

AGENDA
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
CITY AS SUCCESSOR AGENCY FOR THE
COMMUNITY REDEVELOPMENT AGENCY OF
THE CITY OF MORENO VALLEY
MORENO VALLEY HOUSING AUTHORITY
BOARD OF LIBRARY TRUSTEES

April 23, 2013

SPECIAL PRESENTATIONS – 5:30 P.M.
REGULAR MEETING – 6:00 P.M.

City Council Study Sessions

First & Third Tuesdays of each month – 6:00 p.m.

City Council Meetings

Second & Fourth Tuesdays of each month – 6:00 p.m.

City Council Closed Sessions

*Immediately following Regular City Council Meetings and
Study Sessions, unless no Closed Session Items are Scheduled*

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 951.413.3705 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.

Marcelo Co, Mayor Pro Tem
Jesse L. Molina, Council Member

Tom Owings, Mayor

Richard A. Stewart, Council Member
Victoria Baca, Council Member

AGENDA
CITY COUNCIL OF THE CITY OF MORENO VALLEY
April 23, 2013

CALL TO ORDER – 5:30 PM

SPECIAL PRESENTATIONS

1. 2012 Volunteer of the Year - Shor Denny, Safe Routes to School Program Coordinator
2. Proclamation Recognizing May as Mental Health Month
3. Proclamation Recognizing Miguel "Mikey" Garcia World Boxing Organization Featherweight Champion

**AGENDA
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
CITY AS SUCCESSOR AGENCY FOR THE
COMMUNITY REDEVELOPMENT AGENCY OF THE
CITY OF MORENO VALLEY
MORENO VALLEY HOUSING AUTHORITY
AND THE BOARD OF LIBRARY TRUSTEES**

***THE CITY COUNCIL RECEIVES A SEPARATE STIPEND FOR CSD
MEETINGS***

**REGULAR MEETING - 6:00 PM
APRIL 23, 2013**

CALL TO ORDER

(Joint Meeting of the City Council, Community Services District, City as Successor Agency for the Community Redevelopment Agency, Housing Authority 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 Paul Cunningham - Renewal Christian Fellowship

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 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.

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April 23, 2013

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 City Council, Community Services District, City as Successor Agency for the Community Redevelopment Agency, Housing Authority 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 APRIL 9, 2013 (Report of: City Clerk's Department)

Recommendation:

1. Approve as submitted.

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

Recommendation:

1. Approve as submitted.

A.4 APPROVAL OF PAYMENT REGISTER FOR FEBRUARY, 2013 (Report of: Financial & Management Services Department)

Recommendation:

1. Adopt Resolution No. 2013-21, approving the Payment Register for the month of February, 2013 in the amount of \$17,449,090.98.

Resolution No. 2013-21

A Resolution of the City Council of the City of Moreno Valley, California, Approving the Payment Register for the Month of February, 2013

A.5 AUTHORIZE SUBMISSION OF GRANT APPLICATIONS FOR THE CALIFORNIA FEDERAL LANDS ACCESS PROGRAM (Report of: Public Works Department)

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Recommendation:

1. Authorize the submission of two grant applications for the California Federal Lands Access Program to the Office of Federal Lands Highway, Federal Highway Administration (FHWA).

- A.6 APPROVE THE COOPERATIVE AGREEMENT WITH THE RIVERSIDE COUNTY FIRE DEPARTMENT FOR FIRE PROTECTION, FIRE PREVENTION, RESCUE, AND MEDICAL EMERGENCY SERVICES
(Report of: Fire Department)

Recommendations

1. Approve the Cooperative Agreement with the Riverside County Fire Department for Fire Protection, Fire Prevention, Rescue and Medical Emergency Services.

2. Authorize the Mayor to execute the Cooperative Agreement.

- A.7 APPROVE AND ADOPT RESOLUTION 2013-22 IMPLEMENTING PERMIT PARKING ON MEDITERRANEAN DRIVE
(Report of: Public Works Department)

Recommendation:

1. Approve and Adopt Resolution No. 2013-22 implementing permit parking on Mediterranean Drive located just west of Perris Boulevard and Suburban Lane.

Resolution No. 2013-22

A Resolution of the City Council of the City of Moreno Valley, California, Approving and Authorizing Installation of Permit Parking on Mediterranean Drive

- A.8 AUTHORIZE THE AWARD OF THE CONSTRUCTION CONTRACT TO BEDON CONSTRUCTION, INC. FOR THE MORENO MASTER DRAINAGE PLAN LINE "F", STAGE 2 CHANNEL IMPROVEMENTS -- PROJECT NO. 804 0005 70 77
(Report of: Public Works Department)

Recommendations

1. Waive any and all minor irregularities and award the contract to Bedon Construction, Inc., P.O. Box 1235, Temecula, CA 92593, the lowest responsible bidder, for the Moreno Master Drainage Plan Line "F", Stage 2 Channel Improvements.

2. Authorize the City Manager to execute a contract with Bedon Construction, Inc.

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3. Authorize the issuance of a Purchase Order to Bedon Construction, Inc. for the amount of \$3,601,458.03 (\$3,274,052.75 bid plus 10% contingency) when the contract has been signed by all parties.
4. Authorize the Public Works Director/City Engineer to execute any subsequent related minor change orders to the contract with Bedon Construction, Inc. up to, but not exceeding, the contingency amount of \$327,405.28, subject to the approval of the City Attorney.
5. Authorize the Public Works Director/City Engineer to record the Notice of Completion once he determines the work is complete, accept the improvements into the City's maintained system until Riverside County Flood Control and Water Conservation District accepts the ownership and maintenance responsibilities for the improvements, and release the retention to Bedon Construction, Inc., if no claims are filed against the project.

A.9 AUTHORIZE THE SUBMISSION OF A GRANT APPLICATION FOR BRIDGE FUNDING UNDER SURFACE TRANSPORTATION PROGRAM (STP) AND ADOPT RESOLUTION NO. 2013-23 COMMITTING TO PROVIDE LOCAL MATCHING FUNDS AT A MINIMUM OF 11.47% OF THE TOTAL PROJECT COST
(Report of: Public Works Department)

Recommendations

1. Authorize the Public Works Director/City Engineer to submit the grant application for Bridge Funding to Caltrans under the Surface Transportation Program (STP).
2. Adopt Resolution No. 2013-23 committing to provide local matching funds at a minimum of 11.47% of the total project cost.

Resolution No. 2013-23

A Resolution of the City Council of the City of Moreno Valley, California, Adopting Certification of Available Matching Funds for the Surface Transportation Program

A.10 PA06-0021, PM 34577 – ACCEPT DEVELOPMENT IMPACT FEE (DIF) IMPROVEMENT CREDIT AGREEMENT #D12-001 FOR INDIAN STREET AND SAN MICHELE ROAD IMPROVEMENTS ASSOCIATED WITH THE I-215 LOGISTICS PROJECT
(Report of: Community & Economic Development Department)

Recommendations

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1. Accept the Development Impact Fee Improvement Credit Agreement #D12-001 (DIF Agreement) for PA06-0021, PM 34577 improvements.
 2. Authorize the Mayor to execute the DIF Agreement.
- A.11 PA06-0021, PM 34577 – ACCEPT TRANSPORTATION UNIFORM MITIGATION FEE (TUMF) PROGRAM IMPROVEMENT AND CREDIT/REIMBURSEMENT AGREEMENT #T13-001 FOR HEACOCK AVENUE IMPROVEMENTS ASSOCIATED WITH THE I-215 LOGISTICS PROJECT
(Report of: Community & Economic Development Department)

Recommendations

1. Accept the Transportation Uniform Mitigation Fee Improvement Credit/Reimbursement Agreement #T13-001 (TUMF Agreement) for PA06-0021, PM 34577 improvements.
 2. Authorize the Mayor to execute the TUMF Agreement.
 3. Direct the City Clerk to forward the signed Agreement to the County Recorder’s Office for recordation.
- A.12 APPROVE MEMORANDUM OF UNDERSTANDING WITH THE CITY OF RIVERSIDE OFFICE OF EMERGENCY MANAGEMENT REGARDING URBAN AREA SECURITY INITIATIVE (UASI) GRANT FUNDING FOR FEDERAL FISCAL YEAR 2010
(Report of: Fire Department)

Recommendations

1. Adopt Resolution No. 2013-24 of the City of Moreno Valley, California, approving the Memorandum of Understanding with the City of Riverside Office of Emergency Management regarding the Urban Area Security Initiative (UASI) grant funding for Federal Fiscal Year 2010.

Resolution No. 2013-24

A Resolution of the City Council of the City of Moreno Valley, California, Authorizing the City to Enter into a Memorandum of Understanding With the City of Riverside Office of Emergency Management Regarding Urban Area Security Initiative (UASI) Grant Funding for Federal Fiscal Year 2010

2. Authorize the allocation of \$5,000 for expenditures related to the Fiscal Year 10 UASI grant not to exceed the amount of grant award.

3. Authorize the City Manager or his designee to execute the Certificate of Non-Supplanting.
4. Authorize the City Manager or his designee to execute the Riverside Urban Area Security Initiative Certification Regarding Debarment, Suspension, and other Responsibility Matters.
5. Authorize the City Manager or his designee to execute the California Emergency Management Agency FY2010 Grant Assurances.
6. Accept the grant award from the City of Riverside Office of Emergency Management regarding the Urban Area Security Initiative (UASI) grant funding for Federal Fiscal Year 2010.

- A.13 APPROVE THE CITY OF MORENO VALLEY'S FIVE-YEAR MEASURE A LOCAL STREETS AND ROADS CAPITAL IMPROVEMENT PLAN (CIP) AND MAINTENANCE OF EFFORT (MOE) CERTIFICATION STATEMENT FOR THE RIVERSIDE COUNTY TRANSPORTATION COMMISSION (RCTC) MEASURE A LOCAL FUNDS PROGRAM, FISCAL YEAR (FY) 2014-2018
(Report of: Public Works Department)

Recommendations

1. Approve the City of Moreno Valley's Five-Year Measure A Local Streets and Roads CIP and MOE for the RCTC Measure A Local Funds Program, FY 2014-2018.
2. Authorize submittal of the RCTC Measure A Local Streets and Roads CIP and MOE for the RCTC Measure A Local Funds Program, FY 2014-2018.
3. Authorize staff to submit an amended five-year plan to RCTC if changes are made by City Council to the listed Measure A projects as part of the upcoming FY 2013-2014 budget approval process

- A.14 APPROVE AND EXECUTE AGREEMENT FOR CONVEYANCE OF PROPERTY FOR PARTIAL ACQUISITION OF APN'S 488-080-003 AND 488-080-012 FOR THE SR-60/MORENO BEACH INTERCHANGE IMPROVEMENTS PROJECT – PROJECT NO. 801 0038 70 77
(Report of: Public Works Department)

Recommendations

1. Approve the Agreement for Conveyance of Real Property with LCTH Investment, LP, for partial acquisition of APN's 488-080-003 and 488-080-012 for the SR-60/Moreno Beach Interchange Improvements project.

2. Authorize the City Manager to execute the Agreement for Conveyance of Real Property and authorize the Public Works Director/City Engineer to approve any changes subject to the approval of the City Attorney.
3. Authorize the issuance of a Purchase Order for \$222,317 (\$212,317 for the acquisition purchase price plus \$10,000 for escrow closing fees) when the Agreement has been signed by all parties.

A.15 RATIFICATION OF GRANT PROPOSAL SUBMITTAL FOR THE SURFACE TRANSPORTATION PROGRAM (STP)
(Report of: Public Works Department)

Recommendations

1. Ratify the submittal of a grant proposal to the Riverside County Transportation Commission (RCTC) for the Surface Transportation Program (STP).

A.16 3-YEAR ECONOMIC DEVELOPMENT ACTION PLAN
(Report of: Community & Economic Development Department)

Recommendation:

1. Approve the 3-Year Economic Development Action Plan.

A.17 BUDGET APPROPRIATION FOR THE SR-60/THEODORE INTERCHANGE IMPROVEMENTS AS A NEW CAPITAL IMPROVEMENT PLAN PROJECT
PROJECT NO. 801 0052 70 77
(Report of: Public Works Department)

Recommendations

1. Authorize the following budget appropriation from unencumbered funds in the Development Impact Fee (DIF) Interchange Improvements Revenue Fund Balance to create a new Capital Improvement Project Expenditure Account titled the SR-60/Theodore Interchange Improvement Project:\$138,000 – from (2911-99-95-92911) to (3311-99-99-93311)
2. Amend the Fiscal Year 12/13 Adopted Capital Improvement Plan (CIP) to include the SR-60/Theodore Interchange Improvement Project as a funded Street Improvement, Project Number 801 0052 70 77 and General Ledger Number 3311-70-77-80001.

A.18 APPROVAL OF EMPLOYMENT AGREEMENT BETWEEN THE CITY OF

MORENO VALLEY AND SUZANNE M. BRYANT FOR THE POSITION OF
CITY ATTORNEY
(Report of: Administrative Services Department)

Recommendation:

1. Approve the Employment Agreement between the City of Moreno Valley and Suzanne M. Bryant for the position of City Attorney.

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 APRIL 9, 2013 (Report of: City Clerk's Department)

Recommendation:

1. Approve as submitted.

C. CONSENT CALENDAR - HOUSING AUTHORITY

C.1 ORDINANCES - READING BY TITLE ONLY

Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF APRIL 9, 2013 (Report of: City Clerk's Department)

Recommendation:

1. 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 APRIL 9, 2013 (Report of: City Clerk's Department)

Recommendation:

1. 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

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to the Bailiff.

E.1 PUBLIC HEARING TO CONSIDER FEE SCHEDULE FOR FISCAL YEAR 2013-14

(Report of: Financial & Management Services Department)

Recommendations That the City Council:

1. Conduct a Public Hearing to receive public input on the proposed Fee Schedule for Fiscal Year 2013-14.
2. Adopt Resolution No. 2013-25, approving the Fee Schedule for Fiscal Year 2013-14.

Resolution No. 2013-25

A Resolution of the City Council of the City of Moreno Valley, California, Establishing Specified Fees for Various Services for Fiscal Year 2013-14 and Repealing Prior Resolutions that May Be in Conflict

E.2 ALESSANDRO BOULEVARD CORRIDOR IMPLEMENTATION PROJECT, WHICH INCLUDES TWO GENERAL PLAN AMENDMENTS (PA11-0028 & PA12-0046), TWO CHANGES OF ZONES (PA11-0029 & PA12-0047), AND MUNICIPAL CODE AMENDMENT (PA11-0030). THE PROJECT INCLUDES REZONING AREAS ALONG ALESSANDRO BOULEVARD AND NEAR PERRIS BOULEVARD AND IRIS AVENUE TO R30 (RESIDENTIAL UP TO 30 UNITS PER ACRE), 10.46 ACRES TO OPEN SPACE, COMMERCIAL REZONING OF A PARCEL AT THE SOUTHWEST CORNER OF PERRIS BOULEVARD AND GENTIAN AVENUE, AND THE CREATION OF A MIXED USE DISTRICT OVERLAY. THE R30 REZONING WILL PROVIDE CONSISTENCY WITH THE CITY'S CERTIFIED HOUSING ELEMENT

(Report of: Community & Economic Development Department)

Recommendations That the City Council:

1. ADOPT a Mitigated Negative Declaration for PA11-0028 (General Plan Amendment), PA11-0029 (Change of Zone), PA11-0030 (Municipal Code Amendment), PA12-0046 (General Plan Amendment) and PA12-0047 (Change of Zone) pursuant to the California Environmental Quality Act (CEQA) Guidelines.
2. APPROVE Resolution No. 2013-26 approving PA11-0028 and PA12-0046 (General Plan Amendments), thereby establishing General Plan Land Use Map designations for certain properties as described in the Resolution, and the revised General Plan Maps.

Resolution No. 2013-26

AGENDA
April 23, 2013

A Resolution of the City Council of the City of Moreno Valley, California, Approving Two Amendments to the General Plan Land Use Element (PA11-0028 And PA12-0046) Relating to the Alessandro Boulevard Corridor Project – Phase II Implementation Including Rezoning Approximately 146.19 Acres to Residential 30 (R30), Approximately 10.46 Acres of Open Space (OS) And Approximately 21.47 Acres to Commercial (C)

3. INTRODUCE Ordinance No. 864 approving a Municipal Code Amendment (PA11-0030) creating the Mixed Use District Overlay and amending various sections of Title 9 of the City of Moreno Valley Municipal Code based on the findings in the Ordinance.

Ordinance No. 864

An Ordinance of the City Council of the City of Moreno Valley, California, Approving a Municipal Code Amendment (PA11-0030) Amending Title 9 of the City of Moreno Valley Municipal Code Regarding the Creation of the Mixed Use Overlay District (Approximately 147.69 Acres) and Amending the Municipal Code to Include Standards Related to the Mixed Use Overlay District

4. INTRODUCE Ordinance No. 865 approving Zone Change (PA11-0029) from Community Commercial (CC), Office Commercial (OC), Residential 15 (R15 and Residential 5 (R5) to Residential 30 (R30), and Zone Change (PA12-0047) from Residential 5 (R5) to Community Commercial (CC), based on the findings in the Ordinance, and the revised zoning pages.

Ordinance No. 865

An Ordinance of the City Council of the City of Moreno Valley, California, Approving PA11-0029 (Change Of Zone) to Change the Land Use District for Approximately 146.19 Acres to Residential 30 (R30) and Approximately 10.46 Acres to Open Space (OS) and PA12-0047 (Change Of Zone) to Change the Land Use District of Approximately 21.47 Acres to Community Commercial (CC)

- E.3 PUBLIC HEARING FOR DELINQUENT NUISANCE ABATEMENT ACCOUNTS
(Report of: Fire Department)

Recommendations That the City Council:

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April 23, 2013

1. Conduct a public hearing and accept public testimony on delinquent nuisance abatement accounts.
2. Adopt Resolution No. 2013-27 of the City of Moreno Valley, California, confirming assessments on certain real properties as outlined in the Property Assessment List for the abatement of nuisances.

Resolution No. 2013-27

A Resolution of the City Council of the City of Moreno Valley, California, Confirming Statements of Costs Against Real Property Located in the City of Moreno Valley, for Abatements of Public Nuisances and Direction that Said Statement of Costs Constitute a Lien Upon Said Properties

3. Approve placing the submitted Property Assessment List of delinquent nuisance abatement accounts on the Fiscal Year (FY) 2013/2014 Riverside County property tax roll for collection.
4. Direct the City Clerk to file with the Riverside County Assessor's office a certified copy of Resolution No. 2013-27 and the Property Assessment List as required by Section 6.04.120 of the City of Moreno Valley Municipal Code.

E.4 PUBLIC HEARING FOR THE CDBG AND HOME PROGRAMS TO ADOPT THE CONSOLIDATED PLAN FOR FISCAL YEARS 2013-2018. THE ANNUAL ACTION PLAN FOR FISCAL YEAR 2013-2014 AND THE ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE AND FAIR HOUSING ACTION PLAN
(Report of: Community & Economic Development Department)

Recommendations That the City Council:

1. Conduct a Public Hearing for the Community Development Block Grant (CDBG) and HOME programs to allow the public an opportunity to comment on, 1) the proposed FY 2013-2018 Consolidated Plan, 2) the FY 2013-2014 Annual Action Plan, and 3) the Analysis of Impediments to Fair Housing Choice and Fair Housing Action Plan.
2. Adopt, 1) the FY 2013-2018 Consolidated Plan, 2) the FY 2013-2014 Annual Action Plan, and 3) the Analysis of Impediments to Fair Housing Choice and Fair Housing Action Plan.

F. ITEMS REMOVED FROM CONSENT CALENDARS FOR DISCUSSION OR

SEPARATE ACTION

G. REPORTS

- G.1 CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES (Informational Oral Presentation - not for Council action)
 - a) Report by Council Member Jesse L. Molina on Riverside Transit Agency (RTA)
- G.2 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)
- G.3 CITY ATTORNEY'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

CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL, COMMUNITY SERVICES DISTRICT, CITY AS SUCCESSOR AGENCY FOR THE COMMUNITY REDEVELOPMENT AGENCY OR HOUSING AUTHORITY

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

CLOSED SESSION

A Closed Session of the City Council, Community Services District, City as Successor Agency for the Community Redevelopment Agency and Housing Authority will be held in Conference Room C, First 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(d)(1) - CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

- a) Case: *Joe and Joyce Teague v. City of Moreno Valley*
Court: U.S. District Court
Case No: EDCV11-1597 GHK (DTBx)
- b) Case: *City of Moreno Valley v. Bond Safeguard Insurance Company*
Court: Riverside Superior Court
Case No: RIC 1118795
- c) Case: *City of Moreno Valley v. AEI CASC*
Court: Los Angeles Superior Court
Case No: BC 481595

2 SIGNIFICANT EXPOSURE TO LITIGATION PURSUANT TO PARAGRAPH (2) OR (3) OF SUBDIVISION (D) OF SECTION 54956.9

Number of Cases: 5

3 SECTION 54956.9(d)(4) - CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION

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April 23, 2013

Number of Cases: 5

4 SECTION 54957.6 - LABOR NEGOTIATIONS

- 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

ADJOURNMENT

CERTIFICATION

I, Jane Halstead, City Clerk of the City of Moreno Valley, California, certify that the City Council Agenda was posted in the following places pursuant to City of Moreno Valley Resolution No. 2007-40:

City Hall, City of Moreno Valley
14177 Frederick Street

Moreno Valley Library
25480 Alessandro Boulevard

Moreno Valley Senior/Community Center
25075 Fir Avenue

Jane Halstead, CMC,
City Clerk

Date Posted: April 17, 2013

MINUTES
CITY COUNCIL REGULAR MEETING OF THE CITY OF MORENO VALLEY
April 9, 2013

CALL TO ORDER

SPECIAL PRESENTATIONS

1. Proclamation Recognizing April as Child Abuse Prevention Month
2. Business Spotlight
 - a) LaQuinta Inn
 - b) SecurCare Storage.

**MINUTES
JOINT MEETING OF THE
CITY COUNCIL OF THE CITY OF MORENO VALLEY
MORENO VALLEY COMMUNITY SERVICES DISTRICT
CITY AS SUCCESSOR AGENCY FOR THE
COMMUNITY REDEVELOPMENT AGENCY OF
THE CITY OF MORENO VALLEY
MORENO VALLEY HOUSING AUTHORITY
BOARD OF LIBRARY TRUSTEES**

REGULAR MEETING – 6:00 PM

April 9, 2013

CALL TO ORDER

The Joint Meeting of the City Council of the City of Moreno Valley, Moreno Valley Community Services District, City as Successor Agency for the Community Redevelopment Agency of the City of Moreno Valley, Moreno Valley Housing Authority and the Board of Library Trustees was called to order at 6:04 p.m. by Mayor Tom Owings in the Council Chamber located at 14177 Frederick Street

Mayor Tom Owings announced that the City Council receives a separate stipend for CSD meetings.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Scott Heveran

INVOCATION - Pastor Diane Gardner - Beautiful Women of God - Diane Gardner Ministries

ROLL CALL

Council:

| | |
|--------------------|----------------|
| Tom Owings | Mayor |
| Marcelo Co | Mayor Pro Tem |
| Victoria Baca | Council Member |
| Jesse L. Molina | Council Member |
| Richard A. Stewart | Council Member |

Staff:

| | |
|------------------|-------------------------|
| Jane Halstead | City Clerk |
| Kathy Gross | Executive Assistant |
| Henry T. Garcia | City Manager |
| Richard Teichert | Chief Financial Officer |
| Suzanne Bryant | Acting City Attorney |

MINUTES
April 9, 2013

Michelle Dawson
Joel Ontiveros
Abdul Ahmad
Ahmad Ansari
Barry Foster
Tom DeSantis
Mike McCarty
Michele Patterson

Assistant City Manager
Police Chief
Fire Chief
Public Works Director
Community and Economic Development Director
Administrative Services Director
Parks & Community Services Director
Assistant to the City Manager

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

Scott Heveran

1. Renewable Energy

Margaret Williams

1. Box Springs Mutual Water Company

Daryl Terrell

1. Future
2. Unity

Deanna Reeder

1. Community Forum
2. Ethnicity
3. Citizen Charter Petition

Tom Jerele Sr.

1. City Long Range Debt Burden
2. Warehouse and job creation

Kenny Bell

1. Disagreements between Moreno Valley Residents and Council
2. Solar Energy

Lashé Rodriguez

1. Legislative Update

MINUTES
April 9, 2013

Tom Thornsley

1. Thanked City Council for opportunity to interview for the Planning Commission
2. Solar Energy
3. Charter urgency to go on ballot in November

Louise Palomarez

1. Skechers and Community Forum
2. Medical Corridor location

Alicia Espinoza

1. Search for another avenue to raise sales tax for Public Safety
2. Riverside County Sheriff contracts

Curtis Gardner

1. Charter
2. Sales Tax increase for Public Safety
3. City owned Police Department startup

Chris Baca

1. Riverside County Democratic Central Committee - Sub-Chairs a sub-committee on Immigration Reform

Craig Givens

1. Against raising Sales Tax for Public Safety

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

Mayor Tom Owings opened the agenda items for the Consent Calendars for public comments (except Item A.6, which was pulled for separate action); there being none, public comments were closed.

MINUTES
April 9, 2013

A. CONSENT CALENDAR-CITY COUNCIL

A.1 ORDINANCES - READING BY TITLE ONLY

Recommendation: Waive reading of all Ordinances.

A.2 MINUTES - REGULAR MEETING OF MARCH 26, 2013 (Report of: City Clerk's Department)

Recommendation:

Approve as submitted.

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

Recommendation:

Approve as submitted.

A.4 APPROVAL OF THE 2013/2014 FISCAL YEAR STORM WATER PROTECTION PROGRAM BUDGET FOR COUNTY SERVICE AREA (CSA) 152

(Report of: Community & Economic Development Department)

Recommendations

1. Approve the County Service Area (CSA) 152 Budget for FY 2013/2014 in the amount of \$550,380.
2. Authorize the levy of CSA 152 Assessment at \$8.15 per Benefit Assessment Unit (BAU) for FY 2013/2014.

A.5 PA04-0108 (TR 32515) – OFFSITE & ONSITE IMPROVEMENTS – ACCEPT SUBSTITUTION AGREEMENTS AND SECURITIES FOR PUBLIC IMPROVEMENTS

(Report of: Community & Economic Development Department)

Recommendations

1. Accept the substitution Agreements for Public Improvements and Securities for project PA04-0108 (TR 32515) – Offsite and Onsite Improvements.
2. Authorize the Mayor to execute the agreements.
3. Direct the City Clerk to forward the signed agreements to the County Recorder's Office for recordation.
4. Authorize the Public Works Director/City Engineer to exonerate the

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Faithful Performance Bonds and Material and Labor Bonds previously submitted by K. Hovnanian Forecast Homes Southern, Inc. a California Corporation, upon acceptance of the substitution agreement and security.

5. Authorize the Public Works Director/City Engineer to execute any future time extension amendments to the agreements, subject to City Attorney approval, if the required improvements are not completed within said timeframe.

A.6 APPROVE AND EXECUTE AGREEMENT FOR CONVEYANCE OF REAL PROPERTY FOR ACQUISITION OF APN 473-220-072 FOR THE NORTHEAST FIRE STATION, PROJECT NO. 803 0018 70 77
(Report of: Public Works Department)

Recommendations

1. Approve the Agreement for Conveyance of Real Property with IL Nam Oh and Yun Kang Oh for acquisition of APN 473-220-072 for the Northeast Fire Station project.
2. Authorize the City Manager to execute the Agreement for Conveyance of Real Property and authorize the Public Works Director/City Engineer to approve any changes subject to the approval of the City Attorney.
3. Authorize the issuance of a Purchase Order for \$152,500 (\$146,000 for the acquisition purchase price plus \$6,500 for escrow closing fees) when the Agreement has been signed by all parties.

Motion to Approve Item A.6 by m/Council Member Richard A. Stewart, s/Mayor Tom Owings

Failed by a vote of 1-4, Mayor Tom Owings, Mayor Pro Tem Marcelo Co, Council Member Victoria Baca, Council Member Jesse L. Molina opposed.

A.7 PA12-0048 (PM 36511) – APPROVE PARCEL MAP (CONTINUED FROM MARCH 26, 2013, BY A 5-0 VOTE)
(Report of: Community & Economic Development Department)

Recommendation:

1. Approve Parcel Map 36511.
2. Authorize the City Clerk to sign the map and transmit said map to the County Recorder's Office for recordation.

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Motion to Continue Item A.7 to date uncertain by m/Council Member Jesse L. Molina, s/Mayor Pro Tem Marcelo Co

Approved by a vote of 5-0.

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 MARCH 26, 2013 (Report of: City Clerk's Department)

Recommendation:

Approve as submitted.

C. CONSENT CALENDAR - HOUSING AUTHORITY

C.1 ORDINANCES - READING BY TITLE ONLY

Recommendation: Waive reading of all Ordinances.

C.2 MINUTES - REGULAR MEETING OF MARCH 26, 2013 (Report of: City Clerk's Department)

Recommendation:

Approve as submitted.

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

D.1 ORDINANCES - READING BY TITLE ONLY

Recommendation: Waive reading of all Ordinances.

D.2 MINUTES - REGULAR MEETING OF MARCH 26, 2013 (Report of: City Clerk's Department)

Recommendation:

Approve as submitted.

Motion to Approve Joint Consent Calendar Items A.1 through D.2, except A.6 (pulled for separate action) and A.7 (continued to date uncertain) by m/Council Member Richard A. Stewart, s/Council Member Jesse L. Molina

Approved by a vote of 5-0.

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E. PUBLIC HEARINGS - NONE

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

Item A.6 pulled for separate action from Consent Calendar.

Mayor Tom Owings opened the agenda item A.6 for public comments, which were received from Deanna Reeder (Opposed), Pete Bleckert and Louise Palomarez.

G. REPORTS

- G.1 CITY MANAGER'S REPORT (Informational Oral Presentation - not for Council action)

None

- G.2 CITY ATTORNEY'S REPORT (Informational Oral Presentation - not for Council action)

Case against The State Department of Finance entitled The City of Moreno Valley v. Paul Angulo et al., Sacramento Superior Court case number 34-2012-80001350 has been dismissed due to a successful resolution of the issue that was filed on March 26, 2013.

H. LEGISLATIVE ACTIONS

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

- H.2 ORDINANCES - 2ND READING AND ADOPTION

- H.2.1 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AMENDING SUB-SECTION 9.14.130(A) OF TITLE 9 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE RELATING TO REQUIREMENTS FOR THE UNDERGROUNDING OF OVERHEAD UTILITIES (RECEIVED FIRST READING AND INTRODUCTION ON MARCH 26, 2013 BY A 5-0 VOTE) (Report of: Community & Economic Development Department)

Recommendations That the City Council:

Adopt Ordinance No. 862, an Ordinance of the City Council of the City of Moreno Valley, California amending sub-section 9.14.130(a) of Title 9 of the City of Moreno Valley Municipal Code relating to requirements for the

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undergrounding of overhead utilities.

Ordinance No. 862

An Ordinance of the City Council of the City of Moreno Valley, California, Amending Sub-Section 9.14.130(A) of Title 9 of the City of Moreno Valley Municipal Code Relating to Requirements for the Undergrounding of Overhead Utilities

Motion to Approve by m/Council Member Richard A. Stewart, s/Mayor Pro Tem Marcelo Co

No roll call was made, as public speaker had not yet spoke on the item before first motion made.

Mayor Tom Owings opened the agenda item for public comments, which was received from Tom Jerele, Sr. (Supports)

Motion to Approve by m/Council Member Richard A. Stewart, s/Council Member Jesse L. Molina

Approved by a vote of 5-0.

- H.2.2 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ADDING CHAPTER 2.25 TO THE CITY OF MORENO VALLEY MUNICIPAL CODE ESTABLISHING A UTILITIES COMMISSION (RECEIVED FIRST READING AND INTRODUCTION ON MARCH 26, 2013 BY A 5-0 VOTE) (Report of: Public Works Department)

Recommendations That the City Council:

Adopt Ordinance No. 863 adding Chapter 2.25 to the City of Moreno Valley Municipal Code establishing a Utilities Commission (as listed on the ordinance). (Roll call required)

Ordinance No. 863

An Ordinance of the City Council of the City of Moreno Valley, California, Adding Chapter 2.25 to the City of Moreno Valley Municipal Code Establishing a Utilities Commission

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

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**Motion to Approve by m/Council Member Richard A. Stewart,
s/Council Member Jesse L. Molina**

Approved by a vote of 5-0.

H.3 ORDINANCES - URGENCY ORDINANCES - NONE

H.4 RESOLUTIONS - NONE

**CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL,
COMMUNITY SERVICES DISTRICT, CITY AS SUCCESSOR AGENCY FOR THE
COMMUNITY REDEVELOPMENT AGENCY OR HOUSING AUTHORITY**

Mayor Tom Owings

1. Encouraged the public to read the book: What is History, by E.H. Carr.
2. Asked the public to ask yourselves the questions on what have the leaders done for the City. What have they done to: a) increase graduation rates; b) increase property values; c) lower taxes; d) fight crime; e) balance budget; f) make our City more livable; and g) enhance the reputation of our City so that we can attract developers and create jobs
3. Unity and good business dialog
4. Constant distractors discourage future developers from coming to our City (developers searching criteria are good schools, safe streets and good reputation)
5. New start - agreements, achievements set aside issues that divide us and discuss without impairing the forward progress of this City

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CLOSED SESSION

A Closed Session of the City Council, Community Services District, City as Successor Agency for the Community Redevelopment Agency and Housing Authority was held in the Conference Room B, First Floor, City Hall. The City Council met 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.

The Closed Session was held pursuant to Government Code:

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

Acting City Attorney, Suzanne Bryant, announced there was no initiation of litigation. Tom DeSantis will be attending closed session and he would be the one to report back.

1 SECTION 54956.9(d)(1) - CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

- a) Boe et al. V. City of Moreno Valley, et al.
Riverside Superior Court
RIC 1301793

2 SIGNIFICANT EXPOSURE TO LITIGATION PURSUANT TO PARAGRAPH (2) OR (3) OF SUBDIVISION (D) OF SECTION 54956.9:

Number of Cases: 5

3 SECTION 54956.9(d)(4) - CONFERENCE WITH LEGAL COUNSEL - INITIATION OF LITIGATION

Number of Cases: 5

- a) Boe et al. V. City of Moreno Valley, et al.
Riverside Superior Court Case
RIC 1301793

4 SECTION 54957.6 - LABOR NEGOTIATIONS

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

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

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

5 SECTION 54957 - PUBLIC EMPLOYMENT APPOINTMENT/PUBLIC
EMPLOYMENT

a) City Attorney

**REPORT OF ACTION FROM CLOSED SESSION, IF ANY, BY ADMINISTRATIVE
SERVICES DIRECTOR**

Tom DeSantis reported back that City Council appointed Suzanne M. Bryant as City Attorney, effective July 9, 2013.

ADJOURNMENT

There being no further business to conduct, the meeting was adjourned at 7:44 p.m. by unanimous informal consent.

Submitted by:

City Clerk Jane Halstead, CMC
Secretary, Moreno Valley Community Services District
Secretary, City as Successor Agency for the Community
Redevelopment Agency of the City of Moreno Valley
Secretary, Moreno Valley Housing Authority
Secretary, Board of Library Trustees

Approved by:

Mayor Tom Owings
President, Moreno Valley Community Services District
Chairperson, City as Successor Agency for the Community
Redevelopment Agency of the City of Moreno Valley
Chairperson, Moreno Valley Housing Authority
Chairperson, Board of Library Trustees

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April 9, 2013

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Report to City Council

TO: Mayor and City Council

FROM: Jane Halstead, City Clerk

AGENDA DATE: April 23, 2013

TITLE: CITY COUNCIL REPORTS ON REIMBURSABLE ACTIVITIES

RECOMMENDED ACTION

Recommendation:

1. Receive and file the Reports on Reimbursable Activities for the period of April 3-16, 2013.

| <i>Reports on Reimbursable Activities</i> | | | |
|---|---------|---|---------|
| April 3-16, 2013 | | | |
| Council Member | Date | Meeting | Cost |
| Victoria Baca | | | |
| Marcelo Co | | | |
| Jesse L. Molina | | | |
| Tom Owings | 4/10/13 | Sheriff's Dept. Annual Department Awards Ceremony | \$20.00 |
| | 4/12/13 | Moreno Valley Historical Society Annual Dinner | \$30.00 |
| Richard A. Stewart | 4/10/13 | Sheriff's Dept. Annual Department Awards Ceremony | \$20.00 |

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: |



| APPROVALS | |
|----------------|--------------------|
| BUDGET OFFICER | <i>[Signature]</i> |
| CITY ATTORNEY | <i>[Signature]</i> |
| CITY MANAGER | <i>[Signature]</i> |

Report to City Council

TO: Mayor and City Council

FROM: Richard Teichert, Chief Financial Officer

AGENDA DATE: April 23, 2013

TITLE: APPROVAL OF PAYMENT REGISTER FOR FEBRUARY, 2013

RECOMMENDED ACTION

Recommendation:

1. Adopt Resolution No. 2013-21, approving the Payment Register for the month of February, 2013 in the amount of \$17,449,090.98.

DISCUSSION

To facilitate Council's review, the Payment 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 Payment 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 Payment Register are reflected in the FY 2012-13 budget. Therefore, there is no fiscal impact other than the expenditure of budgeted funds.

ATTACHMENTS

- Attachment 1: Proposed Resolution
Attachment 2: Payment Register for Month of February, 2013

Prepared By:
Dena Heald
Acting Financial Operations Division Manager

Department Head Approval:
Richard Teichert
Chief Financial Officer

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

RESOLUTION NO. 2013-21

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING THE PAYMENT REGISTER FOR THE MONTH OF FEBRUARY, 2013

WHEREAS, the Financial & Management Services Department has prepared and provided the Payment Register for the period February 1, 2013 through February 28, 2013, 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 Payment Register be approved.

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, that the Payment Register for the period February 1, 2013 through February 28, 2013, in the total amount of \$17,449,090.98 is approved.

APPROVED AND ADOPTED this 23rd day of April, 2013.

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

1
Resolution No. 2013-21
Date Adopted: April 23, 2013

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. 2013-21 was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the 23rd day of April, 2013 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

CITY CLERK

Resolution No. 2013-21²
Date Adopted: April 23, 2013



**City of Moreno Valley
Payment Register
For Period 2/1/2013 through 2/28/2013**

CHECKS IN THE AMOUNT OF \$25,000 OR GREATER

| <u>Vendor Name</u> | <u>Check/EFT Number</u> | <u>Payment Date</u> | <u>Invoice Number</u> | <u>Invoice Description</u> | <u>Amount</u> | <u>FYTD</u> |
|----------------------------|-------------------------|---------------------|-----------------------|--|---------------|---------------|
| ALL AMERICAN ASPHALT, INC. | 215900 | 02/11/2013 | 157673 | CONSTRUCTION CONTRACT - DRACAEA/PERRIS TO PATRICIA | \$29,305.08 | |
| | | | | Remit to: CORONA, CA | \$29,305.08 | \$1,602,525.5 |
| COUNTY OF RIVERSIDE - RMAP | 215916 | 02/11/2013 | SH0000020767 | LAW ENFORCEMENT SVCS/GRANT #PT1303-PRIMARY COLLISION FACTOR ENF. | \$345.66 | |
| | | | SH0000020675 | LAW ENFORCEMENT EXTRA DUTY-DUI WARRANT SWEEP | \$42.83 | |
| | | | SH0000020790 | LAW ENFORCEMENT SVCS/GRANT #SC13272-DUI CHECKPOINT 1/4/13 | \$7,122.54 | |
| | | | SH0000020789 | LAW ENFORCEMENT SVCS/GRANT #SC13272-DUI CHECKPOINT 12/27/12 | \$8,457.11 | |
| | | | SH0000020787 | LAW ENFORCEMENT SVCS/GRANT #PT1303-TRAFFIC ENF. OPERATION 1/4/13 | \$175.29 | |
| | | | SH0000020785 | LAW ENFORCEMENT SVCS/GRANT #PT1303-DISTR. DRIVING ENF. 12/26/12 | \$345.66 | |
| | | | SH0000020784 | LAW ENFORCEMENT SVCS/GRANT #PT1303-DUI SAT. PATROL 12/22/12 | \$1,285.08 | |
| | | | SH0000020783 | LAW ENFORCEMENT SVCS/GRANT #PT1303-TRAFFIC ENF. OPERATION 12/21 | \$467.44 | |
| | | | SH0000020782 | LAW ENFORCEMENT SVCS/GRANT #PT1303-DISTR. DRIVING ENF. 12/20/12 | \$350.58 | |
| | | | SH0000020731 | LAW ENFORCEMENT EXTRA DUTY-DUI WARRANT SWEEP | \$235.57 | |
| | | | SH0000020768 | LAW ENFORCEMENT SVCS/GRANT #PT1303-DUI STAKEOUT OPER. 12/10/12 | \$876.45 | |
| | | | SH0000020788 | LAW ENFORCEMENT SVCS/GRANT #PT1303-DISTR. DRIVING ENF. 1/8/13 | \$467.44 | |

Item No. A.4

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**City of Moreno Valley
Payment Register
For Period 2/1/2013 through 2/28/2013**

CHECKS IN THE AMOUNT OF \$25,000 OR GREATER

| <u>Vendor Name</u> | <u>Check/EFT Number</u> | <u>Payment Date</u> | <u>Invoice Number</u> | <u>Invoice Description</u> | <u>Amount</u> | <u>FYTD</u> |
|-----------------------------|-----------------------------|-------------------------|-----------------------|--|----------------|-----------------|
| COUNTY OF RIVERSIDE - RMAP | 215916 | 02/11/2013 | SH0000020766 | LAW ENFORCEMENT SVCS/GRANT #PT1303- DISTR. DRIVING ENF. 12/3/12 | \$175.29 | |
| | | | SH0000020765 | LAW ENFORCEMENT SVCS/GRANT #PT1303- DUI WARRANT SWEEP 12/1/12 | \$7,252.97 | |
| | | | SH0000020763 | LAW ENFORCEMENT SVCS/GRANT #PT1303- PRIMARY COLLISION FACTOR ENF | \$227.16 | |
| | | | SH0000020761 | LAW ENFORCEMENT SVCS/GRANT #PT1303- DUI SAT. PATROL 11/23/12 | \$1,041.90 | |
| | | | SH0000020754 | LAW ENFORCEMENT SVCS/GRANT #PT1303- DISTR. DRIVING ENF. 11/20/12 | \$292.15 | |
| | | | SH0000020791 | LAW ENFORCEMENT SVCS/GRANT #AL1387- AVOID THE 30 12/28/12 | \$993.31 | |
| | | | SH0000020770 | LAW ENFORCEMENT SVCS/GRANT #AL1387- AVOID THE 30 11/24/12 | \$1,079.01 | |
| | | | SH0000020673 | LAW ENFORCEMENT SVCS-SPECIAL BILLING/JAG GRANT 2009 BP #05 | \$2,018.88 | |
| | | | SH0000020769 | LAW ENFORCEMENT SVCS/GRANT #PT1303- PRIMARY COLLISION FACTOR ENF. | \$701.16 | |
| | | | SH0000020786 | LAW ENFORCEMENT SVCS/GRANT #PT1303- DISTR. DRIVING ENF. 1/2/13 | \$345.66 | |
| | | | | Remit to: MORENO VALLEY, CA | \$34,299.14 | \$463,894.18 |
| COUNTY OF RIVERSIDE SHERIFF | 8460 | 02/11/2013 | SH0000020571 | CONTRACT LAW ENFORCEMENT BILLING #5 (10/18-11/14/12) | \$2,564,279.37 | |
| | | | | Remit to: RIVERSIDE, CA | \$2,564,279.37 | \$24,367,138.96 |
| COUNTY OF RIVERSIDE SHERIFF | 8636 | 02/28/2013 | SH0000020720 | CONTRACT LAW ENFORCEMENT BILLING #6 (11/15/12-12/12/12) | \$2,669,478.89 | |
| | | | | Remit to: RIVERSIDE, CA | \$2,669,478.89 | \$24,367,138.96 |



**City of Moreno Valley
Payment Register
For Period 2/1/2013 through 2/28/2013**

CHECKS IN THE AMOUNT OF \$25,000 OR GREATER

| <u>Vendor Name</u> | <u>Check/EFT Number</u> | <u>Payment Date</u> | <u>Invoice Number</u> | <u>Invoice Description</u> | <u>Amount</u> | <u>FYTD</u> |
|---|-------------------------|---------------------|-----------------------|---|---------------|----------------|
| EASTERN MUNICIPAL WATER DISTRICT | 216034 | 02/19/2013 | JAN-13 2/19/13 | WATER CHARGES | \$26,680.70 | |
| | | | Remit to: | PERRIS, CA | \$26,680.70 | \$1,070,558.3 |
| EMPLOYMENT DEVELOPMENT DEPARTMENT | 8679 | 02/08/2013 | S130207 | DEPOSIT OF STATE INCOME TAX WITHHELD | \$46,423.42 | |
| | | | Remit to: | WEST SACRAMENTO, CA | \$46,423.42 | \$689,338.2 |
| EMPLOYMENT DEVELOPMENT DEPARTMENT | 8690 | 02/22/2013 | S130221 | DEPOSIT OF STATE INCOME TAX WITHHELD | \$30,666.94 | |
| | | | Remit to: | WEST SACRAMENTO, CA | \$30,666.94 | \$689,338.20 |
| ENCO UTILITY SERVICES MORENO VALLEY LLC | 8577 | 02/19/2013 | 40-243B-09 | WORK AUTHORIZATION #40-243B-DEC12 | \$330.62 | |
| | | | 0405-1-105R | DISTRIBUTION CHARGES 9/3-10/7/12 | \$251,373.37 | |
| | | | 40-270B-03 | WORK AUTHORIZATION # 40-270 | \$149.74 | |
| | | | 0406-TEMP MF-084 | TEMPORARY METERS & SERVICE FEES | \$425.00 | |
| | | | 40-268A-05 | WORK AUTHORIZATION #40-268A | \$182.58 | |
| | | | 40-247B-03 | WORK AUTHORIZATION 40-247 DEC12 | \$76.08 | |
| | | | 0405-MTS1-SP092 | ELECTRIC METER CHARGES | \$546.00 | |
| | | | Remit to: | ANAHEIM, CA | \$253,083.39 | \$1,583,716.66 |
| FALCON ENGINEERING SERVICES, INC. | 216105 | 02/25/2013 | 2012-07-A | ENGINEERING SERVICES - SR-60/MORENO BEACH PH I | \$63,022.73 | |
| | | | 2012-05 | ENGINEERING SERVICES - SR-60/NASON INTERCHANGE | \$92,929.92 | |
| | | | Remit to: | CORONA, CA | \$155,952.65 | \$411,557.66 |
| FR/CAL MORENO VALLEY, LLC | 216146 | 02/25/2013 | NANDINA | REFUND-REMAINING DEPOSIT-T&M FOR FIRE ADMIN, PLN CK & INSPECTNS | \$33,728.77 | |

