required through the EIR air quality mitigation measures noted herein, and based on energy efficiency/sustainability attributes of the Project presented in the EIR Project Description (EIR Section 3.0), energy efficiencies achieved by the Project will surpass incumbent Title 24 Energy Efficiency Standards by at least 20 percent. Verification of increased energy efficiencies is documented in Title 24 Compliance Reports provided by the Applicant, and reviewed and approved by the City prior to the issuance of the first building permit. Energy efficient Project designs and operational programs will facilitate Applicant-initiated LEED Certification actions.

Table 4.3-20
Project Compliance with Applicable 2006 CAT Report
Greenhouse Gas Emission Reduction Strategies

Strategy	Applicability/Compliance
California Solar Initiative Installation of 1 million solar roofs or an equivalent 3,000 MW by 2017 on homes and businesses; increased use of solar thermal systems to offset the increasing demand for natural gas; use of advanced metering in solar applications; and creation of a funding source that can provide rebates over 10 years through a declining incentive schedule.	In support of the California Solar Initiative, the Project design accommodates potential future installation and use of renewable energy sources, such as photovoltaic solar energy systems. (See EIR Section 3.0, Project Description).

Contrary to the commentor's assertions, as indicated at Table 4.3-20, the Project complies with and supports applicable 2006 CAT Report Greenhouse Gas Emission Reduction Strategies. There is no mandate or specific requirement or singular methodology for strategy compliance as suggested by the commentor. The results and conclusions of the EIR are not affected.

Response JS-27

The commentor cites various recommended or adopted thresholds of other agencies addressing GHG emission and GCC impacts. The commentor erroneously states that "in the EIR for the Highland Fairview Project, the City adopted a zero emissions threshold for the assessment of impacts of GHG on climate change."

Other agency approaches to evaluation and mitigation of GHG emissions impacts are noted. The commentor is referred to previous responses and CEQA directives allowing for each Lead Agency to evaluate and address GHG emissions impacts within the context of Section 15064.4 of the Guidelines. The EIR analysis of GHG emissions/GCC impacts is consistent with Section 15064.4 of the Guidelines. Please refer also to response JS-24.

No "zero emissions threshold" for GHG emissions neither appears, nor was applied, in the EIR for the Highland Fairview Project. The commentor is referred to *Draft*

Environmental Impact Report Highland Fairview Corporate Park PA07-0088 (CZ), PA07-0089 (GPA), PA07-0090 (TPM 35629), and PA07-0091 (PP) City of Moreno Valley, Riverside County, California State Clearinghouse No. 2007101132 (Michael Brandman Associates) August 4, 2008, Page 5.16-5:

> AB 32 states that, "global warming poses a serious threat to the economic well-being, public health, natural resources, and the environment of California." Although it is unknown if AB 32 alone is enough to reduce California's fair-share contribution to global greenhouse gas inventory, it is currently the only well-defined and widely accepted benchmark for greenhouse gas emissions in California. Therefore, for purposes of this analysis, the following significance thresholds have been used:
>
> **Impact GCC-1** Does the project comply with the provisions of an adopted Greenhouse Gas Reduction Plan or Strategy? If no such Plan or Strategy is applicable, would the project significantly hinder or delay California's ability to meet the reduction targets contained in AB 32?
>
> **Impact GCC-2** Would the impacts of climate change significantly impact the project?

The Highland Fairview Project EIR concluded that project had the potential to significantly hinder California's ability to meet the reduction targets contained in AB 32, and therefore reached a conclusion of "potentially significant" GHG emissions impacts for that project.

Such is not the case for the proposed Westridge Commerce Center Project as supported by the analysis presented in the Westridge Commerce Center Project EIR and supporting Global Climate Change analysis.

Continuing at Page 5.16-6, the Highland Fairview EIR also importantly notes that:

> The thresholds and the analysis contained below *may not be relevant to other projects. This analysis does not establish thresholds for the City or set precedents for the type of analysis in a climate change analysis, as this discipline is still evolving. [emphasis added]*

Clearly, whatever thresholds and analysis may have been employed in the Highland Fairview EIR were for that project only, and not intended or necessarily applicable to the proposed Westridge Commerce Center Project. The results and conclusions of the EIR are not affected.

Response JS-28

The commentor considers the term "cumulatively considerable" established under the *CEQA Guidelines* Section 15064, subd. (h)(1), and appears to misapply it in evaluating Project GHG emissions and potential Project-related Global Climate Change impacts. In total, *CEQA Guidelines* Section 15064, subd. (h)(1) cited by the commentor, and excerpted below, provides guidance as to whether an EIR is required based on the potential for a given project to cause or result in cumulatively considerable impacts.

> (h)(1) When assessing whether a cumulative effect requires an EIR, the lead agency shall consider whether the cumulative impact is significant and whether the effects of the project are cumulatively considerable. An EIR must be prepared if the cumulative impact may be significant and the project's incremental effect, though individually limited, is cumulatively considerable. "Cumulatively considerable" means that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.

The Lead Agency had previously determined through the Initial Study process that an EIR is required for the Project, to include an analysis of all potential cumulatively considerable impacts, including potential GHG/GCC impacts.

The EIR analysis supports the conclusion that Project-specific GHG/GCC impacts are individually less-than-significant and not cumulatively considerable (see EIR Section 3.0, Project Description, Pages 3-17 through 3-20; EIR Section 4.3, Air Quality, Pages 4.3-88 through 4.3-110; EIR Section 5.0, Other CEQA Considerations, Pages 5-13, 5-14; and Global Climate Change Analysis included at EIR Appendix C). To this end, not only are the Project's incremental GHG/GCC impacts substantiated to be less-than-significant. As noted in the Draft EIR, with regard to global climate change, it is generally accepted that the magnitude of global climate change effects is so substantial and the contribution of an individual project to global climate change is so extremely minuscule that direct significant adverse impacts would be highly unlikely.

Within the scope of limitations and considerations noted herein, a Project GHG emissions inventory has been prepared as recommended under OPR's technical advisory. The City of Moreno Valley has not adopted a numeric threshold of significance for emissions of greenhouse gases. However, guidance and an indication of the potential significance of the Project's GHG emission impacts is assessed by comparing Project GHG emissions levels against germane proposed or adopted GHG emissions impacts thresholds. To this end, Project GHG emissions have been compared to GHG emissions thresholds developed by state Responsible Agencies charged with oversight and regulation of air pollutant emissions, the SCAQMD and CARB. As indicated herein, Project GHG emissions would not exceed the thresholds developed by those agencies.

Additionally, as discussed in the Draft EIR . . . "to facilitate their monitored implementation throughout Project development and operations, design features and operational attributes of the Project are incorporated into this EIR as Mitigation

Measures 4.3.10 through 4.3.13 . . . These measures act to reduce Project-related operational source air pollutants and GHG emissions, and promote sustainability through conservation of energy and other natural resources" (Draft EIR at Page 4.3-94). As amended in these Responses, additional mitigation has been also been provided, further reducing already less-than-significant Project GHG emissions levels. Please refer also to previous discussions at Responses JS-20 through JS-27, substantiating less-than-significant Project GHG/GCC impacts.

As provided for under *CEQA Guidelines* Section 15064(h)(2), "[w]hen a project might contribute a significant cumulative impact, but the contribution will be rendered less than cumulatively considerable through mitigation measures . . . [the supporting analysis] shall briefly indicate and explain how the contribution has been rendered less than cumulatively considerable." Design features, operational programs, and mitigation measures included in the Draft EIR (see EIR Section 3.0, Project Description, Pages 3-17 through 3-20; EIR Section 4.3, Air Quality, Pages 4.3-88 through 4.3-110; EIR Section 5.0, Other CEQA Considerations, Pages 5-13, 5-14; and Global Climate Change Analysis included at EIR Appendix C) render the Project's potential contribution to Global Climate Change impacts to levels that are less than cumulatively considerable.

As further provided under *CEQA Guidelines* Section 15064(h)(3), . . . "a lead agency may determine that a project's incremental contribution to a cumulative effect is not cumulatively considerable if the project will comply with the requirements in a previously approved plan or mitigation program (including, but not limited to, water quality control plan, air quality attainment or maintenance plan, integrated waste management plan, habitat conservation plan, natural community conservation plan, plans or regulations for the reduction of greenhouse gas emissions) that provides specific requirements that will avoid or substantially lessen the cumulative problem within the geographic area in which the project is located. Such plans or programs must be specified in law or adopted by the public agency with jurisdiction over the affected resources through a public review process to implement, interpret, or make

specific the law enforced or administered by the public agency. When relying on a plan, regulation or program, the lead agency should explain how implementing the particular requirements in the plan, regulation or program ensure that the project's incremental contribution to the cumulative effect is not cumulatively considerable."

The general arena of GHG emissions regulations remains preliminary and still formative, and there are no plans (as yet) with the effect of law that would be applicable to the Project. Notwithstanding, the CARB Scoping Plan and 2006 CAT Report are considered indicative of likely future guidelines and requirements. The Project supports and is consistent with CAT strategies and other means suggested to reduce California's emissions to the levels proposed by Executive Order S-3-05 and AB 32. Qualitative assessment of the Project's impacts based upon consistency with the CARB Scoping Plan and the 2006 CAT Report (Draft EIR Pages 4.3-94 through 4.3-110) supports the conclusion that the Project's greenhouse gas emissions are not cumulatively considerable.

Continuing, *CEQA Guidelines* Section 15064(h) (4) importantly provides that . . . "[t]he mere existence of significant cumulative impacts caused by other projects alone shall not constitute substantial evidence that the proposed project's incremental effects are cumulatively considerable." The commentor's assertion that because cumulative GCC impacts exist or are likely to occur, the project's incremental impacts in this regard must be cumulatively considerable is not supported by CEQA.

It is further noted cumulative effects of Global Climate Change would be considered significant irrespective of any increment of GHG emissions generated by, or reduced through, implementation of the Project. Moreover, absent similar commitments worldwide, even full state-level reduction of GHGs as provided for under California

statute would not notably or discernibly affect a difference in global climate change. In this regard, the World Resources Institute estimates California GHG emissions comprised an estimated 1.3 percent of worldwide GHG emissions as of 2000.[9] Further, whereas California since 2000 continued to implement further energy efficient technologies and other means that directly or indirectly reduce GHG emissions and thereby reduce its proportionate impacts, these reductions have been more than offset by increasing growth and industrialization worldwide. This speaks to *CEQA Guidelines* Section 15064(h) (4) provisions, which provide that the mere existence of significant cumulative GCC impacts caused by other projects (worldwide growth and industrialization) alone does not constitute substantial evidence that the Westridge Commerce Center Project's incremental GCC effects are cumulatively considerable.

Based on the preceding the project will not result in or cause cumulatively considerable GCC impacts. Results and conclusions of the EIR are not affected.

Response JS-29

The commentor summarizes various provisions of the *Final Statement of Reasons for Regulatory Action* (California Natural Resources Agency) December 2009 which allow for off-site mitigation of GHG impacts.

As substantiated in the EIR and discussed in these Responses, Project-related GHG emissions impacts are less-than-significant and are not cumulatively considerable. Off-site mitigation is not proposed nor is it required. Results and conclusions of the EIR are not affected.

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9 *The AB 32 Challenge: Reducing California's Greenhouse Gas Emissions* (Gregory Freeman, Nancy D. Sidhu, PhD, Myasnik Poghosyan) January 2008, Page 8.

Response JS-30

Temporary and intermittent significant construction-source noise impacts noted by the commentor are fully discussed and disclosed in the Draft EIR:

> **Level of Significance after Mitigation:** Mitigation Measures 4.4.1 through 4.4.4 will qualitatively reduce construction-source noise and its perceived impacts to the extent feasible. The proposed use of noise curtains during the most noise intensive activities (grading/site preparation) may reduce received noise levels by 10-20 dBA at the nearest receptors. Nonetheless, it is anticipated that construction-source noise received at the nearest affected residential receptor adjacent may temporarily and periodically reach the maximum anticipated exterior noise level of 89 dBA Leq. This condition would occur in particular when heavy equipment is used for the construction of adjacent Fir (future Eucalyptus) Avenue. At more distant residential neighborhoods, the maximum received noise level is conservatively estimated at 60 to 65 dBA Leq. As such, even with the application of proposed mitigation, Project construction equipment activities would exceed the City's maximum permissible sound level for daytime hours as received at a residential land use (60 dBA Leq), and consequently would be considered a substantial temporary and periodic increase in ambient noise levels in the Project vicinity above levels existing without the Project (Draft EIR Page 4.4-20).

Mitigation of construction-source noise impacts is addressed in the following responses JS-31 and JS-32. Results and conclusions of the Draft EIR are not affected.

Response JS-31

The commentor provides opinions on Draft EIR Mitigation Measure 4.4.4, which is presented in its entirety here:

4.4.4 Prior to the issuance of any grading or building permit, the Project plans and specifications shall include a statement that for the duration of grading and site preparation activities, temporary construction noise curtains or similar line-of-sight noise reduction measures shall be installed along the Project's southerly boundary. Noise curtains shall be installed so as to provide maximum reduction for noise sensitive uses (at present a single residence located southerly of the Project site) and shown on the grading plans prepared for the Project.

The commentor states that the mitigation language "[n]oise curtains shall be installed so as to provide maximum reduction for noise sensitive uses" is "unenforceable." The commentor fails to note or recognize that construction activities by their nature are fluid and mitigation addressing such activities is similarly fluid. The stipulation that noise curtains be installed so as to achieve the maximum reduction in noise accommodates site and use-specific variations in construction activities and construction noise that may affect proximate sensitive receptors. As discussed at Draft EIR Page 4.4-18, "[t]he closest noise sensitive receptor that will be subject to potential construction noise impacts is the residence located at 28855 Fir Avenue (future Eucalyptus Avenue),approximately 150 feet southerly of the Project site's southernmost boundary. Because roadway improvements along future Eucalyptus Avenue are also part of Project development, an overall grading noise level of 89 dBA at 50 feet has been used as the worst-case, maximum exterior noise level when heavy equipment is nearest this sensitive receptor. At the nearest residential neighborhood, located more than one-quarter mile from the Project site, received construction-related noise levels would be reduced by 30 decibels or more based on physical separation between these residences and the Project site.

As also noted in the Draft EIR, the noise curtains required pursuant to Mitigation Measure 4.4.4 would conservatively provide an estimated 10 to 20 dBA of noise

reduction acting to reduce noise at proximate receptors. Worst-case construction noise levels (estimated to be 89 dBA at 50 feet) would occur as roadway improvements occur along future Eucalyptus Avenue. To ensure that the single residential use would not be temporarily and intermittently exposed to construction noise levels exceeding 60 dBA would in effect require construction of a barrier along the southerly edge of the Fir (future Eucalyptus Avenue) right-of-way, extending at a minimum the length of the affected receptor property line (approximately 620 feet) providing line-of sight interruption of noise yielding a 29 dBA noise reduction. Alternatively, an encapsulating 620 foot by 620 foot, 29 dBA noise-reducing barrier could be constructed around the receptor property in question.

For construction equipment with a 12-foot high exhaust stack, and not accounting for grade differentials, line of-sight noise protection would require a minimum 15 foot high wall (noise source height plus three feet).Under laboratory conditions a 4-inch thick concrete wall (or equivalent @ 30 lbs./s.f.) would provide approximately 37 dB noise attenuation (one side of a barrier to the other); and under uncontrolled exterior conditions could hypothetically provide 29 dBA noise reduction in protected areas immediately adjacent to the wall, within the noise "shadow zone." However noise diffracted over the top of or sides of the wall would still affect more distant unprotected receptors. Moreover, a 4-inch thick concrete wall, 15 feet in height is not structurally stable without significant reinforcing (envision a 15-foot high freestanding brick wall); and in practical application would constitute a permanent structure with anchoring footings or caissons.

The commentor suggests that "temporary sound walls" be implemented. As indicated, such walls would not be temporary. Moreover, construction of the "temporary" walls themselves, as well as their demolition, would generate noise levels equaling or exceeding those resulting from the Project. That is, the noise barrier's own construction and its subsequent demolition, would occur at the southerly right of-way line, and would require use of construction equipment in addition to, and for periods of time

greater than, that otherwise required to implement the Project. This would arguably increase rather than decrease net adverse effects construction noise.

Response JS-32

Please refer to the following Response JS-33.

Response JS-33

The commentor's suggested additional measures to reduce construction-source noise are addressed below.

Suggested Measure	Response
1.Prepare and implement a noise mitigation program and designate whom is responsible for implementing the program, when such a program must be implemented and planned, and include such actions as noise monitoring at selected noise sensitive locations, monitoring complaints, and identification of the major sources of noise.	**Not required, no nexus with significant impacts.** The Noise Impact Analysis states that this program is merely recommended not required. Nor are the recommended measures reflected in or required to attain the "mitigated condition" presented in the Draft EIR. The Lead Agency may, at its discretion, impose additional Conditions of Approval (such as recommendations within studies) supplementing the EIR Mitigation Measures. The Draft EIR contains comprehensive mitigation to address noise impacts of the Project. These measures are included as part of the Mitigation Monitoring Plan, presented in Section 4.0 of this Final EIR. The Mitigation Monitoring Plan: 1) assigns responsibility for, and ensures proper implementation of Mitigation Measures; 2) assigns responsibility for, and provides for monitoring and reporting of compliance with Mitigation Measures; and 3) provides the mechanism to identify areas of noncompliance and need for enforcement action before irreversible environmental damage occurs. The City will monitor and report on all mitigation activities.
2.The construction contractor shall limit haul truck deliveries to the same hours specified for construction equipment. To the extent feasible, haul routes shall not pass sensitive land uses or residential dwellings.	**Incorporated** at revised EIR Mitigation Measure 4.4.3.

Suggested Measure	Response
3.Notify surrounding homeowners of expected, specific construction-related noise impacts.	**Not required, no nexus with significant impacts.** Please refer to preceding discussion of recommendations vis-à-vis noise-related requirements. The public, including surrounding homeowners, has been notified of the Project via direct mailing and public notice, consistent with the provisions of the City of Moreno Valley Municipal Code. Copies of the Draft EIR are available upon request.
4.When technically feasible, electrical construction equipment should be utilized.	**Incorporated** at revised Mitigation Measure 4.3.8.
5.During project construction, the developer shall require all contractors to turn off all construction equipment and delivery vehicles when not in use or prohibit idling in excess of 3 minutes.	**Replicates existing requirements.** Mitigation Measure 4.3.10, as currently presented in the Draft EIR, prohibits the idling of trucks for more than three (3) minutes.

Response JS-34

The commentor appears to misinterpret and/or misapply noise limitations established under the City's Noise Ordinance, noise standards provided for under the General Plan, and their application within the EIR. The commentor erroneously states " . . . *the DEIR . . . adopts as a threshold of significance, an audible increase in noise levels of 3.0 dBA greater*." The commentor suggests that the City Noise Ordinance threshold of 60 dBA Leq be universally applied irrespective of existing conditions, noise source, or noise duration.

To clarify, as noted in the Draft EIR . . . "[t]he City's Noise Ordinance applies to 'stationary source' noise occurring on one property, which may affect a neighboring property (Draft EIR at Page 4.4-13). Mobile source (roadway noise) is not regulated under the City Noise Ordinance. The Noise Ordinance is directed toward discrete, identifiable stationary or area source noise. Noise thresholds established in the Ordinance are expressed in Leq, acknowledging noise levels occurring within a limited and defined time frame (in this case one-hour).

As described and discussed in the EIR, the Noise Ordinance's most restrictive threshold conditions of 60 dBA Leq daytime/55 dBA Leq nighttime for residential land uses are appropriately applied in evaluating discrete area/stationary source noise generated by the Project and received at proximate residential land uses. As discussed in the Draft EIR (Pages 4.4-23 through 4.4-26), at receiving residential land uses, Project operational stationary/area source noise will not exceed 60 dBA Leq daytime /55 dBA Leq nighttime.

The Noise Ordinance is not intended or constructed to address modeled areawide ambient noise levels increases, such as occur over time due to ambient increases in areawide traffic. Nor is it appropriate to evaluate or consider long term increases in ambient noise levels (such as increases in roadway corridor noise) in terms of Leq. It is the 24-hour average weighted noise level (CNEL) that accurately and appropriately describes the effective ambient noise condition, and indicates whether there would be a substantial permanent increase in noise levels due to the effects of a given project.

CNEL guidelines applicable to increases in ambient noise conditions, including noise generated by Project-related mobile sources (traffic) are established under the City General Plan Noise Element. As discussed in the Draft EIR:

> The Safety Element of the City's General Plan discusses noise and future projected noise levels within the City. For planning purposes, the City employs a 65 CNEL standard for noise-sensitive outdoor areas (e.g., rear yards of single family homes), and an indoor noise standard of 45 CNEL for residential developments (Draft EIR Page 4.4-14).

As supported by analysis presented in the EIR (see EIR Section 4.0, Noise; EIR Appendix D, noise Impact Analysis) the Project will not result in or cause operational noise levels exceeding applicable standards established under the Noise Ordinance and/or General Plan. Results and conclusions of the EIR are not affected.

Response JS-35

The commentor states that "*. . . the Draft EIR makes a conclusory statement of insignificance without data or analysis . . .*" with regard to potential vibration impacts of the Project. The commentor also states that the Draft EIR only addresses vibration impacts to buildings, but fails to address such impacts to people.

For ease of reference, the EIR discussion of vibration impacts is excerpted below:

> **Impact Analysis:** Groundborne vibration refers to groundborne noise and perceptible motion. Typical sources of groundborne vibration include the use of heavy-duty construction equipment to be employed at the Project site. Groundborne vibration is almost exclusively a concern inside buildings and is rarely perceived as a problem outdoors, where motion may be discernible but without the accompanying effects (e.g., the shaking of a building).
>
> Vibration energy propagates from a source through intervening soil and rock layers to the foundations of nearby buildings. The vibration then propagates from the foundation throughout the remainder of the structure. Vibration-caused building damage is not a factor for normal projects, with the occasional exception of blasting and pile driving during foundation construction, neither of which is anticipated as part of construction of the Project considered here.
>
> The City of Moreno Valley does not currently have adopted vibration regulations. Notwithstanding, germane vibration criteria has been established by the California Department of Transportation (Caltrans) and is employed in analyses presented here.

> The Project does not propose activities or uses that would result in long-term substantial or even perceptible vibration levels. However, heavy equipment employed during Project construction could potentially generate groundborne vibration impacts at adjacent land uses. Construction activity can result in varying degrees of ground vibration, depending on the equipment and methods used, distance to the affected structures and soil type. Construction vibration is generally associated with pile driving and rock blasting. Occasionally, proximate operations of large bulldozers and loaded trucks can cause perceptible vibration levels, notwithstanding, according to the *Transportation and Construction-Induced Vibration Guidance Manual* prepared for Caltrans, groundborne vibration from construction activities and equipment such as such as D-8 and D-9 Caterpillar bulldozers, earthmovers and haul trucks at distances of 10 feet do not create vibration amplitudes that would cause structural damage to nearby structures. The proposed Project is not anticipated to employ any pile driving equipment, nor require blasting activities. Further, the nearest heavy equipment operations would occur at a distance of 40 to 50 feet from the nearest residential use (28855 Fir Avenue). Impacts from construction-source groundborne vibration are therefore anticipated to be less-than-significant (Draft EIR Pages 4.4-27 to 4.4-28).

As indicated above, the City has no adopted vibration thresholds, much less a threshold adopted to address speculative "vibration impacts to people" suggested by the commentor. Structural damage is a defined concern addressed by Caltrans, and would be considered to constitute excessive groundborne vibration or groundborne noise levels. This concern is likewise is considered in the EIR. Occasional perceptible vibration levels should they occur, do not constitute excessive groundborne vibration or groundborne noise levels. Any vibration impacts perceived at off-site locations would, as noted, be temporary and intermittent due to transient construction vehicles.

There are no sensitive historic structures or instruments located proximate to the Project that would somehow be affected by temporary and transient construction-source vibration.

As supported by the preceding and the analysis presented in the EIR, the Project will not result in or cause exposure of persons to, or generation of, excessive groundborne vibration or groundborne noise levels. Results and conclusions of the EIR are not affected.

Response JS-36

Please refer to the following Response JS-37.

Response JS-37

The commentor again appears to misinterpret and/or misapply noise thresholds, now within a cumulative analysis context, and incorrectly states threshold considerations applicable to the Project.

In brief, the City Noise Ordinance regulates stationary/area source noise generated by the Project will not result in operational noise that would exceed Ordinance Standards (60 dBA Leq daytime/55 dBA Leq nighttime). Ambient noise increases, including traffic noise generated by the Project would not exceed the applicable 65 CNEL residential standard established by the General Plan. (The commentor misstates the threshold as 60 dBA Leq). Noise levels of less than 65 dBA CNEL are acceptable. In the instance noted by the commentor, vehicular noise levels due to cumulative growth (including noise generated by the Project traffic) would increase by 9.8 dBA CNEL over time, totaling an estimated 61.1 dBA CNEL at General Plan Buildout. Vehicular noise levels of 61.1 dBA CNEL are less than the threshold condition of 65 dBA CNEL, and impacts are therefore not cumulatively considerable. In instances where pre-existing noise levels exceed 65 dBA CNEL, or such traffic noise levels would occur due to cumulative growth absent the Project, the Project's incremental contribution would

range from 0.0 dBA to 0.4 dBA, and would not be discernible. In these instances, perceived noise conditions would the same with, or without the Project. As noted previously in these responses, *CEQA Guidelines* Section 15064(h) (4) importantly provides that . . . "[t]he mere existence of significant cumulative impacts caused by other projects alone shall not constitute substantial evidence that the proposed project's incremental effects are cumulatively considerable." The commentor's assertion that because cumulative noise impacts exist or are likely to occur, the project's incremental impacts in this regard must be cumulatively considerable is not supported by CEQA.

Project operational source noise would not exceed applicable standards established under the Noise Ordinance and/or General Plan. In no instance would Project noise cause a transition from acceptable ambient conditions to conditionally acceptable conditions or from conditionally acceptable conditions to unacceptable conditions.

As supported by the preceding and the analysis presented in the EIR, the Project will not result in or cause cumulatively considerable operational noise levels exceeding applicable standards established under the Noise Ordinance and/or General Plan. Results and conclusions of the EIR are not affected.

<u>Response JS-38</u>

The commentor notes that modeling of noise based on measurements taken at the G.I trucking facility (Pomona CA) may not yield noise levels comparable to those that would be generated by the Project.

The G.I. trucking facility conducts logistics warehousing operations, including acceptance and dispatch of big-rig long-haul and consolidated freight trucks, similar to operations anticipated under the Project. The G.I. trucking facility noise measurements are not intended to precisely replicate noise generated by the Project operations site on any given day or at any given time. The empirical data collected does however provide a real world snapshot of anticipated noise sources and noise conditions typical of

heavy-duty, long-haul trucking operations conditions, and is considered superior to an assumed estimate of noise sources and noise levels. Results and conclusions of the EIR are not affected.

Response JS-39

The commentor's suggested additional measures to reduce operational-source noise are addressed below.

Suggested Measure	Response
1. All truck, tractors and forklifts shall be operated with proper operating and well-maintained mufflers. 2. Maintain quality pavement conditions that are free of bumps to minimize truck noise. 3. Limit the number of idling trucks on the southeastern portion of the site.	**Not required, no nexus with significant impacts.** Please refer to preceding discussion of recommendations in Response JS-32 vis-à-vis noise-related requirements. As noted in the Noise Impact Analysis, all operational noise impacts are less-than-significant. No additional mitigation of operational noise impacts is required.

Response JS-40

The commentor incorrectly states that "Interstate 15 (I-15) and Interstate 215 (I-215) provide access to the Project are and will most certainly be used to access the Project site." It is noted that I-215 was constructed to run roughly parallel to I-15 between Murrieta (approximately 30 miles south of the Project site) and Devore (located approximately 25 miles to the north of the Project site). In the vicinity of Moreno Valley, while I-215 is acknowledged as providing access, I-15 is located approximately 20 miles to the west. At these distances, I-15 does not provide direct access to the Project site, and on this basis, was not considered as part of the Project's traffic analysis.

With respect to commentor's concerns regarding potential Project-related impacts to I-215, a basic freeway segment analysis has been conducted between Box Springs

Road/Fair Isle Drive and the I-215 Freeway along the SR-60 Freeway, and included in the Project's Traffic Impact Analysis (TIA Appendix 7.8, included as part of Draft EIR Appendix B). As indicated in the Introduction to this Study (Page 7.8-3), "[i]t should be noted that this analysis was not requested due to potential impacts from the project itself, as these impacts would be nominal, but rather to analyze the current and future projected operations within the segment based on freeway lane geometrics."

The study concludes that "[a]s vehicular traffic increases on the freeway mainline under each of the future analysis scenarios, the densities on each basic freeway segment are anticipated to increase and peak hour level of service operations are anticipated to progressively worsen." It is in part on this basis that the Draft EIR acknowledges significant cumulative traffic impacts affecting freeway segments in the Project area. As noted in the summary of mitigation on Draft EIR Page 1-51, "[u]nder Opening Year Cumulative Conditions and General Plan Buildout Conditions, cumulative LOS impacts of traffic generated by the project in combination with traffic generated by ambient growth and other development projects will result in potentially significant cumulative traffic impacts affecting SR-60 freeway segments within the Study Area." Because freeway mainline improvements such as widening are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency, no mitigation was identified that could be feasibly implemented. Nor is there an established fair share fee program for potentially affected SR-60 freeway segments. As such, the Draft EIR found that the Project would have a significant and unavoidable impact in regard to exceedance of LOS thresholds on certain study area freeway segments.

<u>Response JS-41</u>

Despite the commentor's assertion that "[t]he Draft EIR does not provide any data to quantify roadway costs, projected revenues, or adequacy of funds for the improvements needed to mitigate traffic impacts for this project," the Project TIA (Draft EIR Appendix B) provides a summary of the Project's fee obligations in Table 8-

2. The application of fee-based mitigation is summarized at Draft EIR Pages 4.2-25 to 4.2-26; and discussed in greater detail at TIA Pages 200 through 206. The majority of the required improvements identified in the Draft EIR involve Caltrans facilities, improvement of which is outside the control of the Applicant or the City of Moreno Valley. The payment of TUMF and DIF is considered the appropriate mechanism for the Project to contribute to future off-site roadway improvements. The commentor's concerns regarding the adequacy of these funding mechanisms will be forwarded to decision-makers for their consideration.

Response JS-42

The commentor's suggested additional measures to reduce traffic-circulation impacts are addressed below. The results and conclusions of the Draft EIR are not affected.

Suggested Measure	Response
1. Provide temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow. 2. Provide dedicated turn lanes for movement of construction trucks and equipment on- and off-site. 3. Reroute construction trucks away from congested streets and sensitive receptor areas.	**Replicates existing requirements.** As discussed in the Draft EIR (Page 4.2-85), "[i]t is also recognized that temporary and short-term traffic detours and traffic disruption will result during Project construction activities. These impacts are adequately addressed through the preparation and submittal of a construction area traffic management plan as required by the City Engineer. The required construction area traffic management plan will identify traffic control for any street closure, detour, or other disruption to traffic circulation. The plan also identifies construction vehicle access routes, hours of construction traffic, traffic controls and detours." No additional mitigation is required.
4. Configure construction parking to minimize traffic interference.	**Replicates existing requirements.** Construction parking is one of many components considered in the required construction traffic management plan. No additional mitigation is required.
5. Prior to the issuance of a grading and building permit, the applicant shall submit verification that a ridesharing program for the construction crew has been encouraged and will be supported by the contractor via incentives or other inducements.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
6. Minimize construction worker trips by requiring carpooling and providing for lunch onsite.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."

Suggested Measure	Response
7. Provide shuttle service to food service establishments/commercial areas for the construction crew.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
8. Provide shuttle service to transit stations/ multimodal centers for the construction crew.	**Incorporated** at revised Mitigation Measure 4.3.8, presented in Final EIR Table 4.2-1, "Mitigation Monitoring and Reporting Plan."
9. Improve traffic flow by traffic synchronization.	**Replicates existing requirements.** Signal synchronization is currently effected by the City, beyond control or purview of the Applicant. Modification of signal synchronization (if required) based on additional Project traffic will be accomplished by the City based on observed traffic conditions.

Response JS-43

Please refer to the preceding Response JS-3.

Response JS-44

Contrary to the commentor's assertion, the Project's total water demand is disclosed in the Draft EIR. As discussed in Draft EIR Section 4.5, "Water Supply," and supported by the Water Supply Assessment prepared for the Project by Eastern Municipal Water District (EMWD), the Project's estimated maximum water demand would be 44 acre-feet per year (please refer to Draft EIR Table 4.5-8 on Page 4.5-17). As noted in the Draft EIR, "[w]ater demand for this Project is calculated for planning purposes only, and reflects potential maximum demand conditions. Actual water use will be reduced through conservation, use of water efficient devices, and use of recycled water as it becomes available" (Draft EIR Page 4.5-17).

Response JS-45

The commentor's suggested additional measures to reduce hydrology/water resources/impacts are addressed below.

Suggested Measure	Response
1. Install permeable pavement in car parking areas. 2. Implement concave pooling areas in the landscaping to allow for groundwater recharge.	**Not required, no nexus with significant impacts.** As discussed in the Draft EIR, potential water supply and hydrology/water quality impacts are less-than-significant as mitigated. No additional mitigation is required. The Lead Agency may, at its discretion, impose additional Conditions of Approval supplementing the EIR Mitigation Measures.

Response JS-46

Maintenance of municipal storm drains is not customarily the responsibility of surrounding property owners. Sediment collected within the SR-60 culverts, which are located upstream from the Project site, is removed in the course of regular maintenance activities performed under the direction of the Riverside County Flood Control and Water Conservation District.

In the interest of accuracy, it may be noted that the Project's Hydrology study actually states, "[t]he development may be conditioned to clean the existing sediment build up in the existing triple 60-inch pipes crossing under the 60 Freeway as well as the existing 60-inch pipe [discharging]into the Redlands Boulevard westerly drainage ditch." City Engineering staff may, as part of pre-construction review, include this recommendation as a condition of Project approval. However, despite the assertions of the commentor, the removal of sediment in culverts upstream of the Project is not required "to mitigate for impacts from runoff." Nor would any such requirement be rationally related to impacts by the Project. Potential Project-related drainage impacts are addressed in Draft EIR Section 4.6, Hydrology and Water Quality. No significant impacts requiring mitigation have been identified in regard to hydrology or storm water management.

Response JS-47

As noted on Pages 4.6-22 through 4.6-23 of the Draft EIR, the Project's drainage plan was purposely designed to ensure that runoff from the site does not enter the Quincy Channel. Future drainage improvements associated with the Quincy Channel and its

proposed overcrossing will not affect, nor be affected by, implementation of the Project. The future improvements are noted in the Draft EIR merely as a point of reference.

Response JS-48

The Cultural Resources Investigation prepared for the Project included a records search and above-ground reconnaissance survey, which is customary for pre-development review. No underground investigation is required under the CEQA guidelines, or any federal, state, or local laws or regulations.

The Cultural Resource Investigation and the Draft EIR acknowledge the possibility of historic and/or prehistoric cultural resources being present on the site in a buried context, but no evidence exists to indicate the probability of any on-site archeological or paleontological resources or human remains. Mitigation is provided that requires the use of professional monitors during all Project-related excavation and grading activities. Relevant text from the Draft EIR (Pages 4.7-11 through 4.7-13) has been included below for ease of reference.

> The Project Cultural Resources Investigation report notes that "there was early occupation in the area and evidence of this occupation may be present in a buried context – e.g., evidence of the water well in the center of the property, buried refuse deposits, privies, irrigation systems, foundations, etc. If evidence of such remains is uncovered during the grading of this property, the proponent should contact a qualified archaeologist to assess the find(s) and to make recommendations for a monitoring program to oversee the remainder of the grading program." The report further notes that "the paleontological monitor [discussed below] can also serve to oversee archaeological monitoring and negate the need for two monitors." The following mitigation measures will ensure that the recommendations of the Project Cultural Resources Investigation are implemented during Project development.

Mitigation Measures:

4.7.1 *A professional cultural resources monitor (Project Paleontological Monitor) shall conduct full-time monitoring throughout site excavation and grading activities. The monitor shall be equipped to salvage and record the location of historic and/or archaeological resources as they may be unearthed to avoid construction delays. The monitor shall be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens or finds and to allow the preparation of recovered resources to a point of identification. One monitor for both archaeological and paleontological resources is sufficient if the monitor is qualified in both disciplines to the satisfaction of the City of Moreno Valley.*

4.7.2 *Should historic or prehistoric resources of potential significance be identified, a qualified archaeologist shall be contacted to assess the find(s) and make recommendations in regard to further monitoring. All recovered resources shall then be curated in an established, accredited museum repository with permanent retrievable archaeological/historic resource storage. A report of findings shall also be prepared by a qualified archaeologist, and shall include an itemized inventory of any specimens recovered. The report and confirmation of curation of any recovered resources from an accredited museum repository shall signify completion of the program to mitigate impacts to archaeological/historic resources. If disturbed resources are required to be collected and preserved, the applicant shall be required to participate financially up to the limits imposed by Public Resources Code Section 21083.2.*

The results and conclusions of the Draft EIR are not affected.

Response JS-49

The commentor appears to misconstrue the intent of Mitigation Measure 4.7.1, the text of which is provided as part of the preceding Response GB-48. As stated in this measure, the monitor is to be adequately "equipped to salvage and record the location of historic and/or archaeological resources as they may be unearthed to avoid construction delays." Further, no time limit or emphasis on urgency is placed on the "temporary" halt on construction activities. Rather, Measure 4.7.1 states, "[t]he monitor shall be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens or finds and to allow the preparation of recovered resources to a point of identification." Mitigation Measure 4.7.3, included below for ease of reference, contains wording similar to that of Measure 4.7.1, specifically in regard to the potential occurrence of paleontological resources.

> *4.7.3 Prior to the issuance of a grading permit, a City-approved Project Paleontologist shall be retained to initiate and supervise paleontological mitigation-monitoring in all areas of the Project site, subject to the following certain constraints:*
>
> - *Once excavations reach ten (10) feet in depth, monitoring of excavation in areas identified as likely to contain paleontologic resources by a qualified paleontologic monitor or his/her representative must take place;*
> - *A paleontological mitigation-monitoring plan shall be developed before grading begins;*
> - *Paleontological monitors shall be equipped to salvage fossils as they are unearthed to avoid construction delays and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates;*
> - *Monitors must be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens; and*
> - *Monitoring may be reduced if the potentially fossiliferous units described herein are not present, or, if present, are determined upon*

exposure and examination by qualified paleontologic personnel to have low potential to contain fossil resources.

In order to ensure that, where appropriate, cultural resources are preserved in place, the following amendments to Mitigation Measures 4.7.1, 4.7.2, and 4.7.3 have been incorporated.

4.7.1 A professional cultural resources monitor (Project Paleontological Monitor) shall conduct full-time monitoring throughout site excavation and grading activities. The monitor shall be equipped to salvage and record the location of historic and/or archaeological resources as they may be unearthed to avoid construction delays, ***consistent with the requirements of California Public Resources Code Section 21083.2.*** *The monitor shall be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens or finds and to allow the preparation of recovered resources to a point of identification. One monitor for both archaeological and paleontological resources is sufficient if the monitor is qualified in both disciplines to the satisfaction of the City of Moreno Valley.*

4.7.2 Should historic or prehistoric resources of potential significance be identified, a qualified archaeologist shall be contacted to assess the find(s) and make recommendations in regard to further monitoring. Consistent with the requirements of Public Resources Code section 21083.2., ***resources shall be left in an undisturbed state. Where preservation in place is infeasible, a~~All~~*** *recovered resources shall then be curated in an established, accredited museum repository with permanent retrievable archaeological/historic resource storage. A report of findings shall also be prepared by a qualified archaeologist, and shall include an itemized inventory of any specimens recovered. The report and confirmation of curation of any recovered resources from an accredited museum*

repository shall signify completion of the program to mitigate impacts to archaeological/historic resources. If disturbed resources are required to be collected and preserved, the applicant shall be required to participate financially up to the limits imposed by Public Resources Code Section 21083.2.

4.7.3 Prior to the issuance of a grading permit, a City-approved Project Paleontologist shall be retained to initiate and supervise paleontological mitigation-monitoring in all areas of the Project site, subject to the following certain constraints:

- *Once excavations reach ten (10) feet in depth, monitoring of excavation in areas identified as likely to contain paleontologic resources by a qualified paleontologic monitor or his/her representative must take place;*
- *A paleontological mitigation-monitoring plan shall be developed before grading begins;*
- *Paleontological monitors shall be equipped to salvage* ***and record the location of*** *fossils as they are unearthed to avoid construction delays and to remove samples of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates;*
- *Monitors must be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens; and*
- *Monitoring may be reduced if the potentially fossiliferous units described herein are not present, or, if present, are determined upon exposure and examination by qualified paleontologic personnel to have low potential to contain fossil resources.*

To ensure monitoring and enforcement, these revisions to Mitigation Measures are reflected in the Project Mitigation Monitoring Plan (Final EIR Section 4.0), and in Final EIR Section 2.0, Revisions and Errata.

Response JS-50

As noted in the preceding response JS-49, despite the commentor's assertions to the contrary, Draft EIR Mitigation Measures 4.7.1 and 4.7.3 do not include restrictions or limitations on the time that would be allowed for adequate monitoring and recording of cultural resources. As further discussed in the preceding response JS-49, the wording of these measures has been amended to clarify that, if found, cultural resources would be preserved in place where appropriate.

Response JS-51

Despite the commentor's assertions to the contrary, the Project's potential effects on common wildlife species have been addressed in *Report On Habitat Assessments and Biological Surveys for the West Ridge Project Site* (Harmsworth Associates) October 2008, presented at Draft EIR Appendix D. Relevant text is excerpted below for ease of reference.

5.8 Direct impacts to wildlife

5.8.1 Common Wildlife

The primary impacts of the project on common wildlife species/resources are the removal and disruption of habitat and the loss and displacement of wildlife, resulting in a potentially less diverse and less abundant local faunal population. Adverse significant impacts to wildlife are generally associated with the degree of habitat loss and fragmentation from the standpoint of physical character, quality, diversity, and abundance of vegetation. Implementation of the project would result in the loss of ruderal agricultural land. The removal of this habitat would potentially impact common wildlife species. These impacts would not be expected to reduce general wildlife populations below self-sustaining levels within the region, given the large blocks of contiguous preserved open space in Riverside County associated with the MSHCP. Impacts to common wildlife species would not represent a significant impact when evaluated

> in the context of the substantial areas of open space preserved in Riverside County under the MSHCP (Report on Habitat Assessments, Page 36).

This same material discussion appears in the body of the Draft EIR.

> **Common Wildlife Species**
> The primary impacts of the Project on common wildlife species/resources are the removal and disruption of habitat and the loss and displacement of wildlife, resulting in a potentially less diverse and less abundant local faunal population. Adverse significant impacts to wildlife are generally associated with the degree of habitat loss and fragmentation from the standpoint of physical character, quality, diversity, and abundance of vegetation. Implementation of the Project would result in the loss of ruderal agricultural land. The removal of this habitat would potentially impact common wildlife species. However, these impacts would not be expected to reduce general wildlife populations below self-sustaining levels within the region, given the large blocks of contiguous preserved open space in Riverside County associated with the MSHCP. Impacts to common wildlife species would not represent a significant impact when evaluated in the context of the substantial areas of open space preserved in Riverside County under the MSHCP (Draft EIR Page 4.8-25).

No potentially significant impacts have been identified, and no mitigation is required. The results and conclusions of the Draft EIR are not affected.

<u>Response JS-52</u>

The commentor recommends additional measures to be implemented to reduce the Project's adverse effect on scenic views in the Project area. The Draft EIR acknowledges, in Section 4.9, "Aesthetics," that implementation of the Project would obstruct or alter views from major roadways and surrounding areas, and would therefore have a

substantial adverse effect on a scenic vista, which is a significant individual and cumulative impact.

No feasible mitigation measures were identified within the Draft EIR which would reduce this loss of viewshed. All other potential aesthetic impacts of the Project were determined less-than-significant.

The particular mitigation measure suggested by the commentor is presented and responded to below:

1) *Preserve a separate off-site scenic area within Moreno Valley, or if not feasible, within Western Riverside County.*

The City does not currently conduct a program that would allow for the purchase of off-site areas for "scenic preservation," as suggested by the commentor, nor is it aware of other such programs offered by agencies or organizations within the Western Riverside County area. Moreover, preserving another existing scenic view elsewhere would not serve to mitigate the impacts of this Project. While the value of off-site mitigation for certain environmental impacts (e.g., biological habitat areas) has been demonstrated, the application of the proposed measure in regard to aesthetic impacts is considered infeasible.

<u>Response JS-53</u>

As noted in the Draft EIR (Pages 5-25 and 5-26), §15126.6 of the *CEQA Guidelines* states that an EIR must describe a range of reasonable alternatives to the Project, or to the location of the Project, which would feasibly attain the Project objectives, but would avoid or substantially lessen any of the significant environmental effects of the proposal. As further presented in the *CEQA Guidelines*, an EIR need not consider every conceivable alternative, but rather, the discussion of alternatives and their relative merits and impacts should be provided in a manner that fosters informed decision-making and public participation. To this end, the *CEQA Guidelines* indicate that the

range of alternatives selected for examination in an EIR should be governed by "rule of reason," and requires the EIR to set forth only those alternatives necessary to permit an informed decision. Consistent with the provisions of the *CEQA Guidelines*, the Draft EIR's analysis of a No Project/No Build Alternative, a No Project/Existing Zoning Alternative, and a Reduced Intensity Alternative present a "reasonable range" of alternatives to the Project that would potentially lessen its environmental effects while allowing for attainment of Project Objectives.

Despite the commentor's assertions to the contrary, the Draft EIR does address, at length, the alternatives that were considered and rejected as part of the review of Project alternatives. The text on Draft EIR Pages 5-35 through 5-44 provides the basis upon which each of the considered alternatives was rejected from further consideration. The results and conclusions of the Draft EIR are not affected.

Response JS-54

The exhibits identified by the commentor and provided as part of these comments have been included in Appendix A of this Final EIR.

Response JS-55

The commentor attaches various professional references. No response is required.

From: Shelly Mesa [shellymesa@roadrunner.com]
Sent: Monday, December 06, 2010 1:35 PM
To: Jeffrey Bradshaw

Subject: Questions about Sketchers, Westridge Commerce Center and Pro Logis projects.

Dear Jeffrey,

Hello, I am a concerned homeowner my name is Shelly Mesa, we bought out here 5-years ago and have been enjoying our beautiful view of the Badlands as well San Bernadino Mountains. I am concerned about all the changes that are taking place around us! I have been active an obtaining signatures against this project, just to be disappointed in our City Officials who over rode the City"s Planning Commision Votes, because their back pockets were padded by Mr. Benzeevi, as well as The Sequoia Club being bought, who had an active interest as well about the Enviromental Impact this will have on our "Beautiful Land." I intended to be out here thru our "Retirement Years". But what is to become of the East end of Moreno Valley? SM-1

1. How will the toxic diesal truck emmisions affect the people who will live on the south side of Fir when both the Warehouse and Pro Logis as well as Sketchers are at full operation? SM-2

2. What measures could be implemented during the construction and operation of this warehouse which could lesson the impact on noise, air quality and global warming, but which you are not going to put in place? SM-3

3. What will you do to protect the Warehouse Wokers from the effects of toxic diesal pollution? SM-4

4. How many toxic diesal trucks do you calculate to use Redlands Blvd. to come north out of town when Sketchers, Westridge Commerce Center and Pro Logis are in full operation? SM-5

I am concerned that if we don't take a stand we will have nothing but warehouses and low income apartments here in our community! SM-6

Sincerely
Shelly Mesa

SHELLY MESA

Email Dated December 6, 2010

Response SM-1

The commentor's concerns and opinions will be forwarded to decision-makers for their consideration.

Response SM-2

As discussed in Draft EIR Section 4.2, the Project's potential to expose sensitive receptors to substantial diesel emission-related pollutant concentrations were identified as less-than-significant with mitigation, on both an individual and cumulative basis (i.e., with the Project alone and with the development of the ProLogis and Highland Fairview project, as well as other anticipated cumulative growth). Please refer also to Responses LA-1, FNSJ-8, *et al.* addressing diesel emissions impacts.

Response SM-3

The commentor asks if there are additional mitigation measures not currently contained within the Draft EIR which would lessen noise, air quality, and global warming impacts of the Project. It should be noted that no significant Project-related impacts regarding global warming have been identified. All feasible mitigation measures have otherwise been employed within the Draft EIR to reduce any potentially significant impacts. As discussed at FEIR Section 2.0, additional/revised mitigation has been incorporated based on comments received on the Draft EIR. Inclusion of these measures does not however, materially or substantively affect analysis or conclusions of the DEIR. That is, impacts that were previously determined to be less-than-significant remain less-than-significant; and impacts that were previously determined to be significant remain significant.

As disclosed in the DEIR, even with the application of mitigation, the Project will result in certain significant and unavoidable air quality and noise impacts. A summary of significant impacts is presented at DEIR Pages 1-17 through 1-20.

Response SM-4

As discussed in the Draft EIR (Page 4.3-80), South Coast Air Quality Management District (SCAQMD) guidance does not require assessment of the potential health risk to on-site workers. Similarly, the following excerpt from the California Office of Health Hazard Assessment (OEHHA) document *Air Toxics Hot Spots Program Risk Assessment Guidelines-The Air Toxics Hot Spots Program Guidance Manual for Preparation of Health Risk Assessments* (OEHHA 2003), also indicate that it is not necessary to examine the health effects to on-site workers unless required by RCRA (Resource Conservation and Recovery Act)/CERCLA (Comprehensive Environmental Response, Compensation, and Liability Act) or the worker resides on-site.

> On-site workers are protected by the California Division of Occupational Safety and Health (CAL/OSHA) and do not have to be evaluated under the Hot Spots program, unless the worker also lives on the facility site, or property. Occasionally, facilities like prisons, military bases, and universities have worker housing within the facility. In these situations the evaluation of on-site cancer risks, and/or acute and chronic non-cancer hazard indices is appropriate under the Hot Spots program.

Since none of these provisions apply to the Project, risk to on-site workers was not evaluated in the Draft EIR.

Response SM-5

Opening Year Cumulative Conditions for area roadway segments, including Redlands Boulevard, are identified in the Draft EIR at Table 4.2-13 (Pages 4.2-61 to 4.2-62). Section 4.2 of the Draft EIR further identifies the number of trucks that will be accessing the site

and vicinity projects on Page 4.2-18. This discussion is presented below for ease of reference.

> As seen in [Draft EIR] Table 4.2-5, "passenger car equivalent" (PCE) factors, ranging from 1.5 to 3.0, have been applied to ensure that truck volumes are accurately accounted for in terms of their proportional contributions to traffic impacts. More specifically, the Project Trip Generation Forecast equates two-axle trucks to 1.5 passenger cars. Three-axle trucks are considered the equivalent of two (2) passenger cars; and trucks with four (4) or more axles are counted as the equivalent of three passenger cars. Employing these PCE factors, the Project is anticipated to generate 2,930 Passenger Car Equivalent (PCE) trips per day, with 191 PCE trips occurring during the AM peak hour, and 225 PCE trips occurring during the PM peak hour.

Estimated opening-year average daily Project-generated truck trips ingressing/egressing the Project site via Redlands Boulevard are as follows:

- 97 two-axle trucks;
- 220 three-axle trucks; and
- 539 four-axle trucks.

Please refer also to detailed trip generation and trip distribution analyses and supporting discussions are presented in the Project TIA (EIR Appendix B, TIA Pages 51-76).

Cumulative opening year average daily traffic along Redlands Boulevard north of Fir (future Eucalyptus) Avenue is estimated at 30, 400 trips (see TIA Page 115, Exhibit 6-10), This is inclusive of all trips/all vehicle categories generated by existing, proposed or

anticipated development, and includes trips generated by the Westridge Project, Skechers, and Pro Logis cited by the commentor.

Redlands Boulevard is a designated truck route in the County and a direct route to San Timoteo Canyon Road through Redlands (also designated as a truck route). It is appropriate for Redlands Boulevard to convey Project-related and area truck traffic. To maintain the continuity between affected agencies, the truck route designation for Redlands Boulevard cannot be practically removed. Moreover, there is no feasible means to restrict Redlands Boulevard to local truck trips only, given its direct connection, with no alternative routes, to the previously mention roadways. Further, there is no suggested or demonstrated environmental benefit that would result from restricting use of Redlands Boulevard by Project traffic.

Notwithstanding the above-cited average daily truck/traffic volumes, the more germane issue with regard to potential truck traffic impacts is peak hour passenger car equivalent (PCE) intersection traffic volumes. As substantiated in the Draft EIR, all Project-specific traffic impacts, inclusive of truck traffic impacts, are reduced to levels that are less-than-significant. If the commentor's concerns are not really truck traffic volumes, but rather truck-generated diesel emissions, the Project Health Risk Assessment (HRA) summarized at EIR Section 4.4, "Air Quality," and discussed in detail in the Project HRA Study (included at EIR Appendix C) substantiates that with application of mitigation, Project-related diesel emissions will not result in significant adverse health risks.

<u>Response SM-6</u>

The commentor's concerns will be forwarded to decision-makers for their consideration.

From: ned newkirk [ned_newkirk@verizon.net]
Sent: Monday, December 06, 2010 3:00 PM
To: Jeffrey Bradshaw
Subject: Proposed West Ridge Commerce Center

Name: Ned and Dawn Newkirk Phone: 951-242-3055 Address: 29080 Dracaea Avenue--
MorenoValley, Ca. 92555
Email Address: ned_newkirk@verizon.net

How does the the building of numerous warehouses in one area at the eastern end of Moreno Valley fit in with the Moreno Valley Beautification Plan? NDN-1

As new warehouses such as Skechers and the proposed West Ridge Commerce Site are very near to residential areas, what measures will be required to reduce the size and starkness of the warehouses that are very close to these residential areas? If you do not require measures for warehouses to esthetically fit into the neighborhood, residential property values could be dramatically affected and reduced. NDN-2

How will the toxic diesel truck emissions affect the people who will live on the south side of Fir when both this warehouse and Pro Logis as well as Skechers are at full operation? NDN-3

What warehouses are under consideration for the Eastern end of the City of Moreno Valley consisting of the area from Moreno Beach to Gilman Springs Road and Ironwood Ave to south of Alessandro Blvd? NDN-4

What measures could be implemented during the construction and operation of this warehouse which could lessen the impact on noise, air quality and global warming, but which you are not going to put into place? NDN-5

What will you do to protect the warehouse workers from the effects of toxic diesel pollution? NDN-6

What will you do to protect nearby residents from the effects of toxic diesel pollution? NDN-7

I understand that you do not have a tenant for the building and do not plan to build until you do. Are there any large amounts toxic materials which you would allow to be warehoused at this location? This includes materials which become toxic when burning. If such tenants do occupy this warehouse what are you planning to do in order to protect the residents/workers from the smoke plumes and spills? NDN-8

Why are you not making sure this almost 1,000,000 sq foot building is built to Leadership in Energy and Environmental Design (LEED) standards? The very minimum should be Silver. Please explain why your company will not build and advertise that this will be at least a LEED Silver project and reject any attempt by the tenant to prevent such building standards? NDN-9

How will this project be growth inducing for similar projects? NDN-10

How many toxic diesel trucks do you calculate to use Redlands Blvd to come/go north out of town that are either coming or going from your warehouse? How many large diesel trucks do you calculate will use Redlands Blvd to come/go north out of town when Skechers, WestRidgeCommerceCenter and Pro Logis are in full operation? NDN-11

Since there is only one lane that allows drivers to continue west out of town-- the other forces you off at Central Ave-- how will this project impact the merger to this single lane? How many diesel trucks will come form your project, Skechers and Pro Logis combined during a typical 24 hour day? How will these trucks impact that single lane heading west? What Level of Service (LOS) presently exists and what will the LOS be as a result of these three warehouses? NDN-12

NED AND DAWN NEWKIRK

Email Dated December 6, 2010

Response NDN-1

The commentor inquires: "How does the building of numerous warehouses in one area at the eastern end of Moreno Valley fit in with the Moreno Valley Beautification Plan."

The commentor's inquiry is not specific to the Project or the EIR and absent further explanation, does not allow for on-point response. Moreover, there is no formal adopted "Moreno Valley Beautification Plan." Notwithstanding, as discussed in the Draft EIR (Pages 4.1-17 to 4.1-20), uses proposed by the Project are consistent with applicable General Plan Land Use Policies. It is presumed that other projects proposed for development within the Project area (warehouses or other uses) will be subject to a similar consistency analysis.

Individually and cumulatively significant aesthetic impacts of the Project are also acknowledged in the Draft EIR.

AESTHETICS **Project-Specific Significant Impacts**

Change to Scenic Vistas

Construction of the proposed Project would result in interrupted or obstructed views of off-site scenic areas. This is recognized as a significant and unavoidable aesthetic impact.

Cumulatively Significant Impacts

The Project will restrict or interrupt both near and distant views in the Project area, and in combination with other vicinity development, will cumulatively result in a substantial adverse effect on scenic views in the Project area. The cumulative effects of the Project in regard to scenic vistas are determined to be significant.

(Source: Draft EIR Table 1.8-1, Pages 1-19, 1-20)

Should the Project be approved, the Lead Agency is required to adopt Findings of Fact and a Statement of Overriding Considerations acknowledging the Project's significant environmental impacts, and substantiating that the Project benefits outweigh the unavoidable adverse environmental effects, such that the adverse environmental effects may be considered acceptable.

Response NDN-2

The Draft EIR's discussion of Aesthetics (Section 4.9) addresses the Project's potential to substantially degrade the existing visual character or quality of the site and its surroundings. The Draft EIR acknowledges that the proposed alteration of the Project site from its current undeveloped state to light industrial development will represent a noticeable change in baseline visual characteristics. However, the analysis concludes that no potentially significant impacts would occur in this regard. The relevant text from Draft EIR Page 4.9-22 is provided here for ease of reference.

> Properties to the south of Fir (future Eucalyptus) Avenue are currently zoned for large lot residential uses. To provide a visual transition and buffer between southerly adjacent properties and the Project site, the Project incorporates a substantial landscaped setback along its southerly boundary (please refer to EIR Section 3.0, Project Description, Figure 3.5-1, Site Plan Concept). This setback area extends approximately 250 feet northerly from the southerly Project boundary, continuing to the 14-foot high masonry screenwall which defines the Project's southerly loading area boundary. This wall will be planted with vines on the public-facing sides to provide a landscape screen and deter graffiti.
>
> As supported by the preceding discussions, and with implementation of the Project's design features, the Project's potential to substantially degrade the existing visual character or quality of the site and its surroundings is less-than-significant.

Response NDN-3

The commentor expresses concerns about the effect of diesel truck emissions on the sensitive receptors located on the South side of Fir Avenue.

A Health Risk Assessment of Diesel Particulate Emissions was prepared to address Diesel Particulate Matter (DPM) generated by diesel trucks and the operation of heavy duty equipment. The Health Risk Assessment was prepared in accordance with the document Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis (SCAQMD 2003). The Health Risk Assessment is summarized within the Draft EIR (see Page 4.3-80) and presented in its entirety as Appendix C to the Draft EIR.

As discussed in Section 4.3 of the Draft EIR, the SCREEN3 screening analysis prepared for the Project indicates that the maximally impacted modeled receptor would be exposed to a mitigated inhalation cancer risk of no more than 8.6 in 1 million, which is less than the SCAQMD exposure threshold of 10 in 1 million.

Regionally, the SCAQMD has conducted a cumulative analysis of the toxic air contaminants (including DPM emissions) and their resulting health risks for all of Southern California. This study, Multiple Air Toxics Exposure Study in the South Coast Air Basin, or MATES III, indicates the average excess cancer risk level from exposure to TACs is approximately 1,200 in one million basin-wide. These estimates were based on monitoring data collected at ten fixed sites within the South Coast Air Basin.

None of the fixed monitoring sites are within the immediate Project area. However, MATES III has extrapolated cancer risk levels throughout the Basin by using grid-specific modeling. In this regard, MATES III grid modeling predicted a cancer risk of 524 in one million for the Project area. DPM is included in this cancer risk along with all other TAC sources, and accounts for the predominance (83.6 percent) of the total risk

shown in MATES III. The Project will not contribute cumulatively to TACs other than DPM, and as noted above, the Project DPM emissions levels are not significant.