Item No. A.4

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**City of Moreno Valley
Payment Register
For Period 2/1/2013 through 2/28/2013**

CHECKS IN THE AMOUNT OF \$25,000 OR GREATER

| <u>Vendor Name</u> | <u>Check/EFT Number</u> | <u>Payment Date</u> | <u>Invoice Number</u> | <u>Invoice Description</u> | <u>Amount</u> | <u>FYTD</u> |
|--|-------------------------|---------------------|-----------------------|---|---------------|----------------|
| | | | | Remit to: LOS ANGELES, CA | \$33,728.77 | \$33,728.77 |
| GLOBAL POWER GROUP, INC. | 216018 | 02/11/2013 | 27118 | CONSTRUCTION CONTRACT - EOC FAMILY CARE CENTER | \$117,715.70 | |
| | | | | Remit to: LAKESIDE, CA | \$117,715.70 | \$117,715.70 |
| HANSEN, ROBERT L. | 215893 | 02/07/2013 | 02072013 | RETIREMENT SETTLEMENT | \$161,000.00 | |
| | | | | Remit to: MORENO VALLEY, CA | \$161,000.00 | \$161,279.78 |
| HILLCREST CONTRACTING, INC | 8486 | 02/11/2013 | PB 22171 | CONSTRUCTION CONTRACT - PERRIS BLVD. IMPROVEMENTS | \$169,890.92 | |
| | | | | Remit to: CORONA, CA | \$169,890.92 | \$1,509,263.77 |
| INTERNAL REVENUE SERVICE | 8638 | 02/08/2013 | F130207 | DEPOSIT OF FEDERAL INCOME TAX WITHHELD | \$175,966.03 | |
| | | | | Remit to: SACRAMENTO, CA | \$175,966.03 | \$2,282,927.89 |
| INTERNAL REVENUE SERVICE | 8691 | 02/22/2013 | F130221 | DEPOSIT OF FEDERAL INCOME TAX WITHHELD | \$122,295.31 | |
| | | | | Remit to: SACRAMENTO, CA | \$122,295.31 | \$2,282,927.89 |
| J D H CONTRACTING | 8418 | 02/04/2013 | 011813-01 | UPGRADE GOLF COURSE RESTROOM FOR ADA COMPLIANCE | \$14,738.00 | |
| | | | 013113-01 | ROOF REPLACEMENT-COTTONWOOD REC CTR | \$10,338.00 | |
| | | | | Remit to: RIVERSIDE, CA | \$25,076.00 | \$98,386.90 |
| LEAGUE OF CALIFORNIA CITIES-RIV CNTY DIV | 215941 | 02/11/2013 | 126557 | MEMBERSHIP DUES-2013 | \$34,799.60 | |
| | | | | Remit to: SACRAMENTO, CA | \$34,799.60 | \$34,899.60 |
| MORENO VALLEY UTILITY | 216052 | 02/19/2013 | 7013411-01/JAN13 | ELECTRICITY-UTILITY FIELD OFFICE | \$83.23 | |

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**City of Moreno Valley
Payment Register
For Period 2/1/2013 through 2/28/2013**

CHECKS IN THE AMOUNT OF \$25,000 OR GREATER

| <u>Vendor Name</u> | <u>Check/EFT Number</u> | <u>Payment Date</u> | <u>Invoice Number</u> | <u>Invoice Description</u> | <u>Amount</u> | <u>FYTD</u> |
|--------------------------------------|-------------------------|---------------------|-----------------------|---|----------------|----------------|
| MORENO VALLEY UTILITY | 216052 | 02/19/2013 | FEB-13 2/19/13 | ELECTRICITY | \$48,001.21 | |
| | | | Remit to: | HEMET, CA | \$48,084.44 | \$556,463.2 |
| MV RANCHO DORADO II LTD. PARTNERSHIP | 8445 | 02/07/2013 | W130203a | RANCHO DORADO SOUTH PROJECT PAYMENT #2 | \$600,000.00 | |
| | | | Remit to: | PALM DESERT, CA | \$600,000.00 | \$5,173,000.0 |
| MV RANCHO DORADO II LTD. PARTNERSHIP | 8446 | 02/07/2013 | W130203b | RANCHO DORADO SOUTH PROJECT PAYMENT #2 | \$2,173,000.00 | |
| | | | Remit to: | PALM DESERT, CA | \$2,173,000.00 | \$5,173,000.00 |
| NATIONWIDE RETIREMENT SOLUTIONS CP | 8682 | 02/08/2013 | NW457130207 | DEFERRED COMP-457 & 401A | \$27,253.34 | |
| | | | Remit to: | COLUMBUS, OH | \$27,253.34 | \$465,346.0 |
| NATIONWIDE RETIREMENT SOLUTIONS CP | 8687 | 02/22/2013 | NW457130221 | DEFERRED COMP-457 & 401A | \$26,214.00 | |
| | | | Remit to: | COLUMBUS, OH | \$26,214.00 | \$465,346.04 |
| NOBLE AMERICAS ENERGY SOLUTIONS | 8622 | 02/25/2013 | 130390002804893 | ELECTRIC ENERGY PURCHASE FOR MV UTILITY | \$272,329.10 | |
| | | | Remit to: | PASADENA, CA | \$272,329.10 | \$2,288,805.65 |
| PARSONS TRANSPORTATION GROUP, INC. | 8637 | 02/28/2013 | 1301A851 | ENGINEERING SERVICES - SR-60/NASON OVERCROSSING | \$42,972.04 | |
| | | | 1301A852 | ENGINEERING SERVICES - SR-60/MORENO BCH. PH I | \$70,092.05 | |
| | | | Remit to: | IRVINE, CA | \$113,064.09 | \$864,435.45 |
| PERS HEALTH INSURANCE | 8566 | 02/12/2013 | W130201 | EMPLOYEE HEALTH INSURANCE | \$209,623.24 | |
| | | | Remit to: | SACRAMENTO, CA | \$209,623.24 | \$1,585,732.95 |

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| <u>Vendor Name</u> | <u>Check/EFT Number</u> | <u>Payment Date</u> | <u>Invoice Number</u> | <u>Invoice Description</u> | <u>Amount</u> | <u>FYTD</u> |
|---|-------------------------|---------------------|-----------------------|---|---------------|----------------|
| PERS RETIREMENT | 8443 | 02/01/2013 | P130118 | 3235 - PERS RETIREMENT | \$233,960.80 | |
| | | | Remit to: | SACRAMENTO, CA | \$233,960.80 | \$3,990,170.34 |
| PERS RETIREMENT | 8606 | 02/15/2013 | P130201 | PERS RETIREMENT | \$232,479.79 | |
| | | | Remit to: | SACRAMENTO, CA | \$232,479.79 | \$3,990,170.34 |
| POWELL CONSTRUCTORS, INC. | 216151 | 02/28/2013 | 03 | CONSTRUCTION CONTRACT - SR-60 MB PH I | \$414,938.20 | |
| | | | Remit to: | FONTANA, CA | \$414,938.20 | \$650,608.77 |
| PRICE FAMILY CHARITABLE TRUST | 215999 | 02/11/2013 | 2ND/3RD QTR 2012 | SALES TAX REIMBURSEMENT | \$240,131.00 | |
| | | | Remit to: | LA JOLLA, CA | \$240,131.00 | \$505,937.00 |
| R.I.C. CONSTRUCTION CO., INC. | 8525 | 02/11/2013 | 45584 | ANNEX 1 TENANT IMPROVEMENTS PROJECT SVCS | \$269,916.39 | |
| | | | Remit to: | HESPERIA, CA | \$269,916.39 | \$886,312.57 |
| SHELL ENERGY NORTH AMERICA (US) L.P. | 8591 | 02/19/2013 | 1164988 | ELECTRIC ENERGY PURCHASE FOR MV UTILITY | \$474,476.80 | |
| | | | Remit to: | PHILADELPHIA, PA | \$474,476.80 | \$4,307,172.80 |
| SILVER CREEK INDUSTRIES, INC | 215865 | 02/04/2013 | 15 | RETENTION RELEASE PAYMENT-MORRISON PARK FIRE STATION PROJECT | \$320,126.65 | |
| | | | Remit to: | PERRIS, CA | \$320,126.65 | \$2,469,608.69 |
| SILVER CREEK INDUSTRIES, INC | 215964 | 02/11/2013 | 15-2 | RETENTION RELEASE PAYMENT-MORRISON PARK FIRE STATION PROJECT | \$49,278.47 | |
| | | | Remit to: | PERRIS, CA | \$49,278.47 | \$2,469,608.69 |
| SOCO GROUP, INC | 8425 | 02/04/2013 | 681730 | FUEL FOR CITY VEHICLES & EQUIPMENT | \$4,657.10 | |
| | | | 682828 | FUEL FOR CITY VEHICLES & EQUIPMENT | \$7,302.14 | |

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| <u>Vendor Name</u> | <u>Check/EFT Number</u> | <u>Payment Date</u> | <u>Invoice Number</u> | <u>Invoice Description</u> | <u>Amount</u> | <u>FYTD</u> |
|------------------------------|-------------------------|---------------------|-----------------------|---|---------------|----------------|
| SOCO GROUP, INC | 8425 | 02/04/2013 | 683830 | FUEL FOR CITY VEHICLES & EQUIPMENT | \$4,261.19 | |
| | | | 684706 | FUEL FOR CITY VEHICLES & EQUIPMENT | \$7,478.62 | |
| | | | 685263 | FUEL FOR CITY VEHICLES & EQUIPMENT | \$7,369.33 | |
| | | | 683421 | FUEL FOR CITY VEHICLES & EQUIPMENT | \$5,826.02 | |
| | | | | Remit to: PERRIS, CA | \$36,894.40 | \$252,208.61 |
| SOUTHERN CALIFORNIA EDISON 1 | 215967 | 02/11/2013 | 7500262537 | WDAT CHARGES-IRIS AVE. LOCATION | \$2,860.84 | |
| | | | 7500262538 | WDAT CHARGES-GRAHAM ST. LOCATION | \$6,277.09 | |
| | | | 7500262540 | WDAT CHARGES-NANDINA AVE. LOCATION | \$2,647.31 | |
| | | | 7500262541 | WDAT CHARGES-FREDERICK AVE. LOCATION | \$1,932.21 | |
| | | | 7500262542 | WDAT CHARGES-SUBSTATION 115KV INTERCONNECTION | \$10,447.31 | |
| | | | | Remit to: ROSEMEAD, CA | \$7,239.33 | |
| | | | | Remit to: ROSEMEAD, CA | \$31,404.09 | \$2,002,624.83 |
| SOUTHERN CALIFORNIA EDISON 1 | 215968 | 02/11/2013 | 11062012 | ENGINEERING DEPOSIT - NASON/CACTUS TO FIR | \$120,000.00 | |
| | | | | Remit to: RIALTO, CA | \$120,000.00 | \$2,002,624.83 |
| SOUTHERN CALIFORNIA EDISON 1 | 216061 | 02/19/2013 | JAN-13 2/19/13 | ELECTRICITY | \$108,487.00 | |
| | | | 707-6081 JAN-13 | ELECTRICITY | \$365.33 | |
| | | | | Remit to: ROSEMEAD, CA | \$108,852.33 | \$2,002,624.83 |
| SOUTHERN CALIFORNIA EDISON 1 | 216123 | 02/25/2013 | JAN-13 2/25/13 | ELECTRICITY | \$62,288.61 | |
| | | | | Remit to: ROSEMEAD, CA | \$62,288.61 | \$2,002,624.83 |

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| <u>Vendor Name</u> | <u>Check/EFT Number</u> | <u>Payment Date</u> | <u>Invoice Number</u> | <u>Invoice Description</u> | <u>Amount</u> | <u>FYTD</u> |
|---|-------------------------|---------------------|-----------------------|---------------------------------------|------------------------|-----------------|
| SULLY- MILLER CONTRACTING CO., INC. | 215976 | 02/11/2013 | 8-SMC | CONSTRUCTION CONTRACT - CACTUS/NASON | \$1,745,404.52 | |
| | | | Remit to: | BREA, CA | \$1,745,404.52 | \$15,126,166.99 |
| THINK TOGETHER, INC | 216125 | 02/25/2013 | 111000-12/13-6 | ASES PROGRAM MANAGEMENT SERVICES | \$444,467.51 | |
| | | | Remit to: | LOS ANGELES, CA | \$444,467.51 | \$2,708,833.11 |
| U.S. BANK/CALCARDS | 8444 | 02/05/2013 | W130202 | CALCARD PAYMENT FOR CYCLE END 1/28/13 | \$142,636.32 | |
| | | | Remit to: | ST. LOUIS, MO | \$142,636.32 | \$1,412,388.68 |
| WELLS FARGO CORPORATE TRUST | 8692 | 02/20/2013 | W130205 | DEBT SERVICE-SPECIAL TAXES | \$949,718.81 | |
| | | | Remit to: | LOS ANGELES, CA | \$949,718.81 | \$5,907,666.90 |
| TOTAL AMOUNTS OF \$25,000 OR GREATER | | | | | \$15,997,184.81 | |

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|-------------------------------------|-------------------------|---------------------|-----------------------|---|---------------|-------------|
| 452ND AIR MOBILITY WING | 216072 | 02/19/2013 | 02112013 | AWARDS BANQUET 2013-C DIST 4 | \$40.00 | |
| | | | Remit to: | MARCH ARB, CA | \$40.00 | \$105.00 |
| ABILITY COUNTS, INC | 215806 | 02/04/2013 | ACI19717 | LANDSCAPE MAINT-CFD#1-DEC12 | \$2,065.00 | |
| | | | Remit to: | CORONA, CA | \$2,065.00 | \$14,105.00 |
| ACCESS SECURITY CONTROLS INT., INC. | 215894 | 02/11/2013 | 12-3770 | ALARM SVC-ERC | \$75.00 | |
| | | | Remit to: | TEMECULA, CA | \$75.00 | \$575.00 |
| ACTION DOOR REPAIR CORP. | 215807 | 02/04/2013 | 84936 | DOOR REPAIRS-FS#6 | \$480.00 | |
| | | | Remit to: | HUNTINGTON PARK, CA | \$480.00 | \$8,425.38 |
| ACTION DOOR REPAIR CORP. | 216150 | 02/25/2013 | 84992 | SAFETY EDGE REPLACED-FIRE STN 91-WO121385 | \$1,451.31 | |
| | | | Remit to: | HUNTINGTON PARK, CA | \$1,451.31 | \$8,425.38 |
| ADAMS, MARK L. | 8560 | 02/11/2013 | 130201 | RETIREE MED FEB '13 | \$318.73 | |
| | | | Remit to: | REDLANDS, CA | \$318.73 | \$2,231.11 |
| ADLERHORST INTERNATIONAL INC. | 215895 | 02/11/2013 | 17772 | MONTHLY K-9 TRAINING-DUKE-DEC12 | \$141.67 | |
| | | | 17774 | MONTHLY K-9 TRAINING-IVAN-DEC12 | \$141.67 | |
| | | | 17773 | MONTHLY K-9 TRAINING-OZZI-DEC12 | \$141.67 | |
| | | | Remit to: | RIVERSIDE, CA | \$425.01 | \$4,670.93 |
| ADLERHORST INTERNATIONAL INC. | 216022 | 02/19/2013 | 17899 | MONTHLY K-9 TRAINING-DUKE-JAN13 | \$141.67 | |
| | | | 17900 | MONTHLY K-9 TRAINING-OZZI-JAN13 | \$141.67 | |
| | | | 17901 | MONTHLY K-9 TRAINING-IVAN-JAN13 | \$141.67 | |
| | | | Remit to: | RIVERSIDE, CA | \$425.01 | \$4,670.93 |

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|--|-------------------------|---------------------|-----------------------|-----------------------------------|---------------|-------------|
| ADMINSURE | 216023 | 02/19/2013 | 6216 | WORKERS' COMP CLAIMS ADMIN | \$2,600.00 | |
| | | | 6169 | WORKERS' COMP CLAIMS ADMIN | \$2,600.00 | |
| Remit to: DIAMOND BAR, CA | | | | | \$5,200.00 | \$23,400.00 |
| ADVANCE REFRIGERATION & ICE SYSTEMS, INC | 8404 | 02/04/2013 | 3284-35956 | ICE MACHINE MAINT-FIRE STN 2 | \$195.00 | |
| | | | 3284-35947 | ICE MACHINE MAINT-FIRE STN 65 | \$195.00 | |
| | | | 3284-35946 | ICE MACHINE MAINT-FIRE STN 6 | \$195.00 | |
| | | | 3284-35957 | ICE MACHINE MAINT-FIRE STN 91 | \$195.00 | |
| Remit to: RIVERSIDE, CA | | | | | \$780.00 | \$5,443.52 |
| ADVANCE REFRIGERATION & ICE SYSTEMS, INC | 8450 | 02/11/2013 | 3284-35966 | ICE MACHINE MAINT-PSB | \$195.00 | |
| | | | 3284-36029 | ICE MACHINE MAINT-CRC | \$195.00 | |
| | | | 3284-35955 | ICE MACHINE MAINT-SENIOR CNTR | \$195.00 | |
| | | | 3284-35967 | ICE MACHINE MAINT-FIRE STN 48 | \$195.00 | |
| | | | 3284-36027 | ICE MACHINE MAINT-CITY YARD | \$290.00 | |
| | | | 3284-36037 | REFRIGERATION REPAIRS-FIRE STN 91 | \$1,477.44 | |
| | | | 3284-36034 | ICE MACHINE MAINT-FIRE STN 58 | \$195.00 | |
| | | | 3284-36033 | ICE MACHINE MAINT-TOWNGATE CNTR | \$195.00 | |
| Remit to: RIVERSIDE, CA | | | | | \$2,937.44 | \$5,443.52 |
| ADVANCE REFRIGERATION & ICE SYSTEMS, INC | 215808 | 02/04/2013 | 3284-36203 | ICE MACHINE REPAIRS-CITY YARD | \$578.20 | |
| Remit to: RIVERSIDE, CA | | | | | \$578.20 | \$5,443.52 |

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|--|-------------------------|---------------------|-----------------------|--|---------------|-------------|
| ADVANCE REFRIGERATION & ICE SYSTEMS, INC | 215896 | 02/11/2013 | 36028 | ICE MACHINE REPAIRS-PSB | \$195.00 | |
| | | | Remit to: | RIVERSIDE, CA | \$195.00 | \$5,443.5 |
| ADVANCED ELECTRIC | 215809 | 02/04/2013 | 10570 | ELECTRICAL WIRING CONCEAL-COUNCIL CHAMBERS | \$449.00 | |
| | | | Remit to: | RIVERSIDE, CA | \$449.00 | \$19,872.75 |
| ADVANCED ELECTRIC | 215897 | 02/11/2013 | 10673 | ELECTRICAL REPAIRS-CITY HALL | \$127.00 | |
| | | | Remit to: | RIVERSIDE, CA | \$127.00 | \$19,872.75 |
| ADVANTAGE BUSINESS EQUIPMENT, INC | 215898 | 02/11/2013 | 16196 | WYCOM ANNUAL MAINTENANCE & SUPPORT-2/6/13>2/16/14 | \$629.30 | |
| | | | Remit to: | SAN DIEGO, CA | \$629.30 | \$1,292.61 |
| ADVANTAGE GRAPHICS AND PROMOTIONS | 216094 | 02/25/2013 | 10249 | PRINTING-B&S ADMINISTRATIVE CITATIONS | \$1,393.96 | |
| | | | Remit to: | CAPISTRANO BEACH, CA | \$1,393.96 | \$3,713.70 |
| AEI-CASC ENGINEERING | 215810 | 02/04/2013 | 0028933 | PLAN CHECK SVCS-PWQMP | \$2,148.13 | |
| | | | Remit to: | COLTON, CA | \$2,148.13 | \$21,496.00 |
| AEROTEK | 215899 | 02/11/2013 | OP03919253 | TEMPORARY STAFFING-ERP-PAYROLL | \$903.29 | |
| | | | OP03935039 | TEMPORARY STAFFING-ERP-PAYROLL | \$984.81 | |
| | | | Remit to: | CHICAGO, IL | \$1,888.10 | \$14,856.62 |
| ALBERT A. WEBB ASSOCIATES | 216095 | 02/25/2013 | 124157 | LABORATORY TESTING - BSMW WATER QUALITY TESTING & ANALYSIS | \$4,495.52 | |
| | | | Remit to: | RIVERSIDE, CA | \$4,495.52 | \$6,884.52 |

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|----------------------------|-------------------------|---------------------|-----------------------|---|---------------|----------------|
| ALL AMERICAN ASPHALT, INC. | 215857 | 02/04/2013 | 158110 | RETENTION RELEASE PAYMENT-DRACAEA AVE. SIDEWALK IMPRVMT PROJECT | \$19,366.74 | |
| | | | | Remit to: CORONA, CA | \$19,366.74 | \$1,602,525.59 |
| ALLIANZ LIFE INSURANCE CO | 216024 | 02/19/2013 | 130207 | NON-EXEMPT ANNUITY | \$75.00 | |
| | | | | Remit to: PITTSBURGH, PA | \$75.00 | \$600.00 |
| ALPHA AUTOMATION | 216149 | 02/25/2013 | 4505 | DATA SERVICE FOR FUEL TANKS | \$94.66 | |
| | | | | Remit to: LOS ANGELES, CA | \$94.66 | \$233.12 |
| AMANDA BANUELOS | 216005 | 02/11/2013 | 1003465 | REFUND-CANCELLED SOFTBALL FIELD USE | \$34.00 | |
| | | | | Remit to: MORENO VALLEY, CA | \$34.00 | \$34.00 |
| AMERICAN FORENSIC NURSES | 8451 | 02/11/2013 | 62640 | BLOOD DRAW SERVICE | \$700.00 | |
| | | | 62639 | BLOOD DRAW SERVICE | \$3,193.84 | |
| | | | | Remit to: PALM SPRINGS, CA | \$3,893.84 | \$40,392.32 |
| AMERICAN FORENSIC NURSES | 8568 | 02/19/2013 | 62617 | BLOOD DRAW SERVICE | \$71.08 | |
| | | | | Remit to: PALM SPRINGS, CA | \$71.08 | \$40,392.32 |
| AMERICAN FORENSIC NURSES | 8607 | 02/25/2013 | 62723 | BLOOD DRAW SERVICE | \$41.08 | |
| | | | 62698 | BLOOD DRAW-POLICE | \$2,300.48 | |
| | | | 62699 | BLOOD DRAW-POLICE | \$350.00 | |
| | | | | Remit to: PALM SPRINGS, CA | \$2,691.56 | \$40,392.32 |
| AMERICAN TOWERS | 216093 | 02/19/2013 | 1394855 | MICROWAVE TOWER SPACE LEASE-TECH SVCS | \$2,783.48 | |
| | | | | Remit to: CHARLOTTE, NC | \$2,783.48 | \$19,270.24 |

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|---------------------------------------|-------------------------|---------------------|-----------------------|--------------------------------------|---------------|-------------|
| ANGELICA E. BAZAN | 216084 | 02/19/2013 | B1201663 | REFUND-80% PERMIT FEE AND SB1473 TAX | \$124.20 | |
| | | | Remit to: | MORENO VALLEY, CA | \$124.20 | \$124.20 |
| ANGELIQUE WATTS | 215876 | 02/04/2013 | R12-055669 | ANIMAL SERVICES REFUND | \$20.00 | |
| | | | Remit to: | MORENO VALLEY, CA | \$20.00 | \$20.00 |
| ANIMAL HEALTH AND SANITARY SUPPLY | 215811 | 02/04/2013 | 26829 | MISC SUPPLIES-ANIMAL SVCS | \$445.55 | |
| | | | Remit to: | RIVERSIDE, CA | \$445.55 | \$1,653.83 |
| ANIMAL PEST MANAGEMENT SERVICES, INC. | 215812 | 02/04/2013 | 105572 | PEST CONTROL SVCS-GOLF COURSE | \$162.00 | |
| | | | 105552 | PEST CONTROL SVCS-CFD#1 | \$144.00 | |
| | | | 105437 | PEST CONTROL SVCS-MARCH FIELD CC | \$90.00 | |
| | | | 105436 | PEST CONTROL SVCS-MARCH FIELD | \$300.00 | |
| | | | 105435 | PEST CONTROL SVCS-CONTRACT AREAS | \$229.50 | |
| | | | 105434 | PEST CONTROL SVCS-CITY PARKS | \$600.00 | |
| | | | Remit to: | CHINO, CA | \$1,525.50 | \$12,404.00 |
| ANIMAL PEST MANAGEMENT SERVICES, INC. | 216025 | 02/19/2013 | 106571 | PEST CONTROL-MARCH FIELD CNTR | \$90.00 | |
| | | | 106569 | PEST CONTROL-SCE ESMNT/AQDCT/BIKEWAY | \$229.50 | |
| | | | 106682 | PEST CONTROL-CFD #1 | \$144.00 | |
| | | | 106570 | PEST CONTROL-MARCH BALLFIELDS | \$300.00 | |
| | | | 106568 | PEST CONTROL-CITY PARKS | \$600.00 | |
| | | | 106702 | PEST CONTROL-GOLF COURSE | \$162.00 | |

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|----------------------------|-------------------------|---------------------|-----------------------|---|---------------|-------------|
| | | | | Remit to: CHINO, CA | \$1,525.50 | \$12,404.00 |
| ANSARI, AHMAD | 216073 | 02/19/2013 | 2/27-3/1/13 | PER DIEM-LCC PW OFFICERS INSTITUTE | \$177.50 | |
| | | | | Remit to: CORONA, CA | \$177.50 | \$177.50 |
| ANTHONY VILLAREAL | 215875 | 02/04/2013 | R12-056104 | REFUND-RABIES, S/N DEPOSITS | \$95.00 | |
| | | | | Remit to: REDLANDS, CA | \$95.00 | \$95.00 |
| ANTONIO GASTELUM | 216091 | 02/19/2013 | MV2120518001 | REFUND-CITATION DISMISSED-CODE | \$57.50 | |
| | | | | Remit to: MORENO VALLEY, CA | \$57.50 | \$57.50 |
| ARCHIVE MANAGEMENT SERVICE | 216096 | 02/25/2013 | 0200885 | OFF-SITE STORAGE OF CITY RECORDS | \$1,668.50 | |
| | | | | Remit to: KING OF PRUSSIA, PA | \$1,668.50 | \$11,848.50 |
| ARROWHEAD WATER | 8452 | 02/11/2013 | 03A0029648037 | WATER PURIFY RNTL UNIT-FIRE STN 91 | \$24.77 | |
| | | | 03A0029115227 | WATER PURIFY RNTL UNIT-SDA ANNEX | \$26.93 | |
| | | | 03A0029115300 | WATER PURIFY RNTL UNIT-FACILITIES ANNEX | \$26.93 | |
| | | | 03A0029647997 | WATER PURIFY RNTL UNIT-FIRE STN 58 | \$15.62 | |
| | | | 03A0029647971 | WATER PURIFY RNTL UNIT-FIRE STN 2 | \$24.77 | |
| | | | 03A0029647948 | WATER PURIFY RNTL UNIT-FIRE STN 48 | \$24.77 | |
| | | | 03A0029648052 | WATER PURIFY RNTL UNIT-FIRE STN 65 | \$26.93 | |
| | | | 03A0029115144 | WATER PURIFY RNTL UNIT-LIBRARY | \$24.77 | |
| | | | 03A0029115110 | WATER PURIFY RNTL UNIT-CITY YARD | \$53.85 | |
| | | | 03A0032389744 | WATER PURIFY RNTL UNIT-FIRE STN 99 | \$24.77 | |
| | | | 03A0028990919 | WATER PURIFY RNTL UNIT-CITY HALL | \$134.63 | |
| | | | 03A0029647914 | WATER PURIFY RNTL UNIT-FIRE STN 6 | \$24.77 | |



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|--|-------------------------|---------------------|-----------------------|--|---------------|-------------|
| | | | | Remit to: LOUISVILLE, KY | \$433.51 | \$4,644.00 |
| ARROWHEAD WATER | 8569 | 02/19/2013 | 03A0029115359 | WATER PURIFY RNTL UNIT-CRC | \$26.93 | |
| | | | 03A0032414377 | WATER PURIFY RNTL UNIT-PSB | \$25.32 | |
| | | | 03A0029115243 | WATER PURIFY RNTL UNIT-TECH SVCS ANNEX | \$26.93 | |
| | | | 03A0029115177 | WATER PURIFY RNTL UNIT-ANIMAL SVCS | \$59.25 | |
| | | | 03A0030878268 | WATER PURIFY RNTL UNIT-EOC | \$24.77 | |
| | | | | Remit to: LOUISVILLE, KY | \$163.20 | \$4,644.05 |
| ARTHUR HUANG DDS INC | 216004 | 02/11/2013 | 13005083 | REFUND DUPLICATE PAYMENT CITATION | \$31.00 | |
| | | | | Remit to: MORENO VALLEY, CA | \$31.00 | \$31.00 |
| ASCE-AMERICAN SOCIETY OF CIVIL ENGINEERS | 215813 | 02/04/2013 | 2013 MEMBERSHIP | MEMBERSHIP RENEWAL-ERIC C. LEWIS | \$280.00 | |
| | | | | Remit to: BALTIMORE, MD | \$280.00 | \$280.00 |
| ASSESSOR-COUNTY CLERK RECORDER | 215814 | 02/04/2013 | OCTOBER 2012 | RECORDING FEES-NSP DOCS | \$247.00 | |
| | | | | Remit to: RIVERSIDE, CA | \$247.00 | \$353.37 |
| AT&T/MCI | 215901 | 02/11/2013 | 4025395 | LANDLINE PHONE SVC FOR GTF SATELITE OFFICE | \$184.92 | |
| | | | | Remit to: CAROL STREAM, IL | \$184.92 | \$1,473.32 |
| AUTOMOTIVE RENTALS, INC. | 215878 | 02/04/2013 | MVP43928 | REFUND-CODE ADMIN CITATION | \$54.50 | |
| | | | | Remit to: MOUNT LAUREL, NJ | \$54.50 | \$54.50 |
| AXIS APPAREL | 8405 | 02/04/2013 | 12202012 | YOUTH/ADULT SPORT UNIFORMS-RECREATION | \$7,649.39 | |

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|-----------------------|-------------------------|---------------------|-----------------------|---|---------------|-------------|
| | | | | Remit to: MORENO VALLEY, CA | \$7,649.39 | \$21,129.93 |
| BACHER, GRACE | 215993 | 02/11/2013 | 130201 | RETIREE MED FEB '13-ADJ FOR JAN OVERPMT | \$192.13 | |
| | | | | Remit to: HEMET, CA | \$192.13 | \$2,104.51 |
| BAKER & TAYLOR | 215815 | 02/04/2013 | 4010321023 | MISC E-BOOK-LIBRARY | \$26.99 | |
| | | | | Remit to: ATLANTA, GA | \$26.99 | \$5,011.95 |
| BAUTISTA, JOSEPH C. | 8453 | 02/11/2013 | 130201 | RETIREE MED FEB '13 | \$318.73 | |
| | | | | Remit to: FONTANA, CA | \$318.73 | \$2,231.11 |
| BELMUDES, DEBRA | 8454 | 02/11/2013 | 130201 | JAN-FEB '13, PD FEB '13 | \$637.46 | |
| | | | | Remit to: MORENO VALLEY, CA | \$637.46 | \$637.46 |
| BEMUS LANDSCAPE, INC. | 8406 | 02/04/2013 | 238218 | LANDSCAPE MAINT-ANIMAL SVCS | \$468.00 | |
| | | | 238213 | LANDSCAPE MAINT-MVU | \$432.00 | |
| | | | 238217 | LANDSCAPE MAINT-PSB | \$1,077.83 | |
| | | | 238214 | LANDSCAPE MAINT-TOWNGATE CNTR | \$180.00 | |
| | | | 238215 | LANDSCAPE MAINT-TOWNGATE BIKE AQDCT | \$735.00 | |
| | | | 238211 | LANDSCAPE MAINT-CRC | \$1,710.00 | |
| | | | 238216 | LANDSCAPE MAINT-MVU SUBSTN | \$567.00 | |
| | | | 238210 | LANDSCAPE MAINT-FORMER STARS BLDG | \$260.00 | |
| | | | 238212 | LANDSCAPE MAINT-LIBRARY | \$468.00 | |
| | | | 238198 | LANDSCAPE MAINT-N AQDCT | \$473.00 | |
| | | | 238197 | LANDSCAPE MAINT-S AQDCT B | \$662.00 | |

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|-----------------------|-------------------------|---------------------|-----------------------|---|---------------|--------------|
| BEMUS LANDSCAPE, INC. | 8406 | 02/04/2013 | 238343 | LANDSCAPE MAINT-POORMANS RESERVOIR | \$6,300.00 | |
| | | | 238209 | LANDSCAPE MAINT-CITY YARD | \$225.00 | |
| | | | 238199 | LANDSCAPE MAINT-PAN AM/AQDCT | \$540.00 | |
| | | | 238200 | LANDSCAPE MAINT-SENIOR CNTR | \$236.00 | |
| | | | 238201 | LANDSCAPE MAINT-SCE/OLD LAKE DR | \$1,575.00 | |
| | | | 238202 | LANDSCAPE MAINT-PATRIOT PARK | \$360.00 | |
| | | | 238203 | LANDSCAPE MAINT-BAY/JFK AQDCT | \$1,710.00 | |
| | | | 238204 | LANDSCAPE MAINT-INDIAN/FILAREE/FAY BIKE AQDCT | \$360.00 | |
| | | | 238205 | LANDSCAPE MAINT-S AQDCT A | \$765.50 | |
| | | | | Remit to: SAN CLEMENTE, CA | \$19,104.33 | \$145,592.80 |
| BEMUS LANDSCAPE, INC. | 8608 | 02/25/2013 | 239203 | LANDSCAPE MAINT-PSB | \$1,077.83 | |
| | | | 239183 | LANDSCAPE MAINT-S AQDCT B | \$662.00 | |
| | | | 239184 | LANDSCAPE MAINT-N AQDCT | \$473.00 | |
| | | | 239185 | LANDSCAPE MAINT-PAN AM/AQDCT | \$540.00 | |
| | | | 239186 | LANDSCAPE MAINT-SENIOR CNTR | \$236.00 | |
| | | | 239187 | LANDSCAPE MAINT-SCE/OLD LAKE | \$1,575.00 | |
| | | | 239188 | LANDSCAPE MAINT-PATRIOT PARK | \$360.00 | |
| | | | 239202 | LANDSCAPE MAINT-MVU SUBSTN | \$567.00 | |
| | | | 239201 | LANDSCAPE MAINT-TOWNGATE BIKE AQDCT | \$735.00 | |
| | | | 239189 | LANDSCAPE MAINT-BAY/JFK AQDCT | \$1,710.00 | |
| | | | 239204 | LANDSCAPE MAINT-ANIMAL SVCS | \$468.00 | |

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|------------------------------------|-------------------------|---------------------|----------------------------|---|---------------|--------------|
| BEMUS LANDSCAPE, INC. | 8608 | 02/25/2013 | 239200 | LANDSCAPE MAINT-TOWNGATE CNTR | \$180.00 | |
| | | | 239199 | LANDSCAPE MAINT-MVU | \$432.00 | |
| | | | 239197 | LANDSCAPE MAINT-CRC | \$1,710.00 | |
| | | | 239196 | LANDSCAPE MAINT-FORMER STARS BLDG | \$260.00 | |
| | | | 239195 | LANDSCAPE MAINT-CITY YARD | \$225.00 | |
| | | | 239191 | LANDSCAPE MAINT-S AQDCT A | \$765.50 | |
| | | | 239190 | LANDSCAPE MAINT-INDIAN/FILAREE/FAY BIKE AQDCT | \$360.00 | |
| | | | Remit to: SAN CLEMENTE, CA | | \$12,336.33 | \$145,592.80 |
| BENESYST | 8407 | 02/04/2013 | 0113148 | FSA ADMIN COSTS | \$436.13 | |
| | | | 0113287 | COBRA ADMIN FEE | \$282.40 | |
| | | | Remit to: MINNEAPOLIS, MN | | \$718.53 | \$3,600.00 |
| BIO-TOX LABORATORIES | 215902 | 02/11/2013 | 26246 | BLOOD DRAW TOXICOLOGY ANALYSIS | \$8,651.60 | |
| | | | 26245 | BLOOD DRAW TOXICOLOGY ANALYSIS | \$2,704.37 | |
| | | | Remit to: RIVERSIDE, CA | | \$11,355.97 | \$85,461.36 |
| BITETTO TOW & SERVICE CENTER, INC. | 216026 | 02/19/2013 | 0010679 | TOWING SERVICE FOR PD MOTORCYCLE | \$305.95 | |
| | | | Remit to: ANAHEIM, CA | | \$305.95 | \$305.95 |
| BLAIR, CHERYL | 215858 | 02/04/2013 | JAN-2013 | INSTRUCTOR SVCS-BELLY DANCING CLASS | \$27.00 | |
| | | | Remit to: RIVERSIDE, CA | | \$27.00 | \$189.00 |
| BONLAJOR DBA DUKE SERVICE COMPANY | 215816 | 02/04/2013 | 240402 | REPAIR SVCS-BUNN COFEE MAKER-FS#91 | \$209.14 | |
| | | | Remit to: ANAHEIM, CA | | \$209.14 | \$209.14 |

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|----------------------------------|-------------------------|---------------------|-----------------------|---------------------------------------|---------------|-------------|
| BOX SPRINGS MUTUAL WATER COMPANY | 215903 | 02/11/2013 | 01242013 | WATER USAGE ACCOUNT 721-1 - ZONE E-1 | \$84.09 | |
| | | | Remit to: | MORENO VALLEY, CA | \$84.09 | \$318.6 |
| BOY SCOUTS OF AMERICA | 216006 | 02/11/2013 | 1006235 | REFUND-RENTAL DEPOSIT-CRC | \$311.00 | |
| | | | Remit to: | REDLANDS, CA | \$311.00 | \$311.0 |
| BRAUN BLAISING MCLAUGHLIN | 215817 | 02/04/2013 | 14503 | LEGAL SVCS-MVU | \$3,180.75 | |
| | | | Remit to: | SACRAMENTO, CA | \$3,180.75 | \$52,014.11 |
| BRAUN BLAISING MCLAUGHLIN | 215904 | 02/11/2013 | 14528 | LEGAL SVCS-STREETLIGHT RATE CASE-CASL | \$238.00 | |
| | | | 14504 | LEGAL SVCS-STREETLIGHT RATE CASE-CASL | \$170.00 | |
| | | | 14527 | LEGAL SVCS-MVU | \$1,296.00 | |
| | | | Remit to: | SACRAMENTO, CA | \$1,704.00 | \$52,014.11 |
| BREITKREUZ, THOMAS F. | 215905 | 02/11/2013 | 130201 | OCT-DEC '12 PD FEB '13 | \$956.19 | |
| | | | Remit to: | REDLANDS, CA | \$956.19 | \$2,868.57 |
| BRIAN MARKER | 216134 | 02/25/2013 | 3/4-3/8/13 | PER DIEM-DUI SEMINAR | \$200.00 | |
| | | | Remit to: | MORENO VALLEY, CA | \$200.00 | \$200.00 |
| BRIDGET SCOTT | 216012 | 02/11/2013 | 1002593 | REFUND-CANCELLED CONTRACT CLASS | \$5.00 | |
| | | | Remit to: | MORENO VALLEY, CA | \$5.00 | \$5.00 |
| BRODART CO. | 8408 | 02/04/2013 | B2688343 | MISC BOOKS-LIBRARY | \$266.99 | |
| | | | B2659006-A | MISC BOOKS-LIBRARY | \$77.63 | |
| | | | B2679625 | MISC BOOKS-LIBRARY | \$221.49 | |
| | | | B2690102 | MISC BOOKS-LIBRARY | \$112.86 | |

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|----------------------------|-------------------------|---------------------|-----------------------|----------------------------|---------------|-------------|
| BRODART CO. | 8408 | 02/04/2013 | B2685195 | MISC BOOKS-LIBRARY | \$22.02 | |
| | | | B2683930 | MISC BOOKS-LIBRARY | \$38.45 | |
| | | | B2691443 | MISC BOOKS-LIBRARY | \$8.96 | |
| | | | B2682511 | MISC BOOKS-LIBRARY | \$68.14 | |
| | | | B2678467 | MISC BOOKS-LIBRARY | \$78.74 | |
| | | | B2675690 | MISC BOOKS-LIBRARY | \$19.02 | |
| | | | B2675679 | MISC BOOKS-LIBRARY | \$19.02 | |
| | | | B2681290 | MISC BOOKS-LIBRARY | \$22.00 | |
| | | | B2674046 | MISC BOOKS-LIBRARY | \$129.39 | |
| Remit to: WILLIAMSPORT, PA | | | | | \$1,084.71 | \$15,689.14 |
| BRODART CO. | 8570 | 02/19/2013 | B2708159 | MISC BOOKS-LIBRARY | \$24.21 | |
| | | | B2697960 | MISC BOOKS-LIBRARY | \$186.71 | |
| | | | B2697959 | MISC BOOKS-LIBRARY | \$1,911.41 | |
| | | | B2691896 | MISC BOOKS-LIBRARY | \$118.09 | |
| | | | B2693935 | MISC BOOKS-LIBRARY | \$130.46 | |
| | | | B2701233 | MISC BOOKS-LIBRARY | \$87.26 | |
| | | | B2698527 | MISC BOOKS-LIBRARY | \$119.33 | |
| | | | B2709613 | MISC BOOKS-LIBRARY | \$56.79 | |
| | | | B2697961 | MISC BOOKS-LIBRARY | \$411.35 | |
| | | | B2695777 | MISC BOOKS-LIBRARY | \$138.23 | |
| | | | B2700338 | MISC BOOKS-LIBRARY | \$96.07 | |
| | | | B2704085 | MISC BOOKS-LIBRARY | \$70.15 | |



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|--|-------------------------|---------------------|-----------------------|--|---------------|--------------|
| BRODART CO. | 8570 | 02/19/2013 | B2701232 | MISC BOOKS-LIBRARY | \$111.80 | |
| | | | B2702719 | MISC BOOKS-LIBRARY | \$97.15 | |
| | | | B2701234 | MISC BOOKS-LIBRARY | \$36.81 | |
| | | | Remit to: | WILLIAMSPORT, PA | \$3,595.82 | \$15,689.1 |
| BUCKINGHAM, STAN | 215906 | 02/11/2013 | 130201 | RETIREE MED FEB '13 | \$318.73 | |
| | | | Remit to: | TEMECULA, CA | \$318.73 | \$2,231.11 |
| BY HIS DESIGN, INC | 215907 | 02/11/2013 | 5389 | ATHLETIC APPAREL AWARDS | \$364.56 | |
| | | | Remit to: | SAN JACINTO, CA | \$364.56 | \$958.92 |
| CAIN, GREGORY | 8455 | 02/11/2013 | 130201 | RETIREE MED FEB '13 | \$318.73 | |
| | | | Remit to: | TAMPA, FL | \$318.73 | \$2,231.11 |
| CALIFORNIA DELTA MECHANICAL, INC. | 216085 | 02/19/2013 | B1202006 | REFUND-80% PERMIT FEE | \$48.00 | |
| | | | Remit to: | SPRING VALLEY, CA | \$48.00 | \$48.00 |
| CALIFORNIA FACILITY SPECIALTIES | 216097 | 02/25/2013 | 692 | REPLACED HEIGHT ADJUSTER-CRC BASKETBALL COURT | \$1,850.00 | |
| | | | Remit to: | SAN DIMAS, CA | \$1,850.00 | \$2,625.00 |
| CALIFORNIA UTILITIES EMERGENCY ASSOCIATION | 215908 | 02/11/2013 | 1213096 | MEMBERSHIP DUES-2012/13 (PRORATED) | \$250.00 | |
| | | | Remit to: | RANCHO CORDOVA, CA | \$250.00 | \$250.00 |
| CALPERS | 215994 | 02/11/2013 | FY12/13 CERBT | UNFUNDED RETIREE MED TRUST ACCT-SUCCESSOR AGENCY | \$13,855.14 | |
| | | | Remit to: | SACRAMENTO, CA | \$13,855.14 | \$593,418.04 |

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|---|-------------------------|---------------------|-----------------------|--|---------------|--------------|
| CALPERS | 215995 | 02/11/2013 | FY12/13 PERS | UNFUNDED PERS RETIREMENT LIABILITY-SUCCESSOR AGENCY' EMPLOYEES | \$4,461.90 | |
| | | | Remit to: | SACRAMENTO, CA | \$4,461.90 | \$593,418.04 |
| CANNON PIANOS | 215818 | 02/04/2013 | 2002 | PIANO TUNED-CRC | \$100.00 | |
| | | | Remit to: | SAN BERNARDINO, CA | \$100.00 | \$100.00 |
| CANNON, ANA M. | 8456 | 02/11/2013 | 130201 | RETIREE MED FEB '13 | \$318.73 | |
| | | | Remit to: | HASLET, TX | \$318.73 | \$2,231.11 |
| CANON BUSINESS SOLUTIONS, INC. | 8457 | 02/11/2013 | 112150325 | COPIER SVC-OCT 2012 TO DEC 2012 | \$24,412.09 | |
| | | | Remit to: | BURLINGTON, NJ | \$24,412.09 | \$77,893.46 |
| CANON BUSINESS SOLUTIONS, INC. | 8571 | 02/19/2013 | 112150326 | COPIER SVC-OCT 2012 TO DEC 2012-POLICE | \$2,205.57 | |
| | | | Remit to: | BURLINGTON, NJ | \$2,205.57 | \$77,893.46 |
| CASTANEDA & ASSOCIATES | 215819 | 02/04/2013 | INV 1 | PROF SVCS-FAIR HOUSING ACTION PLAN | \$10,068.32 | |
| | | | Remit to: | RIVERSIDE, CA | \$10,068.32 | \$10,068.32 |
| CEMEX | 215820 | 02/04/2013 | 9425321986 | PORTLAND CEMENT-MAIN/OPS | \$421.58 | |
| | | | Remit to: | PASADENA, CA | \$421.58 | \$14,406.77 |
| CEMEX | 216027 | 02/19/2013 | 9425364295 | PORTLAND CEMENT-MAIN/OPS | \$545.18 | |
| | | | Remit to: | ONTARIO, CA | \$545.18 | \$14,406.77 |
| CENTRAL OCCUPATIONAL MEDICINE PROVIDERS | 215821 | 02/04/2013 | 03-0322429 | PRE-EMPLOYMENT PHYSICAL/DRUG TEST | \$45.00 | |
| | | | 04-0309508 | PRE-EMPLOYMENT PHYSICAL/DRUG TEST | \$32.50 | |
| | | | 03-0321995 | PRE-EMPLOYMENT PHYSICAL/DRUG TEST | \$90.00 | |