Though the Project DPM emissions would add to existing levels of DPM within the basin, the Project's contribution and associated MICR as mitigated is not individually significant and is not cumulatively considerable. [10]

Response NDN-4

As identified at Draft EIR Table 5.1-1, and illustrated in Figure 5.1-1, eleven existing and planned development projects were identified within the cumulative scope of the Westridge Commerce Center Project. These include the recently approved Highland Fairview Corporate Park, and the proposed ProLogis warehouse project. To date, no further inquiries, applications, or other proposals have been received by the City in regard to development of the types of land uses referenced by the commentor.

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10 [T]he AQMD uses the same significance thresholds for project specific and cumulative impacts for all environmental topics analyzed in an Environmental Assessment or EIR. The only case where the significance thresholds for project specific and cumulative impacts differ is the Hazard Index (HI) significance threshold for toxic air contaminant (TAC) emissions. The project specific (project increment) significance threshold is HI > 1.0 while the cumulative (facility-wide) is HI > 3.0. It should be noted that the HI is only one of three TAC emission significance thresholds considered (when applicable) in a CEQA analysis. The other two are the maximum individual cancer risk (MICR) and the cancer burden, both of which use the same significance thresholds (MICR of 10 in 1 million and cancer burden of 0.5) for project specific and cumulative impacts. Projects that exceed the project-specific significance thresholds are considered by the SCAQMD to be cumulatively considerable. This is the reason project-specific and cumulative significance thresholds are the same. Conversely, projects that do not exceed the project-specific thresholds are generally not considered to be cumulatively significant (S*outh Coast Air Quality Management District White Paper on Potential Control Strategies to Address Cumulative Impacts from Air Pollution,* Appendix D, Page D-3).

It may be noted that a "Logistics Modified General Plan" development concept was included in the Highland Fairview Draft EIR (available for review at the City of Moreno Valley Planning Department, addressed on Pages 8-2 through 8-16). This development concept addressed the possible future development of a substantial number of warehouse facilities in the eastern end of the City.

For the purposes of the Westridge Commerce Center Draft EIR analysis, the City does not consider the "Logistics Modified General Plan" (LGMP) proposal included within the Highland Fairview Draft EIR to be a probable future project. On this basis, this development concept was not included among those identified as "related projects" for analysis in either the Highland Fairview Draft EIR or the Westridge Commerce Center Project Draft EIR. As stated in the Highland Fairview Draft EIR (Page 8-2), "[a]s no pre-application or application filing for such a concept has been made with the City, a LGMP is not included in Section 6, Cumulative Impacts, for comparative analysis with the Existing GP [General Plan]. The logistics modified concept does not represent a specific development proposal; however, it is included for public information as an alternative plan that may ultimately be proposed and processed as an amendment to the [Moreno Highlands Specific Plan] MHSP."

Response NDN-5

The commentor asks if there are additional mitigation measures not currently contained within the Draft EIR which would lessen noise, air quality, and global warming impacts of the Project. It should be noted that no significant Project-related impacts regarding global warming have been identified. All feasible mitigation measures have been employed within the Draft EIR to reduce any potentially significant impacts. However, the Project will result in certain significant and unavoidable air quality and noise impacts.

Response NDN-6

As discussed in the Draft EIR (Page 4.3-80), South Coast Air Quality Management District (SCAQMD) guidance does not require assessment of the potential health risk to on-site workers. Similarly, the following excerpts from the California Office of Health Hazard Assessment (OEHHA) document *Air Toxics Hot Spots Program Risk Assessment Guidelines-The Air Toxics Hot Spots Program Guidance Manual for Preparation of Health Risk Assessments* (OEHHA 2003), also indicate that it is not necessary to examine the health effects to on-site workers unless required by RCRA (Resource Conservation and Recovery Act)/CERCLA (Comprehensive Environmental Response, Compensation, and Liability Act) or the worker resides on-site.

> On-site workers are protected by the California Division of Occupational Safety and Health (CAL/OSHA) and do not have to be evaluated under the Hot Spots program, unless the worker also lives on the facility site, or property. Occasionally, facilities like prisons, military bases, and universities have worker housing within the facility. In these situations the evaluation of on-site cancer risks, and/or acute and chronic non-cancer hazard indices is appropriate under the Hot Spots program.

Since none of these provisions apply to the Project, risk to on-site workers was not evaluated in the Draft EIR.

Response NDN-7

As discussed in Draft EIR Section 4.2, the Project's potential to expose sensitive receptors to substantial diesel emission-related pollutant concentrations were identified as less-than-significant as mitigated.

Response NDN-8

The commentor is concerned about the future tenants of the proposed Project, and whether or not hazards materials would be housed at the site. As stated within the

Hazards and Hazardous Materials section of the Project Initial Study, presented as Appendix A to the Draft EIR:

> "During construction activities, the Project will require limited transport of potentially hazardous materials (e.g., paints, solvents, fertilizer, etc.) to and from the Project site. Additionally, operation of the Project could involve the temporary storage and handling of potentially hazardous materials such as pesticides, fertilizers, or paint products that are pre-packaged for distribution and use. This type of storage, transfer, use and disposal of potentially hazardous materials is extensively regulated at the local, State and federal levels. It is not anticipated that the development of the Project would result in conditions that are not currently addressed by existing regulations…"

No potentially hazardous materials, beyond those described above, are anticipated to be handled at the site. Any such materials used/housed on-site will be subject to applicable local, State and federal laws.

<u>Response NDN-9</u>

Contrary to the commentor's assertion that the Project will not be built to Leadership in Energy and Environmental Design (LEED) standards, the following discussion can be found on Page 3-16 of the Draft EIR:

> "The Westridge Commerce Center Project reflects design and operational criteria established under the Leadership in Energy and Environmental Design (LEED) Green Building Rating System, a program developed by the United States Green Building Council. This program includes a rating system that can be applied to new construction as well as tenant improvement projects with performance goals in multiple environmental categories.

> LEED certification is contingent, among other requirements, on demonstrated and documented conservation and efficient use of available resources. It is recognized that not all LEED performance standards are applicable or appropriate for the Project, and that different standards may be utilized by the Project's end user(s). However, the Project, as a whole, will be developed as a LEED-certified facility.
>
> In support of LEED-certification, resources conservation, reduction in energy consumption and associated reductions in air pollutant emissions and greenhouse gases (GHGs), the Project will achieve a minimum of 20 percent in energy efficiencies beyond incumbent Title 24 Energy Efficiency standards, as well as compliance with other applicable state and federal energy standards."

The ultimate level of LEED certification cannot be determined at this time, while the tenant and therefore specific environmental strategies to be employed at the facility, are unknown. It is also important to note that no significant impacts have been identified in regard to the energy conservation attributes of the Project; nor would any of the identified significant impacts of the Project be reduced based on a certain level of LEED certification.

Response NDN-10

The commentor expresses concern regarding the growth inducing effects of the proposed Project. The California Environmental Quality Act (CEQA) requires a discussion of the ways in which a project could be growth-inducing. (Pub. Resources Code, § 21100, subd. (b)(5); CEQA Guidelines, §§ 15126, subd. (d), 15126.2, subd (d).) To this end, Section 5.3, "Growth-Inducing Impacts of the Proposed Action" of the Draft EIR, contains such a discussion.

As presented on Pages 5-67 through 5-68 of the Draft EIR, it is unlikely that the Project would directly result in any significant population growth. Moreover, the Project is consistent with the adopted General Plan, would not result in population growth for the City beyond that reflected in adopted growth forecasts.

Development of the Project as envisioned will entail upgrade of infrastructure in the immediate Project vicinity, including abutting roadways, the local water distribution and sewer collection systems, and storm drainage conveyance facilities. It is acknowledged within the Draft EIR that infrastructure improvements necessitated by the implementation of the Project may facilitate and encourage development of nearby properties. The City will review all proposed development to ensure compatibility with evolving City and regional land use plans acting to reduce or avoid potentially adverse effects of growth.

Response NDN-11

Estimated opening-year average daily Project-generated truck trips ingressing/egressing the Project site via Redlands Boulevard are as follows:

- 97 two-axle trucks;
- 220 three-axle trucks; and
- 539 four-axle trucks.

Please refer also to detailed trip generation and trip distribution analyses and supporting discussions are presented in the Project TIA (EIR Appendix B, TIA Pages 51-76).

Cumulative opening year average daily traffic along Redlands Boulevard north of Fir (future Eucalyptus) Avenue is estimated at 30, 400 trips (see TIA Page 115, Exhibit 6-10), This is inclusive of all trips/all vehicle categories generated by existing, proposed or

anticipated development, and includes trips generated by the Westridge Project, Skechers, and Pro Logis cited by the commentor.

Redlands Boulevard is a designated truck route in the County and a direct route to San Timoteo Canyon Road through Redlands (also designated as a truck route). It is appropriate for Redlands Boulevard to convey Project-related and area truck traffic. To maintain the continuity between affected agencies, the truck route designation for Redlands Boulevard cannot be practically removed. Moreover, there is no feasible means to restrict Redlands Boulevard to local truck trips only, given its direct connection, with no alternative routes, to the previously mention roadways. Further, there is no suggested or demonstrated environmental benefit that would result from restricting use of Redlands Boulevard by Project traffic. The commentor's remarks are forwarded to the decision-makers for their consideration.

Notwithstanding the above-cited average daily truck/traffic volumes, the more germane issue with regard to potential truck traffic impacts is peak hour passenger car equivalent (PCE) intersection traffic volumes. As substantiated in the Draft EIR, all Project-specific traffic impacts, inclusive of truck traffic impacts, are reduced to levels that are less-than-significant. If the commentor's concerns are not really truck traffic volumes, but rather truck-generated diesel emissions, the Project Health Risk Assessment (HRA) summarized at EIR Section 4.4, "Air Quality," and discussed in detail in the Project HRA Study (included at EIR Appendix C) substantiates that with application of mitigation, Project-related diesel emissions will not result in significant adverse health risks.

Additionally, with regard to cumulative traffic impacts, Page 4.2-67 of the Draft EIR states:

> As indicated at Table 4.2-13, with completion of the improvements recommended under Mitigation Measure 4.2.7, 4.2.18 and 4.2.19,

acceptable V/C and LOS conditions would be realized at all Study Area roadway segments under Opening Year Cumulative Conditions with the Project. Improvements necessary to mitigate potentially significant Opening Year Cumulative Condition roadway segment impacts would be accomplished in part by the Project, with the balance of required improvements realized under combined TUMF, DIF, and fair share fee traffic improvement programs. However, timely completion of the required improvements in total cannot be assured based on Project participation in mandated traffic impact fee programs (TUMF, DIF, and fair share). Further, roadway segment improvements at or affecting the SR-60 at Redlands Boulevard interchange improvements are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency. ***The Project's incremental contributions to Opening Year Cumulative Traffic Impacts at, or affecting, the following roadway segments are therefore considered cumulatively significant and unavoidable:***

- Redlands Boulevard north of the SR-60 Westbound Ramps to Eucalyptus (future Encilia) Avenue;

- Quincy Street south of Fir (future Eucalyptus) Avenue (future street); and

- Fir (future Eucalyptus) Avenue west of Quincy Street to the westerly Project boundary (future street) and Fir (future Eucalyptus) Avenue east of Redlands Boulevard.

<u>Response NDN-12</u>

In response to the commentor's concerns regarding the levels of service on westbound State Route 60, the Project's Traffic Impact Analysis (TIA, included as Draft EIR

Appendix B) examined performance on the SR-60 as part of Appendix 7.8. The City of Moreno Valley requested that a basic freeway segment analysis be conducted between Box Springs Road/Fair Isle Drive and the I-215 Freeway along the SR-60 Freeway, and included in the TIA. As indicated in the Introduction to this Study (Page 7.8-3), "[i]t should be noted that this analysis was not requested due to potential impacts from the project itself, as these impacts would be nominal, but rather to analyze the current and future projected operations within the segment based on freeway lane geometrics."

The study concludes that "[a]s vehicular traffic increases on the freeway mainline under each of the future analysis scenarios, the densities on each basic freeway segment are anticipated to increase and peak hour level of service operations are anticipated to progressively worsen." It is in part on this basis that the Draft EIR acknowledges significant cumulative traffic impacts affecting freeway segments in the Project area. As noted in the summary of mitigation on Draft EIR Page 1-51, "[u]nder Opening Year Cumulative Conditions and General Plan Buildout Conditions, cumulative LOS impacts of traffic generated by the project in combination with traffic generated by ambient growth and other development projects will result in potentially significant cumulative traffic impacts affecting SR-60 freeway segments within the Study Area." Because freeway mainline improvements such as widening are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency, no mitigation was identified that could be feasibly implemented. As such, the Draft EIR found that the Project would have a significant and unavoidable impact in regard to exceedance of LOS thresholds on certain study area freeway segments.

From: Late98765@aol.com
Sent: Monday, December 06, 2010 5:16 PM
To: Jeffrey Bradshaw; John Terell
Subject: DEIR Comments for Ridge-1
To: Jeff Bradshaw,

These are my comments and questions concerning the Westridge Commerce Center Project.

My biggest concern and questions are regarding the cumulative effects of the 35 million square feet of warehousing proposed for this area of the city. The law requires that the FEIR address the cumulative impacts of the entire known proposal. The Agency (the city of Moreno Valley) is well aware of the fact the developer that owns most the raw land in this area wants to turn this area into another Mira Loma type warehouse district encompassing 35 million square feet of warehousing. The city has an obligation to make sure that the impacts of all 35 million square feet are addressed in this document. It is not acceptable for the city to pretend it doesn't know about these other planned warehouses. The fact they have not submitted an application yet has no bearing on the known intended plan. I will include the Press-Enterprise article in which these35 million square feet warehousing plan was detailed. DR1-1

There is only one actual lane on the westbound 60that leaves Moreno Valley and continues to Riverside. How are all these trucks going to affect the traffic going west on the 60? How is the truck traffic from the other 30 million square feet of warehouses going to affect the truck traffic?Is the city going to let this developer lie about the traffic the way they let Highland Fairview lie? Is this developer going to be allowed to show unrealistic videos of dream traffic or they going to be required to tell the truth? What is the impact of the additional truck traffic from this approximately one million square foot warehouse on the one actual lane that leaves Moreno Valley and continues to Riverside?What is the impact of the truck traffic from all 35 million square feet of warehousing on the one lane of the 60 that leaves Moreno Valley and continues to Riverside? DR1-2

We know we are not going to meet our 2015air quality targets. How are we going to meet them by adding warehousing that is not even required to meet LEED standards? Why would we add anything that is not required to meet LEED standards? How much farther over our target will we be with the addition of a one million square foot warehouse? How much farther will we be over our target with the entire 35 million square feet of warehousing proposed? DR1-3

The City of Moreno Valley has some of the most beautiful vistas in the Inland Empire. Why does the consortium this developer belongs to think it is ok to rape the views of this city when other locations would serve the same function without doing so? Why does this consortium of developers think so little of the beauty of Moreno Valley that they would destroy it just to make a couple extra bucks? There are plenty of parcels in the flat area where warehousing was intended to go. I know because my home overlooks this area. Why is this consortium of developers destroying the vistas of people who have lived in their homes many over 20 years when they don't have to? Nobody that cared for our city would so callously destroy it! Why would we want to do business with developers who care nothing for our city? DR1-4

Why is this consortium of developers building off the 60 when the 215 is a much better location? The 215 has millions of federal money spent and planned to be spent on it. The 60 has no plans to add more than the one and only west bound lane that leaves the city and continues into Riverside. March Global Port by the 215 has an airport and is nearer to the railroad. Why isn't this warehouse being proposed in the area of the city that was intended for a warehouse? Why not the March Global Port? DR1-5

The Skechers project caused animosity that still has not been resolved. This developer knows that. Why does this developer and the consortium he is aligned with think it is ok to emotionally tear a city apart? Why doesn't this developer care about the quality of life of the residents most affected by this project?

Knowing how you feel and knowing what you want to say is much easier than typing it. I sincerely hope you will answer all my concerns about this project. DR1-6

PS. I referenced newspaper articles that I will send separately

Sincerely,
Deanna Reeder
17351 Riva Ridge Dr
Moreno Valley CA 92555

DEANNA REEDER, LETTER 1

Email Dated December 6, 2010

Response DR1-1

The commentor expresses concern regarding "the cumulative effects of the 35 million square feet of warehousing proposed . . . ," citing an article from the *Press Enterprise* newspaper dated August 21, 2008 which references a "Logistics Modified General Plan" development concept included in the Highland Fairview Draft EIR (available for review at the City of Moreno Valley Planning Department, addressed on Pages 8-2 through 8-16).

The *CEQA Guidelines* (Section 15130, subd. (b)(1)(A)) state that "a list of past, present and probable future projects" may be used to provide an adequate discussion of significant cumulative impacts. No active application exists for Logistics Modified General Plan (LGMP) proposal. Nor does the City consider the LGMP proposal cited within the Highland Fairview Draft EIR to be a probable future project. On this basis, this development is not included as a "related project" for analysis in either the Highland Fairview Draft EIR or the Westridge Commerce Center Project Draft EIR. As stated in the Highland Fairview Draft EIR (Page 8-2), "[a]s no pre-application or application filing for such a concept has been made with the City, a LGMP is not included in Section 6, Cumulative Impacts, for comparative analysis with the Existing GP [General Plan]. The logistics modified concept does not represent a specific development proposal; however, it is included for public information as an alternative plan that may ultimately be proposed and processed as an amendment to the [Moreno Highlands Specific Plan] MHSP."

To date, no further inquiries, applications, or other proposals have been received by the City in regard to the possible amendment of the General Plan or the Moreno Highlands Specific Plan to support the type of development referenced by the commentor. As

identified at Draft EIR Table 5.1-1, and illustrated in Figure 5.1-1, eleven existing and planned development projects were identified within the cumulative scope of the Westridge Commerce Center Project. In addition, the Draft EIR notes that "the cumulative impacts analysis assumes development of the area in a manner consistent with the adopted City of Moreno Valley General Plan, and reflecting the anticipated growth of the region. The analysis of cumulative impacts considers potentially significant impacts that could be considered cumulatively considerable when viewed in the context of known related projects and generalized ambient growth of the City and region" (Draft EIR Page 5-4).

The commentor's concerns and opinions regarding future development within the City are forwarded to the decision-makers for their consideration.

Response DR1-2

In regard to cumulative traffic impacts, please refer to the preceding Response DR1-1. In response to the commentor's concerns regarding the levels of service on westbound State Route 60, the Project's Traffic Impact Analysis (TIA, included as Draft EIR Appendix B) examined performance on the SR-60 as part of Appendix 7.8. The City of Moreno Valley requested that a basic freeway segment analysis be conducted between Box Springs Road/Fair Isle Drive and the I-215 Freeway along the SR-60 Freeway, and included in the TIA. As indicated in the Introduction to this Study (Page 7.8-3), "[i]t should be noted that this analysis was not requested due to potential impacts from the project itself, as these impacts would be nominal, but rather to analyze the current and future projected operations within the segment based on freeway lane geometrics."

The study concludes that "[a]s vehicular traffic increases on the freeway mainline under each of the future analysis scenarios, the densities on each basic freeway segment are anticipated to increase and peak hour level of service operations are anticipated to progressively worsen." It is in part on this basis that the Draft EIR acknowledges significant cumulative traffic impacts affecting freeway segments in the Project area. As

noted in the summary of mitigation on Draft EIR Page 1-51, "[u]nder Opening Year Cumulative Conditions and General Plan Buildout Conditions, cumulative LOS impacts of traffic generated by the project in combination with traffic generated by ambient growth and other development projects will result in potentially significant cumulative traffic impacts affecting SR-60 freeway segments within the Study Area." Because freeway mainline improvements such as widening are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency, no mitigation was identified that could be feasibly implemented. As such, the Draft EIR found that the Project would have a significant and unavoidable impact in regard to exceedance of LOS thresholds on certain study area freeway segments.

Response DR1-3

Contrary to the commentor's assertion that the Project will not be built to Leadership in Energy and Environmental Design (LEED) standards, the following discussion can be found on Page 3-16 of the Draft EIR:

> "The Westridge Commerce Center Project reflects design and operational criteria established under the Leadership in Energy and Environmental Design (LEED) Green Building Rating System, a program developed by the United States Green Building Council. This program includes a rating system that can be applied to new construction as well as tenant improvement projects with performance goals in multiple environmental categories.
>
> LEED certification is contingent, among other requirements, on demonstrated and documented conservation and efficient use of available resources. It is recognized that not all LEED performance standards are applicable or appropriate for the Project, and that different standards may be utilized by the Project's end user(s). However, the Project, as a whole, will be developed as a LEED-certified facility.

> In support of LEED-certification, resources conservation, reduction in energy consumption and associated reductions in air pollutant emissions and greenhouse gases (GHGs), the Project will achieve a minimum of 20 percent in energy efficiencies beyond incumbent Title 24 Energy Efficiency standards, as well as compliance with other applicable state and federal energy standards."

Although the ultimate level of LEED certification cannot be determined at this time, since the tenant and therefore specific environmental strategies to be employed at the facility, are unknown, it is important to note that no significant impacts have been identified in regard to the energy conservation attributes of the Project; nor would any of the identified significant impacts of the Project be reduced based on a certain level of LEED certification.

The commentor refers to "our 2015 air quality targets" but does not quantify or otherwise specify "our targets." The Project is consistent with land uses plans, and emissions reductions programs, and emission control strategies outlined in the applicable Air Quality Management Plan (DEIR at Pages 4.3-49 through 4.3-52). The Project further incorporates all feasible measures to reduce its air quality impacts. Please refer also to the preceding Response DR1-1. The commentor's statements are forwarded to the decision-makers.

Response DR1-4

The Draft EIR addresses the Project's potential aesthetic impacts in Section 4.9, and acknowledges that implementation of the Project would have a substantial adverse effect on scenic vistas, which is considered a significant and unavoidable impact. The suggested relocation of the Project is addressed in the following Response DR1-5. The commentor's statements and opinions regarding future development within the City are forwarded to the decision-makers for their consideration.

Response DR1-5

In regard to the commentor's suggestion that the Project be located in another area of the City, several alternative sites were analyzed as part of the Draft EIR (this discussion is found beginning on Draft EIR Page 5-37). As stated in the *CEQA Guidelines*, Section 15126.6 subd. (f)(1)(2)(A), the "key question and first step in [the] analysis [of alternative locations] is whether any of the significant effects of the project would be avoided or substantially lessened by putting the Project in another location."

An alternative site within the City would be considered generally viable if it were located along a regional freeway transportation corridor or at a regional transportation hub; was also locally accessible; was underutilized and currently available; could be developed and operated in a manner that was compatible with other proximate land uses; and was provided, or could feasibly be provided, adequate serving utilities infrastructure. Also supporting location of the Project elsewhere, an Alternative Site should have an appropriate size and configuration (approximately 50 acres and roughly rectangular); and either exhibit appropriate General Plan and Zoning designations or could be feasibly so-designated.

Only locations that would avoid or substantially lessen significant effects of the Project need be considered. To this end, four (4) possible alternative sites were located, as follows:

- Alternative Site 1: 70 acres located between Perris Boulevard and Grove View Road, and south of Indian Avenue to the southern City limits (APNs 316-210-071, -073, -075 and -076);

- Alternative Site 2: 92 acres located between Heacock Street and Indian Street, south of Cardinal Avenue and north of San Michele Road (APNs 316-180-010, 316-170-001, -002, -004, -006, -007, -008, -010, -013, and -014);

- Alternative Site 3: 72 acres located west of Indian Street between Iris Avenue and Krameria Avenue (APNs 316-020-002, -003, -004, -005, -012, -013, -014, -015, -016, -017, -018 and -019); and

- Alternative Site 4: Approximately 69 acres located at the southeast corner of Heacock Street and Iris Avenue (APNs 316-020-001, -006, -007, -028, and -010).

Each of the four (4) sites is currently vacant; is more than 50 acres in size and of a roughly rectangular configuration; is zoned for industrial use; and is adequately served by nearby utilities and infrastructure. Further, Alternative Sites 1 through 4 are proximate to the I-215 regional transportation corridor, and are also locally accessible. Notwithstanding, these sites are all currently unavailable. Alternative Site 1 currently has applications under review for a 1.6 million square foot warehouse distribution facility, while development plans have been submitted and approved for sites 2, 3 and 4.

Other potentially suitable and available properties are located easterly of the current Project site, along the SR-60 corridor. For the purposes of the Alternative Site analysis, the vacant property located southeasterly of the intersection of SR-60 at Theodore Street was selected for analysis, and is identified as Alternative Site 5 (shown in Figure 5.2-2 of the Draft EIR). This property exhibits an appropriate Business Park/Light Industrial General Plan Land Use designation; is of adequate size and is appropriately configured; and is provided access to regional and local roadways. Utilities and services are generally available to the site. The site appears to be available for purchase; however, it is not currently controlled by the Project Applicant, and a zone change from "Business Park" to "Light Industrial," would be required, similar to the change of zone requested by the Project.

Although development of the Project on Alternative Site 5 could achieve the Project's objectives, none of the Project's potentially significant impacts would be avoided or substantially reduced. Because Alternative Site 5 would not result in the avoidance or

substantive reduction of Project-related impacts, this Alternative Site was also rejected from further consideration within the Draft EIR.

Response DR1-6

The commentor's concerns and opinions are forwarded to decision-makers for their consideration.

From: Late98765@aol.com
Sent: Monday, December 06, 2010 5:23 PM
To: Jeffrey Bradshaw
Subject: DEIR Comments Ridge-2
To Jeff Bradshaw,

This is the article I referenced in the first email.

Sincerely,
Deanna Reeder
17351 Riva Ridge Dr
Moreno valley CA 92555

DR2-1

More distribution centers proposed for Moreno Valley's eastern side

Download story podcast

10:00 PM PDT on Thursday, August 21, 2008

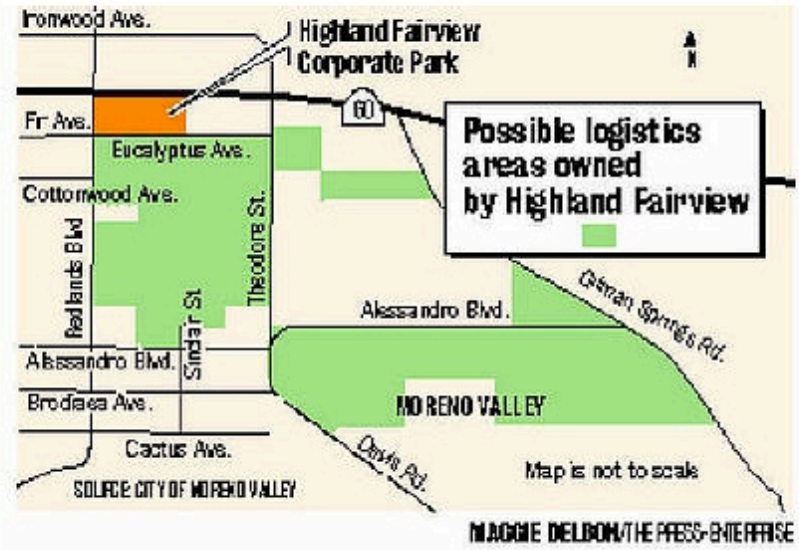
By DAN LEE
The Press-Enterprise

MORENO VALLEY - Highland Fairview Properties, the developer of the Aquabella residential project and the Skechers logistics facility, is considering plans to build as much as 35 million square feet in distribution centers on the eastern side of town.

That potential scenario was included in the draft environmental impact report that the Michael Brandman Associates consulting firm prepared for the Skechers project. It would affect about 1,800 acres south of Highway 60 and between Redlands Boulevard and Gilman Springs Road, reducing the number of homes allowable in the Specific Plan in the area and increasing the land devoted to industrial uses.

Although the 1.8 million-square-foot Skechers building is a separate project, Highland Fairview President Iddo Benzeevi said the scenario was included in the report because residents had asked what might happen if that area, known as the Moreno Highlands, was developed into a business park. Highland Fairview has not formally submitted any proposal for logistic centers in the Moreno Highlands area.

Story continues below



"It is an alternative that will be evaluated," Benzeevi said by phone. "We're looking at every possibility."

Any such proposal would require revising the Moreno Highlands Specific Plan, which would require the city Planning Commission and the City Council to hold public hearings prior to approval, city Planning Official John Terell said by phone.

Jobs

The City Council had approved the Moreno Highlands plan in 1992. The 3,000-acre, master-planned community would include 7,700 homes, a 600-acre business park, schools, golf courses and 120 acres of city parks. It would add as many as 30,000 new residents to Moreno Valley and 21,000 jobs, according to city estimates at the time.

Environmental activists sued the city over the plan, claiming that traffic, air pollution and potential earthquake hazards were not adequately addressed. They also argued that the planned community threatened the nearby San Jacinto Wildlife Area.

Although the projects' developers decided not to shelve their construction plans in June 1993, citing the economic downturn at that time, a judge in May 1994 ruled that the city had approved the Moreno Highlands plan properly. The Moreno Highlands community remains unbuilt.

Benzeevi said it is critical that Moreno Valley develop more of an employment base: Only about 3 percent of Moreno Valley's land can generate jobs, compared with the 10-20 percent in most cities. Without sufficient local jobs, residents are forced to commute out of town for work, creating traffic and causing them to have less time with their families, he said.

"It is just not acceptable," Benzeevi said. "We need to build sustainable communities."

A big part of the original Highlands plan already was intended for industrial uses, the developer added. With the addition of distribution centers the Moreno Highlands area could generate more than 26,700 jobs, according to Michael Brandman Associates.

Jamil Dada, chairman of the Moreno Valley Chamber of Commerce, said he agrees that Moreno Valley needs jobs. Dada has supported the Skechers project and proposals by ProLogis and First Industrial Trust to build distribution centers nearby.

Dada added, however, that he would like to see city officials determine what Moreno Valley residents want on the eastern end. He also said he would like to know what the environmental impact of the proposed changes might be.

'Still a Mess'

A new grassroots group called Residents for a Livable Moreno Valley is expressing concern about the proposed distribution centers. Spokesman Bob Franz said he is not opposed to growth or creating more jobs, but building distribution centers in eastern Moreno Valley does not make sense, given the traffic and pollution.

"It's already still a mess heading west (on Highway 60)," Franz said by phone. "I don't think it's a good idea taking trucks east through the Badlands."

The addition of logistics buildings to the Moreno Highlands would result in less traffic and overall pollution emissions than the land uses under the existing plan, according to Michael Brandman Associates. However, it would result in increased diesel emissions, the consulting firm found in its report.

Benzeevi said any logistics or distribution centers built in the Moreno Highlands area would be built to the same standard as the Skechers building, which is seeking the highest rating under the Leadership in Energy and Environmental Design standards. The developer added that Highland Fairview would take the necessary steps to minimize the effects on air quality and traffic as much as possible.

The logistics proposal and the future of eastern Moreno Valley are expected to be issues in the Nov. 4 election for the 3rd Council District seat, which represents the area.

Incumbent Frank West has said his constituents are concerned about building distribution centers on the eastern end of Moreno Valley. But West has four challengers: Robin Hastings, Mike Rios, Ray Carbajal Jr. and Robert Burks.

Moreover, the Moreno Valley Taxpayers Association has spent about $120,000 on a campaign to oust West and fellow incumbent Councilman Charles White. Highland Fairview Properties has contributed $60,000 to the effort, according to the most recent campaign finance reports that have been submitted.

Reach Dan Lee at 951-763-3457 or dlee@PE.com

DEANNA REEDER, LETTER 2

Email Dated December 6, 2010

Response DR2-1

Receipt of the article referenced in the commentor's preceding correspondence (referenced in this document as "Deanna Reeder, Letter 1") is acknowledged. The preceding responses DR1-1 through DR1-6 are provided to address the commentor's specific concerns.

From: sgcricket@aol.com
Sent: Friday, December 03, 2010 11:58 AM
To: Jeffrey Bradshaw
Subject: Public Comment on West Ridge Commerce Center

Comments: West Ridge Commerce Center Draft EIR
From: Residents for a Livable Moreno Valley

Residents for a Livable Moreno Valley is concerned that the City of Moreno Valley is not moving in the direction as stated in the General Plan. The eastern end of the City has the potential to develop into something the residents can be proud to share. There are mountain views, Lake Perris Recreational Area, Riverside County Conservation Area land, San Jacinto Wildlife Area and San Timoteo State Park surrounding this portion of Moreno Valley. The pathway chosen by Council and reflected in past General Plan changes is a concern. The City must:

1. Increase employment
2. Improve high school and college graduation rates
3. Raise the median income of the City
4. Provide a variety of housing for the residents
5. Protect the health and safety of the residents

Warehousing provides none of these benefits to the citizens. The number of employees per square foot of warehouse is minimal, the education requirements are marginal, the salary of a warehouse employee will not provide a middle/upper middle class life style, the location of warehouses will discourage construction of large, estate homes, the accumulated pollution will create health hazards for residents, and the dangerous conditions on SR 60 will not be addressed. RLMV-1

My questions to the developer (and Council, which has power to approve General Plan amendments):

1. Employment
   How many permanent employees per square foot will be working on site after construction? How many employees per square foot are employed at a Business Park designation?
   If the public wants to know the number of employees, will the tenant's personnel offer to provide this?
   If Moreno Valley residents are expected to tolerate the pollution, traffic and noise associated with warehouses, what percentage of City residents will be hired for the facility and will personnel make proof of residency available?

2. Education
   If the education needed for a warehouse position does not require a high school diploma or equivalency, how will this project improve the incentive for students to graduate?
   What percentage of positions will require post-high school education?
   What percentage of positions will require a 4 year college degree?
   What support will the employees receive to attend RCC or trade schools?

3. Income
   What will be the median and average salaries for the proposed warehouse employees?
   Will the median and average be above or below the median and average income for Moreno Valley?
   If the median and average is below that of the current City income, how will the warehouse help to raise that statistic?

4. Housing
   Where in Moreno Valley will the "estate" housing be built?
   Warehousing presents a stigma for the development of upper end housing. How will this provide a positive direction for the City?
   For every apartment unit built for homeless and low income warehouse employees, why isn't a home built that is above the average home cost?
   How will warehousing stop the downward spiral of low cost housing that is not balanced with an increase in upper end homes?
   What will stop the median home cost from going down and making the City look less attractive to those with money to buy?

RLMV-2

5. Health and Safety
   Why is Caltrans not being tasked to provide safe improvements to Highway 60 BEFORE the increase in truck traffic?
   Why are overpass improvements considered sufficient to improve traffic flow?
   Why is the cumulative effect of future development not considered?

RLMV-3

Why are two lanes in each direction considered sufficient when they are immediately impacted by one truck passing another?
Why is the one lane merge from the 60 to the 215 considered a final solution when accidents occur daily and deaths occasionally? What amount of "backup" is considered tolerable? RLMV-3 (cont'd)

What buffer is provided between residential zoning and the project? Business Park is considered a buffer between Light Industrial and residential. Does this mean that should the zoning be changed to Light Industrial to accommodate the project, the land south of the project will be rezoned as BP? RLMV-4

Sincerely,
Residents for a Livable Moreno Valley
3 December 2010

RESIDENTS FOR A LIVEABLE MORENO VALLEY

Letter Dated December 3, 2010

Response RLMV-1

The commentor's views in regard to the City's direction and potential, along with their concerns regarding warehouse development, are forwarded to decision-makers for their consideration.

Response RLMV-2

The purpose of the California Environmental Quality Act (CEQA) is to identify and determine the significance of the environmental effects caused by a project. As noted in *CEQA Guidelines* Section 15064 subd. (e), "[e]conomic and social changes resulting from a project shall not be treated as significant effects on the environment."

No physical changes resulting from the Project's potential economic or social changes have been identified, and as such, the Project's potential economic effects were not addressed within the Draft EIR. While outside the scope of the Draft EIR, the commentor's questions regarding employment, education, income and housing are forwarded to decision-makers. It may be noted that no amendment to the General Plan is proposed as part of the Westridge Commerce Center Project, nor would a General Plan amendment be required in order to approve the Project.

Response RLMV-3

The timing of roadway improvements on the SR-60, which are jurisdictionally controlled by Caltrans, is outside the control of the Applicant and the Lead Agency (the City of Moreno Valley). It is in part on this basis that the Draft EIR acknowledges significant cumulative traffic impacts affecting freeway segments in the Project area.

The commentor's question in regard to overpass improvements appears to misconstrue the findings of the Draft EIR. The commentor is referred to Draft EIR Section 4.2, "Traffic and Circulation," which identifies a combination of Project improvements and mitigation measures mitigation to address the Project's potentially significant traffic impacts. While the overpass improvements identified in the Project's Traffic Impact Analysis (and summarized in Draft EIR Table 4.2-15) are expected to improve traffic flow, the Project was found to result in significant cumulative traffic impacts that cannot be sufficiently addressed by overpass improvements alone.

The Draft EIR considers, at some length, the cumulative effects of future development. As identified at Draft EIR Table 5.1-1, and illustrated in Figure 5.1-1, eleven existing and planned development projects were identified within the cumulative scope of the Westridge Commerce Center Project. A discussion of the Project's potential cumulative impact is included in each of the Draft EIR's topical analysis sections, and potential impacts are summarized in Section 5.1, "Cumulative Impact Analysis" (Pages 5-1 through 5-25).

The number of lanes required for local streets within the Project vicinity is determined by the City of Moreno Valley General Plan Circulation Element, which is available for review at the City's Planning Department, or online at the following website: http://www.moreno-valley.ca.us/city_hall/general-plan/06gpfinal/gp/5-circu.pdf.

In regard to the referenced "one lane merge from the 60 to the 215," the Project's Traffic Impact Analysis (TIA, included as Draft EIR Appendix B) examined performance on the SR-60 as part of Appendix 7.8. The City of Moreno Valley requested that a basic freeway segment analysis be conducted between Box Springs Road/Fair Isle Drive and the I-215 Freeway along the SR-60 Freeway, and included in the TIA. As indicated in the Introduction to this Study (Page 7.8-3), "[i]t should be noted that this analysis was not requested due to potential impacts from the project itself, as these impacts would be

nominal, but rather to analyze the current and future projected operations within the segment based on freeway lane geometrics."

The study concludes that "[a]s vehicular traffic increases on the freeway mainline under each of the future analysis scenarios, the densities on each basic freeway segment are anticipated to increase and peak hour level of service operations are anticipated to progressively worsen." It is in part on this basis that the Draft EIR acknowledges significant cumulative traffic impacts affecting freeway segments in the Project area. As noted in the summary of mitigation on Draft EIR Page 1-51, "[u]nder Opening Year Cumulative Conditions and General Plan Buildout Conditions, cumulative LOS impacts of traffic generated by the project in combination with traffic generated by ambient growth and other development projects will result in potentially significant cumulative traffic impacts affecting SR-60 freeway segments within the Study Area." Because freeway mainline improvements such as widening are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency, no mitigation was identified that could be feasibly implemented. As such, the Draft EIR found that the Project would have a significant and unavoidable impact in regard to exceedance of LOS thresholds on certain study area freeway segments.

Effects of cumulative development of concern to the commentor are addressed at DEIR Section 5.1, "Cumulative Impact Analysis." Topical areas considered therein include:

- Cumulative Impacts Related to Land Use and Planning;
- Cumulative Impacts Related to Traffic and Circulation;
- Cumulative Impacts Related to Air Quality;
- Cumulative Impacts Related to Noise;
- Cumulative Impacts Related to Water Supply;
- Cumulative Impacts Related to Cultural Resources;
- Cumulative Impacts Related to Biological Resources; and
- Cumulative Impacts Related to Aesthetics.

Response RLMV-4

As presented in the Draft EIR (Page 4.9-22), "[t]o provide a visual transition and buffer between southerly adjacent properties and the Project site, the Project incorporates a substantial landscaped setback along its southerly boundary (please refer to EIR Section 3.0, Project Description, Figure 3.5-1, Site Plan Concept). The proposed buffer/setback incorporated in the Project design also provides physical separation between the Project's operational activities and southerly adjacent land uses, acting to reduce potential environmental impacts (e.g. noise and air quality impacts) received at off-site land uses. This setback area extends approximately 250 feet northerly from the southerly Project boundary, continuing to the 14-foot high masonry screenwall which defines the Project's southerly loading area boundary."

Related to design and implementation of the Project setback described above, the Project includes a discretionary action (Amendment to Municipal Code Section 9.05.020 B (City Case # PA10-0017) [Light Industrial Districts]. The proposed code amendment requires buffering between Residential districts and industrial and warehouse structures greater than 50,000 square feet in building area (such as the Project). More specifically, as provided under proposed Code Section 9.05.040 Industrial Site Development Standards, Section B, 9. :

> 9. In the LI district, industrial and warehouse structures greater than 50,000 square feet in building area shall be separated from any Residential district as determined by an air quality and noise impact analysis. The minimum separation distance for such uses shall be 250 feet between the Residential district and the building, truck court or loading area.

The above requirements would apply to the Project and would act to ensure the protection of the health, safety and welfare of future residents. While it is acknowledged that the Project proposes a change of zone from Business Park to Light Industrial, no other zone changes are proposed.

From: George Hague [gbhague@gmail.com]
Sent: Monday, December 06, 2010 4:52 PM
To: Jeffrey Bradshaw
Subject: Please confirm = II Additional Sierra Club comments to Westridge Commerce Center's DEIR

From: George Hague [mailto:gbhague@gmail.com]
Sent: Monday, December 06, 2010 11:40 AM
To: Jeffrey Bradshaw
Subject: Additional Sierra Club comments to Westridge Commerce Center's DEIR

Good morning Mr Bradshaw,

Please use these comments instead of what I sent you at 11:40 am today.

Re: Comments to the Westridge Commerce Center Draft Environmental Impact Report (DEIR)

During Thursdays Informational meeting the Consultant said that Appendix B would show that the Moreno Highlands project would be included. Using cumulative development from Chpater 5 and appendix B one does not find the Moreno Highlands Project. You do not even include Moreno Highlands at build out, but instead use 2013 as some magical date. Based on this standard if Moreno Highlands is not build for another 20 years then we can just approve all other lands with projects which would use all of SR 60 capacity- SC-1

without factoring Moreno Highlands into the equation. How can Moreno Valley allow what is shown on Exhibit 7-2 where the SR-60 westbound traffic is Four times the present level in 25 years? SR-60 can not handle the traffic we presently have. The Final EIR will be inadequate unless you can show the LOS at the point where SR-60 & I- 215 connect heading west with today's traffic, with this project added and 25 years from now with its ultimate improvement according to the RCTC. The same needs to be done heading east on SR-60 at the point it passes over Pigeon Pass/Frederick Street. The City then needs to explain how anyone will want to do business in a city that doesn't allow you to move through except at a crawl. SC-2

Whenever Skechers or the Highland Fairview project is mentioned you need to include both approved warehouses on their site as well as all the other commercial and land uses approved-- not just the single Skechers warehouse. This is true for not only for all Sierra Club comments, but all other comment letters on this project-- or your EIR will be inadequate. SC-3

How many diesel truck trips are expected to/from this project site and during what times of the day? Please respond to all question submitted to this DEIR within the Final EIR and not redirecting the public to someplace in the DEIR. SC-4

Building to LEED certification is good, but explain why the project will not try for at least Silver. There are many good ideas which could be designed/built into this huge warehouse to make it a environmentally superior and healthier project for Moreno Valley. The FEIR must list all those ideas which you will not incorporate into the project and fully explain why not. This must include those ideas which would lessen the projects impacts on Air Quality, Greenhouse Gas, and Global Warming. How will this project either help meet the goals of AB 32 or hinder our City's fair share in meeting its goals and standards? SC-5

The Sierra Club believes the impacts to Agricultural resources are considerable and need to be thoroughly discussed in the FEIR. The Lands of Local importance can not be just dismissed. Your project is growth inducing and could lead to the destruction of one of the last citrus groves in our city with the approval of Pro Logis. SC-6

How many diesel Trucks trips are calculated to use Redlands Blvd to enter/exit the city from your project? When combined with Skechers and ProLogis how many truck trips are calculated to use Redlands Blvd to enter/exit Moreno Valley. When you combine all three of these warehouses, operating a full capacity, with the existing background traffic, how many diesel trucks trips will use Redlands Blvd to enter/exit our city? SC-7

Since all diesel trucks must use Fir Street to enter/exit the project, how can you say the project is a safe distance from the property zoned residential across the street from your project? How will all the diesel trucks impact these future residents during your 24-7 operation? How does the toxic diesel emissions change during acceleration/deceleration as the trucks enter/exit the project? Your analysis of impacts must take this into consideration. With your growth inducing impacts how many diesel trucks will be using the improved Fir Street, adjacent to your project and future residents, when both approved warehouses at the Highland Fairview project, and Pro Logis are in full operation? SC-8

Please explain why reclaimed water will not be used? Between this project and Skechers you should be able to bring it north to serve both the needs of both sites. SC-9

The Sierra Club believes the DEIR fails to fully explain all the direct, indirect, growth inducing and cumulative impacts. The cumulative development list is not complete. The alternatives need to be further developed--especially since this project will not be built for perhaps years and there are existing warehouses sitting unoccupied. SC-10

The Sierra Club appreciates the opportunity to continue to add comments to this project's environmental documents. Please keep me informed of all future meetings and documents by using the address below. SC-11

Sincerely,

George Hague
Sierra Club
Moreno Valley Group
Conservation Chair

26711 Ironwood Ave
Moreno Valley Ca. 92555

SIERRA CLUB (GEORGE HAGUE)

Email Dated December 6, 2010

Response SC-1

It is presumed that the commentor's references to the "Moreno Highlands project" are intended to mean the Moreno Highlands Specific Plan, which was approved in 1992. Because approval of this Specific Plan preceded the adoption of the City's existing General Plan, the land uses approved as part of the Specific Plan are reflected in the adopted General Plan land use designations, which were the basis for the Draft EIR's consideration of ambient growth.

The year 2013 is utilized within the Project's Traffic Impact Analysis (TIA) and identified in the Draft EIR as the Project's anticipated opening year. As noted on Draft EIR Page 4.2-15, "[t]he City requires development TIAs to analyze a horizon year that is a minimum of five (5) years from baseline existing (2008) conditions reflected in the TIA. Accordingly, the potential traffic impacts of the Project are determined for 2013 ("Opening Year") conditions. This includes the application of an assumed background growth factor, to which traffic generated by known or probable 'related projects' was added."

Response SC-2

In regard to the commentor's concerns regarding traffic growth on SR-60, the Project TIA (included as Draft EIR Appendix B) examined performance on the SR-60 as part of Appendix 7.8. The City of Moreno Valley requested that a basic freeway segment analysis be conducted between Box Springs Road/Fair Isle Drive and the I-215 Freeway along the SR-60 Freeway, and included in the TIA. As indicated in the Introduction to this Study (Page 7.8-3), "[i]t should be noted that this analysis was not requested due to potential impacts from the project itself, as these impacts would be nominal, but rather

to analyze the current and future projected operations within the segment based on freeway lane geometrics."

The study concludes that "[a]s vehicular traffic increases on the freeway mainline under each of the future analysis scenarios, the densities on each basic freeway segment are anticipated to increase and peak hour level of service operations are anticipated to progressively worsen." It is in part on this basis that the Draft EIR acknowledges significant cumulative traffic impacts affecting freeway segments in the Project area. As noted in the summary of mitigation on Draft EIR Page 1-51, "[u]nder Opening Year Cumulative Conditions and General Plan Buildout Conditions, cumulative LOS impacts of traffic generated by the project in combination with traffic generated by ambient growth and other development projects will result in potentially significant cumulative traffic impacts affecting SR-60 freeway segments within the Study Area." Because freeway mainline improvements such as widening are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency, no mitigation was identified that could be feasibly implemented. As such, the Draft EIR found that the Project would have a significant and unavoidable impact in regard to exceedance of LOS thresholds on certain study area freeway segments.

Response SC-3

As identified at Draft EIR Table 5.1-1, and illustrated in Figure 5.1-1, eleven existing and planned development projects were identified within the cumulative scope of the Westridge Commerce Center Project. Included for the Highland Fairview Corporate Park were the following anticipated land uses: Logistics (2,410,000 square feet); Retail/Outlet Center (10,000 square feet); and Community Commercial (200,000 square feet). A review of the Highland Fairview Draft EIR (available at the City of Moreno Valley Planning Department) indicates that this is the maximum development scenario for this recently approved project.

Response SC-4

Estimated opening-year average daily Project-generated truck trips ingressing/egressing the Project site via Redlands Boulevard are as follows:

- 97 two-axle trucks;
- 220 three-axle trucks; and
- 539 four-axle trucks.

Please refer also to detailed trip generation and trip distribution analyses and supporting discussions are presented in the Project TIA (EIR Appendix B, TIA Pages 51-76).

Redlands Boulevard is a designated truck route in the County and a direct route to San Timoteo Canyon Road through Redlands (also designated as a truck route). It is appropriate for Redlands Boulevard to convey Project-related and area truck traffic. To maintain the continuity between affected agencies, the truck route designation for Redlands Boulevard cannot be practically removed. Moreover, there is no feasible means to restrict Redlands Boulevard to local truck trips only, given its direct connection, with no alternative routes, to the previously mention roadways.

Cumulative opening year average daily traffic along Redlands Boulevard north of Fir (future Eucalyptus) Avenue is estimated at 30, 400 trips (see TIA Page 115, Exhibit 6-10), This is inclusive of all trips/all vehicle categories generated by existing, proposed or anticipated development, and includes trips generated by the Westridge Project, Skechers, and Pro Logis cited by the commentor.

Total anticipated trip generation of the Project, including a quantification of the types of vehicles expected to access the site, is identified at Draft EIR Table 4.2-6 (Page 4.2-19). This Table has been reproduced below for ease of reference.

Table 4.2-6
Westridge Commerce Center Trip Generation

Project Description	AM Peak Hour			PM Peak Hour			Daily
	Enter	Exit	Total	Enter	Exit	Total	PCE
High Cube Warehouse (937.260 thousand square feet)							
Passenger Cars	26	22	47	22	34	56	729
Truck Trips (PCE):							
2-axle	5	4	9	4	7	11	145
3-axle	16	13	29	13	21	34	440
4+axle	57	48	105	48	76	124	1,616
Net Truck Trips (PCE)	78	65	143	65	104	169	2,201
Total Trips (PCE)	**104**	**87**	**191**	**87**	**139**	**225**	**2,930[1]**

Source: *Westridge Commerce Center Traffic Impact Analysis* (Urban Crossroads) May 20, 2010 (Revised).

[1] 2,930 PCE trips = 1,585 net vehicle trips (the raw arithmetic number of truck and passenger vehicle trips) generated by the Project. It should be noted that because different classes of vehicles (e.g., passenger cars, light trucks, heavy duty trucks) exhibit differing emissions characteristics that for the purposes of quantifying and evaluating air quality impacts, vehicle trips are quantified and segregated by vehicle type. In comparison, the Project's traffic study evaluates the effects of traffic at intersections and roadways, and therefore presents the total vehicle trips in terms of Passenger Car Equivalents (PCEs), thereby recognizing and acknowledging physical size differences in vehicles and related effects on roadways and at intersections.

The germane issue with regard to potential truck traffic impacts is peak hour passenger car equivalent (PCE) intersection traffic volumes. As substantiated in the Draft EIR, all Project-specific traffic impacts, inclusive of truck traffic impacts, are reduced to levels that are less-than-significant. If the commentor's concerns are not really truck traffic volumes, but rather truck-generated diesel emissions, the Project Health Risk Assessment (HRA) summarized at EIR Section 4.4, "Air Quality," and discussed in detail in the Project HRA Study (included at EIR Appendix C) substantiates that with application of mitigation, Project-related diesel emissions will not result in significant adverse health risks.

As noted in the Draft EIR (Page 3-4), "[f]or the purposes of the EIR analysis, the Project is assumed to be operational 24 hours per day, seven (7) days per week, except as may be otherwise limited by applicable codes or regulations."

Response SC-5

The ultimate level of LEED certification cannot be determined at this time, since the tenant(s) for the Project, and therefore specific environmental strategies to be employed at the facility, are unknown. It is also important to note that no significant impacts have been identified in regard to the energy conservation attributes of the Project; nor would any of the identified significant impacts of the Project be reduced based on a certain level of LEED certification.

As noted on Draft EIR Page 4.3-110, "the Project is consistent with, or otherwise not in conflict with the CARB Scoping Plan recommended measures and actions and the GHG emission reduction strategies set forth in the 2006 CAT Report. As such, a qualitative assessment of the Project impacts based upon consistency with the CARB Scoping Plan and the 2006 CAT Report, supports the conclusion that the Project GHG emissions are not cumulatively considerable. [Draft EIR] Table 4.3-21 identifies the various sources of guidance for determining the significance of impacts from GHG emissions, and the applicability of each source to this Project. Further, Project GHG emissions will be further reduced with implementation of the Project design features and mitigation measures."

Contrary to the commentor's assertion otherwise, the FEIR need not list and evaluate all mitigation measures offered. With specific regard to potential GHG/GCC impacts (and measures offered to reduce potential GHG/GCC impacts), the Project's individual and cumulative impacts GHG/GCC impacts are substantiated to be less than-significant (DEIR Pages 4.3-88 through 4.3-11; DEIR Appendix C, Global Climate Change Study). Mitigation measures are not required for effects which are not found to be significant. CEQA Guidelines § 15126.4, subd. (a) (3).

Additional mitigation has been incorporated through the Final EIR process, to ensure that the Project's air quality and global climate change impacts are lessened to the extent feasible. These revisions are reflected in Final EIR Section 2.0, "Revisions and

Errata," as well as in the Mitigation Monitoring Plan presented in Final EIR Section 4.0. Inclusion of these measures does not materially or substantively affect analysis or conclusions of the DEIR. That is, impacts that were previously determined to be less-than-significant remain less-than-significant; and impacts that were previously determined to be significant remain significant.

Response SC-6

Despite the commentor's assertions, the Draft EIR does not "just dismiss" potential impacts to agricultural resources. As discussed in the Draft EIR (Pages 1-7 to 1-8), potential impacts regarding the conversion of farmland to non-agricultural uses were considered as part of the Draft EIR and found not to be potentially significant. The potential loss of agricultural land throughout the City attributable to General Plan implementation was acknowledged in the General Plan Final Program EIR (GPEIR, available for review at the City of Moreno Valley Planning Department) as significant and unavoidable. The GPEIR (Page 5.8-10) states that, "[s]ince the feasible mitigation measures that are available to reduce the impact to loss of farmland within the planning area are not consistent with the project objectives and land uses of the General Plan alternatives, no mitigation measure is proposed and the impact will be significant and unavoidable." Certification of the GPEIR required the City to adopt overriding considerations in regard to all impacts determined significant and unavoidable, including the potential for loss of agricultural lands. On this basis, the Project's Initial Study correctly concluded that the Project would not have the potential to result in significant impacts beyond those already addressed in the City's GPEIR. Because the Project's potential impacts are less-than-significant in this regard, no mitigation is required.

The commentor's opinions in regard to the potential impacts of the proposed ProLogis project are forwarded to decision-makers for their consideration.

Response SC-7

Estimated opening-year average daily Project-generated truck traffic ingressing/ egressing the Project site via Redlands Boulevard includes:

- 97 two-axle trucks;
- 220 three-axle trucks; and
- 539 four-axle trucks.

Please refer also to detailed trip generation and trip distribution analyses and supporting discussions are presented in the Project TIA (EIR Appendix B, TIA Pages 51-76).

Redlands Boulevard is a designated truck route in the County and a direct route to San Timoteo Canyon Road through Redlands (also designated as a truck route). It is appropriate for Redlands Boulevard to convey Project-related and area truck traffic. To maintain the continuity between affected agencies, the truck route designation for Redlands Boulevard cannot be practically removed. Moreover, there is no feasible means to restrict Redlands Boulevard to local truck trips only, given its direct connection, with no alternative routes, to the previously mention roadways.

Exhibit 5-4 in the Project TIA (Draft EIR Appendix B) identifies the truck trip distribution anticipated at General Plan Buildout, which includes traffic generated by the Project, the Projects referenced by the commentor, and all other known and probable development that is anticipated to occur at the SR-60/Redlands Boulevard Interchange.

Response SC-8

The commentor expresses concerns regarding diesel emissions from vehicles traveling along Fir (future Eucalyptus Avenue) and their potential impacts at adjacent residential uses. A Health Risk Assessment of Diesel Particulate Emissions was prepared to

address Diesel Particulate Matter (DPM) generated by diesel trucks and the operation of heavy duty equipment. The Health Risk Assessment (HRA) was prepared in accordance with the document Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis (SCAQMD 2003). The Health Risk Assessment is summarized within the Draft EIR (see Page 4.3-80) and presented in its entirety as Appendix C to the Draft EIR.

The Project HRA considers and evaluates maximum potential exposure to maximum DPM concentrations consistent with established SCAQMD methodologies. The methodology considers not only DPM source emissions (the highest concentrations of which would occur on the Project site) but also considers other exposure/risk determinants including but not limited to: relative distance to and location of receptors, wind patterns, and topography.

With specific regard to DPM emissions air quality impacts generated by Project traffic along area roads, the Project HRA arguably consider potential worst case cancer risk exposure by evaluating pollutant concentrations at the Project site, which include pollutant emissions generated by all vehicles within the site in combination with emissions generated by on-site stationary sources. It is further noted that the cancer risk exposure scenario is in and of itself a conservative assessment of potential cancer risks arising from DPM exposure. That is, pursuant to the adopted SCAQMD/EPA methodologies, calculated DPM-source cancer risks are predicated on extended 70-year/30-year exposure scenarios. Both the 70-year and 30-year cancer risk assessments considered in the Draft EIR represent estimates of theoretic DPM-source cancer risks, and are based on the assumption that a person is exposed to the emission source 24 hours a day for 365 days a year for the entire length of the assumed exposure period. Individuals are typically not stationary at any given outdoor location, and a portion of each 24-hour cycle is spent indoors. In addition, individuals and families at a given location for 70 or even 30 years would be considered the exception rather than the norm. The California OEHHA has indicated that based on EPA studies, the EPA

recommends a central tendency estimate of 9 years for residency at a given location, and a high-end estimate of 30 years for residency time. Thus, the methodologies used to determine cancer risk (e.g., the assumption of a 24- hour exposure for a 30 or 70 year period) represent a maximum theoretic cancer risk, and is not intended to account for or represent DPM exposures based on residency and occupancy tendencies. As discussed in the Draft EIR, with application of mitigation, applicable cancer risk thresholds are not exceeded. Draft EIR Table 4.3-17 (Page 4.3-86) summarizes maximum mitigated potential cancer risk exposures.

In comparison, DPM emission concentrations generated by Project vehicles traveling along area roads would be substantively reduced in that they reflect only a portion of transient vehicle traffic/emissions, and these emissions are dispersed through vehicle movements and localized winds.

In response to the commentor's specific concerns regarding potential cumulative effects of DPM emissions, regionally, the SCAQMD has conducted a cumulative analysis of the toxic air contaminants (including DPM emissions) and their resulting health risks for all of Southern California. This study, Multiple Air Toxics Exposure Study in the South Coast Air Basin, or MATES III, indicates the average excess cancer risk level from exposure to TACs is approximately 1,200 in one million basin-wide. These estimates were based on monitoring data collected at ten fixed sites within the South Coast Air Basin.

None of the fixed monitoring sites are within the immediate Project area. However, MATES III has extrapolated cancer risk levels throughout the Basin by using grid-specific modeling. In this regard, MATES III grid modeling predicted a cancer risk of 524 in one million for the Project area. DPM is included in this cancer risk along with all other TAC sources, and accounts for the predominance (83.6 percent) of the total risk shown in MATES III. The Project will not contribute cumulatively to TACs other than DPM, however, the Project DPM emissions levels are not significant. That is, as

discussed in Section 4.3 of the Draft EIR, the SCREEN3 screening analysis prepared for the Project indicates that the maximally impacted modeled receptor would be exposed to a mitigated inhalation cancer risk of no more than 8.6 in 1 million, which is less than the SCAQMD exposure threshold of 10 in 1 million.