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|---|-------------------------|---------------------|-----------------------|-----------------------------------|---------------|-------------|
| CENTRAL OCCUPATIONAL MEDICINE PROVIDERS | 215821 | 02/04/2013 | 03-0321994 | PRE-EMPLOYMENT PHYSICAL/DRUG TEST | \$25.00 | |
| | | | 04-0309719 | PRE-EMPLOYMENT PHYSICAL/DRUG TEST | \$18.00 | |
| | | | 04-0309618 | PRE-EMPLOYMENT PHYSICAL/DRUG TEST | \$25.00 | |
| | | | 04-0309617 | PRE-EMPLOYMENT PHYSICAL/DRUG TEST | \$45.00 | |
| | | | 04-0309510 | PRE-EMPLOYMENT PHYSICAL/DRUG TEST | \$45.00 | |
| | | | 04-0309507 | PRE-EMPLOYMENT PHYSICAL/DRUG TEST | \$45.00 | |
| | | | 04-0309473 | PRE-EMPLOYMENT PHYSICAL/DRUG TEST | \$25.00 | |
| | | | 04-0309472 | PRE-EMPLOYMENT PHYSICAL/DRUG TEST | \$45.00 | |
| Remit to: RIVERSIDE, CA | | | | | \$440.50 | \$7,365.50 |
| CENTRAL OCCUPATIONAL MEDICINE PROVIDERS | 216028 | 02/19/2013 | 04-0310240 | PRE-EMPLOYMENT PHYSICAL/DRUG TEST | \$25.00 | |
| | | | 03-0323373 | PRE-EMPLOYMENT PHYSICAL/DRUG TEST | \$18.00 | |
| | | | 04-0310242 | PRE-EMPLOYMENT PHYSICAL/DRUG TEST | \$45.00 | |
| | | | 04-0310244 | PRE-EMPLOYMENT PHYSICAL/DRUG TEST | \$25.00 | |
| | | | 04-0310245 | PRE-EMPLOYMENT PHYSICAL/DRUG TEST | \$18.00 | |
| | | | 04-0310246 | PRE-EMPLOYMENT PHYSICAL/DRUG TEST | \$45.00 | |
| | | | 04-0310492 | PRE-EMPLOYMENT PHYSICAL/DRUG TEST | \$18.00 | |
| | | | 04-0310493 | PRE-EMPLOYMENT PHYSICAL/DRUG TEST | \$25.00 | |
| | | | 04-0310494 | PRE-EMPLOYMENT PHYSICAL/DRUG TEST | \$45.00 | |
| | | | 04-0310241 | PRE-EMPLOYMENT PHYSICAL/DRUG TEST | \$18.00 | |
| | | | 03-0323375 | PRE-EMPLOYMENT PHYSICAL/DRUG TEST | \$25.00 | |
| | | | 03-0323378 | PRE-EMPLOYMENT PHYSICAL/DRUG TEST | \$45.00 | |

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|---|-------------------------|---------------------|-----------------------|------------------------------------|---------------|-------------|
| CENTRAL OCCUPATIONAL MEDICINE PROVIDERS | 216028 | 02/19/2013 | 04-0310237 | PRE-EMPLOYMENT PHYSICAL/DRUG TEST | \$18.00 | |
| | | | 04-0310236 | PRE-EMPLOYMENT PHYSICAL/DRUG TEST | \$45.00 | |
| | | | 04-0310235 | PRE-EMPLOYMENT PHYSICAL/DRUG TEST | \$25.00 | |
| | | | | Remit to: RIVERSIDE, CA | \$440.00 | \$7,365.50 |
| CHANDLER ASSET MANAGEMENT, INC | 216029 | 02/19/2013 | 12353 | INVESTMENT MANAGEMENT SVCS-JAN13 | \$7,736.00 | |
| | | | | Remit to: SAN DIEGO, CA | \$7,736.00 | \$57,465.00 |
| CHAPMAN, STEVE | 215909 | 02/11/2013 | 130201 | RETIREE MED FEB '13 | \$318.73 | |
| | | | | Remit to: REDLANDS, CA | \$318.73 | \$2,231.11 |
| CHAPPELL, ISAAC | 8458 | 02/11/2013 | 130201 | RETIREE MED FEB '13 | \$318.73 | |
| | | | | Remit to: MORENO VALLEY, CA | \$318.73 | \$2,231.11 |
| CHRISTINA LARA | 215939 | 02/11/2013 | 130124 | SPOUSAL SUPPORT & ARREARS | \$669.23 | |
| | | | | Remit to: ENCINITAS, CA | \$669.23 | \$10,707.68 |
| CHRISTINA LARA | 216049 | 02/19/2013 | 130207 | SPOUSAL SUPPORT & ARREARS | \$669.23 | |
| | | | | Remit to: ENCINITAS, CA | \$669.23 | \$10,707.68 |
| CINTAS CORPORATION | 8409 | 02/04/2013 | 150765037 | UNIFORM RNTL SVC-ST SIGNS/STRIPING | \$17.05 | |
| | | | 150769555 | UNIFORM RNTL SVC-CFD #1 | \$14.25 | |
| | | | 150769551 | UNIFORM RNTL SVC-ST SIGNS/STRIPING | \$17.05 | |
| | | | 150769561 | UNIFORM RNTL SVC-GOLF COURSE | \$2.93 | |
| | | | 150769548 | UNIFORM RNTL SVC-PARK MAINT | \$52.72 | |
| | | | 150765047 | UNIFORM RNTL SVC-GOLF COURSE | \$2.93 | |

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|--------------------|-------------------------|---------------------|-----------------------|------------------------------------|---------------|-------------|
| CINTAS CORPORATION | 8409 | 02/04/2013 | 150765041 | UNIFORM RNTL SVC-CFD #1 | \$14.25 | |
| | | | 150765034 | UNIFORM RNTL SVC-PARK MAINT | \$52.72 | |
| | | | 150765036 | UNIFORM RNTL SVC-TRAFFIC SIGNAL | \$13.50 | |
| | | | 150760555 | UNIFORM RNTL SVC-ST SIGNS/STRIPING | \$17.05 | |
| | | | 150760554 | UNIFORM RNTL SVC-TRAFFIC SIGNAL | \$13.50 | |
| | | | 150756035 | UNIFORM RNTL SVC-ST SIGNS/STRIPING | \$17.05 | |
| | | | 150769550 | UNIFORM RNTL SVC-TRAFFIC SIGNAL | \$13.50 | |
| | | | 150756034 | UNIFORM RNTL SVC-TRAFFIC SIGNAL | \$13.50 | |
| | | | | Remit to: ONTARIO, CA | \$262.00 | \$11,337.59 |
| CINTAS CORPORATION | 8459 | 02/11/2013 | 150774040 | UNIFORM RNTL SVC-TRAFFIC SIGNAL | \$13.50 | |
| | | | 150778587 | UNIFORM RNTL SVC-CFD #1 | \$14.25 | |
| | | | 150778580 | UNIFORM RNTL SVC-PARK MAINT | \$52.72 | |
| | | | 150774039 | UNIFORM RNTL SVC-PURCHASING | \$4.13 | |
| | | | 150774051 | UNIFORM RNTL SVC-GOLF COURSE | \$2.93 | |
| | | | 150774045 | UNIFORM RNTL SVC-CFD #1 | \$14.25 | |
| | | | 150765035 | UNIFORM RNTL SVC-PURCHASING | \$4.13 | |
| | | | 150774041 | UNIFORM RNTL SVC-ST SIGNS/STRIPING | \$17.05 | |
| | | | 150778593 | UNIFORM RNTL SVC-GOLF COURSE | \$2.93 | |
| | | | 150778581 | UNIFORM RNTL SVC-PURCHASING | \$4.13 | |
| | | | 150774038 | UNIFORM RNTL SVC-PARK MAINT | \$52.72 | |
| | | | 150769549 | UNIFORM RNTL SVC-PURCHASING | \$4.13 | |
| | | | | | | |

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CHECKS UNDER \$25,000

| <u>Vendor Name</u> | <u>Check/EFT Number</u> | <u>Payment Date</u> | <u>Invoice Number</u> | <u>Invoice Description</u> | <u>Amount</u> | <u>FYTD</u> |
|-----------------------|-------------------------|---------------------|-----------------------|------------------------------------|---------------|-------------|
| CINTAS CORPORATION | 8572 | 02/19/2013 | 150774049 | UNIFORM RNTL SVC-CONCRETE MAINT | \$16.23 | |
| | | | 150769556 | UNIFORM RNTL SVC-ST SWEEPING | \$9.33 | |
| | | | 150769557 | UNIFORM RNTL SVC-DRAIN MAINT | \$5.69 | |
| | | | 150769558 | UNIFORM RNTL SVC-ST MAINT | \$110.10 | |
| | | | 150769559 | UNIFORM RNTL SVC-CONCRETE MAINT | \$16.23 | |
| | | | 150769553 | UNIFORM RNTL SVC-VEHICLE MAINT | \$41.63 | |
| | | | 150769552 | UNIFORM RNTL SVC-GRAFFITI RMVL | \$15.81 | |
| | | | 150774042 | UNIFORM RNTL SVC-GRAFFITI RMVL | \$15.81 | |
| | | | 150774043 | UNIFORM RNTL SVC-VEHICLE MAINT | \$41.63 | |
| | | | 150774044 | UNIFORM RNTL SVC-ST TREE MAINT | \$15.81 | |
| | | | 150774046 | UNIFORM RNTL SVC-ST SWEEPING | \$9.33 | |
| | | | 150774047 | UNIFORM RNTL SVC-DRAIN MAINT | \$5.69 | |
| | | | 150769554 | UNIFORM RNTL SVC-ST TREE MAINT | \$15.81 | |
| | | | 150774048 | UNIFORM RNTL SVC-ST MAINT | \$110.10 | |
| | | | 150783096 | UNIFORM RNTL SVC-TRAFFIC SIGNAL | \$13.50 | |
| | | | 150778582 | UNIFORM RNTL SVC-TRAFFIC SIGNAL | \$13.50 | |
| | | | 150778583 | UNIFORM RNTL SVC-ST SIGNS/STRIPING | \$17.05 | |
| | | | 150783094 | UNIFORM RNTL SVC-PARK MAINT | \$52.72 | |
| | | | 150783101 | UNIFORM RNTL SVC-CFD #1 | \$14.25 | |
| | | | 150783107 | UNIFORM RNTL SVC-GOLF COURSE | \$2.93 | |
| | | | 150783097 | UNIFORM RNTL SVC-ST SIGNS/STRIPING | \$17.05 | |
| Remit to: ONTARIO, CA | | | | | \$560.20 | \$11,337.59 |

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| <u>Vendor Name</u> | <u>Check/EFT Number</u> | <u>Payment Date</u> | <u>Invoice Number</u> | <u>Invoice Description</u> | <u>Amount</u> | <u>FYTD</u> |
|--------------------|-------------------------|---------------------|-----------------------|---------------------------------|---------------|-------------|
| CINTAS CORPORATION | 8609 | 02/25/2013 | 150778589 | UNIFORM RNTL SVC-DRAIN MAINT | \$5.69 | |
| | | | 150778591 | UNIFORM RNTL SVC-CONCRETE MAINT | \$16.23 | |
| | | | 150765044 | UNIFORM RNTL SVC-ST MAINT | \$110.10 | |
| | | | 150778590 | UNIFORM RNTL SVC-ST MAINT | \$132.60 | |
| | | | 150765043 | UNIFORM RNTL SVC-DRAIN MAINT | \$5.69 | |
| | | | 150765038 | UNIFORM RNTL SVC-GRAFFITI RMVL | \$15.81 | |
| | | | 150765039 | UNIFORM RNTL SVC-VEHICLE MAINT | \$41.63 | |
| | | | 150778588 | UNIFORM RNTL SVC-ST SWEEPING | \$9.33 | |
| | | | 150783098 | UNIFORM RNTL SVC-GRAFFITI RMVL | \$15.81 | |
| | | | 150783099 | UNIFORM RNTL SVC-VEHICLE MAINT | \$41.63 | |
| | | | 150783100 | UNIFORM RNTL SVC-ST TREE MAINT | \$15.81 | |
| | | | 150783095 | UNIFORM RNTL SVC-PURCHASING | \$4.13 | |
| | | | 150783102 | UNIFORM RNTL SVC-ST SWEEPING | \$9.33 | |
| | | | 150765040 | UNIFORM RNTL SVC-ST TREE MAINT | \$15.81 | |
| | | | 150787677 | UNIFORM RNTL SVC-FACILITIES | \$18.13 | |
| | | | 150787670 | UNIFORM RNTL SVC-VEHICLE MAINT | \$41.63 | |
| | | | 150787671 | UNIFORM RNTL SVC-ST TREE MAINT | \$15.81 | |
| | | | 150787673 | UNIFORM RNTL SVC-ST SWEEPING | \$9.33 | |
| | | | 150787674 | UNIFORM RNTL SVC-DRAIN MAINT | \$5.69 | |
| | | | 150787675 | UNIFORM RNTL SVC-ST MAINT | \$116.52 | |
| | | | 150787676 | UNIFORM RNTL SVC-CONCRETE MAINT | \$16.23 | |
| | | | 150778585 | UNIFORM RNTL SVC-VEHICLE MAINT | \$41.63 | |

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| <u>Vendor Name</u> | <u>Check/EFT Number</u> | <u>Payment Date</u> | <u>Invoice Number</u> | <u>Invoice Description</u> | <u>Amount</u> | <u>FYTD</u> |
|--|-------------------------|---------------------|-----------------------|---------------------------------|---------------|-------------|
| CINTAS CORPORATION | 8609 | 02/25/2013 | 150783104 | UNIFORM RNTL SVC-ST MAINT | \$110.10 | |
| | | | 150765045 | UNIFORM RNTL SVC-CONCRETE MAINT | \$16.23 | |
| | | | 150783103 | UNIFORM RNTL SVC-DRAIN MAINT | \$5.69 | |
| | | | 150783106 | UNIFORM RNTL SVC-FACILITIES | \$18.13 | |
| | | | 150778592 | UNIFORM RNTL SVC-FACILITIES | \$18.13 | |
| | | | 150756044 | UNIFORM RNTL SVC-FACILITIES | \$18.13 | |
| | | | 150778586 | UNIFORM RNTL SVC-ST TREE MAINT | \$15.81 | |
| | | | 150751562 | UNIFORM RNTL SVC-FACILITIES | \$18.13 | |
| | | | 150787666 | UNIFORM RNTL SVC-PURCHASING | \$4.13 | |
| | | | 150787669 | UNIFORM RNTL SVC-GRAFFITI RMVL | \$15.81 | |
| | | | 150783105 | UNIFORM RNTL SVC-CONCRETE MAINT | \$16.23 | |
| | | | 150778584 | UNIFORM RNTL SVC-GRAFFITI RMVL | \$15.81 | |
| | | | 150765042 | UNIFORM RNTL SVC-ST SWEEPING | \$9.33 | |
| Remit to: ONTARIO, CA | | | | | \$986.23 | \$11,337.59 |
| CMRTA - CA MUNICIPAL REVENUE & TAX ASSOC | 215910 | 02/11/2013 | 2013 MEMBERSHIP | ANNUAL MEMBERSHIP DUES | \$75.00 | |
| Remit to: WEST MENLO PARK, CA | | | | | \$75.00 | \$75.00 |
| COLONIAL SUPPLEMENTAL INSURANCE | 215911 | 02/11/2013 | 7133069-0201420 | SUPPLEMENTAL INSURANCE | \$7,158.04 | |
| Remit to: COLUMBIA, SC | | | | | \$7,158.04 | \$49,764.29 |
| COMMUNITY ASSISTANCE PROGRAM - CAP | 8573 | 02/19/2013 | NOV-2012 | CAP FOOD PROGRAM-CDBG | \$3,411.57 | |
| | | | DEC-2012 | CAP FOOD PROGRAM-CDBG | \$2,496.86 | |

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| <u>Vendor Name</u> | <u>Check/EFT Number</u> | <u>Payment Date</u> | <u>Invoice Number</u> | <u>Invoice Description</u> | <u>Amount</u> | <u>FYTD</u> |
|------------------------------------|-------------------------|---------------------|-----------------------|--|---------------|-------------|
| COMMUNITY ASSISTANCE PROGRAM - CAP | 8573 | 02/19/2013 | OCT-2012 | CAP FOOD PROGRAM-CDBG | \$2,430.01 | |
| | | | SEP-2012 | CAP FOOD PROGRAM-CDBG | \$2,270.12 | |
| Remit to: MORENO VALLEY, CA | | | | | \$10,608.56 | \$19,482.7 |
| COMMUNITY HEALTH CHARITIES | 215912 | 02/11/2013 | 130124 | CHC CONTRIBUTIONS | \$104.00 | |
| | | | 01302013 | DONATION-2012 EMPLOYEE GIVING CAMPAIGN | \$1,700.00 | |
| Remit to: ANAHEIM, CA | | | | | \$1,804.00 | \$3,828.00 |
| COMMUNITY HEALTH CHARITIES | 216030 | 02/19/2013 | 130207 | CHC CONTRIBUTIONS | \$94.00 | |
| Remit to: ANAHEIM, CA | | | | | \$94.00 | \$3,828.00 |
| COSTCO | 215822 | 02/04/2013 | 19320 | VIZIO TELEVISION FOR FS#91 | \$986.81 | |
| | | | 19281 | SNACK SUPPLIES FOR SKATE PARK | \$220.97 | |
| | | | 19276 | SNACKS SUPPLIES FOR "A CHILDS PLACE" | \$469.60 | |
| Remit to: MORENO VALLEY, CA | | | | | \$1,677.38 | \$10,311.78 |
| COSTCO | 215913 | 02/11/2013 | 19296 | MISC SUPPLIES-A CHILDS PLACE | \$1,056.36 | |
| Remit to: MORENO VALLEY, CA | | | | | \$1,056.36 | \$10,311.78 |
| COSTCO | 216098 | 02/25/2013 | 19348 | MISC SUPPLIES-SKATE PARK | \$287.20 | |
| Remit to: MORENO VALLEY, CA | | | | | \$287.20 | \$10,311.78 |
| COUNSELING TEAM, THE | 215823 | 02/04/2013 | 20600 | EMPLOYEE SUPPORT SERVICES | \$1,250.00 | |
| | | | 20680 | EMPLOYEE SUPPORT SVCS-HR | \$1,250.00 | |
| | | | 20526 | MANDATORY HARASSMENT PREVENTION TRAINING | \$600.00 | |

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|----------------------------|-------------------------|---------------------|-----------------------|--|---------------|--------------|
| | | | | Remit to: SAN BERNARDINO, CA | \$3,100.00 | \$13,100.00 |
| COUNSELING TEAM, THE | 216099 | 02/25/2013 | 20784 | EMPLOYEE ASSISTANCE PRGRM-HR | \$1,250.00 | |
| | | | | Remit to: SAN BERNARDINO, CA | \$1,250.00 | \$13,100.00 |
| COUNTRY SQUIRE ESTATES | 215914 | 02/11/2013 | DEC 2012 | REFUND-UUT FOR EXEMPT RESIDENTS | \$63.82 | |
| | | | JAN 2013 | REFUND-UUT FOR EXEMPT RESIDENTS | \$57.51 | |
| | | | | Remit to: ONTARIO, CA | \$121.33 | \$687.74 |
| COUNTY OF RIVERSIDE - RMAP | 215824 | 02/04/2013 | 01242013 | NOE FILING FEE - DELPHINIUM SIDEWALK IMPROVEMENTS | \$50.00 | |
| | | | | Remit to: RIVERSIDE, CA | \$50.00 | \$463,894.18 |
| COUNTY OF RIVERSIDE - RMAP | 215825 | 02/04/2013 | 01-23-13 | HEALTH PERMIT & ONSITE EVALUATION-COMM. PARK SNACK BAR | \$353.00 | |
| | | | | Remit to: RIVERSIDE, CA | \$353.00 | \$463,894.18 |
| COUNTY OF RIVERSIDE - RMAP | 215915 | 02/11/2013 | 9990085000-1212 | RADIO COMM. SERVICES FOR PD MOTORCYCLES | \$983.50 | |
| | | | | Remit to: RIVERSIDE, CA | \$983.50 | \$463,894.18 |
| COUNTY OF RIVERSIDE - RMAP | 215917 | 02/11/2013 | 9990023000-1210a | INFRASTRUCTURE ENGINEERING SERVICES | \$63.22 | |
| | | | | Remit to: RIVERSIDE, CA | \$63.22 | \$463,894.18 |
| COUNTY OF RIVERSIDE - RMAP | 215996 | 02/11/2013 | SH0000020626 | LAW ENFORCEMENT-EXTRA DUTY/5K RACE & WALK 11/3/12 | \$329.95 | |
| | | | | Remit to: MORENO VALLEY, CA | \$329.95 | \$463,894.18 |
| COUNTY OF RIVERSIDE - RMAP | 216100 | 02/25/2013 | APR. 15-19, 2013 | REGISTR. FEES FOR 6 OFFICERS-VEHICLE DYNAMICS (CRUSH) COURSE | \$1,368.00 | |
| | | | | Remit to: RIVERSIDE, CA | \$1,368.00 | \$463,894.18 |



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|---|-------------------------|---------------------|-----------------------|--|---------------|--------------|
| COUNTY OF RIVERSIDE 1 | 216074 | 02/19/2013 | PU0000002698 | JANITORIAL ITEMS FOR STATION EXPLORERS | \$784.11 | |
| | | | Remit to: | MORENO VALLEY, CA | \$784.11 | \$5,999.3 |
| CROSS WORD CHURCH | 215867 | 02/04/2013 | 999764 | REFUND-RENTAL DEPOSIT-CRC | \$277.00 | |
| | | | Remit to: | RIVERSIDE, CA | \$277.00 | \$277.0 |
| D & D SERVICES DBA D & D DISPOSAL, INC. | 216101 | 02/25/2013 | 13142 | ANIMAL REMOVAL-ANIMAL SVCS | \$745.00 | |
| | | | Remit to: | VALENCIA, CA | \$745.00 | \$5,215.00 |
| DALE, KATHLEEN | 8461 | 02/11/2013 | 130201 | RETIREE MED FEB '13 | \$318.73 | |
| | | | Remit to: | MORENO VALLEY, CA | \$318.73 | \$2,231.11 |
| DALLAS, MELY C. | 8462 | 02/11/2013 | 130201 | NOV-DEC '12 PD FEB '13 | \$176.00 | |
| | | | Remit to: | SUN CITY, CA | \$176.00 | \$440.00 |
| DANIELLE CHEEMA | 215879 | 02/04/2013 | MV3120516020 | REFUND-CODE ADMIN CITATION | \$115.00 | |
| | | | Remit to: | MORENO VALLEY, CA | \$115.00 | \$115.00 |
| DATA TICKET, INC. | 8410 | 02/04/2013 | 44184 | ADMIN CITATION PROCESSING-NOV12-B&S | \$373.50 | |
| | | | 44184TPC | ADMIN CITATION PROCESSING-3RD PARTY COLLECTN-NOV12-B&S | \$640.39 | |
| | | | Remit to: | NEWPORT BEACH, CA | \$1,013.89 | \$114,418.53 |
| DATA TICKET, INC. | 8463 | 02/11/2013 | 44671 | CITATION PROCESSING SVCS-DEC12 | \$2,081.83 | |
| | | | 44185 | CITATION PROCESSING SVCS-NOV12 | \$2,204.84 | |
| | | | 43730 | CITATION PROCESSING SVCS-OCT12 | \$2,278.64 | |
| | | | Remit to: | NEWPORT BEACH, CA | \$6,565.31 | \$114,418.53 |

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|----------------------------------|-------------------------|---------------------|-----------------------|--|---------------|--------------|
| DATA TICKET, INC. | 8610 | 02/25/2013 | 44669TPC | ADMIN CITATION PROCESSING-ANIMAL SVCS-DEC12 | \$138.77 | |
| | | | Remit to: | NEWPORT BEACH, CA | \$138.77 | \$114,418.53 |
| DATA TICKET, INC. | 8611 | 02/25/2013 | 44669 | ADMIN CITATION PROCESSING-ANIMAL SVCS-DEC12 | \$760.98 | |
| | | | Remit to: | NEWPORT BEACH, CA | \$760.98 | \$114,418.53 |
| DATAQUICK CORPORATE HEADQUARTERS | 215918 | 02/11/2013 | B1-2109642 | ON-LINE SOFTWARE SUBSCRIPTION-POP UNIT-DEC12 | \$130.50 | |
| | | | Remit to: | LOS ANGELES, CA | \$130.50 | \$1,044.00 |
| DATAQUICK CORPORATE HEADQUARTERS | 216102 | 02/25/2013 | B1-2119162 | ON-LINE SOFTWARE SUBSCRIPTION-POP UNIT-JAN13 | \$130.50 | |
| | | | Remit to: | LOS ANGELES, CA | \$130.50 | \$1,044.00 |
| DAVID RETTICH | 216143 | 02/25/2013 | 302 | DEPOSIT-BAND PERFORMANCE-7/4/13 CELEBRATION | \$1,000.00 | |
| | | | Remit to: | LOS ANGELES, CA | \$1,000.00 | \$1,000.00 |
| DEARREADER.COM | 216031 | 02/19/2013 | 315388 | RENEWAL-ANNUAL SUBSCRIPTION TO ONLINE BOOK CLUBS | \$600.00 | |
| | | | Remit to: | SARASOTA, FL | \$600.00 | \$600.00 |
| DEBINAIRE COMPANY | 216103 | 02/25/2013 | 138869 | REBUILT BOILER CIRCULATING PUMPS-PSB | \$1,300.00 | |
| | | | Remit to: | CORONA, CA | \$1,300.00 | \$2,474.98 |
| DEBORAH HARING | 215884 | 02/04/2013 | MV3121102045 | REFUND-CODE ADMIN CITATION | \$47.50 | |
| | | | Remit to: | RIVERSIDE, CA | \$47.50 | \$47.50 |
| DELTA DENTAL OF CALIFORNIA | 8464 | 02/11/2013 | BE000483882 | EMPLOYEE DENTAL INSURANCE | \$10,967.61 | |

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|------------------------------------|-------------------------|---------------------|-----------------------|--|---------------|-------------|
| | | | | Remit to: SAN FRANCISCO, CA | \$10,967.61 | \$82,215.00 |
| DELTACARE USA | 216032 | 02/19/2013 | 5170774 | EMPLOYEE DENTAL INSURANCE | \$5,494.43 | |
| | | | | Remit to: LOS ANGELES, CA | \$5,494.43 | \$45,633.80 |
| DENNIS GRUBB & ASSOCIATES, LLC | 8465 | 02/11/2013 | 1174 | PLAN CHECK REVIEW SVCS-FIRE PREVENTION | \$7,075.00 | |
| | | | | Remit to: MIRA LOMA, CA | \$7,075.00 | \$82,875.00 |
| DENNIS GRUBB & ASSOCIATES, LLC | 8612 | 02/25/2013 | 1177 | PLAN REVIEW SVCS-FIRE PREVENTION | \$7,535.00 | |
| | | | | Remit to: MIRA LOMA, CA | \$7,535.00 | \$82,875.00 |
| DEPARTMENT OF ENVIRONMENTAL HEALTH | 216075 | 02/19/2013 | 7/4/13 PERMIT | TEMPORARY FOOD PERMIT-4TH OF JULY FOOD VENDORS | \$333.00 | |
| | | | | Remit to: RIVERSIDE, CA | \$333.00 | \$25,033.21 |
| DHA CONSULTING | 216033 | 02/19/2013 | 12-1106 | DUE DILIGENCE REVIEW-E AB 26 | \$240.00 | |
| | | | | Remit to: LONG BEACH, CA | \$240.00 | \$240.00 |
| DIGITAL TELECOMMUNICATIONS CORP. | 8574 | 02/19/2013 | 14045 | RADIO-TELE COMMUNICATION ITEMS | \$18,096.00 | |
| | | | | Remit to: VAN NUYS, CA | \$18,096.00 | \$18,096.00 |
| DLS LANDSCAPE, INC | 8411 | 02/04/2013 | 13751 | LANDSCAPE MAINT-ZONE A-JAN13 | \$10,230.00 | |
| | | | 13750 | LANDSCAPE MAINT-CFD#1-JAN13 | \$2,160.00 | |
| | | | | Remit to: REDLANDS, CA | \$12,390.00 | \$99,120.00 |
| DLS LANDSCAPE, INC | 8575 | 02/19/2013 | 13808 | LANDSCAPE MAINT-ZONE A | \$10,230.00 | |
| | | | 13807 | LANDSCAPE MAINT-CFD #1 | \$2,160.00 | |
| | | | | Remit to: REDLANDS, CA | \$12,390.00 | \$99,120.00 |

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|----------------------------------|-------------------------|---------------------|-----------------------|--|---------------|----------------|
| DMC DESIGN GROUP, INC | 8576 | 02/19/2013 | 2013-002 | CONSULTING SERVICES, CONTRACT ADMIN - NASON/CACTUS | \$5,795.00 | |
| | | | Remit to: | CORONA, CA | \$5,795.00 | \$71,143.34 |
| DMC DESIGN GROUP, INC | 8613 | 02/25/2013 | 2013-015 | CONSULTING SERVICES, CONTRACT ADMIN. - CACTUS/NASON | \$7,472.50 | |
| | | | Remit to: | CORONA, CA | \$7,472.50 | \$71,143.34 |
| DORY, ALLEEN F. | 215919 | 02/11/2013 | 130201 | RETIREE MED FEB '13-ADJ FOR JAN OVERPMT | \$66.65 | |
| | | | Remit to: | HEMET, CA | \$66.65 | \$1,422.59 |
| DURAN, BLANCA | 215859 | 02/04/2013 | JAN-2013 | INSTRUCTOR SVCS-FOLKLORIC DANCE CLASS | \$42.00 | |
| | | | Remit to: | MORENO VALLEY, CA | \$42.00 | \$1,134.00 |
| DUVAL, ROBERTA | 216135 | 02/25/2013 | 3/1-3/3/13 | PER DIEM & MILEAGE-2013 STATE CERT CONFERENCE | \$249.03 | |
| | | | Remit to: | SUN CITY, CA | \$249.03 | \$1,903.13 |
| E2I NET DESIGN, LLC | 8467 | 02/11/2013 | MV13001 | SOFTWARE DESIGN & MODIFICATIONS-MVPD DATA COMMAND POST | \$3,500.00 | |
| | | | Remit to: | MENIFEE, CA | \$3,500.00 | \$11,845.00 |
| EASTERN MUNICIPAL WATER DISTRICT | 215826 | 02/04/2013 | JAN-13 2/4/13 | WATER CHARGES | \$16,349.04 | |
| | | | Remit to: | PERRIS, CA | \$16,349.04 | \$1,070,558.39 |
| EASTERN MUNICIPAL WATER DISTRICT | 216035 | 02/19/2013 | 2013-0012 | REFUND-PERMIT FEES-NASN/DRACEA BOOSTER STN | \$2,087.00 | |
| | | | Remit to: | PERRIS, CA | \$2,087.00 | \$1,070,558.39 |
| EASTERN MUNICIPAL WATER DISTRICT | 216036 | 02/19/2013 | 16050 | WATER SERVICE CONNECTION | \$127.00 | |

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|---|-------------------------|---------------------|-----------------------|---|---------------|----------------|
| EASTERN MUNICIPAL WATER DISTRICT | 216036 | 02/19/2013 | 15852 | WATER SERVICE CONNECTION | \$3,067.57 | |
| | | | Remit to: | PERRIS, CA | \$3,194.57 | \$1,070,558.3 |
| EASTERN MUNICIPAL WATER DISTRICT | 216104 | 02/25/2013 | JAN-13 2/25/13 | WATER CHARGES | \$11,239.74 | |
| | | | Remit to: | PERRIS, CA | \$11,239.74 | \$1,070,558.3 |
| EDGELANE MOBILE PARK | 8468 | 02/11/2013 | JAN 2013 | REFUND-UUT FOR EXEMPT RESIDENTS | \$10.93 | |
| | | | Remit to: | LOS ANGELES, CA | \$10.93 | \$127.98 |
| EGGERSTEN, ANNE | 215920 | 02/11/2013 | 130201 | RETIREE MED FEB '13-ADJ FOR JAN OVERPMT | \$190.43 | |
| | | | Remit to: | RANCHO MIRAGE, CA | \$190.43 | \$2,113.01 |
| EMPIRE OFFICE MACHINES | 216076 | 02/19/2013 | 89724 | CLEAN/REPAIR TYPEWRITER-COUNCIL | \$75.29 | |
| | | | Remit to: | SAN BERNARDINO, CA | \$75.29 | \$75.29 |
| ENCO UTILITY SERVICES MORENO VALLEY LLC | 8412 | 02/04/2013 | 40-263B-04 | WORK AUTHORIZATION # 40-263B | \$588.10 | |
| | | | Remit to: | ANAHEIM, CA | \$588.10 | \$1,583,716.66 |
| ENCO UTILITY SERVICES MORENO VALLEY LLC | 8469 | 02/11/2013 | 40-254B-08 | ELECTRIC UTILITY FEES- CACTUS/NASON | \$174.00 | |
| | | | 40-256B-08 | ELECTRIC UTILITY FEES - CACTUS/NASON | \$1,207.52 | |
| | | | Remit to: | ANAHEIM, CA | \$1,381.52 | \$1,583,716.66 |
| ENCO UTILITY SERVICES MORENO VALLEY LLC | 8614 | 02/25/2013 | 0402-MF-01413A | SOLAR METER INSTALLATIONS-22585 ALESSANDRO BVLD | \$557.00 | |
| | | | 0402-MF-01396A | SOLAR METER INSTALLATIONS-13551 SOMERGATE DR | \$474.00 | |
| | | | 40-279-03 | WORK AUTHORIZATION # 40-279 | \$3,595.31 | |

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|---|-------------------------|---------------------|-----------------------|--|---------------|----------------|
| ENCO UTILITY SERVICES MORENO VALLEY LLC | 8614 | 02/25/2013 | 0402-MF-01422A | SOLAR METER INSTALLATIONS-26973 STORRIE DR | \$633.00 | |
| | | | 0402-MF-01394A | SOLAR METER INSTALLATIONS-28440 KEATON DR | \$474.00 | |
| | | | 0405-MTS1-SP094 | ELECTRIC METER CHARGES | \$4,349.00 | |
| | | | 0406-TEMP MF-085 | ELECTRIC METER CHARGES-DIAMOND POWER | \$605.00 | |
| | | | 0402-MF-01421A | SOLAR METER INSTALLATIONS-29800 EUCALYPTUS AVE | \$557.00 | |
| | | | 0402-MF-01393A | SOLAR METER INSTALLATIONS-13442 PRANCER LN | \$474.00 | |
| | | | 0402-MF-01395A | SOLAR METER INSTALLATIONS-28340 KEATON DR | \$474.00 | |
| | | | 0402-MF-01378A | SOLAR METER INSTALLATIONS-26841 CLAYSTONE | \$580.00 | |
| | | | 40-272-06 | WORK AUTHORIZATION # 40-272 | \$1,055.07 | |
| | | | 0402-MF-01436A | SOLAR METER INSTALLATIONS-27409 DELPHINIUM AVE | \$633.00 | |
| | | | 0402-MF-01434A | SOLAR METER INSTALLATIONS-26753 BUCKEYE TERRACE | \$633.00 | |
| | | | 0402-MF-01423A | SOLAR METER INSTALLATIONS-15328 LA CASA DR | \$633.00 | |
| | | | 0402-MF-01435A | SOLAR METER INSTALLATIONS-13611 SOMERGATE DR | \$633.00 | |
| Remit to: ANAHEIM, CA | | | | | \$16,359.38 | \$1,583,716.66 |
| ERICA CRUZ | 215881 | 02/04/2013 | 999356 | REFUND-CANCELLED CONTRACT CLASS | \$42.00 | |
| Remit to: MORENO VALLEY, CA | | | | | \$42.00 | \$42.00 |

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|--------------------------------------|-------------------------|---------------------|-----------------------|--|---------------|-------------|
| ESGIL CORPORATION | 215828 | 02/04/2013 | 12123231 | B&S PLAN CHECK SVCS-DEC12 | \$888.80 | |
| | | | Remit to: | SAN DIEGO, CA | \$888.80 | \$2,445.00 |
| EVANS ENGRAVING & AWARDS | 8413 | 02/04/2013 | 121013-3 | NAME BADGES-RECREATIONAL TRAILS BOARD | \$103.68 | |
| | | | Remit to: | MORENO VALLEY, CA | \$103.68 | \$1,438.92 |
| EVANS ENGRAVING & AWARDS | 8470 | 02/11/2013 | 121812-12 | EMPLOYEE PLAQUE-CEDD | \$30.17 | |
| | | | Remit to: | MORENO VALLEY, CA | \$30.17 | \$1,438.92 |
| EVELYN LOUISE ACOSTA | 215877 | 02/04/2013 | MV97477 | REFUND-CODE ADMIN CITATION | \$6.00 | |
| | | | Remit to: | SAN BERNARDINO, CA | \$6.00 | \$6.00 |
| EXCEL LANDSCAPE, INC | 215829 | 02/04/2013 | 75356 | LANDSCAPE MAINT-ZONE E-7 | \$2,777.17 | |
| | | | Remit to: | CORONA, CA | \$2,777.17 | \$76,637.67 |
| EXCEL LANDSCAPE, INC | 215921 | 02/11/2013 | 75363 | LANDSCAPE MAINT-WQCB | \$7,325.78 | |
| | | | Remit to: | CORONA, CA | \$7,325.78 | \$76,637.67 |
| EXCEL LANDSCAPE, INC | 216037 | 02/19/2013 | 75499 | LANDSCAPE MAINT-ZONE E-7 | \$2,777.17 | |
| | | | 75506 | LANDSCAPE MAINT-WQB | \$7,325.78 | |
| | | | Remit to: | CORONA, CA | \$10,102.95 | \$76,637.67 |
| FAIR HOUSING COUNCIL OF RIV CO, INC. | 8471 | 02/11/2013 | 5 NOV 2012 (LT) | LANDLORD-TENANT MEDIATION PROGRAM-CDBG | \$1,426.26 | |
| | | | Remit to: | RIVERSIDE, CA | \$1,426.26 | \$36,488.74 |
| FAIRFIELD, CAROL | 215922 | 02/11/2013 | 130201 | JAN-FEB '13 PD FEB '13 | \$637.46 | |
| | | | Remit to: | RIVERSIDE, CA | \$637.46 | \$637.46 |

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|---------------------------------|-------------------------|---------------------|-----------------------|---|---------------|-------------|
| FAMILY SERVICE ASSOCIATION | 216038 | 02/19/2013 | 03-16-13 | REGIS-13TH ANNUAL CHILD DEVT. CONF-10 ATTENDEES | \$585.00 | |
| | | | Remit to: | MORENO VALLEY, CA | \$585.00 | \$585.00 |
| FEENSTRA, JOHN | 8472 | 02/11/2013 | 130201 | RETIREE MED FEB '13 | \$361.25 | |
| | | | Remit to: | REDLANDS, CA | \$361.25 | \$2,528.75 |
| FEHR & PEERS | 215891 | 02/04/2013 | 85035 | PROFESSIONAL CONSULTANT SVCS-DEC12 | \$1,244.37 | |
| | | | Remit to: | RIVERSIDE, CA | \$1,244.37 | \$1,244.37 |
| FIDEL CASTANEDA | 216007 | 02/11/2013 | 1001843 | REFUND-RENTAL DEPOSIT-CRC | \$503.15 | |
| | | | Remit to: | MENTONE, CA | \$503.15 | \$503.15 |
| FIRST AMERICAN CORE LOGIC, INC. | 215830 | 02/04/2013 | 80666809 | ACCESS TO "REALQUEST" ONLINE-IMAGING | \$300.00 | |
| | | | 80686796 | ACCESS TO "REALQUEST" ONLINE | \$170.00 | |
| | | | 80666811a | ACCESS TO "REALQUEST" ONLINE | \$170.00 | |
| | | | 80666811 | ACCESS TO "REALQUEST" ONLINE | \$170.00 | |
| | | | 80686796a | ACCESS TO "REALQUEST" ONLINE | \$170.00 | |
| | | | 80686755 | ACCESS TO "REALQUEST" ONLINE-IMAGING | \$300.00 | |
| | | | Remit to: | DALLAS, TX | \$1,280.00 | \$5,120.00 |
| FIRST CHOICE SERVICES | 8414 | 02/04/2013 | 515449 | EMPLOYEE PAID COFFEE SVC-CITY HALL | \$124.65 | |
| | | | 517009 | EMPLOYEE PAID COFFEE SVC-CITY HALL | \$72.35 | |
| | | | 515446 | EMPLOYEE PAID COFFEE SVC-CITY HALL | \$148.09 | |
| | | | 515450 | EMPLOYEE PAID COFFEE SVC-CITY HALL | \$61.67 | |
| | | | 515448 | EMPLOYEE PAID COFFEE SVC-CITY HALL | \$189.52 | |

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|-------------------------------|-------------------------|---------------------|-----------------------|---|---------------|-------------|
| FIRST CHOICE SERVICES | 8414 | 02/04/2013 | 517007 | EMPLOYEE PAID COFFEE SVC-CITY HALL | \$178.93 | |
| | | | 515447 | EMPLOYEE PAID COFFEE SVC-CITY HALL | \$31.38 | |
| | | | 517005 | EMPLOYEE PAID COFFEE SVC-CITY HALL | \$115.18 | |
| | | | 517008 | EMPLOYEE PAID COFFEE SVC-CITY HALL | \$153.66 | |
| | | | 517006 | EMPLOYEE PAID COFFEE SVC-CITY HALL | \$26.72 | |
| | | | Remit to: | ONTARIO, CA | \$1,102.15 | \$5,883.21 |
| FIRST CHOICE SERVICES | 8473 | 02/11/2013 | 518831 | EMPLOYEE PAID COFFEE SVC-CITY HALL | \$170.66 | |
| | | | 518830 | EMPLOYEE PAID COFFEE SVC-CITY HALL | \$232.61 | |
| | | | 518829 | EMPLOYEE PAID COFFEE SVC-CITY HALL | \$57.24 | |
| | | | 518828 | EMPLOYEE PAID COFFEE SVC-CITY HALL | \$182.97 | |
| | | | 518832 | EMPLOYEE PAID COFFEE SVC-CITY HALL | \$139.28 | |
| | | | Remit to: | ONTARIO, CA | \$782.76 | \$5,883.21 |
| FIRST CHOICE SERVICES | 8578 | 02/19/2013 | 518818 | EMPLOYEE PAID COFFEE SVC-CRC | \$53.95 | |
| | | | 518820 | EMPLOYEE PAID COFFEE SVC-CITY YARD | \$73.76 | |
| | | | Remit to: | ONTARIO, CA | \$127.71 | \$5,883.21 |
| FIRST INDUSTRIAL REALTY TRUST | 216145 | 02/25/2013 | SAN MICHELE | REFUND-REMAINING DEPOSIT-T&M FOR FIRE ADMIN, PLN CK & INSPECTNS | \$15,830.55 | |
| | | | Remit to: | EL SEGUNDO, CA | \$15,830.55 | \$15,830.55 |
| FIRST LEGAL NETWORK, LLC | 215923 | 02/11/2013 | 112440 | DELIVERY SVCS OF COURT FILINGS-TEAGUE V. COMV | \$347.67 | |
| | | | Remit to: | LOS ANGELS, CA | \$347.67 | \$749.07 |
| FITNESS 19 CA 155 11C | 215924 | 02/11/2013 | 121227 | GYM MEMBERSHIP DEDUCTIONS | \$199.00 | |

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|------------------------------|-------------------------|---------------------|-----------------------|--------------------------------------|---------------|-------------|
| FITNESS 19 CA 155 11C | 215924 | 02/11/2013 | 130124 | GYM MEMBERSHIP DEDUCTIONS | \$187.00 | |
| | | | Remit to: | MORENO VALLEY, CA | \$386.00 | \$1,395.00 |
| FOSTER, NANCY A. | 8474 | 02/11/2013 | 130201 | RETIREE MED FEB '13 | \$318.73 | |
| | | | Remit to: | GRASS VALLEY, CA | \$318.73 | \$2,231.11 |
| FOSTER, ZACHARY F. | 8475 | 02/11/2013 | 130201 | RETIREE MED FEB '13 | \$318.73 | |
| | | | Remit to: | GRASS VALLEY, CA | \$318.73 | \$1,593.65 |
| FRANCHISE TAX BOARD | 215925 | 02/11/2013 | 130124 | GARNISHMENT | \$122.03 | |
| | | | Remit to: | SACRAMENTO, CA | \$122.03 | \$3,825.53 |
| FRANCHISE TAX BOARD | 216039 | 02/19/2013 | 130207 | GARNISHMENT | \$122.03 | |
| | | | Remit to: | SACRAMENTO, CA | \$122.03 | \$3,825.53 |
| FRANCIS HOLLOWAY | 216086 | 02/19/2013 | RCT#0316002 | REFUND-CERT CLASS REGIS FEE | \$30.00 | |
| | | | Remit to: | MORENO VALLEY, CA | \$30.00 | \$30.00 |
| FRANKLIN, L. C. | 216077 | 02/19/2013 | JAN-13 MILEAGE | MILEAGE REIMBURSEMENT | \$213.57 | |
| | | | Remit to: | PERRIS, CA | \$213.57 | \$1,198.71 |
| FRAZEE INDUSTRIES, INC | 215831 | 02/04/2013 | 9530501067692 | GRAFFITI REMOVAL PRODUCTS | \$840.59 | |
| | | | 9530501073880 | GRAFFITI REMOVAL PRODUCTS | \$302.98 | |
| | | | Remit to: | LOS ANGELES, CA | \$1,143.57 | \$4,589.50 |
| FRESQUEZ, HANNAH | 216106 | 02/25/2013 | 013113 | SPORTS OFFICIATING SVCS-SOFTBALL | \$60.00 | |
| | | | Remit to: | MORENO VALLEY, CA | \$60.00 | \$200.00 |
| G/M BUSINESS INTERIORS, INC. | 215926 | 02/11/2013 | 0092650-IN | FURNITURE RENTAL-CITY HALL CARPETING | \$2,660.13 | |

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|--|-------------------------|---------------------|-----------------------|--|---------------|-------------|
| | | | | Remit to: RIVERSIDE, CA | \$2,660.13 | \$145,362.5 |
| G/M BUSINESS INTERIORS, INC. | 216040 | 02/19/2013 | 0092940-IN | FREESTANDING DESK FOR RON MATTHEWS | \$1,558.49 | |
| | | | | Remit to: RIVERSIDE, CA | \$1,558.49 | \$145,362.5 |
| GENERAL SECURITY SERVICES, INC. | 215832 | 02/04/2013 | 172839 | SECURITY SVCS-MVU | \$122.72 | |
| | | | | Remit to: WILMINGTON, CA | \$122.72 | \$36,317.46 |
| GENERAL SECURITY SERVICES, INC. | 215927 | 02/11/2013 | 172970 | SECURITY SVCS-CRC | \$306.80 | |
| | | | 172886 | SECURITY SVCS-MVU | \$153.40 | |
| | | | | Remit to: WILMINGTON, CA | \$460.20 | \$36,317.46 |
| GENERAL SECURITY SERVICES, INC. | 216041 | 02/19/2013 | 172884 | SECURITY SVCS-CRC SPECIAL EVENTS | \$230.10 | |
| | | | 172885 | SECURITY SVCS-CRC SPECIAL EVENTS | \$76.70 | |
| | | | 172888 | SECURITY SVCS-LIBRARY | \$122.72 | |
| | | | 172971 | SECURITY SVCS-LIBRARY | \$245.44 | |
| | | | 172887 | SECURITY SVCS-SENIOR CTR | \$214.76 | |
| | | | | Remit to: WILMINGTON, CA | \$889.72 | \$36,317.46 |
| GENERAL SECURITY SERVICES, INC. | 216107 | 02/25/2013 | 173029 | SECURITY SVCS-LIBRARY | \$122.72 | |
| | | | | Remit to: WILMINGTON, CA | \$122.72 | \$36,317.46 |
| GFOA-GOVERNMENT FINANCE OFFICERS ASSOC. | 215997 | 02/11/2013 | FY11/12 APP. FEE | APPLICATION FEE FOR FY2011-2012 CERT OF ACHIEVEMENT AWARD PROG. | \$580.00 | |
| | | | | Remit to: CHICAGO, IL | \$580.00 | \$580.00 |
| GIBBS, GIDEN, LOCHER, TURNER & SENET LLP | 8415 | 02/04/2013 | 217590-004 | PROFESSIONAL LEGAL SERVICES - ANNUAL ADA COMPLIANT CURB UPGRADES | \$388.00 | |

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|--|-------------------------|---------------------|-----------------------|---|---------------|-------------|
| | | | | Remit to: LOS ANGELES, CA | \$388.00 | \$81,030.48 |
| GIBBS, GIDEN, LOCHER, TURNER & SENET LLP | 8476 | 02/11/2013 | 217590-002 | PROFESSIONAL LEGAL SERVICES - DAY ST. STORM DRAIN IMPRVMENTS. | \$851.30 | |
| | | | 218460-001 | LEGAL SERVICES | \$788.00 | |
| | | | | Remit to: LOS ANGELES, CA | \$1,639.30 | \$81,030.48 |
| GOLD ARC INC., DBA. PASCO DOORS | 216019 | 02/11/2013 | 5816J | SINGLE SLIDER DOOR FURNISHED & INSTALLED AT PUBLIC SAFETY BLDG. | \$7,019.00 | |
| | | | | Remit to: POMONA, CA | \$7,019.00 | \$7,019.00 |
| GONZALES, DOMILENA R. | 8477 | 02/11/2013 | 130201 | NOV-DEC '12 PD FEB '13 | \$637.46 | |
| | | | | Remit to: MORENO VALLEY, CA | \$637.46 | \$1,912.38 |
| GORM INC. | 215928 | 02/11/2013 | 197720 | JANITORIAL SUPPLIES-CITY PARKS | \$241.06 | |
| | | | | Remit to: ONTARIO, CA | \$241.06 | \$891.21 |
| GOZDECKI, DAN | 8615 | 02/25/2013 | FEB-2013 ADULT | INSTRUCTOR SVCS-KUNG FU CLASS | \$108.00 | |
| | | | FEB-2013 YOUTH | INSTRUCTOR SVCS-KUNG FU CLASS | \$432.00 | |
| | | | | Remit to: MORENO VALLEY, CA | \$540.00 | \$4,061.40 |
| GRIFFIN, MARLENE C | 8478 | 02/11/2013 | 130201 | RETIREE MED FEB '13-ADJ FOR JAN OVERPMT | \$192.13 | |
| | | | | Remit to: GREEN VALLEY, AZ | \$192.13 | \$2,104.51 |
| GRUBE, PATTY | 216078 | 02/19/2013 | 1-24-13/2-7-13 | MILEAGE REIMBURSEMENT | \$36.16 | |
| | | | 12/10/12 MILEAGE | MILEAGE REIMBURSEMENT | \$8.88 | |
| | | | | Remit to: MORENO VALLEY, CA | \$45.04 | \$85.00 |
| GUARDSMARK | 8416 | 02/04/2013 | 110822 | SECURITY SVCS-CITY HALL | \$357.20 | |



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|---------------------|-------------------------|---------------------|-----------------------|--------------------------------|---------------|-------------|
| | | | | Remit to: RANCHO CUCAMONGA, CA | \$357.20 | \$12,885.99 |
| GUARDSMARK | 8479 | 02/11/2013 | 5305119 | SECURITY SVCS-CITY HALL | \$267.90 | |
| | | | | Remit to: RANCHO CUCAMONGA, CA | \$267.90 | \$12,885.99 |
| GUARDSMARK | 8616 | 02/25/2013 | 5306121 | SECURITY SVCS-CITY HALL | \$357.20 | |
| | | | | Remit to: RANCHO CUCAMONGA, CA | \$357.20 | \$12,885.99 |
| GUILLAN, REBECCA S. | 8480 | 02/11/2013 | 130201 | JAN '13 PD FEB '13 | \$297.45 | |
| | | | | Remit to: ADVANCE, NC | \$297.45 | \$1,949.31 |
| GUTIERREZ, ROBERT | 8481 | 02/11/2013 | 130201 | RETIREE MED FEB '13 | \$318.73 | |
| | | | | Remit to: LA VERNE, CA | \$318.73 | \$2,231.11 |
| GWEN JENKINS | 215870 | 02/04/2013 | R13-057594 | ANIMAL SERVICES REFUND | \$67.00 | |
| | | | | Remit to: IRVINE, CA | \$67.00 | \$67.00 |
| HAMLIN, WILLIAM R. | 8482 | 02/11/2013 | 130201 | RETIREE MED FEB '13 | \$318.73 | |
| | | | | Remit to: BEAUMONT, CA | \$318.73 | \$2,231.11 |
| HANES, MARTIN D. | 8483 | 02/11/2013 | 130201 | RETIREE MED FEB '13 | \$318.73 | |
| | | | | Remit to: MORENO VALLEY, CA | \$318.73 | \$2,231.11 |
| HARDING, JOHN | 215929 | 02/11/2013 | 130201 | RETIREE MED FEB '13 | \$318.73 | |
| | | | | Remit to: BANNING, CA | \$318.73 | \$2,231.11 |
| HATFIELD, CHARLES | 8484 | 02/11/2013 | 130201 | RETIREE MED FEB '13 | \$318.73 | |
| | | | | Remit to: LAS VEGAS, NV | \$318.73 | \$2,231.11 |

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|--------------------------------|-------------------------|---------------------|-----------------------|---|---------------|-------------|
| HATZL-PATTERSON, NINA MICHELE | 216137 | 02/25/2013 | 1/30-2/1/13 | PER DIEM-LCC 2013 CITY MANAGERS DEPT MEETING | \$177.50 | |
| | | | Remit to: | RIVERSIDE, CA | \$177.50 | \$177.50 |
| HDR ENGINEERING, INC. | 215833 | 02/04/2013 | 40095-B | PROFESSIONAL ENGINEERING SERVICES, CACTUS/NASON | \$2,920.25 | |
| | | | 43885-B | PROFESSIONAL ENGINEERING SERVICES - CACTUS/NASON | \$474.50 | |
| | | | Remit to: | IRVINE, CA | \$3,394.75 | \$3,913.31 |
| HEALD, DENA | 216138 | 02/25/2013 | 2/20-2/22/13 | PER DIEM & HOTEL/AIRPORT PARKING REIMB.-CSMFO 2013 ANNUAL CONF. | \$597.56 | |
| | | | Remit to: | CORONA, CA | \$597.56 | \$803.92 |
| HEFFLEY, ROSS W. | 8485 | 02/11/2013 | 130201 | RETIREE MED FEB '13 | \$318.73 | |
| | | | Remit to: | HEMET, CA | \$318.73 | \$2,231.11 |
| HERRICK, ROBERT D. | 215931 | 02/11/2013 | 130201 | RETIREE MED FEB '13 | \$318.73 | |
| | | | Remit to: | MORENO VALLEY, CA | \$318.73 | \$2,231.11 |
| HETHERMAN, ANTHONY CHRISTOPHER | 8617 | 02/25/2013 | 3/5-3/8/13 | PER DIEM & MILEAGE-CPRS CONFERENCE | \$201.90 | |
| | | | Remit to: | TEMECULA, CA | \$201.90 | \$201.90 |
| HODGE PRODUCTS, INC. | 8487 | 02/11/2013 | 0303053-IN | LOCKS FOR CITY PARKS | \$298.57 | |
| | | | Remit to: | EL CAJON, CA | \$298.57 | \$298.57 |
| HOGARD, JOHN T. | 8488 | 02/11/2013 | 130201 | OCT-NOV '12 PD FEB '13 | \$350.00 | |
| | | | Remit to: | CORONA, CA | \$350.00 | \$1,300.00 |
| HOLT, ANITRA N | 215932 | 02/11/2013 | 130201 | RETIREE MED FEB '13 | \$318.73 | |



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|-----------------------------|-------------------------|---------------------|-----------------------|---|---------------|-------------|
| | | | | Remit to: CLERMONT, FL | \$318.73 | \$318.7 |
| HONDA YAMAHA OF REDLANDS | 8489 | 02/11/2013 | 11297 | MAINT. & REPAIRS-LABOR & PARTS-TRAFFIC MOTORCYCLES | \$815.12 | |
| | | | 4034 | MAINT. & REPAIRS-LABOR & PARTS-TRAFFIC MOTORCYCLES | \$1,435.49 | |
| | | | | Remit to: REDLANDS, CA | \$2,250.61 | \$20,128.35 |
| HONDA YAMAHA OF REDLANDS | 216108 | 02/25/2013 | 5672 | MAINT. & REPAIRS-LABOR & PARTS-TRAFFIC MOTORCYCLES | \$300.68 | |
| | | | | Remit to: REDLANDS, CA | \$300.68 | \$20,128.35 |
| HOUSER, EDITH E. | 215933 | 02/11/2013 | 130201 | RETIREE MED FEB '13 | \$318.73 | |
| | | | | Remit to: MORENO VALLEY, CA | \$318.73 | \$2,231.11 |
| HUNSAKER & ASSOCIATES, INC. | 215834 | 02/04/2013 | 12080308 | PLAN CHECK REVIEW SVCS-PM36449 | \$784.00 | |
| | | | 12100337 | CONSULTING, SURVEY - PERRIS BLVD. WIDENING | \$18,220.00 | |
| | | | | Remit to: IRVINE, CA | \$19,004.00 | \$72,685.00 |
| HUNSAKER & ASSOCIATES, INC. | 216109 | 02/25/2013 | 12110095 | CONSULTING SERVICES, SURVEY - PERRIS/RAMONA TO CACTUS | \$2,208.00 | |
| | | | | Remit to: IRVINE, CA | \$2,208.00 | \$72,685.00 |
| HUNTINGTON BEACH HONDA | 215934 | 02/11/2013 | 12028168 | REPAIR PARTS & LABOR-PD TRAFFIC MOTORCYCLE | \$966.94 | |
| | | | 12028169 | REPAIR PARTS & LABOR-PD TRAFFIC MOTORCYCLE | \$10,505.67 | |
| | | | | Remit to: HUNTINGTON BEACH, CA | \$11,472.61 | \$11,472.61 |
| ICMA RETIREMENT CORP | 8680 | 02/08/2013 | DC457130207 | DEFERRED COMP-457 | \$9,725.80 | |

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|--------------------------------------|-------------------------|---------------------|-----------------------|---|---------------|--------------|
| | | | | Remit to: BALTIMORE, MD | \$9,725.80 | \$147,914.90 |
| ICMA RETIREMENT CORP | 8685 | 02/22/2013 | DC457130221 | DEFERRED COMP-457 | \$10,012.70 | |
| | | | | Remit to: BALTIMORE, MD | \$10,012.70 | \$147,914.90 |
| ICR DOORS | 8490 | 02/11/2013 | 531 | MAINT. OF 6 ROLL-UP DOORS & 2 AUTO GATES-FS#58 | \$150.00 | |
| | | | | Remit to: UPLAND, CA | \$150.00 | \$6,448.97 |
| ICR DOORS | 8618 | 02/25/2013 | 530 | MAINT. OF ROLL-UP DOORS-FS#65 | \$90.00 | |
| | | | | Remit to: UPLAND, CA | \$90.00 | \$6,448.97 |
| IDLA, INC. | 215935 | 02/11/2013 | 11012.12312 | WAYFINDING/WELCOME SIGNAGE | \$1,253.75 | |
| | | | | Remit to: RIVERSIDE, CA | \$1,253.75 | \$3,110.00 |
| ING USA ANNUITY & LIFE INSURANCE CO. | 216042 | 02/19/2013 | 130207 | NON-EXEMPT ANNUITY | \$325.00 | |
| | | | | Remit to: DES MOINES, IA | \$325.00 | \$3,125.00 |
| INLAND EMPIRE PROPERTY SERVICE, INC | 8417 | 02/04/2013 | 3128 | WEED ABATEMENT SVCS-EQUESTRIAN CTR | \$274.00 | |
| | | | 3125 | ABATEMENT SVCS-APN 487-470-013,023 | \$3,500.00 | |
| | | | | Remit to: MORENO VALLEY, CA | \$3,774.00 | \$45,082.99 |
| INSIDE PLANTS, INC. | 216043 | 02/19/2013 | 45844 | PLANT MAINTENANCE-CRC | \$320.00 | |
| | | | | Remit to: CORONA, CA | \$320.00 | \$2,560.00 |
| IT'S A PARTY | 216008 | 02/11/2013 | BL#24040-YR2013 | REFUND PROCESSING FEE BUSINESS CLOSED | \$61.00 | |
| | | | | Remit to: NORWALK, CA | \$61.00 | \$61.00 |
| J D H CONTRACTING | 8491 | 02/11/2013 | 020213-02 | INSTALL NEW COMMERCIAL GLUE DOWN CARPET ON STAGE-GOLF CTR | \$2,340.00 | |

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| <u>Vendor Name</u> | <u>Check/EFT Number</u> | <u>Payment Date</u> | <u>Invoice Number</u> | <u>Invoice Description</u> | <u>Amount</u> | <u>FYTD</u> |
|-------------------------------------|-------------------------|---------------------|-----------------------|---|---------------|-------------|
| J D H CONTRACTING | 8491 | 02/11/2013 | 020213-03 | FABRICATE AND INSTALL ADA HANDRAIL-GOLF CTR | \$763.00 | |
| | | | 020213-01 | INSTALL 2 SETS OF CLOSURES & PUSH-PULL PLATES-GATEWAY PRK | \$185.00 | |
| | | | Remit to: | RIVERSIDE, CA | \$3,288.00 | \$98,386.90 |
| J D H CONTRACTING | 8579 | 02/19/2013 | 020813-01 | INSTALL 12 MURALS ONTO CRC WALLS | \$4,060.00 | |
| | | | Remit to: | RIVERSIDE, CA | \$4,060.00 | \$98,386.90 |
| J D H CONTRACTING | 8619 | 02/25/2013 | 021913-01 | FABRICATE AND INSTALL GATE SCREENS @ FS#58 | \$890.00 | |
| | | | Remit to: | RIVERSIDE, CA | \$890.00 | \$98,386.90 |
| JACK HENRY & ASSOCIATES | 215835 | 02/04/2013 | 1311519 | PROFIT STARS MONTHLY SERVICE FEES | \$40.10 | |
| | | | Remit to: | MONETT, MO | \$40.10 | \$2,092.00 |
| JACK HENRY & ASSOCIATES | 216044 | 02/19/2013 | 1353696 | PROFIT STARS MONTHLY SERVICE FEES | \$308.45 | |
| | | | Remit to: | MONETT, MO | \$308.45 | \$2,092.00 |
| JANNEY & JANNEY ATTORNEY SVCS, INC. | 215936 | 02/11/2013 | IEC212191217-01 | DELIVERY SVCS OF COURT FILINGS | \$70.00 | |
| | | | IEP210311510-01 | DELIVERY SVCS OF COURT FILINGS | \$100.00 | |
| | | | IEP210311526-01 | DELIVERY SVCS OF COURT FILINGS | \$100.00 | |
| | | | Remit to: | RIVERSIDE, CA | \$270.00 | \$870.00 |
| JANNEY & JANNEY ATTORNEY SVCS, INC. | 216110 | 02/25/2013 | 00130133036 | MONTHLY RETAINER-DELIVERY OF COURT FILINGS-FEB13 | \$75.00 | |
| | | | 00121233036 | MONTHLY RETAINER-DELIVERY OF COURT FILINGS-JAN13 | \$75.00 | |
| | | | Remit to: | RIVERSIDE, CA | \$150.00 | \$870.00 |

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|------------------------------|-------------------------|---------------------|-----------------------|---|---------------|--------------|
| JDEDGE SOFTWARE, LLC | 8419 | 02/04/2013 | 294 | HR & PAYROLL DATA CONVERSION INTO NEW ERP | \$5,610.00 | |
| | | | | Remit to: KRUGERVILLE, TX | \$5,610.00 | \$204,666.90 |
| JDEDGE SOFTWARE, LLC | 8492 | 02/11/2013 | 299 | HR & PAYROLL DATA CONVERSION INTO NEW ERP | \$3,190.00 | |
| | | | | Remit to: KRUGERVILLE, TX | \$3,190.00 | \$204,666.90 |
| JDEDGE SOFTWARE, LLC | 8580 | 02/19/2013 | 300 | HR & PAYROLL DATA CONVERSION INTO NEW ERP | \$2,625.00 | |
| | | | | Remit to: KRUGERVILLE, TX | \$2,625.00 | \$204,666.90 |
| JEFF MCNEAL PRODUCTIONS, LLC | 216139 | 02/25/2013 | 300 | DEPOSIT-BAND PERFORMANCE-7/4/13 CELEBRATION | \$375.00 | |
| | | | | Remit to: TEMECULA, CA | \$375.00 | \$375.00 |
| JESSICA HERNANDEZ | 215885 | 02/04/2013 | 1000316 | REFUND-CANCELLED CONTRACT CLASS | \$106.00 | |
| | | | | Remit to: MORENO VALLEY, CA | \$106.00 | \$106.00 |
| JOHN KENTON | 216087 | 02/19/2013 | RCT#0322643 | REFUND-CERT CLASS REGIS FEE | \$15.00 | |
| | | | | Remit to: RIVERSIDE, CA | \$15.00 | \$15.00 |
| JOHN W. STRICKLER | 8545 | 02/11/2013 | 130201 | RETIREE MED FEB '13 | \$318.73 | |
| | | | | Remit to: SAN BERNARDINO, CA | \$318.73 | \$1,912.38 |
| JONES, SUSAN | 8493 | 02/11/2013 | 130201 | RETIREE MED FEB '13 | \$318.73 | |
| | | | | Remit to: MORENO VALLEY, CA | \$318.73 | \$2,231.11 |
| JORGE MENESES | 216140 | 02/25/2013 | 2/20-2/21/13 | PER DIEM-STREET SURVIVAL SEMINAR/SAN DIEGO | \$100.00 | |
| | | | | Remit to: MORENO VALLEY, CA | \$100.00 | \$100.00 |

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|-----------------------------|-------------------------|---------------------|-----------------------|---|---------------|-------------|
| JORRY KEITH | 215860 | 02/04/2013 | JAN-2013 | INSTRUCTOR SVCS-COMIC BOOK CREATION CLASS | \$96.00 | |
| | | | Remit to: | FONTANA, CA | \$96.00 | \$720.00 |
| JOSE MORALES | 215886 | 02/04/2013 | MV2120615003 | REFUND-CODE ADMIN CITATION | \$407.50 | |
| | | | Remit to: | PERRIS, CA | \$407.50 | \$407.50 |
| JOSEPH SILLA | 216013 | 02/11/2013 | BL#23721-YR2013 | REFUND OVERPAYMENT FOR B/L #23721 | \$60.00 | |
| | | | Remit to: | YORBA LINDA, CA | \$60.00 | \$60.00 |
| JTB SUPPLY CO., INC. | 8420 | 02/04/2013 | 95551 | BATTERY BACKUP SERVICE CABINET | \$8,296.75 | |
| | | | Remit to: | ORANGE, CA | \$8,296.75 | \$52,300.60 |
| JTB SUPPLY CO., INC. | 216045 | 02/19/2013 | 95607 | TRAFFIC SIGNAL SUPPLIES-P44 CABINET FILTERS | \$1,782.00 | |
| | | | Remit to: | ORANGE, CA | \$1,782.00 | \$52,300.60 |
| JUAN CARLOS MORALES | 215887 | 02/04/2013 | C09026 | REFUND-CODE ADMIN CITATION | \$102.10 | |
| | | | Remit to: | MORENO VALLEY, CA | \$102.10 | \$102.10 |
| JULIEANN STEWART-CLEAVELAND | 215889 | 02/04/2013 | 01-24-13 REIMB | REIMBURSEMENT-JULY 4TH EXPENSES | \$410.09 | |
| | | | Remit to: | MORENO VALLEY, CA | \$410.09 | \$410.09 |
| KEPLER, JANELLE | 8581 | 02/19/2013 | FEB-2013 | INSTRUCTOR SVCS-CHEERLEADING CLASSES | \$476.00 | |
| | | | Remit to: | RIVERSIDE, CA | \$476.00 | \$3,444.00 |
| KEVIN HENSON | 216147 | 02/25/2013 | 1008874 | REFUND-RENTAL DEPOSIT-CRC | \$425.00 | |
| | | | Remit to: | MORENO VALLEY, CA | \$425.00 | \$425.00 |
| KING, PATRICIA A. | 215937 | 02/11/2013 | 130201 | RETIREE MED FEB '13-ADJ FOR JAN OVERPMT | \$150.04 | |

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|--|-------------------------|---------------------|-----------------------|---|---------------|----------------|
| | | | | Remit to: LAS VEGAS, NV | \$150.04 | \$1,778.68 |
| KIP INCORPORATED | 216046 | 02/19/2013 | 6927 | INSTALLATION OF NEW ELECTRICAL CONDUITS | \$7,367.25 | |
| | | | 6952 | INSTALLATION OF NEW ELECTRICAL CONDUITS-RETENTION INVOICE | \$387.75 | |
| | | | | Remit to: MURRIETA, CA | \$7,755.00 | \$1,537,103.63 |
| KOLB, CHARLES E. | 8494 | 02/11/2013 | 130201 | RETIREE MED FEB '13 | \$318.73 | |
| | | | | Remit to: MORENO VALLEY, CA | \$318.73 | \$2,231.11 |
| KOLLAR, KYLE | 8495 | 02/11/2013 | 130201 | RETIREE MED FEB '13 | \$318.73 | |
| | | | | Remit to: MORENO VALLEY, CA | \$318.73 | \$2,231.11 |
| KOSER, MATTHEW | 216079 | 02/19/2013 | 2/25-3/8/13 | PER DIEM-ICI MAJOR NARCOTICS INVESTIGATIONS COURSE | \$500.00 | |
| | | | | Remit to: MORENO VALLEY, CA | \$500.00 | \$675.00 |
| KRONICK, MOSKOVITZ, TIEDEMANN & GIRARD | 216047 | 02/19/2013 | 265322 | LEGAL SERVICES-DEC12 | \$1,430.50 | |
| | | | | Remit to: SACRAMENTO, CA | \$1,430.50 | \$19,485.35 |
| KUPSAK, STEVE | 8496 | 02/11/2013 | 130201 | JAN '13 PD FEB '13 | \$318.73 | |
| | | | | Remit to: CEDAR GLEN, CA | \$318.73 | \$2,549.84 |
| KUSTOM SIGNALS, INC. | 216111 | 02/25/2013 | 473226 | MAINT. & REPAIRS-LABOR & PARTS-TRAFFIC RADAR GUNS | \$410.95 | |
| | | | | Remit to: KANSAS CITY, MO | \$410.95 | \$2,035.75 |
| KYLE, GARY M. | 8497 | 02/11/2013 | 130201 | RETIREE MED FEB '13 | \$318.73 | |
| | | | | Remit to: PRESCOTT VALLEY, AZ | \$318.73 | \$2,231.11 |



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|---|-------------------------|---------------------|-----------------------|---|---------------|-------------|
| LA FOLLETTE, JOHNSON, DE HAAS, FESLER & AMES | 215938 | 02/11/2013 | 270426 | LEGAL SERVICES-MV1208 | \$1,274.00 | |
| | | | 270425 | LEGAL SERVICES-MV1221 | \$4,353.33 | |
| | | | 270427 | LEGAL SERVICES-MV1216 | \$1,847.17 | |
| | | | Remit to: | LOS ANGELES, CA | \$7,474.50 | \$80,934.00 |
| LAFATA, JOSEPHINE | 8498 | 02/11/2013 | 130201 | RETIREE MED FEB '13 | \$318.73 | |
| | | | Remit to: | MORENO VALLEY, CA | \$318.73 | \$2,231.11 |
| LANGENDORF, BENJAMIN | 8499 | 02/11/2013 | 130201 | JAN '13 PD FEB '14 | \$318.73 | |
| | | | Remit to: | PERRIS, CA | \$318.73 | \$1,848.24 |
| LARRY GYLL | 216136 | 02/25/2013 | 3/4-3/8/13 | PER DIEM-NARCOTIC & SPECIALIZED UNIT SUPERVISOR COURSE | \$250.00 | |
| | | | Remit to: | MORENO VALLEY, CA | \$250.00 | \$445.00 |
| LATITUDE GEOGRAPHICS | 215940 | 02/11/2013 | 201300083 | GIS SOFTWARE & SERVICES-M1 | \$21,759.80 | |
| | | | Remit to: | VICTORIA, BC | \$21,759.80 | \$22,629.80 |
| LA-Z-BOY FURNITURE GALLERIES | 216048 | 02/19/2013 | 122-18708 | RECLINERS 6 UNITS FOR FS#6 | \$4,281.93 | |
| | | | Remit to: | RIVERSIDE, CA | \$4,281.93 | \$8,424.73 |
| LEAGUE OF CALIFORNIA CITIES-RIV CNTY DIV | 216050 | 02/19/2013 | 1413 | MEMBERSHIP DUES 2013-RIVERSIDE CO DIVISION | \$100.00 | |
| | | | Remit to: | SACRAMENTO, CA | \$100.00 | \$34,899.60 |
| LEICA GEOSYSTEMS, INC. | 216112 | 02/25/2013 | 93415801 | SCAN STATION MAINT. CONTRACT & FURNITURE/HARDWARE | \$24,714.35 | |
| | | | Remit to: | COSTA MESA, CA | \$24,714.35 | \$24,714.35 |

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|-------------------------------------|-------------------------|---------------------|-----------------------|---|---------------|-------------|
| LEIVAS, INC. DBA. LEIVAS LIGHTING | 216020 | 02/11/2013 | 256 | LANDSCAPE LIGHTING MAINT-ZONE-E3 | \$470.10 | |
| | | | 257 | LANDSCAPE LIGHTING MAINT-ZONE-E7 | \$190.00 | |
| | | | 297 | LANDSCAPE LIGHTING MAINT-ZONE-E3 | \$1,215.91 | |
| | | | 259 | LANDSCAPE LIGHTING MAINT-ZONE E1 | \$142.50 | |
| | | | 258 | LANDSCAPE LIGHTING MAINT-ZONE M | \$95.00 | |
| | | | 260 | LANDSCAPE LIGHTING MAINT-ZONE E2 | \$95.00 | |
| | | | 293 | LANDSCAPE LIGHTING MAINT-ZONE-E3 | \$310.02 | |
| | | | 295 | LANDSCAPE LIGHTING MAINT-ZONE E7 | \$173.73 | |
| | | | | Remit to: RIVERSIDE, CA | \$2,692.26 | \$2,692.26 |
| LENTON, JOHN | 216080 | 02/19/2013 | 2/25-3/1/13 | PER DIEM-CELLULAR PHONE FORENSICS INVESTIGATIONS COURSE | \$250.00 | |
| | | | | Remit to: MORENO VALLEY, CA | \$250.00 | \$250.00 |
| LEONARD PROKOPIN | 215888 | 02/04/2013 | 998885 | REFUND-CANCELLED CONTRACT CLASS | \$47.00 | |
| | | | | Remit to: MORENO VALLEY, CA | \$47.00 | \$47.00 |
| LEWIS BRISBOIS BISGAARD & SMITH LLP | 215942 | 02/11/2013 | 1123037 | LEGAL SVCS-CASE#RIC533180 (NORTON) | \$254.45 | |
| | | | | Remit to: LOS ANGELES, CA | \$254.45 | \$3,826.09 |
| LEWIS, CAROLYN S. | 8500 | 02/11/2013 | 130201 | RETIREE MED FEB '13 | \$318.73 | |
| | | | | Remit to: MIDLAND, TX | \$318.73 | \$2,231.11 |
| LEXISNEXIS PRACTICE MGMT. | 8620 | 02/25/2013 | 1301082832 | ONLINE LEGAL RESEARCH TOOLS-JAN13 | \$1,180.00 | |
| | | | | Remit to: LOS ANGELES, CA | \$1,180.00 | \$10,040.00 |
| LIEBERT, CASSIDY, WHITMORE | 215836 | 02/04/2013 | 159992 | LEGAL SERVICES/MO140-00001 | \$2,220.00 | |



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|-----------------------------------|-------------------------|---------------------|-----------------------|--|---------------|-------------|
| LIEBERT, CASSIDY, WHITMORE | 215836 | 02/04/2013 | 157789 | LEGAL SERVICES/MO140-00010 | \$150.00 | |
| | | | 157788 | LEGAL SERVICES/MO140-00001 | \$360.00 | |
| | | | 156676 | LEGAL SERVICES/MO140-00009 | \$721.32 | |
| | | | | Remit to: LOS ANGELES, CA | \$3,451.32 | \$22,759.32 |
| LIEBERT, CASSIDY, WHITMORE | 215943 | 02/11/2013 | 02-14-13 | WORKSHOP REGIS FEE-B. MONTGOMERY | \$35.00 | |
| | | | | Remit to: LOS ANGELES, CA | \$35.00 | \$22,759.32 |
| LIGHTHOUSE TREATMENT CENTER, INC. | 216113 | 02/25/2013 | JAN 2013 | CASE MANAGEMENT CONSULTANT SVCS-CDBG | \$3,600.00 | |
| | | | | Remit to: ALTA LOMA, CA | \$3,600.00 | \$3,600.00 |
| LOGAN, CHARLES | 8501 | 02/11/2013 | 130201 | RETIREE MED FEB '13 | \$318.73 | |
| | | | | Remit to: LAS VEGAS, NV | \$318.73 | \$2,231.11 |
| LONGDYKE, DENNIS | 8502 | 02/11/2013 | 130201 | RETIREE MED FEB '13 | \$318.73 | |
| | | | | Remit to: BEAUMONT, CA | \$318.73 | \$2,231.11 |
| LUMLEY, ROBERT C. | 8503 | 02/11/2013 | 130201 | RETIREE MED FEB '13 | \$318.73 | |
| | | | | Remit to: MORENO VALLEY, CA | \$318.73 | \$2,231.11 |
| MALCOLM SMITH MOTORCYCLES, INC. | 216051 | 02/19/2013 | 100030837 | MAINT. & REPAIRS-LABOR & PARTS-TRAFFIC MOTORCYCLES | \$532.58 | |
| | | | 100037252 | MAINT. & REPAIRS-LABOR & PARTS-TRAFFIC MOTORCYCLES | \$826.44 | |
| | | | 100030262 | MAINT. & REPAIRS-LABOR & PARTS-TRAFFIC MOTORCYCLES | \$1,073.26 | |
| | | | 100032699 | MAINT. & REPAIRS-LABOR & PARTS-TRAFFIC MOTORCYCLES | \$897.00 | |

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|--|-------------------------|---------------------|-----------------------|--|---------------|--------------|
| MALCOLM SMITH MOTORCYCLES, INC. | 216051 | 02/19/2013 | 100012704 | MAINT. & REPAIRS-LABOR & PARTS-TRAFFIC MOTORCYCLES | \$49.84 | |
| | | | 100029228 | MAINT. & REPAIRS-LABOR & PARTS-TRAFFIC MOTORCYCLES | \$795.13 | |
| | | | 100033456 | MAINT. & REPAIRS-LABOR & PARTS-TRAFFIC MOTORCYCLES | \$71.25 | |
| Remit to: | | | | RIVERSIDE, CA | \$4,245.50 | \$23,069.49 |
| MARINA LANDSCAPE, INC | 8504 | 02/11/2013 | 8216111203 | ADDL. LANDSCAPE WORK-ZONE E-1A | \$1,695.00 | |
| | | | 8216111201 | LANDSCAPE MAINT-ZONE E-1 & E-1A-ADDL WORK-NOV12 | \$646.85 | |
| | | | 8216121200 | LANDSCAPE MAINT-ZONE E-1 & E-1A-DEC12 | \$5,733.34 | |
| | | | 8216121201 | IRRIGATION REPAIRS-ZONE E-1 | \$445.71 | |
| Remit to: | | | | ANAHEIM, CA | \$8,520.90 | \$67,306.32 |
| MARINA LANDSCAPE, INC | 8582 | 02/19/2013 | 8216011300 | LANDSCAPE MAINT-ZONE E-1 & E-1A-JAN13 | \$5,733.34 | |
| Remit to: | | | | ANAHEIM, CA | \$5,733.34 | \$67,306.32 |
| MARIPOSA HORTICULTURAL ENTERPRISES, INC. | 8421 | 02/04/2013 | 57950 | LANDSCAPE MAINT-DSG2 BASE CHARGE-DEC12 | \$12,857.13 | |
| | | | 58150 | LANDSCAPE MAINT-DSG2-ADDL WORK-DEC12 | \$336.53 | |
| | | | 57603 | LANDSCAPE MAINT-DSG2-ADDL WORK-NOV12 | \$1,513.11 | |
| Remit to: | | | | IRWINDALE, CA | \$14,706.77 | \$104,245.27 |
| MARIPOSA HORTICULTURAL ENTERPRISES, INC. | 8583 | 02/19/2013 | 58203 | LANDSCAPE MAINT-DSG2 BASE CHARGE-JAN13 | \$12,857.13 | |

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CHECKS UNDER \$25,000

| <u>Vendor Name</u> | <u>Check/EFT Number</u> | <u>Payment Date</u> | <u>Invoice Number</u> | <u>Invoice Description</u> | <u>Amount</u> | <u>FYTD</u> |
|--|-------------------------|---------------------|-----------------------|--|---------------|--------------|
| MARIPOSA HORTICULTURAL ENTERPRISES, INC. | 8583 | 02/19/2013 | 58417 | LANDSCAPE MAINT-DSG2-ADDL WORK-JAN13 | \$219.29 | |
| | | | Remit to: | IRWINDALE, CA | \$13,076.42 | \$104,245.2 |
| MARTHA BARRAGAN | 216090 | 02/19/2013 | 1007175 | REFUND-CANCELLED CONTRACT CLASS | \$32.00 | |
| | | | Remit to: | MORENO VALLEY, CA | \$32.00 | \$32.0 |
| MARTIN GONZALEZ | 215882 | 02/04/2013 | MV62338 | REFUND-CODE ADMIN CITATION | \$170.00 | |
| | | | Remit to: | MORENO VALLEY, CA | \$170.00 | \$170.00 |
| MATHIS, NOLAN | 8505 | 02/11/2013 | 130201 | DEC '12 PD FEB '13 | \$279.80 | |
| | | | Remit to: | JACKSON, KY | \$279.80 | \$1,958.60 |
| MAXINOSKI, SUE A. | 8506 | 02/11/2013 | 130201 | RETIREE MED FEB '13 | \$318.73 | |
| | | | Remit to: | AVINGER, TX | \$318.73 | \$2,231.11 |
| MENGISTU, YESHIALEM | 216081 | 02/19/2013 | JAN-13 MILEAGE | MILEAGE REIMBURSEMENT | \$129.39 | |
| | | | Remit to: | MORENO VALLEY, CA | \$129.39 | \$1,004.64 |
| MEN'S DISTRICT | 216010 | 02/11/2013 | BL#24040-YR2013 | REFUND OVERPAYMENT FOR B/L #24040 | \$66.65 | |
| | | | Remit to: | MORENO VALLEY, CA | \$66.65 | \$66.65 |
| MERCHANTS LANDSCAPE SERVICES INC | 8507 | 02/11/2013 | 39099 | IRRIGATION REPAIRS-MV RANCH 6879-DEC12 | \$645.30 | |
| | | | 39098 | IRRIGATION REPAIRS-ZONE E12-DEC12 | \$75.49 | |
| | | | 38989 | LANDSCAPE MAINT-ZONE E3 & E3A-DEC12 | \$11,433.86 | |
| | | | Remit to: | Santa Ana, CA | \$12,154.65 | \$153,657.60 |
| MERCHANTS LANDSCAPE SERVICES INC | 8508 | 02/11/2013 | 38279 | LANDSCAPE MAINT-ZONE E3 & E3A-SEPT12 | \$11,433.86 | |

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|----------------------------------|-------------------------|---------------------|-----------------------|---|---------------|--------------|
| MERCHANTS LANDSCAPE SERVICES INC | 8508 | 02/11/2013 | 38988 | LANDSCAPE MAINT-ZONE E8,E12,E14,E15-DEC12 | \$6,765.97 | |
| | | | Remit to: | MONTEREY PARK, CA | \$18,199.83 | \$153,657.60 |
| MERCHANTS LANDSCAPE SERVICES INC | 8584 | 02/19/2013 | 39382 | LANDSCAPE MAINT-ADDL WORK-ZONE E-12-JAN13 | \$184.41 | |
| | | | 39246 | LANDSCAPE MAINT-ZONE E3 & E3A-JAN13 | \$11,433.86 | |
| | | | 39245 | LANDSCAPE MAINT-ZONE E8,E12,E14,E15-JAN13 | \$6,765.97 | |
| | | | Remit to: | Santa Ana, CA | \$18,384.24 | \$153,657.60 |
| MERCHANTS LANDSCAPE SERVICES INC | 8585 | 02/19/2013 | 39383 | LANDSCAPE MAINT-ADDL WORK-ZONE E3-JAN13 | \$1,257.69 | |
| | | | Remit to: | MONTEREY PARK, CA | \$1,257.69 | \$153,657.60 |
| MERIT STEEL AND SUPPLY | 215872 | 02/04/2013 | BL#04372/YR2012 | REFUND- BUSINESS LICENSE OVERPAYMENT | \$45.50 | |
| | | | Remit to: | HUNTINGTON BEACH, CA | \$45.50 | \$45.50 |
| MESSIN, LOUIS | 8509 | 02/11/2013 | 130201 | RETIREE MED FEB '13 | \$318.73 | |
| | | | Remit to: | BULLHEAD CITY, AZ | \$318.73 | \$2,231.11 |
| MEYERS, ROBERT | 215861 | 02/04/2013 | JAN-2013 | INSTRUCTOR SVCS-PHOTOGRAPHY CLASS | \$90.60 | |
| | | | Remit to: | MORENO VALLEY, CA | \$90.60 | \$1,122.60 |
| MICHAEL KAAKE CONSTRUCTION | 216011 | 02/11/2013 | BL#25628/YR2013 | REFUND BUSINESS LICENSE OVERPAYMENT | \$78.50 | |
| | | | Remit to: | MURRIETA, CA | \$78.50 | \$78.50 |
| MILES, ROBERT | 8510 | 02/11/2013 | 130201 | RETIREE MED FEB '13-ADJ FOR JAN OVERPMT | \$66.65 | |
| | | | Remit to: | MORENO VALLEY, CA | \$66.65 | \$1,422.59 |

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|--------------------------------------|-------------------------|---------------------|-----------------------|---|---------------|-------------|
| MIN LI | 216009 | 02/11/2013 | ACCT# 7009641-07 | SOLAR INCENTIVE REBATE | \$12,406.50 | |
| | | | Remit to: | MORENO VALLEY, CA | \$12,406.50 | \$12,406.5 |
| MINARD, MARK E. | 8511 | 02/11/2013 | 130201 | RETIREE MED FEB '13 | \$318.73 | |
| | | | Remit to: | REDLANDS, CA | \$318.73 | \$2,231.1 |
| MINH TRAN | 216015 | 02/11/2013 | CIT# 13005087 | REFUND-FALSE ALARM CITATION DUPLICATE PAYMENT | \$30.00 | |
| | | | Remit to: | MORENO VALLEY, CA | \$30.00 | \$30.00 |
| MOLLICA, MIKE | 8512 | 02/11/2013 | 130201 | RETIREE MED FEB '13 | \$401.42 | |
| | | | Remit to: | DUNNELLON, FL | \$401.42 | \$2,809.94 |
| MONTGOMERY PLUMBING INC | 215837 | 02/04/2013 | 012513 | PLUMBING SVCS/REPLACE OF STOLEN BACKFLOWS-SENIOR CTR | \$8,000.00 | |
| | | | Remit to: | MORENO VALLEY, CA | \$8,000.00 | \$11,158.75 |
| MOOSEPOINT TECHNOLOGY, INC. | 215944 | 02/11/2013 | MVHost12133 | GIS INTERNET SITE HOSTING SVCS-QTR 3 | \$2,250.00 | |
| | | | MVME0213 | GEOSMART.NET MAINTENANCE 2/1- 4/30/13 | \$808.13 | |
| | | | Remit to: | SONOMA, CA | \$3,058.13 | \$9,174.39 |
| MORA, PATRICIA A. | 8513 | 02/11/2013 | 130201 | RETIREE MED FEB '13 | \$318.73 | |
| | | | Remit to: | MORENO VALLEY, CA | \$318.73 | \$2,231.11 |
| MORENO VALLEY CHAMBER OF COMMERCE | 215862 | 02/04/2013 | 3591 | WAKE-UP MEETING ATTENDANCE-1/23/13 | \$75.00 | |
| | | | Remit to: | MORENO VALLEY, CA | \$75.00 | \$20,345.00 |
| MORENO VALLEY CHAMBER OF COMMERCE | 216082 | 02/19/2013 | 3596 | INSTALLATION/AWARDS CEREMONY 2013-C DIST 1 | \$75.00 | |

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|-------------------------------------|-------------------------|---------------------|-----------------------|------------------------------------|---------------|--------------|
| | | | | Remit to: MORENO VALLEY, CA | \$75.00 | \$20,345.00 |
| MORENO VALLEY CITY EMPLOYEES ASSOC. | 8683 | 02/08/2013 | MO130207 | MVCEA DUES | \$1,383.50 | |
| | | | | Remit to: MORENO VALLEY, CA | \$1,383.50 | \$23,815.00 |
| MORENO VALLEY CITY EMPLOYEES ASSOC. | 8688 | 02/22/2013 | MO130221 | MVCEA DUES | \$1,383.50 | |
| | | | | Remit to: MORENO VALLEY, CA | \$1,383.50 | \$23,815.00 |
| MORENO VALLEY GATEWAY, LLC | 8422 | 02/04/2013 | 2151 | LEASE-FACILITIES ANNEX-FEB13 | \$2,458.97 | |
| | | | 2153 | LEASE-SUITES 5-9-ESA-FEB13 | \$9,207.72 | |
| | | | 2152 | LEASE-T/S ANNEX-FEB13 | \$5,475.90 | |
| | | | | Remit to: SAN JUAN CAPISTRANO, CA | \$17,142.59 | \$119,998.13 |
| MORENO VALLEY GATEWAY, LLC | 8586 | 02/19/2013 | 2156 | LEASE-FACILITIES ANNEX-MAR13 | \$2,458.97 | |
| | | | 2155 | LEASE-T/S ANNEX-MAR13 | \$5,475.90 | |
| | | | | Remit to: SAN JUAN CAPISTRANO, CA | \$7,934.87 | \$119,998.13 |
| MORENO VALLEY GATEWAY, LLC | 8621 | 02/25/2013 | 2154 | LEASE-SUITES 5-9-ESA-MAR13 | \$9,207.72 | |
| | | | | Remit to: SAN JUAN CAPISTRANO, CA | \$9,207.72 | \$119,998.13 |
| MORGAN, LISA A. | 8514 | 02/11/2013 | 130201 | RETIREE MED FEB '13 | \$318.73 | |
| | | | | Remit to: MENTONE, CA | \$318.73 | \$2,231.11 |
| MOTOPOST USA | 216053 | 02/19/2013 | 139804 | NEW MOTOR UNIFORMS FOR PD OFFICERS | \$1,199.01 | |
| | | | 139803 | NEW MOTOR UNIFORMS FOR PD OFFICERS | \$1,338.87 | |
| | | | | Remit to: SAN MARCOS, CA | \$2,537.88 | \$2,537.88 |

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|---------------------------------|-------------------------|---------------------|-----------------------|---|---------------|-------------|
| MR. CLEAN MAINTENANCE SYSTEMS | 215827 | 02/04/2013 | 9579 | PRESSURE WASH SVCS-CRC | \$428.00 | |
| | | | Remit to: | COLTON, CA | \$428.00 | \$1,606.00 |
| MURPHY, LIONEL | 216141 | 02/25/2013 | 3/4-3/8/13 | PER DIEM-DUI SEMINAR | \$200.00 | |
| | | | Remit to: | MORENO VALLEY, CA | \$200.00 | \$200.00 |
| NAIOP INLAND EMPIRE | 215945 | 02/11/2013 | 110712-22 | 2012 NAIOP INLAND EMPIRE BUS TOUR SPONSORSHIP | \$1,000.00 | |
| | | | Remit to: | LAGUNA HILLS, CA | \$1,000.00 | \$1,000.00 |
| NAPA AUTO PARTS MORENO VALLEY | 215838 | 02/04/2013 | 141541 | TRUCK TIRE CHANGER MACHINE | \$14,738.67 | |
| | | | Remit to: | MORENO VALLEY, CA | \$14,738.67 | \$14,738.67 |
| NATIONWIDE RETIREMENT SOLUTIONS | 8681 | 02/08/2013 | DC457FICA130207 | PST DEF COMP FICA | \$2,779.48 | |
| | | | Remit to: | COLUMBUS, OH | \$2,779.48 | \$48,224.52 |
| NATIONWIDE RETIREMENT SOLUTIONS | 8686 | 02/22/2013 | DC457FICA130221 | PST DEF COMP FICA | \$2,969.17 | |
| | | | Remit to: | COLUMBUS, OH | \$2,969.17 | \$48,224.52 |
| NAVARRETTE, RALPH | 8515 | 02/11/2013 | 130201 | RETIREE MED FEB '13-ADJ FOR JAN OVERPMT | \$66.65 | |
| | | | Remit to: | RANCHO CUCAMONGA, CA | \$66.65 | \$1,422.59 |
| NELSON, ROBERT | 8516 | 02/11/2013 | 130201 | RETIREE MED FEB '13-ADJ FOR JAN OVERPMT | \$190.43 | |
| | | | Remit to: | ONTARIO, CA | \$190.43 | \$2,113.01 |
| NELSON, RUTH L. | 8517 | 02/11/2013 | 130201 | RETIREE MED FEB '13-ADJ FOR JAN UNDERPMT | \$180.93 | |
| | | | Remit to: | PERRIS, CA | \$180.93 | \$1,175.79 |