Though the Project DPM emissions would add to existing levels of DPM within the basin, the Project's contribution and associated MICR as mitigated is not individually significant and is not cumulatively considerable. [11] Please refer also to Response SC-4.

Response SC-9

Developments within the Project area are reliant on the Eastern Municipal Water District (EMWD) for the provision of reclaimed water, as well as potable water. Ultimate timing and provision of recycled water to the Project will be determined by EMWD, not the Applicant or the Lead Agency. To assert or assume otherwise is speculative. As noted on Draft EIR Page 4.5-25, "[t]he Project will use non-potable water for irrigation to the extent that such water sources are available to the Project. In

11 [T]he AQMD uses the same significance thresholds for project specific and cumulative impacts for all environmental topics analyzed in an Environmental Assessment or EIR. The only case where the significance thresholds for project specific and cumulative impacts differ is the Hazard Index (HI) significance threshold for toxic air contaminant (TAC) emissions. The project specific (project increment) significance threshold is HI > 1.0 while the cumulative (facility-wide) is HI > 3.0. It should be noted that the HI is only one of three TAC emission significance thresholds considered (when applicable) in a CEQA analysis. The other two are the maximum individual cancer risk (MICR) and the cancer burden, both of which use the same significance thresholds (MICR of 10 in 1 million and cancer burden of 0.5) for project specific and cumulative impacts. Projects that exceed the project-specific significance thresholds are considered by the SCAQMD to be cumulatively considerable. This is the reason project-specific and cumulative significance thresholds are the same. Conversely, projects that do not exceed the project-specific thresholds are generally not considered to be cumulatively significant (S*outh Coast Air Quality Management District White Paper on Potential Control Strategies to Address Cumulative Impacts from Air Pollution,* Appendix D, Page D-3).

anticipation of reclaimed/recycled water availability, the Project will design and implement all irrigation systems per EMWD recycled water facilities standards."

Response SC-10

The commentor's opinions in regard to the Draft EIR's adequacy are forwarded to decision-makers for their consideration during deliberations on the Project. The cumulative project list was compiled in consultation with City staff, and includes Projects that are consistent with those of other EIRs that have been prepared by the City for development proposals in the vicinity of the Project. The commentor is also directed to Draft EIR Section 5.2, which includes a comprehensive discussion of the potential for other approved warehouse projects to serve as an alternative to the proposed Project site.

Response SC-11

As requested, the commentor will be included on the City's distribution list for future noticing related to Project review and public hearings.

Thomas Thornsley
29177 Stevens Street
Moreno Valley, CA 92555

December 5, 2010

Mr. Jeff Bradshaw
City of Moreno Valley
14177 Frederick Street/P.O. Box 88005
Moreno Valley, California 92552

Via e-mail: JeffreyB@moval.org

Dear Mr. Bradshaw:

Re: Draft Environmental Impact Report (DEIR) Westridge Commerce Center, SCH#: 2009101008

As a concerned residents on the east end I have reviewed the Draft Environmental Impact Report (DEIR) for the proposed Westridge Commerce Center. I can not agree with some of the conclusions because it appears that some impacts are being written off because the City simply has not taken a progressive stand on potential development impacts or adopted stricter criteria for development (i.e.: enhanced development standard and limited design guidelines, or full improvements with future restitution.). As with most projects requirinig EIRs this project has some significant impacts that, quite simply, are being written off because the impact can not be completely mitigated to below a level of significance. However, several impacts could be lessened with further mitigated than what is proposed; most notable with regard to Traffic Impacts. In these instances it would be prudent to impose mitigation(s) to further lessen those impacts, thereby, leaving a smaller intensity of impacts that to be overridden by the City Council. TT-1

Project Description – So much of this document reads like "boilerplate text" and it fails to provide complete account of the entire project in any one location. The full project description is hard to quantify without looking in several places in two separate chapters. Even then the proposed Amendment to the Municipal Code related to providing "objective standards for the development of Light Industrial uses adjacent to residentially zoned property," fails to be detailed anywhere in the text and I am unable to determine what changes are being made. So therefore I ask: TT-2

- Why are you not providing a detailed description of the code amendment?
- What are the details of the proposed amendment? (Provide current text and proposed text.)

Aesthetics

Loss of Scenic Vista – The DEIR states that there is no feasible way to reduce impact (lost view of the surrounding hills) below a level of significance which may be true, but man-made enhancements along the 60-Freeway can offer a new pleasurable scenic vista thus mitigating a substantial amount of the loss. As such this issue should be addressed in greater detail to enhance what is lost for the community. TT-3

- Why is this project not offing to better enhance and screen the view from 60-Freeways with more extensive architectural relief, landscaping and a screen wall? TT-3 cont'd.

The photo simulations in the DEIR fails to depict the actual view from the roadways or what the view would be like for passing motorist after freeway expansion. Each simulation is a straight ahead view from each particular roadway/highway. Since the 60-Freeway is a General Plan designated Scenic Corridor true views are 360 degrees (and primarily southward as shown in Figure 4.9-1) and as such this document needs to be amended to <u>show the impacted views from the 60 Freeway looking south across the project site</u> to show how the building and loading docks will be buffered and compliment by landscaping and the screen wall as required by the development code. TT-4

- Why doesn't this document show a true view southward across the site as it would be viewed from the 60-Freeway by passing motorist?
- Why doesn't this document show the screening method of the building and loading docks?
- Why isn't there a visualization of the site screening method at full build-out of the Freeway?

Under the current zoning, building sizes are limited to 50,000 s.f. thus offering the opportunity for smaller buildings, greater elevation variations, and views through and between buildings if built and scattered across the same project area. So far the warehouse projects approved and proposed along the 60-Freeway corridor far exceed the original zoning building size limitations and as proposed are creating what will appear to be a mile long wall blocking almost all vistas to the south. TT-5

- Why is it not feasible to create smaller buildings for what is a speculative project at this time in a down economy?

<u>Recommendation</u>: **Mitigation measures** should be added to this project to require a sufficient landscape area and screen wall along the 60-Freeway to effectively screen the building and the loading dock and to act as an alternate aesthetic feature in place of the lost Scenic Vista. TT-6

<u>Building</u> – It is hard to understand the need for such a tall building unless it contains multiple internal stories which would then conflict with the floor area ratio (another issue). Under the existing zoning it was much more likely that the site would develop with smaller buildings and thus lower building profiles. One method to better preserve the scenic vistas would be limiting the overall building height to 25-30 feet. This would permit the building to go almost unnoticed if is truly built 20 plus feet below grade. As such a **<u>mitigation measure</u>** <u>reducing the height of the structure to preserve some of the scenic vistas should be imposed.</u> Thus, mitigating the impact to scenic vistas may not require the City to override this impact as proposed. Additionally, building relief (offsets) appears to be non existent on all elevations with limited compliance with General Plan Policy 2.10.3. Mitigation measures should be included requiring greater wall offsets relative to the expanse (1,300 foot length) of the building elevation. TT-7

- Building function is not necessarily compromised by building plane variations so why are there not more telling offsets to the building exterior? This applies to all four sides.

<u>Light and Glare</u> – The east end of Moreno Valley as enjoyed a rural atmosphere for decades and as such would be significantly impacted if project site lighting is not controlled. Additionally, this area falls just within the Mount Palomar Observatory Dark Skies area and should comply with their limitation to prevent light pollution. The International Dark-Sky Association web site at: www.darksky.org lists lighting fixtures and methods to meet dark sky specifications. <u>Add a Mitigation Measure</u> (beyond city policy) to assure that site lighting is compatible with "Dark-Sky" specifications or limit lighting to only the use of low pressure sodium lights, full shielding above a horizontal plain and no building or pole mounted lighting fixtures that project light outward horizontally beyond the property boundary to TT-8

eliminate the potential for nighttime light glare to motorist. This last request is especially relevant to freeway motorist.

- Why is there not a mitigation measure include with this project that assures full compliance and extra measure beyond the basic restrictions listed in the city?

TT-8, cont'd

<u>*Screen Walls*</u> – Page 3-9 makes mention of an 8-foot screen wall along the 60-Freeway yet there is no mention of this wall in Section 3.5.12. Neither the site plan nor the cross sections in this document list any screen wall along the 60-Freeway frontage. Since the City's General Plan Policies (2.10.2, 2.10.4, 2.10.5) and Development Code requires the screening of loading areas a **Mitigation Measure** needs to be added that will assure a wall of sufficient height will be installed along the project's north property line to screen the view down into the loading dock from the 60-Freeway and the eastbound off-ramp. Additionally, due to the massive length of this wall the screen wall should have significant vertical wall plain offsets and other variations (texture, style, height) to avoid visual monotony along the freeway.

- What type of adequate full screening method will be provide along the north property boundary adjacent to the 60-Freeway in compliance with city code?

<u>*Landscaping*</u> – Extensive landscaping is provided along the southern boundary of the project as a buffer for visibility of the project. The same level of treatment should be provided along the north property line in compensation for the lost Scenic Vista. The northern most landscaping provided on site is on what appears to be a 2:1 slope dropping immediately from the freeway right-of-way down to the parking and loading area. Since all of this landscaping is below freeway grade it will provide little complimentary relief to the massive building. Additionally, city code requires screening of parking and loading areas with a minimum 10-foot landscape buffer utilizing walls and burms to screen these elements.

TT-9

- Why is there not a sufficient landscape buffer and screen wall along the northern most project boundary along the freeway right-of-way?
- How does this project proposes to meet the 10-foot landscape requirement for buffering if all of this area is below grade?

Traffic

The DEIR states that "the Project cannot feasibly construct the required improvements and/or Payment of fees will not assure their timely completion" and "Pending completion of required improvements the Project's incremental contributions to Opening Year Cumulative traffic impacts at or affecting (certain) intersections are considered cumulatively significant and unavoidable." Since most of the studied intersection are not currently impacted this project will be the ultimate source causing them to be impacted and as such this project should be held responsible to further eliminate those impacts beyond just "paying the TUMF" and letting the improvement happen when they may. The following passage, "The Project will pay required TUMF, thereby satisfying its proportional fee responsibilities for improvements required to mitigate Opening Year Cumulative traffic impacts," is utilized time and again in MMs 4.2.3 through 4.2.9 in what appears to be the project proponents out for making some simple fixes such as stripping for right-turn lanes. These types of simple fixes should be the responsibility of the development.

TT-10

Since it appear that it could be quite some time before full improvement are made to connect Fir Avenue through from Redlands Boulevard to the terminus of Eucalyptus Avenue the added traffic burden to Redlands Boulevard will greatly impact travel and completely diminish the level of service currently available The project proponent needs to provide a supplemental or alternative analysis in the form of a

tiered level of improvements that can be made that diminishes the impacts at Opening Year. Additionally, the cost burden undertaken by the developer should be determined for reimbursement.

- What additional improvements can be made prior to building occupancy that will address the immediate impact at Redlands Boulevard and the 60-Freeway in exchange for fees paid for improvements elsewhere?
- Since the city will reimburse developers for improvement costs beyond those associated with their project why is this project not proposing to make the extra improvements to lessen the impacts and better serve its future users and the neighboring community?

TT-10 (cont'd)

If these improvements are not made by the time the project is in its Opening Year what will be the timelines for making these improvements and what criteria (money, Caltrans approval, other projects…) have to be met before the mitigation measure are carried out?

- How will Air Quality suffer by not actually completing the necessary traffic improvements which will lead to traffic congestion and excessive idling for prolongs time periods?

Air Quality

There is no doubt that any urban development on the project site will generate long-term operational emissions that will exceed the South Coast Air Quality District's regional thresholds. However, the types of pollutants vary by the activities associated with different land uses, some of which may not be as hazardous to the health of those in the surrounding community. Since most of the cancer risk from air pollution is from diesel exhaust it would be best to rethink the land uses of a community as a whole and limit those that pose the greatest risk to health. Maintaining the existing zoning would prevent uses such as this distribution center which requires extensive use of trucks burning diesel fuel. Under the current zoning the range of business permitted are likely to generate more vehicle trips but fewer emissions by trips from diesel fueled vehicles.

This type of project would also be best suited for a location where it could utilizes rail transport for the massive daily volume of trips associated with warehouses or logistic centers. For this reason alone, the City should not approve the zone change and this project should locate to a site with more efficient transportation infrastructure better suited to meet speculative users' needs with fewer environmental impacts.

TT-11

It is unrealistic for the City of Moreno Valley and the project proponent to disregard the cumulative impacts this project will have on this area when utilizing a scenario where much of the surrounding area is converted to industrial and warehouse uses. This analysis should be undertaken so as to find what level of incremental increase this project will have on the overall community.

- Why in there now effort made to look at the real possibility of cumulative impacts from this project and the likely land use changes surrounding this project site?

However, because I believe that the City will approve this project; additional tougher mitigation should be added to offset local and regional impacts to the fullest extent possible before overriding what can not be achieved. If these mean reducing the size of the project to reduce environment impacts, as a suggested in the alternatives, then it should be seriously considered. Also, there should be <u>mitigation measures requiring</u> a percentage of the fleet vehicle (diesel trucks) of future tenants to be low to zero emission vehicles. Also, diesel trucks delivering to the site shall include soot filters or the latest technological equipment available.

Additionally, MM 4.3.11 addresses improvements to the project that will allow the project to exceed Title 24 standards by 20 percent. This is a nice thing but more should be offered. The final item on the list of improvements states that the building should be structurally designed to handle the installation of roof mounted solar panels. This should be mitigation measure unto its own along with requiring the project proponent to work with energy providers and vendors to install such equipment to offset fuels used to generate electricity. There are numerous vendors and utilities interested in joint projects to install these systems, and they are always looking for places to install systems, and this should be made a part of this project. This measure also works well to mitigate the issues associated with greenhouse gases.

- Why can't this project be required to have all buildings designed forthwith to accommodate renewable energy sources such as photovoltaic solar electricity systems appropriate to their architectural design?
- Why is there no mention of the project proponent working to insure the opportunity to utilize this structure is know in the industry?

TT-11 (cont'd)

As stated in the Traffic section may intersection improvements will not be undertaken by the project but will instead only be mitigated through the payment of improvement fees. If this is true the project will create traffic impacts that do not currently exist.

- Therefore, how will Air Quality suffer by not actually completing the necessary traffic improvements which will lead to traffic congestion and excessive idling for prolongs time periods?

Climate Change and Greenhouse Gases

Since the state has enacted legislation to lower greenhouse gas emissions any and all possible measures to lower emissions that could be undertaken by this project should be listed, discussed and analyzed for their effectiveness, not just a list of improvements that will exceed Title 24 by 20 percent. The City should then include mitigation measures that significantly reduce (though they may not entirely mitigate impacts) associated impacts prior to any consideration to override them as the DEIR suggests.

TT-12

- Why is the project not being designed to meet some of the highest LEEDS standards and only offering to exceed Title 24 by 20 percent?

Thank you for the opportunity to comment on the Draft EIR for this project. I request to be informed of all meetings and public hearings related to this project or other consideration in east end of Moreno Valley. Please let me know if it is possible to review a copy of the project plans so that I may provide constructive comments related to the development proposal prior to its next appearance before the Planning Commission or City Council. I would also like to request copies of any follow-up documents related to this project (2nd DEIR and/or Final EIR). Feel free to contact me if you have any questions regarding my comments.

TT-13

Sincerely,

Thomas Thornsley
909-797-1397
e-mail: tomthornsley@msn.com

THOMAS THORNSLEY

Letter Dated December 6, 2010

Response TT-1

The City disagrees with the commentor's assertion that potentially significant impacts of the Project are being "written off." As required by CEQA, the Draft EIR identifies the feasible and enforceable mitigation measures that have been determined necessary to reduce the Project's potentially significant environmental impacts. The commentor's references to additional traffic mitigation are addressed more specifically in the subsequent Response TT-10. The commentor's opinions in regard to the Draft EIR's adequacy are forwarded to decision-makers for their consideration.

Response TT-2

The commentor's opinions in regard to the Draft EIR's organization are forwarded to decision-makers for their consideration. The actual wording of the proposed Municipal Code Amendment was not available at the time the Draft EIR was completed. The proposed amendment will be crafted by City staff and made available prior to its consideration by Planning Commission or City Council, consistent with the City's standard procedures for the adoption of Municipal Code Amendments.

For the purposes of the Draft EIR's analysis, the code section to be amended is identified (Section 9.05.020 B, City Case # PA10-0017) on Draft EIR Page 3-24. Further, the intent of the proposed code amendment is summarized as follows.

> The proposed Code Amendment would mandate minimum separation/ buffer requirements (250 feet) between proposed light industrial use and residentially-zoned properties. As further required under the proposed Code Amendment, this setback/buffer area shall be increased should the minimum 250-foot separation/buffer prove insufficient to eliminate

significant health risks or project operational noise impacts as reflected in project-specific air quality and noise analysis (Draft EIR Page 4.1-19, *et al.*).

The proposed code amendment provides additional protection of residential uses in instances where industrial uses may be proposed within adjacent zone districts. The amendment would apply City-wide. The Code Amendment Application is on file with the City.

Response TT-3

As acknowledged in the Draft EIR's analysis of the Project's potential aesthetic impacts, "[d]eterminations of visual character and quality are inherently subjective by nature." The commentor's suggestion that "man-made enhancements along the 60-Freeway" be utilized to mitigate the Project's adverse effect on scenic vistas could be perceived as exacerbating the potential change to existing views. It is further noted that land adjacent to SR-60 is within a Caltrans easement, and is reserved for future freeway improvements that are outside the jurisdictional authority of the Applicant or the City of Moreno Valley. The Project has nonetheless proposed a wall of trees at the property line along the top of the slope to further soften views of the Project from the adjacent SR-60. The trees will be configured and planted in a double row the northwestern portion of the site, and in a single row along the future off-ramp.

The Project's potentially significant visual impacts are attributable to potential view obstruction, not architectural design or appearance of the Project (please refer to the summary of significant aesthetic impacts presented at DEIR Pages 1-19, 1-20). Architectural revisions or additional screening suggested by the commentor do not act to review the project's identified view obstruction. Moreover, as described on Draft EIR Page 4.9-21, "[i]n order to ensure visually acceptable and compatible development, and subject to the proposed change of zone from Business Park to Light Industrial, the Project will be designed and constructed consistent with applicable Light Industrial design and performance standards articulated at Municipal Code Chapter 9.05,

Industrial Districts. To these ends, the Project site plan, landscaping, and architectural concepts provided at EIR Section 3.0, Project Description demonstrate consistency with Municipal Code Section 9.05.040, B., Special Site Development Standards."

Response TT-4

The Draft EIR acknowledges the designation of SR-60 as a scenic route, and the Project's location within a scenic view corridor (Draft EIR Page 4.9-10). Despite the commentor's assertions to the contrary, the Draft EIR's view simulations provide actual pre-development views from the SR-60, with post-development photo simulations reflecting the facilities and landscape screening of the Project. A direct southerly view of the Project from Ironwood Avenue, located approximately 2,500 feet north of the freeway, is provided in Draft EIR Figure 4.9-8. The Project's landscape screening has been conceptually illustrated in Draft EIR Figures 3.5-4 and 3.5-5, and is reflected in the previously referenced Draft EIR's Post-Development View Simulations (Draft EIR Figures 4.9-4 through 4.9-8). It may be noted that because the Project's facilities will be located approximately 25 feet below the grade of the SR-60, the loading docks will not be visible from the SR-60, or from other properties not located at a considerably higher elevation than SR-60. (Draft EIR Figures 4.9-2, 4.9-3)

In regard to the commentor's concerns regarding views in the Project vicinity following freeway expansion, it is noted that although the Project has been designed to accommodate future interchange improvements planned by Caltrans, these improvements will be constructed by Caltrans, and are not a part of the proposed Project. Improvements adjacent to the Project site have been neither programmed nor funded at this time. The preparation of view simulations incorporating these improvements would be speculative, and as such, were not undertaken as part of the Draft EIR.

Response TT-5

As discussed in the Draft EIR's analysis of alternatives (Pages 5-36 to 5-37), the possibility of limiting the Project's building size was considered, but rejected as infeasible. The relevant discussion is presented below for ease of reference.

> In order to potentially avoid or reduce view obstruction/view interruption resulting from the large consolidated warehouse structure proposed under the Project, an alternative site design employing multiple smaller structures of 50,000 square feet (per the site's current Business Park zoning requirements) was considered. However, the intent of the Project is to achieve full utility of the available site while providing region-serving logistic warehouse facilities. Feasibility and function of the proposed regional warehouse is dependent on its size and configuration, allowing for centralized and consolidated storage and transfer of large (numerically and dimensionally) inventories serving smaller local and end-use facilities. Division of the proposed building into substantively smaller components (50,000 square feet maximum buildings) is not practically or economically feasible.
>
> Moreover, such division of the Project would act to unnecessarily duplicate or expand serving utilities, would result in multiple and redundant internal operations (e.g., intersite transfer of inventories), would restrict flexibility of warehouse operations and use of warehouse space; and may necessitate additional access to adjacent roadways in order to serve the individual buildings, with potentially increased circulation/access impacts. Lastly, it is noted that the Project design is typical of other regional distribution warehouses implemented within the City, surrounding Riverside County, and throughout southern California. Empirical evidence indicates that the Project design is an established functional and efficient format for regional distribution warehouse

facilities. For these reasons, an alternative based on a compartmentalized building design scenario resulting in multiple smaller buildings was not further considered.

The commentor's concerns in regard to the Project's feasibility in the current economic climate are forwarded to decision-makers for their consideration.

Response TT-6

Please refer to the preceding Response TT-3. The commentor's opinions in regard to the provision of an 'alternate aesthetic feature' are forwarded to decision-makers for their consideration.

Response TT-7

The commentor requests explanation of the proposed building design, and specifically the proposed building height.

The high-cube warehouse building height concept defines the viability of its internal operations, which are realized through closely-consolidated and easily-accessible warehoused goods, and use of efficient, high-lift material handling equipment. While multiple stories are not proposed, the high-cube building design typically requires internal clear heights of 30 feet or more. In another context, in order to accommodate the same volume of warehoused goods and logistics traffic, the floor area of a 45-foot high warehouse would have to be increased by a minimum of 80 percent if reconfigured as a 25-foot high structure. In the case of the Westridge Project, the currently proposed approximately 940,000-square-foot building would have to be at least 1.7 million square feet in size in order to accommodate comparable volume of warehoused goods. This increase in area does not even account for necessary additional internal aisle ways, utilities, service areas, vestibules, etc. Moreover, if constructed as a substantively larger but lower building footprint there would be the additional construction costs, expanded areas of disturbance, increased infrastructure costs, and decreased operational/energy

efficiencies associated with such a large building footprint. The suggestion that architectural "offsets" be required is forwarded to decision-makers for their consideration.

Response TT-8

The Project's potential to create a new source of substantial light or glare which would adversely affect day or nighttime views in the area is addressed in Draft EIR Section 4.9. As noted on Draft EIR Page 4.9-22, "[o]n-site lighting, including parking lot and loading dock lighting, will be required to comply with all applicable sections of the City's zoning ordinance," which are detailed within this discussion. As further noted on Draft EIR Page 3-17, "[t]he Project lies within 45 miles of the Mt. Palomar Observatory, and would comply with applicable provisions of County of Riverside Ordinance 655 which addresses protection of the night sky from light pollution that would interfere with astronomical observations." Additional mitigation suggested by the commentor has not been included because no potential impacts relative to the Project's potential to create light or glare have been identified. Mitigation measures are not required for effects which are not found to be significant. CEQA Guidelines § 15126.4, subd. (a) (3).

It is further noted that the City is considering a "Dark Sky" ordinance that would act to prevent or reduce light pollution.

Response TT-9

Consistent with the commentor's observation, the text at DEIR Section 3.5.12, Page 3-17 (excerpt following) is amended to also include screening discussed previously at DEIR Page 3-9:

> **3.5.12 Screening**
>
> Screening within the Project site will be provided for under Zoning Code Section 9.08.150, "Screening Requirements," and Section 9.10.160, "Outdoor Storage, Trash Areas, and Service Areas." As required under

> these portions of the Code, the Project final site plan and building designs shall incorporate screening of mechanical equipment and trash areas. Southerly facing loading docks and adjacent truckyard areas will be screened from off-site views by an approximately 14-foot high screenwall spanning approximately 1,200 feet, across the length of southerly-facing truckyard areas. ***Project loading areas will be screened from view on the north and the northernmost portion of the east side by 8-foot high masonry screenwalls*** . . . .

Results and conclusions of the DEIR are not affected.

As noted on Draft EIR Page 4.9-21, "the Project will be designed and constructed consistent with applicable Light Industrial design and performance standards articulated at Municipal Code Chapter 9.05, Industrial Districts." The landscape buffer proposed along the Project's northernmost boundary, adjacent to SR-60, is, as noted by the commentor, a landscaped slope, with a depth of approximately 41 feet, or more than four times the required ten-foot landscape buffer. Additionally, as noted in the preceding Response TT-3, the Project also includes the planting of a double row of trees along the site's northwestern property line. As demonstrated in the line of sight illustration provided as Draft EIR Figure 4.9-3, loading areas on the north side of the Project will not be visible from SR-60. The commentor's opinions in regard to the adequacy of the Project's proposed landscape screening are forwarded to decision-makers for their consideration.

<u>Response TT-10</u>

It appears that the commentor is unclear in regard to which potential traffic-related impacts are considered significant due to the Project, and those that are forecast to occur as a result of cumulative growth. As discussed in the Draft EIR (Pages 4.2-15 to 4.2-16), , the Project's Traffic Impact Analysis (TIA) identifies ambient growth using a standard annual growth factor of two percent per year to account for non-specific development

within the Study Area, as well as anticipated growth in traffic volumes generated by projects outside the Study Area. The ambient growth factor of two percent per year was applied to existing Year 2008 traffic volumes, yielding a ten percent (10%) growth in existing volumes over the five intervening years until the Project Opening Year, 2013. As discussed in the Draft EIR (Pages 4.2-34 to 4.2-35), under the "Opening Year Ambient Condition" defined above, only two intersections would be affected by Project-related traffic. Mitigation for impacts at these two intersections is provided in Draft EIR Mitigation Measures 4.2.1 and 4.2.2, which are provided below for ease of reference.

4.2.1 Redlands Boulevard at SR-60 Westbound Ramps Improvements:

- *Install a traffic signal.*

This improvement is currently approved, programmed, and permitted by Caltrans. If not otherwise completed prior to Project opening, the required traffic signal shall be constructed by the Applicant prior to issuance of the first Certificate of Occupancy.

4.2.2 Redlands Boulevard at Fir (future Eucalyptus) Avenue Improvements - Prior to issuance of the first Certificate of Occupancy, the Applicant shall construct the following improvements:

- *Install a traffic signal;*
- *Construct a southbound right turn auxiliary lane which extends the full length of the segment of Redlands Boulevard between the SR-60 Eastbound Ramps and Fir (future Eucalyptus) Avenue for a southbound lane configuration of one shared left-through lane and one right turn lane; and*
- *Construct an eastbound left-turn lane with 300 feet of storage for an eastbound lane configuration of one left-turn lane and one shared through-or-right-turn-lane.*

With implementation of these mitigation measures, the Project's potential impacts are identified as less-than-significant. All other traffic-related impacts identified in the Draft EIR occur in the cumulative condition, which is defined (on Draft EIR Page 4.2-16) as including other known or probable related projects assumed to be occupied and operational by the Project's opening in 2013. A map of the approved and pending projects is included in EIR Section 5.1 (Cumulative Impacts Analysis). Additional detail regarding the trip generation of these related projects is also presented in the Project TIA (EIR Appendix B).

Despite the commentor's assertion that "simple fixes should be the responsibility of the development," it is noted that the majority of the required improvements are within Caltrans facilities, which are outside the control of the Applicant or the City of Moreno Valley. The payment of TUMF and DIF is considered the appropriate mechanism for the Project to contribute to future off-site roadway improvements. The application of fee-based mitigation is discussed further in the Draft EIR on Pages 4.2-25 to 4.2-26. The commentor's opinions regarding "alternative analysis in the form of a tiered level of improvements" will be forwarded to decision-makers for their consideration.

The Draft EIR's air quality analysis (Section 4.3) is based on the Project TIA, and as such, comprehensively addresses the Project's potential traffic-related impacts, along with other potential effects on air quality. The commentor speculates that required traffic improvements will not be completed. Please refer to the discussion of improvements programs and the implementation of improvements required pursuant to those programs presented in detail in the Project TIA at TIA Pages 205-208. As noted therein, the TUMF program was implemented to ensure timely completion of region-serving transportation improvements. Locally, the City has an established, proven track record with respect to implementing the City's DIF Program. Many of the roadway segments and intersections included within the study area for this Traffic Impact Analysis are at various stages of widening and improvement based on the City's collection of DIF fees. Under this Program, as a result of the City's continual monitoring of the local

circulation system, the City insures that DIF improvements are construction prior to when the level of service would otherwise fall below the City's established performance criteria. The commentor's statements are forwarded to the decision-makers.

Response TT-11

The commentor's opinions related to the best use of the Project site in regard to air quality considerations will be forwarded to decision-makers for their consideration. With regard to statements concerning diesel emissions, please refer to response FNSJ-8, et al. presented herein.

With regard to comments addressing air quality, alternatives, and maintaining the site's existing zoning designation, the Draft EIR includes a "No Project Alternative" analysis which assumes development of the subject site consistent with the existing Zoning Designation of "Business Park." A comparative analysis of operational air quality emissions under each of the Project's alternatives is provided on Draft EIR Page 5-53 – acknowledges that "the vehicle mix under the No Project Alterative would likely reflect incrementally decreased heavy truck traffic, with related decreases in diesel particulate emissions when compared to the Project." However, as also noted on Draft EIR Page 5-53, the Project's significant operational air quality impacts consist of exceedances of SCAQMD regional thresholds for VOC and NOx emissions. As noted on Draft EIR Page 4.3-84, potential environmental impacts from Project-related diesel particulate emissions were determined to be less-than-significant with mitigation. On this basis, the suggested continuance of the site's existing Business Park zoning would not necessarily result in a lessening of environmental impacts.

Evaluation of Alternative Sites (also of concern to the commentor) is presented in the DEIR (DEIR at Pages 5-38 through 5-34). As substantiated in the DEIR four (4) of the considered Alternative Sites (Sites 1-4) were ultimately determined infeasible. Alternative Site 5 would not result in the avoidance or substantive reduction of Project related impacts, this Alternative Site was also rejected from further consideration.

The commentor incorrectly states that cumulative impacts are disregarded. Please refer to DEIR Section 5.1, Cumulative Impact Analysis, DEIR Pages 5-1 through 5-25. With specific regard to energy consumption and potential GHG/GCC impacts (and measures offered to reduce potential energy/GHG/GCC impacts), the Project's individual and cumulative impacts are substantiated to be less than-significant (DEIR Section 5.6 Energy Conservation; DEIR Pages 4.3-88 through 4.3-11 (GHG/GCC impacts); and DEIR Appendix C, Global Climate Change Study). Mitigation measures are not required for effects which are not found to be significant. CEQA Guidelines § 15126.4, subd. (a) (3).

Additional mitigation has been incorporated through the Final EIR process, to ensure that the Project's air quality and global climate change impacts are lessened to the extent feasible. These revisions are reflected in Final EIR Section 2.0, "Revisions and Errata," as well as in the Mitigation Monitoring Plan presented in Final EIR Section 4.0. Inclusion of these measures does not materially or substantively affect analysis or conclusions of the DEIR. That is, impacts that were previously determined to be less-than-significant remain less-than-significant; and impacts that were previously determined to be significant remain significant.

In regard to the use of photovoltaics, as currently noted under EIR Mitigation Measure 4.3.11: "All buildings shall be designed to accommodate renewable energy sources, such as photovoltaic solar electricity systems, appropriate to their architectural design." As such, the Project supports, and would not interfere with use of solar energy. The commentor's opinions regarding "joint projects" will be forwarded to decision-makers for their considerations.

Traffic concerns have been addressed in the preceding Response TT-10.

<u>Response TT-12</u>

The commentor's opinions in regard to further lowering the Project's greenhouse gas emissions are forwarded to decision-makers for their consideration. It may be noted that

because the Project's Global Climate Change Analysis identified no significant impact on the environment, overriding considerations in regard to greenhouse gas emissions would not be required. Further, mitigation measures 4.3.11 through 4.3.13 were provided as part of the Draft EIR in order to reduce Project related operational source air pollutants and greenhouse gas emissions to the extent feasible, and to promote sustainability through conservation of energy and other natural resources, rather than to reduce potentially significant impacts.

In regard to the commentor's concerns regarding Leadership in Energy and Environmental Design (LEED) standards, the following discussion can be found on Page 3-16 of the Draft EIR:

> "The Westridge Commerce Center Project reflects design and operational criteria established under the Leadership in Energy and Environmental Design (LEED) Green Building Rating System, a program developed by the United States Green Building Council. This program includes a rating system that can be applied to new construction as well as tenant improvement projects with performance goals in multiple environmental categories.
>
> LEED certification is contingent, among other requirements, on demonstrated and documented conservation and efficient use of available resources. It is recognized that not all LEED performance standards are applicable or appropriate for the Project, and that different standards may be utilized by the Project's end user(s). However, the Project, as a whole, will be developed as a LEED-certified facility.
>
> In support of LEED-certification, resources conservation, reduction in energy consumption and associated reductions in air pollutant emissions and greenhouse gases (GHGs), the Project will achieve a minimum of 20

> percent in energy efficiencies beyond incumbent Title 24 Energy Efficiency standards, as well as compliance with other applicable state and federal energy standards."

The ultimate level of LEED certification cannot be determined at this time, while the tenant and therefore specific environmental strategies to be employed at the facility, are unknown. It is also important to note that no significant impacts have been identified in regard to the energy conservation attributes of the Project; nor would any of the identified significant impacts of the Project be reduced based on a certain level of LEED certification.

Response TT-13

As requested, the commentor will be included on the City's distribution list for future noticing related to Project review and public hearings. As requested, noticing of other projects in the area will also be provided. Project plans are available for review at the City of Moreno Valley Planning Department.

City of Moreno Valley
Public Information Meeting for West Ridge Commerce Center Project
Draft Environmental Impact Report (DEIR)
PUBLIC COMMENT CARD

Thank you for your interest in the proposed West Ridge Commerce Center project for a warehouse distribution building of 937,260 square feet located on the south side of State Route (SR) 60 and 650 west of Redlands Boulevard on the north side of Eucalyptus Avenue. The applicant for this project is Ridge Rancho Belago, LLC. Please provide your comments below and submit this card during the public information meeting or mail/fax to the numbers listed below by 5:30 p.m. on Monday, December 6, 2010. This will conclude the required 45 day comment period for the project's Draft Environmental Impact Report. Please attach additional pages, if necessary. Your participation and comments are appreciated.

*Name (Required): AMORA JOHNSON Phone:

*Address (Required): 13301 McGehee Dr, Moreno Valley 92555 E-Mail:

***Note: Your name and contact information will become part of the public record for this project.**

☑ Yes, I would like to be added to your project mailing list to receive information on the EIR notice of availability and future public hearings. AJ-C-1

Please provide your comments below:

Date: 12-6-2010

my main concern would be the effect on the wildlife in the area, with more vehicles - especially the diesel trucks' output, - the wildlife's preservation attempts thus far will be undermined by the construction activities and the afterward affect will be detrimental to what good work the preservation has in humans' quality of life, too.

Being able to enjoy those migrating birds and all the other animals that most of us can't see within the cities, anywhere, will give younger generation appreciation of the existence of some rare animals, birds, creatures, bugs and other micro organism. Taking children to enjoy our open spaces, clean, clear air and to watch those rare creatures are much more important than seeing these block buildings that can be seen everywhere else. whereas the San Jacinto wildlife area can be made into a destination for younger generation. AJ-C-2

City of Moreno Valley needs to see the future, not just the $ for the present by ignoring the future of the next generations. -

Thank you for your comments. Please submit this form by 5:30 p.m. on Monday, December 6, 2010 to:

City of Moreno Valley
Community Development Department/Planning Division
ATTN: Jeff Bradshaw
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805
Jeffreyb@moval.org
Fax: (951) 413-3210

AMORA JOHNSON

Via Public Comment Card

Response AJ-C-1

The commentor requests to receive future information regarding the Project, and as such, has been added to the Project distribution list.

Response AJ-C-2

The commentor expresses concern regarding the effects of the Project on wildlife in the area.

The biological assessment for the Project consisted of the following surveys and analysis, conducted throughout the Project area:

- General biological assessment of Project site and nearby off-site areas that could be affected by utility and circulation system improvements;
- General plant and wildlife surveys;
- Habitat assessment to examine potential for special status plant species;
- Habitat assessment to examine potential for special status wildlife species;
- Habitat assessment for burrowing owl (*Athene cunicularia*), following the recommendations of the California Department of Fish and Game, the burrowing owl survey protocol (CBOC 1993), and the Western Riverside County Multi-Species Habitat Conservation Plan (MSHCP) Section 5.3.2 and MSHCP burrowing owl survey instructions; and
- Jurisdictional delineation.

As supported by the analysis presented in Section 4.8, "Biological Resources" of the Draft EIR, with application of proposed mitigation measures, the Project's potential impacts to biological resources are less-than-significant.

Additionally, the commentor references the San Jacinto Wildlife Area. It is noted that this area is located approximately 3.5 miles to the southeast of Project site, and will not be affected by the Project.

City of Moreno Valley
Public Information Meeting for West Ridge Commerce Center Project
Draft Environmental Impact Report (DEIR)
PUBLIC COMMENT CARD

Thank you for your interest in the proposed West Ridge Commerce Center project for a warehouse distribution building of 937,260 square feet located on the south side of State Route (SR) 60 and 650 west of Redlands Boulevard on the north side of Eucalyptus Avenue. The applicant for this project is Ridge Rancho Belago, LLC. Please provide your comments below and submit this card during the public information meeting or mail/fax to the numbers listed below by 5:30 p.m. on Monday, December 6, 2010. This will conclude the required 45 day comment period for the project's Draft Environmental Impact Report. Please attach additional pages, if necessary. Your participation and comments are appreciated.

*Name (Required): Richard Johnson Phone: 951-243-0804

*Address (Required): 13301 McGEHEE Dr. MV 92555 E-Mail:

***Note: Your name and contact information will become part of the public record for this project.**

☐ Yes, I would like to be added to your project mailing list to receive information on the EIR notice of availability and future public hearings.

Please provide your comments below:

Date: 12/8/2010

I believe the project will overburden the present areas infrastructure, from the streets to the 60 FWY and beyond the 215 as well. The estimates along with future planning seems to set no limit for continued development of the area and it will be a very dangerous roadway system to be driving in this area. Future warehouse building will make it a very difficult place to drive a car. The vision of this area has now been lost. These buildings and the businesses may turn out to be a continued trend for dumbing down the area overall. RJ-C-1

Thank you for your comments. Please submit this form by 5:30 p.m. on Monday, December 6, 2010 to:

City of Moreno Valley
Community Development Department/Planning Division
ATTN: Jeff Bradshaw
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805
Jeffreyb@moval.org
Fax: (951) 413-3210

RECEIVED
DEC - 6 2010
CITY OF MORENO VALLEY

RICHARD JOHNSON

Via Public Comment Card

Response RJ-C-1

The commentor's concerns regarding the effects of the Project on regional traffic safety and opinions regarding development trends within the City are forwarded to decision-makers for their consideration.

City of Moreno Valley
Public Information Meeting for West Ridge Commerce Center Project
Draft Environmental Impact Report (DEIR)
PUBLIC COMMENT CARD

Thank you for your interest in the proposed West Ridge Commerce Center project for a warehouse distribution building of 937,260 square feet located on the south side of State Route (SR) 60 and 650 west of Redlands Boulevard on the north side of Eucalyptus Avenue. The applicant for this project is Ridge Rancho Belago, LLC. Please provide your comments below and submit this card during the public information meeting or mail/fax to the numbers listed below by 5:30 p.m. on Monday, December 6, 2010. This will conclude the required 45 day comment period for the project's Draft Environmental Impact Report. Please attach additional pages, if necessary. Your participation and comments are appreciated.

*Name (Required): Deanna Reeder Phone:
*Address (Required): 17351 Riva Ridge Rd E-Mail: late98765@aol.com

***Note: Your name and contact information will become part of the public record for this project.**

☒ Yes, I would like to be added to your project mailing list to receive information on the EIR notice of availability and future public hearings. DR-C-1

Please provide your comments below:

Date: 12/2/2010

I want to know the cumulative impacts of this and all proposed projects as well the entire 35 million sq ft of warehouses that are proposed for this area. DR-C-2

This report most include all the impacts of all 35 million sq ft in order to be of actual value to the community.

Thank you for your comments. Please submit this form by 5:30 p.m. on Monday, December 6, 2010 to:

City of Moreno Valley
Community Development Department/Planning Division
ATTN: Jeff Bradshaw
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805
Jeffreyb@moval.org
Fax: (951) 413-3210

DEANNA REEDER

Via Public Comment Card

Response DR-C-1

Commentor's contact information is noted and will be added to the Project mailing list to receive any subsequent environmental documentation for this Project and/or notification of any future public hearing(s) to consider the Project and EIR.

Response DR-C-2

The commentor expresses concern regarding the cumulative impacts of the Project and all proposed projects in the vicinity. As identified at Draft EIR Table 5.1-1, and illustrated in Figure 5.1-1, eleven existing and planned development projects were identified within the cumulative scope of the Westridge Commerce Center Project. In addition, the Draft EIR notes that "the cumulative impacts analysis assumes development of the area in a manner consistent with the City of Moreno Valley General Plan, and reflecting the anticipated growth of the region. The analysis of cumulative impacts considers potentially significant impacts that could be considered cumulatively considerable when viewed in the context of known related projects and generalized ambient growth of the City and region." Please also refer to the preceding Response DR1-1 (Draft EIR Page 5-4).

The commentor's statements and opinions regarding the Project are forwarded to the decision-makers for their consideration.

City of Moreno Valley
Public Information Meeting for West Ridge Commerce Center Project
Draft Environmental Impact Report (DEIR)
PUBLIC COMMENT CARD

Thank you for your interest in the proposed West Ridge Commerce Center project for a warehouse distribution building of 937,260 square feet located on the south side of State Route (SR) 60 and 650 west of Redlands Boulevard on the north side of Eucalyptus Avenue. The applicant for this project is Ridge Rancho Belago, LLC. Please provide your comments below and submit this card during the public information meeting or mail/fax to the numbers listed below by 5:30 p.m. on Monday, December 6, 2010. This will conclude the required 45 day comment period for the project's Draft Environmental Impact Report. Please attach additional pages, if necessary. Your participation and comments are appreciated.

*Name (Required): George B. Hague (Sierra Club) Phone:

*Address (Required): 26711 Ironwood Ave MV 92555 E-Mail:

***Note: Your name and contact information will become part of the public record for this project.**

☒ Yes, I would like to be added to your project mailing list to receive information on the EIR notice of availability and future public hearings. SC-C-1

Please provide your comments below:

Date: 12-2-10

Comments to DEIR

Comment of 250' buffer to land zoned for housing is not enough because the trucks will use Fir and therefore impact the homes to be built. USC + UCLA studies show that 250' would not be enough. SC-C-2

Your Traffic study needs to show the amount of Truck Traffic that will use Redlands Blvd. SC-C-3

Hwy 60/215 ultimate RETC improvements will allow only two lanes heading west and the traffic analysis needs to show this. Right now we have only one lane that continues West - the other lane forces you off at Central Ave. SC-C-4

Thank you for your comments. Please submit this form by 5:30 p.m. on Monday, December 6, 2010 to:

City of Moreno Valley
Community Development Department/Planning Division
ATTN: Jeff Bradshaw
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805
Jeffreyb@moval.org
Fax: (951) 413-3210

SIERRA CLUB

Via Public Comment Card

Response SC-C-1

The commentor requests to receive future information regarding the Project, and as such, has been added to the Project distribution list.

Response SC-C-2

The commentor offers information from unknown, unvetted "USC & UCLA studies" however, the commentor does not provide adequate citation to allow meaningful response to the contention that the Project setback of 250 feet [from the ultimate northerly right-of-way for Fir/future Eucalyptus Avenue] "would not be enough."

This 250 foot setback is designed to provide adequate separation between the Project's highest activity areas (the most intense "worst case" sources of DPM emissions) and adjacent residential properties, so that with incorporation of mitigation, diesel emissions impacts are reduced to levels that are less-than-significant.

Moreover, as discussed in the DEIR:

> Key to compatibility of the Project's proposed Light Industrial zoning with adjacent residentially zoned land uses is design, implementation, and operation of the Project in a manner consistent with the high performance standards required of uses proposed within the City's Light Industrial zone district. Supporting the proposed zone change, and codifying design solutions proposed the Project, a Municipal Code Amendment is also proposed. The proposed Municipal Code Amendment requires a minimum separation of 250 feet between light industrial uses and residentially-zoned properties.

> This 250 foot minimum separation shall be increased as required to fully mitigate any potentially significant health risks and/or potentially significant operational noise impacts at adjacent residential properties. In addition to reducing potential air quality and noise impacts, this required setback would tend to diminish visual impacts of the Project as seen from southerly vantages and while increasing the extent of potential viewsheds (DEIR, Page 5-24).

In order to evaluate the potential effects of Project diesel emissions (of noted concern to the commentor) a Health Risk Assessment (HRA) was prepared to address Diesel Particulate Matter (DPM) generated by diesel trucks and the operation of heavy duty equipment. The Health Risk Assessment was prepared in accordance with the document Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis (SCAQMD 2003). The Health Risk Assessment is summarized within the Draft EIR (see Page 4.3-80) and presented in its entirety as Appendix C to the Draft EIR.

As discussed in Section 4.3 of the Draft EIR, the HRA prepared for the Project indicates that the maximally impacted modeled receptor would be exposed to a mitigated inhalation cancer risk of no more than 8.6 in 1 million, which is less than the SCAQMD exposure threshold of 10 in 1 million. The Project HRA considers and evaluates maximum potential exposure to maximum DPM concentrations consistent with established SCAQMD methodologies. The methodology considers not only DPM source emissions (the highest concentrations of which would occur on the Project site) but also considers other exposure/risk determinants including but not limited to: relative distance to and location of receptors, wind patterns, and topography.

With specific regard to DPM emissions air quality impacts generated by Project traffic along area roads, the Project HRA considers potential worst case cancer risk exposures by evaluating pollutant concentrations at the Project site, which include pollutant

emissions generated by all vehicles within the site in combination with emissions generated by on-site stationary sources. It is further noted that the cancer risk exposure scenario is in and of itself a conservative assessment of potential cancer risks arising from DPM exposure. That is, pursuant to the adopted SCAQMD/EPA methodologies, calculated DPM-source cancer risks are predicated on extended 70-year/30-year exposure scenarios. Both the 70-year and 30-year cancer risk assessments considered in the Draft EIR represent estimates of theoretic DPM-source cancer risks, and are based on the assumption that a person is exposed to the emission source 24 hours a day for 365 days a year for the entire length of the assumed exposure period. Individuals are typically not stationary at any given outdoor location, spending a portion of each 24-hour cycle indoors. In addition, individuals and families remaining at a given location for 70 or even 30 years would be considered the exception rather than the norm.

The California OEHHA has indicated that based on EPA studies, the EPA recommends a central tendency estimate of 9 years for residency at a given location, and a high-end estimate of 30 years for residency time. Thus, the methodologies used to determine cancer risk (e.g., the assumption of a 24- hour exposure for a 30 or 70 year period) represent a maximum theoretic cancer risk, and is not intended to account for or represent DPM exposures based on residency and occupancy tendencies. As discussed in the Draft EIR, with application of mitigation, applicable cancer risk thresholds are not exceeded. Draft EIR Table 4.3-17 (Page 4.3-86) summarizes maximum mitigated potential cancer risk exposures.

In comparison, DPM emission concentrations generated by Project vehicles traveling along area roads (such as Fir Avenue noted by the commentor) would be substantively reduced in that they reflect only a portion of transient vehicle traffic/emissions, and these emissions are dispersed through vehicle movements and localized winds.

Response SC-C-3

Estimated opening-year average daily Project-generated truck traffic ingressing/ egressing the Project site via Redlands Boulevard includes:

- 97 two-axle trucks;
- 220 three-axle trucks; and
- 539 four-axle trucks.

Please refer also to detailed trip generation and trip distribution analyses and supporting discussions are presented in the Project TIA (EIR Appendix B, TIA Pages 51-76).

Redlands Boulevard is a designated truck route in the County and a direct route to San Timoteo Canyon Road through Redlands (also designated as a truck route). It is appropriate for Redlands Boulevard to convey Project-related and area truck traffic. To maintain the continuity between affected agencies, the truck route designation for Redlands Boulevard cannot be practically removed. Moreover, there is no feasible means to restrict Redlands Boulevard to local truck trips only, given its direct connection, with no alternative routes, to the previously mention roadways.

Response SC-C-4

In response to the commentor's concerns regarding traffic at the intersection of SR-60 and I-215, the Project's Traffic Impact Analysis (TIA, included as Draft EIR Appendix B) examined performance on the SR-60 as part of Appendix 7.8. The City of Moreno Valley requested that a basic freeway segment analysis be conducted between Box Springs Road/Fair Isle Drive and the I-215 Freeway along the SR-60 Freeway, and included in the TIA. As indicated in the Introduction to this Study (Page 7.8-3), "[i]t should be noted that this analysis was not requested due to potential impacts from the project itself, as these impacts would be nominal, but rather to analyze the current and future projected operations within the segment based on freeway lane geometrics."

The study concludes that "[a]s vehicular traffic increases on the freeway mainline under each of the future analysis scenarios, the densities on each basic freeway segment are anticipated to increase and peak hour level of service operations are anticipated to progressively worsen." It is in part on this basis that the Draft EIR acknowledges significant cumulative traffic impacts affecting freeway segments in the Project area. As noted in the summary of mitigation on Draft EIR Page 1-51, "[u]nder Opening Year Cumulative Conditions and General Plan Buildout Conditions, cumulative LOS impacts of traffic generated by the project in combination with traffic generated by ambient growth and other development projects will result in potentially significant cumulative traffic impacts affecting SR-60 freeway segments within the Study Area." Because freeway mainline improvements such as widening are jurisdictionally controlled by Caltrans and cannot be autonomously initiated by the Applicant or the Lead Agency, no mitigation was identified that could be feasibly implemented. As such, the Draft EIR found that the Project would have a significant and unavoidable impact in regard to exceedance of LOS thresholds on certain study area freeway segments.

APPENDICES

Please refer to accompanying CD-ROM

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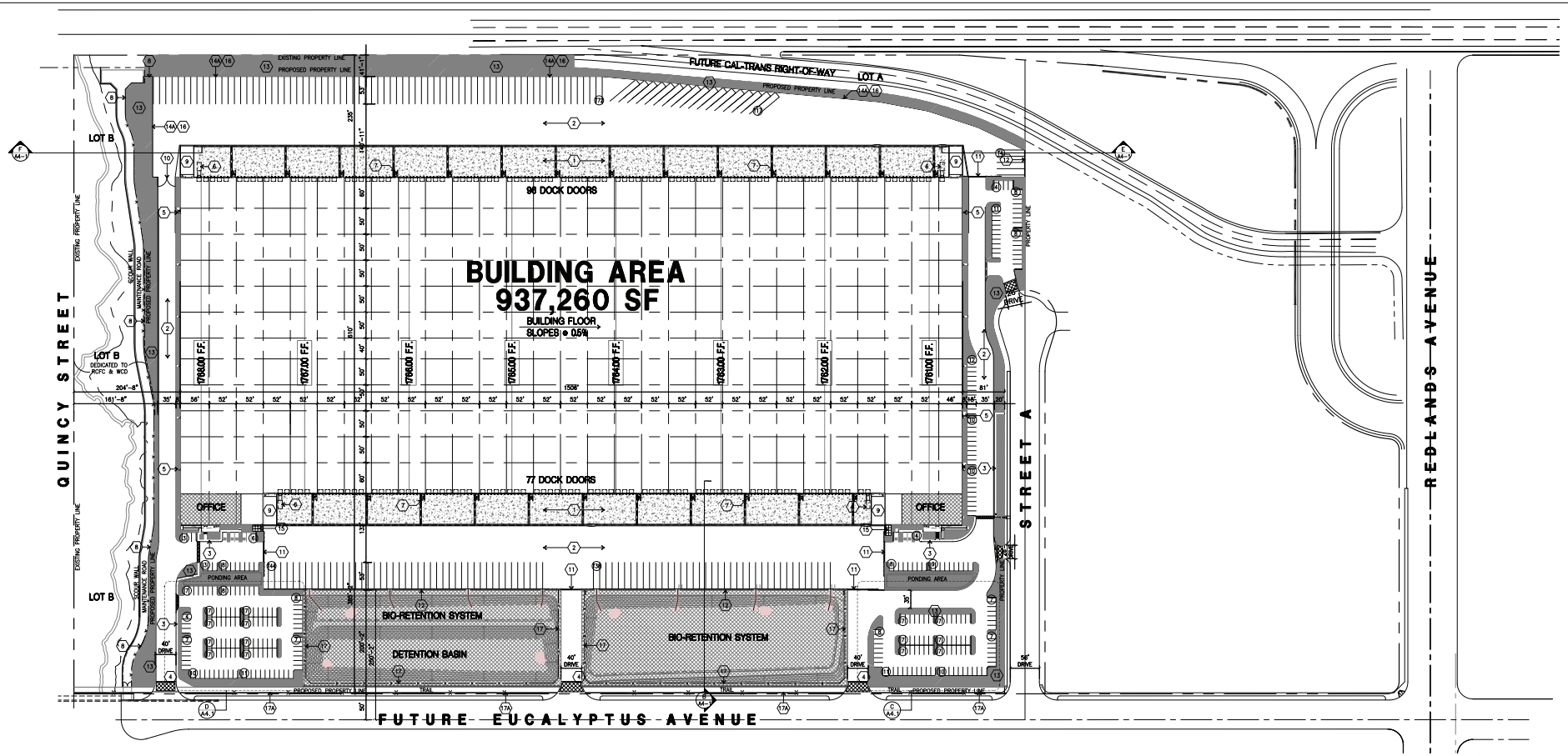


OVERALL SITE PLAN

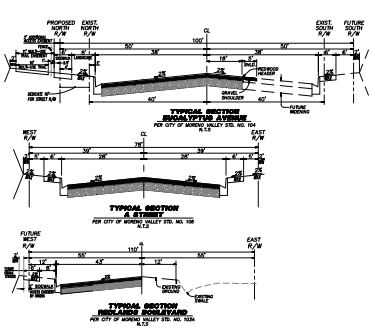
scale: 1" = 80'-0"

1" = 80'-0"

0 80 160 240

NORTH

TYPICAL STREET SECTIONS



PROJECT TABULATIONS

TABULATION	Bldg 1	Channel	Grand Total
Gross site area (in sq.ft.)		111,865	2,380,905
Gross site area (in acres)		2.57	54.66
Net site area (in sq.ft.)	2,269,040		2,251,064
Net site area (in acres)	52.09		51.68
Warehouse area	923,260		
Office area	14,000		
Total building area	937,260		
Coverage (Gross)			
Coverage (Net)	42%		
Landscape required (10%)	226,904		
Landscape provided	305,038		
% of landscape provided	13%		
Parking required			
1st. 20k@1/1,000 s.f.	20		
2nd. 20k@1/2,000 s.f.	10		
above 40k @1/4,000 s.f.	221		
office @1/250	56		
Total parking required	307		
Parking provided			
Standard	307		
Trailers	175		

KEYNOTES - SITE PLAN

1. HEAVY BROOM FINISH CONC. PAVEMENT, SEE "C" & "S" DWGS..
2. ASPHALT CONCRETE (AC) PAVING, SEE "C" DWGS.
3. CONCRETE WALKWAY, SEE "L" DRAWINGS.
4. DRIVEWAY APRONS TO BE CONSTRUCTED PER CITY STANDARD 118C. NO DECORATIVE PAVING WITHIN RIGHT-OF-WAY. SEE "L" DWGS.
5. 5'-6"X5'-6"X4" MIN. THICK CONCRETE EXTERIOR LANDING PAD TYP. AT ALL EXTERIOR MAN DOORS TO LANDSCAPED AREAS. FINISH TO BE MEDIUM BROOM FINISH. SLOPE TO BE 1/4" : 12" MAX. PROVIDE WALK TO PUBLIC WAY OR DRIVE WAY W/ 1:20 MAX. AS REQ. BY CITY INSPECTOR.
6. 7' SIDE X 15' LONG TRASH COMPACTOR W/ 8' WIDE X 22' LONG REFUSE CONTAINER.
7. EXTERIOR CONC. STAIR.
8. 8' H. COATED CHAIN-LINK FENCE OR OTHER AS APPROVED BY THE COMMUNITY DEVELOPMENT DIRECTOR.
9. CONCRETE RAMP.
10. 8' H. METAL SWING GATE.
11. 8' H. METAL SLIDING GATE.
12. 14' H. CONCRETE SCREENWALL, PAINTED.
13. LANDSCAPE. SEE "L" DWGS. LANDSCAPE AREAS INDICATED BY SHADED PATTERN.
14. 8' H. WROUGHT IRON FENCE.
14A. 14' H. WROUGHT IRON FENCE.
15. COURTYARD PATIO AREA.
16. RETAINING WALL, SEE "C" DWGS.
17. 4' H. THREE RAIL FENCE.
17A. 4' H. THREE RAIL FENCE AS PER COMMUNITY DEVELOPMENT DIRECTOR.

GENERAL NOTES - FLOOR PLAN

A. THE SOILS REPORT PREPARED BY ASSOCIATED SOILS ENGINEERING SHOULD BE A PART OF THESE CONTRACT DOCUMENTS.

B. IF SOILS ARE EXPANSIVE IN NATURE, USE STEEL REINFORCING FOR ALL SITE CONCRETE.

C. ALL DIMENSIONS ARE TO THE FACE OF CONCRETE WALL, FACE OF CONCRETE CURB OR GRID LINE U.N.O.

D. SEE "C" PLANS FOR ALL CONCRETE CURBS, GUTTERS AND SWALES.

E. THE ENTIRE PROJECT SHALL BE PERMANENTLY MAINTAINED WITH AN AUTOMATIC IRRIGATION SYSTEM.

F. SEE "C" DRAWINGS FOR POINT OF CONNECTIONS TO OFF-SITE UTILITIES. CONTRACTOR SHALL VERIFY ACTUAL UTILITY CONTRACTOR SHALL VERIFY ACTUAL UTILITY LOCATIONS.

G. PROVIDE POSITIVE DRAINAGE AWAY FROM BLDG. SEE "C" DRAWINGS.

H. CONTRACTOR TO REFER TO "C" DRAWINGS FOR ALL HORIZONTAL CONTROL DIMENSIONS. SITE PLANS ARE FOR GUIDANCE AND STARTING LAYOUT POINTS.

I. SEE "C" DRAWINGS FOR FINISH GRADE ELEVATIONS.

J. CONCRETE SIDEWALKS TO BE A MINIMUM OF 4" THICK W/ TOOLED JOINTS AT 6' O.C. EXPANSION/CONSTRUCTION JOINTS SHALL BE A MAXIMUM 12' EA. WAY W/ 1:20 MAX. SLOPE. EXPANSION JOINTS TO HAVE COMPRESSIVE EXPANSION FILLER MATERIAL OF 1/4". SEE "L" DRAWINGS FOR FINISH.

K. PAINT CURBS AND PROVIDE SIGNS TO INFORM OF FIRE LANES AS REQUIRED BY FIRE DEPARTMENT.

L. CONSTRUCTION DOCUMENTS PERTAINING TO THE LANDSCAPE AND IRRIGATION OF THE ENTIRE PROJECT SITE SHALL BE SUBMITTED TO THE BUILDING DEPARTMENT AND APPROVED BY PUBLIC FACILITIES DEVELOPMENT PRIOR TO ISSUANCE OF BUILDING PERMITS.

M. PRIOR TO FINAL CITY INSPECTION, THE LANDSCAPE ARCHITECT SHALL SUBMIT A CERTIFICATE OF COMPLETION TO PUBLIC FACILITIES DEVELOPMENT.

N. ALL LANDSCAPE AND IRRIGATION DESIGNS SHALL MEET CURRENT CITY STANDARDS AS LISTED IN GUIDELINES OR AS OBTAINED FROM PUBLIC FACILITIES DEVELOPMENT.

O. LANDSCAPED AREAS SHALL BE DELINEATED WITH A MINIMUM SIX INCHES (6") HIGH CURB

P. APPROVED CONCEPTUAL LANDSCAPE PLAN PRIOR TO GRADING PERMIT

PROJECT INFORMATION

Owner / Applicant

RIDGE RANCHO BELASCO, LLC
c/o RIDGE PROPERTY TRUST
201 CONNA AVE. - STE. #9
LONG BEACH, CA 90803
TEL: (562) 856-3819
CONTACT: DENNIS RICE

Architect

HPA, INC.
18831 BARDEEN AVE. SUITE #100
IRVINE, CA 92612
TEL: (949) 863-1770
CONTACT: INGIN CHANG

Applicant's Representative

NUAND EMPIRE DEVELOPMENT SERVICES, INC.
931 MONARCH COURT
BEAUMONT, CA 92223
TEL: (909) 845-1063
CONTACT: GIL SANEZ

Civil Engineer

HUFF ZOLLARS
1101 S. MILLIKEN - STE.G
ONTARIO, CA 91761
TEL: (909) 390-5405
CONTACT: MAURICE MURAD

Legal Description

ALL OF LOTS 3,4,5,6 BLK. 35 AND A PORTION OF LOTS 2 AND 7 BLK. 35 LYING WITHIN MAP NO. 1 OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT COMPANY IN THE COUNTY OF RIVERSIDE, STATE OF CALIF. AS PER MAP RECORDED IN BOOK 11, PG. 18 OF MAPS IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

Zoning

ZONING: EXISTING - BP
PROPOSED - LI

Assessors Parcel Number

APN 488-330-003
APN 488-330-004
APN 488-330-005
APN 488-330-006
APN 488-330-026

SITE LEGEND

- LANDSCAPED AREA
- WQMP AREA
- AC. PAVING - SEE "C" DRWGS. FOR THICKNESS
- CONCRETE PAVING SEE "C" DRWGS. FOR THICKNESS
- STANDARD PARKING STALL (9' X 18')
- HANDICAP PARKING STALL (9' X 18')
- OFFICE AREA
- PROPERTY LINE
- ADA PATH OF TRAVEL
- (#) PARKING STALL COUNT

CIVIL LINETYPES

- DW — PROPOSED DOMESTIC SERVICE
- FW — PROPOSED FIRE SERVICE
- W — PROPOSED WATER LINE
- S — PROPOSED SEWER LINE
- RIGHT OF WAY/SITE BOUNDARY
- EXTING RIGHT OF WAY/SITE BOUNDARY
- R — PROPOSED RIDGE LINE
- SD — PROPOSED STORM DRAIN
- PROPOSED GRATING INLET

UTILITY INFORMATION

TELEPHONE
VERIZON
1980 ORANGE TREE LANE, STE 100
REDLANDS, CA 92374
PHONE: (909) 748-6639
CONTACT: THEA CARLSON

ELECTRIC
MORENO VALLEY UTILITIES
14177 FREDERICK ST.
MORENO VALLEY, CA 92552
PHONE: (951) 413-3480
CONTACT: DARCY RAMIREZ

WATER
EASTERN MUNICIPAL WATER DISTRICT
2270 TRUMBLE ROAD
PERRIS, CA 92571
PHONE: (951) 928 - 3777
CONTACT: NEW BUSINESS

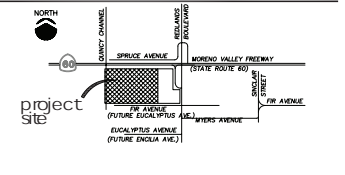
SEWER
EASTERN MUNICIPAL WATER DISTRICT
2270 TRUMBLE ROAD
PERRIS, CA 92571
PHONE: (951) 928-3777
CONTACT: NEW BUSINESS

GAS
SOUTHERN CALIFORNIA GAS CO.
25200 TRUMBLE ROAD SC 8058
ROMOLAND, CA 92380
PHONE: (951) 335-3902
CONTACT: DAVE MULLIGAN

CABLE - TV
TIME WARNER CABLE
1500 AUTO CENTER DR.
ONTARIO, CA 91761
PHONE: (909) 975-3380
(909) 390-4777
CONTACT: MARK DAUENHAUER

VICINITY MAP

N.T.S



WestRidge

Commerce Center

MORENO VALLEY, CALIFORNIA

RIDGE PROPERTY TRUST
EXCEPTIONAL RESULTS...WITHOUT EXCEPTION

HPA# 6342

NOVEMBER 5, 2010

A1.1

HPA, INC.
18831 BARDEEN AVENUE, IRVINE, CA 92612
(949) 863-1770

PLOT PLAN
CASE NUMBER: PA08-0097/0098
MARCH 24, 2009

ATTACHMENT 11

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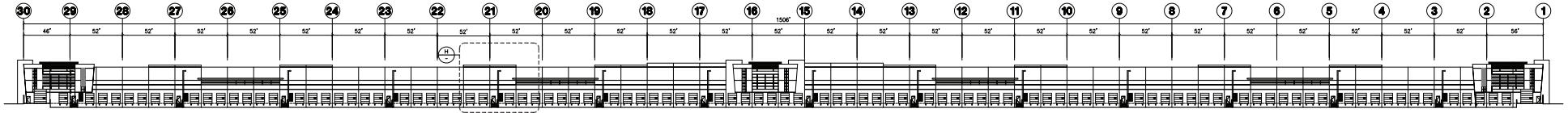
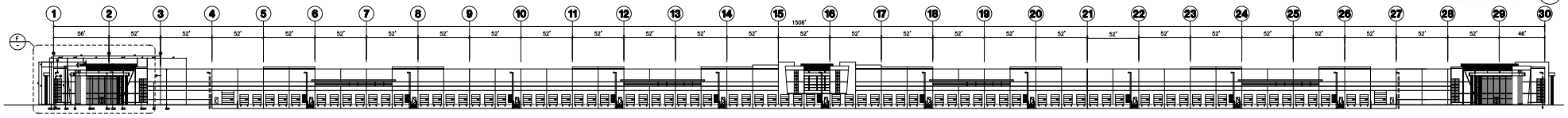
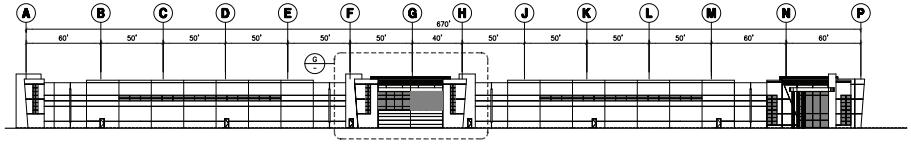


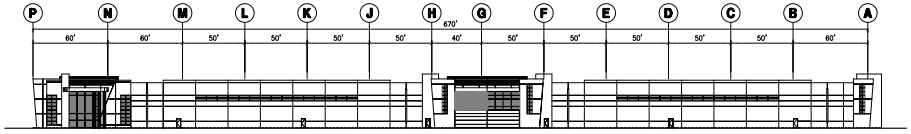
NORTH ELEVATION (A)
scale: 1"=40'-0"



SOUTH ELEVATION (B)
scale: 1"=40'-0"



WEST ELEVATION (D)
scale: 1"=40'-0"



EAST ELEVATION (C)
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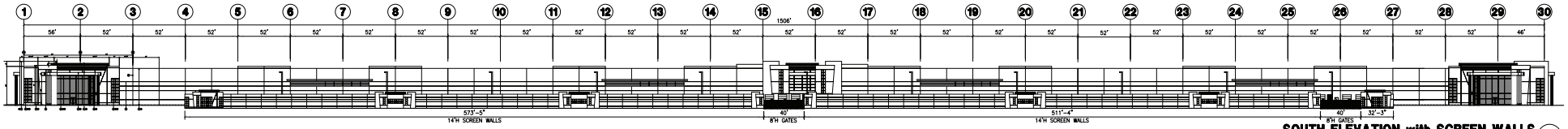
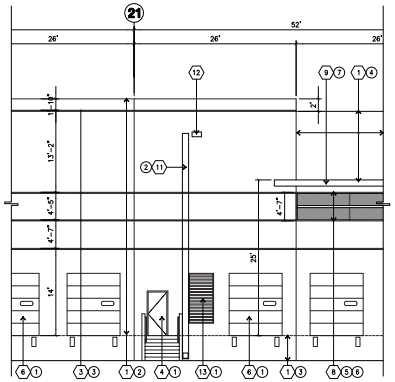
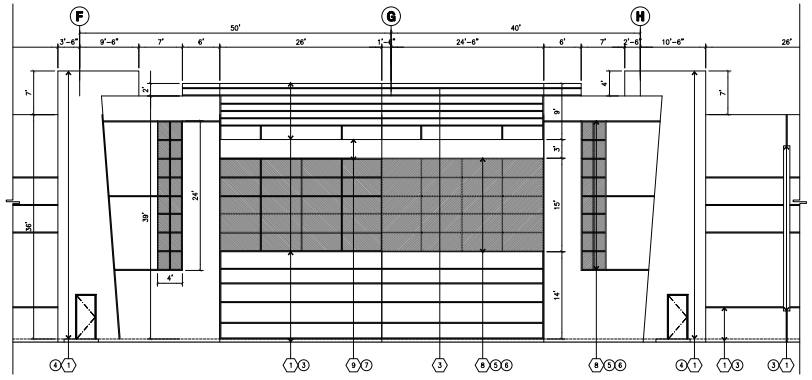


SOUTH ELEVATION with SCREEN WALLS (E)
scale: 1"=40'-0"

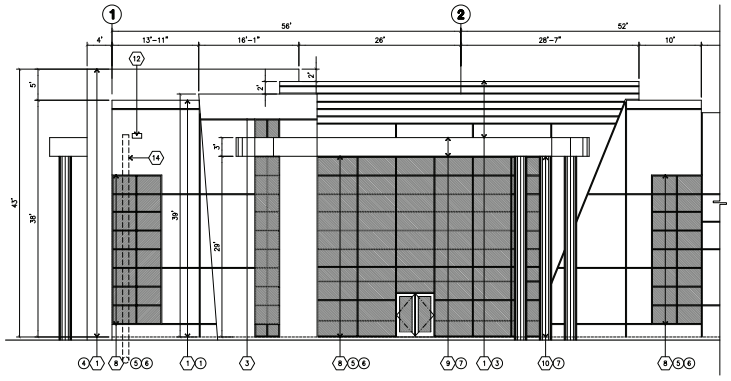
SCALE: 1"=40'
0 40' 80' 120'



NORTH ELEVATION - DETAIL ENLARGEMENT (H)
scale: 1/8"=1'-0"



WEST ELEVATION - DETAIL ENLARGEMENT (G)
scale: 1/8"=1'-0"



NORTH ELEVATION - ENTRY ENLARGEMENT (F)
scale: 1/8"=1'-0"

SCALE: 1/8"=1'-0"
0 8' 16' 24'

KEYNOTES - ELEVATION

1. CONCRETE TILT-UP PANEL(PAINTED).
2. PANEL JOINT.
3. PANEL REVEAL.
4. HOLLOW METAL DOORS.
5. OVERHEAD DOOR @ DRIVE THRU.
6. OVERHEAD DOOR @ DOCK HIGH.
7. CONCRETE STAIR, LANDING AND GUARDRAIL W/ METAL PIPE HANDRAIL.
8. ALUMINUM STOREFRONT FRAMING WITH TEMPERED GLAZING AT ALL DOORS, SIDELITES ADJACENT TO DOORS AND GLAZING WITH BOTTOMS LESS THAN 18" ABOVE FINISH FLOOR ELEVATION.
9. DECORATIVE CANOPY.
10. DECORATIVE COLUMN SUPPORT FOR CANOPY.
11. EXTERIOR METAL DOWNSPOUT AND OVERFLOW SCUPPER. PAINT TO MATCH BUILDING COLOR.
12. 9" X 18" OPENING METAL SCUPPER @ 2" ABOVE FINISHED ROOF.
13. 4'W. X 8'H. METAL LOUVER. PAINT TO MATCH BUILDING COLOR.
14. INTERIOR METAL DOWNSPOUT AND OVERFLOW SCUPPER.

GENERAL NOTES - ELEVATIONS

A. ALL PAINT COLOR CHANGES TO OCCUR AT INSIDE CORNERS UNLESS NOTED OTHERWISE.

B. ALL PAINT FINISHES ARE TO BE FLAT UNLESS NOTED OTHERWISE.

C. T.O.P.= TOP OF PARAPET ELEVATION.
F.F. = FINISH FLOOR ELEVATION.

D. STOREFRONT CONSTRUCTION: GLASS, METAL ATTACHMENTS AND LINTELS SHALL BE DESIGNED TO RESIST 105 MPH. EXPOSURE "C" WINDS. CONTRACTOR SHALL SUBMIT SHOP DRAWINGS PRIOR TO INSTALLATION.

E. CONTRACTOR SHALL FULLY PAINT ONE CONCRETE PANEL W/ SELECTED COLORS. ARCHITECT AND OWNER SHALL APPROVE PRIOR TO PAINTING REMAINDER OF BUILDING.

F. BACK SIDE OF PARAPETS TO HAVE SMOOTH FINISH AND BE PAINTED WITH ELASTOMERIC PAINT.

G. FOR SPANDREL GLAZING, ALLOW SPACE BEHIND SPANDREL TO BREATH.

H. USE ADHESIVE BACK WOOD STRIPS FOR ALL REVEAL FORMS.

J. THE FIRST COAT OF PAINT TO BE ROLLED-ON AND THE SECOND COAT TO BE SPRAYED-ON

COLOR SCHEDULES - ELEVATIONS

1	CONCRETE PANEL	PAINT BRAND	FRAZEE 001 WHITE
2	CONCRETE PANEL	PAINT BRAND	FRAZEE CL3171W SILVER LINING
3	CONCRETE PANEL	PAINT BRAND	FRAZEE CL3173M EXCALIBUR
4	CONCRETE PANEL	PAINT BRAND	FRAZEE CL2366A DEUCE
5	MULLIONS	ALUMINUM	CLEAR ANODIZED
6	GLAZING	COLOR	BLUE REFLECTIVE
7	CANOPY	PAINT BRAND	FRAZEE PRECISION COATINGS INC. SILVER MIST METALLIC FLAT

GLAZING LEGEND

S	SPANDREL GLASS		VISION GLASS
TS	TEMPERED SPANDREL GLASS	TV	TEMPERED VISION GLASS

ELEVATIONS
CASE NUMBER: PA08-0097/0098
MARCH 24, 2009

WestRidge
Commerce Center
MORENO VALLEY, CALIFORNIA

RIDGE PROPERTY TRUST
EXCEPTIONAL RESULTS...WITHOUT EXCEPTION

NOVEMBER 5, 2010

A3.1

HPA, INC.
18831 BARDEEN AVENUE, IRVINE, CA 92612
(949) 863-1770

ATTACHMENT 12

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HPA

WestRidge Commerce Center

RIDGE PROPERTY TRUST

18831 Bardeen Ave. - Suite #100
Irvine, CA 92612
(949)863-1770
www. hparchs.com

Moreno Valley, California

August 9, 2010/Job#8418

ATTACHMENT 13

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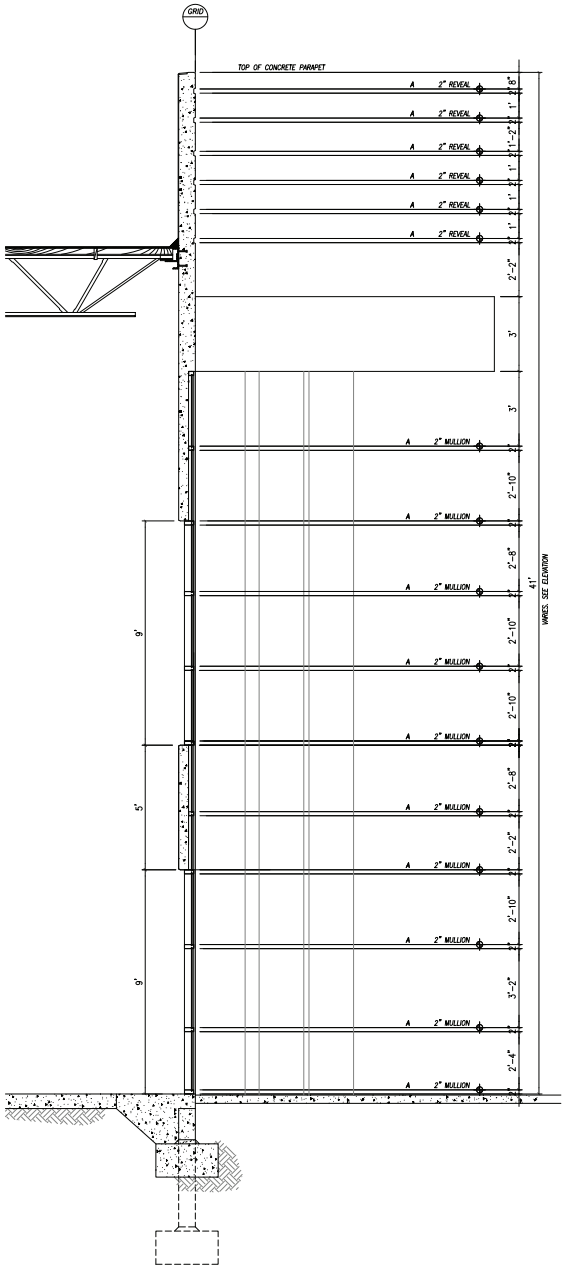

BUILDING SECTION @ OFFICE AREA (A)
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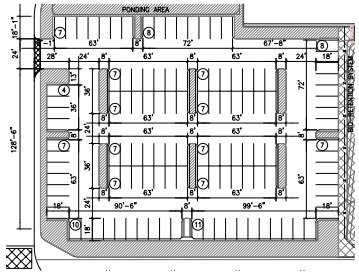
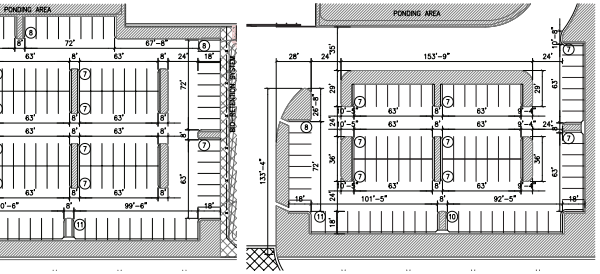
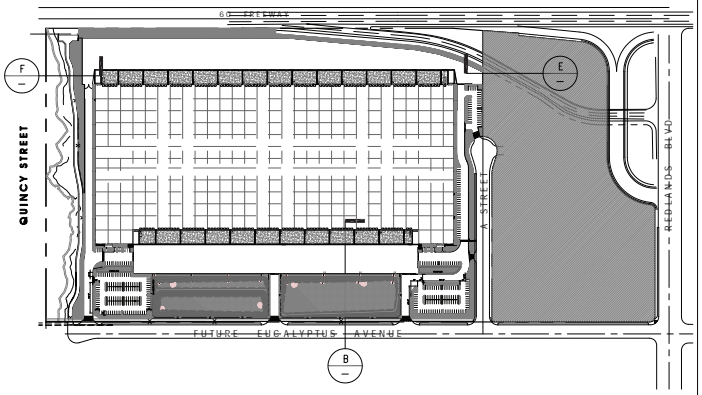


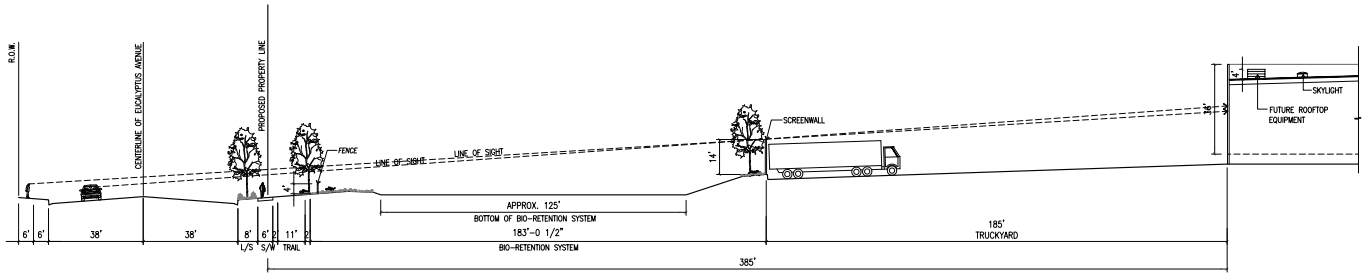
ENLARGED SITE PLAN @ SOUTHWEST (D)
scale:1"=40'-0"



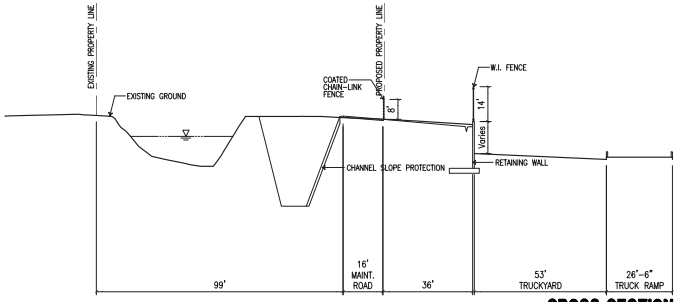
ENLARGED SITE PLAN @ SOUTHEAST (C)
scale:1"=40'-0"

1" = 40'-0"
0 40 80 120
NORTH

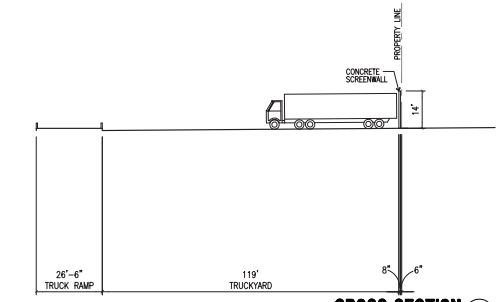




LINE OF SIGHT (B)
scale:1"=20'-0"



CROSS-SECTION (F)
scale:1"=20'-0"



CROSS-SECTION (E)
scale:1"=20'-0"

WestRidge
Commerce Center
MORENO VALLEY, CALIFORNIA

RIDGE PROPERTY TRUST
EXCEPTIONAL RESULTS...WITHOUT EXCEPTION

NOVEMBER 5, 2010

SITE ANALYSIS
CASE NUMBER: PA08-0097/0098
MARCH 24, 2009

HPA, INC.
18831 BARDEEN AVENUE, IRVINE, CA 92612
(949) 863-1770

A4.1

ATTACHMENT 14

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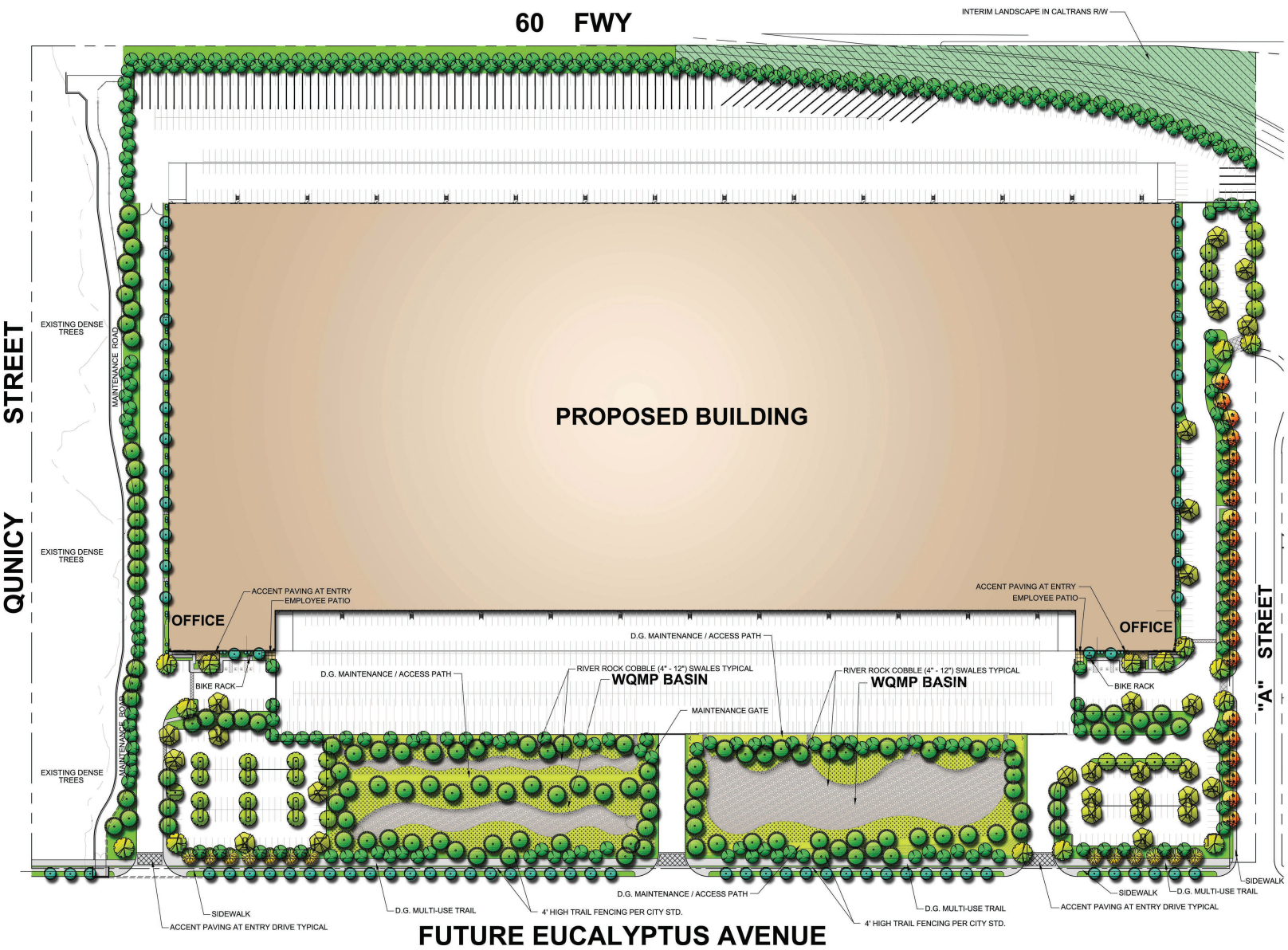

PLANT PALETTE

TREES

SYMBOL	TREE	SIZE	QUANTITY
	Cupressus sempervirens (Italian Cypress)	15 GAL. 24" BOX	52 20
	Eucalyptus sideroxylon (Red Ironbark)	24" BOX	73
	Olea europaea (European Olive) Multi Trunk	48" BOX	15
	Pinus canariensis (Canary Island Pine) OR Pinus eldarica (Eldarica Pine)	15 GAL. 24" BOX	138 138
	Platanus acerifolia 'Bloodgood' (London Plane Sycamore) (Proposed Street Tree)	24" BOX	13
	Platanus racemosa (California Sycamore)	15 Gal.	122
	Pistachia chinensis (Chinese Pistache) (Proposed Street Tree)	24" BOX	21
	Quercus virginiana (Southern Live Oak)	24" BOX	29
	Rhus lancea (African Sumac)	15 Gal.	27

ROOT BARRIER NOTE

ALL TREES WITHIN 10' OF HARDSCAPE SHALL BE IN A SHAWTOWN ROOT BARRIER 24" HIGH

SHRUBS

PLANT NAME	SIZE	SPACING
Abelia grandiflora 'Ed Goucher' (NCN)	5 gallon	36" o.c. spacing
Acacia cultriformis (Knife Acacia)	5 gallon	5' o.c. spacing
Agapanthus africanus (Lily of the Nile)	1 gallon	12" o.c. to 24" o.c. spacing
Agave americana (Century Plant)	5 & 15 gallon	5' o.c. spacing
Agave attenuata (Foxtail Agave)	5 gallon	4' o.c. spacing
Aloe Species	5 gallon	3' o.c. spacing
Anigozanthos flavidus (Kangaroo Paw)	5 gallon	3' o.c. spacing
Arbutus unedo (Strawberry Tree)	5 gallon	5' o.c. spacing
Callistemon Species (Bottlebrush)	5 gallon	3'-6' o.c. spacing
Calliandra californica (Baja Fairy Duster)	5 gallon	3'-6' o.c. spacing
Cassia Artemisioides (Featery Cassia)	5 gallon	4' o.c. spacing
Cistus Species (Rockrose)	5 gallon	4' o.c. spacing
Cotoneaster Species (Cotoneaster)	5 gallon	4'-5' o.c. spacing
Dietes vegeta (Fortnight Lily)	5 gallon	4'-5' o.c. spacing
Dodonaea viscosa 'Purpurea' (Hopseed Bush)	5 gallon	5'-6' o.c. spacing
Elaagnus pungens (Silverberry)	5 gallon	5'-6' o.c. spacing
Feijoa sellowiana (Pineapple Guava)	5 & 15 gallon	5'-6' o.c. spacing
Grevillea Species (Grevillea)	5 gallon	4'-5' o.c. spacing
Hesperaloe parviflora (Red Yucca)	5 & 15 gallon	3'-4' o.c. spacing
Juniperus species (Juniper)	1 and 5 gallon	varies
Lavandula species (Lavender)	1 and 5 gallon	24" o.c. to 36" o.c. spacing
Leptospermum scoparium 'Ruby Glow'	5 gallon	4' o.c. spacing
Leucophyllum frutescens 'Green Cloud' (Texas Ranger)	5 gallon	4'-5' o.c. spacing
Ligustrum texanum (Wax-Leaf Privet)	5 gallon	24" o.c. spacing
Miscanthus transmorrisonensis (Evergreen Maiden Grass)	5 gallon	24" o.c. spacing
Miscanthus variegatus (N.C.N.)	5 gallon	24" o.c. spacing
Muhlenbergia capillana (Pink Muhly Grass)	5 gallon	24" o.c. spacing
Myrtus communis Species (True Myrtle)	5 gallon	36" o.c. spacing
Nandina species (Heavenly Bamboo)	5 gallon	24"-36" o.c. spacing
Photinia fraseri (Red Tipped Photinia)	5 gallon	4'-5' o.c. spacing
Pittosporum tobira	5 gallon	4'-5' o.c. spacing
Raphiolepis species (Indian Hawthorne)	5 gallon	4'-5' o.c. spacing
Rhamus californica (Coffeeberry)	5 gallon	4'-5' o.c. spacing
Rosa species (Rosea)	5 gallon	varies
Rosmarinus species (Rosemary)	1 & 5 gallon	24"-36" o.c. spacing
Salvia greggii (Autumn Sage)	5 gallon	3' o.c. spacing
Westringia fruticosa (Coast Rosemary)	5 gallon	4'-5' o.c. spacing
Xylosma congestum (Shiny Xylosma)	5 gallon	4'-5' o.c. spacing

GROUNDCOVERS

PLANT NAME	SIZE	SPACING
Acacia species (NCN)	1 and 5 gallon	48" o.c. spacing min.
Baccharis pilularis (Coyote Bush)	1 gallon	36" o.c. spacing min.
Cistus Sunset (Rockrose)	5 gallon	48" o.c. spacing min.
Cotoneaster dammeri (Bearberry Cotoneaster)	1 gallon	24" o.c. spacing min.
Hemerocallis species (Day Lily)	1 gallon	24" o.c. spacing
Juniperus species (Juniper)	1 gallon	36" o.c. spacing
Lonicera japonica 'Halliana' (Hall's Honeysuckle)	Flats and 1 gallon	18" o.c. spacing
Myoporum species (Myoporum)	1 gallon	24"-48" o.c. spacing
Pyracantha species (Firethorn)	1 gallon	48" o.c. spacing
Rosmarinus officinalis prostratus (Rosemary)	1 gallon	30" o.c. spacing
Trachelospermum jasminoides (Star jasmine)	Flats and 1 gallon	18" o.c. spacing

INTERIM LANDSCAPE WITHIN CALTRANS R/W - PLANT 1 GAL. ACACIA REDOLENS 10' O.C. WITH 3" THICK LAYER SHREDDED MULCH. PLANTS TO BE IRRIGATED WITH DRIP IRRIGATION.

BIOSWALE MIX: AVAILABLE FROM SANDERS HYDROSEEDING, INC.

4 LBS./AC AGROSTASIS PALLENS
5 LBS./AC NASSELLA CERNUA
5 LBS./AC MUHLENBERGIA RIGENS
3 LBS./AC HORDEUM DEPRESSUM
2 LBS./AC MELICA IMPERFECTA
5 LBS./AC VULPIA MICROSTACHYS
2 LBS./AC MUHLENBERGIA MIRCOSPERMA

VINES FOR SCREENWALLS

SYMBOL	PLANT NAME	SIZE	SPACING
	Ficus repens (Creeping fig)	1 gallon	10' o.c. spacing
	Macfadyena unguis-cati (Catsclaw)	1 gallon	10' o.c. spacing

VINES FOR W.I. FENCING AROUND BASIN

SYMBOL	PLANT NAME	SIZE	SPACING
	Distictis Buccinatoria (Blood Red Trumpet Vine)	5 gallon	8' o.c. spacing

NOTE: VINES ARE REQUIRED ON ALL SCREENWALLS & W.I. FENCING AROUND BASIN

MULCH NOTE

ALL PLANTER AREAS TO RECEIVE A 3" LAYER OF COVER MULCH AVAILABLE FROM EARTHWORKS (951) 270-0088

Environs Inc
LANDSCAPE ARCHITECTURE
Creating Sustainable & Water Conserving Solutions

West Ridge Commerce Center
Moreno Valley, CA

Ridge Property Trust

PRELIMINARY LANDSCAPE PLAN

NORTH

60' 30' 0 60' 120'

SCALE: 1" = 60' - 0"

SHEET L-1

DATE: 6-9-10

ATTACHMENT 15

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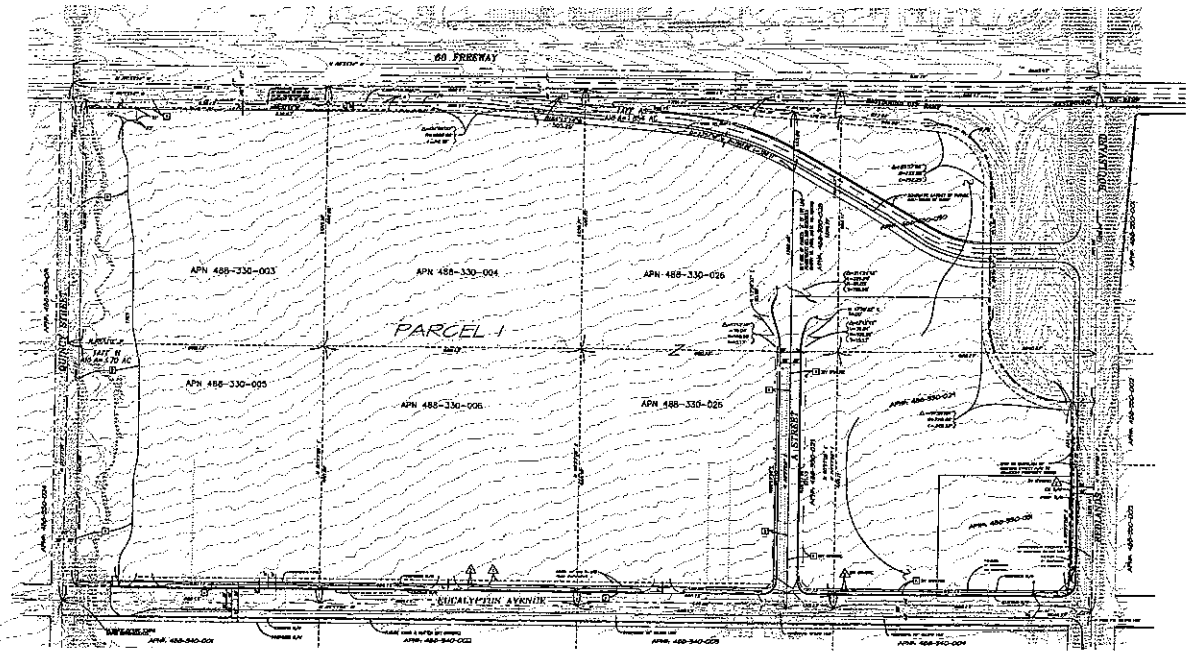
TENTATIVE PARCEL MAP NO. 36207

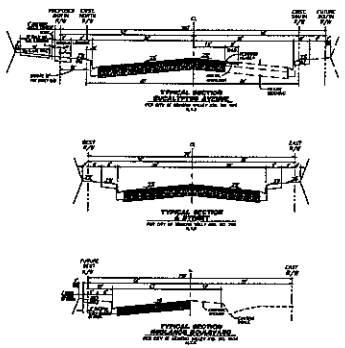
IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

BEING A SUBDIVISION OF PORTIONS OF LOTS 2, 3, 4, 5, 6 & 7 INCLUSIVE, BLOCK 33, OF MAP NO. 1 OF BEAN VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 11 PAGE 101, OF MAPS IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF RIVERSIDE.

HUITT-ZOLLARS

NOVEMBER, 2010





EASEMENT NOTES

(A) EASEMENTS FOR THE PURPOSES SHOWN BELOW AND WHICH INCIDENTAL RIGHTS AS SHOWN OF A RECORD

GRANTED TO: EASTERN MUNICIPAL WATER DISTRICT
PURPOSE: SANITARY AND SUBSURFACE PURPOSES
DATED: DECEMBER 18, 1962, RECORDED JULY 5, 1994, BOOK 3202 PAGE 1811, OF OFFICIAL RECORDS

PROPOSED EASEMENT

(A) 10' EASEMENT FOR MULTI-USE TRAIL TO THE CITY OF MORENO VALLEY.

(B) 5' EASEMENT FOR THE PURPOSE OF CONSTRUCTION AND ACCESS OF SIDEWALK TO THE CITY OF MORENO VALLEY.

PROPOSED DEDICATION

(A) DEDICATE 10' ADDITIONAL STREET RIGHT-OF-WAY TO THE CITY OF MORENO VALLEY.

(B) DEDICATE 25' STREET RIGHT-OF-WAY TO THE CITY OF MORENO VALLEY.

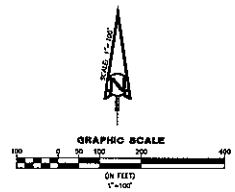
(C) LOT A, DEDICATE TO THE CITY OF MORENO VALLEY FOR FUTURE CALTRANS R/W

(D) LOT A, DEDICATE 30 RADIUS AT THE FOR SURVEY CHANGE R/W. (FOR ADDITIONAL INFORMATION)

LINE DATA:

LINE	BEARING	DISTANCE
L1	N 89°23'00" E	67.00'
L2	N 00°37'00" W	5.00'
L3	S 89°23'00" W	75.00'
L4	S 89°23'00" E	75.00'
L5	S 00°37'00" E	10.00'
L6	S 89°23'00" E	10.00'
L7	N 89°23'00" W	10.00'
L8	N 00°37'00" W	10.00'

PARCEL SUMMARY TABLE
PARCEL 1 - MAIN SITE
PARCEL 2 - LOT A
PARCEL 3 - LOT B



GENERAL NOTES

1. EXISTING LAND USE: VACANT
2. ADJACENT LAND USE: INDUSTRIAL/AGRICULTURAL IS FACILITY TO THE WEST, AGRICULTURAL TO THE SOUTH, VACANT TO THE NORTH AND COMMERCIAL TO THE EAST
3. MINIMUM LOT SIZE: 1 ACRE
4. EXISTING ZONING: IP
   PROPOSED ZONING: LI
5. FLOOD ZONE X PANEL NO. 06065C0766G
   MAP REVISED AUGUST 28, 2008
6. PROPOSED LAND USE: LIGHT INDUSTRIAL / WAREHOUSE DISTRIBUTION
7. PROPOSED WATER SERVICE WILL BE PROVIDED BY: EASTERN MUNICIPAL WATER DISTRICT
8. PROPOSED SEWER SERVICE WILL BE PROVIDED BY: EASTERN MUNICIPAL WATER DISTRICT
9. ALL UTILITIES SHALL BE UNDERGROUND
   GAS: SOUTHERN CALIFORNIA GAS COMPANY
   ELECTRIC: CITY OF MORENO VALLEY ELECTRICAL UTILITY
   TELEPHONE: VERIZON TELEPHONE COMPANY
10. ALL SLOPES SHALL BE CONSTRUCTED AT A MAXIMUM RATIO OF 2:1 UNLESS OTHERWISE INDICATED
11. ALL STREETS WILL BE CONSTRUCTED PER CITY OF MORENO VALLEY STANDARDS.
12. AERIAL TOPOGRAPHY PROVIDED BY: DIGITAL MAPPING, INC.
13. ANY PUBLIC EASEMENT TO BE ABANDONED SHALL BE DONE ON THE PARCEL MAP.
14. AREA=30.866 ACS

PREPARED FOR OWNER/DEVELOPER
RIDGE RANCHO BELLACO, LLC
3111 COMMA AVENUE, SUITE A
LONG BEACH, CA 90803
PH: 562-494-3010
FAX: 562-304-3620
CONTACT: ROBERT BOSC

PREPARED IN THE OFFICE OF
HUITT-ZOLLARS, INC.
3000 CONCOURS, SUITE 450
ONTARIO, CALIFORNIA 91764
PHONE: (909) 987-7399

ROBERT E. SCHAFFER R.E. 8423

UTILITY PROVIDERS

WATER
EASTERN MUNICIPAL WATER DISTRICT
2270 TRUMBLE ROAD
PERRIS, CA 92570
(951) 928-3777

GAS
SOUTHERN CALIFORNIA GAS COMPANY
22290 TRUMBLE RD. TC 8059
MORENO VALLEY, 92553
(800) 427-7431

SEWER
EASTERN MUNICIPAL WATER DISTRICT
2270 TRUMBLE ROAD
PERRIS, CA 92570
(951) 928-3777

TELEPHONE
VERIZON
2000 ORANGE TREE LANE, TOC 102
REDLANDS, CA 92374

ELECTRIC
MORENO VALLEY UTILITIES
14075 FREDRICK ST.
MORENO VALLEY, CA 92553
(951) 413-3480

CABLE - TV
ADELPHIA COMMUNICATIONS
7000 AUTO CENTER DR.
ONTARIO, CA. 91761
(909) 476-1300

LAND USE

AT ____ GROSS ACRES

EARTHWORK

CUT = 200,000 CY
FILL = 200,000 CY
EXPORT = 0 CY
IMPORT = 0 CY

LEGEND / ABBREVIATIONS

PROPOSED IRRIGATION LINE
PROPOSED FIRE WATER LINE
PROPOSED DOMESTIC WATER LINE
PROPOSED SEWER LINE
PROPOSED STORM DRAIN
EXISTING GAS LINE
EXISTING WATER LINE
EXISTING SEWER LINE
EXISTING STORM DRAIN
STORM DRAIN OUTLET
CATCH BASIN
RIGHT OF WAY/STREET BOUNDARY
EXISTING RIGHT OF WAY/SIDE BOUNDARY
EASEMENT SIDE LINE
LOT LINE
FIRE HYDRANT

LEGAL DESCRIPTIONS

THE DESCRIPTIONS SHOWN BELOW WERE NOTE CONTAINED FROM A PRELIMINARY TITLE REPORTS PREPARED BY STEWART TITLE COMPANY UNDER THE ALESSANDRO DEVELOPMENT COMPANY, DATED JULY 21, 2010 AND WERE NOT WERE PREPARED BY THE PURPOSE OF RECORD REFERENCE. IN ORDER TO REFLECT THE TRUE TITLE REPORTS FOR A TRUE COPY.

PARCEL 1:

LOT 2, BLOCK 33 OF MAP NO. 1 OF BEAN VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 11, PAGE 10, OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPT THEREFROM THAT PORTION GRANTED TO THE STATE OF CALIFORNIA BY DEED RECORDED DECEMBER 27, 1962, IN BOOK 3246, PAGE 188 OF OFFICIAL RECORDS.

PARCEL 2:

LOT A, BLOCK 33 OF MAP NO. 1 OF BEAN VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 11, PAGE 10, OF MAPS, TOGETHER WITH THE EAST 30', HALF OF RUNNY STREET AND THE NORTH 30' HALF OF THE ADJACENT, WITHIN SAID BLOCK, LYING BETWEEN, EXTENDED AND ADJACENT TO SAID LOT A, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPT THEREFROM THAT PORTION GRANTED TO THE STATE OF CALIFORNIA BY DEED RECORDED DECEMBER 27, 1962, IN BOOK 3246, PAGE 188 OF OFFICIAL RECORDS.

PARCEL 3:

LOT B, BLOCK 33 OF MAP NO. 1 OF BEAN VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 11, PAGE 10, OF MAPS, TOGETHER WITH THE EAST 30', HALF OF RUNNY STREET AND THE NORTH 30' HALF OF THE ADJACENT, WITHIN SAID BLOCK, LYING BETWEEN, EXTENDED AND ADJACENT TO SAID LOT B, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

PARCEL 4:

LOT A, BLOCK 33 OF MAP NO. 1 OF BEAN VALLEY AND ALESSANDRO DEVELOPMENT COMPANY, IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 11, PAGE 10, OF MAPS, TOGETHER WITH THE NORTH 30', HALF OF THE EASTERLY, LYING BOUNDARY, AND ADJACENT TO SAID LOT A, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

PARCEL 5:

A PORTION OF LOTS 1 AND 7 BLOCK 33 OF MAP NO. 1 BEAN VALLEY AND ALESSANDRO DEVELOPMENT CO., IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 11, PAGE 10 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, TOGETHER WITH THE EAST 30' HALF OF THE ADJACENT, WITHIN SAID BLOCK, LYING BETWEEN, EXTENDED AND ADJACENT TO SAID LOT 1 AND 7 BLOCK 33 OF MAP NO. 1 BEAN VALLEY AND ALESSANDRO DEVELOPMENT CO., RECORDED MARCH 26, 1910, AS PARCEL 1 OF PARCEL MAP NO. 36207 RECORDED IN BOOK 70, PAGES 1 THROUGH 4 OF PARCEL MAPS, OFFICIAL RECORDS.

CITY CASE NO. PAD9-0022

HUITT-ZOLLARS
HUITT-ZOLLARS, INC.
3000 CONCOURS STREET, SUITE 450 • ONTARIO, CALIFORNIA 91764 • (909) 987-7399

DRAWN BY: R.E.S.	SHEET 1 OF 1
CHECKED BY: 11-7-2010	
APPROVED BY: R.E.S.	SCALE: 1"=100'
DATE:	JOB NO. 11-0869-01

ATTACHMENT 16

Item No. E.3

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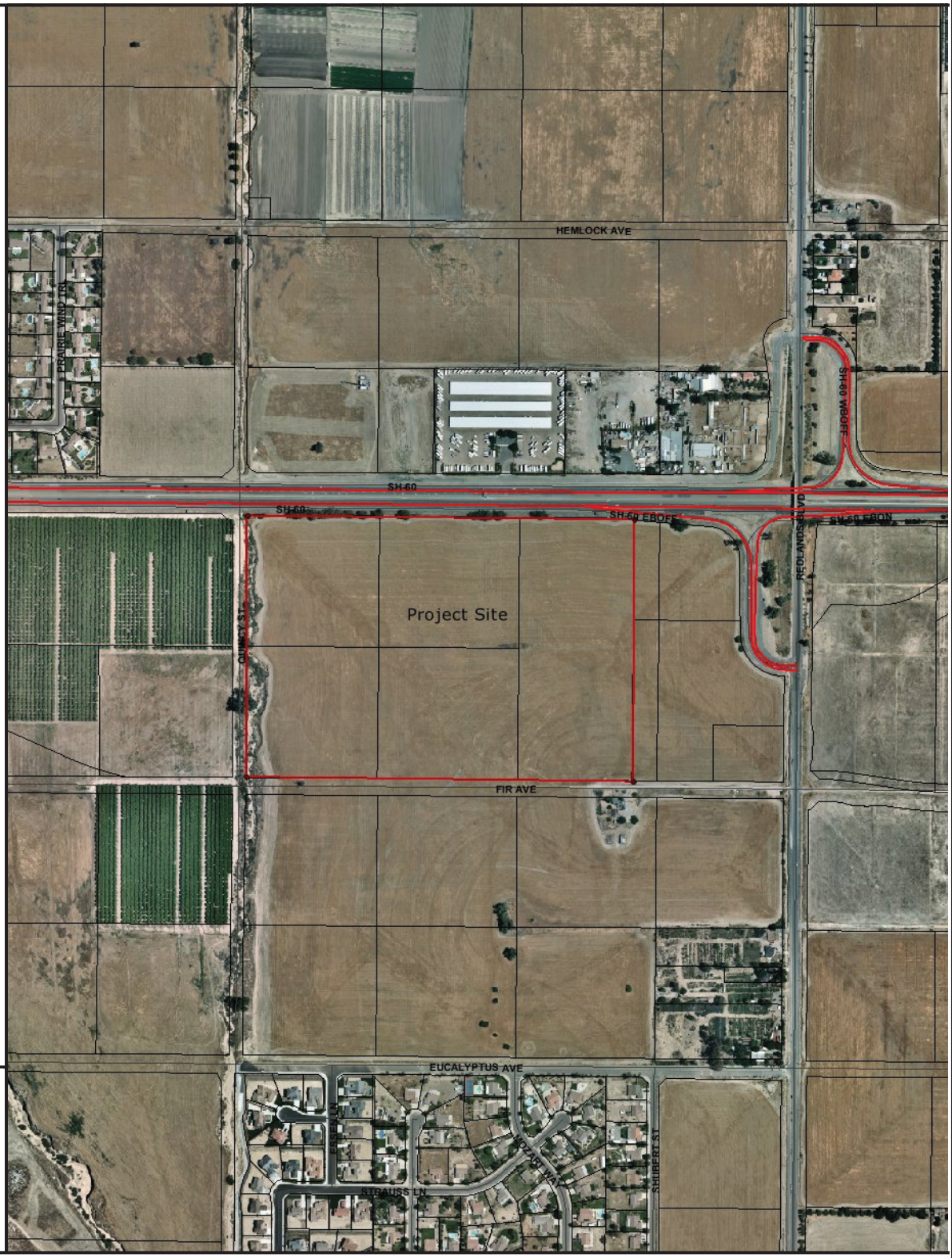
West Ridge Commece Center Project

Legend

- Highways
- Parcels
- Roads
- March Installation Area
- Waterbodies
- Sphere of Influence
- Ortho Photography

City Boundaries

- Calimesa
- Moreno Valley
- Perris
- Riverside



Powered By GeoSmart.net

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.

ATTACHMENT 17

N

0 300 600 1200ft

MORENO VALLEY
WHERE DREAMS SOAR

Printed 1:52:36 AM

Item No. E.3

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Chapter 9.05 INDUSTRIAL DISTRICTS

9.05.010 Purpose and intent.

A. The primary purpose of the industrial districts is to provide a sound and diversified economic base and ample employment opportunities for the citizens of Moreno Valley. It is the further intent of this chapter to accomplish this through the establishment of a specific, well-defined pattern of industrial activities which is compatible with residential, commercial, institutional and open space uses located elsewhere in the community; has good access to the regional transportation system; accommodates the personal needs of workers and business visitors; and which meets the service needs of local businesses.

B. In addition to the above, it is the further intent of the industrial districts:

1. To reserve appropriately located areas for industrial use and protect these areas from inharmonious uses;

2. To protect residential, commercial and nuisance-free nonhazardous industrial uses from noise, odor, dust, smoke, truck traffic and other objectional influences and from fire, explosion, radiation and other hazards potentially related to certain industrial uses;

3. To provide sufficient open space around industrial structures to protect them and surrounding areas from hazard and to minimize the impact of industrial plants on nearby residential or commercial districts; and

4. To minimize traffic congestion and to avoid the overloading of utilities by restricting the construction of buildings and structures of excessive size in relation to the size of the buildable parcel. (Ord. 359 (part), 1992)

9.05.020 Industrial districts.

A. Business Park District (BP). The primary purpose of the business park (BP) district is to provide for light industrial, research and development, office-based firms and limited supportive commercial in an attractive and pleasant working environment and a prestigious location. This district is intended to provide a transition between residential and other sensitive uses and more intense industrial and warehousing uses.

B. Light Industrial District (LI). The primary purpose of the light industrial (LI) district is to provide for light manufacturing, light industrial, research and development, warehousing and distribution and multitenant industrial uses, as well as certain supporting administrative and professional offices and commercial uses on a limited basis. This district is intended as an area for light industrial uses that can meet high performance standards. This district requires buffering between residential districts and industrial and warehouse structures greater than 50,000 square feet in building area within the LI district. Please refer to the Special Site Development Standards in Section 9.05.040.B.9.

C. Industrial (I). The primary purpose of the industrial (I) district is to provide for manufacturing, research and development, warehousing and distribution and multitenant industrial uses, as well as certain supporting administrative and professional offices and commercial uses on a limited basis. This district is intended as an area for industrial uses that can meet high performance standards but that frequently do not meet site development standards appropriate to planned research and development parks.

D. Business Park-Mixed Use (BPX). The purpose of the business park-mixed use (BPX) district is to provide locations for limited convenience commercial and business support services within close proximity to industrial and business park uses. (Ord. 693 § 2 (part) (Exh. B), 2005: Ord. 590 § 2 (part), 2001; Ord. 359 (part), 1992)

9.05.030 Permitted uses for industrial districts.

For the industrial district, unless otherwise expressly provided in this title, permitted uses are limited to those described in the Permitted Uses Table 9.02.020-1 in Section 9.02.020 of this title. (Ord. 359 (part), 1992)

9.05.040 Industrial site development standards.

A. General Requirements.

1. The following table sets forth minimum property development standards for all land, buildings and structures constructed within the specified industrial districts. All sites shall conform to the dimensions set forth in this section. A development or center may, however, be a combination of many parcels totaling at least the required site size, but its design must be integrated and unified.

2. In addition, projects must comply with the special requirements enumerated in Section 9.05.040(B), the performance standards included in Chapter 9.10 and any other applicable city ordinances, policies and programs.

Table 9.05.040-8

Industrial Site Development

Minimum Standards

Requirement	BP / LI[1]	BPX	I
1. Minimum site area (in acres)	1	1	5
2. Minimum site width (in feet)	200	200	300
3. Minimum site depth (in feet)	200	200	300
4. Minimum front building setback area (in feet)	20	20	20
5. Minimum interior side building setback area (in feet)*	*(see note below)	*(see note below)	—
6. Minimum street side building setback area (in feet)	20	20	20
7. Minimum rear building setback area (in feet)*	*(see note below)	*(see note below)	—

[1]See Special Site Development Standards 9.05.040.B.9 for unique separation requirements for structures greater than 50,000 square feet in building area.
*Structures shall be constructed on the property line or a minimum of three feet from the property line.

B. Special Site Development Standards.

1. When any industrial district abuts a property in any residential district, a minimum building setback equal to the building height, but not less than of twenty (20) feet shall be required from such residential district. Further, the ten (10) feet of such setback nearest the district boundary line shall be landscaped.

2. Where off-street parking areas industrial districts are visible from any street, screening in the form of a landscaped earthen berm, shrubs, or decorative wall three feet in height shall be erected between the required landscape area and the parking area.

3. In all industrial districts, required front building setback areas shall be landscaped. The landscaping shall consist predominantly of plant materials except for necessary walks and drives.

4. Except as otherwise permitted, a street side building setback area in any industrial district shall be used only for landscaping, pedestrian walkways, driveways or off-street parking. Where off-street parking in any industrial district is located within building setback areas, a minimum landscaped area ten (10) feet in depth shall be provided between the property line and parking area, with an additional minimum landscaped area ten (10) feet in depth required between the parking area and the building.

5. Except as otherwise permitted, required rear and interior side building setback areas in any industrial district shall be used only for landscaping, pedestrian walkways, driveways, off-street parking or loading, recreational activities or facilities, and similar accessory activities.

6. Parking for each use shall comply with the requirements of Chapter 9.11 and this section.

7. The land uses planned for each development shall be specified on the approved site plans. No use shall be established unless the development where it is located has adequate parking facilities to accommodate such use and any planned uses that share parking facilities with such use.

8. In the BP, LI and I districts, the retail sales of goods produced or warehoused in connection with a manufacturing, assembly or warehouse use may be conducted, provided that no more than fifteen (15) percent of the gross floor area of the space occupied by such use is devoted to retail sales. Any merchandise storage or display areas to which the public has access shall be considered as committed to the percentage of building area used for retail purposes.

9. In the LI district, industrial and warehouse structures greater than 50,000 square feet in building area shall be separated from any Residential district as determined by an air quality and noise impact analysis. The minimum separation distance for such uses shall be 250 feet between the Residential district and the building, truck court or loading area.

~~9~~10. The parcelization of a business complex for marketing, financing or other purpose shall not establish separate privileges with respect to the maximum percentage of floor area specified in this section with respect to the BPX district. (Ord. 643 § 2.2, 2003; Ord. 616 § 2.2.5, 2005; Ord. 590 § 2 (part), 2001; Ord. 497 §§ 1.1, 1.2, 1.3, 1996; Ord. 464 §§ 1.2, 1.3, 1995; Ord. 405 §§ 1.1, 1.2, 1993; Ord. 359 (part), 1992)

South Coast
Air Quality Management District
21865 Copley Drive, Diamond Bar, CA 91765-4182
(909) 396-2000 • www.aqmd.gov

E-Mailed: December 10, 2010 December 10, 2010
jeffreyb@moval.org

Mr. Jeff Bradshaw
City of Moreno Valley
Community Development Department
14177 Frederick Street
Moreno Valley, CA 92553

Review of the Draft Environmental Impact Report (Draft EIR) for the Proposed West Ridge Commerce Center Project

The South Coast Air Quality Management District (AQMD) appreciates the opportunity to comment on the above-mentioned document, including with an extended review period. The following comments are meant as guidance for the lead agency and should be incorporated into the final Environmental Impact Report (final EIR) as appropriate.

Based on a review of the draft EIR the AQMD staff is concerned about the significant regional and localized air quality impacts from the proposed project. In addition, AQMD staff is concerned that the health risks are underestimated in the draft EIR due to calculation errors and the use of low trip generation rates. Given the project's close proximity to sensitive land uses and the significant air quality impacts demonstrated in the air quality analysis, the AQMD staff strongly recommends that the lead agency provide additional mitigation measures to minimize the air quality impacts from the proposed project. AQMD-1

AQMD staff is available to work with the lead agency to address these air quality issues and any other questions that may arise. Please contact Dan Garcia, Air Quality Specialist CEQA Section, at (909) 396-3304, if you have any questions regarding the enclosed comments.