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|------------------------------|-------------------------|---------------------|-----------------------|--|---------------|--------------|
| NEUSTAEDTER, CRAIG S | 215946 | 02/11/2013 | 130201 | RETIREE MED FEB '13 | \$318.73 | |
| | | | Remit to: | IRVINE, CA | \$318.73 | \$2,231.11 |
| NEW HORIZON MOBILE HOME PARK | 8518 | 02/11/2013 | JAN 2013 | REFUND UTILITY USER TAXES FOR EXEMPT RESIDENTS | \$17.76 | |
| | | | Remit to: | LOS ANGELES, CA | \$17.76 | \$79.27 |
| NEW WORLD SYSTEMS, CORP | 8587 | 02/19/2013 | 025742 | TRAVEL EXPENSES-ERP REPLACEMENT PROJECT | \$1,748.17 | |
| | | | 025617 | TRAVEL EXPENSES-ERP REPLACEMENT PROJECT | \$600.00 | |
| | | | Remit to: | TROY, MI | \$2,348.17 | \$206,622.78 |
| NIEBURGER, JUDITH A. | 215947 | 02/11/2013 | 130201 | RETIREE MED FEB '13 | \$401.42 | |
| | | | Remit to: | MORENO VALLEY, CA | \$401.42 | \$2,809.94 |
| NORMAN A. TRAUB ASSOCIATES | 215890 | 02/04/2013 | 12093.1 | INVESTIGATION SERVICES | \$7,057.30 | |
| | | | Remit to: | YORBA LINDA, CA | \$7,057.30 | \$20,888.61 |
| NYSSA MARIA GRAVINA | 215883 | 02/04/2013 | MV3120810044 | REFUND-CODE ADMIN CITATION | \$57.50 | |
| | | | Remit to: | MORENO VALLEY, CA | \$57.50 | \$57.50 |
| OAKLEY SALES CORP | 215948 | 02/11/2013 | 721609072 | SAFETY EYE WEAR FOR PD MOTOR OFFICERS | \$124.90 | |
| | | | Remit to: | LOS ANGELES, CA | \$124.90 | \$1,385.73 |
| OAKLEY SALES CORP | 216114 | 02/25/2013 | 722629203 | SAFETY EYE WEAR FOR PD MOTOR OFFICERS | \$229.16 | |
| | | | Remit to: | LOS ANGELES, CA | \$229.16 | \$1,385.73 |
| OLIVIER PRUD'HOMME | 216142 | 02/25/2013 | 306 | DEPOSIT-BAND PERFORMANCE-7/4/13 CELEBRATION | \$300.00 | |

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|-----------------------------------|-------------------------|---------------------|-----------------------|---|---------------|-------------|
| | | | Remit to: | STUDIO CITY, CA | \$300.00 | \$300.00 |
| OMNIGRAPHICS | 215839 | 02/04/2013 | 10990012-2452 | REFERENCE BOOK FOR LIBRARY | \$90.94 | |
| | | | 10990012-2424 | REFERENCE BOOKS FOR LIBRARY | \$454.70 | |
| | | | Remit to: | ASTON, PA | \$545.64 | \$545.64 |
| OPERATION SAFEHOUSE, INC. | 215949 | 02/11/2013 | OCT 2012 | REIMBURSEMENT FOR CDBG PROGRAM SERVICES | \$608.80 | |
| | | | DEC 2012 | REIMBURSEMENT FOR CDBG PROGRAM SERVICES | \$2,117.70 | |
| | | | NOV 2012 | REIMBURSEMENT FOR CDBG PROGRAM SERVICES | \$1,009.14 | |
| | | | Remit to: | RIVERSIDE, CA | \$3,735.64 | \$5,399.62 |
| ORROCK, POPKA, FORTINO & BRISLIN | 8623 | 02/25/2013 | 90-034M STMT 4 | LEGAL SERVICES-DEFENSE COSTS K. BALVANEDA | \$1,002.70 | |
| | | | Remit to: | RIVERSIDE, CA | \$1,002.70 | \$10,943.53 |
| ORROCK, POPKA, FORTINO & BRISLIN | 216054 | 02/19/2013 | 90-035M STMT 2 | LEGAL SERVICES-DEFENSE COSTS V. GOODWIN | \$216.00 | |
| | | | Remit to: | RIVERSIDE, CA | \$216.00 | \$10,943.53 |
| OVERLAND PACIFIC & CUTLER, INC. | 8519 | 02/11/2013 | 1211168 | ACQUISITION SERVICES - PERRIS/RAMONA TO CACTUS | \$2,520.00 | |
| | | | 1210071 | ACQUISITION SERVICES - PERRIS/RAMONA TO CACTUS | \$4,200.00 | |
| | | | Remit to: | LONG BEACH, CA | \$6,720.00 | \$49,842.50 |
| PACIFIC UTILITY INSTALLATION, INC | 216055 | 02/19/2013 | 11806 | EMERGENCY REPAIR SVCS FOR POWER OUTAGE-MV UTILITY | \$11,030.00 | |

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|------------------------------------|-------------------------|---------------------|-----------------------|---|---------------|--------------|
| | | | | Remit to: ANAHEIM, CA | \$11,030.00 | \$15,780.00 |
| PACIFIC UTILITY INSTALLATION, INC | 216115 | 02/25/2013 | 11789R | RAISE SOE COVER FROM UNDER THE SIDEWALK-FOR MV UTILITY | \$4,750.00 | |
| | | | | Remit to: ANAHEIM, CA | \$4,750.00 | \$15,780.00 |
| PARADIGM ENERGY CONSULTING | 8520 | 02/11/2013 | MVU-01-2013 | CONSULTING SERVICES RE: MV UTILITY 10-YR RESOURCE PLAN | \$2,475.00 | |
| | | | | Remit to: SACRAMENTO, CA | \$2,475.00 | \$4,025.00 |
| PARADIGM ENERGY CONSULTING | 215892 | 02/04/2013 | MVU-01-2012 | CONSULTING SERVICES RE: MV UTILITY 10-YR RESOURCE PLAN | \$1,550.00 | |
| | | | | Remit to: SACRAMENTO, CA | \$1,550.00 | \$4,025.00 |
| PARSONS TRANSPORTATION GROUP, INC. | 8624 | 02/25/2013 | 1301A941 | COSNTRUCTION SUPPORT - SR-60/NASON OVERCROSSING | \$11,975.85 | |
| | | | 1301A942 | CONSTRUCTION SUPPORT - SR-60/MB PH I | \$6,022.87 | |
| | | | | Remit to: IRVINE, CA | \$17,998.72 | \$864,435.45 |
| PATTERSON, ALFREY | 215950 | 02/11/2013 | 130201 | RETIREE MED FEB '13-ADJ FOR JAN OVERPMT | \$66.65 | |
| | | | | Remit to: MORENO VALLEY, CA | \$66.65 | \$1,422.59 |
| PAUL GROTEFEND | 216083 | 02/19/2013 | 2/25-3/1/13 | PER DIEM-CELLULAR PHONE FORENSICS INVESTIGATIONS COURSE | \$250.00 | |
| | | | | Remit to: MORENO VALLEY, CA | \$250.00 | \$400.00 |
| PENELOPE SIEBOLD | 215873 | 02/04/2013 | R12-056171 | ANIMAL SERVICES REFUND | \$150.00 | |
| | | | | Remit to: MURRIETA, CA | \$150.00 | \$150.00 |
| PERRY, NORMA | 8521 | 02/11/2013 | 130201 | RETIREE MED FEB '13 | \$318.73 | |

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|---|-------------------------|---------------------|-----------------------|--|---------------|--------------|
| | | | | Remit to: LOCKEFORD, CA | \$318.73 | \$2,231.11 |
| PERS LONG TERM CARE PROGRAM | 215951 | 02/11/2013 | 130124 | LONG TERM CARE INSURANCE | \$458.63 | |
| | | | | Remit to: PASADENA, CA | \$458.63 | \$7,338.08 |
| PERS LONG TERM CARE PROGRAM | 216056 | 02/19/2013 | 130207 | LONG TERM CARE INSURANCE | \$458.63 | |
| | | | | Remit to: PASADENA, CA | \$458.63 | \$7,338.08 |
| PIP PRINTING | 8588 | 02/19/2013 | 53563 | 210 BOOKS COPIED AND BOUND-FEMA CERT MANUALS | \$3,000.46 | |
| | | | | Remit to: MORENO VALLEY, CA | \$3,000.46 | \$5,689.21 |
| POUNDS, NANCY | 8522 | 02/11/2013 | 130201 | JAN '13 PD FEB '13 | \$318.73 | |
| | | | | Remit to: BOISE, ID | \$318.73 | \$1,912.38 |
| POWELL CONSTRUCTORS, INC. | 8567 | 02/13/2013 | W130204 | RETENTION RELEASE PER ESCROW AGREEMNT-INV#1 & #2 | \$11,222.43 | |
| | | | | Remit to: FONTANA, CA | \$11,222.43 | \$650,608.77 |
| PRICE, GEORGE E. | 8523 | 02/11/2013 | 130201 | RETIREE MED FEB '13 | \$318.73 | |
| | | | | Remit to: MORENO VALLEY, CA | \$318.73 | \$2,231.11 |
| PROFESSIONAL COMMUNICATIONS NETWORK PCN | 215952 | 02/11/2013 | 130100435 | LIVE ANSWERING SERVICE FOR TOW PROGRAM | \$479.55 | |
| | | | | Remit to: RIVERSIDE, CA | \$479.55 | \$3,942.15 |
| PSOMAS | 216152 | 02/28/2013 | 86697 | CONSULTING SERVICES, SURVEY - SR-60/NASON OVERCROSSING | \$11,491.86 | |
| | | | | Remit to: SANTA ANA, CA | \$11,491.86 | \$44,531.76 |
| PULLIAM, TRENT D. | 8524 | 02/11/2013 | 130201 | RETIREE MED FEB '13 | \$318.73 | |

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|--|-------------------------|---------------------|-----------------------|---|---------------|-------------|
| | | | | Remit to: MISSION VIEJO, CA | \$318.73 | \$2,231.11 |
| RALPH R. ALWORTH | 216089 | 02/19/2013 | MV2120919023 | REFUND-CITATION DISMISSED-CODE | \$57.50 | |
| | | | | Remit to: MORENO VALLEY, CA | \$57.50 | \$57.50 |
| RAMOS, ROBERTO | 216000 | 02/11/2013 | FEB-2013 | INSTRUCTOR SVCS-KINDER KARATE & TAE KWON DO CLASSES | \$443.40 | |
| | | | | Remit to: MORENO VALLEY, CA | \$443.40 | \$3,984.30 |
| RAY-RAMIREZ, DARCY L. | 215953 | 02/11/2013 | 130201 | RETIREE MED FEB '13 | \$318.73 | |
| | | | | Remit to: RIVERSIDE, CA | \$318.73 | \$2,231.11 |
| RCGIA | 216057 | 02/19/2013 | REG.-D. DREXLER | REGISTR. FEE FOR INLAND EMPIRE GANG CONFERENCE-MAR. 11-13, 2013 | \$100.00 | |
| | | | | Remit to: MURRIETA, CA | \$100.00 | \$100.00 |
| RECORDED BOOKS | 215840 | 02/04/2013 | 74646564 | AUDIOBOOKS (REIMB. BY F.O.L.) | \$76.30 | |
| | | | 74648759 | AUDIOBOOKS (REIMB. BY F.O.L.) | \$42.02 | |
| | | | | Remit to: BALTIMORE, MD | \$118.32 | \$500.18 |
| REPUBLIC MASTER CHEFS TEXTILE RENTAL SERVICE | 215954 | 02/11/2013 | S194645 | LINENS FOR SPECIAL EVENTS AT CRC | \$60.50 | |
| | | | 10873243 | LINENS FOR SPECIAL EVENTS AT CRC | \$5.00 | |
| | | | S193124 | LINENS FOR SPECIAL EVENTS AT CRC | \$66.50 | |
| | | | | Remit to: LOS ANGELES, CA | \$132.00 | \$960.62 |
| REPUBLIC MASTER CHEFS TEXTILE RENTAL SERVICE | 216116 | 02/25/2013 | S200647 | LINENS FOR SPECIAL EVENTS AT CRC | \$56.75 | |
| | | | | Remit to: LOS ANGELES, CA | \$56.75 | \$960.62 |

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|------------------------------|-------------------------|---------------------|-----------------------|--|---------------|--------------|
| RICHARD CROWE | 215868 | 02/04/2013 | R12-052561 | ANIMAL SERVICES REFUND | \$20.00 | |
| | | | Remit to: | ESCONDIDO, CA | \$20.00 | \$20.00 |
| RICK ENGINEERING COMPANY | 8526 | 02/11/2013 | 0029205 | CONSULTING SERVICES, SURVEY - LOCAL STREET PVMT. RESURFACING | \$220.00 | |
| | | | 0029204 | CONSULTING SERVICES, STAKING - CACTUS/NASON | \$21,745.00 | |
| | | | Remit to: | RIVERSIDE, CA | \$21,965.00 | \$138,966.96 |
| RICK ENGINEERING COMPANY | 8625 | 02/25/2013 | 0029585 | CONSULTING SERVICES, SURVEY - CACTUS/NASON | \$18,417.50 | |
| | | | 0029797 | CONSULTING SERVICES, SURVEY - CACTUS/NASON | \$1,800.00 | |
| | | | Remit to: | RIVERSIDE, CA | \$20,217.50 | \$138,966.96 |
| RICK HARTMANN | 215930 | 02/11/2013 | 130201 | RETIREE MED FEB '13 | \$318.73 | |
| | | | Remit to: | SAN DIMAS, CA | \$318.73 | \$1,593.65 |
| RIGHTWAY SITE SERVICES, INC. | 215841 | 02/04/2013 | 718849 | PORTABLE RESTROOMS-EQUESTRIAN CENTER | \$309.00 | |
| | | | 718848 | PORTABLE RESTROOM-COTTONWOOD GOLF COURSE | \$72.30 | |
| | | | 718913 | PORTABLE TOILET ON WHEELS/SERVICE FOR M&O DIV. | \$89.60 | |
| | | | Remit to: | LAKE ELSINORE, CA | \$470.90 | \$4,254.37 |
| RIGHTWAY SITE SERVICES, INC. | 216058 | 02/19/2013 | 719884 | PORTABLE RESTROOM-COTTONWOOD GOLF COURSE | \$72.30 | |
| | | | 719885 | PORTABLE RESTROOMS-EQUESTRIAN CENTER | \$309.00 | |

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|--|-------------------------|---------------------|-----------------------|---|---------------|-------------|
| | | | | Remit to: LAKE ELSINORE, CA | \$381.30 | \$4,254.37 |
| RIGHTWAY SITE SERVICES, INC. | 216117 | 02/25/2013 | 720071 | PORTABLE TOILET ON WHEELS/SERVICE FOR M&O DIV. | \$89.60 | |
| | | | | Remit to: LAKE ELSINORE, CA | \$89.60 | \$4,254.37 |
| RIVERSIDE AREA RAPE CRISIS CENTER | 215955 | 02/11/2013 | JULY 2012 | CDBG REIMBURSEMENT-CHILD ABUSE PREVENTION PROGRAM | \$593.01 | |
| | | | AUGUST 2012 | CDBG REIMBURSEMENT-CHILD ABUSE PREVENTION PROGRAM | \$573.88 | |
| | | | | Remit to: RIVERSIDE, CA | \$1,166.89 | \$1,709.34 |
| RIVERSIDE COUNTY DEPARTMENT OF HEALTH | 215842 | 02/04/2013 | IN0162616 | ENVIRONMENTAL HEALTH PERMIT-SUNNYMEAD PARK ACCOUNT# AR0010011 | \$578.00 | |
| | | | | Remit to: RIVERSIDE, CA | \$578.00 | \$928.00 |
| RIVERSIDE COUNTY SHERIFF CIVIL DIVISION-WEST | 216059 | 02/19/2013 | 130207 | GARNISHMENT | \$146.00 | |
| | | | | Remit to: RIVERSIDE, CA | \$146.00 | \$5,317.68 |
| RIVERSIDE MEDICAL CLINIC | 215956 | 02/11/2013 | ACCT 700000183 | FLU VACCINATIONS | \$440.00 | |
| | | | ACCT 700000187 | FLU VACCINATIONS | \$820.00 | |
| | | | | Remit to: RIVERSIDE, CA | \$1,260.00 | \$1,260.00 |
| RIVERSIDE RUBBER STAMP & ENGRAVING | 8626 | 02/25/2013 | 13-72062 | BANK DEPOSIT STAMP & INK | \$25.42 | |
| | | | | Remit to: RIVERSIDE, CA | \$25.42 | \$791.69 |
| RMA GROUP | 215957 | 02/11/2013 | 41346 | CONSULTING SERVICES, GEOTECHNICAL - CORPORATE YARD SEWER IMRPV. | \$3,855.86 | |
| | | | | Remit to: RANCHO CUCAMONGA, CA | \$3,855.86 | \$7,787.59 |

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|------------------------------------|-------------------------|---------------------|-----------------------|--|---------------|-------------|
| ROGERS, EUGENE | 8527 | 02/11/2013 | 130201 | RETIREE MED FEB '13 | \$318.73 | |
| | | | | Remit to: PEBBLE BEACH, CA | \$318.73 | \$2,231.11 |
| ROSENOW SPEVACEK GROUP (RSG, INC.) | 215958 | 02/11/2013 | 0028743 | NSP ELIGIBILITY REVIEW SERVICES | \$630.00 | |
| | | | | Remit to: SANTA ANA, CA | \$630.00 | \$11,823.98 |
| ROSENOW SPEVACEK GROUP (RSG, INC.) | 216118 | 02/25/2013 | 0028857 | ELIGIBILITY REVIEW - GALVEZ | \$350.00 | |
| | | | 0028854 | ELIGIBILITY REVIEW - BOEHNKE | \$350.00 | |
| | | | 0028850 | NSP ELIGIBILITY REVIEW SERVICES | \$1,260.00 | |
| | | | | Remit to: SANTA ANA, CA | \$1,960.00 | \$11,823.98 |
| ROSS, DAVID T. | 8528 | 02/11/2013 | 130201 | RETIREE MED FEB '13 | \$318.73 | |
| | | | | Remit to: MORENO VALLEY, CA | \$318.73 | \$2,231.11 |
| ROSSON, LOUIS A. | 8529 | 02/11/2013 | 130201 | RETIREE MED FEB '13-ADJ FOR JAN UNDERPMT | \$173.37 | |
| | | | 130201A | RETIREE MED FEB '13 | \$96.50 | |
| | | | | Remit to: PERRIS, CA | \$269.87 | \$1,940.23 |
| RUSSO, JOHN | 8530 | 02/11/2013 | 130201 | RETIREE MED FEB '13-ADJ FOR JAN OVERPMT | \$66.65 | |
| | | | | Remit to: RANCHO MIRAGE, CA | \$66.65 | \$1,422.59 |
| SA ASSOCIATES | 8531 | 02/11/2013 | 76 | CONSULTING SERVICES, PROJECT MNGMT. - CACTUS/NASON | \$10,800.00 | |
| | | | | Remit to: ARCADIA, CA | \$10,800.00 | \$82,500.00 |
| SALMAN, CLAUDIA | 215864 | 02/04/2013 | JAN-2013 | INSTRUCTOR SVCS-LATIN ZUMBA CLASS | \$108.00 | |
| | | | | Remit to: MORENO VALLEY, CA | \$108.00 | \$606.00 |

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|--|-------------------------|---------------------|-----------------------|--|---------------|-------------|
| SAMIR M. KHOURY DBA COORY ENGINEERING | 215843 | 02/04/2013 | 7116 | CONSULTING SERVICES, SURVEY STAKING - MORENO BEACH PH I | \$17,137.45 | |
| | | | | Remit to: ORANGE, CA | \$17,137.45 | \$17,137.45 |
| SCHIEFELBEIN, LORI C. | 215959 | 02/11/2013 | 130201 | JAN '13 PD FEB '13 | \$318.73 | |
| | | | | Remit to: BULLHEAD CITY, AZ | \$318.73 | \$11,979.86 |
| SCHIEFELBEIN, LORI C. | 215960 | 02/11/2013 | JAN 2013 | CONSULTANT SVCS-ROTATIONAL TOW PROGRAM | \$1,045.00 | |
| | | | | Remit to: BULLHEAD CITY, AZ | \$1,045.00 | \$11,979.86 |
| SCHUMAN, MICHAEL | 8532 | 02/11/2013 | 130201 | RETIREE MED FEB '13 | \$318.73 | |
| | | | | Remit to: RIVERSIDE, CA | \$318.73 | \$2,231.11 |
| SCOTT FAZEKAS & ASSOCIATES, INC | 215961 | 02/11/2013 | 16465 | PLAN CHECK SERVICES FOR BLDG & SAFETY DEPT. | \$495.00 | |
| | | | 16432 | PLAN CHECK SERVICES FOR BLDG & SAFETY DEPT. | \$792.00 | |
| | | | | Remit to: IRVINE, CA | \$1,287.00 | \$2,684.00 |
| SECRETARY OF STATE - STMT OF INFO UNIT | 216120 | 02/25/2013 | STEM LIFE COLL. | DEPOSIT FOR BUSINESS ENTITY RECORDS FOR STEM LIFE COLLECTIVE | \$20.00 | |
| | | | | Remit to: SACRAMENTO, CA | \$20.00 | \$60.00 |
| SECURITY AND COMMUNICATIONS CONSULTING | 8589 | 02/19/2013 | 01113 | CONSULTING SVCS-CITYWIDE CAMERA SURVEILLANCE SYSTEM | \$15,635.10 | |
| | | | | Remit to: CLOVIS, CA | \$15,635.10 | \$38,317.20 |
| SECURITY LOCK & KEY | 8423 | 02/04/2013 | 25654 | REPAIR OF DOOR LOCK AT FIRE STATION 99 | \$114.22 | |
| | | | | Remit to: YUCAIPA, CA | \$114.22 | \$5,840.36 |

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|----------------------------------|-------------------------|---------------------|-----------------------|--|---------------|-------------|
| SECURITY LOCK & KEY | 8590 | 02/19/2013 | 25741 | LOCK REPAIRS & DUPLICATE KEYS-SKATE PARK SNACK BAR | \$99.59 | |
| | | | | Remit to: YUCAIPA, CA | \$99.59 | \$5,840.3 |
| SERTA MATTRESS | 216121 | 02/25/2013 | 00165501-001 | MATTRESSES FOR FIRE STATION 91 | \$3,602.32 | |
| | | | | Remit to: MORENO VALLEY, CA | \$3,602.32 | \$3,602.3 |
| SHARRETT, SHARON K. | 8533 | 02/11/2013 | 130201 | RETIREE MED FEB '13-ADJ FOR JAN UNDERPMT | \$180.93 | |
| | | | | Remit to: ONTARIO, CA | \$180.93 | \$1,175.79 |
| SHEFFIELD FORECLOSURE RENOVATION | 215962 | 02/11/2013 | MV0236 | FINAL REHAB COSTS FOR NSP PROPERTY AT 23974 HEMLOCK | \$11,909.02 | |
| | | | | Remit to: RIVERSIDE, CA | \$11,909.02 | \$28,034.92 |
| SHELDON, STUART H. | 215963 | 02/11/2013 | 130201 | RETIREE MED FEB '13 | \$318.73 | |
| | | | | Remit to: MURRIETA, CA | \$318.73 | \$2,231.11 |
| SHELL OIL CO. | 215844 | 02/04/2013 | 065159196301 | FUEL PURCHASE-M&O TREE CREW | \$21.01 | |
| | | | | Remit to: COLUMBUS, OH | \$21.01 | \$15,496.57 |
| SHELL OIL CO. | 216060 | 02/19/2013 | 065124489302 | FUEL PURCHASES-PD MOTORCYCLES | \$1,058.23 | |
| | | | | Remit to: COLUMBUS, OH | \$1,058.23 | \$15,496.57 |
| SHELLY LE BROUSSEAU | 215871 | 02/04/2013 | R12-056991 | ANIMAL SERVICES REFUND | \$75.00 | |
| | | | | Remit to: CANYON LAKE, CA | \$75.00 | \$75.00 |
| SINGER & COFFIN, APC | 8534 | 02/11/2013 | 2860 | LEGAL SERVICES - MORENO BEACH PH II | \$14,254.48 | |
| | | | | Remit to: IRVINE, CA | \$14,254.48 | \$41,888.37 |

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|-----------------------------------|-------------------------|---------------------|-----------------------|---|---------------|-------------|
| SIRE TECHNOLOGIES/HYLAND SOFTWARE | 8424 | 02/04/2013 | 196703 | SIRE AGENDA TO GO ENTERPRISE LICENSING & ANNUAL MAINTENANCE | \$3,226.04 | |
| | | | | Remit to: WESTLAKE, OH | \$3,226.04 | \$48,660.04 |
| SIRE TECHNOLOGIES/HYLAND SOFTWARE | 8592 | 02/19/2013 | 209256 | 20 SIRE EDMS AND 2 CAPTURE LICENSES, INCLUDING MAINT. | \$19,140.00 | |
| | | | | Remit to: WESTLAKE, OH | \$19,140.00 | \$48,660.04 |
| SKY PUBLISHING | 215845 | 02/04/2013 | 13_1_63 | FULL PAGE MAGAZINE AD-EARTH DAY FREE MULCH EVENT | \$1,485.00 | |
| | | | 13_1_64 | 1/2 PAGE MAGAZINE AD-BULKY WASTE PROGRAM | \$840.00 | |
| | | | 13_1_62 | FULL PAGE MAGAZINE AD-EARTH DAY DECISION TREE | \$1,485.00 | |
| | | | | Remit to: MORENO VALLEY, CA | \$3,810.00 | \$39,577.00 |
| SKY TRAILS MOBILE VILLAGE | 8535 | 02/11/2013 | JAN 2013 | REFUND UTILITY USER TAXES FOR EXEMPT RESIDENTS | \$59.63 | |
| | | | | Remit to: LOS ANGELES, CA | \$59.63 | \$359.60 |
| SLAGERMAN, SUSAN A. | 8536 | 02/11/2013 | 130201 | DEC '12 PD FEB '13 | \$318.73 | |
| | | | | Remit to: MORENO VALLEY, CA | \$318.73 | \$1,912.38 |
| SMITH, MARIA A. | 8537 | 02/11/2013 | 130201 | RETIREE MED FEB '13 | \$318.73 | |
| | | | | Remit to: MORENO VALLEY, CA | \$318.73 | \$2,231.11 |
| SMOOTH TRANSITION, INC | 215965 | 02/11/2013 | SEPT-DEC 2012 | CDBG REIMBURSEMENT-JOB READINESS PROGRAM | \$2,500.00 | |
| | | | | Remit to: RIVERSIDE, CA | \$2,500.00 | \$2,500.00 |
| SOCO GROUP, INC | 8593 | 02/19/2013 | 685906 | FUEL FOR CITY VEHICLES & EQUIPMENT | \$7,143.07 | |

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|----------------------------------|-------------------------|---------------------|-----------------------|--|---------------|----------------|
| | | | | Remit to: PERRIS, CA | \$7,143.07 | \$252,208.6 |
| SOCO GROUP, INC | 8627 | 02/25/2013 | 686698 | FUEL FOR CITY VEHICLES & EQUIPMENT | \$7,482.13 | |
| | | | 687465 | FUEL FOR CITY VEHICLES & EQUIPMENT | \$10,166.51 | |
| | | | | Remit to: PERRIS, CA | \$17,648.64 | \$252,208.6 |
| SORRELLA CREATIVE DESIGN | 216122 | 02/25/2013 | 0001-000002 | 50% OF FINAL FEE FOR MURAL | \$3,406.25 | |
| | | | | Remit to: RIVERSIDE, CA | \$3,406.25 | \$11,038.75 |
| SOUTHERN CALIFORNIA EDISON 1 | 215846 | 02/04/2013 | JAN-13 2/4/13 | ELECTRICITY | \$5,939.11 | |
| | | | DEC-12 2/4/13 | ELECTRICITY | \$125.57 | |
| | | | | Remit to: ROSEMEAD, CA | \$6,064.68 | \$2,002,624.82 |
| SOUTHERN CALIFORNIA EDISON 1 | 215966 | 02/11/2013 | JAN-13 2/11/13 | ELECTRICITY | \$6,169.80 | |
| | | | | Remit to: ROSEMEAD, CA | \$6,169.80 | \$2,002,624.83 |
| SOUTHERN CALIFORNIA GAS CO. | 216062 | 02/19/2013 | 10927739739 2/4 | GAS CHARGES | \$492.29 | |
| | | | JAN-2013 | GAS CHARGES | \$10,365.16 | |
| | | | | Remit to: MONTEREY PARK, CA | \$10,857.45 | \$40,610.36 |
| SOUTHWEST GERMAN SHEPHERD RESCUE | 215874 | 02/04/2013 | R12-056799 | ANIMAL SERVICES REFUND | \$75.00 | |
| | | | | Remit to: PHOENIX, AZ | \$75.00 | \$75.00 |
| SPARKLETTS | 215847 | 02/04/2013 | 7387294 010713 | BOTTLED WATER/SVC-COTTONWOOD GOLF COURSE | \$5.00 | |
| | | | 10050036 010213 | BOTTLED WATER/SVC-EOC/ERF | \$4.50 | |
| | | | | Remit to: DALLAS, TX | \$9.50 | \$904.41 |

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|------------------------|-------------------------|---------------------|-----------------------|---|---------------|-------------|
| SPARKLETTS | 215969 | 02/11/2013 | 7364551 012313 | BOTTLED WATER/SVC-SUNNYMEAD ELEMENTARY "A CHILDS PLACE" | \$13.38 | |
| | | | 8742831 121312 | BOTTLED WATER/SVC-EMPLOYMENT RESOURCE CENTER | \$251.66 | |
| | | | Remit to: | DALLAS, TX | \$265.04 | \$904.41 |
| SPARKLETTS | 216063 | 02/19/2013 | 7364596 020213 | BOTTLED WATER/SVC-CREEKSIDE ELEMENTARY "A CHILDS PLACE" | \$14.63 | |
| | | | Remit to: | DALLAS, TX | \$14.63 | \$904.41 |
| SPARKLETTS | 216124 | 02/25/2013 | 7363683 020213 | BOTTLED WATER/SVC-ARMADA ELEMENTARY "A CHILDS PLACE" | \$18.45 | |
| | | | 10050036 020213 | BOTTLED WATER/SVC-EOC/ERF | \$93.18 | |
| | | | Remit to: | DALLAS, TX | \$111.63 | \$904.41 |
| SPECK, GARY B. | 8538 | 02/11/2013 | 130201 | RETIREE MED FEB '13 | \$318.73 | |
| | | | Remit to: | MORENO VALLEY, CA | \$318.73 | \$2,231.11 |
| SPENCER, MARTHA | 8539 | 02/11/2013 | 130201 | RETIREE MED FEB '13-ADJ FOR JAN OVERPMT | \$66.65 | |
| | | | Remit to: | MORENO VALLEY, CA | \$66.65 | \$1,422.59 |
| SPINNAKER SUPPORT, LLC | 8540 | 02/11/2013 | INVS2-72587 | JD EDWARDS ONEWORLD SUPPORT SERVICES 1/1/13-6/30/13 | \$15,862.00 | |
| | | | Remit to: | DENVER, CO | \$15,862.00 | \$15,862.00 |
| SPRINT | 8541 | 02/11/2013 | 417544340-074 | CELLULAR PHONE SVC FOR PD GTF | \$65.54 | |
| | | | Remit to: | CAROL STREAM, IL | \$65.54 | \$6,096.82 |
| SPRINT | 8594 | 02/19/2013 | 634235346-029 | CELLULAR PHONE SVC FOR PD SET | \$471.48 | |

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|--|-------------------------|---------------------|-----------------------|--|---------------|--------------|
| | | | | Remit to: CAROL STREAM, IL | \$471.48 | \$6,096.8 |
| STA STUDENT TRANSPORTATION OF AMERICA | 215848 | 02/04/2013 | 5432345 | BUS SERVICE FOR VALLEY KIDS CAMP TRIPS | \$1,196.10 | |
| | | | 5432341 | BUS SERVICE FOR VALLEY KIDS CAMP TRIPS | \$371.20 | |
| | | | 5432354 | BUS SERVICE FOR VALLEY KIDS CAMP TRIPS | \$797.40 | |
| | | | | Remit to: RIVERSIDE, CA | \$2,364.70 | \$8,455.20 |
| STA STUDENT TRANSPORTATION OF AMERICA | 215970 | 02/11/2013 | 5432678 | BUS SERVICE FOR "A CHILD'S PLACE" FIELD TRIPS | \$316.20 | |
| | | | | Remit to: RIVERSIDE, CA | \$316.20 | \$8,455.20 |
| STANDARD INSURANCE CO | 216001 | 02/11/2013 | 130201 | SUPPLEMENTAL INSURANCE | \$1,973.29 | |
| | | | | Remit to: PORTLAND, OR | \$1,973.29 | \$186,016.67 |
| STANLEY CONVERGENT SECURITY SOLUTNS, INC | 8426 | 02/04/2013 | 9870390 | SECURITY SYSTEM MONITORING-PARKS SNACK BARS | \$186.17 | |
| | | | 9859669 | SECURITY SYSTEM MONITORING-PARK SNACK BAR | \$227.16 | |
| | | | | Remit to: RIVERSIDE, CA | \$413.33 | \$22,146.67 |
| STANLEY CONVERGENT SECURITY SOLUTNS, INC | 8427 | 02/04/2013 | 9863667 | ALARM SYSTEM MONITORING SVCS-RED MAPLE "A CHILD'S PLACE" | \$354.00 | |
| | | | | Remit to: PALATINE, IL | \$354.00 | \$22,146.67 |
| STANLEY CONVERGENT SECURITY SOLUTNS, INC | 8542 | 02/11/2013 | 9892153 | ALARM SYSTEM REPAIR-PUBLIC SAFETY BLDG. | \$266.75 | |
| | | | 9892442 | ALARM SYSTEM REPAIR-SENIOR CENTER | \$306.50 | |
| | | | 9850354 | ALARM SYSTEM MONITORING SVCS-ANNEX BLDG 1 | \$207.00 | |

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|--|-------------------------|---------------------|-----------------------|---|---------------|-------------|
| | | | | Remit to: PALATINE, IL | \$780.25 | \$22,146.67 |
| STANLEY CONVERGENT SECURITY SOLUTIONS, INC | 8628 | 02/25/2013 | 9967714 | ALARM SYSTEM MONITORING SVCS-ESA ANNEX | \$105.00 | |
| | | | 9959814 | ALARM SYSTEM MONITORING SVCS-SENIOR CENTER | \$333.03 | |
| | | | 9967924 | ALARM SYSTEM MONITORING SVCS-ANIMAL SHELTER | \$249.99 | |
| | | | 9964734 | ALARM SYSTEM MONITORING SVCS-FACILITIES ANNEX | \$192.00 | |
| | | | | Remit to: PALATINE, IL | \$880.02 | \$22,146.67 |
| STATE BOARD OF EQUALIZATION 1 | 8635 | 02/21/2013 | 013113 | SALES & USE TAX FOR 1/1/13-1/31/13 | \$2,598.00 | |
| | | | | Remit to: SACRAMENTO, CA | \$2,598.00 | \$17,238.12 |
| STATE DISBURSEMENT UNIT | 8684 | 02/08/2013 | CS130207 | CHILD SUPPORT WITHHOLDING | \$2,007.44 | |
| | | | | Remit to: WEST SACRAMENTO, CA | \$2,007.44 | \$39,167.95 |
| STATE DISBURSEMENT UNIT | 8689 | 02/22/2013 | CS130221 | CHILD SUPPORT WITHHOLDING | \$2,020.48 | |
| | | | | Remit to: WEST SACRAMENTO, CA | \$2,020.48 | \$39,167.95 |
| STATE OF CALIFORNIA DEPT. OF JUSTICE | 215849 | 02/04/2013 | 917253 (PR) | FINGERPRINTING SVCS-PARKS/RECREATION | \$158.00 | |
| | | | 917253 (OEM) | FINGERPRINTING SVCS-VOLUNTEER SVCS | \$32.00 | |
| | | | | Remit to: SACRAMENTO, CA | \$190.00 | \$23,666.00 |
| STATE OF CALIFORNIA DEPT. OF JUSTICE | 215971 | 02/11/2013 | 951745 | BLOOD ALCOHOL ANALYSIS FOR PD | \$315.00 | |
| | | | 906810 a | FINGERPRINTING SVCS-PD CITIZEN PATROL | \$128.00 | |
| | | | | Remit to: SACRAMENTO, CA | \$443.00 | \$23,666.00 |

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|--------------------------------------|-------------------------|---------------------|-----------------------|--|---------------|--------------|
| STATE OF CALIFORNIA DEPT. OF JUSTICE | 216064 | 02/19/2013 | 948159 (BL) | FINGERPRINTING SVCS-BUS. LICENSE RELATED | \$32.00 | |
| | | | 943286 (BL) | FINGERPRINTING SVCS-BUS. LICENSE RELATED | \$32.00 | |
| | | | 943286 (HR) | FINGERPRINTING SVCS-HR DEPT/EMPLOYMENT RELATED | \$544.00 | |
| | | | 948159 (HR) | FINGERPRINTING SVCS-HR DEPT/EMPLOYMENT RELATED | \$160.00 | |
| | | | 948159 (SRTS) | FINGERPRINTING SVCS-SRTS PROGRAM | \$32.00 | |
| | | | 943286 (SRTS) | FINGERPRINTING SVCS-SRTS PROGRAM | \$192.00 | |
| | | | | Remit to: SACRAMENTO, CA | \$992.00 | \$23,666.00 |
| STATE WATER RESOURCES CONTROL BOARD | 215972 | 02/11/2013 | SW-0056289 | ANNUAL PERMIT FEE - SR-60/NASON BRIDGE | \$543.00 | |
| | | | | Remit to: SACRAMENTO, CA | \$543.00 | \$30,872.00 |
| STEVE SALAIZ | 216119 | 02/25/2013 | FEB-2013 | INSTRUCTOR SVCS-TAE KWON DO CLASS | \$39.00 | |
| | | | | Remit to: MIRA LOMA, CA | \$39.00 | \$117.00 |
| STEVE'S VALLEY NURSERY | 215850 | 02/04/2013 | 11468 | SEED TOPPER SOIL FOR PARKS | \$27.00 | |
| | | | | Remit to: MORENO VALLEY, CA | \$27.00 | \$27.00 |
| STEWART, CLIFFORD | 8543 | 02/11/2013 | 130201 | RETIREE MED FEB '13-ADJ FOR JAN OVERPMT | \$150.04 | |
| | | | | Remit to: GLENDALE, AZ | \$150.04 | \$1,778.68 |
| STK ARCHITECTURE, INC. | 8544 | 02/11/2013 | 19659 | CONSULTING SERVICES - MORRISON PARK FIRE STATION | \$15,922.62 | |
| | | | | Remit to: TEMECULA, CA | \$15,922.62 | \$121,728.31 |

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|-----------------------------------|-------------------------|---------------------|-----------------------|---|---------------|--------------|
| STK ARCHITECTURE, INC. | 8595 | 02/19/2013 | 19698 | CITY HALL RESTROOM REMODEL-DESIGN SERVICES | \$2,308.00 | |
| | | | Remit to: | TEMECULA, CA | \$2,308.00 | \$121,728.31 |
| STRADLING, YOCCA, CARLSON & RAUTH | 215973 | 02/11/2013 | 276393-0036 | LEGAL SERVICES | \$8,680.50 | |
| | | | 276398-0000 | LEGAL SERVICES | \$375.00 | |
| | | | Remit to: | NEWPORT BEACH, CA | \$9,055.50 | \$61,016.53 |
| STREICH, TERRY L. | 215974 | 02/11/2013 | 130201 | VSP FEB '13 PD FEB '13 | \$30.33 | |
| | | | Remit to: | MORENO VALLEY, CA | \$30.33 | \$1,428.46 |
| STRICKLER ASSOCIATION, THE | 8629 | 02/25/2013 | 4300 | CONSULTANT SVCS-REGARDING PARCEL AT CACTUS & 215 RIGHT OF WAY | \$308.75 | |
| | | | Remit to: | SAN BERNARDINO, CA | \$308.75 | \$10,978.75 |
| STROHMAN ENTERPRISE | 215975 | 02/11/2013 | 5947 | GPS NAVIGATIONAL UNITS FOR PD | \$491.97 | |
| | | | Remit to: | GLEN ALLEN, VA | \$491.97 | \$491.97 |
| SUE ALSUP | 215866 | 02/04/2013 | R12-054181 | ANIMAL SERVICES REFUND | \$20.00 | |
| | | | Remit to: | HEMET, CA | \$20.00 | \$20.00 |
| SUNNYMEAD ACE HARDWARE | 216065 | 02/19/2013 | 50114 | MISC. SUPPLIES FOR PD | \$10.79 | |
| | | | 50146 | MISC. SUPPLIES FOR PD | \$46.42 | |
| | | | Remit to: | MORENO VALLEY, CA | \$57.21 | \$929.82 |
| SUPERIOR ELECTRICAL ADVERTISING | 216014 | 02/11/2013 | BL#06486-YR2013 | REFUND OVERPAYMENT FOR B/L #06486 | \$60.66 | |
| | | | Remit to: | LONG BEACH, CA | \$60.66 | \$60.66 |
| SUSAN SOLIMAN | 216088 | 02/19/2013 | RCT#0320419 | REFUND-CERT CLASS REGIS FEE | \$15.00 | |

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|---|-------------------------|---------------------|-----------------------|--|---------------|-------------|
| | | | | Remit to: MORENO VALLEY, CA | \$15.00 | \$15.00 |
| TAX COMPLIANCE SERVICES | 215851 | 02/04/2013 | 2012-2013 STMT 6 | UUT AUDIT & CONSULTING SERVICES | \$5,000.00 | |
| | | | | Remit to: THOUSAND OAKS, CA | \$5,000.00 | \$35,000.00 |
| THELMA GREENAWAY | 215869 | 02/04/2013 | R13-057385 | ANIMAL SERVICES REFUND | \$50.00 | |
| | | | | Remit to: MORENO VALLEY, CA | \$50.00 | \$50.00 |
| THERMAL COMBUSTION INNOVATORS | 215852 | 02/04/2013 | 102090 | BIOHAZARD MEDICAL WASTE DISPOSAL SVCS FOR ANIMAL SHELTER | \$71.05 | |
| | | | 100443 | BIOHAZARD MEDICAL WASTE DISPOSAL SVCS FOR ANIMAL SHELTER | \$71.12 | |
| | | | | Remit to: COLTON, CA | \$142.17 | \$726.00 |
| TIMBERLAKE CONSTRUCTION | 216148 | 02/25/2013 | DEPOSIT REFUND | REFUND OF REMAINING BALANCE IN DEPOSIT ACCOUNT | \$116.00 | |
| | | | | Remit to: OKLAHOMA CITY, OK | \$116.00 | \$116.00 |
| TIMOTHY KRANTZ ENVIRONMENTAL CONSULTING | 8596 | 02/19/2013 | OCT '12-JAN '13 | CONSULTANT SVCS-WORLD LOGISTICS CTR PEER REVIEW | \$11,022.00 | |
| | | | | Remit to: REDLANDS, CA | \$11,022.00 | \$43,752.00 |
| TR DESIGN GROUP, INC. | 8546 | 02/11/2013 | 1679 | CONSULTING SERVICES, DESIGN - TRANSPORTATION MGMT. CTR. | \$128.88 | |
| | | | 1678 | CONSULTING SERVICES, DESIGN - TRANSPORTATION MGMT. CTR. | \$8,485.00 | |
| | | | | Remit to: RIVERSIDE, CA | \$8,613.88 | \$25,765.01 |
| TRACEY CLEARY | 215880 | 02/04/2013 | MV3120815049 | REFUND-CODE ADMIN CITATION | \$57.50 | |
| | | | | Remit to: RIVERSIDE, CA | \$57.50 | \$57.50 |

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|------------------------------|-------------------------|---------------------|-----------------------|--|---------------|--------------|
| TRICHE, TARA | 216144 | 02/25/2013 | FEB-2013 | INSTRUCTOR SVCS-DANCE CLASSES | \$2,064.60 | |
| | | | Remit to: | MORENO VALLEY, CA | \$2,064.60 | \$16,257.00 |
| TROPICAL PLAZA NURSERY, INC. | 215977 | 02/11/2013 | M51241 | LANDSCAPE MAINT.-ZONE E-2 | \$6,101.66 | |
| | | | M51195 | IRRIGATION REPAIRS-ZONE E-2 | \$191.42 | |
| | | | M51078 | IRRIGATION REPAIRS-ZONE E-2 | \$242.75 | |
| | | | Remit to: | VILLA PARK, CA | \$6,535.83 | \$79,008.79 |
| TROPICAL PLAZA NURSERY, INC. | 216066 | 02/19/2013 | M51330 | IRRIGATION REPAIRS-ZONE E-2 | \$74.42 | |
| | | | Remit to: | VILLA PARK, CA | \$74.42 | \$79,008.79 |
| TROPICAL PLAZA NURSERY, INC. | 216126 | 02/25/2013 | M51375 | LANDSCAPE MAINT.-ZONE E-2 | \$6,101.66 | |
| | | | Remit to: | VILLA PARK, CA | \$6,101.66 | \$79,008.79 |
| TRUGREEN LANDCARE | 8428 | 02/04/2013 | 7444435 | INSTALLATION OF PLANT MATERIAL-ZONE E-16 | \$2,216.00 | |
| | | | Remit to: | RIVERSIDE, CA | \$2,216.00 | \$207,111.11 |
| TRUGREEN LANDCARE | 8547 | 02/11/2013 | 7443940 | INSTALLATION OF PLANT MATERIAL-ZONE E-1A | \$1,200.00 | |
| | | | Remit to: | SAN FRANCISCO, CA | \$1,200.00 | \$207,111.11 |
| TRUGREEN LANDCARE | 8597 | 02/19/2013 | 7463355 | LANDSCAPE MAINT.-ZONE DSG-1 | \$5,121.57 | |
| | | | 7463358 | LANDSCAPE MAINT.-ZONE E-4 & E-4A | \$8,445.86 | |
| | | | 7463359 | LANDSCAPE MAINT.-ZONE S | \$914.65 | |
| | | | 7449992 | PALM TREES TRIMMING & CLEAN UP-CFD #1 | \$630.00 | |
| | | | 7463354 | LANDSCAPE MAINT.-ZONE M | \$4,955.00 | |
| | | | 7463356 | LANDSCAPE MAINT.-ZONE E-16 | \$2,485.00 | |