ATTACHMENT 19

Sincerely,

Ian MacMillan
Program Supervisor, CEQA Inter-Governmental Review
Planning, Rule Development & Area Sources

Attachment

IM:DG

SBC101021-01
Control Number

1. Health Risk Assessment Emission Calculations

The Health Risk Assessment (HRA) prepared in the Draft EIR relies on emission rates calculated for each roadway segment serving the project. These emission rates are based on heavy duty diesel truck emission factors derived from EMFAC software and are input into the dispersion model after adjusting for the number of trucks using each roadway link. However, the emission calculations provided in the Draft EIR use a unitary truck traffic rate of one vehicle per hour for each roadway link serving the project site. This unitary trip rate does not appear to be adjusted upward prior to deriving the health risk values. As several hundred heavy duty diesel trucks will use each roadway link, the health risk values appear to be substantially underestimated, perhaps by more than one order of magnitude. AQMD-2

In addition, the emission rate calculated for the idling area sources onsite appear to be miscalculated. For example, the idling mitigated emission rate of 6.459 E-6 grams per second does not include the total number of trucks idling per day, it does not include the emissions from onsite truck travel, and it includes one too many conversions of seconds to hours. If the calculation is corrected, the idling emission rate should be approximately 30 times higher at 1.952 E-4 grams per second (assuming half of the trucks use each area source). AQMD staff strongly recommends that the lead agency revisit the emissions calculations and rerun the dispersion model to derive more accurate health risk estimates. If health risks are found to be significant after revising the analysis, mitigation measures should be pursued that would reduce any health risk to a less than significant level (see comment #3 below). AQMD-3

2. Warehouse Trip Rates

As stated on page 51 of the Traffic Impact Analysis prepared for the Draft EIR, the trip generation rates are "hybrid rates" based on two recent traffic studies of high-cube warehouses conducted in the Inland Empire region. The final rate used in the Draft EIR is 1.69 trips per thousand square feet of warehouse space. AQMD staff has recently researched the referenced trip generation studies and others and has concluded that the average trip rates presented in these studies may be underestimated due to the inclusion of potentially vacant warehouses, warehouses served by rail, and the use of average trip rates. In order to provide a reasonable worst case analysis of potential air quality impacts, AQMD staff calculated and recommends that lead agencies utilize a 95th percentile trip generation rate of 2.59 trips per thousand square feet for individual warehouse projects that are not directly serviced by rail lines. The fleet mix described in the Fontana Truck Trip Generation Study is appropriate to determine the proportion of heavy duty vehicles servicing the project. AQMD-4

3. Regional and Localized Operational Air Quality Impacts

Given the project's significant regional and localized operational air quality impacts from VOC, NOX, PM10 and PM 2.5 emissions the AQMD staff strongly recommends adding AQMD-5

the following mitigation measures to minimize potentially significant air quality impacts from the operational phase of the project, if feasible:

- Restrict operation to "clean" trucks by implementing a program requiring the use of 2010 and newer diesel haul trucks,[1]
- If trucks older than 2007 model year will be used at the facility, within one year of signing a lease, require tenants of the project to apply in good faith for diesel truck replacement/retrofit grant programs such as those offered by AQMD or ARB and to use those funds if awarded,
- Prohibit siting any new sensitive land uses within 1,000 feet of the warehouse/distribution center,
- Design the warehouse/distribution center such that entrances and exits discourage trucks from traversing past neighbors or other sensitive receptors,
- Develop, adopt and enforce truck routes both in an out of city and in and out of facilities,
- Have truck routes clearly marked with trailblazer signs, so trucks will not enter residential areas,
- Identify or develop secure locations outside of residential neighborhoods where truckers that live in the community can park their truck, such as a Park & Ride,
- Re-route truck traffic by adding direct off-ramps for the truck or by restricting truck traffic on certain sensitive routes,
- Require or provide incentives for particulate traps that meet CARB certified level 3 requirements,
- Electrify all service equipment at the facility, and
- Improve traffic flow by signal synchronization.

AQMD-5 cont'd.

4. Regional and Localized Construction Air Quality Impacts

Given that the lead agency's construction air quality analysis demonstrates significant air quality impacts from VOC, NOx, PM10 and PM2.5 emissions the AQMD staff recommends that the lead agency provide additional mitigation pursuant to CEQA Guidelines §15370. Specifically, AQMD staff recommends that the lead agency minimize or eliminate significant adverse air quality impacts by adding the mitigation measures provided below.

- Provide temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow,
- Appoint a construction relations officer to act as a community liaison concerning on-site construction activity including resolution of issues related to PM10 generation,
- Provide dedicated turn lanes for movement of construction trucks and equipment on- and off-site,

[1] An example clean truck program for a similar project approved by another lead agency can be found here (beginning on page 183 of 254): http://www.ci.banning.ca.us/archives/30/July%2013,%202010%20City%20Council%20Agenda.pdf

- Reroute construction trucks away from congested streets or sensitive receptor areas, and
- Require the use of 2010 and newer diesel haul trucks (e.g., material delivery trucks, soil export).

Further, AQMD staff recommends that the lead agency revise Mitigation Measure 4.3.5 as follows:

- All off-road construction equipment shall be electrified. In the event that the use of electric off-road equipment is not feasible the operator shall ensure that any diesel powered off-road equipment meets EPA Tier 2 or higher emissions standards according to the following:

  ✓ *April 1, 2010, to December 31, 2011:* All offroad diesel-powered construction equipment greater than 50 hp shall meet Tier 2 offroad emissions standards. In addition, all construction equipment shall be outfitted with the BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 2 or Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations.

  ✓ *January 1, 2012, to December 31, 2014*: All offroad diesel-powered construction equipment greater than 50 hp shall meet Tier 3 offroad emissions standards. In addition, all construction equipment shall be outfitted with BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations.

  ✓ *Post-January 1, 2015*: All offroad diesel-powered construction equipment greater than 50 hp shall meet the Tier 4 emission standards, where available. In addition, all construction equipment shall be outfitted with BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations.

  A copy of each unit's certified tier specification, BACT documentation, and CARB or SCAQMD operating permit shall be provided at the time of mobilization of each applicable unit of equipment.

AQMD-5 cont'd.

AQMD-6

Also, the lead agency should consider encouraging construction contractors to apply for SCAQMD "SOON funds. Incentives could be provided for those construction contractors who apply for SCAQMD "SOON" funds. The "SOON" program accelerates clean up of off-road diesel vehicles, such as heavy duty construction

equipment. More information on this program can be found at the following website: http://www.aqmd.gov/tao/Implementation/SOONProgram.htm

AQMD-6 cont'd.

SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT

Letter Dated December 10, 2010

Response AQMD-1

The commentor provides introductory agency remarks, and expresses concern about significant Project-related localized and regional air quality impacts, and potential (DPM-source) health risks. The commentor alleges errors in the EIR's air quality modeling, which are further detailed in the District's specific comments on the following pages. Responses to specific issues are addressed below at Responses AQMD-2 to AQMD-7. AQMD suggests that additional mitigation be incorporated in the EIR as means of reducing significant air quality impacts.

The comments provided by AQMD were submitted after the close of comments period, and while the Lead Agency may elect to respond to late comments, no response is required, pursuant to Pub. Resources Code Section 21091, subd. (d)(2)(A); *CEQA Guidelines* § 15088, subd. (a). Notwithstanding, in order to provide clarification of baseline issues and assumptions; and in consideration of disclosure and ultimate mitigation of potentially significant impacts, responses to AQMD's comments are provided herein. Feasible mitigation offered by AQMD has been incorporated.

Response AQMD-2

This comment appears to incorrectly interpret the Project's Health Risk Assessment (HRA) data and modeling (DEIR Appendix C, Project HRA), with resulting erroneous conclusions. The Unitary truck traffic rate cited by the commentor was used only in deriving the model input value in grams per second per truck (per day). As reflected in the ISCST3 model output summary sheets, the ISCST3's Model Scalar Option was enabled and hourly truck rates were adjusted upward accordingly (DEIR Appendix C, Project HRA, Attachment A). Additionally, the "Hourly Trucks.xls" file that was previously provided to AQMD by Urban Crossroads, preparer of the Project's Air

Quality Analysis, provides a breakdown of the hourly trucks as they are input in the model's scalar option. The EIR conclusions and results are not affected.

Response AQMD-3

This comment appears to incorrectly interpret the Project emission rate calculations and modeling, with resulting erroneous conclusions. As noted in the preceding Response AQMD-2, the ISCST3's Model Scalar Option was enabled, and hourly truck values were entered accordingly. The emissions from on-site truck travel are included as multiple volume sources in the model and therefore do not need to be included in the area source algorithm.

Additionally, the "Model Emission Rate" provided as 6.459E-06 is representative of grams per second per truck (per day), and is input into the model as a unitized rate. The unitized rate is then adjusted upward based on the model's scalar option. Based on a thorough review, as detailed here, this calculation does not need to be corrected. The vehicle idling time is presented in seconds and the idling rate from EMFAC is in grams per hour. Therefore, the first conversion is to identify the grams per hour a given truck would emit during idle events. This is achieved by first converting the idling time from seconds to hours. In this case, for mitigated emissions, 180 seconds is divided by 3,600 seconds (60 minutes per hour x 60 seconds per minute). The next step is to multiply the resulting value by the EMFAC grams per hour rate, which provides an emission factor in grams per hour for a given truck per day. In order to input this value into the model as a unitized rate, this value is then converted from grams per hour for a given truck per day to grams per second for a given truck per day. This is achieved by taking the grams per hour rate and dividing by 3,600 seconds per hour, which yields the resulting 6.459E-06 grams per second rate that is modeled. Please refer also the DEIR Appendix C, Project HRA, Attachment A-ISCST3 Summary Output, Attachment B-Emissions Rate and Risk Calculations. The EIR conclusions and results are not affected.

Response AQMD-4

AQMD offers alternative trip generation rates for use in the Draft EIR. AQMD cites its own research and conclusions.

Notwithstanding AQMD suggested trip generation rates, trip generation rates and vehicle mix employed in the Draft EIR are supported by definitive studies of high-cube warehouse trip generation characteristics (*City of Fontana Truck Trip Generation Study*, and *San Bernardino/Riverside County Warehouse/Distribution Center Vehicle Trip Generation Study).* Both of these studies are available through Lead Agency (a copy of each is available at the Planning Department). The trip generation rates and ranges from these studies were used to define the trip rate employed in the DEIR. This same rate is employed in analyses for similar projects in the City, and is considered by the Lead Agency to be appropriate and accurate. Relevant discussion from the Draft EIR is excerpted below:

> Trip generation characteristics of the Project were derived from studies which reflect the trip generation rates of warehouse facilities storing and transporting international goods imported into the country from the Ports of Los Angeles and Long Beach. These include the *City of Fontana Truck Trip Generation Study* commissioned in 2003 (Fontana Study), and the updated 2007 *National Association of Industrial and Office Properties (NAIOP) Trip Generation Study*. The NAIOP Study included data collected from 13locations within Riverside County, and provides trip generation rates that are use-specific to warehouse distribution projects such as that proposed by the Project. The recent date and geographic orientation of the Study contribute further to its utility and applicability in estimating the likely trip generation characteristics of the Westridge Commerce Center Project. Using data from the NAIOP Study, the City's Transportation Department approved the use of "hybrid" trip generation rates for the Project's trip generation forecast . . . (Draft EIR Page 4.2-17).

The trip generation rates provided by AQMD are noted; however, no revisions to the trip generation rates employed in the Draft EIR are proposed, nor are any required.

Response AQMD-5

AQMD states, "given the project's significant regional and localized operational air quality impacts from VOC, NOX, PM_{10} and $PM_{2.5}$ emissions the AQMD staff strongly recommends adding the following mitigation measures to minimize potentially significant air quality impacts from the operational phase of the project, if feasible . . ."

Each of the measures suggested by AQMD are addressed in the following table, and have either been incorporated, or determined infeasible, not applicable, and/or replicate existing requirements, as indicated in the remarks below. The State Legislature has defined "feasible," for purposes of CEQA review, as "capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors." [Public Resources Code Division 13, Chapter 2.5. Definitions, Subd. 21061.1.] In those instances where additional mitigation has been incorporated or mitigation has been revised, incremental reduction in impacts may be realized. However, results and conclusions of the EIR are not affected. That is, impacts that were previously determined to be less-than-significant remain less-than-significant; and impacts that were previously determined to be significant remain significant.

AQMD-Suggested Measures	Remarks
Operational-source Emissions	
Restrict operation to "clean" trucks by implementing a program requiring the use of 2010 and newer diesel haul trucks (AQMD offers citation of an example clean truck program at [the following website]: http://www.ci.banning.ca.us/archives/30/July%2013,%202010%20City%20Council%20Agenda.pdf. If trucks older than 2007 model year will be used at the facility, within one year of signing a lease, require tenants of the project to apply in good faith for diesel truck replacement/retrofit grant programs such as those offered by AQMD or ARB and to use those funds if awarded.	**Incorporated.** Mitigation Measure 4.3.13 has been revised to incorporate the following requirement (please refer to Final EIR Section 4.0). • *Lease/purchase documents shall identify that tenants are encouraged to provide incentives to use of fleet vehicles conforming to 2010 air quality standards or better.* • *If trucks older than 2007 model year will be used at the facility, within one year of signing a lease, tenants of the project shall apply in good faith for diesel truck replacement/retrofit grant programs such as those offered by AQMD or ARB, and shall use those funds if awarded.*
Prohibit siting any new sensitive land uses within 1,000 feet of the warehouse/ distribution center.	**Infeasible.** Development of the Project is consistent with City General Plan Land Use designations, and the General Plan currently includes residential land uses within 1,000 feet (0.19 miles) of the Project site. Moreover, as supported by the EIR analysis, the 250-foot setback separating Project warehouse activity areas from the nearest residential property reduces localized operational emissions impacts to levels that are less-than-significant. The measure suggested by AQMD is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental and technological factors and is therefore infeasible.
Design the warehouse/distribution center such that entrances and exits discourage trucks from traversing past neighbors or other sensitive receptors.	**Not Required.** There are no significant and/or unmitigable operational air pollutant emissions impacts related to or resulting from the site plan configuration. As noted above, the 250-foot setback separating Project warehouse activity areas from the nearest residential property reduces localized operational emissions impacts to levels that are less-than-significant. It is further noted that the access concept proposed by the Project has been reviewed and preliminarily approved by the Lead Agency. The measure suggested by AQMD is not necessary.

AQMD-Suggested Measures	Remarks
Develop, adopt and enforce truck routes both in an*[d]* out of city and in and out of facilities.	**Replicates existing requirements.** Designated truck routes exist within the City. As noted in the City's General Plan, "Chapter 12.36 of the City Municipal Code regulates the travel and access of trucks on the City road system, and designates official truck routes. Designated truck routes change over time as new arterials are built, and commercial and industrial projects are completed." [City of Moreno Valley General Plan Circulation Element, Page 5-4.] The Applicant will comply with all designated truck route regulations and ordinances, both in and out of the City. Compliance with existing regulations and ordinances does not constitute mitigation.
Have truck routes clearly marked with trailblazer signs, so trucks will not enter residential areas,	**Replicates existing requirements.** Truck routes are marked by the City consistent with City sign regulations. The Applicant will comply with all City sign regulations and ordinances. Compliance with existing regulations and ordinances does not constitute mitigation.
Identify or develop secure locations outside of residential neighborhoods where truckers that live in the community can park their truck, such as a Park & Ride.	**Replicates existing Project design.** Adequate, secure parking areas are provided onsite for the use of Project-related trucks. No off-site parking is required or proposed.
Re-route truck traffic by adding direct off-ramps for the truck or by restricting truck traffic on certain sensitive routes.	**Infeasible.** Current location of the Project adjacent to the SR-60 minimizes non-freeway truck travel, and minimizes travel along residential streets. Addition of direct SR-60 off-ramps for trucks access the Project site is contrary to reasoned freeway design which by its nature limits freeway access and exit points. Within the State, Caltrans ultimately determines freeway access and exit locations and related ramp designs. The proposed measure would result in potentially significant and increased jurisdictional, traffic/circulation, and land use impacts when compared to the Project. Further, the suggested measure is not capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors, and is therefore infeasible. The Applicant will comply with designated truck routes reducing truck traffic along sensitive routes.
Require or provide incentives for particulate traps that meet CARB certified level 3 requirements.	**Replicates existing requirements.** As a matter of California law, all on-road vehicles, whether or not they are used for the Project, are required to meet California Air Resources Board (CARB) emissions standards. Moreover, future tenancy of the Project is not yet known, and that trucks using the facility may include independent truckers. There is no feasible enforcement mechanism by which the operator of the facility could meaningfully enforce pollution control equipment requirements above and beyond state law requirements.

AQMD-Suggested Measures	Remarks
Electrify all service equipment at the facility.	**Incorporated.** Mitigation Measure 4.3.8 has been revised to incorporate the following requirement: • *All service equipment used during construction and in subsequent operation of the Project shall be electric or natural gas powered.* Similar to use of electrical equipment, use of natural gas equipment alternatively allowed under this mitigation measure acts to generally reduce localized criteria pollutant emissions. Natural gas equipment may in some cases be the only available alternative to diesel/gasoline powered equipment. Further, Mitigation Measure 4.3.13 has been revised to incorporate the following requirements (please refer to Final EIR Section 4.0). *Lease/purchase documents shall identify that tenants are encouraged to provide incentives to realize the following:* • *Use of electrical equipment (instead of gasoline-powered equipment) for landscape maintenance; and* • *Use of electric (instead of diesel or gasoline-powered) yard trucks.*
Improve traffic flow by signal synchronization.	**Replicates existing requirements.** Signal synchronization is currently administered by the City. Modification of signal synchronization (if required) based on additional Project traffic will be accomplished by the City based on observed traffic conditions.
Construction-source Emissions	
Provide temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow.	**Replicates existing requirements.** Construction traffic management is a standing City requirement as discussed in the Draft EIR. "It is also recognized that temporary and short-term traffic detours and traffic disruption will result during Project construction activities. These impacts are adequately addressed through the preparation and submittal of a construction area traffic management plan as required by the City Engineer. The required construction area traffic management plan will identify traffic control for any street closure, detour, or other disruption to traffic circulation. The plan also identifies construction vehicle access routes, hours of construction traffic, traffic controls and detours" (Draft EIR Page 4.2-85).

AQMD-Suggested Measures	Remarks
Appoint a construction relations officer to act as a community liaison concerning on-site construction activity including resolution of issues related to PM_{10} generation.	**Incorporated.** The following new mitigation measure has been created, and will be included in the Mitigation Monitoring Plan (please refer to Final EIR Section 4.0). *4.3.9 Throughout Project construction, a construction relations officer/community liaison, appointed by the Applicant, shall be retained on-site. In coordination and cooperation with the City, the construction relations officer/community liaison shall respond to any concerns related to PM_{10} (fugitive dust) generation or other construction-related air quality issues.*
Provide dedicated turn lanes for movement of construction trucks and equipment on- and off-site.	**Replicates existing requirements.** Construction traffic management is a standing City requirement as discussed in the Draft EIR. The City, as one element of the required construction area traffic management plan will determine if and where dedicated turn lanes for construction equipment and trucks are required. Please refer to the preceding construction traffic management remarks.
Reroute construction trucks away from congested streets or sensitive receptor areas.	**Replicates existing requirements.** Construction traffic management is a standing City requirement as discussed in the Draft EIR. The City, as one element of the required construction area traffic management plan will determine appropriate construction truck routes. Please refer to the preceding construction traffic management remarks.
Require the use of 2010 and newer diesel haul trucks (e.g., material delivery trucks, soil export).	**Otherwise Addressed.** Contractors will employ available equipment to include any 2010 and newer vehicles. Restricting the pool of suitable diesel haul trucks solely to model years 2010 or newer unreasonably limits the pool of available contractors and equipment. Moreover, there is no demonstrated nexus between construction model-year requirements and potential reductions in air quality impacts. Arguably, meaningful reductions in air pollutant emissions are achieved as much or more through efficient and appropriate operation of equipment as required herein (see for example Mitigation Measure*4.3.2: The contractor shall minimize pollutant emissions by maintaining equipment engines in good condition and in proper tune according to manufacturer's specifications and during smog season (May through October) by not allowing construction equipment to be left idling for more than five minutes (per California law).* Further, all equipment (regardless of model-year) is required to comply with applicable CARB emissions standards, the appropriate gauge for emissions levels.

AQMD-Suggested Measures	Remarks
All off-road construction equipment shall be electrified. In the event that the use of electric off-road equipment is not feasible the operator shall ensure that any diesel powered off-road equipment meets EPA Tier 2 or higher emissions standards.	**Incorporated.** Electric construction equipment is not commonly or widely available or used in Southern California. Requiring sole use of electric construction equipment would effectively preclude participation by most, if not all, locally-based construction contractors. This would act to unnecessarily exclude otherwise qualified contractors, restrict the pool of available construction resources, increase costs through diminished competition. Mitigation Measure 4.3.8 has been revised to incorporate the following requirement(please refer to Final EIR Section 4.0): • *Use electric construction equipment where feasible.*

Response AQMD-6

AQMD suggests that the Lead Agency consider encouraging construction contractors to apply for SCAQMD Surplus Off-Road Opt-In for NOx (SOON) program funds.

- The following notation (incorporated at Mitigation Measure 4.3.9), shall appear on all construction document and plans:

> *Contractors are encouraged to apply for funding/assistance under the AQMD SOON program.*
> *See also www.aqmd.gov/tao/Implementation/SOONProgram.htm*

AQMD contact information is noted.

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From: Tom Hyatt [cdftom@aol.com]
Sent: Friday, December 10, 2010 9:18 PM
To: Jeffrey Bradshaw
Cc: Deanna Reeder
Subject: Warehouse

My neighbors and I oppose this project. After having the Mega Sketchers warehouse shoved down our throats by a corrupt developer and a city council that will flip their skirt up for him without questior we are vehemently against more unchecked commercial development. The City Council went to the trouble to re-name this end of the city "Rancho Belago", claiming it would be the upscale end of town yet the approve these ugly polluting warehouses when the zoning should be for 1/2 to 1 acre lots and upscale retail etc... How about a nice softba and swimming sports complex??? Why don't you go lease/ purchase some of the vacant warehouse space that can't even be filled in the south end of town?? How many diesel truck trips will this project generate on top of the Super Walmart and Sketchers projects already do??? Can't wait to see the cumulative air pollution totals! TH-1

Signed,

Tom H.
Moreno Valley Citizen

ATTACHMENT 20

TOM HYATT

Email Dated December 10, 2010

Response TH-1

The commentor states his opposition to the Project, presents his opinion regarding recent unrelated project approvals in the area, and suggests a "nice softball and swimming sports complex" be developed on-site. These opinions are acknowledged.

The basis for the commentor's statement that "the zoning should be for ½ to 1 acre lots and upscale retail, etc." is unclear. The existing zoning for the site is Business Park, which allows the types of uses proposed by the Project; however, would not allow for buildings of the size proposed by the Project. For this reason, the Project has requested a change of zone to Light Industrial. The Draft EIR addresses the proposed zone change and Municipal Code amendment as part of the Land Use analysis (please refer to Draft EIR Pages 4.1-20 through 4.1-23). Specifically, the following discussion appears in regard to this topic.

> The Project proposes a change of zone from Business Park to Light Industrial, and the City General Plan envisions and allows for extensive implementation of either or both types of land uses along the southerly edge of SR-60 as it traverses the City. While both types of uses (business park and/or light industrial, including distribution warehouse uses) are provided for under the General Plan, the site's current Business Park zoning designation does not permit these uses within single structures of more than 50,000 square feet. The Light Industrial zone designation requested by the Applicant does permit single structures of more than 50,000 square feet. The impetus of the zone change requested by the Project Applicant is to therefore to allow for construction of a single warehouse use greater than 50,000 square feet in size.

The commentor suggests locating the Project in another area of the City. Several alternatives were analyzed as part of the Draft EIR, including, beginning on Draft EIR Page 5-37, alternative sites. As stated in Guidelines Section 15126.6,subd. (f)(1)(2)(A), the "key question and first step in [the] analysis [of alternative locations] is whether any of the significant effects of the project would be avoided or substantially lessened by putting the Project in another location."

An alternative site within the City would be considered generally viable if it were located along a regional freeway transportation corridor or at a regional transportation hub; was also locally accessible; was underutilized and currently available; could be developed and operated in a manner that was compatible with other proximate land uses; and was provided, or could feasibly be provided, adequate serving utilities infrastructure. Also supporting location of the Project elsewhere, an Alternative Site should have an appropriate size and configuration (approximately 50 acres and roughly rectangular); and either exhibit appropriate General Plan and Zoning designations or could be feasibly so-designated.

Only locations that would avoid or substantially lessen significant effects of the Project need be considered. To this end, four (4) possible alternative sites were located, as follows:

- Alternative Site 1: 70 acres located between Perris Boulevard and Grove View Road, and south of Indian Avenue to the southern City limits (APNs 316-210-071, -073, -075 and -076);

- Alternative Site 2: 92 acres located between Heacock Street and Indian Street, south of Cardinal Avenue and north of San Michele Road (APNs 316-180-010, 316-170-001, -002, -004, -006, -007, -008, -010, -013, and -014);

- Alternative Site 3: 72 acres located west of Indian Street between Iris Avenue and Krameria Avenue (APNs 316-020-002, -003, -004, -005, -012, -013, -014, -015, -016, -017, -018 and -019); and

- Alternative Site 4: Approximately 69 acres located at the southeast corner of Heacock Street and Iris Avenue (APNs 316-020-001, -006, -007, -028, and -010).

Each of the four (4) sites is currently vacant; is more than 50 acres in size and of a roughly rectangular configuration; is zoned for industrial use; and is served adequately by nearby utilities and infrastructure. Further, Alternative Sites 1 through 4 are proximate to the I-215 regional transportation corridor, and are also locally accessible. Notwithstanding, these sites are all currently unavailable. Alternative Site 1 currently has applications under review for a 1.6 million s.f. warehouse distribution facility, while development plans have been submitted and approved for sites 2, 3 and 4.

Other potentially suitable and available properties are located easterly of the current Project site, along the SR-60 corridor. For the purposes of the Alternative Site analysis, the vacant property located southeasterly of the intersection of SR-60 at Theodore Street was selected for analysis, and is identified as Alternative Site 5 (shown in Figure 5.2-2 of the Draft EIR). This property exhibits an appropriate Business Park/Light Industrial General Plan Land Use designation; is of adequate size and is appropriately configured; and is provided access to regional and local roadways. Utilities and services are generally available to the site. The site appears to be available for purchase; however, it is not currently controlled by the Project Applicant, and a zone change from "Business Park" to "Light Industrial," would be required, similar to the change of zone requested by the Project.

Although development of the Project on Alternative Site 5 could achieve the Project's objectives, none of the Project's potentially significant impacts would be avoided or substantially reduced. Because Alternative Site 5 would not result in the avoidance or substantive reduction of Project-related impacts, this Alternative Site was also rejected from further consideration within the Draft EIR.

The commentor expresses concern regarding the cumulative traffic and air quality impacts of the Project when combined with other vicinity projects. As identified at Draft EIR Table 5.1-1, and illustrated in Figure 5.1-1, a number of current or anticipated "related projects" were identified within the cumulative scope of the Westridge Commerce Center Project. In total, 11 related projects were included within the Draft EIR cumulative analysis, including both projects referenced by the commentor ("Super Walmart and Sketchers*[sic]*").

In addition to the identified related projects, the cumulative impacts analysis assumed development of the area in a manner consistent with the City of Moreno Valley General Plan, and reflecting the anticipated growth of the region. The analysis of cumulative impacts considered potentially significant impacts that could be considered cumulatively considerable when viewed in the context of known related projects and generalized ambient growth of the City and region.

The commentor is referred to Table 4.2-6 of the Draft EIR for the specific trip generation of the Project. Additionally, Draft EIR Section 5.0 presents a detailed discussion of the cumulative impacts of the Project. Specifically, cumulative impacts related to traffic and circulation are discussed at Draft EIR Pages 5-7 through 5-12. Cumulative impacts related to air quality are discussed on Draft EIR Pages 5-12 through 5-14. Results and conclusions of the Draft EIR are not affected.

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PLANNING COMMISSION RESOLUTION NO. 2011-13

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MORENO VALLEY DENYING A CHANGE OF ZONE (PA08-0098) FROM BP (BUSINESS PARK) TO LI (LIGHT INDUSTRIAL) FOR AN APPROXIMATE 55 ACRE SITE, LOCATED WITHIN ASSESSOR'S PARCEL NUMBERS 488-330-003 THROUGH -006 AND -026.

WHEREAS, the applicant, Ridge Rancho Belago, LLC, has filed an application for the approval of a change of zone (PA08-0098) from BP (Business Park) to LI (Light Industrial) for an approximately 55 acre site located on the south side of State Route 60, on the north side of Fir Avenue/Future Eucalyptus Avenue and approximately 650 feet west of Redlands Boulevard.

WHEREAS, on May 12, 2011, the Planning Commission of the City of Moreno Valley held a meeting to consider the Zone Change application.

WHEREAS, on May 12, 2011, the Planning Commission passed a motion by a vote of 3 to 2 to deny the proposed Change in Zone.

WHEREAS, the project also includes applications for an Environmental Impact Report (EIR) (P08-133), a Municipal Code Amendment (PA10-0017), a Plot Plan (PA08-0097) and Tentative Parcel Map No. 36207 (PA09-0022). Since the Planning Commission voted to deny the Change of Zone, no action on the related project applications is required, since the applications are moot.

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

NOW, THEREFORE, BE IT HEREBY FOUND, DETERMINED AND RESOLVED by the Planning Commission of the City of Moreno Valley as follows:

A. This Planning Commission 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 meeting on May 12, 2011, including written and oral staff reports, and the record from the public hearing, this Planning Commission hereby specifically finds as follows:

1. The Moreno Valley General Plan designates State Route 60 (SR-60) as a local scenic road (Policy 7.7.3). In addition, Figure 5.11-1, "Major Scenic Resources," illustrates that the Project site is located within a view corridor. The proposed Change of Zone may not be consistent with the General Plan's policy regarding protection of scenic resources.

ATTACHMENT 21

The proposed project includes a 937,260 square foot warehouse industrial building which far exceeds the maximum building area of 50,000 square feet as permitted by the current zoning designation of Business Park. A business park comprised of smaller buildings (50,000 square feet or less) might afford opportunities for view corridors between the structures.

The proposed architectural design of the facility is not consistent with that of other approved warehouse facilities in the vicinity. A change of zone to LI would allow for buildings greater than 50,000 square feet in size. Adequately designing a building elevation(s) that is visible along a scenic corridor might prove difficult due to the scale and massing of a single large warehouse building.

2. The proposed warehouse industrial buildings would dramatically increase the amount of heavy truck traffic both onsite as well as on adjacent Redlands Boulevard leading from the project to Highway 60. Potential conflicts may be created with the mixing of heavy trucks and residential and business park traffic. The increase in heavy truck traffic may be inconsistent with the lower intensity business park uses and residential uses identified on the General Plan Land Use Element for this area. The proposed warehouse industrial building may be better suited to areas in the City that provide better access to the freeway system through upgraded roadways and freeway interchanges.

BE IT FURTHER RESOLVED that the Planning Commission **HEREBY APPROVES** Resolution No. 2011-13, **DENYING** a Change of Zone (PA08-0098) for an approximate 55 acre site from BP (Business Park) to LI (Light Industrial).

APPROVED this 12th day of May, 2011.

Ray L. Baker
Vice-Chair, Planning Commission

ATTEST:

John C. Terell, Planning Official
Secretary to the Planning Commission

APPROVED AS TO FORM:

Deputy City Attorney

RIDGE PROPERTY TRUST

201 Covina Avenue, Suite 8 | Long Beach, CA 90803
T: (562) 856-3819 | F: (562) 856-3820
www.rptrust.com

City of Moreno Valley City Council Members
c/o City of Moreno Valley Planning Division
14177 Frederick Street
Moreno Valley, CA 92553

Re: P08-133, PAO8-0097, 0098, 0022 and PA08-0017

Dear Council Members Stewart, Batey, Hastings, Molina and Co:

Please accept this letter as our formal appeal of the City of Moreno Valley Planning Commission denial of the proposed Westridge Commerce Center Project (the "Project") at the Planning Commission Meeting held on May 12, 2011. Specifics of the Project are as follows:

Case Description:
Plot Plan for a 937,260 square foot warehouse facility on 55 acres, Tentative Parcel Map No. 36027, Zone Change from BP to LI, a Municipal Code Amendment and an Environmental Impact Report.

Pursuant to the denial, there were many questions and discussions centered on the following:
1) Aesthetics (the Architecture of the building).
2) The uncertainty of a known lessee at this time.
3) Traffic
Our position and basis for our appeal relating to the above are:
1) We have constructed buildings in Centerpointe Business Park (across Frederick Street from City Hall) that are similar to what we are proposing at WestRidge Commerce Center and we have received many compliments from past planning commissions and city councils. This issue is totally personal, subjective, and without merit. We worked hard with staff to make this building appealing and to the level of standards Moreno Valley can be very proud of. In fact, the WestRidge Commerce Center architect, HPA, is the same architect for the Skechers building.
2) It is a very rare situation to have a lessee sign a lease for a building without the entitlements in place. The fact that Skechers signed a lease without entitlements is rare. Considering Skechers is a partner in the building with Highland Fairview and the fact there are very few, if any, sites available in the Inland Empire of a size to accommodate the large Skechers building.

ATTACHMENT 22

3) Intersections and roadway improvements were clearly identified in the traffic analysis as being necessary to maintain or improve operational levels of service for this Project and General Plan. This Project will build all required improvements in the immediate vicinity as well as other off-site infrastructure required by the development. Furthermore, Redlands Blvd is a city designated truck route and the planning commission stated they did not want trucks mixing with automobiles.

Applicant:
Ridge Rancho Belago, LLC

Owner:
Ridge Rancho Belago, LLC

Sincerely,

Dennis Rice, President
Ridge Rancho Belago, LLC
By: Ridge Property Trust II, a Maryland real estate investment trust

MORENO VALLEY
WHERE DREAMS SOAR

Community & Economic Development Department
Planning Division
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805
(951) 413-3206
(951) 413-3210 FAX

PROJECT APPLICATION

No.:

Application must be completely filled out to be accepted.

TYPE OF APPLICATION

(One Application Form Required for Each Type of Application)

☐ Administrative Plot Plan	☐ Development Agreement	☐ Specific Plan
☐ Administrative Variance	☐ Development Code Amendment	☐ Specific Plan Amendment
☐ Amended Conditional Use Permit	☐ Extension of Time	☐ Tentative Parcel Map
☐ Amended Plot Plan	☐ General Plan Amendment	☐ Tentative Tract Map
☐ Change of Zone	☐ Plot Plan	☐ Variance
☐ Conditional Use Permit	☐ Pre-Application Review	☒ Other Appeal

APPLICATION INFORMATION

Project/Business Name (if any): West Ridge Commerce Center

Project Description: The project proposes the development of a 937,260 SF warehouse facility on 55 acres. This application is to appeal the Planning Commission denial of the project on May 12, 2011.

Property Address/Location: South of SR60 on the north side of Eucalyptus Ave and approximately 650 feet west of Redlands Blvd.

Assessor's Parcel Number(s): 488-330-003 Through -006 and -026

Gross Area:	Net Area:	Proposed # of Lots/Parcels:	Proposed # of Residential Units:

Related Application(s): Specific Plan Name/No. :

CONTACT PERSONS

APPLICANT Name: Ridge Rancho Belago LLC — Telephone: (562) 856-3819

Address: 201 Covina Ave, Suite 8 — Fax No. (562) 856-3820

City: Long Beach — State: CA — Zip: 90803 — E-mail Address: drice@rptrust.com

Contact Person: Dennis Rice

OWNER Name: same as above — Telephone: ( )

Address: — Fax No. ( )

City: — State: — Zip — E-mail Address:

Contact Person:

REPRESENTATIVE Name: Inland Empire Development Services — Telephone: (951) 845-1003 cell 909-225-0430

Address 931 Monarch Court — Fax No. (951) 845-9775

City: Beaumont — State: CA — Zip: 92223 — E-mail Address: gilsaenz@msn.com

Contact Person:

APPLICATION CONTINUES ON REVERSE

PROJECT INFORMATION

Existing Zoning and General Plan Designations	
Proposed Zoning and General Plan Designations (if applicable)	
Existing Uses and/or Structures on Site	
Surrounding Uses: North	
South	
East	
West	
Lot Size(s) (Sq. Ft.) (Smallest/Largest)	Graded Area (sq. ft.)
Total Building Size (Sq. Ft.)	Impervious area (sq. ft.)
Setbacks: Front	Flood Zone
Side (interior)	
Side (street side)	
Rear	
Maximum Building Height	
Total No. of Parking Stalls:	
Standard	
Handicapped	

N/A

APPLICATION PROCESSING

Each application must be submitted with the required processing fee and all applicable submittal requirements. Additional information or materials may be needed before an application is accepted as complete. An incomplete application may be closed if it remains inactive for 180 days or more.

OWNER'S SIGNATURE

I, Ridge Rancho Belago LLC am the owner of the property described in this application and hereby authorize
Print Name

Dennis S. Rice to act on my behalf on matters pertaining to this application.
Applicant/Representative Name

Dennis S Rice 5-18-2011
Property Owner's Signature Date

Note: If more than one owner, a separate page must be attached, listing the names and addresses of all persons (if a corporation, list officers and principals) having interest in the property ownership.

APPLICANT'S SIGNATURE

I certify under penalty of perjury that all the foregoing information is true and correct, and recognize that any false or misleading information shall be grounds for denial of this application. I also acknowledge that I am aware of and agree to indemnify the City in any legal proceedings pertaining to this request for discretionary land use approval. Section 9.02.310 of the Moreno Valley Municipal Code.

Dennis S Rice 5-18-2011
Applicant's Signature Date

RIDGE RANCHO BELAGO, LLC CTYMORENO CITY OF MORENO VALLEY

DATE	INVOICE NO	DESCRIPTION	INVOICE AMOUNT
5-16-11	51611	APPEAL PROCESS APP FEE	750.00

CHECK DATE	5-17-11	CHECK NUMBER	1194	TOTAL >	750.00

PLEASE DETACH AND RETAIN FOR YOUR RECORDS

RIDGE RANCHO BELAGO, LLC CTYMORENO CITY OF MORENO VALLEY

DATE	INVOICE NO	DESCRIPTION	INVOICE AMOUNT
5-16-11	51611	APPEAL PROCESS APP FEE	750.00

CHECK DATE	5-17-11	CHECK NUMBER	1194	TOTAL >	750.00

PLEASE DETACH AND RETAIN FOR YOUR RECORDS

THE FACE OF THIS DOCUMENT HAS A COLORED BACKGROUND ON WHITE PAPER

RIDGE RANCHO BELAGO, LLC
8430 WEST BRYN MAWR AVE
SUITE 400
CHICAGO, IL 60631
773-695-1250

JP MORGAN CHASE BANK, N.A.
CHICAGO, IL 60603

2-1/710

DATE	CHECK NO.	AMOUNT
May 17, 2011	1194	**********$750.00

Pay:**********Seven hundred fifty dollars and no cents

PAY TO THE ORDER OF
CITY OF MORENO VALLEY
14177 Frederick Street
PO Box 88005
Moreno Valley, CA 92552

THE BACK OF THIS DOCUMENT CONTAINS AN ARTIFICIAL WATERMARK—HOLD AT AN ANGLE TO VIEW

⑈00000 1194⑈ ⑆071000011 549123⑈

Item No. E.3

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From: george hague
Sent: Thursday, May 05, 2011 2:55 PM
To: John Terell
Cc: Jeffrey Bradshaw
Subject: Please send my letter to all the Planning Commissioners today (5-5-11) concerning the West Ridge Commerce Center FEIR

Good afternoon Planning Commissioner,

I hope the planning department has helped those of you who are not use to reading Final Environmental Impact Reports (FEIR). I am sure it would help with the West Ridge Commerce Center FEIR.

In 2009 some Moreno Valley residents responded to a Notice of Preparation (NOP) for this project. These comments were to let those who prepare the document know what we wanted studied and answered in the Draft Environmental Impact Report (DEIR). You should realize that those who do the studies are paid for by the developer and realize that if they want a good reputation among the development community that their report must be favorable to the project. It would be better if we would go back to Moreno Valley's previous system where the report from consultants goes directly to the Moreno Valley Planning department instead of first passing through the hands of the developer where it many times gets massaged.

Last Fall The DEIR was made available which you should read. Different agencies/groups/individuals used the 45 days they were given to read and make comments on the adequacies of the West Ridge Commerce Center's DEIR. They turned in their comments during the first part of last December.

Section three of the FEIR has these commenters original letters which you will notice have been blocked off. You should make an effort to read each of these letters and only then read the responses which immediately follow the original letters. Many of those who write letters believe the responses do not do justice to their concerns and questions. On projects like this it is good to study what the Department of Transportation(DOT) and the South Coast Air Quality Management District (SCAQMD) wanted from this project and the responses they received. These and other agencies are to help protect us and guide us towards better planning. It is sad when responses to their letters are not serious, but just pass the buck.

In section two of the FEIR you will see what I call weasel words which require nothing. Words like "where feasible", "shall encourage", and "greatest extent practical" are just a few examples. These may sound good, but usually result in little, if any, mitigation. Words like "shall" and "will" instead of "should" are more binding and therefor avoided.

Section four has the Mitigation Monitoring Plan which should also be read in order that they are mitigating those items which are brought up in the comment letters.

Usually they bury at the end of some document that which they call "Overriding Considerations". These are the impacts to Moreno Valley which could not be mitigated. This could be such things as toxic diesel air pollution (pm 10 and pm 2.5) which cause significant health effects. It is very sad when projects make the air more toxic to breath-- especially for children and the elderly.

ATTACHMENT 23

Appendix A points out some of these air pollution problems and they should be read by decision makers.

Since I am sure most of you have regular jobs, I find it very sad that you have not been given time to do justice to this FEIR. It must be especially difficult when a couple of our weekends prior to your meeting have holidays that many people enjoy to celebrate. You should ask the planning department for more time to educate yourself by reading the document.

Your responsibility is to "protect the health, safety and welfare" of the residents of Moreno Valley. Only after you have read this document can you fulfill your responsibility.

Take care,

George Hague
Sierra Club
Moreno Valley Group
Conservation Chair

From: george hague
Date: May 9, 2011 11:03:09 AM PDT
To: John Terell <JohnT@moval.org>
Cc: Jeffrey Bradshaw <JeffreyB@moval.org>, gracee@moval.org
Subject: West Ridge Commerce Center Experts & Editorial on Tortoises & Solar threat | Press-Enterprise Editorials | PE.com | Southern California News | News for Inland Southern California

Good afternoon/evening Planning Commissioner,

Lat week I sent you an email about reading the environmental documents for the West Ridge Commerce Center warehouse. I mentioned in that email how developer consultants/experts sometimes supply reports which benefit the proposed project---even when they are selected from an "approved" list. The last line of the second paragraph of this past Saturday's Editorial does a nice job of pointing this out where it reads "studies commissioned by the developer". I hope you will read this editorial and realize this happens on many projects. It is only when agencies like the Department of Transportation, South Coast Air Quality Management District and as well as others who job it is to help you plan for our city respond to DEIRs that you get a much more unbiased/independent view. I hope you will remember this when West Ridge Commerce Center and other developers respond in their FEIRs to these agencies letters.

Take care,

George Hague
Sierra Club
Moreno Valley Group
Conservation Chair

Solar threat

08:24 PM PDT on Friday, May 6, 2011

The discovery of far more desert tortoises than expected near a planned solar power plant in the Mojave Desert should prompt federal officials to rethink the project. And the incident should spur federal officials to require independent environmental studies before bulldozers roll on future solar projects.

Last week, a U.S. Bureau of Land Management assessment found the $2.1 billion BrightSource Energy Co. project near Primm, Nev., would disturb up to 3,000 tortoises and kill as many as 700 young ones. That far exceeds an estimate of 32 of the threatened species at the site -- a number derived from studies commissioned by the developer.

ATTACHMENT 24

After biologists relocated 39 tortoises -- the maximum allowed -- BLM officials last month ordered BrightSource to stop work on two-thirds of the 5.6-square-mile site. U.S. Fish and Wildlife Service officials will decide soon if completing the second and third phases of the Ivanpah Solar Electric Generating System -- which would nearly double the amount of solar electricity produced in the country -- would jeopardize the species.

The clean energy generated by this project is no excuse for federal officials to allow shoddy surveys that underestimate the tortoise population. A developer rushing to qualify for hundreds of millions in federal "stimulus" funding is hardly an objective source about issues that could obstruct construction. Federal officials should have required an independent biological survey before grading and construction work began in October. And that approach should be standard for the numerous solar projects now proposed for desert land.

In this case, the sheer number of the animals that would be killed or disturbed by the solar plant justifies a significant downsizing -- eliminating one or both of the last two phases. Federal officials could have avoided such backtracking had they had the right information before BrightSource broke ground.

Wildlife officials are likely under political pressure to let the developer proceed with much of the project. But even a compromise such as relocating large numbers of the animals would be highly risky. In 2008, the U.S. Army suspended a tortoise relocation effort at Fort Irwin after about 90 of the 556 tortoises moved died, mostly killed by coyotes.

The Mojave Desert, with endless sunny days, is not a bad place for solar power plants. But federal officials need to do a better job of surveying the native wildlife before construction starts. Green projects should not, ironically, degrade the very environment they are meant to help sustain.

From: george hague
Sent: Wednesday, May 11, 2011 10:29 PM
To: John Terell
Cc: Jeffrey Bradshaw; Grace Espino-Salcedo
Subject: PLEASE READ re West Ridge Commerce Center Final Environmental Impact Report (FEIR)
Good evening Planning Commissioners,

YOU NEED TO ASK TONIGHT NOT WHAT THE OPENING-YEAR TRUCK TRAFFIC WILL BE, BUT WHAT IS THE PROJECT DESIGNED FOR AND WHAT WILL THE TRUCK TRAFFIC BE WHEN THE PROJECT IS USED TO ITS FULLEST CAPACITY AND NOT LIMITED TO JUST REDLANDS BLVD IN FUTURE YEARS.

"Estimated opening-year average daily Project-generated truck traffic ingressing/egressing the Project site via Redlands Boulevard includes:

97 two-axel trucks;

220 three-axel trucks; and

539 four-axel trucks." (FEIR p 3-58 & p 3-88 & p 3-163 & other pages)

THESE NUMBERS ARE A DISSERVICE TO YOU AND THE PUBLIC. THE FULL IMPACTS ON TRAFFIC AND AIR QUALITY ARE NOT FULLING EXPLAINED AS REQUIRED BY THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) AND THEREFORE THE FEIR IS INADEQUATE. THEY ARE REQUIRED TO BE EASILY UNDERSTOOD BY THE PULIC AND MITIGATED BEYOND WHAT WEST RIDGE COMMERCE CENTER TRULLY HAS COMMITTED TO IMPLEMENT.

You should not vote on this or any other project unless you have read the documents. You should never just rely on Staff Reports. The Planning Commission should represent all the many varied interests/concerns of the residents of Moreno Valley. I believe if you read all the letters from the agencies as well as the public and groups you will see that many of their legitimate CEQA concerns were not answered or the buck was passed.

Thank you,

George Hague
Sierra Club
Moreno Valley Group
Conservation Chair

ATTCHMENT 25

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May 12, 2011

Planning Commission
City of Moreno Valley
14177 Frederick St.
Moreno Valley, CA 92552-0805

Community Development Director
City of Moreno Valley
14177 Frederick St.
Moreno Valley, CA 92552-0805

VIA US MAIL AND FACSIMILE

RE: Final Environmental Impact Report for Westridge Commerce Center, State Clearinghouse No. 2009101008.

Greetings:

This firm submits the following comments on behalf of Residents for a Livable Moreno Valley, the Moreno Valley Group of the Sierra Club, and area residents after reviewing the Final Environmental Impact Report (FEIR) for the Westridge Commerce Center.

The California Environmental Quality Act (CEQA) was adopted as a disclosure and transparency document. The theory is that by providing a document that adequately describes the environmental consequences of a project to decision makers and the public, the decision makers will make a rational decision based upon the true environmental consequences of the project and if they do not, the electorate can hold them accountable for their decisions. The core of this statutory structure is the adequacy of the EIR as an informational document.

Unfortunately, the FEIR for this Project fails as an informational document. The EIR misleads decision makers and the public as to the extent and severity of the Project's environmental impacts. The FEIR is also internally inconsistent, with statements and conclusions made from one section to another in conflict with one another.

On top of these inadequacies, the FEIR is almost constantly conclusory, and does not provide the analysis or examination required by CEQA to inform the public and decision makers of the analytical pathway taken from facts to conclusions.

CEQA also requires that ***where feasible mitigation exists which can substantially lessen the environmental impacts of a project, all feasible mitigation must be adopted.*** In this way CEQA goes beyond its informational role to require that projects substantively lessen their negative effects on the environment. It is critical to proper drafting of an EIR that all feasible mitigation measures be required of a project. For this project, the FEIR concludes that *unavoidable* adverse impacts will result to/from the following: aesthetics, air quality, noise, and transportation/traffic.

Feasible mitigation measures exist which would reduce these impacts, and ***which have not been required of this project.*** This is contrary to the requirements of CEQA, and the additional feasible mitigation provided in the comments must be required of this project.

Moreover, all mitigation measures required in the FEIR ***must be fully enforceable and certain to occur.*** This Project fails to ensure that all feasible mitigation will occur with this Project and instead provides vague, uncertain, and unenforceable mitigation measures. While it appears that substantial mitigation was incorporated into the project, ***very little mitigation is actually enforceable and required.*** Also, some mitigation measures are included in the text revisions section, yet have not been incorporated into the Mitigation Monitoring Plan. This is unacceptable.

The FEIR fails to make findings supported by substantial evidence in the record. CEQA requires that an agency must make specific findings, based on substantial evidence in the record, where a project has been determined to have significant environmental effects. Here, the findings are nothing more than conclusory statements, and there is no attempt to trace the path from evidence to the conclusions reached. The findings made are not supported by substantial evidence in the record as discussed herein and in our previous comments on the DEIR.

The FEIR lastly fails to adequately respond to the significant environmental points raised in public comments pursuant to CEQA Guidelines. Particularly, Guidelines § 15088 (c) requires that a response to comments evince a "good faith, reasoned analysis." "Conclusory statements unsupported by factual information will not suffice." (Guidelines § 15088 (c).) The FEIR fails to properly respond to comments and often ignores comments altogether. Also, the responses tend to generalize specific comments made by the commenter. For instance, a comment regarding cumulative air pollution impacts which asks: "Has this been taken into consideration, and wouldn't it be advisable to restrict commercial land use to less concentrated populations of heavy polluters, such as diesel trucks?" is responded to generally: "The commenter expresses concerns regarding the cumulative effects (air pollution) of this Project when combined with other vicinity projects." (Comment and response for SCR-2) These generalizations tend to result in responses which do not respond to the comments and questions presented. This is contrary to the policies of CEQA.

In additional to the general comments above, the below specific inadequacies were discovered upon review of the FEIR:

Text Revisions:

- Revision to 3.5.12 Screening: It is unclear why the sentence ends in an ellipsis. Was more intended to be included here?
- The language of Air Quality Mitigation 4.3.8 is uncertain and vague.
    - The introductory statement is unclear and should be omitted, as discussed below.
    - Where the mitigation measures state that a measure shall be used "where feasible," this language must omitted or changed to read where "technologically feasible" so that the mitigation measures are certain and enforceable.

- At Mitigation Measure 4.3.13 for GHG's, lease/ purchase documents must require, not merely encourage lessors or purchasers to comply with the measures provided.
- Mitigation Measure 4.7.2 states that artifacts will be curated where preservation in place is infeasible. This measure should require that this determination of infeasibility be made by a qualified archaeologist and approved by the City.
- At Mitigation Measure 4.7.3: the paleontological mitigation-monitoring plan must be developed prior to project approval so it may be determined that such mitigation is sufficient to reduce paleontological impacts. As is, the paleontological mitigation-monitoring plan is impermissibly deferred per CEQA and case law. Also at the third bullet, the word "salvage" should be changed to something which implies that fossils are being properly cared for. Likewise, "to avoid construction delays" should be removed: the purpose is to mitigate for potentially significant paleontological impacts, *not* to remove all impediments to construction as quickly and haphazardly as possible.
- Mitigation Measure 4.8.5 should require that all habitat replacement, revegetation and mitigation for impacts to riparian habitat be implemented by an approved biological monitor. The measure should also require that, if in 3 years the success criterion of 80% has not yet been achieved, revegetation and other mitigation shall continue until such criterion is achieved.

Responses to Comments:

Responses to Johnson & Sedlack Comments:

Response to JS-5 does not evidence a good faith, reasoned response. First, the response states that despite a finding of significant and unavoidable impacts to agriculture in the GPEIR, the agricultural impacts of this project are less than significant. To the contrary, a reasoned outlook would find project impacts to be significant and unavoidable as detailed and considered in the GPEIR, and for which a statement of overriding consideration was necessary. Second, the response ignores the fact that, where an EIR tiers off of a broader EIR, CEQA requires that effects of later projects should be evaluated if they are *susceptible to substantial reduction or avoidance by the choice of specific revisions in the project, the imposition of conditions, etc.* (Guidelines § 15152) Here, Johnson & Sedlack has provided two possible mitigation measures, namely conservation easements or donation of funds, which would reduce the project's impacts to agriculture and therefore must be considered.

Response to JS-6 does not provide a reason for failing disclose that the project is located in a PAKO zone. The response also states, without substantiation, that there is no indication that the project would interfere with animal keeping, where the project would plainly alter the rural nature of the area. (DEIR p. 5-5)

Response to JS-7 is incorrect. Specifically, the comment stated that the assumption of zero VMT for on road truck travel was erroneously assumed in the Air Study. At Appendix A, page 1 Phase: Fine Grading 7/1/2009-7/15/2009 (Phase 2 Grading), the air study plainly states On Road Truck Travel as zero. The air quality analysis remains flawed and understates impacts from fine grading.

Response to JS-14 and other comments apply a too strict standard for evaluating mitigation measures proposed by commenters on a DEIR. A commenter need not demonstrate the quantitative efficacy of a measure nor a nexus between each mitigation measure presented and its benefit. This demonstration of need and nexus is a requirement of the measure itself to be determined by the lead agency. (Guidelines 15126.4(a)(4) and (5).) Rather, a commenter need only suggest specific alternatives and/or mitigation measures that would avoid or mitigate a significant effect. (Guidelines § 15204(a).) The comment states that measures proposed will reduce construction air quality emissions.

Moreover, the mitigation measures deemed "incorporated" per JS-14 are not actually incorporated as project mitigation at MM 4.3.8. Namely, the "mitigation" does not apply to the project itself, but instead must be notated in "Grading plans, construction specifications and bid documents…" The measures may not be implemented for construction of the project itself while still complying with the terms of MM4.3.8, namely by adding a notation within the construction documents. Hence, this supposed incorporation of mitigation measures does not actually occur, and not all feasible mitigation has been required of this project. MM4.3.8 is uncertain and unenforceable.

JS-14 number 20 is not included in MM 4.3.13 in the Mitigation Monitoring Plan, despite the statement to the contrary. Moreover, MM4.3.13 generally applies to operational impacts and not construction impacts, as evidenced by the timing of monitoring, "Before issuance of first Certificate of Occupancy," and thus will not mitigate for construction emissions. Number 21 is included, but with the limit that "a shuttle will be provided during any one hour period where more than 20 employees or construction workers utilize public transit." This is a severe limitation on the measure recommended and such limitation is not disclosed in the response to comments. The mitigation measure *as recommended* must be adopted.

Response to JS-15 is unresponsive to the comment made regarding the need to note variances from URBEMIS defaults for informational purposes. The comment does not state that variances from defaults are improper, as the response asserts, but merely that they must be disclosed.

Response to JS-17 alleges that, "The Lead Agency cannot control emissions from the tailpipes of vehicles traveling to/from the facility." This is simply untrue. The lead agency may adopt mitigation measures, such as those recommended by the commenter requiring that lessees/purchasers become SmartWay partners, meet 2010 air quality standards or better, etc.

Response to JS-19 has the same problems as the response to JS-14, ***namely that almost all of the mitigation measures deemed "incorporated" at MM4.3.13 are not actually incorporated as certain and enforceable mitigation measures of the project.*** Instead, MM4.3.13, bullet 7, merely requires that, "Lease/purchase documents shall identify that tenants are *encouraged* to provide incentives to realize the following…" [emphasis added]. Hence all that is required is a *written provision* in the lease/purchase documents *encouraging* the use of incentives, not any actual requirement that mitigation be implemented. These repeated untruths in the response to comments cause the FEIR to fail as an informational document and are completely contrary to CEQA policy that mitigation be certain and enforceable.

Likewise, JS-19 number 19 is not incorporated into mitigation as stated in the Response and is vague and uncertain. In 4.3.10 (not 4.3.11 as stated), the mitigation required is that "All entrances shall be *posted with signs* which state: ...Diesel delivery trucks servicing the Project shall not idle for more than three (3) minutes..." [emphasis added] The mitigation does not prohibit the idling of trucks in excess of three minutes, but instead merely requires the posting of signs to that effect prior to the first Certificate of Occupancy.

Response to JS-30 is unresponsive to the comment made regarding insufficient project noise mitigation. Response to JS-31 provides no reason for failing to incorporate the performance standard of noise barriers which will reduce noise at sensitive receptors to no more than 60dBA Leq, particularly.

Response to JS-33 (1) refuses to incorporate mitigation measures which would reduce significant construction noise impacts without finding that such mitigation is infeasible. Instead, the response merely states that such mitigation is not required, but is only recommended, by the Noise Impact Analysis. CEQA provides that agencies may not approve projects for which feasible mitigation measures exist which would reduce a project's significant environmental effects. Here, the comment suggested feasible mitigation to reduce construction noise impacts which were, in turn, recommended in the Noise Impact Analysis. Such mitigation is not shown to be infeasible, and therefore must be incorporated in the project. At (4), the mitigation at 4.3.8 is inadequate and unenforceable. At (5), MM 4.3.10 does not prohibit the idling of trucks in excess of three minutes, but instead merely requires the posting of signs to that effect prior to the first Certificate of Occupancy.

Response to JS-34 incorrectly insinuates that, in determining a projects noise impacts, the noise from transportation/trucks should be omitted. While ambient noise may not be included to determine a project's noise impacts, impacts directly related to the project's operations must be included in the EIR's determination, as they are incorporated into the whole of the project. This response is also greatly unresponsive to the comment made.

Response to JS-35 merely restates the EIR and does not evidence a good faith response to the comment made. Specifically, the comment notes that the EIR does not provide data regarding groundbourne vibration levels nor evaluate potential impacts to people. The response repeats these issues, but fails to address them in the EIR, or alternatively to provide a reason for failing to correct the EIR.

Response to JS-39 does not evidence a good faith, reasoned response to the comment made and does not adopt feasible mitigation to reduce project noise impacts.

Response to JS-40 is unresponsive to the comment made regarding impacts to 1-215. The response instead dissolves into a discussion of SR-60.

Response to JS-42 (5) and (6) are included at MM 4.3.8, but in a manner which is unenforceable and requires zero actual mitigation to occur, as discussed above regarding JS-14. Numbers (7)

and (8) are not included at MM 4.3.8 at all, despite the statement to the contrary in the response to comments.

Response to JS-53 is conclusory and does not evidence a good faith, reasoned response to the comments made.

Other Responses to Comments

Please note that many responses to comments are repeated throughout the FEIR. The evaluation of inadequate responses below will often refer only to the first time the response is given, where such responses are repeated. Moreover, such inadequacies are likely discussed with regards to responses to Johnson & Sedlack's comments above.

- Response to CDFG-10 does not provide a good faith reason for failing to require a 3:1 replacement ratio of riparian habitat as recommended by CDFG. Specifically, CDFG stated that, "The Department recommends avoiding the stream and riparian habitat to the greatest extent possible. Any unavoidable impacts need to be compensated with the creation and/or restoration of in-kind habitat either on-site or offsite at a minimum 3:1 replacement-to-impact ratio…" The response cites no reason based on substantial evidence in the record for failing to incorporate this mitigation.
- Response to EMWD-2 is inadequate and conclusory. The commenter noted that impacts from construction will likely create impacts to service which must be evaluated in the EIR. However, the response states, based on no evidence in the record, that the conclusions of the Draft EIR are not affected by the inclusion of this potential impact in the EIR's analysis. Such analysis must first be conducted in order for this conclusion to be made.
- Response to RCFC-3 does not respond to the comment made. The commenter stated that the Project must *demonstrate consistency* with the MSHCP, not that the project must comply with the MSHCP requirements. A project may comply with the MSHCP requirements and still be inconsistent.
- Response to MA-4 is conclusory and not based on reasoning or evidence in the record.
- Response to MA-7 is unresponsive to the comment made regarding impacts to freeways, overpasses, and roads which will not receive the fees paid by this project for improvements and for which improvements are uncertain. The response also seems to suggest that the project will be gifting massive sums of money to the state and region for improvements. This response fails to state, however, that the fees to be paid by this project are for the purpose of mitigating this project's environmental impacts.
- Response to MA-10 is contradictory and does not respond to the comment made. The response states that project traffic will not pass through residential neighborhoods, while noting that properties adjacent to the access road to the site are designated residential. Moreover, the comment made stated that trucks often pass through "or near residential areas." Also, the comment clearly states that, for truck impacts *to roadway surfaces*, 1 truck =1,000 cars. The referenced portion of the EIR instead discusses traffic/ truck volume impacts, not necessarily impacts to roadway surfaces.

- Response to LA-2 does not respond to the comment made which inquires which mitigation measures were found to be infeasible and will not be required of this project.
- Response to LA-3 is unresponsive to the comment made. The comment inquires what protection measures against Diesel PM will be implemented for the warehouse workers, and the response merely states that the impacts to on-site workers are not analyzed in the EIR. Nonetheless, mitigation measures, conditions, and project design may implement *protection* measures. Also CAL/OHSA may require additional worker protection measures. The FEIR is thus unresponsive to the comment made.
- Response LA-4 is conclusory and states, without reference to any evidence in the record that, "No potentially hazardous materials, beyond those described [paint, solvents, fertilizers, etc.] are anticipated to be handled at the site." There is simply no basis for this conclusion. The remainder of the commenter's concerns regarding spills and smoke plumes are unaddressed.
- Response to LA-5 states that the level of LEED certification cannot be determined as the tenants and uses are unknown. However, it would be feasible to require at least LEED silver certification by contract specification. If a higher LEED certification was deemed possible, there is no bar from achieving that higher level.
- Response to GB-2 is unresponsive to the comment made. Namely, the commenter merely asked what "environmental aspects" of the site are missing from the Geotechnical investigation. This question remains unanswered in the response.
- Responses to GB-5, GB-7, and GB-9 neither make needed changes to the EIR nor provide good faith, reasoned responses for determining not to make those changes. Specifically, the commenter asked why the Casa Loma fault was not included in the EIR when it is proximate to the project. The responses ignore the EIR's role as an informational document and determined that, since the project would nonetheless comply with the California Building Code, such information could be omitted. This is contrary to the information disclosure requirements of CEQA. Likewise, the response at GB-5 notes that the Casa Loma fault was likely not included in the UBCSEIS database. None of these three responses, however, support a determination that the project will not be impacted by this fault.
- Response to GB-8 is unresponsive to the comment made.
- Response to GB-10 neither makes needed changes to the EIR nor provides good faith, reasoned responses for determining not to make those changes. The commenter points out scenic resources which were unincorporated into the EIR and the DEIR description, and the response seems to concur that these scenic resources are significant and were omitted. Beyond such concurrence, however, no changes are made to the EIR or explanation given for determining not to make those changes.
- Response to CCA-1 is unresponsive to the comment made. The commenter specifically asks what mitigation will occur for cumulative traffic and diesel impacts. No response to this inquiry is given.
- Response to CCA-2 is likewise unresponsive to the inquiries made regarding noise impacts and mitigation for cumulative impacts.
- Response to CCA-3 does not evidence that the project adopted all feasible mitigation. Comment CCA-3 recommended additional and certain mitigation which was not discussed in the response and not determined to be infeasible. Such measures as retrofit

all trucks and phase them in over a period of time must be included to reduce the project's air quality impacts.

- Response to FNSJ-3 is unresponsive to the comment made. The commenter stated that agricultural impacts for this project were deemed potentially significant and should be mitigated through the purchase of conservation easements. The response ignores the fact that, where an EIR tiers off of a broader EIR, CEQA requires that effects of later projects should be evaluated if they are susceptible to substantial reduction or avoidance by the choice of specific revisions in the project, the imposition of conditions, etc. (Guidelines § 15152) Here, the commenter plainly states that such potentially significant impacts could be reduced through purchase of conservation easements, and the comment should be given substantial consideration.
- Response to FNSJ-4 does not find that it is infeasible to require that off-road heavy construction to meet CARB Tier III or better certification. Such mitigation is feasible and would significantly reduce the project's air quality impacts. The measure must be required.
- Response to FNSJ-7 combines many comments and provides conclusory, unreasoned, and unresponsive responses. The response ignores the comment calling for a discussion of air quality impacts to health risks and impacts to biological resources.
- Response to FNSJ-8 combines the response to at least four comments into one, and goes on to ignore several of the comments made. For instance, there is not response made to the comment that growth inducing impacts on air quality were not evaluated.
- Response to FNSJ-12 does not evince a good faith, reasoned response to the comments made that impacts from global warming on the project must be analyzed; potentially exacerbated project impacts as a result of climate change must be analyzed; and global warming impacts on water supply and flooding must be analyzed.
- Response to FNSJ-16 does not respond to the question raised regarding onsite eating facilities.
- Responses to FNSJ regarding mitigation measures (FNSJ-18-20) seem to state that the *commenter* need to demonstrate that mitigation is either required or a nexus such that mitigation is necessary. This is not a showing required of a commenter in proposing mitigation; this is a requirement of the measure itself to be determined by the lead agency, as discussed above. (Guidelines 15126.4(a)(4) and (5).)
- Response to FNSJ-22 notes that four of the alternative sites considered are not available, yet irrationally concludes that by considering four unavailable and impossible alternative sites, a reasonable range of alternatives was considered. None of these "alternatives" may be included in the range of alternatives considered when, in fact, only Alternative Site 5 was considered. The response also does not address the issue of quantification of impacts raised by the commenter.
- Response to SG-1 is unresponsive to the comment made. The commenter notes the potential for blight in the area due to unoccupied buildings, aesthetic impacts, and long term growth inducing impacts from the zone change. No response is made to these issues.
- Response to SG-8 does not respond to the issue raised of reinforcing the roof and installing solar panels.

- Response to HF-1 is unresponsive to the comments made and fails to demonstrate a good faith, reasoned response.
- Response to SM-3 is conclusory and fails to provide reasoning. Likewise, NDN-5. The project fails to incorporate feasible mitigation recommended previously by Johnson & Sedlack, discussed above, including mitigation recommended in the Noise Impact Study.
- Response to DR1-6 is unresponsive to the comment made suggesting an alternative site by March Global Port.
- Response to SC-4 does not respond to what time of day truck trips are expected, merely that the project is assumed to be operation 24/7. This is unresponsive to the comment made and fails to provide any hourly expectations, particularly during peak hours.
- Response to TT-7 does not find it infeasible to require additional wall offsets in order to mitigate for aesthetic impacts. Instead, the response purports to defer this potential mitigation to a later time. This is improper and this mitigation measure must be required of the project.
- Response to TT-11 does not incorporate or find infeasible the mitigation recommended including requiring that a percentage of the fleet vehicles of tenants be low or zero emission and requiring soot filters or the latest available technology.
- Response to RJ-C-1 is unresponsive to the comment made.

Mitigation Monitoring Plan:

The following comments on the MMP are in addition to comments made previously in the "Text Revisions" section.

Traffic:
Many of the traffic mitigation measures state that the improvement will be funded through participation in the TUMF, DIF, or other fair share program. It is unclear in the MMP, however, whether the applicant need only pay into the program prior to issuance of the first building permit, or whether the improvements must be completed prior to issuance of the first building permit in order to mitigate for the traffic impacts listed. This should be clarified so that mitigation is certain and enforceable in the monitoring program.

Air Quality:
Not all feasible mitigation has been adopted to reduce air quality impacts from the project.

MM 4.3.2 in the MMP does not make the alterations stated in the responses to comments and text revision section (removing "during smog season", etc.) Moreover, trucks should be limited from idling beyond 3 minutes.

MM4.3.4 requires that contractors for the project will use CARB Tier 2 equipment or better. It is feasible to require at least Tier 3 certified or better.

For MM 4.3.6, it is feasible to require that only existing electrical power sources may be used; no diesel or gasoline powered generators shall not be utilized for project construction.

For MM 4.3.8, the language creates uncertain and unenforceable. Measures must only be included in plans and bid documents which may be subsequently altered and are not required of the project itself as written. The language must be changed to delete the introductory statement such that the mitigation measures apply directly to the project. Also, at bullets 6, 8, 9, and 10 which state that a measure shall be used "where feasible," this language must omitted or changed to read where "technologically possible." Likewise, at bullet 12, the "greatest extent practical" language must be deleted. As currently written, such mitigation measures are unenforceable and contrary to CEQA. Finally, bullet 14 states that all forklifts used in the operation of the Project shall be electric or natural gas powered, where MM 4.3.8 applies only to construction and construction contracts. This measure should be repeated elsewhere to reduce operation air quality impacts of the project.

MM 4.3.10 represents only one half of the mitigation measure- the posting of signs. An additional mitigation measure and/or monitoring program must be adopted for the second half of the mitigation measure-enforcement of the measures by the on-site facilities manager (or equivalent.) As written, this mitigation measure is uncertain and unenforceable.

MM 4.3.11 requires less mitigation than stated in the EIR. Namely, the EIR and responses to comments have repeatedly stated that the project will surpass Title 24 standards by 20%, yet the mitigation measure actually requires this surpassing of Title 24 by 20% only for "water heating and space heating and cooling." This limitation must be removed from the language of the mitigation measure. It is feasible to require that the project surpass Title 24 by 20% for the project as a whole, and in fact, feasible to surpass Title 24 by 30%.

MM 4.3.13 bullet 7 is completely uncertain and unenforceable. The measure provides that lease/purchase documents shall *note* that tenants are "encouraged" to provide incentives to realize mitigation measures. This introductory language must be removed and the mitigation measures required of the *project itself* through lease/purchase contracts. Moreover, most of the mitigation measures included in MM4.3.13 bullet 7 would reduce air quality emissions, namely Diesel PM, not merely GHGs as stated.

Noise:
Mitigation measures adopted for noise require that "Project plans and specifications shall include a statement that…" Again, no mitigation or monitoring is actually required of the project itself, only the written documents. No mitigation of project impacts is certain to occur.

MM4.4.2 is unenforceable, as the language of the measure requires that equipment be staged in areas that will create the "greatest distance" between noise and off-site receptors. A minimum distance or performance standard must be required to ensure that the distance chosen mitigates noise impacts.

MM 4.4.3 is uncertain, as it requires that haul routes not pass sensitive land uses or residences "[t]o the extent feasible." This feasibility language must be removed so that this measure is certain and enforceable.

MM4.4.4 is unenforceable as it provides for the "maximum reduction for noise sensitive uses." Some performance standard or specific type of noise curtain must be specified to ensure that the maximum reduction for noise sensitive uses actually occurs.

Water Supply:
There is no monitoring plan for MM 4.5.4.

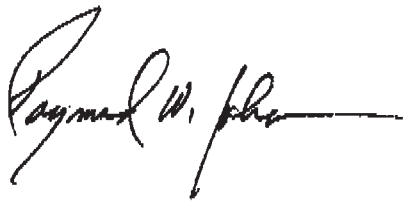
Cultural Resources:
The mitigation and monitoring for MM 4.7.2 must occur throughout excavation and grading activities, not "Prior to issuance of first Certificate of Occupancy."

Alternatives:
A substantial number of comments concern the consideration of an inadequate range of alternatives, namely the *consideration of only one viable alternative site*. Alternative Sites Nos.1-4 are unavailable and were presumably included in the EIR in order to deceive the public and decision-makers into believing that an adequate range of alternatives was considered. The responses to comments concur that only Alternative Site No.5 was a viable alternative. (*See,* Response to FNSJ-22) Additional alternative sites must be considered for this project in order for there to have been consideration of a reasonable range of alternatives.

Statement of Overriding Considerations:
A statement of overriding considerations is improper with this project as the project will have extensive environmental impacts, as discussed above, yet only minimal project benefits. The project will have adverse impacts to/from the following: aesthetics, air quality, noise, and transportation/traffic. This includes substantial concerns for human health, including health risks from air pollutant emissions and health risks from excessive noise. These are major environmental risks which must be deemed offset by the economic, legal, social, technological, or other benefits of the project. (Guidelines § 15093(a).) This project will generally only benefit the developer of the warehouse. Yes, the project could create some new jobs in the area and generate some annual taxable sales, yet as noted by many commenters, warehouses already developed in the area remain vacant. These speculative benefits are comparatively insubstantial when compared to project risks. A statement of overriding considerations cannot be adopted for this project.

Thank you for your consideration of the above comments.

Sincerely,



Raymond W. Johnson
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E-Mailed: May 12, 2011 May 12, 2011
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Review of the Final Environmental Impact Report (Final EIR) for the Proposed West Ridge Commerce Center Project

The South Coast Air Quality Management District (AQMD) appreciates the opportunity to comment on the above-mentioned document. The following comments are meant as guidance for the lead agency and should be considered prior to certifying the Final Environmental Impact Report (Final EIR) as appropriate.

The proposed project will result in at least 856 trucks per day serving a warehouse that is approximately one million square feet. As a result, the AQMD staff is concerned about the significant air quality impacts and elevated cancer risk impacts to sensitive receptors (i.e., residences adjacent to the project site) from the high volume of diesel truck traffic generated by the proposed project. On December 10, 2010 the AQMD staff provided comments on the draft EIR regarding these impacts and expressed specific concern about the project's air quality analysis and health risk assessment (HRA). Further, AQMD staff suggested a list of mitigation measures to reduce the project's significant air quality impacts.

On May 2, 2011 the AQMD staff received the response to comments in the most recent staff report. Upon review of this document we continue to have concerns regarding the project's significant air quality impacts, potential deficiencies in the health risk assessment, mitigation measures and land use compatibility. Specifically, the AQMD staff recommends that the lead agency revisit the operational profile in the HRA to ensure that it is consistent with the traffic study. Also, given that the proposed warehouse project will require a significant number of trucks that travel adjacent to residential land uses the AQMD staff recommends that the lead agency provide additional mitigation to

reduce the project's significant truck emissions and revisit the size of the proposed setback between the trucks serving the project and future and current residential uses. Details regarding these concerns are enclosed.

AQMD staff is available to work with the lead agency to address these air quality issues and any other questions that may arise. Please contact Dan Garcia, Air Quality Specialist CEQA Section, at (909) 396-3304, if you have any questions regarding the enclosed comments.

Sincerely,

Ian MacMillan
Program Supervisor, CEQA Inter-Governmental Review
Planning, Rule Development & Area Sources

Attachment

IM:DG

SBC110428-02
Control Number

1. Health Risk Assessment Methodology

AQMD staff originally commented on potential methodological deficiencies in the HRA presented in the Draft EIR. We appreciate the response to those comments, and have the following comments based on those responses. AQMD staff is still concerned that the HRA methodology in the Draft EIR may underestimate potential health risks to nearby sensitive receptors based on the following points.

- The HRA source geometry does not reflect the layout of the proposed building as detailed in Figure 3.5-4 of the Draft EIR and Exhibit 5-4 of the Transportation Impact Analysis (TIA) appendix. The primary difference between the modeled approach and the project description in the EIR is the location of truck entrances to the facility. The project description and TIA indicate that up to 80% of the truck traffic serving this facility will travel along the future Eucalyptus Avenue, just south of the site. However the HRA assumes that the majority of truck traffic enters the facility through eastern and western entrances, and that Eucalyptus Avenue only accommodates 29.7% of all truck traffic. This discrepancy yields an underestimation of approximately 430 truck trips per day travelling along Eucalyptus Avenue. Without considering the diesel emissions from these trips, the risk reported for the residential receptors located closest to the facility just south of Eucalyptus Avenue will be underestimated.

- The HRA underestimates the amount of trucking activity that will occur onsite by not including onsite traveling emissions. Given the significant size of the project, each truck can be expected to travel approximately ¼ mile in the southern truck entrances and loading areas onsite and nearly ¾ mile in the northern loading areas and western entrance. With 856 truck trips per day, this omission yields an underestimate of approximately 200 miles of onsite trucking activity per day. Without including the diesel emissions from this activity, the health risk reported in the Final EIR is underestimated.

- The proposed mitigation measure of reducing idling to a total of 3 minutes onsite for each truck may not be achievable given the description included in the EIR. For example, it is unclear how the project proponent will enforce the measure with 856 trucks per day (equal to approximately two truck trips onsite each minute of a 24 hour day) on a 50+ acre site with 173 docks and 175 truck parking stalls. The lead agency should either include specific provisions that establish how this measure will be enforced (e.g., onsite staff dedicated solely to monitoring diesel activities), or revise the HRA to include a more realistic composite onsite idling time of 15 minutes per truck (5 minutes entering, 5 minutes onsite, 5 minutes exiting).

2. Land Use Compatibility Mitigation

AQMD staff appreciates the inclusion of the proposed amendment of Municipal Code 9.05 as a part of this project. This amendment requires that industrial and warehouse projects greater than 50,000 square feet in size be separated from any residential district

by a distance established by an air quality or noise analysis, with a minimum of a 250-foot setback. This is a forward-thinking measure; however, its overall effect may be substantially reduced by not including a cumulative analysis of the primary truck route serving the facility in the distance measurement. For example, in the current project over 680 truck trips per day serving this facility will pass adjacent to a residential district south of the future Eucalyptus Avenue. This significant trucking activity may produce emissions that surpass those produced in the southern loading area. However, as written the setback area is measured from the loading area, not the truck route. AQMD staff recommends that the lead agency include truck routes within this amendment.

3. Regional and Localized Air Quality Mitigation

AQMD staff appreciates the addition of a mitigation measure in the Final EIR to address diesel emissions from trucks. However, given the project's significant regional and localized operational air quality impacts from VOC, NOX, PM10 and PM 2.5 emissions the AQMD staff recommends that the lead agency revise Mitigation Measure 4.3.13 to ensure that these impacts are minimized. Specifically, the lead agency should revise the aforementioned measure to extend this requirement to any fleet owners/operators that serve the proposed project; therefore, the measure should be revised as follows:

- Lease/purchase documents shall identify that tenants are encouraged to provide incentives to use of fleet vehicles conforming to 2010 air quality standards or better.

- If trucks older than 2007 model year will be used at the facility, within one year of signing a lease, tenants of the project and/or fleet owners and/or operators that serve the proposed project shall apply in good faith for diesel truck replacement/retrofit grant programs such as those offered by AQMD or ARB, and shall use those funds if awarded.

Information about various funding programs can be found the following websites:

- http://www.aqmd.gov/tao/Implementation/index.htm and

- http://www.arb.ca.gov/msprog/truckstop/azregs/fa_resources.php

From: Paul Claxton
Sent: Wednesday, May 11, 2011 5:42 PM
To: Jeffrey Bradshaw; John Terell; Grace Espino-Salcedo
Subject: West Ridge Commerce Center

Mr. Bradshaw, Mr. Terell, and Ms Espino-Salcedo,

I am writing to express my concern about plans to put in another nearly one million square foot warehouse.

I bought my home ten years ago in a very different Moreno Valley. I work at March Air Force Base and when we moved here from Washington state my family looked at a number of towns in the area – Corona, Riverside, and Moreno Valley among others. What struck me about Moreno Valley was the beautiful east end of ranches and open land. The city struck me as a pleasant bedroom community to raise my family, grow old, and retire in. That's no longer the case. The city seems hell bent into becoming another Ontario or San Bernadino full of warehouses, lower wage jobs, traffic, noise, pollution, crime, and high taxes. Sorry, I am at a point in my career that I can afford to pull out and move if I have to and it is very apparent to this frog that the pot is on the range top and the water is getting warmer. The crime rate is already soaring with the violence brought here by the gangs and the drugs they freely peddle on our streets without having to drive out more tax payers for additional renters and section 8 housing.

I live just a couple short miles away from this second stake into the heart of the valley. The Sketcher's warehouse has yet to open and I can hardly wait for 200 semi-trucks an hour to roll down the 60 freeway, Ironwood and other side streets creating noise and pollution. This warehouse hasn't created another job in the city yet, I find it hard to imagine that people would sell their homes in Ontario and move here to be 15 miles closer to work, unlikely.

Paul Claxton
Moreno Valley

ATTACHMENT 28

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CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES

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

b. **Council Member Robin N. Hastings report on Western Riverside Council of Governments (WRCOG)**

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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

AGENDA DATE: August 23, 2011

TITLE: RESOLUTION ESTABLISHING CRITERIA TO GUIDE THE PROCESS OF REVISING THE BOUNDARIES OF COUNCILMANIC DISTRICTS

RECOMMENDED ACTION

1. Staff recommends that the City Council adopt Resolution No. 2011-93 establishing criteria to guide the process of revising the boundaries of the council districts from which members of the City Council are elected.

BACKGROUND/DISCUSSION

The California Elections Code provides that following each decennial federal census, the council shall by ordinance or resolution, adjust the boundaries of any or all of the council districts of the city so that the districts shall be as nearly equal in population as may be and shall comply with the applicable provisions of Section 1973 of Title 42 of the United States Code, as amended. In establishing the boundaries of the districts, the council may give consideration to the following factors: (a) topography, (b) geography, (c) cohesiveness, continuity, integrity and compactness of territory, and (d) community of interests within the districts. The timeline of adjustment of the boundaries shall be before the first day of November of the year following the year in which each decennial federal census is taken.

An initial step in undertaking the revision of district boundaries is to establish criteria which will be used to guide the redistricting process. The concepts reflected in the proposed criteria were presented by Alan Heslop, Founder of National Demographics Corporation (NDC), at the July 26, 2011 Special Meeting. National Demographics Corporation nationally recognized as a leader in the districting field has been contracted

by the City to conduct the required redistricting process. The timeline is provided accordingly.

Scheduled Timeline:

July – August 10
Creation of Public Participation Paper Kits

July – August 10
Creation of an On-line Redistricting Application for public use and submission of plans

August 23
Regular City Council Meeting - Adoption of Criteria

September 1
Creation and on-line interactive posting of 2 or 3 draft plans for citizens' review

September 12th and 15th
Citizens' Community Meetings in two areas of the city: one at the east end and one at the west end (citizen participation)

September 27
City Council Public Hearing - Review of suggested final map from citizens' input

October 11
City Council Public Hearing and Final Adoption of Resolution

ALTERNATIVES

There are no alternatives as redistricting is required in order to comply with applicable state law.

FISCAL IMPACT

National Demographics Corporation submitted a proposal for $27,500, not to exceed $45,000. Basic Elements include: development of redistricting database including U.S. Census and California Statewide Database data; incorporation of GIS data that the City wishes to include and provides; development of 2 or 3 "Consultant Plans" for Council consideration; analysis and preparation for Council consideration of all whole or partial-plans submitted by the public; any relatively minor corrections requested to a Council preferred Draft plan; and work with the Riverside County Registrar of Voters office to implement the final adopted plan.

The Optional Elements are additional cost items that can only be implemented by written approval from the City. The Optional Elements include: In-person Council and/or

public meetings*; Citizens' Community Meetings*; (consultant suggests a minimum of two meetings at $2,000 per meeting; if Council desires more citizens' community meetings, please provide staff direction); development of each new plan from scratch or nearly from scratch, beyond the 2 or 3 "Consultant Plans" in the basic package; creation of a "Public Participation Kit" in paper/Acrobat PDF-only and paper-plus-Excel formats*; on-line redistricting application for the public to use to design and submit redistricting plans for NDC review and Council consideration*; and translation of any project materials in Spanish*.

This expenditure has been included in the City Clerk's budget for FY 2011/12.

* Denotes Optional Elements that have been or will be implemented

NOTIFICATION

Publication of the agenda.

ATTACHMENTS/EXHIBITS

1. Proposed Resolution
2. Proposed City of Moreno Valley Criteria
3. City of Glendale, Arizona Criteria
4. City of Mesa, Arizona Criteria

Prepared By:
Jane Halstead
City Clerk

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:

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RESOLUTION NO. 2011-93

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ESTABLISHING CRITERIA TO GUIDE THE PROCESS OF REVISING THE BOUNDARIES OF THE COUNCIL DISTRICTS FROM WHICH MEMBERS OF THE CITY COUNCIL ARE ELECTED

WHEREAS, the Council Members of the City of Moreno Valley are elected from five districts within the City; and

WHEREAS, §21601 of the California Elections Code provides that following each decennial federal census, general law cities must adjust the boundaries of any or all of the council districts of the city so that the districts be as nearly equal in population as may be and shall comply with the applicable provisions of §1973 of Title 42 of the United States Code, as amended; and

WHEREAS, in an effort to ensure a fair and orderly process for redrawing the district boundaries and to promote public confidence in the process, the City Council has decided to adopt criteria to guide the boundary revision process before revised district boundary proposals are drawn;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS: that the redistricting criteria described in Exhibit A, attached hereto and incorporated herein by this reference, are adopted by the City Council and shall guide the City Council in the process of revising the Council districts from which Council Members are elected.

BE IT FURTHER RESOLVED that the City Council reserves the right to modify these criteria by further resolution or minute order to address issues or concerns raised during the redistricting process upon which the City is about to engage.

APPROVED AND ADOPTED this 23rd day of August, 2011.

_____
Mayor of the City of Moreno Valley

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

Attachment 1

CITY OF MORENO VALLEY
REDISTRICTING CRITERIA

Issues of Equality and Fairness

1. **Equal Population:** Each district shall contain a nearly equal number of inhabitants;

2. **Adherence to the Voting Rights Act:** District borders shall be drawn in a manner that complies with Section 2 and Section 5 of the Federal Voting Rights Act;

Councilmanic Districts:

3. **Councilmanic Districts**: District borders shall be drawn to avoid locating more than one current Council member in any one district as much as possible;

Good Government Criteria:

4. Each district shall consist of contiguous territory in as compact form as possible;

5. Each district shall respect communities of interest as much as possible;

6. District borders shall follow visible natural and man-made geographical and topographical features as much as possible;

7. Each new district shall preserve the corresponding existing district's population and territory as much as possible;

8. Districts known to be areas of higher-than-average population growth in the two to five years following redistricting may be under populated within the population deviation amounts allowed by law.

Exhibit A

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

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

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

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City of Glendale, Arizona

Redistricting Criteria Adopted by Council

Each district shall respect communities of interest as much as possible;

District borders shall follow visible natural and man-made geographical and topographical features as much as possible;

District borders shall be drawn to avoid locating more than one current Councilmember in any one district as much as possible;

Each new district shall preserve the corresponding existing district's population and territory as much as possible;

Districts known to be areas of higher-than-average population growth in the two to five years following redistricting, based on development projects that have received final plat approval from the City, may be under populated within the population deviation amounts allowed by law;

To the extent possible, consistent with constitutional law and the requirements of federal and state statutes, each district shall contain a substantially equal number of electors.

Attachment 2

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City of Mesa, Arizona

Redistricting 2011 Criteria

Issues of Equality and Fairness

1. Equal Population – Under the federal mandate of one-person one-vote, each person's vote is equal to that of any other person; therefore, districts must be equal in population. Arizona state law also speaks to this criterion stating that districts should be "nearly equal."
2. Adherence to the Voting Rights Act – The rights of minority communities should be respected and not be abridged. This means that minority communities must not be improperly packed or divided, and a full faith effort should be made to assure opportunities for minority representation. Race cannot, however, be the primary criterion in drawing boundaries.
3. Compactness and Contiguity – Arizona statute requires that districts "shall consist of contiguous territory in as compact form as possible."

Councilmanic Districts

4. The City Charter requires that, "The redrawing of district boundaries shall not remove the residence of an incumbent Councilmember from the district he was elected to represent during his term in that office."

Good Government Criteria

5. Respect Community of Interest – Self-identifying communities should be recognized and kept whole to the extent possible; and community centers (e.g., schools) should be used wherever possible in revising districts.
6. Follow Natural and Man-Made Boundaries to the Extent Possible – This is to assure ease of access, recognizable boundaries and to give respect to existing geography.
7. Citizen Input – Citizen opinions should be expressed through the use of citizen kits,

Attachment 3

at public meetings and hearings and through the City's hotline and should receive due consideration in the redistricting process.

8. Population Growth – Recognizing that the 2010 Census was taken more than one year ago and that the City continues to grow, to the extent possible population growth should be factored in when creating the revised boundaries.

9. Existing Districts – Mesa established its current district plan in 2001. Because of rapid population change, it will be impossible to prevent significant change in the existing boundaries; but, nevertheless, there is an advantage to both citizens and their representatives in maintaining to the extent possible the general configuration of the current plan.

APPROVALS	
BUDGET OFFICER	caf
CITY ATTORNEY	RH
CITY MANAGER	MJ

Report to City Council

TO: Mayor and City Council

FROM: Jane Halstead, City Clerk, CMC

AGENDA DATE: August 23, 2011

TITLE: APPOINTMENT TO THE PARKS AND RECREATION COMMISSION (TEENAGE MEMBER)

RECOMMENDED ACTION

Staff recommends that the City Council:

1. Appoint Sierra Marrero to the Parks and Recreation Commission as a teenage member for a term expiring January 27, 2013, or until high school graduation, whichever comes first; or

2. If an appointment is not made, declare the position vacant and authorize the City Clerk to re-notice the position as vacant.

BACKGROUND

The City Clerk's Office posted a Notice of Opening to fill the vacancy for the teen member position on the Parks and Recreation Commission with a term expiring on January 27, 2013. Appropriate time frames with respect to posting notices of vacancies were followed.

As provided in the City's Municipal Code, the appointee will serve without compensation for a designated term.

The City Clerk's Office received one application for this position. Application was submitted by Sierra Marrero.

The application was reviewed by the Parks and Recreation Commission staff liaison, Tony Hetherman, who recommends that the City Council appoint Sierra Marrero to the

Parks and Recreation Commission as a teenage member with a term expiring January 27, 2013.

ALTERNATIVES

A teenage member on the Parks and Recreation Commission provides input on activities and programs for teenagers in and around the City. By not appointing a teen representative, contributions from the teenage population would be greatly reduced, which is not consistent with the City Council goal of creating a positive environment for the development of Moreno Valley's future. Therefore, staff recommends that the City Council appoint a teen member to the Parks and Recreation Commission.

NOTIFICATION

1. Posting of Notice of Opening
2. Publication of the agenda
3. Report and agenda mailed to the applicant

ATTACHMENTS

None

Prepared by:
Ewa Lopez
Deputy City Clerk, CMC

Department Head Approval:
Jane Halstead
City Clerk, CMC

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	caf
CITY ATTORNEY	Rut
CITY MANAGER	mo

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 23, 2011

TITLE: PUBLIC MEETING REGARDING THE MAIL BALLOT PROCEEDINGS FOR OASIS COMMUNITY CHURCH—APNS 296-300-005 and 296-300-007 AND BUDDHADHAMMO TEMPLE—APN 488-210-014 BALLOTING FOR NPDES

PUBLIC MEETING REGARDING THE MAIL BALLOT PROCEEDINGS FOR OASIS COMMUNITY CHURCH—APNS 296-300-005 and 296-300-007 AND BUDDHADHAMMO TEMPLE—APN 488-210-014 BALLOTING FOR CSD ZONE M

RECOMMENDED ACTION

1. Staff recommends that the Mayor and City Council accept public comments regarding the mail ballot proceedings for Oasis Community Church—Assessor Parcel Numbers (APNs) 296-300-005 and 296-300-007 and Buddhadhammo Temple—APN 488-210-014 for approval of the National Pollutant Discharge Elimination System (NPDES) maximum commercial/industrial regulatory rate.

2. Staff recommends that the Mayor and City Council, acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board") accept public comments regarding the mail ballot proceedings for Oasis Community Church—APNs 296-300-005 and 296-300-007 and Buddhadhammo Temple—APN 488-210-014 for inclusion into and approval of the annual charge for CSD Zone M (Commercial, Industrial, and Multifamily Improved Median Maintenance).

ADVISORY BOARD/COMMISSION RECOMMENDATION

N/A

BACKGROUND

To comply with the 1972 Federal Clean Water Act, Land Development, a division of the Community and Economic Development Department, conditions new development projects to 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 CSD was formed simultaneously with City incorporation in 1984. The designation of zones within the CSD was established to allocate the costs of special services to those parcels receiving the benefit. The City's Arterial Median Maintenance Policy, adopted by the CSD February 2003 and subsequently amended January 2006, requires that certain commercial, industrial, and multifamily developments be conditioned to fund the maintenance of arterial medians.

The Oasis Community Church (APNs 296-300-005 and 296-300-007) and Buddhadhammo Temple (APN 488-210-014), (collectively "Property Owners"), have Conditions of Approval that require them to provide a funding source to help support the NPDES and the CSD Zone M programs. Approving the NPDES maximum commercial/industrial regulatory rate and the CSD Zone M annual charge through a mail ballot proceeding shall fulfill these requirements.

A mail ballot proceeding was conducted earlier this year for Buddhadhammo Temple. The City Clerk did not receive the ballots prior to the close of the public hearing. In order to satisfy the Conditions of Approval, at the request of the property owner another mail ballot proceeding is being conducted.

DISCUSSION

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, a mail ballot proceeding is being conducted to give the Property Owners the option to approve or oppose the NPDES maximum commercial/industrial regulatory rate and the annual charge for the CSD Zone M program. Property Owners are given two opportunities to address the legislative body. These two opportunities are the Public Meeting on August 23, 2011 and the Public Hearing on September 13, 2011, when the results of the ballot proceeding will be announced.

New development projects are subject to the current NPDES Permit requirements for stormwater management as mandated by the Federal Clean Water Act. Public agencies are to 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 Property Owners, 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. Provided the mail ballots are approved, the City will also be authorized to levy the NPDES

maximum commercial/industrial regulatory rate on the annual property tax bill or as a monthly charge on a utility bill.

Special Districts, a division of the Public Works Department, 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, fertilizing, replacing plant material(s) as necessary, litter removal, weed control, maintenance of the irrigation system, payment of water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the landscaped medians. Approved CSD Zone M annual charges are levied on the property tax bill.

The CSD Zone M annual charges were estimated based on the parcel's front linear footage to the existing Alessandro Blvd. and the future Nason St. medians. Upon approval of the charges, APNs 296-300-005, 296-300-007, and 488-210-014 will be subject to the annual charges; however, the annual charge for APN 488-210-014 shall not be levied until such time as the planning of the median begins. Any future development of parcels adjacent to the medians in questions shall be conditioned to provide a funding source for the annual maintenance. At which point, the annual charge for APNs 296-300-005, 296-300-007, and 488-210-014 shall be proportionally adjusted.

ALTERNATIVES

1. **Accept public comments** regarding the mail ballot proceedings for Oasis Community Church and Buddhadhammo Temple for approval of the NPDES maximum commercial/industrial regulatory rate and for inclusion into and approval of the annual charge for CSD Zone M (Commercial, Industrial, and Multifamily Improved Median Maintenance). *By accepting public comment, the City complies with Proposition 218 state statutes for providing public comment.*

2. **Do not accept public comments** regarding the mail ballot proceedings for Oasis Community Church and Buddhadhammo Temple for approval of the NPDES maximum commercial/industrial regulatory rate and for inclusion into and approval of the annual charge for CSD Zone M (Commercial, Industrial, and Multifamily Improved Median Maintenance). *This alternative would be contrary to state statutes and would require the noticing period for the mail ballot proceedings to begin again.*

FISCAL IMPACT

For fiscal year (FY) 2011/12, the NPDES annual regulatory rate and estimated CSD Zone M charges for Oasis Community Church and Buddhadhammo Temple are as follows:

Project	NPDES Maximum Commercial/Industrial Rate	CSD Zone M Annual Charge
Oasis Community Church		
APNs 296-300-005 (and any division thereof)	$212	$2,322.35
296-300-007 (and any division thereof)	212	608.10
Buddhadhammo Temple		
APN 488-210-014 (and any division thereof)	212	1,270.91

Beginning in FY 2012/13, 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.

The NPDES rates collected from property owners support the current Permit programs and reduce the level of General Fund support necessary to remain in compliance with unfunded federal mandates, as administered by the State. **Funds collected from the NPDES rates are restricted for use only within the Stormwater Management program.**

The CSD Zone M annual charge, paid by the adjacent new developments, provides funding for the maintenance of improved medians within the CSD. The property owner of APNs 296-300-005 and 296-300-007 is being balloted to provide a funding source to supplement the maintenance costs of an existing median funded by the General Fund, which will reduce the General Fund obligation for this median. The property owner of APN 488-210-014 is being balloted for maintenance costs of a future median that is planned to be constructed on Nason St. **Collection of the CSD Zone M annual charges are restricted for use for the maintenance and administration of the improved medians within the CSD Zone M program.**

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 CSD Zone M annual 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 comments regarding the mail ballot proceedings for Oasis Community Church and Buddhadhammo Temple.

NOTIFICATION

The Property Owners were given more than the required 45-day noticing period to review the ballot documents. The documents included a notice to the property owner, map of the project area, the NPDES commercial/industrial rate schedule, NPDES and Zone M ballots,

instructions for marking and returning the ballots, and two postage-paid envelopes for returning the ballots to the City Clerk. (See Attachments 1 and 2.)

Newspaper advertising for the August 23, 2011, Public Meeting and September 13, 2011, Public Hearing was published in The Press-Enterprise on August 4, 2011. Additionally, the Public Hearing notification will be published on August 25 and again on September 1, 2011.

ATTACHMENTS

Attachment 1: Oasis Community Church mail ballot packet
Attachment 2: Buddhadhammo Temple mail ballot packet

Prepared by:
Jennifer A. Terry,
Management Analyst

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

Concurred by:
Candace E. Cassel,
Special Districts Division Manager

Concurred by:
Mark Sambito,
Engineering 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

Oasis Community Church
23750 Alessandro Blvd, No. C
Moreno Valley, CA 92553

June 15, 2011

NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING FOR THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) MAXIMUM COMMERCIAL/INDUSTRIAL REGULATORY RATE AND COMMUNITY SERVICES DISTRICT (CSD) ZONE M (COMMERCIAL, INDUSTRIAL, AND MULTIFAMILY IMPROVED MEDIAN MAINTENANCE) FOR APNs 296-300-005 and 296-300-007

******* OFFICIAL BALLOTS ENCLOSED *******

Llame al 951.413.3480 para obtener información verbal en Español

Introduction

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, the City of Moreno Valley Special Districts Division is conducting a mail ballot proceeding to provide the owner of Assessor's Parcel Numbers (APNs) 296-300-005 and 296-300-007 the opportunity to express support or opposition for the approval of the NPDES regulatory rate and services and inclusion into and approval of the annual charges for the CSD Zone M program.

Background

NPDES Maximum Commercial/Industrial Regulatory Rate

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 all development types. NPDES Maximum Commercial/Industrial Regulatory Rate provides financial support for inspecting site design, 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.

CSD Zone M Charge

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. 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.

ATTACHMENT 1

Services Provided

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 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
Special Districts' staff manages private landscape maintenance firms to ensure that landscape preservation activities are completed on a regular schedule. The CSD Zone M annual charge was established to cover administration and service costs for the landscape maintenance. Services include, but are not limited to: trimming, pruning, fertilizing, replacing plant material(s) as necessary, litter removal, weed control, maintenance of the irrigation system, payment of water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the landscaped medians.

How is the Amount of the Charge Determined?

NPDES Maximum Commercial/Industrial Regulatory Rate
Each fiscal year (FY), 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 rate levied shall not exceed the rate previously approved by the property owner.

CSD Zone M Charge
The annual CSD Zone M charges include maintenance and administration costs. The CSD Zone M charge shall be proportionally adjusted if APNs 296-300-005 and 296-300-007 are subdivided. If the APNs are merged then the annual charges for those APNs shall be combined. The charges levied shall not exceed the charges previously approved by the property owner.

Proposed Charge

NPDES Maximum Commercial/Industrial Regulatory Rate
For FY 2011/12, the NPDES maximum commercial/industrial regulatory rate is $212 per parcel. The total amount of the NPDES rates levied for FY 2010/11 for the program as a whole is $392,575.

CSD Zone M Charge
The CSD Zone M annual charge for FY 2011/12 for the existing Alessandro Blvd. median is $2,322.35 for APN 296-300-005 and $608.10 for APN 296-300-007. The total amount of the CSD Zone M charges levied for FY 2010/11 for the program as a whole is $141,530.98.

Annual Adjustment

Beginning in FY 2012/13, 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.

Duration of the Charge

Upon approval of the NPDES Maximum Commercial/Industrial Regulatory Rate, the annual levy amount will be assessed to APNs 296-300-005 and 296-300-007 (and any division thereof) and shall

be placed on the Riverside County property tax bill or as a monthly charge on a utility bill. Upon approval, the CSD Zone M charges shall be placed on the Riverside County property tax bill. The NPDES Maximum Commercial/Industrial regulatory rate and the CSD Zone M charges will be levied each following year at the proposed rate, which may include an annual inflation adjustment.

Public Hearing

To provide information concerning this mail ballot proceeding the City/CSD has scheduled one (1) Public Meeting and one (1) Public Hearing, which will be held at the **Moreno Valley City Hall Council Chamber located at 14177 Frederick Street, Moreno Valley.**

Public Meeting	Public Hearing
Tuesday, August 23, 2011 6:30 P.M. (Or As Soon Thereafter As The Matter May Be Called)	Tuesday, September 13, 2011 6:30 P.M. (Or As Soon Thereafter As The Matter May Be Called)

Tabulation of all returned ballots will commence after the close of the Public Hearing. All ballots received shall be tabulated under the direction of the City Clerk/Secretary of the CSD Board of Directors in compliance with the current Policy For Conducting Mail Ballot Proceedings Policy #1.12.

Effect if Inclusion into and Approval of the Charges is Approved

Approval of the NPDES Maximum Commercial/Industrial maximum regulatory rate will be confirmed if a simple majority (50%+1) of the APNs are marked in favor of the NPDES rate. Inclusion into the CSD Zone M program and approval of the annual charges will be confirmed if a simple majority of the weighted value of APNs are marked in favor of the annual charges.

Effect if Inclusion into and Approval of the Charges is Not Approved

NPDES Maximum Commercial/Industrial Regulatory Rate

Not approving the NPDES commercial/industrial regulatory rate to meet federally mandated NPDES Permit requirements shall result in noncompliance with the Conditions of Approval. If there is a tie or if a majority of the returned valid ballots oppose the NPDES rate, then the rate will not be levied on the property tax bill.

CSD Zone M Charge

If there is a tie or if a majority of the returned valid weighted APNs oppose the CSD Zone M annual charges, then the annual charges will not be levied on the property tax bills and noncompliance of the Conditions of Approval shall result.

For More Information

If you have any questions about the proposed programs, the annual charges, or about the mail ballot proceeding 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. at 951.413.3505.

Completing Your Ballot

Property owner may submit the enclosed ballots to the City Clerk in support of or opposition to the proposed programs and annual charges. Please follow the instructions listed below to complete and return your ballots. Procedures for the completion, return, and tabulation of the ballots are also on file in the City Clerk's office.

1. Mark the enclosed ballots in support of or opposition to the proposed programs and annual charges **by placing a mark in the corresponding box.**
2. Sign your name on the ballots. Ballots received without signature(s) 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. Ballot(s) must be **received** by the City Clerk prior to the close of the Public Hearing to be held on **Tuesday, September 13, 2011**, 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.

Ballot Marks

Appropriate ballot markings include any one 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 and/or associated clause; or

A square or rectangle around the box and/or 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.

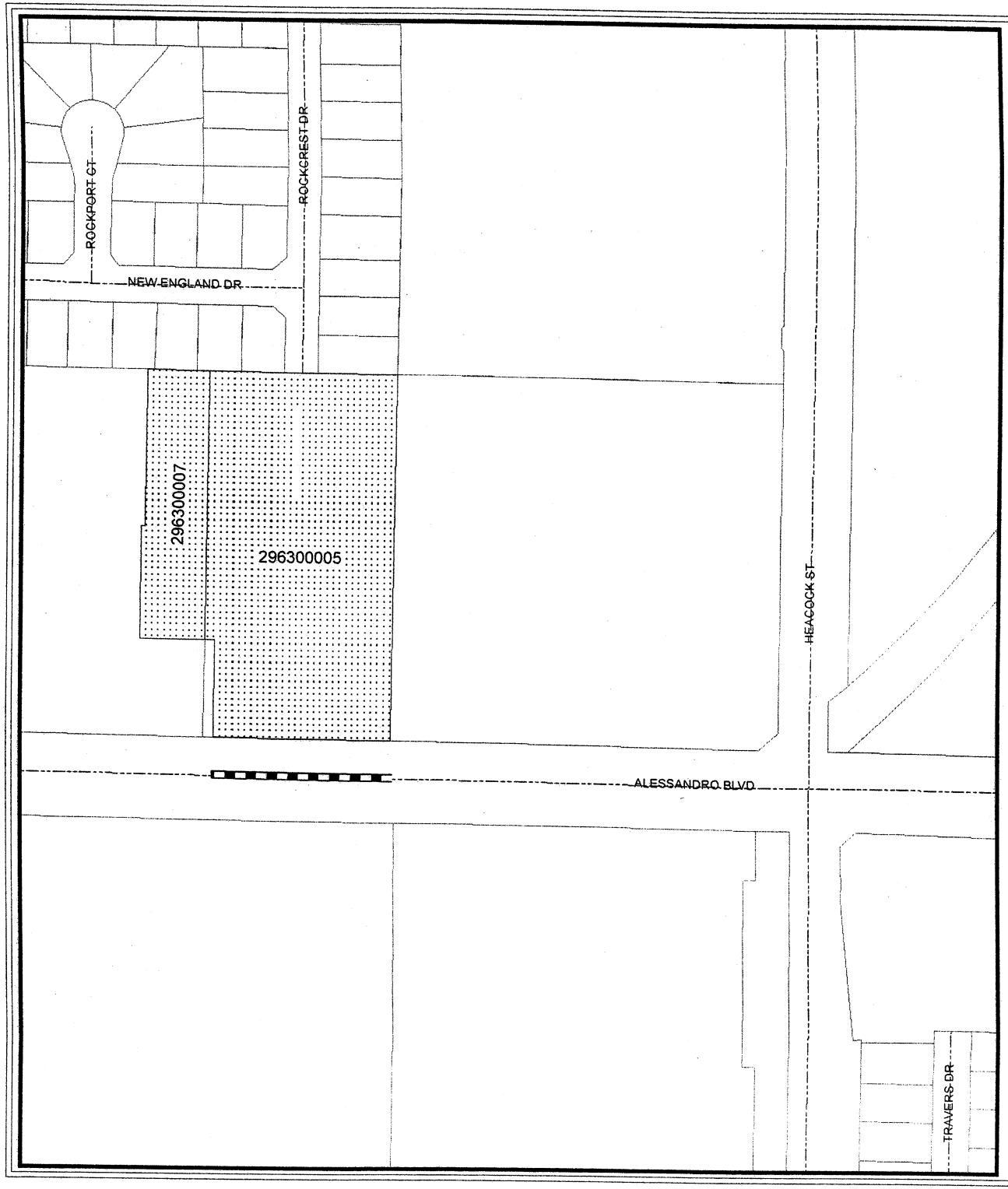
Ballot Mark Revisions (Changes): An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property. Initials must be clearly printed and placed at the right top corner of the revised selection.**

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					
PROPOSED PARCEL RATE	**Per Month** **$2.67**	**Per Year** **$32.00**	**PROPOSED PARCEL RATE**	**Per Month** **$12.58**	**Per Year** **$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)
FY 2009/2010 - no change = ($35.00 & $170.00)
FY 2010/2011 - no change = ($35.00 & $170.00)
FY 2011/2012 - 3.8% = ($36.00 & $176.00)



Oasis Community Church

APN

- 296300005
- 296300007
- Roads
- Parcels
- City Boundary
- Median
- Landscaped Areas

Map reflects all changes indicated on Riverside County Assessor Maps as of June 14, 2011.

N

0 150 300 450 600 Feet

G:\AVP\SDA\Oasis Community Church.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

OFFICIAL MAIL BALLOT for
Assessor Parcel Numbers (APNs) 296-300-005 and 296-300-007

National Pollutant Discharge Elimination System (NPDES) Maximum Commercial/Industrial Regulatory Rate

YES* — as property owner of APNs 296-300-005 and 296-300-007, **I approve** the NPDES maximum commercial/industrial regulatory rate and services. For FY 2011/12, the NPDES maximum commercial/industrial regulatory rate is $212 per parcel. Upon approval of the maximum regulatory rate, the annual levy amount shall be placed on the Riverside County property tax bill or as a monthly charge on a utility bill. Beginning FY 2012/13, 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. The City will annually inspect site design, source 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.

NO** — as property owner of APNs 296-300-005 and 296-300-007, **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 shall result in noncompliance with the project's Conditions of Approval. The NPDES maximum commercial/industrial regulatory rate shall not be levied on the Riverside County property tax bill.

Assessor Parcel Number	YES*	NO**	NPDES Maximum Commercial/Industrial Regulatory Rate
296-300-005 (and any division thereof)	☐	☐	$212
296-300-007 (and any division thereof)	☐	☐	$212

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 September 13, 2011, 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 for
Assessor Parcel Numbers (APNs) 296-300-005 and 296-300-007

Moreno Valley Community Services District (CSD) Zone M
(Commercial, Industrial, and Multifamily Improved Median Maintenance)

YES* — as the property owner of APNs 296-300-005 and 296-300-007, **I approve** the annual CSD Zone M charge for FY 2011/12 for the existing Alessandro Blvd. median of $2,322.35 for APN 296-300-005 and $608.10 for APN 296-300-007. Beginning FY 2012/13, the annual CSD Zone M charges 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, the CSD Zone M charges shall be placed on the Riverside County property tax bill. The CSD Zone M charges shall be proportionally adjusted if said APNs are subdivided. If parcels are merged then the annual charges for those parcels shall be combined.

NO** — as the property owner of APNs 296-300-005 and 296-300-007, **I do not approve** the CSD Zone M annual parcel charges. 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 charges shall not be levied on the Riverside County property tax bill.

Assessor Parcel Number	YES*	NO**	CSD Zone M Annual Charge*
296-300-005 (and any division thereof)	☐	☐	$2,322.35
296-300-007 (and any division thereof)	☐	☐	608.10

*The weighted value for each APN is equal to its proposed annual charge. The total proposed charge for Oasis Community Church is $2,930.45.

This ballot must be received by the Secretary of the Board of the CSD (City Clerk) prior to the close of the Public Hearing to be held on September 13, 2011, 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

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

Albot Nikom
c/o Buddhadhammo Temple
13920 Nason St.
Moreno Valley, CA 92555

July 11, 2011

NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING FOR THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) MAXIMUM COMMERCIAL/INDUSTRIAL REGULATORY RATE AND COMMUNITY SERVICES DISTRICT (CSD) ZONE M (COMMERCIAL, INDUSTRIAL, AND MULTIFAMILY IMPROVED MEDIAN MAINTENANCE) FOR APN 488-210-014

******* OFFICIAL BALLOT ENCLOSED *******

Llame al 951.413.3480 para obtener información verbal en Español

Introduction

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, the City of Moreno Valley Special Districts Division is conducting a mail ballot proceeding to provide the owner of APN 488-210-014 (and any division thereof) the opportunity to express support or opposition for approval of the NPDES regulatory rate and services and inclusion into and approval of the annual charge for the CSD Zone M program.

Background

NPDES Maximum Commercial/Industrial Regulatory Rate

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 all development types. NPDES Maximum Commercial/Industrial Regulatory Rate provides financial support for inspecting site design, 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.

CSD Zone M Charge

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. 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.

ATTACHMENT 2

Services Provided

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 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
Special Districts' staff manages private landscape maintenance firms to ensure that landscape preservation activities are completed on a regular schedule. The CSD Zone M annual charge was established to cover administration and service costs for the landscape maintenance. Services include, but are not limited to: trimming, pruning, fertilizing, replacing plant material(s) as necessary, litter removal, weed control, maintenance of the irrigation system, payment of water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the landscaped medians.

How is the Amount of the Charge Determined?

NPDES Maximum Commercial/Industrial Regulatory Rate
Each fiscal year (FY), 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 rate levied shall not exceed the rate previously approved by the property owners.

CSD Zone M Charge
The annual CSD Zone M charge includes maintenance and administration costs. The CSD Zone M charge shall be proportionally adjusted if APN 488-210-014 is subdivided. The charge levied shall not exceed the charge previously approved by the property owners.

Proposed Charge

NPDES Maximum Commercial/Industrial Regulatory Rate
For FY 2011/12, the NPDES maximum commercial/industrial regulatory rate is $212 per parcel. The total amount of the NPDES rates levied for FY 2010/11 for the program as a whole is $392,575.

CSD Zone M Charge
The CSD Zone M parcel charge for FY 2011/12 is $1,270.91 for the proposed Nason St. median. The total amount of the CSD Zone M charges levied for FY 2010/11 for the program as a whole is $141,530.98.

Annual Adjustment

Beginning in FY 2012/13, 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.

Duration of the Charge

Upon approval of the NPDES Maximum Commercial/Industrial Regulatory Rate, the annual levy amount will be assessed to APN 488-210-014 (and any division thereof) and shall be placed on the Riverside County property tax bill or as a monthly charge on a utility bill. The CSD Zone M annual

levy amount shall be assessed on the Riverside County property tax bill as planning of the Nason St. median occurs. 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.

Public Hearing

To provide information concerning this mail ballot proceeding the City/CSD has scheduled one (1) Public Meeting and one (1) Public Hearing, which will be held at the **Moreno Valley City Hall Council Chamber located at 14177 Frederick Street, Moreno Valley.**

Public Meeting	**Public Hearing**
Tuesday, August 23, 2011 6:30 P.M. (Or As Soon Thereafter As The Matter May Be Called)	Tuesday, September 13, 2011 6:30 P.M. (Or As Soon Thereafter As The Matter May Be Called)

Tabulation of all returned ballots will commence after the close of the Public Hearing. All ballots received shall be tabulated under the direction of the City Clerk/Secretary of the CSD Board of Directors in compliance with the current Policy For Conducting Mail Ballot Proceedings Policy #1.12.

Effect if Inclusion into and Approval of the Charges is Approved

Approval of the NPDES Maximum Commercial/Industrial maximum regulatory rate and the proposed inclusion into the CSD Zone M program and approval of the annual charge will be confirmed if the ballots are marked in favor of the charge.

Effect if Inclusion into and Approval of the Charges is Not Approved

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 and noncompliance of the Conditions of Approval shall result.

For More Information

If you have any questions about the proposed programs, the annual charges, or about the mail ballot proceeding 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. at 951.413.3505.

Completing Your Ballot

Property owner may submit the enclosed ballots to the City Clerk in support of or opposition to the proposed programs and annual charges. 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 also on file in the City Clerk's office.

1. Mark the enclosed ballots in support of or opposition to the proposed programs and annual charges **by placing a mark in the corresponding box.**
2. Sign your name on the ballots. Ballots received without signature(s) 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. Ballot(s) must be **received** by the City Clerk prior to the close of the Public Hearing to be held on **Tuesday, September 13, 2011**, 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.

Ballot Marks

Appropriate ballot markings include any one 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;

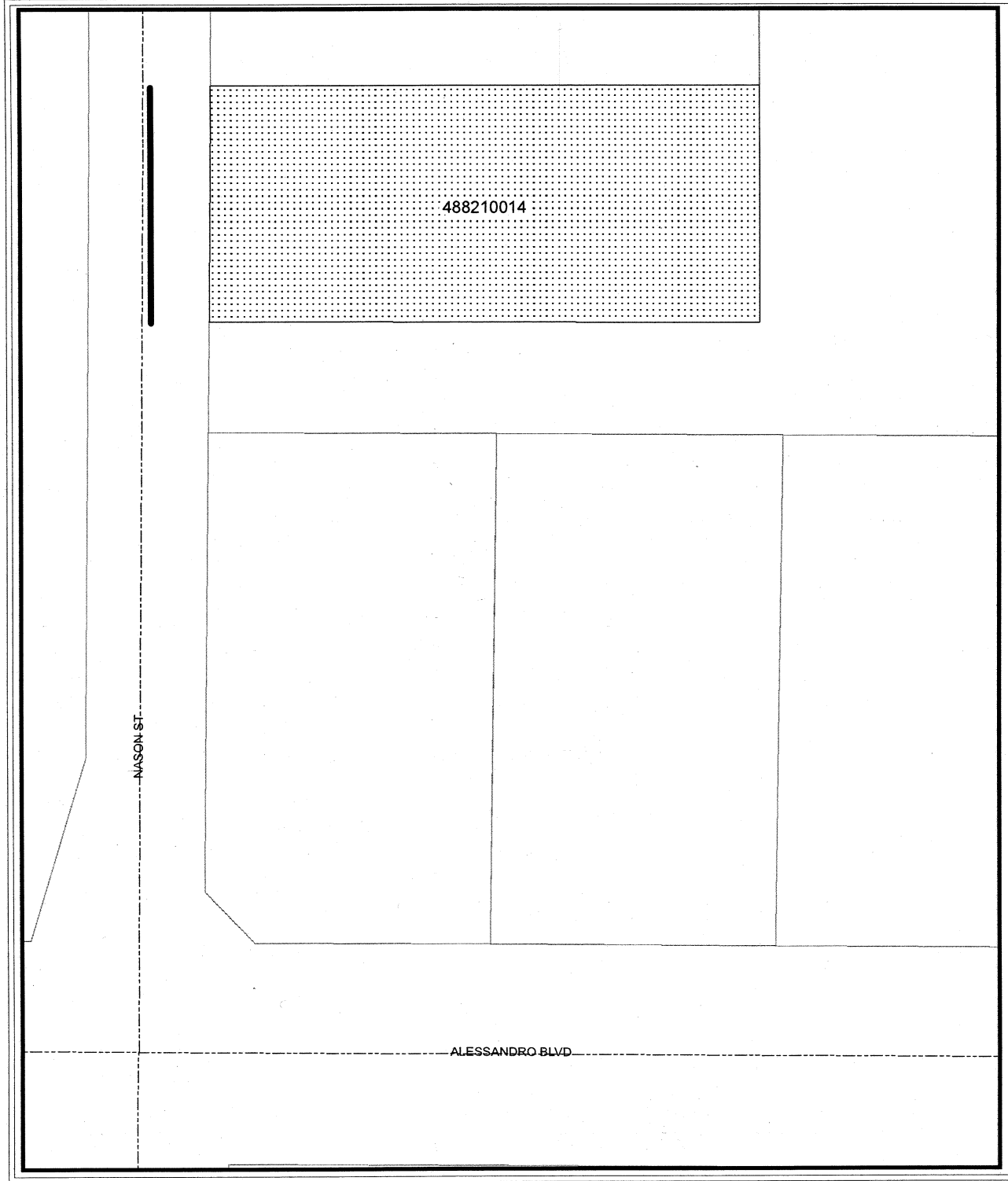
A line, single or dashed, or combination of lines, through the box area. Lines may be any one of the following marks: horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

A circle around the box and/or associated clause; or

A square or rectangle around the box and/or 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 **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **Initials must be clearly printed and placed at the right top corner of the revised selection**.



Buddhadhammo Temple
APN 488-210-014

APN

- 488210014
- Roads
- Parcels
- City Boundary
- Future Median
- Landscaped Areas

Map reflects all changes indicated on Riverside County Assessor Maps as of February 2, 2011.

N

0 50 100 150 200 Feet

G:\AVP\SDA\PA08-0091 Buddhadhammo Temple.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

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					
PROPOSED PARCEL RATE	**Per Month**	**Per Year**	**PROPOSED PARCEL RATE**	**Per Month**	**Per Year**
	$2.67	**$32.00**		**$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)
FY 2009/2010 - no change = ($35.00 & $170.00)
FY 2010/2011 - no change = ($35.00 & $170.00)
FY 2011/2012 - 3.8% = ($36.00 & $176.00)

OFFICIAL MAIL BALLOT for
ASSESSOR PARCEL NUMBER (APN) 488-210-014

Moreno Valley Community Services District (CSD) Zone M
(Commercial, Industrial, and Multifamily Improved Median Maintenance)

YES* — as the property owner of APN 488-210-014 (and any division thereof), **I approve** the annual CSD Zone M charge of $1,270.91 for fiscal year (FY) 2011/12. Beginning FY 2012/13, the annual 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 CSD Zone M annual levy amount shall be assessed on the Riverside County property tax bill as planning of the Nason St. median occurs. The CSD Zone M charge shall be proportionally adjusted if said APN is subdivided.

NO** — as the property owner of APN 488-210-014, **I do not approve** the CSD Zone M annual parcel 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
488-210-014 (and any division thereof)	☐	☐	$1,270.91

This ballot must be received by the Secretary of the Board of the CSD (City Clerk) prior to the close of the Public Hearing to be held on September 13, 2011, 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 for
Assessor Parcel Number (APN) 488-210-014

National Pollutant Discharge Elimination System (NPDES)
Maximum Commercial/Industrial Regulatory Rate

YES* — as property owner of APN 488-210-014, **I approve** the NPDES maximum commercial/industrial regulatory rate and services. For fiscal year (FY) 2011/12 the NPDES maximum commercial/industrial regulatory rate is $212 per parcel. Upon approval of the maximum regulatory rate, the annual levy amount shall be placed on the Riverside County property tax bill or as a monthly charge on a utility bill. Beginning FY 2012/13, 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. The City will annually inspect site design, source 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.