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|---------------------------------|-------------------------|---------------------|-----------------------|--|---------------|--------------|
| TRUGREEN LANDCARE | 8597 | 02/19/2013 | 7449993 | PALM TREES TRIMMING & CLEAN UP-CFD #1 | \$725.00 | |
| | | | 7423706 | INSTALLATION OF PLANT MATERIAL ON WEST SIDE OF CRC COURTYARD | \$1,100.00 | |
| | | | 7449996 | PALM TREES TRIMMING & CLEAN UP-CFD #1 | \$430.00 | |
| | | | | Remit to: RIVERSIDE, CA | \$24,807.08 | \$207,111.11 |
| TRUGREEN LANDCARE | 8630 | 02/25/2013 | 7464716 | INSTALLATION OF PLANT MATERIAL-ZONE M | \$4,504.00 | |
| | | | | Remit to: RIVERSIDE, CA | \$4,504.00 | \$207,111.11 |
| U.S. HEALTHWORKS MEDICAL GROUP | 215978 | 02/11/2013 | 2222718-CA | PRE-EMPLOYMENT-DOT PHYSICAL | \$65.00 | |
| | | | 130067000 1/14 | EMPLOYEE INJURY MEDICAL TREATMENT/FIRST AID | \$320.36 | |
| | | | | Remit to: LOS ANGELES, CA | \$385.36 | \$2,607.34 |
| UNDERGROUND SERVICE ALERT | 8429 | 02/04/2013 | 1220120428 c | DIGALERT TICKETS SUBSCRIPTION SERVICE | \$66.75 | |
| | | | | Remit to: CORONA, CA | \$66.75 | \$2,838.00 |
| UNITED INSPECTION & TESTING INC | 8548 | 02/11/2013 | 006287 | CONSULTING SERVICES, GEOTECHNICAL - IRONWOOD AVE. IMPRVMNTS | \$1,700.00 | |
| | | | 006286 | CONSULTING SERVICES, GEOTECHNICAL - IRONWOOD AVE. IMPROVEMENTS | \$1,185.00 | |
| | | | 006285 | CONSULTING SERVICES, GEOTECHNICAL - IRONWOOD AVE. IMPROVEMENTS | \$13,088.00 | |
| | | | | Remit to: MORENO VALLEY, CA | \$15,973.00 | \$24,265.50 |
| UNITED POWER GENERATION, INC. | 215979 | 02/11/2013 | 3355 | GENERATOR PREVENTATIVE MAINT.- ANIMAL SHELTER | \$955.00 | |
| | | | 3349 | GENERATOR PREVENTATIVE MAINT.-FIRE ST. #2 | \$757.80 | |

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|-------------------------------|-------------------------|---------------------|-----------------------|---|---------------|-------------|
| UNITED POWER GENERATION, INC. | 215979 | 02/11/2013 | 3346 | GENERATOR PREVENTATIVE MAINT.-FIRE ST. #91 | \$750.30 | |
| | | | 3348 | GENERATOR PREVENTATIVE MAINT.-FIRE ST. #48 | \$750.30 | |
| | | | 3334 | GENERATOR REPAIR AT ANIMAL SHELTER | \$430.85 | |
| | | | 3347 | GENERATOR PREVENTATIVE MAINT.-FIRE ST. #65 | \$750.30 | |
| | | | 3345 | GENERATOR PREVENTATIVE MAINT.-FIRE ST. #6 | \$750.00 | |
| | | | 3356 | GENERATOR PREVENTATIVE MAINT.-CITY YARD | \$955.00 | |
| | | | 3344 | GENERATOR PREVENTATIVE MAINT.-FIRE ST. #58 | \$770.00 | |
| | | | | Remit to: RIVERSIDE, CA | \$6,869.55 | \$6,869.55 |
| UNITED ROTARY BRUSH CORP | 8430 | 02/04/2013 | 273849 | STREET SWEEPER BROOM KITS/RECONDITIONING | \$453.02 | |
| | | | 274156 | STREET SWEEPER BROOM KITS/RECONDITIONING AND REPAIR PART | \$1,109.21 | |
| | | | 274072 | STREET SWEEPER BROOM KITS/RECONDITIONING | \$1,494.76 | |
| | | | 273771 | STREET SWEEPER BROOM KITS/RECONDITIONING AND REPAIR PARTS | \$1,448.57 | |
| | | | 274210 | STREET SWEEPER REPAIR PART | \$32.40 | |
| | | | | Remit to: ESCONDIDO, CA | \$4,537.96 | \$24,097.25 |
| UNITED ROTARY BRUSH CORP | 8631 | 02/25/2013 | 274308 | STREET SWEEPER BROOM KITS/RECONDITIONING AND REPAIR PARTS | \$1,321.93 | |
| | | | | Remit to: ESCONDIDO, CA | \$1,321.93 | \$24,097.25 |

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|---------------------------------|-------------------------|---------------------|-----------------------|---|---------------|-------------|
| UNITED WAY OF INLAND VALLEYS | 215980 | 02/11/2013 | 130124 | U W CONTRIBUTIONS | \$243.00 | |
| | | | Remit to: | RIVERSIDE, CA | \$243.00 | \$6,838.00 |
| UNITED WAY OF INLAND VALLEYS | 215981 | 02/11/2013 | 2012 - DONATION | DONATION FROM 2012 EMPLOYEE GIVING CAMPAIGN | \$1,700.00 | |
| | | | Remit to: | RIVERSIDE, CA | \$1,700.00 | \$6,838.00 |
| UNITED WAY OF INLAND VALLEYS | 216067 | 02/19/2013 | 130207 | U W CONTRIBUTIONS | \$261.00 | |
| | | | Remit to: | RIVERSIDE, CA | \$261.00 | \$6,838.00 |
| UNIVAR USA, INC | 216068 | 02/19/2013 | RV566625 | AG CHEMICALS FOR CFD #1 PARKS | \$322.93 | |
| | | | RV566584 | AG CHEMICALS FOR CONTRACT AREAS | \$1,123.20 | |
| | | | Remit to: | LOS ANGELES, CA | \$1,446.13 | \$6,977.37 |
| URBAN CROSSROADS, INC. | 215853 | 02/04/2013 | 23640 | PROFESSIONAL ENGINEERING SERVICES, HIGHLAND FRVW. CACTUS/NASON | \$1,935.00 | |
| | | | Remit to: | IRVINE, CA | \$1,935.00 | \$6,925.00 |
| URBAN LOGIC CONSULTANTS, INC | 8549 | 02/11/2013 | 2013-117 | PEER REVIEW OF ENVIR. DOCS-HARBOR FREIGHT TOOLS EXPANSION PROJ. | \$11,450.00 | |
| | | | Remit to: | TEMECULA, CA | \$11,450.00 | \$35,800.00 |
| VA CONSULTING, INC. | 8598 | 02/19/2013 | 30866 | CONSULTING SERVICES, SURVEY - AUTO MALL UPGRADES | \$1,236.25 | |
| | | | Remit to: | IRVINE, CA | \$1,236.25 | \$4,404.46 |
| VACATE PEST ELIMINATION COMPANY | 8599 | 02/19/2013 | 38968 | PEST CONTROL SERVICE-UTILITY FIELD OFFICE | \$45.00 | |
| | | | 38966 | PEST CONTROL SERVICE-TOWNGATE COMM. CTR. | \$45.00 | |

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|---------------------------------|-------------------------|---------------------|-----------------------|--|---------------|-------------|
| VACATE PEST ELIMINATION COMPANY | 8599 | 02/19/2013 | 38965 | PEST CONTROL SERVICE-FIRE ST. #48 | \$45.00 | |
| | | | 39280 | PEST CONTROL SERVICE-TRANSP. TRAILER | \$45.00 | |
| | | | 38972 | PEST CONTROL SERVICE-LIBRARY | \$55.00 | |
| | | | 39127 | PEST CONTROL SERVICE-CITY HALL | \$75.00 | |
| | | | 39126 | PEST CONTROL SERVICE-EOC | \$55.00 | |
| | | | 39276 | PEST CONTROL SERVICE-CITY YARD | \$115.00 | |
| | | | 39139 | PEST CONTROL SERVICE-MARCH FIELD PARK COMM. CTR. | \$45.00 | |
| | | | 39135 | PEST CONTROL SERVICE-ANNEX BLDG 1 | \$55.00 | |
| | | | 38973 | PEST CONTROL SERVICE-FIRE ST. #58 | \$45.00 | |
| | | | 39125 | PEST CONTROL SERVICE-GOLF COURSE PRO SHOP | \$45.00 | |
| | | | 38974 | PEST CONTROL SERVICE-SENIOR CENTER | \$55.00 | |
| | | | 38971 | PEST CONTROL SERVICE-FIRE ST. #6 | \$45.00 | |
| | | | 38976 | PEST CONTROL SERVICE-FIRE ST. #91 | \$45.00 | |
| | | | 39138 | PEST CONTROL SERVICE-MARCH FIELD BLDG 823 | \$45.00 | |
| | | | 38929 | PEST CONTROL SERVICE-FIRE ST. #65 | \$45.00 | |
| | | | 39136 | PEST CONTROL SERVICE-ANIMAL SHELTER | \$115.00 | |
| | | | 39128 | PEST CONTROL SERVICE-CONFERENCE & REC CTR. | \$75.00 | |
| | | | 39130 | PEST CONTROL SERVICE-PUBLIC SAFETY BLDG | \$75.00 | |
| | | | 38975 | PEST CONTROL SERVICE-FIRE ST. #2 | \$45.00 | |

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|---------------------------------|-------------------------|---------------------|-----------------------|--|---------------|--------------|
| | | | | Remit to: MORENO VALLEY, CA | \$1,215.00 | \$9,605.00 |
| VALLEY CITIES GONZALES FENCE CO | 8600 | 02/19/2013 | 2328 | FENCE INSTALLATION FOR MV UTILITY | \$500.00 | |
| | | | | Remit to: NORCO, CA | \$500.00 | \$13,460.00 |
| VALLEY CITIES GONZALES FENCE CO | 216017 | 02/11/2013 | 2358 | FENCE INSTALLATION, ETC. FOR MARCH FIELD PARK SOCCER ARENA | \$12,960.00 | |
| | | | | Remit to: NORCO, CA | \$12,960.00 | \$13,460.00 |
| VAS ASSOCIATES, INC. | 8431 | 02/04/2013 | 174 | CONSULTING SERVICES, ENGINEERING - CACTUS/NASON | \$16,680.00 | |
| | | | | Remit to: CORONA, CA | \$16,680.00 | \$152,040.00 |
| VASQUEZ, CAROL | 215982 | 02/11/2013 | 130201 | JAN '13 PD FEB '13 | \$318.73 | |
| | | | | Remit to: RIALTO, CA | \$318.73 | \$318.73 |
| VERIZON | 216127 | 02/25/2013 | EQN6913105-13028 | BACKBONE COMMUNICATION CHARGES | \$1,755.81 | |
| | | | | Remit to: TRENTON, NJ | \$1,755.81 | \$14,103.29 |
| VERIZON CALIFORNIA | 216128 | 02/25/2013 | 951 UH2-7052/FEB | PHONE CHARGES-ERC | \$623.89 | |
| | | | | Remit to: DALLAS, TX | \$623.89 | \$5,977.89 |
| VERIZON WIRELESS | 215983 | 02/11/2013 | 1154232162 | CELLULAR SERVICE FOR PD TICKET WRITERS | \$159.45 | |
| | | | | Remit to: DALLAS, TX | \$159.45 | \$1,163.25 |
| VERTEX, INC. | 8550 | 02/11/2013 | 4093034 | PAYROLL TAX SOFTWARE QUARTERLY MAINT. PAYMENT | \$847.80 | |
| | | | | Remit to: BERWYN, PA | \$847.80 | \$2,482.92 |
| VICTOR KAMINSKY | 216092 | 02/19/2013 | MV4121022018 | REFUND-CITATION DISMISSED-CODE | \$75.50 | |

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|----------------------------|-------------------------|---------------------|-----------------------|----------------------------------|---------------|-------------|
| | | | | Remit to: IRVINE, CA | \$75.50 | \$75.50 |
| VIGIL, ERNEST | 8551 | 02/11/2013 | 130201 | RETIREE MED FEB '13 | \$318.73 | |
| | | | | Remit to: MORENO VALLEY, CA | \$318.73 | \$2,231.11 |
| VINCENT, CLARENCE | 215984 | 02/11/2013 | 130201 | DEC '12 & 1/2 JAN '13 PD FEB '13 | \$478.10 | |
| | | | | Remit to: MORENO VALLEY, CA | \$478.10 | \$17,436.87 |
| VISION SERVICE PLAN | 8552 | 02/11/2013 | 130101 | EMPLOYEE VISION INSURANCE | \$4,270.79 | |
| | | | 130201 | EMPLOYEE VISION INSURANCE | \$3,576.33 | |
| | | | | Remit to: SAN FRANCISCO, CA | \$7,847.12 | \$31,346.42 |
| VOYAGER FLEET SYSTEM, INC. | 8432 | 02/04/2013 | 869211615252 | CNG FUEL PURCHASES | \$2,200.23 | |
| | | | | Remit to: HOUSTON, TX | \$2,200.23 | \$15,792.29 |
| VOYAGER FLEET SYSTEM, INC. | 8601 | 02/19/2013 | 869211615304 | CNG FUEL PURCHASES | \$1,834.41 | |
| | | | | Remit to: HOUSTON, TX | \$1,834.41 | \$15,792.29 |
| VULCAN MATERIALS CO, INC. | 215854 | 02/04/2013 | 244137 | ASPHALTIC MATERIALS | \$144.76 | |
| | | | | Remit to: SAN BERNARDINO, CA | \$144.76 | \$15,326.26 |
| VULCAN MATERIALS CO, INC. | 215855 | 02/04/2013 | 249998 | ASPHALTIC MATERIALS | \$290.45 | |
| | | | 249997 | ASPHALTIC MATERIALS | \$110.16 | |
| | | | 237529 | ASPHALTIC MATERIALS | \$110.62 | |
| | | | 237530 | ASPHALTIC MATERIALS | \$109.19 | |
| | | | | Remit to: LOS ANGELES, CA | \$620.42 | \$15,326.26 |
| VULCAN MATERIALS CO, INC. | 216069 | 02/19/2013 | 257459 | ASPHALTIC MATERIALS | \$344.80 | |

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For Period 2/1/2013 through 2/28/2013**

CHECKS UNDER \$25,000

| <u>Vendor Name</u> | <u>Check/EFT Number</u> | <u>Payment Date</u> | <u>Invoice Number</u> | <u>Invoice Description</u> | <u>Amount</u> | <u>FYTD</u> |
|---------------------------|-------------------------|---------------------|-----------------------|-----------------------------------|---------------|-------------|
| VULCAN MATERIALS CO, INC. | 216069 | 02/19/2013 | 262296 | ASPHALTIC MATERIALS | \$145.81 | |
| | | | Remit to: | LOS ANGELES, CA | \$490.61 | \$15,326.2 |
| VULCAN MATERIALS CO, INC. | 216129 | 02/25/2013 | 271357 | ASPHALTIC MATERIALS | \$110.16 | |
| | | | 271359 | ASPHALTIC MATERIALS | \$146.51 | |
| | | | 271358 | ASPHALTIC MATERIALS | \$146.51 | |
| | | | 268610 | ASPHALTIC MATERIALS | \$112.30 | |
| | | | 266049 | ASPHALTIC MATERIALS | \$290.45 | |
| | | | 266048 | ASPHALTIC MATERIALS | \$145.09 | |
| | | | Remit to: | LOS ANGELES, CA | \$951.02 | \$15,326.26 |
| WAGGONER JR., GLENN C. | 8553 | 02/11/2013 | 130201 | DEC '12 PD FEB '13 | \$318.73 | |
| | | | Remit to: | MORENO VALLEY, CA | \$318.73 | \$1,978.21 |
| WAGNER, GARY D. | 8554 | 02/11/2013 | 130201 | RETIREE MED FEB '13 | \$318.73 | |
| | | | Remit to: | MORENO VALLEY, CA | \$318.73 | \$2,231.11 |
| WAGNER, MARIANNE K | 216021 | 02/11/2013 | 130201 | JAN-FEB '13, PD FEB '13 | \$637.46 | |
| | | | Remit to: | MORENO VALLEY, CA | \$637.46 | \$637.46 |
| WAGONER, ROBERT | 8555 | 02/11/2013 | 130201 | DEC '12-JAN '13 PD FEB 13 | \$362.80 | |
| | | | Remit to: | ZEPHYRHILLS, FL | \$362.80 | \$1,088.40 |
| WAGY, CARYLON | 215985 | 02/11/2013 | 130201 | JAN-FEB '13 PD FEB '13 | \$421.48 | |
| | | | 130201A | DEC'12-JAN '13, PD FEB '13 | \$209.80 | |
| | | | Remit to: | MORENO VALLEY, CA | \$631.28 | \$1,806.24 |
| WALGREEN'S | 216016 | 02/11/2013 | 12355004 | REFUND DUPLICATE PAYMENT CITATION | \$30.00 | |

Item No. A.4

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**City of Moreno Valley
Payment Register
For Period 2/1/2013 through 2/28/2013**

CHECKS UNDER \$25,000

| <u>Vendor Name</u> | <u>Check/EFT Number</u> | <u>Payment Date</u> | <u>Invoice Number</u> | <u>Invoice Description</u> | <u>Amount</u> | <u>FYTD</u> |
|-----------------------------|-------------------------|---------------------|-----------------------|--|---------------|-------------|
| | | | | Remit to: RIVERSIDE, CA | \$30.00 | \$30.00 |
| WEST COAST ARBORISTS, INC. | 8556 | 02/11/2013 | 85402 | TREE TRIMMING & REMOVAL SERVICES-ZONE E-4 | \$6,720.00 | |
| | | | 85186 | TREE TRIMMING & REMOVAL SERVICES-ZONE E-3 & E-4 | \$3,990.00 | |
| | | | | Remit to: ANAHEIM, CA | \$10,710.00 | \$37,750.00 |
| WEST COAST ARBORISTS, INC. | 8602 | 02/19/2013 | 84878 | TREE AND STUMP REMOVAL - PERRIS/PVSD TO CACTUS | \$840.00 | |
| | | | | Remit to: ANAHEIM, CA | \$840.00 | \$37,750.00 |
| WEST COAST ARBORISTS, INC. | 8632 | 02/25/2013 | 85762 | TREE TRIMMING SERVICES-ZONE E-1 | \$1,225.00 | |
| | | | 85763 | TREE TRIMMING & REMOVAL SERVICES-ZONE E-4 | \$6,230.00 | |
| | | | | Remit to: ANAHEIM, CA | \$7,455.00 | \$37,750.00 |
| WEST PAYMENT CENTER | 216070 | 02/19/2013 | 6084234657 | LEGAL LIBRARY PUBLICATION | \$236.53 | |
| | | | | Remit to: CAROL STREAM, IL | \$236.53 | \$10,155.72 |
| WESTERN PACIFIC SIGNAL, LLC | 216130 | 02/25/2013 | 16861 | BRAILLE LETTERING FOR ACCESSIBLE PEDESTRIAN SIGNAL | \$777.36 | |
| | | | | Remit to: SAN LEANDRO, CA | \$777.36 | \$6,884.38 |
| WIBERG, CHRISTOPHER | 215987 | 02/11/2013 | 130201 | RETIREE MED FEB '13 | \$318.73 | |
| | | | | Remit to: ANAHEIM, CA | \$318.73 | \$2,231.11 |
| WIELIN, RONALD A. | 8557 | 02/11/2013 | 130201 | RETIREE MED FEB '13 | \$318.73 | |
| | | | | Remit to: BANNING, CA | \$318.73 | \$2,231.11 |

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**City of Moreno Valley
Payment Register
For Period 2/1/2013 through 2/28/2013**

CHECKS UNDER \$25,000

| <u>Vendor Name</u> | <u>Check/EFT Number</u> | <u>Payment Date</u> | <u>Invoice Number</u> | <u>Invoice Description</u> | <u>Amount</u> | <u>FYTD</u> |
|----------------------------|-------------------------|---------------------|-----------------------|--|---------------|--------------|
| WILLDAN ENGINEERING | 215988 | 02/11/2013 | 002-12941 | PLAN CHECK & INSPECTION SVCS FOR BLDG & SAFETY DEPT. | \$10,012.50 | |
| | | | 002-12816 | PLAN CHECK & INSPECTION SVCS FOR BLDG & SAFETY DEPT. | \$7,147.50 | |
| | | | Remit to: | ANAHEIM, CA | \$17,160.00 | \$179,647.7 |
| WILLDAN ENGINEERING | 215989 | 02/11/2013 | 007-11467 | PEER REVIEW OF EIR FOR PROLOGIS PARK MV EUCALYPTUS PROJECT | \$1,260.57 | |
| | | | 007-11450 | PEER REVIEW OF EIR FOR PROLOGIS PARK MV EUCALYPTUS PROJECT | \$5,535.00 | |
| | | | Remit to: | ANAHEIM, CA | \$6,795.57 | \$179,647.78 |
| WILLDAN FINANCIAL SERVICES | 215990 | 02/11/2013 | 010-19828 | CSD NEEDS ASSESSMENT REVIEW SERVICES | \$5,200.00 | |
| | | | Remit to: | TEMECULA, CA | \$5,200.00 | \$31,760.00 |
| WILLDAN FINANCIAL SERVICES | 216131 | 02/25/2013 | 010-19747 | ARBITRAGE REBATE SERVICES - TABS | \$2,500.00 | |
| | | | Remit to: | TEMECULA, CA | \$2,500.00 | \$31,760.00 |
| WILLIAMS, AUBREY GERALD | 216132 | 02/25/2013 | 010513 | SPORTS OFFICIATING SVCS-BASKETBALL | \$75.00 | |
| | | | Remit to: | MORENO VALLEY, CA | \$75.00 | \$75.00 |
| WILLIAMS, LARRY | 8558 | 02/11/2013 | 130201 | JAN-NOV '12 PD FEB '13 | \$3,382.93 | |
| | | | Remit to: | HEMET, CA | \$3,382.93 | \$3,382.93 |
| WILSON-BEILKE, DENESE | 215991 | 02/11/2013 | 130201 | JAN - DEC '12 PD FEB '13 | \$3,824.76 | |
| | | | Remit to: | GLENDORA, CA | \$3,824.76 | \$3,824.76 |
| WRCRCA | 216133 | 02/25/2013 | JAN-2013 MSHCP | MSHCP FEES COLLECTED FOR JAN 2013 | \$6,662.97 | |
| | | | Remit to: | RIVERSIDE, CA | \$6,662.97 | \$412,949.43 |

Item No. A.4

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City of Moreno Valley
Payment Register
 For Period 2/1/2013 through 2/28/2013

CHECKS UNDER \$25,000

| <u>Vendor Name</u> | <u>Check/EFT Number</u> | <u>Payment Date</u> | <u>Invoice Number</u> | <u>Invoice Description</u> | <u>Amount</u> | <u>FYTD</u> |
|----------------------------------|-------------------------|---------------------|-----------------------|---|---------------|--------------|
| WURM'S JANITORIAL SERVICES, INC. | 8433 | 02/04/2013 | 21496 | SPECIAL CLEANING AT COTTONWOOD GOLF CENTER 9/1/12 | \$120.00 | |
| | | | | Remit to: CORONA, CA | \$120.00 | \$194,651.75 |
| WURM'S JANITORIAL SERVICES, INC. | 8603 | 02/19/2013 | 21968 | JANITORIAL SVCS-TOWNGATE COMM. CTR. | \$691.38 | |
| | | | 21959 | JANITORIAL SVCS-LIBRARY | \$1,771.79 | |
| | | | 21965 | JANITORIAL SVCS-SENIOR CENTER | \$1,916.18 | |
| | | | 21962 | JANITORIAL SVCS-GANG TASK FORCE OFFICE | \$112.82 | |
| | | | 21960 | JANITORIAL SVCS-MARCH FIELD PARK COMM. CTR. | \$955.70 | |
| | | | 21961 | JANITORIAL SVCS-PUBLIC SAFETY BLDG | \$5,564.25 | |
| | | | 21958 | JANITORIAL SVCS-FACILITIES ANNEX | \$124.29 | |
| | | | 21957 | JANITORIAL SVCS-ESA ANNEX | \$735.73 | |
| | | | 21955 | JANITORIAL SVCS-EOC | \$688.36 | |
| | | | 21953 | JANITORIAL SVCS-CITY YARD & TRANSP. TRAILER | \$445.30 | |
| | | | 21952 | JANITORIAL SVCS-CITY HALL | \$4,588.23 | |
| | | | 21969 | JANITORIAL SVCS-TS ANNEX | \$453.43 | |
| | | | | Remit to: CORONA, CA | \$18,047.46 | \$194,651.75 |
| XEROX CAPITAL SERVICES, LLC | 215856 | 02/04/2013 | 066021372 | COPIER LEASE & BILLABLE PRINTS FOR GRAPHICS DEPT. | \$1,357.55 | |
| | | | 065791786 | COPIER LEASE FOR GRAPHICS DEPT. | \$394.36 | |
| | | | | Remit to: PASADENA, CA | \$1,751.91 | \$31,233.40 |
| XEROX CAPITAL SERVICES, LLC | 215992 | 02/11/2013 | 066021371 | COPIER LEASE/BILLABLE PRINTS FOR PARKS DEPT. | \$1,525.28 | |

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City of Moreno Valley
Payment Register
 For Period 2/1/2013 through 2/28/2013

CHECKS UNDER \$25,000

| <u>Vendor Name</u> | <u>Check/EFT Number</u> | <u>Payment Date</u> | <u>Invoice Number</u> | <u>Invoice Description</u> | <u>Amount</u> | <u>FYTD</u> |
|------------------------------------|-------------------------|---------------------|-----------------------|--|------------------------|-------------|
| | | | | Remit to: PASADENA, CA | \$1,525.28 | \$31,233.4 |
| XEROX CAPITAL SERVICES, LLC | 216071 | 02/19/2013 | 066342305 | COPIER LEASE/BILLABLE PRINTS FOR PARKS DEPT. | \$744.26 | |
| | | | 066342304 | COPIER RENTAL/MAINT. FOR PD | \$84.16 | |
| | | | | Remit to: PASADENA, CA | \$828.42 | \$31,233.4 |
| YAMASHITA, JULIA J. | 8559 | 02/11/2013 | 130201 | DEC '12 PD FEB '13 | \$139.90 | |
| | | | | Remit to: LAGUNA WOODS, CA | \$139.90 | \$839.40 |
| ZARA TERRELL | 216003 | 02/11/2013 | WINTER 2012/13 | TUITION REIMBURSEMENT | \$1,500.00 | |
| | | | | Remit to: MORENO VALLEY, CA | \$1,500.00 | \$1,500.00 |
| ZUMAR INDUSTRIES, INC. | 8434 | 02/04/2013 | 0142747 | SIGN MATERIALS | \$231.88 | |
| | | | | Remit to: SANTA FE SPRINGS, CA | \$231.88 | \$509.34 |
| TOTAL CHECKS UNDER \$25,000 | | | | | \$1,451,906.17 | |
| GRAND TOTAL | | | | | \$17,449,090.98 | |

Item No. A.4

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| APPROVALS | |
|----------------|--------------------|
| BUDGET OFFICER | <i>[Signature]</i> |
| CITY ATTORNEY | <i>[Signature]</i> |
| CITY MANAGER | <i>[Signature]</i> |

Report to City Council

TO: Mayor and City Council

FROM: Ahmad R. Ansari, P.E., Public Works Director/City Engineer

AGENDA DATE: April 23, 2013

TITLE: AUTHORIZE SUBMISSION OF GRANT APPLICATIONS FOR THE CALIFORNIA FEDERAL LANDS ACCESS PROGRAM

RECOMMENDED ACTION

Recommendation:

1. Authorize the submission of two grant applications for the California Federal Lands Access Program to the Office of Federal Lands Highway, Federal Highway Administration (FHWA).

BACKGROUND

The Federal Lands Access Program (Access Program) presents an opportunity for local entities to obtain funding for a variety of transportation projects accessing Federal Lands in the State of California. This new program was established by the Moving Ahead for Progress in the 21st Century (MAP-21), the new transportation authorization that was signed into law by the President on July 6, 2012, and was officially enacted on October 1, 2012. The goal of the Access Program is to improve transportation facilities that provide access to, are adjacent to, or are located within Federal lands. The Access Program supplements State and local resources for public roads, transit systems, and other transportation facilities, with an emphasis on recreation sites and economic generators. Access Program funds are intended for design, construction, or reconstruction and are not intended for maintenance projects (e.g., crack sealing, chip seal, potholes, or drainage repair). Application packages are due to the Office of Federal Lands Highway by April 30, 2013.

DISCUSSION

March Air Reserve Base (MARB) is a Federal installation located on Federal Lands. MARB has frequent airshows and the March Joint Powers Authority (MJPA) plans for

General Aviation as a part of its joint use agreement with MARB meet the recreational requirements for the Access Program. The economic generator benefits of MARB have been documented in several documents prepared for the Base. Roadways providing access to, and that are adjacent to MARB, are eligible for potential grant projects.

It is the intent of staff to submit two grant applications for the following projects:

- Improvements to Cactus Avenue third eastbound lane between Veteran's Way and Heacock Street; Improvements to Heacock Street between Cactus Avenue and San Michele Road.
- Improvements to Heacock Street between San Michele Road and Harley Knox Boulevard.

As part of the grant application, an endorsement from the MARB is required. Staff is in the process of obtaining that endorsement.

ALTERNATIVES

1. Authorize the submission of grant applications for the California Federal Lands Access Program. *Staff recommends this action so that grant applications can be submitted to the Office of Federal Lands Highway before the April 30, 2013 deadline.*
2. Do not authorize the submission of grant applications for the California Federal Lands Access Program. *If such authority is not granted, the City will not submit grant applications to the Office of Federal Lands Highway for projects providing access to the MARB.*

FISCAL IMPACT

All applications for the California Federal Lands Access Program require a commitment of 11.47 percent matching funding from the agency submitting the application. If a project is selected for the Access Program, the scope of work and estimated cost would be negotiated with the FHWA prior to an Agreement being executed. Therefore, the match amount is unknown at this time. However, if a project is selected, any Agreement would require consideration and approval by City Council. The source of the matching funds would come from available Gas Tax funds (Fund 2000) and/or Measure A funds (Fund 2001). These funds may be used only to implement transportation related programs. There is no impact to the General Fund with this action.

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.

PUBLIC SAFETY:

Provide a safe and secure environment for people and property in the community, control the number and severity of fire and hazardous materials 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.

Prepared By:
Michael Lloyd
Senior Engineer, P.E.

Department Head Approval:
Ahmad R. Ansari, 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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| APPROVALS | |
|----------------|--------------------|
| BUDGET OFFICER | <i>[Signature]</i> |
| CITY ATTORNEY | <i>[Signature]</i> |
| CITY MANAGER | <i>[Signature]</i> |

Report to City Council

TO: Mayor and City Council

FROM: Abdul Ahmad, Fire Chief

AGENDA DATE: April 23, 2013

TITLE: APPROVE THE COOPERATIVE AGREEMENT WITH THE RIVERSIDE COUNTY FIRE DEPARTMENT FOR FIRE PROTECTION, FIRE PREVENTION, RESCUE, AND MEDICAL EMERGENCY SERVICES

RECOMMENDED ACTION

Recommendations:

1. Approve the Cooperative Agreement with the Riverside County Fire Department for Fire Protection, Fire Prevention, Rescue and Medical Emergency Services.
2. Authorize the Mayor to execute the Cooperative Agreement.

ADVISORY BOARD/COMMISSION RECOMMENDATION

The Cooperative Agreement with the Riverside County Fire Department for Fire Protection, Fire Prevention, Rescue and Medical Emergency Services was presented on April 8 to the Public Safety Subcommittee. The Subcommittee reviewed the Agreement and recommended that it be presented to City Council for approval.

BACKGROUND

Since 1985, the City of Moreno Valley has received fire protection services through a Cooperative Agreement with the Riverside County Fire Department. This Agreement has been renewed on five separate occasions: 1990, 1993, 1997, 2002, and 2009. The current Agreement between the City and the County expired on June 30, 2012; however, per Section IV, Sections C and D, the County of Riverside notified the City on June 21, 2012 that an extension of that agreement was granted for one full year due to negotiation delays between the County of Riverside and the State of California.

DISCUSSION

The new Cooperative Agreement for Fire Protection, Fire Prevention, Rescue and Medical Emergency Services between the City of Moreno Valley and the County of Riverside has been reviewed by the City Attorney's Office and Riverside County Counsel's Office and has been approved by both legal counsels. The agreement will be effective from July 1, 2013 through June 30, 2016. The salient provisions of the Agreement are as follows:

1. The Agreement expires on June 20, 2016. One (1) year prior to the end of the Agreement, the City shall give the County written notice if they intend to enter into a new Agreement.
2. Either party may terminate the Agreement by providing written notice of termination to the other party no less than one (1) year prior to the expiration date of the Agreement. In no event shall this Agreement be terminated by either party after June 30, 2015.
3. In the event that the City requires a reduction of services or CAL FIRE employees, the city shall provide one hundred twenty (120) days written notice to the County.
4. As provided in Health and Safety Code Section 13009, the County may bring an action for collection of suppression costs of any fire caused by negligence, violation of law, or failure to correct noticed fire safety violations. When using City equipment and personnel under the terms of this Agreement, the County may, on request of the City, bring such an action for collection of costs incurred by the City. In the event of recovery, the County shall apportion to the City its pro-rata proportion of recovery, less the reasonable pro-rata costs including legal fees.

ALTERNATIVES

1. Approve and authorize the recommended action as presented in this staff report. *This alternative will update the existing Fire Services Cooperative Agreement between the City of Moreno Valley and the County of Riverside.*
2. Do not approve and authorize the recommended actions as presented in this staff report. *This alternative would require City Council to provide direction to staff.*

FISCAL IMPACT

Funds for this Agreement are allocated each fiscal year as part of the City Council budget adoption process. No additional funds are being requested to support this agreement.

CITY COUNCIL GOALS

1. 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.

2. Positive Environment. Create a positive environment for the development of Moreno Valley.

ATTACHMENTS

Attachment 1 Cooperative Agreement for Fire Protection Services

Prepared By:
Cynthia Owens
Management Assistant

Department Head Approval:
Abdul Ahmad
Fire Chief

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

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**A COOPERATIVE AGREEMENT
TO PROVIDE FIRE PROTECTION, FIRE PREVENTION, RESCUE
AND MEDICAL EMERGENCY SERVICES FOR THE CITY OF MORENO VALLEY**

THIS AGREEMENT, made and entered into this ____ day of _____, 2013, by and between the County of Riverside, a political subdivision of the State of California, on behalf of the Fire Department, (hereinafter referred to as "COUNTY") and the City of Moreno Valley, a duly created city, (hereinafter referred to as "CITY"), whereby it is agreed as follows:

SECTION I: PURPOSE

The purpose of this Agreement is to arrange for COUNTY, through its Cooperative Fire Programs Fire Protection Reimbursement Agreement ("CAL FIRE Agreement") with the California Department of Forestry and Fire Protection ("CAL FIRE") to provide CITY with fire protection, disaster preparedness and response, fire prevention, rescue, hazardous materials mitigation, technical rescue response, medical emergency services, and public service assists (hereinafter called "Fire Services"). This Agreement is entered into pursuant to the authority granted by Government Code Sections 55603, 55603.5, 55606, 55632 and 55642, and will provide a unified, cooperative, integrated, and effective fire services system. COUNTY's ability to perform under this Agreement is subject to the terms and conditions of the CAL FIRE Agreement.

SECTION II: DESIGNATION OF FIRE CHIEF

A. The County Fire Chief appointed by the Board of Supervisors, or his designee, (hereinafter referred to as "Chief") shall represent COUNTY and CITY during the period of this Agreement and Chief shall, under the supervision and direction of the County Board of Supervisors, have charge of the organization described in Exhibit "A", attached hereto and made a part hereof, for the purpose of providing Fire Services as deemed necessary to satisfy the needs of both the COUNTY and CITY, except upon those lands wherein other agencies of government have responsibility for the same or similar Fire Services.

B. CITY may budget for the position of a Deputy Chief or a Division Fire Chief or COUNTY may assign an existing Chief Officer as the Contract City representative ("City Representative"). The Chief may delegate certain authority to the City Representative, as the Chief's duly authorized designee and the City Representative shall be responsible for directing the Fire Services provided to CITY as set forth in Exhibit "A".

C. COUNTY will be allowed flexibility in the assignment of available personnel and equipment in order to provide the Fire Services as agreed upon herein.

D. CITY provides Fire Protection and Planning Services through the City Fire Marshal. The City Fire Marshal is under the supervision of and reports to the City Fire Chief.

SECTION III: PAYMENT FOR SERVICES

A. CITY shall annually appropriate a fiscal year budget to support the Fire Services designated at a level of service mutually agreed upon by both parties and as set forth in Exhibit "A." This Exhibit may be amended in writing by mutual agreement by both parties in the event of an increase and/or decrease of salary or expenses or when CITY requests an increase and/or decrease in services.

1. Any changes to the salaries or expenses set forth in Exhibit "A" made necessary by action of the Legislature, CAL FIRE, or any other public agency with authority to direct changes in the level of salaries or expenses, shall be paid from the funds represented as set forth in Exhibit "A." There shall be no obligation on the part of CITY to expend or appropriate any sum in excess of Exhibit "A" which exceeds the yearly appropriation of CITY for the purposes of this Agreement. If within thirty (30) days after notice, in writing, from COUNTY to CITY that the actual cost of maintaining the services specified in Exhibit "A" as a result of action by the Legislature, CAL FIRE or other public agency will exceed the total amount specified therein, and CITY has failed to agree to make available the necessary additional funds, COUNTY shall have the right to unilaterally reduce the services furnished under this Agreement by an appropriate amount and shall promptly notify CITY, in writing, specifying the services to be reduced. Personnel reductions resulting solely due to an increase in employee salaries or expenses occurring after signing this Agreement and set forth in Exhibit "A" to this Agreement shall not be subject to relocation expense reimbursement by CITY, as outlined in Section III, B. If CITY desires to add funds to the total included herein to cover the cost of increased salaries or services necessitated by actions described herein, such increase shall be accomplished by an amendment to Exhibit "A" and approved by the parties hereto.

2. In the event CITY requests an increase in services and paragraph A.1. of this Section is not applicable, an amendment to Exhibit "A" may be approved by the parties hereto.

B. COUNTY provides fire personnel, equipment and services through its CAL FIRE Agreement. In the event CITY desires a reduction in CAL FIRE or COUNTY civil service employees or services assigned to CITY as provided for in Exhibit "A," when paragraph A.1. of this Section is not applicable, CITY shall provide one hundred twenty (120) days written notice of the requested reduction. Proper notification shall include the following: (1) The total amount of reduction; (2) The effective date of the reduction; and (3) The number of employees, by classification, affected by the proposed reduction. If such notice is not provided, CITY shall reimburse COUNTY for relocation costs

incurred by COUNTY because of the reduction, in addition to any other remedies available resulting from the reduction in services.

C. CITY shall pay COUNTY actual costs for Fire Services pursuant to this Agreement in an amount not to exceed that set forth in Exhibit "A," as amended. COUNTY shall make a claim to CITY for the actual cost of contracted services, pursuant to Exhibit "A," on a quarterly basis. CITY shall pay each claim within thirty (30) days after receipt thereof.

D. Chief may be authorized to negotiate and execute any amendments to Exhibit "A" of this Agreement on behalf of COUNTY as authorized by the Board of Supervisors. CITY shall designate a "Contract Administrator" who shall, under the supervision and direction of CITY, be authorized to execute amendments to Exhibit "A" on behalf of CITY.

E. _____ [] (Check only if applicable, and please initial to acknowledge)
Additional terms as set forth in the attached Exhibit "B" are incorporated herein and shall additionally apply to this agreement regarding payment of services.

F. _____ [X] (Check only if applicable, and please initial to acknowledge)
Additional terms as set forth in the attached Exhibit "C" are incorporated herein and shall additionally apply to this agreement regarding payment for the Fire Engine Use Agreement. In the event that a fire engine which was initially purchased by the CITY and then the CITY elects to have the COUNTY take responsibility of said fire engine(s), the following will apply. All capital improvements and/or betterments to the fire engine(s) will be the responsibility and paid for by the owner of said engine(s). All other maintenance and repairs to the fire engine(s) listed in the attached Exhibit "C" will be the responsibility and paid for by the COUNTY under this Agreement. The insurance responsibility will be dependant upon the CITY'S option to maintain or transfer title of said fire engine(s).

G. Notwithstanding Paragraph F herein if applicable, additional terms as set forth are incorporated herein and shall additionally apply to this agreement regarding payment of services. In the event that fire engine, owned and maintained by the CITY has a catastrophic failure, the COUNTY Fire Chief may allow use of a COUNTY fire engine, free of charge up to one hundred twenty (120) days. After the initial one hundred twenty (120) days, a rental fee will be applied to the CITY invoice for use of said COUNTY fire engine. The rental fee shall be Nine Hundred Forty Four Dollars (\$944.00) per day, or Six Thousand Six Hundred Eight Dollars (\$6,608.00) per week.

SECTION IV: INITIAL TERM AND RENEWAL

A. The term of this Agreement shall be from July 1, 2013, to June 30, 2016. Either party to this Agreement may terminate this Agreement by providing a written

notice of termination to the other party hereto no less than one (1) year prior to the expiration of the term hereof. If such notice is given unilaterally by COUNTY except any notice issued because of actions of CAL FIRE or CITY, COUNTY agrees to continue to provide Fire Services to CITY until such time as CITY has a reasonable opportunity to implement alternative Fire Services. In no event shall this Agreement be terminated by either party after June 30, 2015.

B. One (1) year prior to the date of expiration of this Agreement, CITY shall give COUNTY written notice of whether CITY intends to extend this Agreement or enter into a new agreement with COUNTY for Fire Services and, if so, whether CITY intends to change the level of Fire Services provided under this Agreement.

C. If CITY fails to provide such notice, as defined in paragraph B above, COUNTY shall have the option to extend this Agreement for a period of up to one (1) year from the original termination date and to continue providing services at the same or reduced level as COUNTY determines would be appropriate during the extended period of this Agreement. Six (6) months prior to the date of expiration of this Agreement, or any extension hereof, COUNTY shall give written notice to CITY of any extension of this Agreement and any changes in the level of Fire Services COUNTY will provide during the extended period of this Agreement. Services provided and obligations incurred by COUNTY during an extended period shall be accepted by CITY as services and obligations under the terms of this Agreement.

D. The cost of services provided by COUNTY during the extended period shall be based upon the amounts that would have been charged to CITY during the fiscal year in which the extended period falls, had a new agreement been extended under this Section IV. Payment by CITY for services rendered by COUNTY during the extended period shall be in accordance with Exhibit "A," of this Agreement.

SECTION V: TERMINATION

Either party to this Agreement may terminate this Agreement by providing a written notice of termination to the other party hereto no less than one (1) year prior to the expiration of the term hereof. This Agreement may be terminated by the voters of either the COUNTY or the CITY pursuant to Government Code §55603.5.

SECTION VI: COOPERATIVE OPERATIONS

All Fire Services contemplated under this Agreement shall be performed by both parties to this Agreement working as one unit; therefore, personnel and equipment belonging to either CITY or COUNTY may be temporarily dispatched elsewhere from time to time for mutual aid.

SECTION VII: MUTUAL AID

Pursuant to Health and Safety Code Sections 13050 et seq., when rendering mutual aid or assistance, COUNTY may, at the request of CITY, demand payment of charges and seek reimbursement of CITY costs for personnel, equipment and operating expenses as funded herein, under authority given by Health and Safety Code Sections 13051 and 13054. COUNTY, in seeking said reimbursement pursuant to such request of CITY, shall represent the CITY by following the procedures set forth in Health and Safety Code Section 13052. Any recovery of CITY costs, less actual expenses, shall be paid or credited to the CITY, as directed by CITY.

In all such instances, COUNTY shall give timely notice of the possible application of Health and Safety Code Sections 13051 and 3054 to the officer designated by CITY.

SECTION VIII: SUPPRESSION COST RECOVERY

As provided in Health and Safety Code Section 13009, COUNTY may bring an action for collection of suppression costs of any fire caused by negligence, violation of law, or failure to correct noticed fire safety violations. When using CITY equipment and personnel under the terms of this Agreement, COUNTY may, on request of CITY, bring such an action for collection of costs incurred by CITY. In such a case CITY appoints and designates COUNTY as its agent in said collection proceedings. In the event of recovery, COUNTY shall apportion to CITY its pro-rata proportion of recovery, less the reasonable pro-rata costs including legal fees.

In all such instances, COUNTY shall give timely notice of the possible application of Health and Safety Code Section 13009 to the officer designated by CITY.

SECTION IX: PROPERTY ACCOUNTING

All personal property provided by CITY and by COUNTY for the purpose of providing Fire Services under the terms of this Agreement shall be marked and accounted for in such a manner as to conform to the standard operating procedure established by the County Fire Department for the segregation, care, and use of the respective property of each.

SECTION X: FACILITY

City shall provide Fire Station(s), strategically located to provide standard response time within the City of Moreno Valley from which fire operations shall be conducted. If the Fire Station(s) are owned by the City, the City shall maintain the facilities at its cost and expense. In the event City requests County to undertake repairs or maintenance costs or services, the costs and expenses of such repairs or maintenance shall be reimbursed to County through the Support Services Cost Allocation, or as a direct Invoice to the City.

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SECTION XI: INDEMNIFICATION AND HOLD HARMLESS

To the fullest extent permitted by applicable law, COUNTY shall and does agree to indemnify, protect, defend and hold harmless CITY, its agencies, districts, special districts and departments, their respective directors, officers, elected and appointed officials, employees, agents and representatives (collectively, "**Indemnitees**") for, from and against any and all liabilities, claims, damages, losses, liens, causes of action, suits, awards, judgments and expenses, attorney and/or consultant fees and costs, taxable or otherwise, of any nature, kind or description of any person or entity, directly or indirectly arising out of, caused by, or resulting from (1) the Services performed hereunder by COUNTY, or any part thereof, (2) the Agreement, including any approved amendments or modifications, or (3) any negligent act or omission of COUNTY, its officers, employees, subcontractors, agents, or representatives (collectively, "**Liabilities**"). Notwithstanding the foregoing, the only Liabilities with respect to which COUNTY's obligation to indemnify, including the cost to defend, the Indemnitees does not apply is with respect to Liabilities resulting from the negligence or willful misconduct of an Indemnitee, or to the extent such claims do not arise out of, pertain to or relate to the Scope of Work in the Agreement.