NO** — as property owner of APN 488-210-014, **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. The NPDES maximum commercial/industrial regulatory rate shall not be levied on the Riverside County property tax bill.

Assessor Parcel Number	YES*	NO**	NPDES Maximum Commercial/Industrial Regulatory Rate
488-210-014 (and any division thereof)	☐	☐	$212 per parcel

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 September 13, 2011, 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

APPROVALS	
BUDGET OFFICER	caf
CITY ATTORNEY	Rut
CITY MANAGER	mst

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 23, 2011

TITLE: PUBLIC MEETING REGARDING THE MAIL BALLOT PROCEEDINGS FOR OASIS COMMUNITY CHURCH—APNS 296-300-005 and 296-300-007 AND BUDDHADHAMMO TEMPLE—APN 488-210-014 BALLOTING FOR NPDES

PUBLIC MEETING REGARDING THE MAIL BALLOT PROCEEDINGS FOR OASIS COMMUNITY CHURCH—APNS 296-300-005 and 296-300-007 AND BUDDHADHAMMO TEMPLE—APN 488-210-014 BALLOTING FOR CSD ZONE M

RECOMMENDED ACTION

1. Staff recommends that the Mayor and City Council accept public comments regarding the mail ballot proceedings for Oasis Community Church—Assessor Parcel Numbers (APNs) 296-300-005 and 296-300-007 and Buddhadhammo Temple—APN 488-210-014 for approval of the National Pollutant Discharge Elimination System (NPDES) maximum commercial/industrial regulatory rate.

2. Staff recommends that the Mayor and City Council, acting in their capacity as President and Members of the Board of Directors of the CSD ("CSD Board") accept public comments regarding the mail ballot proceedings for Oasis Community Church—APNs 296-300-005 and 296-300-007 and Buddhadhammo Temple—APN 488-210-014 for inclusion into and approval of the annual charge for CSD Zone M (Commercial, Industrial, and Multifamily Improved Median Maintenance).

ADVISORY BOARD/COMMISSION RECOMMENDATION

N/A

BACKGROUND

To comply with the 1972 Federal Clean Water Act, Land Development, a division of the Community and Economic Development Department, conditions new development projects to 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 CSD was formed simultaneously with City incorporation in 1984. The designation of zones within the CSD was established to allocate the costs of special services to those parcels receiving the benefit. The City's Arterial Median Maintenance Policy, adopted by the CSD February 2003 and subsequently amended January 2006, requires that certain commercial, industrial, and multifamily developments be conditioned to fund the maintenance of arterial medians.

The Oasis Community Church (APNs 296-300-005 and 296-300-007) and Buddhadhammo Temple (APN 488-210-014), (collectively "Property Owners"), have Conditions of Approval that require them to provide a funding source to help support the NPDES and the CSD Zone M programs. Approving the NPDES maximum commercial/industrial regulatory rate and the CSD Zone M annual charge through a mail ballot proceeding shall fulfill these requirements.

A mail ballot proceeding was conducted earlier this year for Buddhadhammo Temple. The City Clerk did not receive the ballots prior to the close of the public hearing. In order to satisfy the Conditions of Approval, at the request of the property owner another mail ballot proceeding is being conducted.

DISCUSSION

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, a mail ballot proceeding is being conducted to give the Property Owners the option to approve or oppose the NPDES maximum commercial/industrial regulatory rate and the annual charge for the CSD Zone M program. Property Owners are given two opportunities to address the legislative body. These two opportunities are the Public Meeting on August 23, 2011 and the Public Hearing on September 13, 2011, when the results of the ballot proceeding will be announced.

New development projects are subject to the current NPDES Permit requirements for stormwater management as mandated by the Federal Clean Water Act. Public agencies are to 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 Property Owners, 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. Provided the mail ballots are approved, the City will also be authorized to levy the NPDES

maximum commercial/industrial regulatory rate on the annual property tax bill or as a monthly charge on a utility bill.

Special Districts, a division of the Public Works Department, 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, fertilizing, replacing plant material(s) as necessary, litter removal, weed control, maintenance of the irrigation system, payment of water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the landscaped medians. Approved CSD Zone M annual charges are levied on the property tax bill.

The CSD Zone M annual charges were estimated based on the parcel's front linear footage to the existing Alessandro Blvd. and the future Nason St. medians. Upon approval of the charges, APNs 296-300-005, 296-300-007, and 488-210-014 will be subject to the annual charges; however, the annual charge for APN 488-210-014 shall not be levied until such time as the planning of the median begins. Any future development of parcels adjacent to the medians in questions shall be conditioned to provide a funding source for the annual maintenance. At which point, the annual charge for APNs 296-300-005, 296-300-007, and 488-210-014 shall be proportionally adjusted.

ALTERNATIVES

1. **Accept public comments** regarding the mail ballot proceedings for Oasis Community Church and Buddhadhammo Temple for approval of the NPDES maximum commercial/industrial regulatory rate and for inclusion into and approval of the annual charge for CSD Zone M (Commercial, Industrial, and Multifamily Improved Median Maintenance). *By accepting public comment, the City complies with Proposition 218 state statutes for providing public comment.*

2. **Do not accept public comments** regarding the mail ballot proceedings for Oasis Community Church and Buddhadhammo Temple for approval of the NPDES maximum commercial/industrial regulatory rate and for inclusion into and approval of the annual charge for CSD Zone M (Commercial, Industrial, and Multifamily Improved Median Maintenance). *This alternative would be contrary to state statutes and would require the noticing period for the mail ballot proceedings to begin again.*

FISCAL IMPACT

For fiscal year (FY) 2011/12, the NPDES annual regulatory rate and estimated CSD Zone M charges for Oasis Community Church and Buddhadhammo Temple are as follows:

Project	NPDES Maximum Commercial/Industrial Rate	CSD Zone M Annual Charge
Oasis Community Church		
APNs 296-300-005 (and any division thereof)	$212	$2,322.35
296-300-007 (and any division thereof)	212	608.10
Buddhadhammo Temple		
APN 488-210-014 (and any division thereof)	212	1,270.91

Beginning in FY 2012/13, 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.

The NPDES rates collected from property owners support the current Permit programs and reduce the level of General Fund support necessary to remain in compliance with unfunded federal mandates, as administered by the State. **Funds collected from the NPDES rates are restricted for use only within the Stormwater Management program.**

The CSD Zone M annual charge, paid by the adjacent new developments, provides funding for the maintenance of improved medians within the CSD. The property owner of APNs 296-300-005 and 296-300-007 is being balloted to provide a funding source to supplement the maintenance costs of an existing median funded by the General Fund, which will reduce the General Fund obligation for this median. The property owner of APN 488-210-014 is being balloted for maintenance costs of a future median that is planned to be constructed on Nason St. **Collection of the CSD Zone M annual charges are restricted for use for the maintenance and administration of the improved medians within the CSD Zone M program.**

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 CSD Zone M annual 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 comments regarding the mail ballot proceedings for Oasis Community Church and Buddhadhammo Temple.

NOTIFICATION

The Property Owners were given more than the required 45-day noticing period to review the ballot documents. The documents included a notice to the property owner, map of the project area, the NPDES commercial/industrial rate schedule, NPDES and Zone M ballots,

instructions for marking and returning the ballots, and two postage-paid envelopes for returning the ballots to the City Clerk. (See Attachments 1 and 2.)

Newspaper advertising for the August 23, 2011, Public Meeting and September 13, 2011, Public Hearing was published in The Press-Enterprise on August 4, 2011. Additionally, the Public Hearing notification will be published on August 25 and again on September 1, 2011.

ATTACHMENTS

Attachment 1: Oasis Community Church mail ballot packet
Attachment 2: Buddhadhammo Temple mail ballot packet

Prepared by:
Jennifer A. Terry,
Management Analyst

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

Concurred by:
Candace E. Cassel,
Special Districts Division Manager

Concurred by:
Mark Sambito,
Engineering Division Manager

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

W:\SpecialDist\jennifert\Ballots for FY 11.12\Zone M NPDES\Oasis Community Church P10-020\Stfrpt PM 08.23.11.doc

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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

Oasis Community Church
23750 Alessandro Blvd, No. C
Moreno Valley, CA 92553

June 15, 2011

NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING FOR THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) MAXIMUM COMMERCIAL/INDUSTRIAL REGULATORY RATE AND COMMUNITY SERVICES DISTRICT (CSD) ZONE M (COMMERCIAL, INDUSTRIAL, AND MULTIFAMILY IMPROVED MEDIAN MAINTENANCE) FOR APNs 296-300-005 and 296-300-007

******* OFFICIAL BALLOTS ENCLOSED *******

Llame al 951.413.3480 para obtener información verbal en Español

Introduction

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, the City of Moreno Valley Special Districts Division is conducting a mail ballot proceeding to provide the owner of Assessor's Parcel Numbers (APNs) 296-300-005 and 296-300-007 the opportunity to express support or opposition for the approval of the NPDES regulatory rate and services and inclusion into and approval of the annual charges for the CSD Zone M program.

Background

NPDES Maximum Commercial/Industrial Regulatory Rate

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 all development types. NPDES Maximum Commercial/Industrial Regulatory Rate provides financial support for inspecting site design, 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.

CSD Zone M Charge

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. 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.

ATTACHMENT 1

Services Provided

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 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
Special Districts' staff manages private landscape maintenance firms to ensure that landscape preservation activities are completed on a regular schedule. The CSD Zone M annual charge was established to cover administration and service costs for the landscape maintenance. Services include, but are not limited to: trimming, pruning, fertilizing, replacing plant material(s) as necessary, litter removal, weed control, maintenance of the irrigation system, payment of water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the landscaped medians.

How is the Amount of the Charge Determined?

NPDES Maximum Commercial/Industrial Regulatory Rate
Each fiscal year (FY), 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 rate levied shall not exceed the rate previously approved by the property owner.

CSD Zone M Charge
The annual CSD Zone M charges include maintenance and administration costs. The CSD Zone M charge shall be proportionally adjusted if APNs 296-300-005 and 296-300-007 are subdivided. If the APNs are merged then the annual charges for those APNs shall be combined. The charges levied shall not exceed the charges previously approved by the property owner.

Proposed Charge

NPDES Maximum Commercial/Industrial Regulatory Rate
For FY 2011/12, the NPDES maximum commercial/industrial regulatory rate is $212 per parcel. The total amount of the NPDES rates levied for FY 2010/11 for the program as a whole is $392,575.

CSD Zone M Charge
The CSD Zone M annual charge for FY 2011/12 for the existing Alessandro Blvd. median is $2,322.35 for APN 296-300-005 and $608.10 for APN 296-300-007. The total amount of the CSD Zone M charges levied for FY 2010/11 for the program as a whole is $141,530.98.

Annual Adjustment

Beginning in FY 2012/13, 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.

Duration of the Charge

Upon approval of the NPDES Maximum Commercial/Industrial Regulatory Rate, the annual levy amount will be assessed to APNs 296-300-005 and 296-300-007 (and any division thereof) and shall

be placed on the Riverside County property tax bill or as a monthly charge on a utility bill. Upon approval, the CSD Zone M charges shall be placed on the Riverside County property tax bill. The NPDES Maximum Commercial/Industrial regulatory rate and the CSD Zone M charges will be levied each following year at the proposed rate, which may include an annual inflation adjustment.

Public Hearing

To provide information concerning this mail ballot proceeding the City/CSD has scheduled one (1) Public Meeting and one (1) Public Hearing, which will be held at the **Moreno Valley City Hall Council Chamber located at 14177 Frederick Street, Moreno Valley.**

Public Meeting	Public Hearing
Tuesday, August 23, 2011 6:30 P.M. (Or As Soon Thereafter As The Matter May Be Called)	Tuesday, September 13, 2011 6:30 P.M. (Or As Soon Thereafter As The Matter May Be Called)

Tabulation of all returned ballots will commence after the close of the Public Hearing. All ballots received shall be tabulated under the direction of the City Clerk/Secretary of the CSD Board of Directors in compliance with the current Policy For Conducting Mail Ballot Proceedings Policy #1.12.

Effect if Inclusion into and Approval of the Charges is Approved

Approval of the NPDES Maximum Commercial/Industrial maximum regulatory rate will be confirmed if a simple majority (50%+1) of the APNs are marked in favor of the NPDES rate. Inclusion into the CSD Zone M program and approval of the annual charges will be confirmed if a simple majority of the weighted value of APNs are marked in favor of the annual charges.

Effect if Inclusion into and Approval of the Charges is Not Approved

NPDES Maximum Commercial/Industrial Regulatory Rate

Not approving the NPDES commercial/industrial regulatory rate to meet federally mandated NPDES Permit requirements shall result in noncompliance with the Conditions of Approval. If there is a tie or if a majority of the returned valid ballots oppose the NPDES rate, then the rate will not be levied on the property tax bill.

CSD Zone M Charge

If there is a tie or if a majority of the returned valid weighted APNs oppose the CSD Zone M annual charges, then the annual charges will not be levied on the property tax bills and noncompliance of the Conditions of Approval shall result.

For More Information

If you have any questions about the proposed programs, the annual charges, or about the mail ballot proceeding 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. at 951.413.3505.

Completing Your Ballot

Property owner may submit the enclosed ballots to the City Clerk in support of or opposition to the proposed programs and annual charges. Please follow the instructions listed below to complete and return your ballots. Procedures for the completion, return, and tabulation of the ballots are also on file in the City Clerk's office.

1. Mark the enclosed ballots in support of or opposition to the proposed programs and annual charges **by placing a mark in the corresponding box.**
2. Sign your name on the ballots. Ballots received without signature(s) 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. Ballot(s) must be **received** by the City Clerk prior to the close of the Public Hearing to be held on **Tuesday, September 13, 2011**, 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.

Ballot Marks

Appropriate ballot markings include any one 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 and/or associated clause; or

A square or rectangle around the box and/or 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.

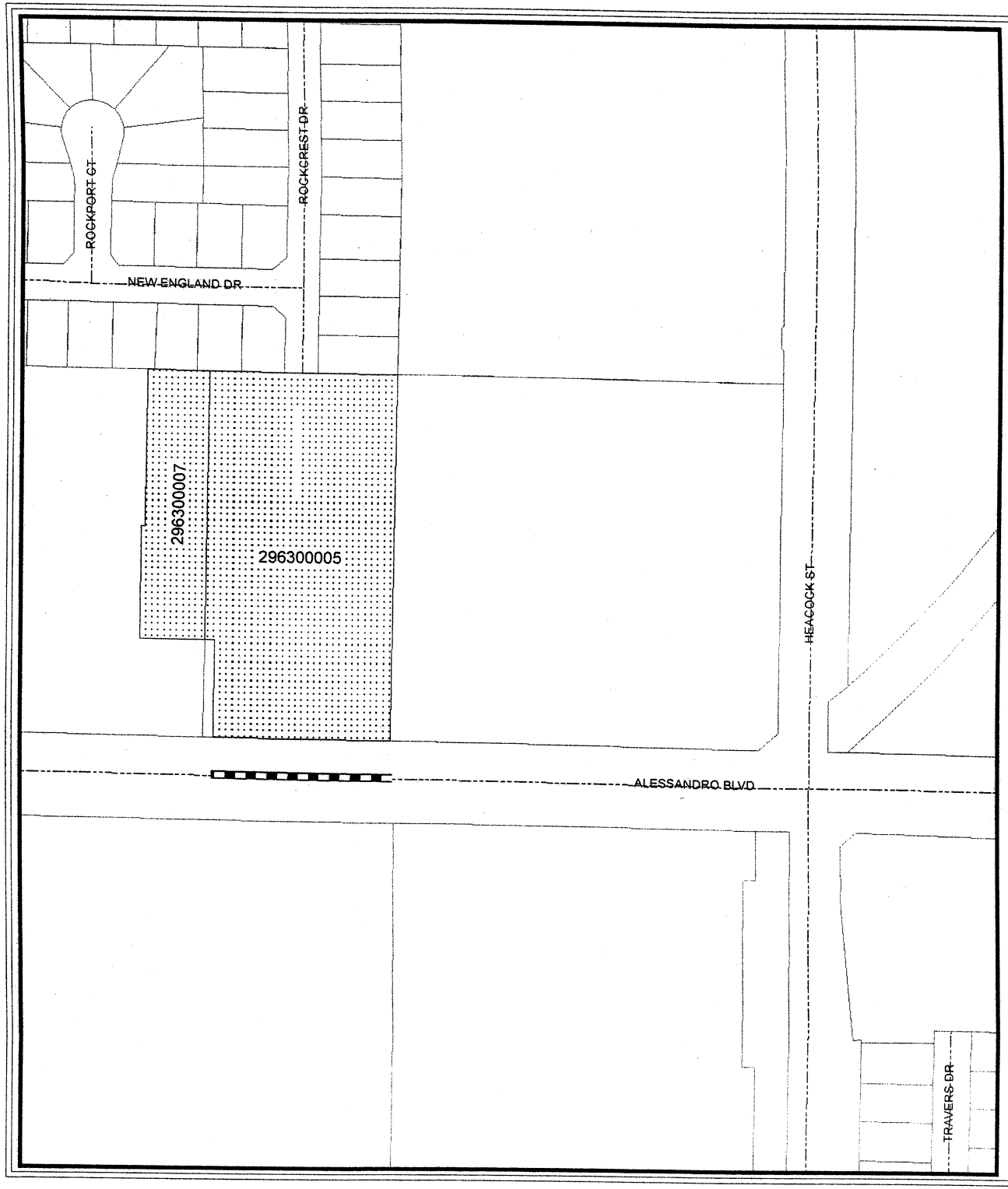
Ballot Mark Revisions (Changes): An error or desire to revise (change) a selection made on the ballot may be completed and returned any time **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property. Initials must be clearly printed and placed at the right top corner of the revised selection.**

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					
PROPOSED PARCEL RATE	**Per Month** **$2.67**	**Per Year** **$32.00**	**PROPOSED PARCEL RATE**	**Per Month** **$12.58**	**Per Year** **$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)
FY 2009/2010 - no change = ($35.00 & $170.00)
FY 2010/2011 - no change = ($35.00 & $170.00)
FY 2011/2012 - 3.8% = ($36.00 & $176.00)



Oasis Community Church

APN

- 296300005
- 296300007
- Roads
- Parcels
- City Boundary
- Median
- Landscaped Areas

Map reflects all changes indicated on Riverside County Assessor Maps as of June 14, 2011.

N

0 150 300 450 600 Feet

G:\AVP\SDA\Oasis Community Church.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

OFFICIAL MAIL BALLOT for
Assessor Parcel Numbers (APNs) 296-300-005 and 296-300-007

National Pollutant Discharge Elimination System (NPDES)
Maximum Commercial/Industrial Regulatory Rate

YES* — as property owner of APNs 296-300-005 and 296-300-007, **I approve** the NPDES maximum commercial/industrial regulatory rate and services. For FY 2011/12, the NPDES maximum commercial/industrial regulatory rate is $212 per parcel. Upon approval of the maximum regulatory rate, the annual levy amount shall be placed on the Riverside County property tax bill or as a monthly charge on a utility bill. Beginning FY 2012/13, 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. The City will annually inspect site design, source 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.

NO** — as property owner of APNs 296-300-005 and 296-300-007, **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 shall result in noncompliance with the project's Conditions of Approval. The NPDES maximum commercial/industrial regulatory rate shall not be levied on the Riverside County property tax bill.

Assessor Parcel Number	YES*	NO**	NPDES Maximum Commercial/Industrial Regulatory Rate
296-300-005 (and any division thereof)	☐	☐	$212
296-300-007 (and any division thereof)	☐	☐	$212

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 September 13, 2011, 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 for
Assessor Parcel Numbers (APNs) 296-300-005 and 296-300-007

Moreno Valley Community Services District (CSD) Zone M
(Commercial, Industrial, and Multifamily Improved Median Maintenance)

YES* — as the property owner of APNs 296-300-005 and 296-300-007, **I approve** the annual CSD Zone M charge for FY 2011/12 for the existing Alessandro Blvd. median of $2,322.35 for APN 296-300-005 and $608.10 for APN 296-300-007. Beginning FY 2012/13, the annual CSD Zone M charges 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, the CSD Zone M charges shall be placed on the Riverside County property tax bill. The CSD Zone M charges shall be proportionally adjusted if said APNs are subdivided. If parcels are merged then the annual charges for those parcels shall be combined.

NO** — as the property owner of APNs 296-300-005 and 296-300-007, **I do not approve** the CSD Zone M annual parcel charges. 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 charges shall not be levied on the Riverside County property tax bill.

Assessor Parcel Number	YES*	NO**	CSD Zone M Annual Charge*
296-300-005 (and any division thereof)	☐	☐	$2,322.35
296-300-007 (and any division thereof)	☐	☐	608.10

*The weighted value for each APN is equal to its proposed annual charge. The total proposed charge for Oasis Community Church is $2,930.45.

This ballot must be received by the Secretary of the Board of the CSD (City Clerk) prior to the close of the Public Hearing to be held on September 13, 2011, 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

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

Albot Nikom
c/o Buddhadhammo Temple
13920 Nason St.
Moreno Valley, CA 92555

July 11, 2011

NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING FOR THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) MAXIMUM COMMERCIAL/INDUSTRIAL REGULATORY RATE AND COMMUNITY SERVICES DISTRICT (CSD) ZONE M (COMMERCIAL, INDUSTRIAL, AND MULTIFAMILY IMPROVED MEDIAN MAINTENANCE) FOR APN 488-210-014

******* OFFICIAL BALLOT ENCLOSED *******

Llame al 951.413.3480 para obtener información verbal en Español

Introduction

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, the City of Moreno Valley Special Districts Division is conducting a mail ballot proceeding to provide the owner of APN 488-210-014 (and any division thereof) the opportunity to express support or opposition for approval of the NPDES regulatory rate and services and inclusion into and approval of the annual charge for the CSD Zone M program.

Background

NPDES Maximum Commercial/Industrial Regulatory Rate

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 all development types. NPDES Maximum Commercial/Industrial Regulatory Rate provides financial support for inspecting site design, 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.

CSD Zone M Charge

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. 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.

ATTACHMENT 2

Services Provided

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 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
Special Districts' staff manages private landscape maintenance firms to ensure that landscape preservation activities are completed on a regular schedule. The CSD Zone M annual charge was established to cover administration and service costs for the landscape maintenance. Services include, but are not limited to: trimming, pruning, fertilizing, replacing plant material(s) as necessary, litter removal, weed control, maintenance of the irrigation system, payment of water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the landscaped medians.

How is the Amount of the Charge Determined?

NPDES Maximum Commercial/Industrial Regulatory Rate
Each fiscal year (FY), 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 rate levied shall not exceed the rate previously approved by the property owners.

CSD Zone M Charge
The annual CSD Zone M charge includes maintenance and administration costs. The CSD Zone M charge shall be proportionally adjusted if APN 488-210-014 is subdivided. The charge levied shall not exceed the charge previously approved by the property owners.

Proposed Charge

NPDES Maximum Commercial/Industrial Regulatory Rate
For FY 2011/12, the NPDES maximum commercial/industrial regulatory rate is $212 per parcel. The total amount of the NPDES rates levied for FY 2010/11 for the program as a whole is $392,575.

CSD Zone M Charge
The CSD Zone M parcel charge for FY 2011/12 is $1,270.91 for the proposed Nason St. median. The total amount of the CSD Zone M charges levied for FY 2010/11 for the program as a whole is $141,530.98.

Annual Adjustment

Beginning in FY 2012/13, 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.

Duration of the Charge

Upon approval of the NPDES Maximum Commercial/Industrial Regulatory Rate, the annual levy amount will be assessed to APN 488-210-014 (and any division thereof) and shall be placed on the Riverside County property tax bill or as a monthly charge on a utility bill. The CSD Zone M annual

levy amount shall be assessed on the Riverside County property tax bill as planning of the Nason St. median occurs. 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.

Public Hearing

To provide information concerning this mail ballot proceeding the City/CSD has scheduled one (1) Public Meeting and one (1) Public Hearing, which will be held at the **Moreno Valley City Hall Council Chamber located at 14177 Frederick Street, Moreno Valley.**

Public Meeting	**Public Hearing**
Tuesday, August 23, 2011 6:30 P.M. (Or As Soon Thereafter As The Matter May Be Called)	Tuesday, September 13, 2011 6:30 P.M. (Or As Soon Thereafter As The Matter May Be Called)

Tabulation of all returned ballots will commence after the close of the Public Hearing. All ballots received shall be tabulated under the direction of the City Clerk/Secretary of the CSD Board of Directors in compliance with the current Policy For Conducting Mail Ballot Proceedings Policy #1.12.

Effect if Inclusion into and Approval of the Charges is Approved

Approval of the NPDES Maximum Commercial/Industrial maximum regulatory rate and the proposed inclusion into the CSD Zone M program and approval of the annual charge will be confirmed if the ballots are marked in favor of the charge.

Effect if Inclusion into and Approval of the Charges is Not Approved

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 and noncompliance of the Conditions of Approval shall result.

For More Information

If you have any questions about the proposed programs, the annual charges, or about the mail ballot proceeding 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. at 951.413.3505.

Completing Your Ballot

Property owner may submit the enclosed ballots to the City Clerk in support of or opposition to the proposed programs and annual charges. 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 also on file in the City Clerk's office.

1. Mark the enclosed ballots in support of or opposition to the proposed programs and annual charges **by placing a mark in the corresponding box.**
2. Sign your name on the ballots. Ballots received without signature(s) 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. Ballot(s) must be **received** by the City Clerk prior to the close of the Public Hearing to be held on **Tuesday, September 13, 2011**, 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.

Ballot Marks

Appropriate ballot markings include any one 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;

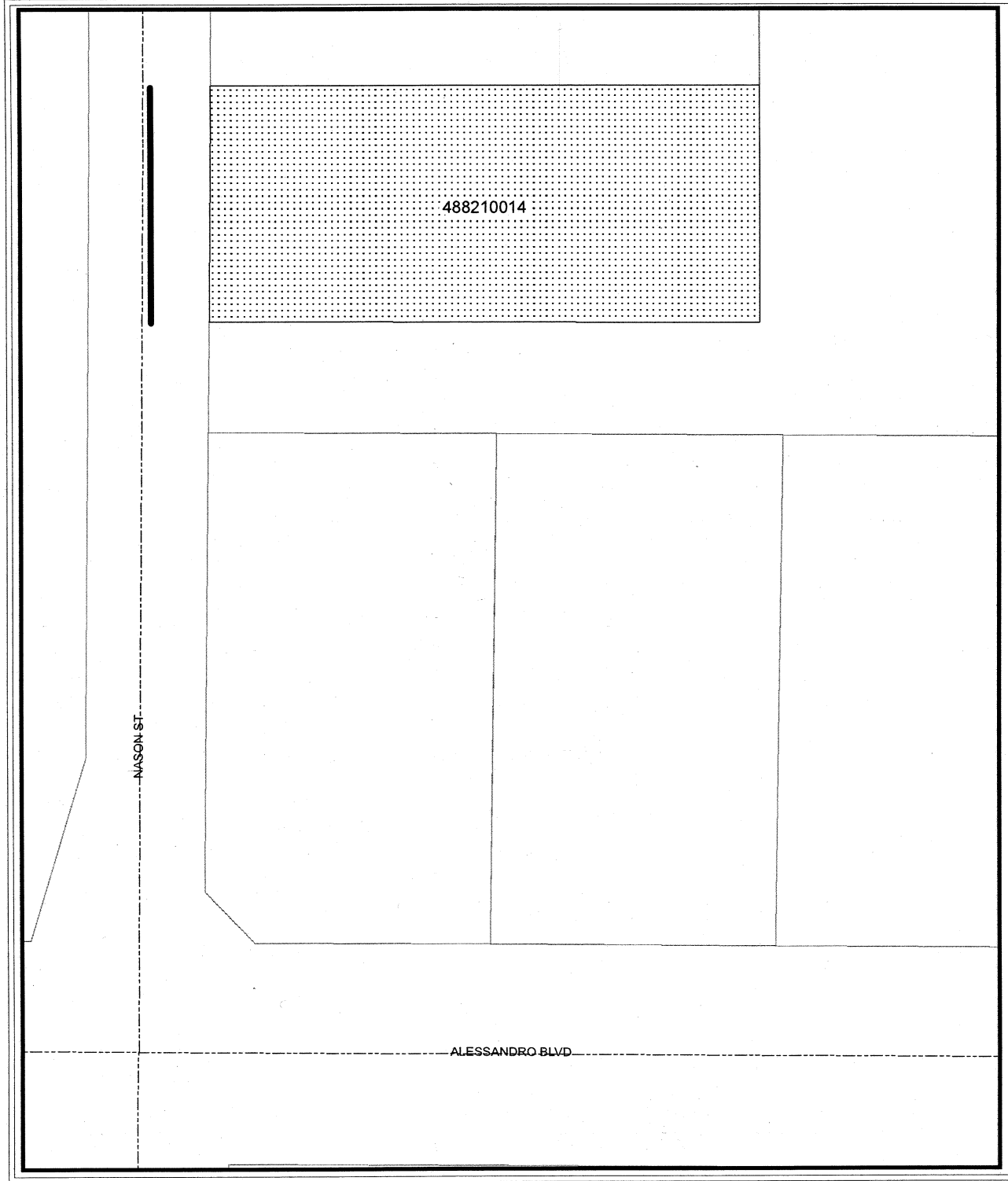
A line, single or dashed, or combination of lines, through the box area. Lines may be any one of the following marks: horizontal, vertical, or diagonal. The mark may either run from side to side or corner to corner. All valid lines must be substantially within the box area and not marking any part of another blank box on the ballot;

A circle around the box and/or associated clause; or

A square or rectangle around the box and/or 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 **prior** to the conclusion of public testimony at the Public Hearing. **The revision must be initialed by the record owner(s) of property**. **Initials must be clearly printed and placed at the right top corner of the revised selection**.



Buddhadhammo Temple
APN 488-210-014

APN

- 488210014
- Roads
- Parcels
- City Boundary
- Future Median
- Landscaped Areas

Map reflects all changes indicated on Riverside County Assessor Maps as of February 2, 2011.

N

0 50 100 150 200 Feet

G:\AVP\SDA\PA08-0091 Buddhadhammo Temple.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

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					
PROPOSED PARCEL RATE	**Per Month**	**Per Year**	**PROPOSED PARCEL RATE**	**Per Month**	**Per Year**
	$2.67	**$32.00**		**$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)
FY 2009/2010 - no change = ($35.00 & $170.00)
FY 2010/2011 - no change = ($35.00 & $170.00)
FY 2011/2012 - 3.8% = ($36.00 & $176.00)

OFFICIAL MAIL BALLOT for
ASSESSOR PARCEL NUMBER (APN) 488-210-014

Moreno Valley Community Services District (CSD) Zone M
(Commercial, Industrial, and Multifamily Improved Median Maintenance)

YES* — as the property owner of APN 488-210-014 (and any division thereof), **I approve** the annual CSD Zone M charge of $1,270.91 for fiscal year (FY) 2011/12. Beginning FY 2012/13, the annual 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 CSD Zone M annual levy amount shall be assessed on the Riverside County property tax bill as planning of the Nason St. median occurs. The CSD Zone M charge shall be proportionally adjusted if said APN is subdivided.

NO** — as the property owner of APN 488-210-014, **I do not approve** the CSD Zone M annual parcel 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
488-210-014 (and any division thereof)	☐	☐	$1,270.91

This ballot must be received by the Secretary of the Board of the CSD (City Clerk) prior to the close of the Public Hearing to be held on September 13, 2011, 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 for
Assessor Parcel Number (APN) 488-210-014

National Pollutant Discharge Elimination System (NPDES)
Maximum Commercial/Industrial Regulatory Rate

YES* — as property owner of APN 488-210-014, **I approve** the NPDES maximum commercial/industrial regulatory rate and services. For fiscal year (FY) 2011/12 the NPDES maximum commercial/industrial regulatory rate is $212 per parcel. Upon approval of the maximum regulatory rate, the annual levy amount shall be placed on the Riverside County property tax bill or as a monthly charge on a utility bill. Beginning FY 2012/13, 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. The City will annually inspect site design, source 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.

NO** — as property owner of APN 488-210-014, **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. The NPDES maximum commercial/industrial regulatory rate shall not be levied on the Riverside County property tax bill.

Assessor Parcel Number	YES*	NO**	NPDES Maximum Commercial/Industrial Regulatory Rate
488-210-014 (and any division thereof)	☐	☐	$212 per parcel

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 September 13, 2011, 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

APPROVALS	
BUDGET OFFICER	
CITY ATTORNEY	
CITY MANAGER	

Report to City Council

TO: Mayor and 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 23, 2011

TITLE: PUBLIC MEETING TO CONSIDER PUBLIC COMMENTS REGARDING A MAIL BALLOT PROCEEDING FOR TRACT 31129 FOR A PROPOSED INCREASE IN THE CSD ZONE D (PARKWAY LANDSCAPE MAINTENANCE) ANNUAL CHARGE

RECOMMENDED ACTION

Staff recommends that the City Council, acting in their capacity as President and Members of the Board of Directors of the Moreno Valley CSD ("CSD Board"), accept public comments regarding the mail ballot proceeding for a proposed increase in the CSD Zone D annual parcel charge to fund an increase in the area of landscaping maintained for Tract 31129. The increase in the annual charge will ensure there is adequate funding to provide landscape maintenance services at the same level.

ADVISORY BOARD/COMMISSION RECOMMENDATION

N/A

BACKGROUND

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 service. Each zone provides specific services to designated areas. The Zone D program provides parkway landscape maintenance at the entry of a tract, around its perimeter, or in the median adjacent to the tract.

The Moreno Valley CSD provides services through full-cost recovery programs. The annual Zone D parcel charge funds administration and service costs for the landscape maintenance, which include: mowing, trimming, pruning, fertilizing, replacing plant material(s) as necessary,

maintaining the irrigation systems, weed control, litter removal, payment of water and electric utility charges, staff support, and other items necessary for the satisfactory maintenance of the identified landscape areas.

DISCUSSION

The CSD currently maintains the landscaping in the parkway for Tract 31129 on the north side Cactus Ave. east of Landon Rd. extending one lot beyond Dusty Coyote Ave. The parkway area west of Landon Rd. has not been completed by the developer due to circumstances related to completion of the adjacent lots. The developer has resolved the issues and is now prepared to complete the parkway. Installation of the parkway landscaping will add approximately 1,200 square feet of landscape area to maintain. The current parcel charge collected from the property owners in Tract 31129 will not support the acceptance of any additional area for landscape maintenance. Staff from Special Districts has asked the developer to complete the installation of the hardscape and irrigation in the parkway but to hold off on installing the plant material until it is determined that there is adequate funding to maintain the additional landscape area.

A mail ballot proceeding is being conducted to allow the property owners within Tract 31129 the opportunity to approve or oppose a proposed increase in the CSD Zone D annual charge to fund the additional costs to maintain the increase in the area of landscaping. The property owners in the tract are given two opportunities to address the legislative body. These two opportunities are the Public Meeting on August 23, 2011 and the Public Hearing on September 13, 2011.

If a simple majority (50%+1) of the returned valid ballots approve the increase in the annual charge for Zone D, there shall be an increase in the area of landscaping maintained for Tract 31129 in addition to continue funding the maintenance at the same level. The approved charge, which is subject to an annual inflation adjustment, shall be levied on the 2011/12 property tax bill. If there is a tie or if a majority of the returned valid ballots oppose the increase in the annual charge for Zone D, landscape maintenance services shall be reduced to a level consistent with available funding and the CSD will not accept any additional area to maintain. Each parcel in the tract will still be subject to the previously approved charge.

ALTERNATIVES

1. **Accept public comments** regarding the reballot of Tract 31129 for the proposed increase in the CSD Zone D annual parcel charge to fund an increase in the area of landscaping maintained for Tract 31129 in addition to continue funding the maintenance at the same level. *By accepting public comment, the City complies with Proposition 218 state statutes for providing public comment in a mail ballot proceeding.*

2. **Do not accept public comments** regarding the reballot of Tract 31129 for the proposed increase in the Zone D annual parcel charge to fund an increase in the area of landscaping maintained for Tract 31129 in addition to continue funding the maintenance at the same level. *This alternative would be contrary to state statutes.*

FISCAL IMPACT

There is no impact on the General Fund for the operation of the CSD Zone D program. The CSD provides services through various zones, such as Zone D (Parkway Landscape Maintenance), which are full-cost recovery programs. The collection of the CSD Zone D annual charge is restricted for landscape maintenance services and administration of the CSD Zone D program.

CITY COUNCIL GOALS

Community Image, Neighborhood Pride, and Cleanliness
Continuation of the Zone D service in the landscaped parkway for Tract 31129 shall allow the CSD to maintain the current appearance of the neighborhood.

Revenue Diversification and Preservation
The proposed increase in the CSD Zone D parcel charge for Tract 31129 is based upon actual costs, which include maintenance and administration.

SUMMARY

The action before the CSD Board is to accept public comments regarding the mail ballot proceeding for Tract 31129.

NOTIFICATION

A ballot packet was mailed to each property owner within Tract 31129 the week of July 25, 2011. The packet included a notice to property owner, calculation of the 2011/12 standard service charge, map, CSD Zone D service guidelines, official mail ballot, and a postage-paid envelope for returning the ballot. A sample mail ballot packet is included as Attachment 1.

Newspaper advertising for the August 23, 2011, Public Meeting and September 13, 2011, Public Hearing was published in The Press-Enterprise on August 4, 2011. Additionally, the Public Hearing notification will be published on August 25 and again on September 1, 2011.

ATTACHMENTS

Attachment 1: Sample mail ballot packet for Tract 31129

Prepared by:
Jennifer Terry
Management Analyst

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

Concurred by:
Candace E. Cassel
Special Districts Division Manager

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

W:\SpecialDist\jennifert\Ballots for FY 11.12\Stfrpt Zone D Tract 31129 PM 08.23.11.doc

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

Español al reverso

July 28, 2011

NOTICE TO PROPERTY OWNER-MAIL BALLOT PROCEEDING FOR COMMUNITY SERVICES DISTRICT ZONE D (PARKWAY LANDSCAPE MAINTENANCE) - TRACT 31129 REGARDING ACCEPTANCE OF ADDITIONAL LANDSCAPED AREA AND A PROPOSED INCREASE TO THE ANNUAL CHARGE

******* OFFICIAL BALLOT ENCLOSED *******
YOUR BALLOT MUST BE RETURNED TO BE COUNTED

Introduction

The Moreno Valley Community Services District (CSD) Zone D program funds administration and service costs for maintenance of designated common landscaped areas on the north side of Cactus Ave. To maintain landscape services at the standard service level, the CSD submits to you the enclosed ballot along with this notification. *Only returned ballots will determine whether the increase in the annual charge and the acceptance of the additional area to be maintained is approved.* The ballot provides property owners an opportunity to approve or oppose the proposed acceptance of additional parkway landscape along Cactus Ave., west of Landon Rd. and the increase to the annual charges to maintain the new and existing areas (see attached map). If approved, beginning in FY 2011/12 the landscaped service area will increase by approximately 1,200 square feet and each parcel's annual charge shall be **increased by approximately $4.54 per month** to meet estimated costs. The Zone D charges are collected on the County of Riverside property tax bills. The Zone D annual charge is a direct-benefit charge for your community; there are no other revenue sources to offset the costs to the property owners.

Background

The Moreno Valley CSD was formed when the City incorporated in 1984. The CSD established benefit zones to allocate the cost of special services to those parcels receiving benefit from designated CSD programs. The Zone D (Parkway Landscape Maintenance) program provides landscape maintenance services to designated areas that have landscaped perimeters and/or entry statements. See enclosed map for the location of these landscaped areas. In compliance with Proposition 218, "The Right to Vote on Taxes Act", the CSD is conducting a mail ballot proceeding to provide property owners the opportunity to submit a ballot in support of or opposition to the acceptance of the additional landscaped area and the proposed increase to the annual charge to maintain the new and existing areas.

Services Provided

The Zone D annual charges fund administration and service costs for the landscape maintenance, which includes: mowing, trimming, pruning, weed control, 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 identified landscape areas. Included with this notice is a description of the general service level guidelines which may be performed for each service level.

How is the Amount of the Charge Determined?

The CSD zones are structured to be full cost recovery programs. The annual expenses per tract are divided by the number of parcels in the tract to determine the annual charge per parcel.

ATTACHMENT 1

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

NOTICIA A LOS PROPIETARIOS DE HOGAR – PROCEDIMIENTO DE VOTACION POR CORREO PARA EL DISTRITO DE SERVICIOS COMUNITARIOS ZONA D (MANTENIMIENTO DE LAS AREAS AJARDINADAS) FRACCIONAMIENTO 31129 REFERENTE A LA ACEPTACIÓN DE PAISAJE ADICIONAL Y A UN PROPUESTO INCREMENTO DEL CARGO ANUAL

******* BOLETA OFICIAL ADJUNTA*******
SU VOTACIÓN DEBE SER DEVUELTA PARA SER CONTADO

Introducción

El programa de la zona D del districto de los servicios de comunidad de Moreno Valley (CSD) financia el costo de administración y del servicio para el mantenimiento de áreas ajardinadas comunes en el lado norte de la avenida Cactus. Para mantener servicios del paisaje en el porcentaje de disponibilidad , CSD somete a usted la baleta incluida junto con esta notificación. Solamente las boletas devueltas se determinarán si el aumento en la carga anual y la aceptación del área adicional que se mantendrá es aprobado. La boleta le proporciona a propietarios una oportunidad de aprobar o de oponer la aceptación propuesta de paisaje adicional carretera ajardinada a lo largo de la avenida Cactus., al oeste de Landon Rd. y el aumento a la carga anual para mantener las nuevas y existentes áreas (véa el mapa adjunto). Si está aprobado, comenzará el año fiscal 2011/12 el área de servicio ajardinada aumentará aproximadamente 1.200 pies cuadrados y la carga anual de cada propiedad será aumentada aproximadamente $4.54 por mes para resolver costos estimados. Los cargos de zona D se recogen por el condado de Riverside cuentas de impuesto sobre la propiedad. La carga anual de la zona D es un cargo con ventaja directa para su comunidad; no hay otras fuentes de ingresos para compensar los costos a los propietarios.

Historial

El CSD de Moreno Valley fue formado cuando la Ciudad se incorporo en 1984. El CSD estableció subsidios para asignar los costos de servicios especializados a aquellas parcelas que reciban beneficios de ciertos programas designados por el CSD. El programa de la Zona D (Mantenimiento de las Áreas Ajardinadas) provee servicio de mantenimiento a áreas designadas que tengan jardín en los camellones, perímetro o monumentos en las entradas. Véase el mapa adjunto para localizar las áreas ajardinadas dentro de su comunidad. En cumplimiento con la Proposición 218, que estipula el derecho de voto en cuanto a impuestos a la propiedad, “The Right to Vote on Taxes Act”, el CSD esta llevando a cabo este procedimiento electoral brindando la oportunidad a los propietarios de presentar su boleta a favor u oposición a la aceptación del paisaje adicional y el aumento propuesto al precio anual para mantener las áreas nuevas y existentes.

Los Servicios que se Proveen

El programa Zona D del Distrito de Servicios Comunitario de Moreno Valley (CSD) costea los costos relacionados con la administración y servicios de mantenimiento: corte de césped, podado de árboles y arbustos, fertilización, control de hierbas y basura, mantenimiento y reparación al sistema de irrigación, el costo de agua y electricidad, personal, al igual que otros elementos necesarios para el mantenimiento del jardín. Adjunta con esta nota, encontrara un resumen de los servicios que se proveen dependiendo del nivel de servicio.

Reason for the Increase

Since 2005 when the original parcel charge was estimated, higher costs for electricity, water, and maintenance have impacted the overall program costs for the current landscaped area. Sufficient funding is no longer available to offset the difference between the actual costs and the annual parcel charges paid by the property owners. There are no other revenue sources to pay for landscape maintenance. The CSD has been asked to accept approximately 1,200 square feet of additional landscaping located on the north side of Cactus Ave., west of Landon Rd. Pending property owner approval, the landscaping and irrigation is scheduled to be installed by the developer with the ongoing maintenance to be paid for by the property owners in the benefitting tract. Since the current parcel charges do not provide adequate funding for the full cost of landscape maintenance the CSD is required to ballot the property owners to seek approval for an increase to the annual charge to maintain services for both the existing and new landscaped areas at the standard service level.

Current Charge

The 2010/11 Tract 31129 annual charge for standard landscape maintenance services was $82.48 per parcel. For FY 2011/12 an annual inflation adjustment was applied, which increased the annual charge to $83.58 per parcel. The annual charges are collected on the County of Riverside property tax bills. The total amount levied for all tracts within the Zone D program for FY 2010/11 was $1,104,179.22; the total charges levied for Tract 31129 for FY 2010/11 was $8,990.32.

Proposed Charge

To meet current costs and to allow for the acceptance and ongoing maintenance of the additional landscaped area, the Zone D annual charge is proposed to be adjusted to $138.00 per parcel. This equates to an estimated annual increase of approximately 65% or $54.42 per parcel (or approximately $4.54 per month).

Annual Adjustment

The charge shall be subject to an annual inflation adjustment based on the percentage increase 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 in future years.

Zone D Parcel Charge History

The following table sets forth the history of the annual Zone D charge for Tract 31129.

Fiscal Year	Annual Charge
2009-10	$81.00
2010-11	$82.48
2011-12	$83.58

Duration of the Charge

If approved, the increase in the charge shall be levied on the County of Riverside property tax bills beginning with the FY 2011/12 tax bills, and each following year at the property owner approved charge.

Public Hearing

To provide information concerning the proposed mail ballot proceeding for the Zone D (Parkway Landscape Maintenance) program the CSD has scheduled one (1) Public Meeting and one (1) Public Hearing, which will be held at the **Moreno Valley City Hall Council Chamber located at 14177 Frederick Street, Moreno Valley.**

¿Como se Determina la Cantidad del Cargo Anual?

Los programas de las zonas CSD, son programas de recuperación de costo total. Los egresos anuales de cada fraccionamiento son divididos en proporción al número de parcelas acres para determinar el costo anual por parcela.

¿La Razón por el Incremento?

Desde 2005 cuando el precio de propiedad originalmente fue estimado, gastos más altos de electricidad, agua, y el mantenimiento han afectado los gastos del programa totales para la propiedad corriente. Fondos suficientes ya no estan disponibles para compensar la diferencia entre los gastos actuales y los gastos anuales pagados por los dueños de la propiedad. No hay otros fondos de ingresos para pagar el mantenimiento de propiedad. Se ha pedido que el CSD acepte aproximadamente 1,200 pies cuadrados de la jardinería ornamental adicional localizada en el lado norte de la avenida Cactus, al Oeste de Landon Rd. La aprobación del dueño de propiedad esta pendiente, la propiedad ornamental y la irrigación esta programada para ser instalado por el revelador y los gastos del mantenimiento sera pagado por los dueños de la propiedad para beneficiar el fraccionamiento. Ya que los gastos de la propiedad corrientes no proporcionan la financiación adecuada para el gasto entero del mantenimiento de paisaje se requiere que el CSD someta una votación a los dueños de propiedad para buscar la aprobación para un aumento al precio anual para mantener servicios tanto para la existencia como para nuevas propiedades en el nivel del servicio estándar.

Cargo Actual

Para el año 2010/11 el cargo anual para los servicios de mantenimiento estándar del fraccionamiento 31129 es de $82.48 por parcela. Para el año fiscal 2011/12 un ajuste de inflación anual fue aplicado, que aumentó el precio anual a $83.58 dólares por propiedad. El cargo anual se colecta mediante la factura de impuesto a la propiedad que se paga al Condado de Riverside. La cantidad total que se recaudo para el programa de la Zona D durante el año fiscal 2010/11 es de $1,104,179.22, los gastos totales de impuestos para el Fraccionamiento 31129 para año fiscal 2010/11 eran $8,990.32 dólares.

Cargo Que Se Propone

Para mantener gastos corrientes y tener la aceptación y continuar el mantenimiento del paisaje adicional,la Zona D precio anual es propuesta para ser ajustado a $138.00 dólares por propiedad. Se compara con un aumento anual estimado aproximadamente del 65 % o 54.42 dólares por propiedad (o aproximadamente $4.54 dólares por mes).

Ajuste Anual

El cargo anual estará sujeto ha un ajuste anual basado en el cambio a el porcentaje calculado durante el año anterior al Índice Regional de Precio al Consumidor para Todos Los Consumidores Urbanos de los Condados de Los Ángeles-Riverside y Orange, publicado por la Oficina de Estadísticas Laborales del Departamento de Trabajo en los próximos anos.

Historial de Cargos Por Parcela Para La Zona D

La siguiente tabla estadística refleja el historial de los cargos anuales de la Zona D, Fraccionamiento 31129.

Año Fiscal	Cargo Anual
2009-10	$81.00
2010-11	$82.48
2011-12	$83.58

Public Meeting	**Public Hearing**
Tuesday, August 23, 2011 6:30 P.M. (Or As Soon Thereafter As The Matter May Be Called)	Tuesday, September 13, 2011 6:30 P.M. (Or As Soon Thereafter As The Matter May Be Called)

Tabulation of all returned ballots will commence after the close of the Public Hearing, at a time and location as confirmed by the CSD Board. All ballots received shall be tabulated under the direction of the Secretary of the CSD Board of Directors (City Clerk) in compliance with the current Policy For Conducting Mail Ballot Proceedings Policy #1.12.

Effect if Increase is Approved

If a simple majority (50%+1) of the returned valid weighted ballots approve the acceptance of the additional landscaped area and the increase in the annual charge, landscape maintenance services shall continue at the current level. The total approved charge of $138.00 per parcel shall be placed on the 2011/12 Riverside County property tax bill.

Effect if Increase is Not Approved

If there is a tie or if a majority of the returned valid weighted ballots oppose the increase in the annual charge, the additional landscaped area will not be planted and the landscape maintenance service level for the existing area shall be reduced to a level consistent with available funding. The net result may be that the overall appearance of these landscaped areas will be reduced from their present condition. If available funding cannot support the lowest level of service, property owners will be notified and maintenance services may be discontinued.

For More Information

If you have any questions about the proposed increase in the annual charge, the landscape maintenance services, about the mail ballot proceeding process, would like to schedule a community meeting for a detailed briefing, or would like to request additional supporting documentation such as detailed budget information, please contact the City's Special Districts Division, Monday through Thursday from 7:30 a.m. to 5:30 p.m. at 951.413.3480.

Completing Your Ballot

Property owners may submit the enclosed ballot to the CSD in support of or opposition to the proposed increase to the landscape service area and the annual charge. Please follow the instructions listed below to complete and return your ballot. Procedures for the completion, return, and tabulation of the ballots are also on file in the City Clerk's office.

1. Mark the enclosed ballot in support of or opposition to the proposed increase to the annual charge **by placing a mark in the corresponding box.**
2. Sign your name on the ballot. Ballots received without signature(s) will be considered invalid *and will not be counted.*
3. Mail or personally deliver your ballot in a sealed envelope to the City Clerk's office, 14177 Frederick Street, Moreno Valley, California, 92553. For your convenience, a postage-paid envelope has been included for return of the ballot.

Duración del Cargo

De ser aprobado, el incremento al cargo anual será colectado mediante el impuesto a la propiedad, que colecta el Condado de Riverside, comenzando con el año fiscal 2011/12 y cada siguiente año.

Audiencia Pública

Para proveer mas información en cuanto al procedimiento de votación por correo propuesto para la Zona D (Mantenimiento de Áreas Ajardinadas) se ha programado una Junta Publica y una Audiencia Publica, que se llevaran a cabo en la **Cámara de Ayuntamiento de la Ciudad de Moreno Valley (City Hall Council Chamber) localizada en el 14177 Frederick Street, Moreno Valley**.

Junta Publica	**Audiencia Publica**
Martes, 23 de Agosto , 2011	Martes, 13 de Septiembre , 2011
6:30 P.M. (o tan pronto come el asunto sea presentado)	6:30 P.M. (o tan pronto come el asunto sea presentado)

Las boletas regresadas serán tabuladas después del cierre de la Audiencia Publica, a una hora y lugar que sea confirmado por el Comité Ejecutivo de CSD. Todas las boletas recibidas serán tabuladas bajo la dirección del Secretario del Comité Ejecutivo del CSD (Secretario de la Ciudad) en conformidad con la corriente Política Para Conducir Procedimientos De Votación Por Correo 1.12.

El Efecto de Ser Aprobado el Incremento

Si una simple mayoría (50%+1) de las boletas validas aprueban aceptación del paisaje adicional y el incremento al cargo anual, el nivel de servicio de mantenimiento continuara vigente. El cargo anual aprobado de $138.00 por parcela será colectado mediante el impuesto a la propiedad, que colecta el Condado de Riverside, comenzando con el año fiscal 2011/12.

El Efecto Si el Incremento No Es Aprobado

Si la mayoría de las boletas validas regresadas se oponen al incremento al cargo anual o si hay un empate, el paisaje adicional no será plantada y el servicio de mantenimiento para el área existente será reducido a un nivel basado en los fondos disponibles. Si los fondos disponibles no llegasen a cubrir el nivel de servicio mínimo, los propietarios recibirán un comunicado por carta que los servicios serán descontinuados. El resultado final seria que la apariencia actual de las áreas ajardinadas se verá afectada.

Para Más Información

Si tiene alguna pregunta acerca del incremento anual propuesto, los servicios de mantenimiento, le gustaría organizar una junta comunitaria para mas detalles, o incurrir mas detalles sobre el presupuesto, por favor llame al la División de Distritos Especiales de la Ciudad de Lunes a Jueves, 7:30 a.m. a 5:30 p.m. al 951.413.4380.

Como Llenar La Boleta

Los propietarios podrán enviar la boleta adjunta al CSD en apoyo u oposición al propuesto aumento al área de servicio de paisaje y al cargo anual. Por favor siga las siguientes instrucciones en cuanto a como llenar y devolver la boleta correctamente. También, podrá encontrar información en cuanto a los procedimientos de cómo llenar, regresar y como se tabulan las boletas en la oficina de Secretaria de la Ciudad (City Clerk)

4. Ballot(s) must be **received** by the City Clerk prior to the close of the Public Hearing which will be held on Tuesday**, September 13, 2011,** 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.

Ballot Marks

Appropriate ballot markings include any one 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 and/or associated clause; or

A square or rectangle around the box and/or 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 prior to the conclusion of public testimony at the Public Hearing. The revision must be initialed by the record owner(s) of property. Initials must be clearly printed and placed at the right top corner of the revised selection.

1. En la boleta **ponga una marca en la caja correspondiente**, ya sea que este votando a favor o en contra
2. Firme la boleta. Cualquier boleta que sea devuelta sin firma(s) será considerada invalida y *por lo tanto no será contada.*
3. Envié la boleta en el sobre adjunto a la oficina de Secretaria de la Ciudad (City Clerk's office) a la siguiente dirección, 14177 Frederick Street, Moreno Valley, CA, 92553. Para su conveniencia, el sobre incluido tiene el franqueo pagado. También puede traer su boleta personalmente si así lo desea a la misma dirección.
4. Las boletas deberán ser **recibidas** por el Secretario de la Ciudad antes del cierre de la Audiencia Publica que se llevara a cabo el **Martes, 13 de Septiembre del 2011**,en la Cámara de Ayuntamiento de Moreno Valley (Moreno Valley City Hall Council Chamber). La audiencia comenzara a las 6:30 p.m. o en tanto sea posible tratar el asunto. Legalmente, las boletas que sean recibidas después del cierre de la Audiencia Publica, no podrán ser contadas

Marcas Validas

Los siguientes son ejemplos de marcas que se consideran apropiadas para votar Si/Aprobado o No/No Aprobado en su boleta electoral.

Una marca que este mayormente dentro de la caja;

Una X que este mayormente dentro de la caja;

Un punto o marca ovalada que este mayormente dentro de la caja;

Llenar la caja completamente mayormente dentro de las líneas;

Una línea, llena o quebrada, o combinación de líneas. Podrá usar líneas verticales, horizontales o diagonales. Puede marcar de una esquina a otra. Sin embargo, para que su voto sea valido, siempre manténgase mayormente dentro de la caja que este marcando sin marcar la quede vacía;

Un circulo alrededor de la caja y/o la cláusula asociada; o

Un cuadro o rectángulo alrededor de la caja y/o cláusula asociada.

Las marcas en las boletas no deberán extenderse mas allá del área de la caja que ha escogido. Si la marca de una caja se extiende a la otra o al la porción que explica el significado de esta, la boleta será considerada nula y por lo tanto no será contada.

Cambios o revisiones a las marcas de la boleta

Si comete un error al marcar su voto en la boleta o simplemente desea cambiar su voto, podrá hacerlo mediante poner sus iniciales claramente marcadas al derecho de la selección que halla ajustado. Cualquier cambio deberá ser iniciado por el propietario solamente. Solo se aceptaran estos cambios o ajustes a las boletas si son recibidas antes del cierre del testimonio publico en la Audiencia Publica.

CSD ZONE D, TRACT 31129
FY 2011/12 BUDGET

	Current	Proposed
LANDSCAPE AREA		
Existing Square Feet	12,395	12,395
Additional Square Feet	-	1,185
Total Acres	0.28	0.31
REVENUES		
Approximate Charge Per Month	**$ 6.97**	**$ 11.50**
	x 12 months	x 12 months
Total Annual Zone D Charge	**$ 83.58**	**$ 138.00**
Number of parcels	109	109
Total Revenue	**$ 9,110.22**	**$ 15,042.00**
EXPENSES		
Direct Costs		
Base Maintenance Contract	$ 3,480.48	$ 3,829.56
Water (Eastern Municipal Water District)	2,286.27	2,504.83
Electricity (SCE)	116.83	116.83
Vandalism Repair	-	-
Repair and Replacement/Miscellaneous Direct Expenses	435.91	477.59
Landscape Inspectors/Technicians and Support Services	5,058.24	5,539.51
Parts and Equipment	331.51	363.05
Subtotal Direct Costs	$ 11,709.24	$ 12,831.37
Indirect Costs		
Miscellaneous Indirect Expenses	$ 239.89	$ 262.72
Special Districts Program Administration	588.28	644.25
City Administration	1,187.41	1,300.39
Subtotal Indirect Costs	$ 2,015.58	$ 2,207.36
Total Expenses	**$ 13,724.82**	**$ 15,038.73**
Shortfall	**$ (4,614.60) ***	**$ 3.27**

* Based on the current square feet of landscaped area, the annual parcel charge required to meet meet current expenses would be $126.00.

Base Maintenance Contract: includes total annual costs for contract services of bonded and insured professional landscape contracting firm, based upon prevailing wage requirements. Services may include mowing, trimming, pruning, fertilizing, weed control, litter removal, and maintaining the irrigation systems.

Vandalism Repair: includes abatement of nuisance and necessary repairs due to vandalism.

Repair and Replacement and Miscellaneous Direct Expense: may include, but are not limited to, major and intermediate irrigation rehabilitation and/or renovation projects (including parts), replacement of plant materials, fertilizers and pesticides, tree trimming, and mulching.

Landscape Inspectors/Technicians and Support Services: personnel costs for oversight of landscape contractor, manual labor time for assistance with major and minor repairs, renovation, and landscape replacement/removal projects. Administrative staff manages maintenance contracts, ensures timely payment of all invoices, creates and monitors the annual program budget, and applies the annual charges on the property tax rolls.

Parts and Equipment: landscape irrigation parts (for minor and/or emergency repairs), and equipment (used by personnel). Service vehicle, fuel and telecommunications equipment.

Miscellaneous Indirect Expenses: tools, uniforms, training, copying, mailing, postage, etc.

Special Districts Administration: includes accounting, management, reporting and regulation compliance, Riverside County fees, and other municipal agency services.

City Administration: includes cost for Council and administrative services, liability insurance, technology, and facilities.

CSD ZONA D, FRACCIONAMIENTO 31129
PRESUPUESTO DEL ANO FISCAL 2011/12

		Corriente		Propuesto
ÁREA AJARDINADA				
	Pies Cuadrados Existentes	12,395		12,395
	Pies Cuadrados Adicionales	-		1,185
	Acres Totales	0.28		0.31
INGRESOS				
	Precio aproximado por mes	**$ 6.97**	**$**	**11.50**
		x 12 meses		x 12 meses
	Precio total anual de zona D	**$ 83.58**	**$**	**138.00**
	Cantidad de propiedades	109		109
Total de Ingresos		**$ 9,110.22**	**$**	**15,042.00**
EGRESOS				
Costos Directos				
Contrato de Mantenimiento Base		$ 3,480.48	$	3,829.56
Agua (Eastern Municipal Water District)		2,286.27		2,504.83
Electricidad (SCE)		116.83		116.83
Reparación de Vandalismo		-		-
Reparación o Reemplazo/Egresos Misceláneos Directos		435.91		477.59
Inspectores de Jardinería/Servicios de Apoyo Técnicos		5,058.24		5,539.51
Partes y Equipo		331.51		363.05
Subtotal de Costos Directos		$ 11,709.24	$	12,831.37
Costos Indirectos				
Egresos Misceláneos Indirectos		$ 239.89	$	262.72
Administración de Programa de Servicios Especiales		588.28		644.25
Administración de la Ciudad		1,187.41		1,300.39
Subtotal de Costos Indirectos		$ 2,015.58	$	2,207.36
Total de Egresos		**$ 13,724.82**	**$**	**15,038.73**
		$ (4,614.60)	*** $**	**3.27**

* Basado a los pies cuadrados corrientes del área de paisaje, el precio de propiedad anual requerido para mantener los gastos corrientes sería $126.00 dólares.

Contrato de Mantenimiento Base: incluye el total de costo anual de los servicios contratados de las compañías de mantenimiento, basado en salarios prevalecientes requeridos. Los servicios incluyen corte de césped, podado de árboles y arbustos, fertilización, control de hierbas y basura, mantenimiento y reparación al sistema de irrigación.

Reparación de Vandalismo: incluye reparaciones y alivio de molestias publicas.

Reparación o Reemplazo: pudiera incluir, pero no limitado a, rehabilitación del sistema de riego, sea de índole mayor o intermediaria y/o proyecto de renovación (incluyendo partes necesaria), reemplazo de plantas, fertilizantes y pesticidas, podado de árboles e instalación de mantillo.

Inspectores/Técnicos de Paisaje y Servicios de Apoyo: el costo del personal por descuido del contratista al paisaje, tiempo de trabajo manual para la ayuda con reparaciones principales y menores, renovación, y proyectos de reemplazo/retiro de paisaje. El personal administrativo maneja contratos de mantenimiento, asegura el pago oportuno de todas las facturas, crea y supervisa el presupuesto de programa anual, y aplica los gastos anuales de impuestos sobre la propiedad.

Partes y Equipo/Egresos Misceláneos Directos: Partes para el sistema de irrigación y equipo (usado por el personal) para reparaciones menores o de emergencia. Servicio de los vehículos, combustible y equipo de telecomunicación.

Egresos Misceláneos Indirectos: herramientas, uniformes, entrenamientos, gastos de envió, etc.

Administración de Distritos Especiales: incluye contabilidad, dirección, informe y conformidad de regulación, honorarios de Riverside County, y otros servicios de agencia municipales.

Administración de Ciudad: incluye el costo para el Consejo y servicios administrativos, seguro de responsabilidad civil, tecnología, e instalaciones.

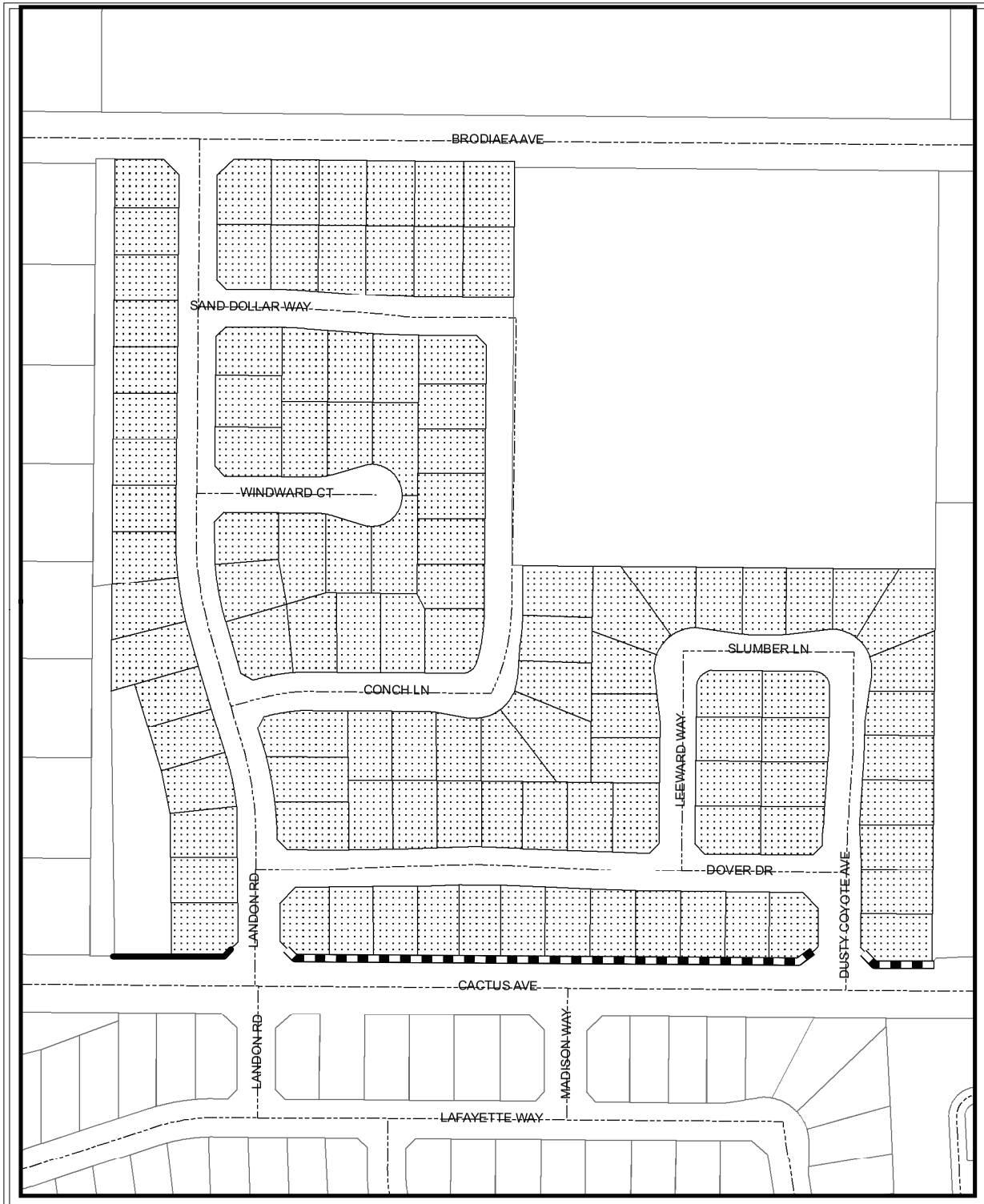
COMMUNITY SERVICES DISTRICTS ZONE D (Parkway Landscape Maintenance) GENERAL SERVICE LEVEL GUIDELINES *			
DESCRIPTION OF LANDSCAPE MAINTENANCE SERVICE	**STANDARD MAINTENANCE SERVICE**	**REDUCED MAINTENANCE SERVICE**	**STREET TREE MAINTENANCE SERVICE**
Mowing, Edging & Trimming (Of Turf Areas Only)	Weekly	Monthly (or Bi-monthly as needed)	N/A
Aeration	3 times per year	As needed	N/A
Tree Trimming	1 time every 3-4 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment	1 time every 5-7 years or when necessary to eliminate hazard and/or ROW encroachment
Shrub Trimming	1 time per year (minimum) to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment	1 time per year to eliminate hazard and/or ROW encroachment
Ground Cover Trimming	4 times per year (quarterly) to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment	2 times per year to eliminate hazard and/or ROW encroachment
Weed Control	Monthly	4 times per year (quarterly)	4 times per year (quarterly)
Irrigation	Weekly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)	Monthly (inspect/adjust/repair)
Litter Removal	Weekly	1 time per month or at least 1 time per 2 months	1 time per month or at least 1 time per 2 months
Turf Fertilizer	7 applications per year	3 applications per year	N/A
Shrub Fertilizer	2 applications per year	1 application per year	N/A
Tree Fertilizer	As needed	As needed	As needed
Pesticides:			
Shrubs/Ground Covers (pre-emergent)	2 times per year	As needed (budget permitting)	N/A
Shrubs/Ground Covers (insect/disease control)	As needed	As needed (budget permitting)	N/A
Shrubs/Ground Covers (vertebrate pest control)	As needed	As needed (budget permitting)	N/A
Turf (weed control)	As needed	As needed (budget permitting)	N/A
Turf (vertebrate pest control)	As needed	As needed (budget permitting)	N/A

* The table sets forth the general guidelines for landscape maintenance services. Since every service area is unique and may require adjusted services based on seasonal demands and available funding, the actual services provided shall be determined by the Special Districts Division Manager. The service level for each service area is contingent upon available funding to support the designated level of service.

DISTRITO DE SERVICIOS COMUNITARIOS ZONA D (Mantenimiento de Área Ajardinada) PAUTAS DE NIVEL DE SERVICIO GENERAL*			
DESCRIPCIÓN DE LOS NIVELES DE SERVICIO DE MANTENIMIENTO	**SERVICIO DE MANTENIMIENTO ESTANDAR**	**SERVICIO DE MANTENIMIENTO REDUCIDO**	**SERVICIO DE MANTENIMIENTO STREET TREE**
CORTADO DEL CESPED	Semanalmente	Mensual (o bimensual como sea necesario)	N/A
AERACIÓN DEL CESPED	3 veces por año	Como sea necesario	N/A
PODADO DE ÁRBOLES	1 vez cada 3-4 años o cuando sea necesario para eliminar peligros/o invasión al derecho de vía	1 vez cada 5-7 años o cuando sea necesario para eliminar peligros/o invasión al derecho de vía	1 vez cada 5-7 años o cuando sea necesario para eliminar peligros/o invasión al derecho de vía
PODADO DE ARBUSTOS	1 vez por año (mínimo) para eliminar peligros/o invasión al derecho de vía	1 vez por año para eliminar peligros/o invasión al derecho de vía	1 vez por año para eliminar peligros/o invasión al derecho de vía
PODADO DE CUBIERTA VEGETAL	4 veces por año (trimestralmente) para eliminar peligros/o invasión al derecho de vía	2 veces por año para eliminar peligros/o invasión al derecho de vía	2 veces por año para eliminar peligros/o invasión al derecho de vía
CONTROL DE HIERBAS	Mensualmente	4 veces por año (trimestralmente)	4 veces por año (trimestralmente)
IRRIGACIÓN	Semanalmente (inspección/ajuste/reparar)	Mensualmente (inspección/ajuste/reparar)	Mensualmente (inspección/ajuste/reparar)
RECOGIMIENTO DE BASURA	Semanalmente	1 vez por mes o por lo menos 1 vez cada 2 meses	1 vez por mes o por lo menos 1 vez cada 2 meses
FERTILIZACIÓN DE CÉSPED	7 aplicaciones por año (mínimo)	3 aplicaciones por año	N/A
FERTILIZACIÓN DE ARBUSTOS	2 aplicaciones por año	1 aplicación por año	N/A
FERTILIZACIÓN DE ÁRBOLES	Como sea necesario	Como sea necesario	Como sea necesario
Pesticidas:			
ARBUSTOS/CUBIERTA VEGETAL	2 aplicaciones por año	Como sea necesario (de acuerdo al presupuesto)	N/A
ARBUSTOS/ CUBIERTA VEGETAL	Como sea necesario	Como sea necesario (de acuerdo al presupuesto)	N/A
ARBUSTOS/ CUBIERTA VEGETAL	Como sea necesario	Como sea necesario (de acuerdo al presupuesto)	N/A
CÉSPED	Como sea necesario	Como sea necesario (de acuerdo al presupuesto)	N/A
CÉSPED	Como sea necesario	Como sea necesario (de acuerdo al presupuesto)	N/A

* La tabla refleja las pautas estipuladas par los servicios de mantenimiento. Debido a que cada área es distinta y el que los servicios podrían ser ajustados debido a la temporada del año o debido a fondos disponibles, el Gerente de la División de Distritos Especiales dictara que tipo de servicios serán apropiados. El nivel de servicio para cada área será sujeto a un ajuste dependiendo los fondos disponibles.

Tract/Fraccionamiento 31129



New Landscaped Areas/
Nuevo Areas de jardin

Landscaped Areas/Areas de jardin

Roads/Calles

Parcels/Parcelas

City Boundary/Limite de la ciudad

Tract/Fraccionamiento 31129

Map reflects all changes indicated on Riverside County Assessor Maps as of July 26, 2011.

N

G:\AVP\SDA\Zone D Tract 31129.mxd

0 175 350 525 700 Feet

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

Community Briefing

Get Information about the Mail Ballot for Common Area Landscaping

Residential Housing Tract 31129

Date	August 2, 2011
Time	5:00 pm–6:00 pm
Location	Corner of Cactus Avenue and Landon Road
For	Property Owners in Residential Housing Tract 31129
What	City Staff will be available to answer questions about the upcoming Mail Ballot proceeding. In addition to a request to increase the landscaped area around your housing tract, costs to maintain the landscaping have increased. Property owners need to decide whether they want to accept the new area and to keep the current level of service by approving an increase or whether they want to reduce services and keep the parcel charge currently paid as part of their property tax bill the same.

City of Moreno Valley
Public Works Department
Special Districts Division
14325 Frederick Street, Suite 9
Moreno Valley, Ca 92553

Phone: 951-413-3480
E-mail: specialdistricts@moval.org

MORENO VALLEY
WHERE DREAMS SOAR

OFFICIAL BALLOT/BOLETA OFICIAL for Assessor Parcel No. 486551004
CSD ZONE D (PARKWAY LANDSCAPE MAINTENANCE) – TRACT 31129 *4865510041*

Mark the enclosed ballot in support of or opposition to the proposed increase in the Zone D annual charge by placing a mark in the corresponding box and signing your name on the adjacent signature line. An unmarked or unsigned ballot will be considered invalid and will not be counted. This ballot must be received by the Secretary of the Board of the CSD (City Clerk) prior to the close of the Public Hearing on September 13, 2011, 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.

Marque la boleta en el recuadro correspondiente si esta a favor o en contra al incremento propuesto al cargo anual para la Zona D. **Después, firme en la línea que corresponda al recuadro elegido solamente**. Cualquier boleta que sea devuelta sin voto o firma(s) o ambas será considerada invalida y por lo tanto no será contada. Esta boleta deberá ser recibida por el Secretario del Comité de CSD (Secretario de la Ciudad) antes del cierre de la Audiencia Publica que se llevara a cabo el 13 de Septiembre del 2011, en la Cámara de Ayuntamiento de Moreno Valley (Moreno Valley City Hall Council Chamber), a las 6:30 p.m. o en tanto sea posible tratar el asunto.

☐ **Yes/Si** *4865510041Y*

PROPERTY OWNER SIGNATURE/FIRMA DEL PROPIETARIO **DATE/FECHA**

Yes, ***I approve*** the increase in the maintained landscaped area and an increase in annual charge for Zone D services of $54.42 per parcel **(approximately $4.54 per month)**. The increase will adjust the approved annual charge from $83.58 to $138.00 per parcel for fiscal year 2011/12. The approved charge shall be subject to an annual inflation adjustment based on the percentage increase 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 in future years.

Si, ***yo apruebo*** el incremento en el paisaje mantenido y en el incremento anual a los servicios de la Zona D de $54.42 por parcela **(aproximadamente $4.54 mensual).** Dicho incremento resultara en un ajuste al cargo anual aprobado de $83.58 a $138.00 por parcela para el próximo año fiscal 2011/2012. Este cargo esta sujeto a un ajuste inflacionario basado en el cambio al porcentaje calculado durante el año anterior al Índice Regional de Precio al Consumidor para Todos Los Consumidores Urbanos de los Condados de Los Ángeles-Riverside y Orange, publicado por la Oficina de Estadísticas Laborales para los anos venideros del Departamento de Trabajo.

☐ **No/No** *4865510041N*

PROPERTY OWNER SIGNATURE/FIRMA DEL PROPIETARIO **DATE/FECHA**

No, ***I do not approve*** the increase in the maintained landscaped area or the increase in the annual charge for Zone D services of $54.42 per parcel. I understand landscaping services for Zone D shall be reduced to a level consistent with available funding. If available funding cannot support the lowest level of service, maintenance services may be discontinued.

No, ***yo no apruebo*** el incremento en el paisaje mantenido o el incremento anual a los servicios de la Zona D de $54.42 por parcela. Entiendo que los servicios de jardinería de la Zona D serán reducidos a un nivel basado en los fondos disponibles. El servicio de mantenimiento de las áreas ajardinadas podría ser descontinuado si los fondos disponibles no llegasen a costear el servicio más básico.

Weighted Ballot Count: 1

THIS IS YOUR OFFICIAL BALLOT

ADELIA A BELUSO

27729 DOVER DR
MORENO VALLEY, CA 92555

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APPROVALS	
BUDGET OFFICER	caf
CITY ATTORNEY	RA
CITY MANAGER	MT

Report to City Council

TO: Mayor and City Council

FROM: Sonny Morkus, Human Resources Director

AGENDA DATE: August 23, 2011

TITLE: ADOPTION OF A RESOLUTION OF INTENTION TO APPROVE AN AMENDMENT TO THE CalPERS CONTRACT TO PROVIDE THE 2% AT AGE 55 AND THREE-YEAR FINAL COMPENSATION CALCULATION RETIREMENT BENEFITS FOR NEWLY HIRED EMPLOYEES STARTING ON OR AFTER SEPTEMBER 30, 2011, AND CONDUCT THE FIRST READING OF THE RELATED ORDINANCE AS REQUIRED BY CalPERS.

RECOMMENDED ACTION

Staff recommends that the City Council adopt Resolution No. 2011- 59, to announce the City's intention to approve an amendment to the CalPERS Contract to provide the 2% at Age 55 and Three-Year Final Compensation Calculation Retirement Benefits for newly hired employees starting on or after September 30, 2011, and conduct the first reading of the related ordinance as required by CalPERS.

ADVISORY BOARD/COMMISSION RECOMMENDATION

"Not applicable."

BACKGROUND

During the Meet & Confer Process for the FY 2011/12 successor MOU's for the City three employees associations, the City's labor negotiating team introduced the proposal of providing the 2% at Age 55 and Three-Year Final Compensation Calculation CalPERS retirement benefits for new hires starting on or after September 30, 2011.

DISCUSSION

There is a three-month schedule that CalPERS requires for an amendment to the City's current contract with CalPERS for the provision of retirement benefits. The first step in

the process is the adoption of a Resolution of Intent and the first reading of the related ordinance. This staff report and City Council action will start the schedule process. On September 13, 2011, a follow-up staff report will be submitted for City Council recommending the approval of a Resolution Adopting the Amendment to the CalPERS Contract, and the adoption of the related ordinance. It is anticipated that the Meet & Confer process with the three employees associations will be concluded prior to the actual effective date of the amendment to the City's CalPERS Contract. If for any reason the Meet & Confer process is not completed prior to the City Council meeting on September 13, 2011, City staff will postpone the final adoption of the resolution and the adoption of the related ordinance.

ALTERNATIVES

The action of the City Council to approve the attached resolution and to conduct the first reading of the related ordinance relates to the current labor negotiations with the three employee associations: Moreno Valley City Employees Association; Moreno Valley Management Association; and Moreno Valley Confidential Management Employees.

FISCAL IMPACT

The implementation of the 2% at Age 55 and Three Years Highest Average Compensation Calculation CalPERS retirement benefits for new hires is expected to reduce the cost to the City budget for benefits between a range of $1,710.00 to $3,000.00 per employee per year, depending on the employees' compensation levels. The City's CalPERS Employer Rate will be reduced from 19.344% to 15.922% for the new hires. The newly hired employees will be required to pay for the 7% employee's member contribution, and the City will not pay any portion of the employee's member contribution.

CITY COUNCIL GOALS

The action of the City Council to approve the attached resolution will contribute to one of the City Council's goals, i.e. "Positive Environment: Create a positive environment for the development of Moreno Valley's future."

NOTIFICATION

The three employee associations have been notified of the staff report and staff recommendation for City Council to approve the attached resolution and related ordinance. Copies of this staff report and attached resolution were sent to the employee associations and all three concur with the recommended City Council action, pending ratification of the successor MVMA MOU and MVCME MOU for Fiscal Year 2011/12.

ATTACHMENTS/EXHIBITS

1. Resolution of Intent to Approve an Amendment to the CalPERS Contract.
2. Ordinance related to the amendment of the CalPERS Contract.

Prepared and Approved By:

Sonny Morkus
Human Resources 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. 2011-59

RESOLUTION OF INTENTION

TO APPROVE AN AMENDMENT TO CONTRACT

BETWEEN THE

BOARD OF ADMINISTRATION
CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM

AND THE

CITY COUNCIL
CITY OF MORENO VALLEY

WHEREAS, the Public Employees' Retirement Law permits the participation of public agencies and their employees in the Public Employees' Retirement System by the execution of a contract, and sets forth the procedure by which said public agencies may elect to subject themselves and their employees to amendments to said Law; and

WHEREAS, one of the steps in the procedures to amend this contract is the adoption by the governing body of the public agency of a resolution giving notice of its intention to approve an amendment to said contract, which resolution shall contain a summary of the change proposed in said contract; and

WHEREAS, the following is a statement of the proposed change:

> To provide Section 20475 (Different Level of Benefits). Section 21354 (2% @ 55 Full formula) and Section 20037 (Three-Year Final Compensation) are applicable to local miscellaneous members entering membership for the first time in the miscellaneous classification after the effective date of this amendment to contract.

NOW, THEREFORE, BE IT RESOLVED that the governing body of the above agency does hereby give notice of intention to approve an amendment to the contract between said public agency and the Board of Administration of the Public Employees' Retirement System, a copy of said amendment being attached hereto, as an "Exhibit" and by this reference made a part hereof.

By:_____
Presiding Officer

_____
Title

Resolution No. 2011-59
Date Adopted: September 13, 2011

_____
Date adopted and approved

ATTACHMENT 1

(Amendment)
CON-302 (Rev. 4/96)

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

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

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

ORDINANCE NO. 828

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AUTHORIZING AN AMENDMENT TO THE CONTRACT BETWEEN THE CITY OF MORENO VALLEY AND THE BOARD OF ADMINISTRATION OF THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1.

That an amendment to the contract between the City of Moreno Valley and the Board of Administration, California Public Employees' Retirement system is hereby authorized, a copy of said amendment being attached hereto, marked Exhibit A, and by such reference made a part hereof as though herein set out in full.

SECTION 2.

The Mayor of the City of Moreno Valley is hereby authorized, empowered, and directed to execute said amendment for and on behalf of said Agency.

SECTION 3.

This Ordinance shall take effect thirty (30) days after the date of its adoption, and prior to the expiration of fifteen (15) days from passage thereof shall be published at least in the Press Enterprise, a newspaper of general circulation, published and circulated in the County of Riverside and thenceforth and thereafter the same shall be in full force and effect.

APPROVED AND ADOPTED this 13th day of September, 2011.

_____
Mayor

ATTEST:

_____
City Clerk

APPROVED AS TO FORM:

_____
City Attorney

ORDINANCE JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, _____, City Clerk of the City of Moreno Valley, California, do hereby certify that Ordinance No. _____ had its first reading on _____, _____ and had its second reading on _____, _____, and was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the _____day of _____, _____, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

_____

CITY CLERK

(SEAL)

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CalPERS

EXHIBIT: A

California
Public Employees' Retirement System

AMENDMENT TO CONTRACT

Between the
Board of Administration
California Public Employees' Retirement System
and the
City Council
City of Moreno Valley

The Board of Administration, California Public Employees' Retirement System, hereinafter referred to as Board, and the governing body of the above public agency, hereinafter referred to as Public Agency, having entered into a contract effective October 16, 1985, and witnessed October 15, 1985, and as amended effective February 14, 1992, July 5, 1995, July 15, 1997, January 6, 1999, July 18, 2003, January 13, 2007 and March 27, 2009 which provides for participation of Public Agency in said System, Board and Public Agency hereby agree as follows:

A. Paragraphs 1 through 12 are hereby stricken from said contract as executed effective March 27, 2009, and hereby replaced by the following paragraphs numbered 1 through 14 inclusive:

1. All words and terms used herein which are defined in the Public Employees' Retirement Law shall have the meaning as defined therein unless otherwise specifically provided. "Normal retirement age" shall mean age 55 for local miscellaneous members.

2. Public Agency shall participate in the Public Employees' Retirement System from and after October 16, 1985 making its employees as hereinafter provided, members of said System subject to all provisions of the Public Employees' Retirement Law except such as apply only on election of a contracting agency and are not provided for herein and to all amendments to said Law hereafter enacted except those, which by express provisions thereof, apply only on the election of a contracting agency.

3. Public Agency agrees to indemnify, defend and hold harmless the California Public Employees' Retirement System (CalPERS) and its trustees, agents and employees, the CalPERS Board of Administration, and the California Public Employees' Retirement Fund from any claims, demands, actions, losses, liabilities, damages, judgments, expenses and costs, including but not limited to interest, penalties and attorneys fees that may arise as a result of any of the following:

   (a) Public Agency's election to provide retirement benefits, provisions or formulas under this Contract that are different than the retirement benefits, provisions or formulas provided under the Public Agency's prior non-CalPERS retirement program.

   (b) Public Agency's election to amend this Contract to provide retirement benefits, provisions or formulas that are different than existing retirement benefits, provisions or formulas.

   (c) Public Agency's agreement with a third party other than CalPERS to provide retirement benefits, provisions, or formulas that are different than the retirement benefits, provisions or formulas provided under this Contract and provided for under the California Public Employees' Retirement Law.

   (d) Public Agency's election to file for bankruptcy under Chapter 9 (commencing with section 901) of Title 11 of the United States Bankruptcy Code and/or Public Agency's election to reject this Contract with the CalPERS Board of Administration pursuant to section 365, of Title 11, of the United States Bankruptcy Code or any similar provision of law.

   (e) Public Agency's election to assign this Contract without the prior written consent of the CalPERS' Board of Administration.

   (f) The termination of this Contract either voluntarily by request of Public Agency or involuntarily pursuant to the Public Employees' Retirement Law.

   (g) Changes sponsored by Public Agency in existing retirement benefits, provisions or formulas made as a result of amendments, additions or deletions to California statute or to the California Constitution.

4. Employees of Public Agency in the following classes shall become members of said Retirement System except such in each such class as are excluded by law or this agreement:

   a. Employees other than local safety members (herein referred to as local miscellaneous members).

5. In addition to the classes of employees excluded from membership by said Retirement Law, the following classes of employees shall not become members of said Retirement System:

   a. **SAFETY EMPLOYEES.**

6. The percentage of final compensation to be provided for each year of credited prior and current service as a local miscellaneous member in employment before and not on or after January 13, 2007 shall be determined in accordance with Section 21354 of said Retirement Law (2% at age 55 Full).

7. The percentage of final compensation to be provided for each year of credited prior and current service as a local miscellaneous member in employment on or after January 13, 2007 and not entering membership for the first time in the miscellaneous classification after the effective date of this amendment to contract shall be determined in accordance with Section 21354.5 of said Retirement Law (2.7% at age 55 Full).

8. The percentage of final compensation to be provided for each year of credited current service as a local miscellaneous member entering membership for the first time in the miscellaneous classification after the effective date of this amendment to contract shall be determined in accordance with Section 21354 of said Retirement Law (2% at age 55 Full).

9. Public Agency elected and elects to be subject to the following optional provisions:

   a. Section 20042 (One-Year Final Compensation) for those local miscellaneous members entering membership on or prior to the effective date of this amendment to contract.

   b. Section 20938 (Limit Prior Service to Members Employed on Contract Date).

   c. Section 21574 (Fourth Level of 1959 Survivor Benefits).

PLEASE DO NOT SIGN "EXHIBIT ONLY"

d. Section 21024 (Military Service Credit as Public Service).

e. Section 20965 (Credit for Unused Sick Leave).

f. Section 20903 (Two Years Additional Service Credit).

g. Section 20475 (Different Level of Benefits). Section 21354 (2% @ 55 Full formula) and Section 20037 (Three-Year Final Compensation) are applicable to local miscellaneous members entering membership for the first time in the miscellaneous classification after the effective date of this amendment to contract.

10. Public Agency, in accordance with Government Code Section 20834, shall not be considered an "employer" for purposes of the Public Employees' Retirement Law. Contributions of the Public Agency shall be fixed and determined as provided in Government Code Section 20834, and such contributions hereafter made shall be held by the Board as provided in Government Code Section 20834.

11. Public Agency shall contribute to said Retirement System the contributions determined by actuarial valuations of prior and future service liability with respect to local miscellaneous members of said Retirement System.

12. Public Agency shall also contribute to said Retirement System as follows:

a. Contributions required per covered member on account of the 1959 Survivor Benefits provided under Section 21574 of said Retirement Law. (Subject to annual change.) In addition, all assets and liabilities of Public Agency and its employees shall be pooled in a single account, based on term insurance rates, for survivors of all local miscellaneous members.

b. A reasonable amount, as fixed by the Board, payable in one installment within 60 days of date of contract to cover the costs of administering said System as it affects the employees of Public Agency, not including the costs of special valuations or of the periodic investigation and valuations required by law.

c. A reasonable amount, as fixed by the Board, payable in one installment as the occasions arise, to cover the costs of special valuations on account of employees of Public Agency, and costs of the periodic investigation and valuations required by law.

13. Contributions required of Public Agency and its employees shall be subject to adjustment by Board on account of amendments to the Public Employees' Retirement Law, and on account of the experience under the Retirement System as determined by the periodic investigation and valuation required by said Retirement Law.

14. Contributions required of Public Agency and its employees shall be paid by Public Agency to the Retirement System within fifteen days after the end of the period to which said contributions refer or as may be prescribed by Board regulation. If more or less than the correct amount of contributions is paid for any period, proper adjustment shall be made in connection with subsequent remittances. Adjustments on account of errors in contributions required of any employee may be made by direct payments between the employee and the Board.

B. This amendment shall be effective on the _____ day of _____, _____.

BOARD OF ADMINISTRATION
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

BY_____
DARRYL WATSON, CHIEF
CUSTOMER ACCOUNT SERVICES DIVISION
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

CITY COUNCIL
CITY OF MORENO VALLEY

BY_____
PRESIDING OFFICER

_____
Witness Date

Attest:

_____
Clerk

PLEASE DO NOT SIGN "EXHIBIT ONLY"
PLEASE DO NOT SIGN "EXHIBIT ONLY"

AMENDMENT ER# 1384
PERS-CON-702A

CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM
Actuarial and Employer Services Branch
Public Agency Contract Services
(888) CalPERS (225-7377)

SUMMARY OF MAJOR PROVISIONS
2% @ 55 Formula (Section 21354)
Local Miscellaneous Members

SERVICE RETIREMENT

To be eligible for service retirement, a member must be at least age 50 and have five years of CalPERS credited service. There is no compulsory retirement age.

The monthly retirement allowance is determined by age at retirement, years of service credit and final compensation. The basic benefit is 2% of final compensation for each year of credited service upon retirement at age 55. If retirement is earlier than age 55, the percentage of final compensation decreases for each quarter year of attained age to 1.426% at age 50. If retirement is deferred beyond age 55, the percentage of final compensation increases for each quarter year of attained age to 2.418% at age 63.

Final compensation is the average monthly pay rate during the last consecutive 36 months of employment, or 12 months if provided by the employer's contract, unless the member designates a different period of 36 or 12 consecutive months when the average pay rate was higher.

DISABILITY RETIREMENT

Members substantially incapacitated from performing the usual duties for the position for his/her current employer, and from performing the usual duties of the position for other CalPERS covered employers (including State agencies, schools, and local public agencies), and where similar positions with these other employers with reasonably comparable in pay, benefits, and promotional opportunities are not available, would be eligible for disability retirement provided they have at least five years of service credit. The monthly retirement allowance is 1.8% of final compensation for each year of service. The maximum percentage for members who have between 10.000 and 18.518 years of service credit is one-third of their final compensation. If the member is eligible for service retirement the member will receive the highest allowance payable, service or disability. If provided by the employer's contract, the benefit would be a minimum of 30% of final compensation for the first five years of service credit, plus 1% for each additional year of service to a maximum benefit of 50% of final compensation.

INDUSTRIAL DISABILITY RETIREMENT

If provided by the employer's contract, members permanently incapacitated from performing their duties, as defined above under Disability Retirement, and the disability is a result of a job-related injury or illness may receive an Industrial Disability Retirement benefit equal to 50% of their final compensation. If provided in the employer's contract and the member is totally disabled, the disability retirement allowance would equal 75% of final compensation in lieu of the disability retirement allowance otherwise provided. If the member is eligible for service retirement, the service retirement allowance is payable. The total allowance cannot exceed 90% of final compensation.

PRE-RETIREMENT DEATH BENEFITS

Basic Death Benefit: This benefit is a refund of the member's contributions plus interest and up to six months' pay (one month's salary rate for each year of current service to a maximum of six months).

1957 Survivor Benefit: An eligible beneficiary may elect to receive either the Basic Death Benefit or the 1957 Survivor Benefit. The 1957 Survivor Benefit provides a monthly allowance equal to one-half of the highest service retirement allowance the member would have received had he/she retired on the date of death. The 1957 Survivor Benefit is payable to the surviving spouse or registered domestic partner until death or to eligible unmarried children until age 18.

1959 Survivor Benefit: (If provided by the employer's contract and the member is not covered under social security.) A surviving spouse or registered domestic partner and eligible children may receive a monthly allowance as determine by the level of coverage. This benefit is payable in addition to the Basic Death Benefit or 1957 Survivor Benefit. Children are eligible if under age 22 and unmarried.

Pre-Retirement Optional Settlement 2 Death Benefit: (If provided by the employer's contract.) The spouse or registered domestic partner of a deceased member, who was eligible to retire for service at the time of death, may to elect to receive the Pre-Retirement Optional Settlement 2 Death Benefit in lieu of the lump sum Basic Death Benefit. The benefit is a monthly allowance equal to the amount the member would have received if he/she had retired for service on the date of death and elected Optional Settlement 2, the highest monthly allowance a member can leave a spouse or registered domestic partner.

COST-OF-LIVING ADJUSTMENTS

The cost of living allowance increases are limited to a maximum of 2% compounded annually unless the employer's contract provides a 3, 4, or 5% increase.

DEATH AFTER RETIREMENT

The lump sum death benefit is $500 (or $600, $2,000, $3,000, $4,000 or $5,000 if provided by the employer's contract) regardless of the retirement plan chosen by the member at the time of retirement.

TERMINATION OF EMPLOYMENT

Members who have separated from employment may elect to leave their contributions on deposit or request a refund of contributions and interest. Those who leave their contributions on deposit may apply at a later date for a monthly retirement allowance if the minimum service and age requirements are met. Members who request a refund of their contributions terminate their membership and are not eligible for any future benefits unless they return to CalPERS membership.

EMPLOYEE CONTRIBUTIONS

Miscellaneous members covered by the 2% @ 55 formula contribute 7% of reportable earnings. Those covered under a modified formula (coordinated with Social Security) do not contribute on the first $133.33 earned.

The employer also contributes toward the cost of the benefits. The amount contributed by the employer for current service retirement benefits generally exceeds the cost to the employee. In addition, the employer bears the entire cost of prior service benefits (the period of time before the employer provided retirement coverage under CalPERS). All employer contribution rates are subject to adjustment by the CalPERS Board of Administration.

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APPROVALS	
BUDGET OFFICER	caf
CITY ATTORNEY	SMB
CITY MANAGER	

Report to City Council

TO: Redevelopment Agency Chairperson and Members of the Board of Directors

FROM: Barry Foster, Community & Economic Development Director

AGENDA DATE: August 23, 2011

TITLE: RESOLUTION OF THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY APPROVING AN ENFORCEABLE OBLIGATION PAYMENT SCHEDULE

RECOMMENDED ACTION

Staff recommends that the Redevelopment Agency Board of Directors Adopt Resolution No. RDA 2011-12 approving an Enforceable Obligation Payment Schedule.

BACKGROUND

On June 30, 2011, the Governor signed the following two bills that became effective immediately.

- ABX1 26 eliminates California redevelopment agencies (RDA's) as of October 1, 2011, and
- ABX1 27 exempts from elimination any RDA within a City or County that agrees to make an annual payment to the Special District Allocation Fund and Educational Revenue Augmentation Fund.

On July 18, the California Redevelopment Association, the League of California Cities, and the cities of San Jose and Union City filed a petition with the California Supreme Court to overturn AB 1X 26 and AB 1X 27 based on claims that the bills violate the Constitution.

On August 11, 2011, the California Supreme Court issued a partial stay on the implementation of ABx1 26 and ABx1 27 until the Court can rule on the constitutionality of the two bills. As a result of the partial stay, sections of ABx1 26 remain in effect that suspend non-administrative redevelopment agency activities and require RDA's to adopt an Enforceable Obligation Payment Schedule (EOPS). The EOPS must be filed with the County Auditor-Controller, the State Controller, and the State Department of Finance by August 28, 2011. After this date, RDA's may only pay for obligations listed on the EOPS unless another payment is necessary to meet bonded indebtedness.

DISCUSSION

As a result of ABx1 26, ABx1 27, and the Supreme Court's partial stay, it is recommended that even agencies that have adopted a resolution that declares the intent to make the voluntary payments to the Special District Allocation Fund and Educational Revenue Augmentation Fund adopt an EOPS to ensure they have the authority to make payments on indebtedness after August 28, 2011. Staff recommends that the RDA Board of Directors adopt Resolution No. RDA 2011-12 (Attachment A) approving an Enforceable Obligation Payment Schedule (Attachment B).

ALTERNATIVES

1. Enact and adopt the attached resolution, which approves the Enforceable Obligation Payment Schedule. *Staff recommends this alternative because it allows the RDA to make required RDA debt service payments in accordance with the State legislation.*

2. Decline to enact and adopt the attached resolution, which approves the Enforceable Obligation Payment Schedule. *Staff does not recommend this alternative since without the EOPS, RDA debt service payments may not be authorized.*

FISCAL IMPACT

The EOPS summarizes the RDA's legally binding and enforceable agreements. There is no fiscal impact associated with adopting the proposed resolution that authorizes filing of an Enforceable Obligation Payment Schedule with the County Auditor-Controller, the State Controller, and the State Department of Finance.

SUMMARY

The Governor has signed two bills, one that eliminates RDA's and a second which provides for a voluntary alternative redevelopment program exempting an RDA from elimination if the City Council enacts an ordinance before November 1, 2011 to comply with the State legislation and make payments to the County-Auditor Controller as required by the legislation. A lawsuit was filed with the California Supreme Court asserting the claim that the bills are unconstitutional and the Supreme Court has issued a partial stay of the bills' implementation. Since the stay is not comprehensive,

compliance with the requirement that RDA's adopt an Enforceable Obligation Payment Schedule is necessary for timely filing with the County Auditor-Controller, the State Controller, and the State Department of Finance. The resolution adopting the Enforceable Obligation Payment Schedule is attached hereto for RDA Board consideration.

NOTIFICATION

Other than posting of the Agenda, no public notice is required prior to the Redevelopment Agency taking action on this item. The agenda for the meeting during which this item may be considered has been posted in the three locations that have been designated for the posting of City Council and RDA Board meeting agendas.

ATTACHMENTS/EXHIBITS

Attachment A: Resolution No. RDA 2011-12
Attachment B: Enforceable Obligation Payment Schedule

Prepared By:
Michele Patterson
Redevelopment & Neighborhood
Programs Administrator

Department Head Approval:
Barry Foster
Community & Economic
Development 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. RDA 2011-12

A RESOLUTION OF THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY APPROVING AN ENFORCEABLE OBLIGATION PAYMENT SCHEDULE

WHEREAS, the Community Redevelopment Agency of the City of Moreno Valley ("Agency") is a community redevelopment agency organized and existing under the California Community Redevelopment Law, Health and Safety Code Sections 33000, et seq. ("CRL") and has been authorized to transact business and exercise the powers of a redevelopment agency pursuant to action of the City Council ("City Council") of the City of Moreno Valley ("City"); and

WHEREAS, the Agency was established pursuant to the Redevelopment Law. The Agency was activated on February 18, 1986, by City Ordinance No. 50. The City Council adopted and approved the Redevelopment Plan for the Project Area by Ordinance 87-154 of the City on December 29, 1987 (the "Original Plan"), as subsequently amended by Ordinance No. 448 of the City adopted January 10, 1995, Ordinance No. 556 of the City adopted December 14, 1999, and Ordinance No. 732 adopted December 19, 2006 (as so amended, the "Amended Redevelopment Plan", the area of which is referred to herein as the "Project Area"); and

WHEREAS, Parts 1.8, 1.85 and 1.9 of Division 24 of the Health and Safety Code were added to the CRL by ABX1 26 and ABX1 27, which measures purport to become effective immediately. ABX1 26 and ABX1 27, which are trailer bills to the 2011-12 budget bills, were approved by both houses of the Legislature on June 15, 2011 and signed by the Governor on June 28, 2011; and

WHEREAS, Part 1.85 of the CRL ("Part 1.85") provides for the statewide dissolution of all redevelopment agencies, including the Agency, as of October 1, 2011, and provides that, thereafter, a successor agency to administer the enforceable obligations of the Agency and otherwise wind up the Agency's affairs, all subject to the review and approval by an oversight committee; and

WHEREAS, Part 1.8 of the CRL ("Part 1.8") provides for the restriction of activities and authority of the Agency in the interim period prior to dissolution to certain "enforceable obligations" and to actions required for the general winding up of affairs, preservation of assets, and certain other goals delineated in Part 1.8; and

WHEREAS, the dissolution of the Agency would be detrimental to the health, safety, and economic well-being of the residents of the City and cause irreparable harm to the community and the Redevelopment Project, because, among other reasons, the

redevelopment activities and projects made possible, implemented, and funded by the Agency are highly significant and of enduring benefit to the community and the City, and are a critical component of its future; and

WHEREAS, Part 1.9 of the CRL ("Part 1.9") provides that a redevelopment agency may continue in operation if a city or county that includes a redevelopment agency adopts an ordinance agreeing to comply with and participate in the Alternative Voluntary Redevelopment Program established in Part 1.9 ("Program"); and

WHEREAS, the City intends to adopt the ordinance required by Part 1.9, in order to allow the Agency to continue in operation and performing its functions; and

WHEREAS, the Agency is aware that the validity, passage, and applicability of ABX1 26 and ABX1 27 have become the subject of a judicial challenge; and

WHEREAS, the Agency, by the adoption of this resolution, does not represent, disclaim, or take any position whatsoever on the issue of the validity of ABX1 26 or ABX1 27, but rather the City seeks to comply with the Constitution and laws of the State of California, including Part 1.9, in order to preserve the ability of the Agency to continue to operate and thereby benefit the community; and

WHEREAS, various petitioners have filed an action in the matter of *California Redevelopment Association et al. v. Ana Matosantos, as Director, etc., et al* (the "Redevelopment Lawsuit") which challenges the validity of ABX1 26 and ABX1 27; and

WHEREAS, the Supreme Court has issued a partial stay in connection with the Redevelopment Lawsuit; and

WHEREAS, while the intention of the City and the Agency is that the Agency continue in existence, in the interests of seeking compliance with those provisions of ABX1 26 which require the adoption of an enforceable obligation payment schedule, the Agency desires to approve an enforceable obligation payment schedule in the form submitted herewith (the "Enforceable Obligation Payment Schedule"); and

WHEREAS, given the adoption of ABX1 26, the Agency has duly considered this Resolution and has determined that the adoption of this Resolution is in the best interests of the City, and the health, safety, and welfare of its residents, and in accord with the public purposes and provisions of applicable state and local laws and requirements.

NOW, THEREFORE, THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. The foregoing recitals are incorporated into this resolution by this reference, and constitute a material part of this resolution.

Section 2. That certain Enforceable Obligation Payment Schedule in the form submitted herewith is hereby approved as the enforceable obligation payment schedule of the Agency for purposes of Part 1.8 and Part 1.85.

Section 3. This Resolution shall be effective immediately upon adoption.

Section 4. The Agency Secretary shall certify to the adoption of this resolution.

APPROVED AND ADOPTED this 23rd day of August, 2011.

_____
Mayor of the City of Moreno Valley,
Acting in the capacity of Chairperson of the
Community Redevelopment Agency of the
City of Moreno Valley

ATTEST:

_____
City Clerk, acting in the capacity of
Secretary of the Community
Redevelopment Agency of the
City of Moreno Valley

APPROVED AS TO FORM:

_____
City Attorney, acting in the capacity
of General Counsel of the Community
Redevelopment Agency of the
City of Moreno Valley

RESOLUTION JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, _____, Secretary of the Community Redevelopment Agency of the City of Moreno Valley, California, do hereby certify that RDA Resolution No. _____ was duly and regularly adopted by the Agency Members of the Community Redevelopment Agency of the City of Moreno Valley at a regular meeting thereof held on the _____ day of _____, _____ by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Agency Members, Vice Chairman and Chairman)

_____
SECRETARY

(SEAL)

Name of Redevelopment Agency: The Community Redevelopment Agency of the City of Moreno Valley

Project Area(s) RDA Project Area All

ENFORCEABLE OBLIGATION PAYMENT SCHEDULE

Per AB 26 - Section 34167 and 34169 (*)

	Project Name / Debt Obligation	Payee	Description	Total Outstanding Debt or Obligation	Total Due During Fiscal Year	Payments by month					
						Aug**	Sept	Oct	Nov	Dec	Total
1)	2007 Tax Allocation Bonds	Well Fargo Bank	Bonds issue to fund non-housing projects	83,920,389.38	2,253,483.75	1,233,841.88					$ 1,233,841.88
2)	2007 Special Tax Refunding Bonds - Towngate 87-1	Well Fargo Bank	Bonds issue to fund non-housing projects	13,069,701.97	1,162,857.57					1,162,857.57	$ 1,162,857.57
3)	Improvement Area No. 1 Special Tax Refunding Bonds	Well Fargo Bank	Bonds issue to fund non-housing projects	3,631,051.55	273,920.77					273,920.77	$ 273,920.77
4)	Auto Mall Bonds	Well Fargo Bank	Bonds issue to fund non-housing projects	2,389,960.61	143,437.50					143,437.50	$ 143,437.50
5)	2005 Lease Revenue Bonds	Well Fargo Bank	Bonds issue to fund non-housing projects	14,130,257.91	594,597.50					594,597.50	$ 594,597.50
6)	2011 Refunding Bonds	Bank of America	Bonds issue to fund non-housing projects	1,650,000.00	150,000.00					150,000.00	$ 150,000.00
7)	Employee Costs - RDA Admin	Employees of Agency	Payroll for employees	700,000.00	700,000.00	58,333.33	58,333.33	58,333.33	58,333.33	58,333.33	$ 291,666.65
8)	Employee Costs - RDA Housing	Employees of Agency	Payroll for employees	900,000.00	900,000.00	75,000.00	75,000.00	75,000.00	75,000.00	75,000.00	$ 375,000.00
9)	Contract for consulting services	Strickler Association	Professional Services	45,000.00	45,000.00	3,750.00	3,750.00	3,750.00	3,750.00	3,750.00	$ 18,750.00
10)	Contract for legal services	Stradling, Yocca, Carlson & Rauth	Legal Services	160,000.00	160,000.00	13,333.33	13,333.33	13,333.33	13,333.33	13,333.33	$ 66,666.65
11)	Contract for professional services	Certified Credit Reporting	Professional Service	500.00	500.00	100.00	100.00	100.00	100.00	100.00	$ 500.00
12)	Contract for professional services	Keyser Marston Assoc	Professional Service	20,000.00	20,000.00	1,666.67	1,666.67	1,666.67	1,666.67	1,666.67	$ 8,333.35
13)	Contract for professional services	Home Safe Environmental	Professional Service	1,400.00	1,400.00	116.67	116.67	116.67	116.67	116.67	$ 583.35
14)	Contract for professional services	Diane Hadland	Professional Service	5,000.00	5,000.00	416.67	416.67	416.67	416.67	416.67	$ 2,083.35
15)	Oakwood Apartments	One Moreno Valley 240, L.P.	Affordable Housing Agreement	750,000.00	750,000.00					750,000.00	$ 750,000.00
16)	Rancho Dorado Apts - South	Moreno Valley Rancho Dorado II LTD	Affordable Housing Agreement	6,950,000.00	100,000.00					100,000.00	$ 100,000.00
17)	Hemlock Family Apartments	Rancho Belago, Inc.	Affordable Housing Agreement	6,300,000.00	5,300,000.00					5,300,000.00	$ 5,300,000.00
18)	Indian Basin, Appurtenant	Lim & Nascimento Engineering	Contractual Services	42,152.84	42,152.84	3,512.74	3,512.74	3,512.74	3,512.74	3,512.74	$ 17,563.70
19)	Indian Basin, Appurtenant	Ninyo & Moore Geotech	Contractual Services	31,530.00	31,530.00	2,627.50	2,627.50	2,627.50	2,627.50	2,627.50	$ 13,137.50
20)	Indian Basin, Appurtenant	Caltrop Engineering	Contractual Services	3,194.50	3,194.50	266.21	266.21	266.21	266.21	266.21	$ 1,331.05
21)	Indian Basin, Appurtenant	Hillcress Construction	Contractual Services	84,407.40	84,407.40	7,033.95	7,033.95	7,033.95	7,033.95	7,033.95	$ 35,169.75
22)	Indian Basin, Appurtenant	Guida Surveying	Contractual Services	906.00	906.00	75.50	75.50	75.50	75.50	75.50	$ 377.50
23)	Indian Basin, Appurtenant	Riverside Construction	Contractual Services	189,477.77	189,477.77	15,789.81	15,789.81	15,789.81	15,789.81	15,789.81	$ 78,949.05
24)	Day StreetAlessandro Blvd	DMC Design	Contractual Services	52,559.76	52,559.76	4,379.98	4,379.98	4,379.98	4,379.98	4,379.98	$ 21,899.90
25)	Day StreetAlessandro Blvd	Hillcrest Contract	Contractual Services	105,502.96	105,502.96	8,791.91	8,791.91	8,791.91	8,791.91	8,791.91	$ 43,959.55
26)	Day StreetAlessandro Blvd	SCE	Contratual Services	18,001.11	18,001.11	1,500.09	1,500.09	1,500.09	1,500.09	1,500.09	$ 7,500.45
27)	Day StreetAlessandro Blvd	Donahue Appraisal	Contratual Services	1,050.00	1,050.00	87.50	87.50	87.50	87.50	87.50	$ 437.50
28)	Day StreetAlessandro Blvd	Vali Cooper & Assoc	Contratual Services	10,896.20	10,896.20	908.02	908.02	908.02	908.02	908.02	$ 4,540.10
29)	Day StreetAlessandro Blvd	Gibbs, Giden, Locher	Contratual Services	12,183.25	12,183.25	1,015.27	1,015.27	1,015.27	1,015.27	1,015.27	$ 5,076.35
30)	Day StreetAlessandro Blvd	Time Warner	Contratual Services	3,343.84	3,343.84	278.65	278.65	278.65	278.65	278.65	$ 1,393.25
31)	Day StreetAlessandro Blvd	Verizon	Contratual Services	4,067.27	4,067.27	338.94	338.94	338.94	338.94	338.94	$ 1,694.70
	Totals - This Page			$ 135,182,534.32	$ 13,119,469.99	$ 1,433,164.62	$ 199,322.74	$ 199,322.74	$ 199,322.74	$ 8,674,136.08	$ 10,705,268.92
	Totals - Page 2			$ 1,323,436.49	$ 1,323,436.49	$ 110,286.38	$ 110,286.38	$ 110,286.38	$ 110,286.38	$ 110,286.38	$ 551,431.90
	Totals - Page 3			$ 751,680,224.00	$ 20,469,273.00	$ -	$ -	$ -	$ -	$ 10,486,120.50	$ 10,486,120.50
	Totals - Page 4										
	Totals - Other Obligations										
	Grand total - All Pages			$ 888,186,194.81	$ 34,912,179.48	$ 1,543,451.00	$ 309,609.12	$ 309,609.12	$ 309,609.12	$ 19,270,542.96	$ 21,742,821.32

*** This Enforceable Obligation Payment Schedule (EOPS) is to be adopted by the redevelopment agency no later than late August. It is valid through 12/31/11. It is the basis for the Preliminary Draft Recognized Obligation Payment Schedule (ROPS), which must be prepared by the dissolving Agency by 9/30/11. (The draft ROPS must be prepared by the Successor Agency by 11/30/11.)**

ATTACHMENT B

Name of Redevelopment Agency The Community Redevelopment Agency of the City of Moreno Valley

Project Area(s) RDA Project Area All

ENFORCEABLE OBLIGATION PAYMENT SCHEDULE

Per AB 26 - Section 34167 and 34169 (*)

	Project Name / Debt Obligation	Payee	Description	Total Outstanding Debt or Obligation	Total Due During Fiscal Year	Payments by month					
						Aug**	Sept	Oct	Nov	Dec	Total
1)	Day StreetAlessandro Blvd	AIE Enginerring	Contratual Services	9,125.83	9,125.83	760.49	760.49	760.49	760.49	760.49	$ 3,802.45
2)	Day StreetAlessandro Blvd	Group Delta	Contratual Services	11,754.00	11,754.00	979.50	979.50	979.50	979.50	979.50	$ 4,897.50
3)	Auto Mall	Cal Trop Engineering	Contratual Services	9,200.00	9,200.00	766.67	766.67	766.67	766.67	766.67	$ 3,833.35
4)	Auto Mall	United Inspection	Contratual Services	2,646.00	2,646.00	220.50	220.50	220.50	220.50	220.50	$ 1,102.50
5)	Auto Mall	VA Consulting	Contratual Services	7,371.60	7,371.60	614.30	614.30	614.30	614.30	614.30	$ 3,071.50
6)	Auto Mall	San Pedro Sigh	Contratual Services	122,596.37	122,596.37	10,216.36	10,216.36	10,216.36	10,216.36	10,216.36	$ 51,081.80
7)	Ironwood Ave-Day	AIE Enginerring	Contratual Services	69,298.78	69,298.78	5,774.90	5,774.90	5,774.90	5,774.90	5,774.90	$ 28,874.50
8)	Ironwood Ave-Day	Lor Geotech	Contratual Services	1,500.00	1,500.00	125.00	125.00	125.00	125.00	125.00	$ 625.00
9)	Ironwood Ave-Day	JTB Supply	Contratual Services	8,210.63	8,210.63	684.22	684.22	684.22	684.22	684.22	$ 3,421.10
10)	Ironwood Ave-Day	Guida Supply	Contratual Services	8,377.00	8,377.00	698.08	698.08	698.08	698.08	698.08	$ 3,490.40
11)	Ironwood Ave-Day	Riverside Contruction	Contratual Services	225,797.03	225,797.03	18,816.42	18,816.42	18,816.42	18,816.42	18,816.42	$ 94,082.10
12)	Nason/SR-60 Bridge	Enco	Contratual Services	459.91	459.91	38.33	38.33	38.33	38.33	38.33	$ 191.65
13)	Nason/SR-60 Bridge	Singer & Coffin, APC	Contratual Services	4,310.00	4,310.00	359.17	359.17	359.17	359.17	359.17	$ 1,795.85
14)	Nason/SR-60 Bridge	Parsons Transportation	Contratual Services	428,956.97	428,956.97	35,746.41	35,746.41	35,746.41	35,746.41	35,746.41	$ 178,732.05
15)	Morrison Park Fire Station	Lor Geotech	Contratual Services	9,350.00	9,350.00	779.17	779.17	779.17	779.17	779.17	$ 3,895.85
16)	Morrison Park Fire Station	STK Architechture	Contratual Services	395,644.00	395,644.00	32,970.33	32,970.33	32,970.33	32,970.33	32,970.33	$ 164,851.65
17)	Morrison Park Fire Station	JTB Supply Co.	Contratual Services	8,135.13	8,135.13	677.93	677.93	677.93	677.93	677.93	$ 3,389.65
18)	Morrison Park Fire Station	Enco Utility	Contratual Services	703.24	703.24	58.60	58.60	58.60	58.60	58.60	$ 293.00
19)											$ -
20)											$ -
21)											$ -
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30)											$ -
31)											$ -
32)											$ -
33)											$ -
34)											$ -
											$ -
											$ -
	Totals - This Page			$ 1,323,436.49	$ 1,323,436.49	$ 110,286.38	$ 110,286.38	$ 110,286.38	$ 110,286.38	$ 110,286.38	$ 551,431.90

*** This Enforceable Obligation Payment Schedule (EOPS) is to be adopted by the redevelopment agency no later than late August. It is valid through 12/31/11. It is the basis for the Preliminary Draft Recognized Obligation Payment Schedule (ROPS), which must be prepared by the dissolving Agency by ATTACHMENT B**

If an agency adopts a continuation ordinance per ABX1 27, this EOPS will not be valid and there is no need to prepare a ROPS.

**** Include only payments to be made after the adoption of the EOPS.**

Name of Redevelopment Agency: The Community Redevelopment Agency of the City of Moreno Valley

Project Area(s) RDA Project Area All

OTHER OBLIGATION PAYMENT SCHEDULE

Per AB 26 - Section 34167 and 34169 (*)

	Project Name / Debt Obligation	Payee	Description	Total Outstanding Debt or Obligation	Total Due During Fiscal Year	Payments by month					
						Aug**	Sept	Oct	Nov	Dec	Total
1)	Section 33676 Payments	Moreno Valley & Val Verde Unified SDs	Payments per former CRL 33676	29,000,000.00	880,000.00					440,000.00	$ 440,000.00
2)	Section 33676 Payments	Riverside City Comm College	Payments per former CRL 33676	6,000,000.00	170,000.00					85,000.00	$ 85,000.00
3)	Section 33676 Payments	School Funds	Payments per former CRL 33676	170,000.00	5,500.00					2,750.00	$ 2,750.00
4)	Section 33676 Payments	Co Supt of Schools	Payments per former CRL 33676	4,800,000.00	130,000.00					65,000.00	$ 65,000.00
5)	Pass Through Agreement	County of Riverside	Per Pass Through Agreement	411,848,046.00	8,000,000.00					4,000,000.00	$ 4,000,000.00
6)	Pass Through Agreement	Riverside Flood Control	Per Pass Through Agreement	47,190,566.00	808,500.00					404,250.00	$ 404,250.00
7)	LMIH Fund	RDA Housing Set-Aside	20% Set-Aside Fund	197,830,000.00	3,600,000.00					1,800,000.00	$ 1,800,000.00
8)	SB 2557 County Admin Fees	County of Riverside	County Administrative Fees	7,000,000.00	250,000.00					125,000.00	$ 125,000.00
9)	Conference & Recreation Cnt	City of Moreno Valley	MOU	35,971,807.00	307,468.00					307,468.00	$ 307,468.00
10)	Land Repayment to Housing	LMHF	Repayment of Land Transfer	3,387,000.00	195,500.00					195,500.00	$ 195,500.00
11)	Cactus/Day/Old 215 Land	City of Moreno Valley	Land purchased - Loan	2,360,500.00							$ -
12)	AB 1X 27 Payments	City of Moreno Valley	Transfer Agreement	6,122,305.00	6,122,305.00					3,061,152.50	$ 3,061,152.50
13)											$ -
14)											$ -
15)											$ -
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26)											$ -
27)											$ -
28)											$ -
29)											$ -
30)											$ -
	Totals - Other Obligations			**$ 751,680,224.00**	**$ 20,469,273.00**	**$ -**	**$ -**	**$ -**	**$ -**	**$ 10,486,120.50**	**$ 10,486,120.50**

*** This Enforceable Obligation Payment Schedule (EOPS) is to be adopted by the redevelopment agency no later than late August. It is valid through 12/31/11. It is the basis for the Preliminary Draft Recognized Obligation Payment Schedule (ROPS), which must be prepared by the dissolving Agency by 9/30/11. (The draft ROPS must be prepared by the Successor Agency by 11/30/11.) If an agency adopts a continuation ordinance per ABX1 27, this EOPS will not be valid and there is no need to prepare a ROPS.**

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CITY MANAGER'S REPORT

(Informational Oral Presentation only – not for Council action)

Item No. G.10

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