To the fullest extent permitted by applicable law, CITY shall and does agree to indemnify, protect, defend and hold harmless COUNTY, its agencies, departments, directors, officers, agents, Board of Supervisors, elected and appointed officials and representatives (collectively, "**Indemnitees**") for, from and against any and all liabilities, claims, damages, losses, liens, causes of action, suits, awards, judgments and expenses, attorney and/or consultant fees and costs, taxable or otherwise, of any nature, kind or description of any person or entity, directly or indirectly arising out of, caused by, or resulting from (1) the services performed hereunder, by CITY, or any part thereof, (2) the Agreement, including any approved amendments or modifications, or (3) any negligent act or omission of CITY its officers, employees, subcontractors, agents, or representatives (collectively, "**Liabilities**"). Notwithstanding the foregoing, the only Liabilities with respect to which CITY's obligation to indemnify, including the cost to defend, the Indemnitees does not apply is with respect to Liabilities resulting from the negligence or willful misconduct of an Indemnitee, or to the extent such claims do not arise out of, pertain to or relate to the Scope of Work in the Agreement.

SECTION XII: AUDIT

COUNTY and CITY agree that their designated representative shall have the right to review and to copy any records and supporting documentation of the other party hereto, pertaining to the performance of this Agreement. COUNTY and CITY agree to

maintain such records for possible audit for a minimum of three (3) years after final payment, unless a longer period of records retention is stipulated or as required by law, and to allow the auditor(s) of the other party access to such records during normal business hours and to allow interviews of any employees who might reasonably have information related to such records. COUNTY and CITY agree to a similar right to audit records and interview staff in any subcontract related to performance of this Agreement. (Gov. Code §8546.7, Pub. Contract Code §10115 et seq., CCR Title 2, Section 1896).

SECTION XIII: DISPUTES

CITY shall select and appoint a "Contract Administrator" who shall, under the supervision and direction of CITY, be available for contract resolution or policy intervention with COUNTY, when, upon determination by the Chief that a situation exists under this Agreement in which a decision to serve the interest of CITY has the potential to conflict with COUNTY interest or policy. Any dispute concerning a question of fact arising under the terms of this Agreement which is not disposed of within a reasonable period of time by the CITY and COUNTY employees normally responsible for the administration of this Agreement shall be brought to the attention of the Chief Executive Officer (or designated representative) of each organization for joint resolution. For purposed of this provision, a "reasonable period of time" shall be ten (10) calendar days or less. CITY and COUNTY agree to continue with the responsibilities under this Agreement during any dispute. Disputes that are not resolved informally by and between CITY and COUNTY representatives may be resolved, by mutual agreement of the parties, through alternate forms of dispute resolution, including, but not limited to, mediation or non-binding arbitration. The costs associated with the selected form of dispute resolution such as mediation or non-binding arbitration shall be shared equally among the participating parties. If the alternate form of dispute resolution does not resolve the issue(s), the parties reserve the right to seek remedies as provided by law or in equity. Venue for litigation shall be in Riverside County.

Any claims or causes of actions, whether they arise out of unresolved disputes as specified in this Section or claims by third parties that are made against the COUNTY, shall be submitted to the Office of the Clerk of the Board for the County of Riverside in a timely manner.

SECTION XV: DELIVERY OF NOTICES

Any notices to be served pursuant to this Agreement shall be considered delivered when deposited in the United States mail and addressed to:

COUNTY
County Fire Chief
210 W. San Jacinto Ave.

CITY OF MORENO VALLEY
City Manager
City of Moreno Valley

Perris, CA 92570

Post Office Box 88005
Moreno Valley, CA 92552-0805

Provisions of this section do not preclude any notices being delivered in person to the addresses shown above. Delivery in person shall constitute service hereunder, effective when such service is made.

SECTION XVI: ENTIRE CONTRACT

This Agreement contains the whole contract between the parties for the provision of Fire Services. It may be amended or modified upon the mutual written consent of the parties hereto. This Agreement does NOT supplement other specific agreements entered into by both parties for equipment or facilities, and excepting those equipment or facilities agreements, this Agreement cancels and supersedes any previous agreement for the same or similar services.

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[Signature Provisions on following page]

IN WITNESS WHEREOF, the duly authorized officials of the parties hereto have, in their respective capacities, set their hands as of the date first hereinabove written.

Dated: _____

CITY OF MORENO VALLEY

By: _____

Title: _____

ATTEST:

APPROVED AS TO FORM:

By: _____

Title: _____

(SEAL)

Dated: _____

COUNTY OF RIVERSIDE

By: _____

Chairman, Board of Supervisors

ATTEST:

APPROVED AS TO FORM:

KECIA HARPER-IHEM
Clerk of the Board

PAMELA J. WALLS,
County Counsel

By: _____

ERIC STOPHER
Deputy County Counsel

By: _____

Deputy

(SEAL)

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EXHIBIT "A"

TO THE COOPERATIVE AGREEMENT
 TO PROVIDE FIRE PROTECTION, FIRE PREVENTION, RESCUE
 AND MEDICAL EMERGENCY SERVICES FOR THE CITY OF MORENO VALLEY
 DATED OCTOBER 2, 2012 FOR FY 12/13
 (Adding Station 99, Oct. 2012)

| | CAPTAIN'S | | CAPTAIN'S MEDICS | | ENGINEER'S | | ENGINEER MEDICS | | FF II'S | | FF II MEDICS | | TOTALS | |
|------------------------------------|------------------|---|---------------------|--|------------------|---|--------------------|----------------------------|------------------|---|------------------|---|---------------------|-------------------|
| STA. #2 | 333,687 | 2 | | | 142,698 | 1 | 159,689 | 1 | | | 277,343 | 2 | 913,417 | 6 |
| (Truck) | 500,531 | 3 | | | 428,093 | 3 | | | 731,994 | 6 | | | 1,660,619 | 12 |
| STA. #6 | 333,687 | 2 | | | 285,396 | 2 | | | | | 277,343 | 2 | 896,426 | 6 |
| STA. #48 | 333,687 | 2 | | | 285,396 | 2 | | | | | 277,343 | 2 | 896,426 | 6 |
| STA. #58 | 333,687 | 2 | | | 285,396 | 2 | | | | | 277,343 | 2 | 896,426 | 6 |
| (Truck) | 0 | 0 | | | 0 | 0 | | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| STA. #65 | 333,687 | 2 | | | 285,396 | 2 | | | | | 277,343 | 2 | 896,426 | 6 |
| STA. #91 | 333,687 | 2 | | | 142,698 | 1 | 159,689 | 1 | | | 277,343 | 2 | 913,417 | 6 |
| (Truck) | *0 | 2 | | | 285,396 | 2 | | | 487,996 | 4 | | | 773,392 | 8 |
| STA. #99 | 333,687 | 2 | | | 285,396 | 2 | | | | | 416,014 | 3 | 776,323 | 7 (Oct.-June) |
| Fixed Relief | 333,687 | 2 | | | 285,396 | 2 | | | | | 277,343 | 2 | 896,426 | 6 |
| Vac. Relief - Engine | 166,844 | 1 | | | 285,396 | 2 | | | | | 138,671 | 1 | 590,911 | 4 |
| Vac. Relief - Truck | *0 | 1 | | | 142,698 | 1 | 0 | 0 | | | 0 | 0 | 142,698 | 2 |
| SUBTOTALS | 3,336,875 | | | | 3,139,352 | | 319,378 | | 1,219,991 | | 2,496,084 | | 10,252,905 | |
| SUBTOTAL STAFF | 23 | | | | 22 | | 2 | | 10 | | 18 | | 75 | |
| DIVISION CHIEF | | | | | | | 245,383 | each | | | | | 245,383 | 1.0 |
| BATTALION CHIEF | | | | | | | 230,305 | each | | | | | 460,609 | 2.0 |
| SUBTOTAL | | | | | | | | | | | | | \$705,992 | 78.0 |
| ESTIMATED SUPPORT SERVICES | | | | | | | | | | | | | | |
| Administrative/Operational | | | | | | | 14,606 | per assigned Staff ** | | | | | 248,302 | 68.0 (July-Sept.) |
| Administrative/Operational | | | | | | | 14,606 | per assigned Staff ** | | | | | 821,588 | 75.0 (Oct.-June) |
| Volunteer Program | | | | | | | 9,363 | Per Entity Allocation | | | | | 9,363 | 1.0 |
| Medic Program | | | | | | | 5,739 | per assigned Medics | | | | | 24,391 | 17.0 (July-Sept.) |
| Medic Program | | | | | | | 5,739 | per assigned Medics | | | | | 86,085 | 20.0 (Oct.-June) |
| Fleet Support | | | | | | | 35,617 | per Fire Suppression Equip | | | | | 89,043 | 10.0 (July-Sept.) |
| Fleet Support | | | | | | | 35,617 | per Fire Suppression Equip | | | | | 293,840 | 11.0 (Oct.-June) |
| ECC Support | | | | | | | | Calls/Station Basis | | | | | 104,204 | (July-Sept.) |
| ECC Support | | | | | | | | Calls/Station Basis | | | | | 321,606 | (Oct.-June) |
| Comm/IT Support | | | | | | | | Calls/Station Basis | | | | | 182,243 | (July-Sept.) |
| Comm/IT Support | | | | | | | | Calls/Station Basis | | | | | 562,462 | (Oct.-June) |
| Hazmat Support | | | | | | | | Calls/Station Basis | | | | | 15,114 | (July-Sept.) |
| Hazmat Support | | | | | | | | Calls/Station Basis | | | | | 47,488 | (Oct.-June) |
| SUPPORT SERVICES SUBTOTAL | | | | | | | | | | | | | 2,805,727 | |
| ESTIMATED DIRECT CHARGES | | | | | | | | | | | | | | |
| FIRE ENGINE USE AGREEMENT | | | | | | | 19,200 | each engine | | | | | 57,600 | 3 |
| TOTAL STAFF COUNT | | | | | | | | | | | | | | 78.0 |
| TOTAL ESTIMATED CITY BUDGET | | | | | | | | | | | | | \$13,917,615 | |

*Three Captains at FS #91 funded by Riverside County.

SUPPORT SERVICES

| | | | |
|---------------------------------------|----|--------|------------------------|
| Administrative & Operational Services | ** | 75.0 | Assigned Staff |
| Finance | | | |
| Training | | | |
| Data Processing | | | |
| Accounting | | | |
| Personnel | | | |
| Procurement | | 75.00 | Total Assigned Staff |
| Emergency Services | | | |
| Fire Fighting Equip. | | | |
| Office Supplies/Equip. | | 13,429 | Number of Calls |
| | | 6 | Fire Stations |
| | | 7 | Fire Stations |
| | | 6 | Hazmat Stations |
| | | 7 | Hazmat Stations |
| | | 10 | Number of Hazmat Calls |

Volunteer Program - Support staff, Workers Comp, and Personal Liability Insurance

Medic Program - Support staff, Training, Certification, Case Review & Reporting

Fleet Support - Support staff, automotive costs, vehicle/engine maintenance, fuel costs

Emergency Command Center Support - Dispatch services costs

Communications / IT Support - Support staff, communications, radio maintenance, computer support functions

FY 12/13 POSITION SALARIES TOP STEP

| | | | |
|---------|------------------------|----------|----------------------------|
| 248,679 | DEPUTY CHIEF | | |
| 245,383 | DIV CHIEF | 19,200 | FIRE ENGINE |
| 230,305 | BAT CHIEF | 14,606 | SRVDEL |
| 166,844 | CAPT | 9,363 | VOL DEL |
| 184,768 | CAPT MEDIC | 5,739 | MEDIC DEL |
| 142,698 | ENG | 52,533 | BATT DEL |
| 159,689 | ENG/MEDIC | 11,993 | ECC STATION |
| 121,999 | FF II | 25.68 | ECC CALLS |
| 138,671 | FF II/MEDIC | 35,617 | FLEET SUPPORT |
| 127,015 | FIRE SAFETY SUPERVISOR | 20,979 | COMM/IT STATION |
| 118,433 | FIRE SAFETY SPECIALIST | 44.91 | COMM/IT CALLS |
| 101,475 | FIRE SYSTEMS INSPECTOR | 1,897 | FACILITY STATION |
| 56,023 | OFFICE ASSISTANT III | 518.54 | FACILITY FTE |
| 66,145 | SECRETARY I | 2,863 | HAZMAT STATION |
| | | 4,151.49 | HAZMAT CALLS |
| | | 1,761 | HAZMAT VEHICLE REPLACEMENT |

FY 12/13 DIRECT BILL ACCOUNT CODES

| | |
|--------|--------------------------------|
| 520230 | Cellular Phone |
| 520300 | Pager Service |
| 520320 | Telephone Service |
| 520800 | Household Expense |
| 520805 | Appliances |
| | Cleaning and |
| 520815 | Custodial Supp |
| 520830 | Laundry Services |
| 520840 | Household Furnishings |
| 520845 | Trash |
| 521380 | Maint-Copier Machines |
| 521440 | Maint-Kitchen Equipment |
| | Maint-Office |
| 521540 | Equipment |
| 521600 | Maint-Service Contracts |
| 521660 | Maint-Telephone |
| 521680 | Maint-Underground Tanks |
| 522310 | Maint-Building and Improvement |
| 522360 | Maint-Extermination |
| 522860 | Medical-Dental Supplies |
| 522870 | Other Medical Care Materials |
| 522890 | Pharmaceuticals |
| 523220 | Licenses And Permits |
| 523680 | Office Equip Non Fixed Assets |
| 526700 | Rent-Lease Bldgs |
| 526940 | Locks/Keys |
| 527280 | Awards/Recognition |
| 529500 | Electricity |
| 529510 | Heating Fuel |
| 529550 | Water |
| 537240 | Interfnd Exp-Utilities |
| 542060 | Improvements-Building |

EXHIBIT "C"

**TO THE COOPERATIVE AGREEMENT
TO PROVIDE FIRE PROTECTION, FIRE PREVENTION, RESCUE
AND MEDICAL AID FOR THE CITY OF MORENO VALLEY
DATED _____, 2013**

**PAYMENT FOR SERVICES
ADDITIONAL SERVICES
FIRE ENGINE USE AGREEMENT**

Station 2

Engine 02, RCO No. 08-868 \$ 19,200.00

Station 58

Engine 58, RCO No. 06-800 \$ 19,200.00

Station 65

Engine 65, RCO No. 94-826 \$ 19,200.00

\$ 57,600.00

The Fire Engine Use Agreement is utilized in the event that a fire engine(s) which was initially purchased by the CITY, and then the CITY elects to have the COUNTY take responsibility of said fire engine(s). The Fire Engine Use Agreement guarantees the CITY the use of this fire engine(s), the COUNTY network of equipment, and resources of the COUNTY.

This fire engine(s) shall be used as an integrated unit for Fire Services as set forth in this Cooperative Agreement between the COUNTY and CITY, and shall be stationed primarily in the CITY. The change in ownership of the fire engine does not waive or supersede any responsibilities of the CITY pursuant to this agreement. This exhibit is strictly to further detail for the CITY, the responsibilities and costs associated within the Cooperative Agreement between the COUNTY and CITY; therefore, the Fire Engine Use Agreement is inseparable.

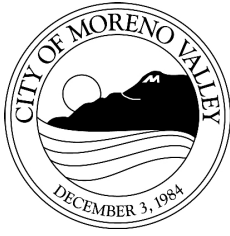
The CITY will have the option of transferring title of said fire engine(s) to the COUNTY. If the CITY transfers title of said fire engine(s) to the County, the County will take ownership of the said fire engine(s), and the County will maintain insurance on said fire engine(s). If the CITY opts to maintain ownership and title of said fire

engine(s), the CITY will maintain insurance on said fire engine(s). Proof of Insurance is to be provided to the COUNTY.

The COUNTY will ensure a working fire engine(s) is available for the CITY at all times under this agreement. All capital improvements and/or betterments to the fire engine(s) listed above, will be the responsibility and paid for by the COUNTY under this Agreement.

When the Riverside County Fire Department Fleet personnel determine the fire engine(s) listed above is due for replacement, the COUNTY will purchase a new fire engine(s); and, survey the old fire engine(s).

The annual cost for this service is calculated at 1/20 of the replacement cost. The current replacement cost is \$384,000.00. If this Agreement is entered into mid-year, the annual cost will be prorated accordingly.



| APPROVALS | |
|----------------|--------------------|
| BUDGET OFFICER | <i>[Signature]</i> |
| CITY ATTORNEY | <i>[Signature]</i> |
| CITY MANAGER | <i>[Signature]</i> |

Report to City Council

TO: Mayor and City Council

FROM: Ahmad R. Ansari, P.E., Public Works Director/City Engineer

AGENDA DATE: April 23, 2013

TITLE: APPROVE AND ADOPT RESOLUTION 2013-22 IMPLEMENTING PERMIT PARKING ON MEDITERRANEAN DRIVE

RECOMMENDED ACTION

Recommendation:

1. Approve and Adopt Resolution No. 2013-22 implementing permit parking on Mediterranean Drive located just west of Perris Boulevard and Suburban Lane.

ADVISORY BOARD/COMMISSION RECOMMENDATION

A public meeting was held at the special meeting held by the Traffic Safety Commission meeting on March 6, 2013. The Commission voted unanimously by all members present to approve the implementation of permit parking on Mediterranean Drive.

BACKGROUND

Mediterranean Drive is a residential cul-de-sac that is approximately 500 feet long and 36 feet wide. There are 19 homes that have been impacted by the activity caused by vehicles for sale. The activity occurs periodically throughout the week and peaks during the weekend. The residents have complained about trash being left behind, loitering, driveways being blocked, and utility vehicles such as Verizon, SCE, the Gas Company and contractors are unable to park and work within the call-out area because of the for sale vehicles. This is a continual nuisance to the residents and they are requesting permit parking to eliminate this unwanted activity not normally experienced on public streets.

DISCUSSION

The City has an established permit-parking program to address specific neighborhoods that have an extraordinary demand for parking caused by adjacent uses such as parks, schools, and businesses, etc. A resident filled out an application and a petition was circulated. There were sufficient resident signatures collected to demonstrate support of the proposed permit parking.

Public notice signs were posted in the subject area and letters were mailed to the residents providing them with information of the potential change in current parking conditions. The letters also invited them to speak at the public hearing to convey any concerns they have regarding the existing conditions and questions they may have regarding permit parking.

ALTERNATIVES

1. Approve and adopt the proposed Resolution and direct staff to implement permit parking on Mediterranean Drive. This alternative is recommended to improve the condition for the residents.
2. Do not adopt the proposed Resolution, thereby not implementing permit parking on Mediterranean Drive. This alternative is not recommended. The resident's will continue to be subjected by the activity caused by the vehicles "for sale".
3. Provide staff with further direction.

FISCAL IMPACT

The estimated annual cost to implement the permit parking on Mediterranean Drive will be borne by the Public Works typical yearly signing and striping budget (Fund 2000-70-76-45122)

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.

ATTACHMENTS

Attachment 1- Proposed Resolution

Attachment 2- Location Map

Prepared By:
Edward I. Init
Senior Engineering Technician

Department Head Approval:
Ahmad R. Ansari, 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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RESOLUTION NO. 2013-22

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING AND AUTHORIZING INSTALLATION OF PERMIT PARKING ON MEDITERRANEAN DRIVE.

WHEREAS, the city Municipal Code section 12.08.090 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 Mediterranean Drive submitted an application and requested permit parking along the frontage of their residences; and

WHEREAS, a public hearing was conducted at the special meeting March 6, 2013, of the Traffic Safety Commission regarding the request; and

WHEREAS, on March 6, 2013, the Traffic Safety Commission reviewed and unanimously approved the implementation of permit parking on Mediterranean 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 Mediterranean Drive.

APPROVED AND ADOPTED this 23rd day of April, 2013.

Mayor of the City of Moreno Valley

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

1
Resolution No. 2013-22
Date Adopted: April 23, 2013

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. 2013-22 was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the 23 day of April, 2013 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

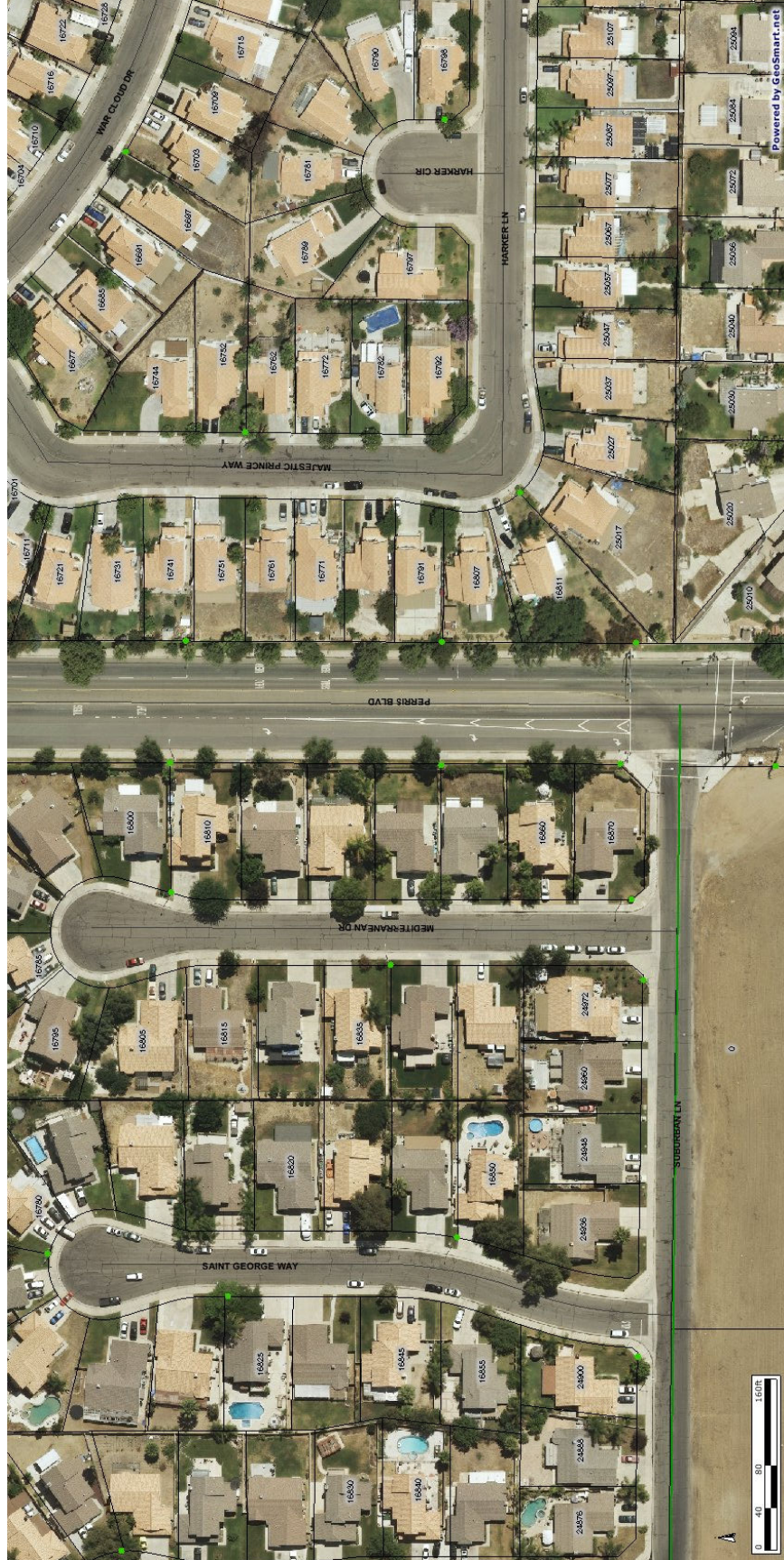
(Council Members, Mayor Pro Tem and Mayor)

CITY CLERK

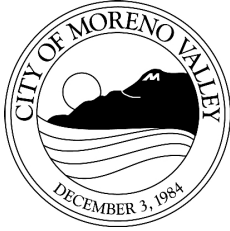
(SEAL)

Resolution No. 2013-22²
Date Adopted: April 23, 2013

LOCATION MAP
MEDITERRANEAN DRIVE



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| APPROVALS | |
|----------------|--------------------|
| BUDGET OFFICER | <i>[Signature]</i> |
| CITY ATTORNEY | <i>[Signature]</i> |
| CITY MANAGER | <i>[Signature]</i> |

Report to City Council

TO: Mayor and City Council

FROM: Ahmad R. Ansari, P.E., Public Works Director/City Engineer

AGENDA DATE: April 23, 2013

TITLE: AUTHORIZE THE AWARD OF THE CONSTRUCTION CONTRACT TO BEDON CONSTRUCTION, INC. FOR THE MORENO MASTER DRAINAGE PLAN LINE "F", STAGE 2 CHANNEL IMPROVEMENTS -- PROJECT NO. 804 0005 70 77

RECOMMENDED ACTION

Recommendations:

1. Waive any and all minor irregularities and award the contract to Bedon Construction, Inc., P.O. Box 1235, Temecula, CA 92593, the lowest responsible bidder, for the Moreno Master Drainage Plan Line "F", Stage 2 Channel Improvements.
2. Authorize the City Manager to execute a contract with Bedon Construction, Inc.
3. Authorize the issuance of a Purchase Order to Bedon Construction, Inc. for the amount of \$3,601,458.03 (\$3,274,052.75 bid plus 10% contingency) when the contract has been signed by all parties.
4. Authorize the Public Works Director/City Engineer to execute any subsequent related minor change orders to the contract with Bedon Construction, Inc. up to, but not exceeding, the contingency amount of \$327,405.28, subject to the approval of the City Attorney.
5. Authorize the Public Works Director/City Engineer to record the Notice of Completion once he determines the work is complete, accept the improvements into the City's maintained system until Riverside County Flood Control and Water Conservation District accepts the ownership and maintenance responsibilities for

the improvements, and release the retention to Bedon Construction, Inc., if no claims are filed against the project.

BACKGROUND

On March 13, 2012, the City Council approved the award of a construction contract for the Cactus Avenue/Nason Street Improvement Project to Sully-Miller Contracting Company. The Cactus Avenue/Nason Street Improvement Project included flood control facilities of storm drain Line I, J, J-9 and Moreno Master Drainage Plan (MMDP) Line "F", Stage 2 Channel Improvements and as part of that City Council Staff Report, it was stated that the project is within the scope of the previously certified Environmental Impact Report and that none of the conditions that call for a Subsequent Environmental Impact Report have occurred. Unfortunately, sufficient funding was not available at that time to finance the construction phase of MMDP Line "F", Stage 2 Channel Improvements.

On February 26, 2013 the City Council approved the Cooperative Agreement with the District for the MMDP Line "F", Stage 2 Channel Improvements and authorized the appropriation of \$4,000,000 to fund the construction phase of the project. The District provided Cooperative Agreement stipulates the terms and conditions which includes the District's maximum monetary contribution in the amount of \$4,000,000 and that the City will prepare the bidding documents, advertise and administer the project construction, convey necessary right of way to the District and when construction is complete to the District's satisfaction, the District will take over the ownership and maintenance of the improvements.

DISCUSSION

The limits for the proposed MMDP Line "F", Stage 2 Channel Improvements project are approximately 4,500 feet long and starts at 800 feet west of Oliver Street to join the existing improved channel in the proximity of the Grande Vista Drive and Iris Avenue intersection.

The work involved is to fully improve the existing earthen trapezoidal flood control channel with a concrete lining; the construction will also provide access roads, maintenance ramps, and storm drain lateral stubs.

This project will complete a majority of the public infrastructure in the City center area to help the City promote and attract new medical related developments, furthering and building upon the expansions underway by surrounding medical facilities, which is consistent with the City's Economic Development Action Plan approved by the City Council in April 2011.

Formal bidding procedures have been followed in conformance with the Public Contract Code. The City Clerk opened bids at 2:15 p.m. on April 16, 2013, for the subject project. Eight (8) bids were received as follows:

| <u>CONTRACTORS</u> | <u>Total Bid Amounts</u> |
|---|--------------------------|
| 1. Bedon Construction, Inc., Temecula | \$3,274,052.75 |
| 2. KIP Incorporated, Murrieta | \$3,352,362.50 |
| 3. KEC Engineering, Corona | \$3,487,691.00 |
| 4. H&H General Contractors, Inc., Highland | \$3,638,820.00 |
| 5. Southwest General Engineering, Inc., Riverside | \$3,793,538.10 |
| 6. Riverside Construction Company, Inc., Riverside..... | \$3,808,215.00 |
| 7. Belczak & Sons, Inc., Anaheim..... | \$3,880,436.00 |
| 8. Fleming Environmental, Inc., Fullerton | \$5,052,882.25 |
| Engineer's Estimate | \$3,516,000.00 |

The lowest responsible bidder was determined by comparing the cumulative total for all Bid items, as stipulated in the bidding documents. Staff has reviewed the bid by Bedon Construction, Inc. and finds it to be the lowest responsible bidder in possession of a valid license and bid bond. No outstanding issues were identified through review of the references submitted by Bedon Construction, Inc. in their bid.

ALTERNATIVES

1. Approve and authorize the recommended actions as presented in this staff report. *This alternative will provide for the timely construction of the MMDP Line "F", Stage 2 Channel Improvements, thus, reducing the threat of flood damage in the area.*
2. Do not approve and authorize the recommended actions as presented in this staff report. *This alternative will delay the timely construction of the MMDP Line "F", Stage 2 Channel Improvements, leaving this area under the potential threat of flood damage.*

FISCAL IMPACT

Pursuant to the terms of a Cooperative Agreement between the District and the City, the District will contribute up to \$4,000,000 to construct MMDP Line "F", Stage 2 Channel Improvements. There is no impact to the General Fund.

TOTAL FUNDS FOR CONSTRUCTION:

| | |
|--|-------------|
| Fiscal Year 2012/2013: | |
| (Account No. 3002-70-77-80004, Project No. 804 0005 70 77) | \$4,000,000 |
| Total Budget..... | \$4,000,000 |

ESTIMATED CONSTRUCTION RELATED COSTS:

| | |
|---|--------------------|
| Contractor Construction Costs (includes Contingency) | \$3,602,000 |
| Construction Design Support Services..... | \$85,000 |
| Construction Survey Services | \$80,000 |

| | |
|---|-------------|
| Construction Geotechnical Services..... | \$80,000 |
| Construction Management and Project Administration* | \$140,000 |
| Total Estimated Project Costs | \$3,987,000 |

**Public Works and consultant staff will provide Construction Management and Project Administration including inspection services.*

ANTICIPATED PROJECT SCHEDULE:

| | |
|--|-----------------------|
| Start Construction..... | May/June 2013 |
| Anticipated Completion of Construction | October/November 2013 |

CITY COUNCIL GOALS

PUBLIC SAFETY:

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

PUBLIC FACILITIES AND CAPITAL PROJECTS:

Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

SUMMARY

This project implements an initiative of the Economic Development Action Plan. The proposed improvements consist of ultimate improvements of 4,500 feet long Moreno Master Drainage Plan Line “F”, Stage 2 Channel Improvements. City staff is recommending contract award to Bedon Construction, Inc. for the project.

ATTACHMENTS

- Attachment 1: Location Map
- Attachment 2: Agreement with Bedon Construction, Inc.

Prepared By:
 Viren A. Shah, P.E.
 Consultant Project Manager

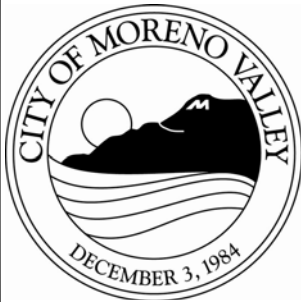
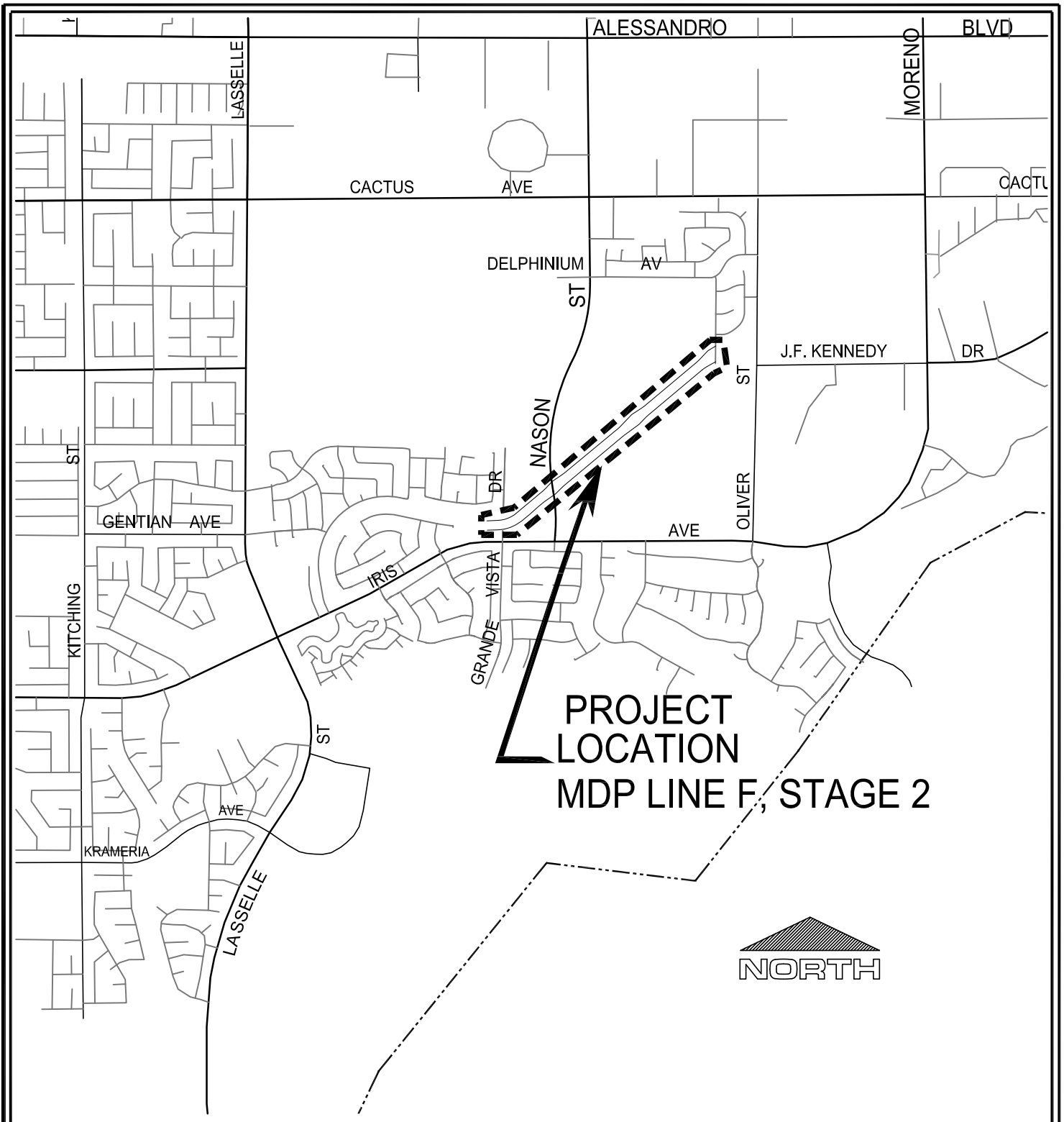
Department Head Approval:
 Ahmad R. Ansari, P.E.
 Public Works Director/City Engineer

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: |

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Date: 04 Feb 13 - 2:43 pm
 File: W:\CopProj\CopProj\PROJECTS\Iren - 804 0005 70 77 Line F\Design Phase\Auto CAD\Location_Map\Location_Map.dwg
 User: deepoks



LOCATION MAP

Public Works Department
 Capital Projects Division

Scale: None

ATTACHMENT 1

MORENO MASTER DRAINAGE PLAN
 LINE F, STAGE 2 CHANNEL IMPROVEMENTS
 PROJECT NUMBER 804 0005 70 77

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Agreement No. _____

AGREEMENT

PROJECT NO. 804 0005 70 77

MORENO MASTER DRAINAGE PLAN LINE "F", STAGE 2 CHANNEL IMPROVEMENTS

THIS Agreement, effective as of the date signed by the City of Moreno Valley by and between the City of Moreno Valley, a municipal corporation, County of Riverside, State of California, hereinafter called the "City" and **Bedon Construction, Inc.**, hereinafter called the "Contractor."

That the City and the Contractor for the consideration hereinafter named, agree as follows:

1. CONTRACT DOCUMENTS. The Contract Documents consist of the following, which are incorporated herein by this reference:

- A. Governmental approvals, including, but not limited to, permits required for the Work
- B. Any and all Contract Change Orders issued after execution of this Agreement
- C. This Agreement
- D. **Addendum No. 1** inclusive, issued prior to the opening of the Bids
- E. City Special Provisions, including the General Provisions and Technical Provisions
- F. Standard Specifications for Public Works Construction ("Greenbook") – latest edition in effect at the Bid Deadline, as modified by the City Special Provisions
- G. Reference Specifications/Reference Documents
- H. Project Plans
- I. City Standard Plans
- J. Caltrans Standard Plans
- K. Other Agency Standard Plans
 - Riverside County Flood Control and Water Conservation District (RCFC&WCD)
 - Eastern Municipal Water District (EMWD)
- L. The bound Bidding Documents
- M. Contractor's Certificates of Insurance and Additional Insured Endorsements
- N. Contractor's Bidder's Proposal and Subcontractor Listing

In the event of conflict between any of the Contract Documents, the provisions placing a more stringent requirement on the Contractor shall prevail. The Contractor shall provide the better quality or greater quantity of Work and/or materials unless otherwise directed by City in writing. In the event none of the Contract Documents place a more stringent requirement or greater burden on the Contractor, the controlling provision shall be that which is found in the document with higher precedence in accordance with the above order of precedence.

2. REFERENCE DOCUMENTS. The following Reference Documents are not considered Contract Documents and were provided to the Contractor for informational purposes:

- A. Geotechnical Reports
- B. Autocad files with existing and design topography

3. SCOPE OF WORK. The Contractor shall perform and provide all materials, tools, equipment, labor, and services necessary to complete the Work described in the Contract Documents, except as otherwise provided in the Plans, Standard Specifications, or City Special Provisions to be the responsibility of others.

4. PAYMENT.

4.1. **Contract Price and Basis for Payment.** In consideration for the Contractor's full, complete, timely, and faithful performance of the Work required by the Contract Documents, the City shall pay Contractor for the actual quantity of Work required under the Bid Items awarded by the City performed in accordance with the lump sum prices and unit prices for Bid Items set forth the Bidder's Proposal submitted with the Bid. The sum of the unit prices and lump sum prices for the Bid Items awarded by the City is **Three Million Two Hundred Seventy Four Thousand Fifty Two and 75/100 Dollars (\$3,274,052.75)** ("Contract Price"). It is understood and agreed that the quantities set forth in the Bidder's Proposal for which unit prices are fixed are estimates only and that City will pay and Contractor will accept, as full payment for these items of work, the unit prices set forth in the Bidder's Proposal multiplied by the actual number of units performed, constructed, or completed as directed by the City Engineer.

4.2. **Payment Procedures.** Based upon applications for payment submitted by the Contractor to the City, the City shall make payments to the Contractor in accordance with Article 9 of the Standard Specifications, as modified by Article 9 of the City Special Provisions.

5. CONTRACT TIME.

A. Initial Notice to Proceed. After the Agreement has been fully executed by the Contractor and the City, the City shall issue the "Notice to Proceed to Fulfill Preconstruction Requirements." The date specified in the Notice to Proceed to Fulfill Preconstruction Requirements constitutes the date of commencement of the Contract Time of **eighty (80) Working Days**. The Contract Time includes the time necessary to fulfill preconstruction requirements, place the order of materials, and to complete construction of the Project (except as adjusted by subsequent Change Orders).

The Notice to Proceed to Fulfill Preconstruction Requirements shall further specify that Contractor must complete the preconstruction requirements within **fifteen (15) Working Days** after the date of commencement of the Contract Time; this duration is part of the Contract Time.

Preconstruction requirements include, but are not limited to, the following:

- Submitting and obtaining approval of Traffic Control Plans
- Submitting and obtaining approval of the Stormwater Pollution Prevention Plan (SWPPP)/Water Pollution Control Plan (WPCP)
- Submitting and obtaining approval of critical required submittals
- Installation of the approved Project Identification Signs
- Obtaining an approved no fee Encroachment Permit from the City
- Obtaining an Encroachment Permit and Notice to Proceed for Construction from RCFC & WCD
- Obtaining a Temporary Use Permit for a construction yard
- Notifying all agencies, utilities, residents, etc., as outlined in the Bidding Documents

If the City's issuance of a Notice to Proceed to Fulfill Preconstruction Requirements is delayed due to Contractor's failure to return the fully executed Agreement and insurance and bond documents within ten (10) Working Days after Contract award, then Contractor agrees to the deduction of one (1) Working Day from the number of days to complete the Project for every Working Day of delay in the City's receipt of said documents. This right is in addition to and does not affect the City's right to demand forfeiture of Contractor's Bid Security of Contractor persistently delays in providing the required documentation.

B. Notice to Proceed with Construction. After all preconstruction requirements are met and materials have been ordered in accordance with the Notice to Proceed to Fulfill Preconstruction Requirements, the City shall issue the "Notice to Proceed with Construction," at which time the Contractor shall diligently prosecute the Work, including corrective items of Work, day to day thereafter, within the remaining Contract Time.

6. LIQUIDATED DAMAGES AND CONTROL OF WORK

6.1. Liquidated Damages. The Contractor and City (collectively, the "Parties") have agreed to liquidate damages with respect to Contractor's failure to fulfill the preconstruction requirements, and/or failure to complete the Work within the Contract Time. The Parties intend for the liquidated damages set forth herein to apply to this Contract as set forth in Government Code Section 53069.85. Contractor acknowledges and agrees that the liquidated damages are intended to compensate the City solely for Contractor's failure to meet the deadline for completion of the Work and will not excuse Contractor from liability from any other breach, including any failure of the Work to conform to the requirements of the Contract Documents.

In the event that Contractor fails to fulfill the preconstruction requirements and/or fails to complete the Work within the Contract Time, Contractor agrees to pay the City **\$1,000.00 per Calendar day** that completion of the Work is delayed beyond the Contract Time, as adjusted by Contract Change Orders. The Contractor will not be assessed liquidated damages for delays occasioned by the failure of the City or of the owner of a utility to provide for the removal or relocation of utility facilities.

The Contractor and City acknowledge and agree that the foregoing liquidated damages have been set based on an evaluation of damages that the City will incur in the event of late completion of the Work. The Contractor and City acknowledge and agree that the amount of such damages are impossible to ascertain as of the date of execution hereof and have agreed to such liquidated damages to fix the City's damages and to avoid later disputes. It is understood and agreed by Contractor that liquidated damages payable pursuant to this Agreement are not a penalty and that such amounts are not manifestly unreasonable under the circumstances existing as of the date of execution of this Agreement.

It is further mutually agreed that the City will have the right to deduct liquidated damages against progress payments or retainage and that the City will issue a Change Order or Construction Change Directive and reduce the Contract Price accordingly. In the event the remaining unpaid Contract Price is insufficient to cover the full amount of liquidated damages, Contractor shall pay the difference to the City.

6.2. Any work completed by the Contractor after the issuance of a Stop Work Notice by the City shall be rejected and/or removed and replaced as specified in Section 2-11 of the Special Provisions.

6.3. **Owner is Exempt from Liability for Early Completion Delay Damages.** While the Contractor may schedule completion of all of the Work, or portions thereof, earlier than the Contract Time, the Owner is exempt from liability for and the Contractor will not be entitled to an adjustment of the Contract Sum or to any additional costs, damages, including, but not limited to, claims for extended general conditions costs, home office overhead, jobsite overhead, and management or administrative costs, or compensation whatsoever, for use of float time or for Contractor's inability to complete the Work earlier than the Contract Time for any reason whatsoever, including but not limited to, delay cause by Owner or other Excusable Compensable Delay. See Section 6-6 of the Standard Specifications and City Special Provisions regarding compensation for delays.

7. INSURANCE.

7.1. **General.** The Contractor shall procure and maintain at its sole expense and throughout the term of this Agreement, any extension thereof, Commercial General Liability, Automobile Liability, Builder's Risk, and Workers' Compensation Insurance with such coverage limits as described herein.

7.2. **Additional Insured Endorsements.** The Contractor shall cause the insurance required by the Contract Document to include the City of Moreno Valley, the City Council and each member thereof, the Moreno Valley Housing Authority (MVHA), the Moreno Valley Community Services District (CSD), the Riverside County Flood Control and Water Conservation District (RCFC&WCD), the County of Riverside, the County of Riverside, Eastern Municipal Water District (EMWD), and Moreno Valley Properties, and their respective officials, employees, commission members, officers, directors, agents, employees, volunteers and representatives as an additional insureds. For the Commercial General Liability coverage, said parties shall be named as additional insureds utilizing either:

1. Insurance Services Office ("ISO") Additional Insured endorsement CG 20 10 (11/85); or
2. ISO Additional Insured endorsement CG 20 10 (10/01) and Additional Insured Completed Operations endorsement CG 20 37 (10/01); or
3. substitute endorsements providing equivalent coverage, approved by the City.

The endorsements shall be signed by a person authorized by the insurer to bind coverage on its behalf. The coverage shall contain no special limitations on the scope of protection afforded to such additional insureds. Coverage for such additional insureds does not extend to liability to the extent prohibited by Insurance Code Section 11580.4.

7.3. **Waivers of Subrogation.** All policies of insurance required by the Contract Documents shall include or be endorsed to provide a waiver by the insurers of any rights of recovery or subrogation that the insurers may have at any time against the City of Moreno Valley, the City Council and each member thereof, the Moreno Valley Housing Authority, the Moreno Valley Community Services District, the Riverside County Flood Control and Water Conservation District, the County of Riverside, Eastern Municipal Water District, and Moreno Valley Properties, and their respective officials, employees, commission members, officers, directors, agents, employees, volunteers and representatives.

7.4. **Primary Coverage.** All policies and endorsements shall stipulate that the Contractor's (and the Subcontractors') insurance coverage shall be primary insurance as respects the City of Moreno Valley, the City Council and each member thereof, the Moreno Valley Housing Authority, the Moreno Valley Community Services District, the Riverside County Flood Control and Water Conservation District (RCFC&WCD), the County of Riverside, Eastern Municipal Water District (EMWD), and Moreno Valley Properties, and their respective officials, employees, commission members, officers, directors, agents, employees, volunteers and representatives, and shall be excess of the Contractor's (and its Subcontractors') insurance and shall not contribute with it.

7.5. **Coverage Applies Separately to Each Insured and Additional Insured.** Coverage shall state that the Contractor's (and its Subcontractors') insurance shall apply separately to each insured or additional insured against whom claim is made or suit is brought, except with respect to the limits of the insurer's liability. Coverage shall apply to any claim or suit brought by an additional insured against a named insured or other insured.

7.6. **Self-Insurance.** Any self-insurance (including deductibles or self-insured retention in excess of \$50,000) in lieu of liability insurance must be declared by Contractor and approved by the City in writing prior to execution of the Agreement. The City's approval of self-insurance, if any, is within the City's sole discretion and is subject to the following conditions:

1. Contractor must, at all times during the term of the Agreement and for a period of at least **one (1)** year after completion of the Project, and any extension of the one-year correction guarantee period in accordance with Section 6-8.1 of the City Special Provisions, maintain and upon Owner's reasonable request provide evidence of:
 - (a) Contractor's "net worth" (defined as "total assets" [defined as all items of value owned by the Contractor including tangible items such as cash, land, personal property and equipment and intangible items such as copyrights and business goodwill]) minus total outside liabilities must be reflected in a financial statement for the prior fiscal year reflecting sufficient income and budget for Contractor to afford at least one loss in an amount equal to the amount of self-insurance;
 - (b) financial statements showing that Contractor has funds set aside/budgeted to finance the self-insured fund (i.e., Contractor has a program that fulfills functions that a primary insurer would fill; and
 - (c) a claims procedure that identifies how a claim is supposed to be tendered to reach the financing provided by the self-insured fund.
2. If at any time after such self-insurance has been approved Contractor fails to meet the financial thresholds or otherwise fails to comply with the provisions set forth in this Paragraph 7, at the option of the City:
 - (a) the Contractor shall immediately obtain and thereafter maintain the third party insurance required under this Paragraph 7 and otherwise on the terms required above; or

- (b) the insurer shall reduce or eliminate such deductibles or self-insured retention as respects the City, its officers, officials, employees and volunteers; or
- (c) the Contractor shall procure a bond guaranteeing payment of losses and related investigation, claim administration, and defense expenses.

7.7. **Insurer Financial Rating.** Insurance companies providing insurance hereunder shall be rated A-:VIII or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct insurance business in the State of California.

7.8. **Notices to City of Cancellation or Changes.** Each insurance policy described in this Paragraph 7 shall contain a provision or be endorsed to state that coverage will not be cancelled without **sixty (60) days'** prior written notice by certified or registered mail to the City and Riverside County Flood Control and Water Conservation District (this obligation may be satisfied in the alternative by requiring such notice to be provided by Contractor's insurance broker and set forth on its Certificate of Insurance provided to the City), except that cancellation for non-payment of premium shall require (10) days prior written notice by certified or registered mail. If an insurance carrier cancels any policy or elects not to renew any policy required to be maintained by Contractor pursuant to the Contract Documents, Contractor agrees to give written notice to the City at the address indicated on the first page of the Agreement. Contractor agrees to provide the same notice of cancellation and non-renewal to the City that is required by such policy(ies) to be provided to the First Named Insured under such policy(ies). Contractor shall provide confirmation that the required policies have been renewed not less than seven (7) days prior to the expiration of existing coverages and shall deliver renewal or replacement policies, certificates and endorsements to the City Clerk within fourteen (14) days of the expiration of existing coverages. Contractor agrees that upon receipt of any notice of cancellation or alteration of the policies, Contractor shall procure within five (5) days, other policies of insurance similar in all respects to the policy or policies to be cancelled or altered. Contractor shall furnish to the City Clerk copies of any endorsements that are subsequently issued amending coverage or limits within fourteen (14) days of the amendment.

7.9. **Commercial General Liability.** Coverage shall be written on an ISO Commercial General Liability "occurrence" form CG 00 01 (10/01 or later edition) or equivalent form approved by the City for coverage on an occurrence basis. The insurance shall cover liability, including, but not limited to, that arising from premises operations, stop gap liability, independent contractors, products-completed operations, personal injury, advertising injury, and liability assumed under an insured contract. The policy shall be endorsed to provide the Aggregate Per Project Endorsement ISO form CG 25 03 (11/85). Coverage shall contain no contractors' limitation or other endorsement limiting the scope of coverage for liability arising from pollution, explosion, collapse, or underground (x, c, u) property damage. Contractor shall provide Products/Completed Operations coverage to be maintained continuously for a minimum of **one (1) year** after Final Acceptance of the Work, and any extension of the one-year correction guarantee period in accordance with Section 6-8.1 of the City Special Provisions.

Contractor shall maintain Commercial General Liability insurance with the following minimum limits: \$2,000,000 per occurrence / \$2,000,000 aggregate / \$2,000,000 products-completed operations.

7.10. **Business Automobile Liability.** Coverage shall be written on ISO form CA 00 01 (12/93 or later edition) or a substitute form providing equivalent coverage for owned, hired, leased and non-owned vehicles, whether scheduled or not, with \$1,000,000 combined single limit per

accident for bodily injury and property damage. If necessary, the policy shall be endorsed to provide contractual liability coverage.

7.11. Workers' Compensation. Contractor shall comply with the applicable sections of the California Labor Code concerning workers' compensation for injuries on the job. Compliance is accomplished in one of the following manners:

1. Provide copy of permissive self-insurance certificate approved by the State of California; or
2. Secure and maintain in force a policy of workers' compensation insurance with statutory limits and Employer's Liability Insurance with a minimal limit of **\$1,000,000** per accident; or
3. Provide a "waiver" form certifying that no employees subject to the Labor Code's Workers' Compensation provision will be used in performance of this Contract.

7.12. Builder's Risk. The Project is located in an active flood control channel that is susceptible to flash floods during the project construction duration; therefore, the Contractor shall purchase and maintain Builder's Risk Insurance for the Project. Such property insurance for active work within a live flood control facility shall cover costs of labor, materials and equipment required for the Work and intended to be permanently installed and incorporated into the Project covering the interest of the Owner, Contractor, and all Subcontractors in such labor, materials and equipment. Such insurance shall be written on an "All-Risk" basis, or equivalent policy form, covering perils normally covered on such insurance including, but not limited to, the perils of fire (with extended coverage) and physical loss or damage, including, without duplication of coverage, theft, vandalism, malicious mischief, collapse, design error, earthquakes of a magnitude in excess of 3.5 of the Richter Scale, tidal waves, faulty workmanship or materials, floods, windstorms, falsework testing and startup, and debris removal including demolition occasioned by enforcement of any applicable legal requirements, and shall cover reasonable compensation for design, inspection, testing, expediting, fire department, flood control district, plans, blueprints, drawings, project management and services, and expenses required as a result of such incurred loss. The Contractor's property insurance policy will have a basic \$25,000.00 deductible per occurrence for flood and extended coverage; other deductibles may apply to other types of losses. In case of loss, Contractor shall be responsible for each loss payable under the Builder's Risk policy attributable to the acts, errors or omissions of Contractor, its Subcontractors, Sub-subcontractors and any other entity for whom Contractor may be responsible. Coverage shall be in the amount of the initial Contract Price, plus the value of subsequent Change Orders and cost of materials supplied or installed by others, comprising total value for the entire Work at the Site on a replacement cost basis (including code upgrades) without optional deductibles. Such property insurance shall be maintained until final payment has been made or until no person or entity other than the City has an insurable interest in the property required by this Paragraph to be covered, whichever is later.

7.13. Subcontractors' Insurance. The Contractor shall include all Subcontractors as insureds under its policies or shall furnish separate certificates and endorsements for each Subcontractor. All coverages for Subcontractors shall be subject to all of the requirements stated herein.

8. BONDS. The Contractor shall furnish a satisfactory Performance Bond meeting all statutory requirements of the State of California on the form provided by the City. The bond shall be furnished as a guarantee of the faithful performance of the requirements of the Contract Documents as may be amended from time to time, including, but not limited to, liability for delays and damages

(both direct and consequential) to the City and the City's Separate Contractors and consultants, warranties, guarantees, and indemnity obligations, in an amount that shall remain equal to one hundred percent (100%) of the Contract Price.

The Contractor shall furnish a satisfactory Labor and Materials Payment Bond meeting all statutory requirements of the State of California on the form provided by the City in an amount that shall remain equal to one hundred percent (100%) of the Contract Price to secure payment of all claims, demands, stop notices, or charges of the State of California, of material suppliers, mechanics, or laborers employed by the Contractor or by any Subcontractor, or any person, firm, or entity eligible to file a stop notice with respect to the Work.

All bonds shall be executed by a California-admitted surety insurer. Bonds issued by a California-admitted surety insurer listed on the latest version of the U.S Department of Treasury Circular 570 shall be deemed accepted unless specifically rejected by the City. Bonds issued by sureties not listed in Treasury Circular 570 must be accompanied by all documents enumerated in California Code of Civil Procedure Section 995.660(a). The bonds shall bear the same date as the Contract. The attorney-in-fact who executes the required bonds on behalf of the surety shall affix thereto a certified and current copy of the power of attorney. In the event of changes that increase the Contract Price, the amount of each bond shall be deemed to increase and at all times remain equal to the Contract Price. The signatures shall be acknowledged by a notary public. Every bond must display the surety's bond number and incorporate the Contract for construction of the Work by reference. The terms of the bonds shall provide that the surety agrees that no change, extension of time, alteration, or modification of the Contract Documents or the Work to be performed thereunder shall in any way affect its obligations and shall waive notice of any such change, extension of time, alteration, or modification of the Contract Documents. The surety further agrees that it is obligated under the bonds to any successor, grantee, or assignee of the City.

Upon the request of any person or entity appearing to be a potential beneficiary of bonds covering payment of obligations arising under the Contract, the Contractor shall promptly furnish a copy of the bonds or shall authorize a copy to be furnished.

Should any bond become insufficient, or should any of the sureties, in the opinion of the City, become non-responsible or unacceptable, the Contractor shall, within ten (10) Calendar Days after receiving notice from the City, provide written documentation to the Satisfaction of the City that Contractor has secured new or additional sureties for the bonds; otherwise the Contractor shall be in default of the Contract. No further payments shall be deemed due or will be made under Contract until a new surety(ies) qualifies and is accepted by the City.

Contractor agrees that the Labor and Materials Payment Bond and Faithful Performance Bond attached to this Agreement are for reference purposes only, and shall not be considered a part of this Agreement. Contractor further agrees that said bonds are separate obligations of the Contractor and its surety, and that any attorney's fee provision contained in any payment bond or performance bond shall not apply to this Agreement. In the event there is any litigation between the parties arising from the breach of this Agreement, each party will bear its own attorneys' fees in the litigation.

9. RECORDS. The Contractor and its Subcontractors shall maintain and keep books, payrolls, invoices of materials, and Project records current, and shall record all transactions pertaining to the Contract in accordance with generally acceptable accounting principles. Said books and records shall be made available to the City of Moreno Valley, Riverside County, the State of California, the Federal Government, and to any authorized representative thereof for purposes of audit and

inspection at all reasonable times and places. All such books, payrolls, invoices of materials, and records shall be retained for at least three (3) years after Final Acceptance.

10. INDEMNIFICATION.

10.1. **General.** To the fullest extent permitted by law, the Contractor assumes liability for and agrees, at the Contractor's sole cost and expense, to promptly and fully indemnify, protect, hold harmless and defend (even if the allegations are false, fraudulent, or groundless), the City of Moreno Valley, its City Council, the Moreno Valley Housing Authority (MVHA), the Moreno Valley Community Services District (CSD), the Riverside County Flood Control and Water Conservation District (RCFC&WCD), the County of Riverside, Eastern Municipal Water District (EMWD), and Moreno Valley Properties, and all of their respective officials, officers, directors, employees, commission members, representatives and agents ("Indemnitees"), from and against any and all claims, allegations, actions, suits, arbitrations, administrative proceedings, regulatory proceedings, or other legal proceeds, causes of action, demands, costs, judgments, liens, stop notices, penalties, liabilities, damages, losses, anticipated losses of revenues, and expenses (including, but not limited to, any fees of accountants, attorneys, experts or other professionals, or investigation expenses), or losses of any kind or nature whatsoever, whether actual, threatened or alleged, arising out of, resulting from, or in any way (either directly or indirectly), related to the Work, the Project or any breach of the Contract by Contractor or any of its officers, agents, employees, Subcontractors, Sub-subcontractors, or any person performing any of the Work, pursuant to a direct or indirect contract with the Contractor ("Indemnity Claims"). Such Indemnity Claims include, but are not limited to, claims for:

- A. Any activity on or use of the City's premises or facilities;
- B. Any liability incurred due to Contractor acting outside the scope of its authority pursuant to the Contract, whether or not caused in part by an Indemnified Party;
- C. The failure of Contractor or the Work to comply with any Applicable Law, permit or orders;
- D. Any misrepresentation, misstatement or omission with respect to any statement made in the Contract Documents or any document furnished by the Contractor in connection therewith;
- E. Any breach of any duty, obligation or requirement under the Contract Documents, including, but not limited to any breach of Contractor's warranties, representations or agreements set forth in the Contract Documents;
- F. Any failure to coordinate the Work with City's Separate Contractors;
- G. Any failure to provide notice to any party as required under the Contract Documents;
- H. Any failure to act in such a manner as to protect the Project from loss, cost, expense or liability;
- I. Bodily or personal injury, emotional injury, sickness or disease, or death at any time to any persons including without limitation employees of Contractor;
- J. Damage or injury to real property or personal property, equipment and materials (including, but without limitation, property under the care and custody of the Contractor or the City) sustained by any person or persons (including, but not limited to, companies, corporations, utility company or property owner, Contractor and its employees or agents, and members of the general public);

- K. Any liability imposed by Applicable Law including, but not limited to criminal or civil fines or penalties;
- L. Any dangerous, hazardous, unsafe or defective condition of, in or on the Site, of any nature whatsoever, which may exist by reason of any act, omission, neglect, or any use or occupation of the Site by Contractor, its officers, agents, employees, or Subcontractors;
- M. Any operation conducted upon or any use or occupation of the Site by Contractor, its officers, agents, employees, or Subcontractors under or pursuant to the provisions of the Contract or otherwise;
- N. Any acts, errors, omission or negligence of Contractor, its officers, agents, employees, or Subcontractors;
- O. Infringement of any patent rights, licenses, copyrights or intellectual property which may be brought against the Contractor or Owner arising out of Contractor's Work, for which the Contractor is responsible; and
- P. Any and all claims against the City seeking compensation for labor performed or materials used or furnished to be used in the Work or alleged to have been furnished on the Project, including all incidental or consequential damages resulting to the City from such claims.

10.2. **Effect of Indemnitees' Active Negligence.** Contractor's obligations to indemnify and hold the Indemnitees harmless exclude only such portion of any Indemnity Claim which is attributable to the active negligence or willful misconduct of the Indemnitee, provided such active negligence or willful misconduct is determined by agreement of the parties or by findings of a court of competent jurisdiction. In instances where an Indemnitee's active negligence accounts for only a percentage of the liability for the Indemnity Claim involved, the obligation of Contractor will be for that entire percentage of liability for the Indemnity Claim not attributable to the active negligence or willful misconduct of the Indemnitee(s). Such obligation shall not be construed to negate, abridge or otherwise reduce any other right or obligation of indemnity which would otherwise exist as to any party or person described in this Paragraph 11. Subject to the limits set forth herein, the Contractor, at its own expense, shall satisfy any resulting judgment that may be rendered against any Indemnitee resulting from an Indemnity Claim. The Indemnitees shall be consulted with regard to any proposed settlement.

10.3. **Independent Defense Obligation.** The duty of the Contractor to indemnify and hold harmless the Indemnitees includes the separate and independent duty to defend the Indemnitees, which duty arises immediately upon receipt by Contractor of the tender of any Indemnity Claim from an Indemnitee. The Contractor's obligation to defend the Indemnitee(s) shall be at Contractor's sole expense, and not be excused because of the Contractor's inability to evaluate liability or because the Contractor evaluates liability and determines that the Contractor is not liable. This duty to defend shall apply whether or not an Indemnity Claim has merit or is meritless, or which involves claims or allegations that any or all of the Indemnitees were actively, passively, or concurrently negligent, or which otherwise asserts that the Indemnitees are responsible, in whole or in part, for any Indemnity Claim. The Contractor shall respond within thirty (30) Calendar Days to the tender of any Indemnity Claim for defense and/or indemnity by an Indemnitee, unless the Indemnitee agrees in writing to an extension of this time. The defense provided to the Indemnitees by Contractor shall be by well qualified, adequately insured and experienced legal counsel acceptable to the City.

10.4. **Intent of Parties Regarding Scope of Indemnity.** It is the intent of the parties that the Contractor and its Subcontractors of all tiers shall provide the Indemnitees with the broadest defense and indemnity permitted by Applicable Law. In the event that any of the defense, indemnity or hold harmless provisions in the Contract Documents are found to be ambiguous, or in conflict

with one another, it is the parties' intent that the broadest and most expansive interpretation in favor of providing defense and/or indemnity to the Indemnitees be given effect.

10.5. Waiver of Indemnity Rights Against Indemnitees. With respect to third party claims against the Contractor, to the fullest extent permitted by law, the Contractor waives any and all rights to any type of express or implied indemnity against the Indemnitees.

10.6. Subcontractor Requirements. In addition to the requirements set forth hereinabove, Contractor shall ensure, by written subcontract agreement, that each of Contractor's Subcontractors of every tier shall protect, defend, indemnify and hold harmless the Indemnitees with respect to Indemnity Claims arising out of, in connection with, or in any way related to each such Subcontractors' Work on the Project in the same manner in which Contractor is required to protect, defend, indemnify and hold the Indemnitees harmless. In the event Contractor fails to obtain such defense and indemnity obligations from others as required herein, Contractor agrees to be fully responsible to the Indemnitees according to the terms of this Paragraph 11.

10.7. No Limitation or Waiver of Rights. Contractor's obligations under this Paragraph 11 are in addition to any other rights or remedies which the Indemnitees may have under the law or under the Contract Documents. Contractor's indemnification and defense obligations set forth in this Paragraph 11 are separate and independent from the insurance provisions set forth in the Contract Documents, and do not limit, in any way, the applicability, scope, or obligations set forth in such insurance provisions. The purchase of insurance by the Contractor with respect to the obligations required herein shall in no event be construed as fulfillment or discharge of such obligations. In any and all claims against the Indemnitees by any employee of the Contractor, any Subcontractor, any supplier of the Contractor or Subcontractors, anyone directly or indirectly employed by any of them, or anyone for whose acts any of them may be liable, the obligations under this Paragraph 11 shall not be limited in any way by any limitation on the amount or type of damages, compensation or benefits payable by or for the Contractor or any Subcontractor or any supplier of either of them, under workers' or workmen's compensation acts, disability benefit acts or other employee benefit acts. Failure of the City to monitor compliance with these requirements imposes no additional obligations on the City and will in no way act as a waiver of any rights hereunder.

10.8. Withholding to Secure Obligations. In the event an Indemnity Claim arises prior to final payment to Contractor, the City may, in its sole discretion, reserve, retain or apply any monies due Contractor for the purpose of resolving such Indemnity Claims; provided, however, the City may release such funds if the Contractor provides the City with reasonable assurances of protection of the Indemnitees' interests. The City shall, in its sole discretion, determine whether such assurances are reasonable.

10.9. Survival of Indemnity Obligations. Contractor's obligations under this Paragraph 11 are binding on Contractor's and its Subcontractors' successors, heirs and assigns and shall survive the completion of the Work or termination of the Contractor's performance of the Work.

11. SUCCESSORS AND ASSIGNS. The Parties bind themselves, their heirs, executors, administrators, successors and assigns the covenants, agreements and obligations contained in the Contract Documents. The Contractor shall not, either voluntarily or by action of law, assign any right or obligation of the Contractor under the Contract Documents without prior written consent of the City.

(SIGNATURE PAGE FOLLOWS)

CITY OF MORENO VALLEY, Municipal Corporation

Bedon Construction, Inc.

BY: _____
City Manager

License No./
Classification: _____

DATE: _____

Expiration Date: _____

Federal I.D. No.: _____

| |
|-------------------------------------|
| <u>INTERNAL USE ONLY</u> |
| APPROVED AS TO LEGAL FORM: |
| _____ |
| City Attorney |
| _____ |
| Date |
| RECOMMENDED FOR APPROVAL: |
| _____ |
| Public Works Director/City Engineer |
| _____ |
| Date |

PRINT NAME: _____

SIGNATURE: _____

TITLE: _____

DATE: _____

PRINT NAME: _____

SIGNATURE: _____

TITLE: _____

DATE: _____

SIGNING INSTRUCTIONS TO THE CONTRACTOR:

Signature(s) must be accompanied by a completed notary certificate of acknowledgement attached hereto. A general partner must sign on behalf of a partnership. **Two (2)** corporate officers must sign on behalf of a corporation unless the corporation has a corporate resolution that allows one person to sign on behalf of the corporation; if applicable, said resolution must be attached hereto. The corporate seal may be affixed hereto.

CALIFORNIA ALL-PURPOSE
CERTIFICATE OF ACKNOWLEDGMENT

SAMPLE

State of California

County of _____

On _____ before me, _____,
(Here insert name and title of the officer)

personally appeared _____,

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 acknowledgement 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 of Notary Public

(Notary Seal)

ADDITIONAL OPTIONAL INFORMATION

INSTRUCTIONS FOR COMPLETING THIS FORM

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- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. he/she/they, is/are) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
- Signature of the notary public must match the signature on file with the office of the county clerk.
 - ❖ Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
 - ❖ Indicate title or type of attached document, number of pages and date.
 - ❖ Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document.

DESCRIPTION OF THE ATTACHED DOCUMENT

AGREEMENT SIGNATURE PAGE
(Title or description of attached document)

(Title or description of attached document continued)

Number of Pages _____

Document Date _____

Additional Information

CAPACITY CLAIMED BY THE SIGNER

- Individual(s)
- Corporate Officer

(Title)

- Partner (s)
- Attorney-in-Fact
- Other _____

BOND NO. _____

PREMIUM \$ _____

**FAITHFUL PERFORMANCE BOND
(100% of Total Contract Price)**

PROJECT NO. 804 0005 70 77

**MORENO MASTER DRAINAGE PLAN
LINE "F", STAGE 2 CHANNEL IMPROVEMENTS**

KNOW ALL MEN AND WOMEN BY THESE PRESENTS:

THAT WHEREAS, the City Council of the City of Moreno Valley, State of California, known as "City," has awarded to **Bedon Construction, Inc.**, as Principal hereinafter designated as "Contractor" and have entered into an Agreement whereby the Contractor agrees to construct or install and complete certain designated public improvements, which said Agreement, effective on the date signed by the City of Moreno Valley, and identified as **Project No. 804 0005 70 77**, and all Contract Documents are hereby referred to and made a part hereof; and

WHEREAS, said Contractor under the terms of said Contract Documents is required to furnish a bond guaranteeing the faithful performance of said Agreement;

NOW THEREFORE, we the undersigned Contractor and _____, as Surety, are held and firmly bound unto the City of Moreno Valley, County of Riverside in the penal sum of _____ dollars, (\$ _____), lawful money of the United States, to be paid to the said City or its certain attorney, its successors and assigns; for which payment, well and truly to be made, we bind ourselves, our heirs, executors and administrators, successors and assigns, jointly and severally liable (CCP 995.320 (a)(1)), firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that if the above bound Contractor, his or her or its heirs, executors, administrators, successors or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and provisions in said Contract Documents and any alterations thereof made as therein provided, on his or her or their part, to be kept and performed at the time and in the manner therein specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless the City of Moreno Valley, its officers, agents and employees, as therein stipulated, then this obligation shall become null and void; otherwise it shall be and remain in full force and effect. In the event suit is brought upon this bond by the City and judgement is recovered, the Surety shall pay all costs incurred by the City in such suit, including a reasonable attorney fee to be fixed by the court.

Contractor and Surety agree that this Faithful Performance Bond shall not be considered a part of the Agreement between Contractor and the City ("Agreement"). Contractor and Surety further agree that this Faithful Performance Bond is a separate obligation of the Contractor and its Surety, and that any attorneys' fee provision contained in this Faithful Performance Bond shall not apply to the Agreement. In the event there is any litigation between the parties arising from the breach of the Agreement, each party will bear its own attorneys' fees in the litigation.

The Surety hereby stipulates and agrees that no change, extension of time, alteration, or addition to the terms of the Contract Documents or to the Work to be performed thereunder, or the Provisions accompanying the same shall in any way affect its obligations on this bond, and it does hereby waive notice

of any such change, extension of time, alteration or addition to the terms of the Contract Documents or to the Work or the Provisions.

(SIGNATURE PAGE FOLLOWS)

BOND NO. _____

IN WITNESS WHEREOF, we have hereunto set our hands, and seals on this _____ day
of _____ 2013.

CONTRACTOR (Principal)

SURETY

Contractor Name: _____

Name: _____

Address: _____

Address: _____

Telephone No.: _____

Telephone No.: _____

Print Name: _____

Print Name: _____
Attorney-in-Fact

Signature: _____

Signature: _____

Approved as to Form this

_____ day of _____ 2013

City Attorney
City of Moreno Valley

NOTE:

- The bond shall be executed by a California admitted surety insurer (CCP 995.311).
- The bond shall include an attached Notary Certificate for the Attorney-in-Fact.
- The bond shall include an attached Notary Certificate for the Bidder.
- The bond shall include an attached original Power of Attorney only authorizing the Attorney-in-Fact to act for the Surety.
- The bond shall include the address at which the Principal (Bidder) and Surety may be served with notices, papers and other documents.
- The Bidder's and Surety's corporate seal may be affixed hereto.

**CALIFORNIA ALL-PURPOSE
CERTIFICATE OF ACKNOWLEDGMENT**

SAMPLE

State of California
County of _____

On _____ before me, _____,
(Here insert name and title of the officer)

personally appeared _____,

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 acknowledgement 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 of Notary Public

(Notary Seal)

**ADDITIONAL OPTIONAL INFORMATION
INSTRUCTIONS FOR COMPLETING THIS FORM**

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DESCRIPTION OF THE ATTACHED DOCUMENT

FAITHFUL PERFORMANCE BOND SIGNATURE PAGE
(Title or description of attached document)

(Title or description of attached document continued)

Number of Pages _____

Document Date _____

Additional Information

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 - ❖ Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document.

CAPACITY CLAIMED BY THE SIGNER

- Individual(s)
- Corporate Officer

(Title)

- Partner (s)
- Attorney-in-Fact
- Other _____

BOND NO. _____

PREMIUM \$ _____

**LABOR AND MATERIALS PAYMENT BOND
(100% of Total Contract Amount)**

PROJECT NO. 804 0005 70 77

**MORENO MASTER DRAINAGE PLAN
LINE "F", STAGE 2 CHANNEL IMPROVEMENTS**

KNOW ALL MEN AND WOMEN BY THESE PRESENTS

THAT WHEREAS, the City Council of the City of Moreno Valley, State of California, known as "City", has awarded to **Bedon Construction, Inc.**, as Principal hereinafter designated as "Contractor" and have entered into an Agreement whereby the Contractor agrees to construct or install and complete certain designated public improvements, which said Agreement, effective on the date signed by the City of Moreno Valley, and identified as **Project No. 804 0005 70 77** and Contract Documents are hereby referred to and made a part hereof; and

WHEREAS, said Contractor under the terms of said Contract Documents is required to furnish a bond to secure the payment of claims of laborers, mechanics, materialmen, and other persons, as provided by law;

NOW, THEREFORE, we the undersigned Contractor and _____, as Surety are held and firmly bound unto the City of Moreno Valley, County of Riverside, in the penal sum of _____ dollars, (\$_____), lawful money of the United States, for which payment, well and truly to be made, we bind ourselves, our heirs, executors and administrators, successors and assigns, jointly and severally liable (CCP 995.320 (a)(1)), firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH, that if said Contractor, his or her or its heirs, executors, administrator, successors or assigns, or subcontractors, shall fail to pay any of the persons described in the State of California Civil Code, Section 3181, or amounts due under the Unemployment Insurance Code with respect to work or labor performed by any such claimant, or any amounts required to be deducted, withheld, and paid over to the Franchise Tax Board from the wages of employees of the Contractor and his or her subcontractors, pursuant to Section 13020, of the Unemployment Insurance Code, with respect to such work and labor, that the Surety or Sureties herein will pay for the same in an amount not exceeding the sum specified in this bond, otherwise the above obligation shall be void. In the event suit is brought upon this bond by the City or other person entitled to bring such an action and judgment is recovered, the Surety shall pay all costs incurred by the City in such suit, including a reasonable attorney fee to be fixed by the court.

Contractor and Surety agree that this Labor and Materials Payment Bond shall not be considered a part of the Agreement between Contractor and the City ("Agreement"). Contractor and Surety further agree that this Labor and Materials Payment Bond is a separate obligation of the Contractor and its Surety, and that any attorneys' fee provision contained in this Labor and Materials Payment Bond shall not apply to the Agreement. In the event there is any litigation between the parties arising from the breach of the Agreement, each party will bear its own attorneys' fees in the litigation.

This bond shall inure to the benefit of any of the persons described in the State of California Civil Code Section 3181, to give a right of action to such persons or their assigns in any suit brought upon this bond.

(SIGNATURE PAGE FOLLOWS)

BOND NO. _____

IN WITNESS WHEREOF, we have hereunto set our hands, and seals on this _____ day
of _____ 2013.

CONTRACTOR (Principal)

SURETY

Contractor Name: _____

Name: _____

Address: _____

Address: _____

Telephone No.: _____

Telephone No.: _____

Print Name: _____

Print Name: _____

Attorney-in-Fact

Signature: _____

Signature: _____

Approved as to Form this

_____ day of _____ 2013

City Attorney
City of Moreno Valley

NOTE:

- The bond shall be executed by a California admitted surety insurer (CCP 995.311).
- The bond shall include an attached Notary Certificate for the Attorney-in-Fact.
- The bond shall include an attached Notary Certificate for the Bidder.
- The bond shall include an attached original Power of Attorney only authorizing the Attorney-in-Fact to act for the Surety.
- The bond shall include the address at which the Principal (Bidder) and Surety may be served with notices, papers and other documents.
- The Bidder's and Surety's corporate seal may be affixed hereto.

**CALIFORNIA ALL-PURPOSE
CERTIFICATE OF ACKNOWLEDGMENT**

SAMPLE

State of California

County of _____

On _____ before me, _____,
(Here insert name and title of the officer)

personally appeared _____,

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 acknowledgement 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 of Notary Public

(Notary Seal)

DESCRIPTION OF THE ATTACHED DOCUMENT

LABOR AND MATERIALS PAYMENT BOND
SIGNATURE PAGE

(Title or description of attached document)

(Title or description of attached document continued)

Number of Pages _____

Document Date _____

Additional Information

CAPACITY CLAIMED BY THE SIGNER

- Individual(s)
- Corporate Officer

(Title)

- Partner (s)
- Attorney-in-Fact
- Other _____

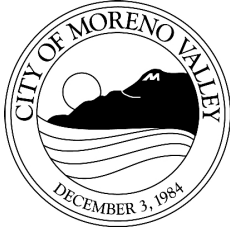
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 - ❖ Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document.

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| APPROVALS | |
|----------------|--------------------|
| BUDGET OFFICER | <i>[Signature]</i> |
| CITY ATTORNEY | <i>[Signature]</i> |
| CITY MANAGER | <i>[Signature]</i> |

Report to City Council

TO: Mayor and City Council

FROM: Ahmad R. Ansari, P.E., Public Works Director/City Engineer

AGENDA DATE: April 23, 2013

TITLE: AUTHORIZE THE SUBMISSION OF A GRANT APPLICATION FOR THE BRIDGE FUNDING UNDER SURFACE TRANSPORTATION PROGRAM (STP) AND ADOPT RESOLUTION NO. 2013-23 COMMITTING TO PROVIDE LOCAL MATCHING FUNDS AT A MINIMUM OF 11.47% OF THE TOTAL PROJECT COST

RECOMMENDED ACTION

Recommendations:

1. Authorize the Public Works Director/City Engineer to submit the grant application for Bridge Funding to Caltrans under the Surface Transportation Program (STP).
2. Adopt Resolution No. 2013-23 committing to provide local matching funds at a minimum of 11.47% of the total project cost.

BACKGROUND

Federal Highway Administration provides funding for bridge repairs, replacement and maintenance under federal transportation act - Moving Ahead for Progress in the 21st Century (MAP-21)'s Surface Transportation Program (formerly known as Highway Bridge Rehabilitation and Replacement and Bridge Preventive Maintenance Programs). This federal funding program is administered by Caltrans and the requirement for local match is a minimum of 11.47% of the total project cost.

On December 5, 2012 the City Manager executed an agreement with TTG Engineers, to evaluate City's 33 bridges and assist the City with grant applications for major rehabilitation and preventive maintenance of City's bridges. An application under Bridge Preventative Maintenance Program (BPMP) seeking \$50,000 in funding to

identify and prioritize future bridge maintenance needs for 22 of the City's 33 bridges was made on January 31, 2013 with Caltrans.

DISCUSSION

Staff has identified a Bridge at Iris Avenue; located 0.15 miles east of Lasselle Street (Iris Bridge; Bridge No. 56C0418) that needs rehabilitation due to the current level of deteriorations observed at its structural elements. Iris Bridge has deteriorated to the extent that it is eligible for bridge rehabilitation funding under Surface Transportation Program (STP). It is always less costly to rehabilitate a bridge sooner rather than later. The grant application for Iris Bridge under STP funding is due to Caltrans by April 30, 2013; therefore, the City Council is asked to authorize the Public Works Director/City Engineer to submit the subject grant application to Caltrans. Caltrans' decision is anticipated in late 2013.

The Bridge deck is approximately 153 feet long and 164 feet wide. The total project cost to rehabilitate Iris Bridge is estimated at \$6,294,000. In accordance with the bridge funding program eligibility requirements, the City must show that they are financially capable of funding a minimum of 11.47% of the total project cost; in the amount of \$722,000 in local funds as a local match. Therefore, the City Council is asked to approve the proposed Resolution so that the City's grant application package acknowledges that it can meet the local match requirement. If the City's grant application is approved by Caltrans, staff will return to City Council to consider a multi-year local match funding plan for the project as a part of the Capital Improvement Plan budget update.

ALTERNATIVES

1. Approve and authorize the recommended actions as presented in this staff report. *This alternative will provide for the timely submittal of the grant application to obtain the funding from Caltrans under STP for needed bridge rehabilitation.*
2. Do not approve and authorize the recommended actions as presented in this staff report. *This alternative will delay submittal of the grant application to obtain the funding from Caltrans under STP and delay the needed bridge rehabilitation.*

FISCAL IMPACT

Per the bridge funding program requirements, the federal reimbursement ratio for the project cost is 88.53%, with the City's match at a minimum of 11.47%. For this project, if approved, approximately \$5,572,000 of Federal funds will be available for the City of Moreno Valley to rehabilitate Iris Bridge and the City's matching funds will be approximately \$722,000. If the project funding is approved by Caltrans, staff will return to the City Council to consider a multi-year local match funding plan for the project as a part of the Capital Improvement Plan budget update. Currently, there is no impact to the General Fund.

CITY COUNCIL GOALS

PUBLIC SAFETY:

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

PUBLIC FACILITIES AND CAPITAL PROJECTS:

Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

POSITIVE ENVIRONMENT:

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

SUMMARY

Caltrans is accepting grant application for bridge rehabilitation funding under Federal Surface Transportation Program. City Council is requested to authorize submittal of a grant application to seek funding to rehabilitate Iris Avenue Bridge located at 0.15 miles east of Lasselle Avenue and approve the proposed Resolution approving a commitment to provide at least a minimum of 11.47% of the total project cost in matching local funds.

ATTACHMENTS

- Attachment 1: Location Map
- Attachment 2: Proposed Resolution

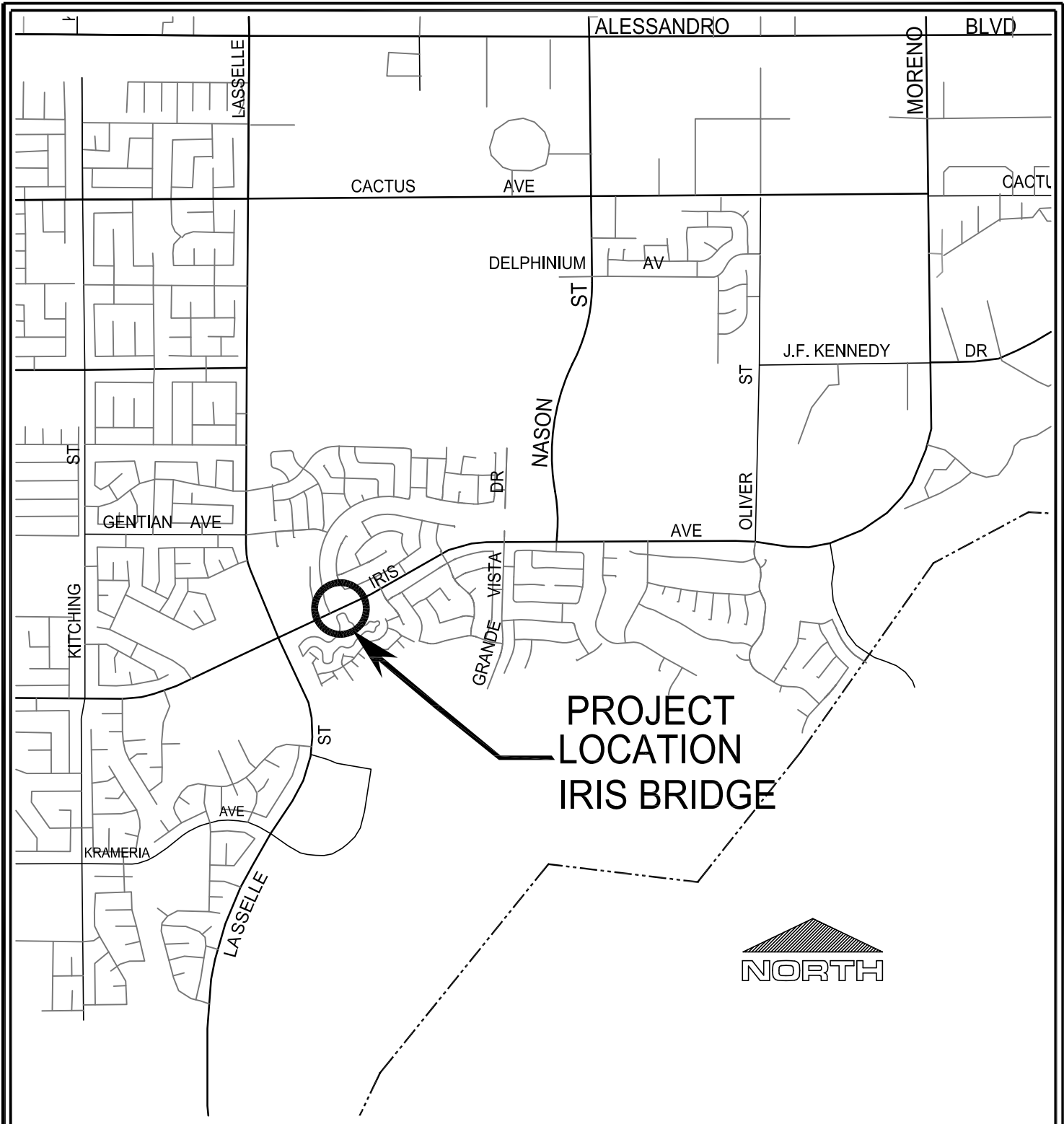
Prepared By:
Viren Shah, P.E.
Consultant Project Manager

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

Department Head Approval:
Ahmad R. Ansari, P.E.
Public Works Director/City Engineer

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

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Date: 03 Apr 13 - 8:30 am
 File: W:\CapProj\CapProj\PROJECTS\Iris - Bridge Maintenance\IBP\Location Map\Location Map.dwg
 User: deepok



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|---|--|
| <h1>LOCATION MAP</h1> | |
| <h2>BRIDGE REHABILITATION IRIS BRIDGE BRIDGE No. 56C0418</h2> | |
| Public Works Department Capital Projects Division | |
| Scale: None | |
| ATTACHMENT 1 | |

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RESOLUTION NO. 2013-23

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ADOPTING CERTIFICATION OF AVAILABLE MATCHING FUNDS FOR THE SURFACE TRANSPORTATION PROGRAM.

WHEREAS, the Surface Transportation Program provides funding for the rehabilitation and replacement of bridges; and

WHEREAS, the City of Moreno Valley has an eligible bridge in need of rehabilitation; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS: The Council of the City of Moreno Valley has committed to provide at least the minimum of 11.47% matching funds for the Surface Transportation Program's eligible bridges within the City of Moreno Valley.

APPROVED AND ADOPTED this 23rd day of April, 2013.

Mayor of the City of Moreno Valley

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

1
Resolution No. 2013-23
Date Adopted: April 23, 2013

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. 2013-23 was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the 23rd day of April, 2013 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

CITY CLERK

(SEAL)

Resolution No. 2013-23²
Date Adopted: April 23, 2013



| APPROVALS | |
|----------------|--------------------|
| BUDGET OFFICER | <i>[Signature]</i> |
| CITY ATTORNEY | <i>[Signature]</i> |
| CITY MANAGER | <i>[Signature]</i> |

Report to City Council

TO: Mayor and City Council

FROM: Barry Foster, Community & Economic Development Director

AGENDA DATE: April 23, 2013

TITLE: PA06-0021, PM 34577 – ACCEPT DEVELOPMENT IMPACT FEE (DIF) IMPROVEMENT CREDIT AGREEMENT #D12-001 FOR INDIAN STREET AND SAN MICHELE ROAD IMPROVEMENTS ASSOCIATED WITH THE I-215 LOGISTICS PROJECT

RECOMMENDED ACTION

Recommendations:

1. Accept the Development Impact Fee Improvement Credit Agreement #D12-001 (DIF Agreement) for PA06-0021, PM 34577 improvements.
2. Authorize the Mayor to execute the DIF Agreement.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

On January 11, 2007, the Planning Commission of the City of Moreno Valley approved Tentative Parcel Map No. 34577 (PA06-0021) along with Plot Plan (PA06-0022) for two industrial warehouse buildings. On November 28, 2011, Amended Plot Plan P11-090 (Building #1; 455,000 square feet) and Amended Plot Plan P11-091 (Building #2; 1,250,000 square feet) were approved by the Planning Director as amendments to the original plot plan. The developer is constructing Building #2 as part of Phase I. The project is bounded by Indian Street to the east, Heacock Street to the west, San Michelle Road to the south, and Cardinal Avenue to the north.

The City Council of the City of Moreno Valley executed the Agreement for Public Improvements and letters of credit as securities for public improvements in the amount

of \$5,365,000 for Faithful Performance and \$2,682,500 for Material and Labor. The letters of credit were secured by Wells Fargo Bank.

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 some of the required DIF-related public improvements. 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 a credit for qualifying public improvements made to the designated arterial street(s). 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.

If it is determined that the developer constructed improvements above and beyond the project obligation, they may be eligible for a reimbursement in accordance with the current policy in place at that time. Reimbursements may either be paid per the City policy or used as credits towards any other future project's DIF fee obligations.

DISCUSSION

The developer of Parcel Map No. 34577 (PA06-0021) was required to construct certain improvements on San Michele Road, Indian Street, and a traffic signal at Heacock Street and Cardinal Avenue.

The developer is eligible to receive DIF Credits for specific improvements identified in the DIF Study for San Michele Road, Indian Street, and a traffic signal at Heacock Street and Cardinal Avenue, which have not already been completed by others or that are part of the Western Riverside Council of Governments (WRCOG) Transportation Uniform Mitigation Fee (TUMF) Program. Qualifying DIF improvements include roadway excavation, pavement, base, curb and gutter, striping, traffic control, and traffic signal.

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 Attachment 1. Based on the information provided by the developer, the initial DIF Credit for this project is \$213,750 for the Arterial Street component of the DIF and \$145,000 for the Traffic Signal component of the DIF.

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 #D12-001 (DIF Agreement) for PA06-0021, PM 34577 and authorize the Mayor to execute the DIF Agreement.
2. Do not accept the Development Impact Fee Improvement Credit Agreement #D12-001 (DIF Agreement) for PA06-0021, PM 34577 and do not authorize the Mayor to execute the DIF Agreement. Not approving staff's recommendation would result in no DIF credit being provided to the developer.

FISCAL IMPACT

There are no fiscal impacts associated with the proposed action.

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.

ATTACHMENTS

Attachment 1 – DIF Improvement Credit Agreement

Prepared By:
Clement Jimenez, P.E.
Senior Engineer

Department Head Approval:
Barry Foster
Community and Economic Development
Director

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

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

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**DEVELOPMENT IMPACT FEES
IMPROVEMENT CREDIT AGREEMENT**

NUMBER D12-001

**PA06-0021, Parcel Map 34577
P11-091 (PA06-0022) Amended Plot Plan Building #2 (1,250,000-SQ FT) Parcel 2,
Phase I**

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 September 25, 2012, 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 March 19, 2013, the Developer is obligated to pay DIF for the Project to City in the amount of One Million Two Hundred Forty Five Thousand Dollars (\$1,245,000) (hereinbefore and hereinafter referred to as the "DIF Obligation"), the "Street" component of the DIF Obligation being \$213,750 and the "Traffic Signal" component of the DIF Obligation being \$145,000.

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: David Nazaryk, Vice President
I-215 Logistics, LLC
3501 Jamboree Road, Suite 230
Newport Beach, CA 92660

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

I-215 Logistics, LLC
a Delaware limited liability company

By: _____
Mayor

By: SEE ATTACHED SIGNATURE PAGE

Its: _____

Its: _____

Date: _____

Date: _____

ATTEST: _____
City Clerk

By: _____

Its: _____

Date: _____

Date: _____

APPROVED AS TO FORM:

City Attorney

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.

I-215 Logistics, LLC
a Delaware limited liability company

By: **LION-TCC DEVELOPMENT II, LLC**
a Delaware limited liability Company, its single
member

By: **TC Industrial Associates, Inc.**
a Delaware corporation, its managing
member

By: _____


David Nazaryk,
Vice President

ACKNOWLEDGMENT

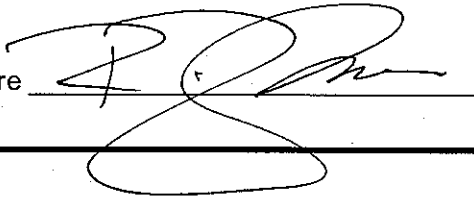
State of California
County of Orange)

On April 2, 2013 before me, R. Flandez, Notary Public
(insert name and title of the officer)

personally appeared David Nazaryk
who proved to me on the basis of satisfactory evidence to be the pers on(~~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 pers on(~~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  (Seal)

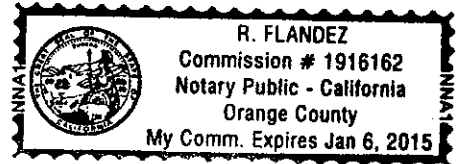


EXHIBIT "A"

**PUBLIC IMPROVEMENT AGREEMENT
WITH BONDS**

(ATTACHED BEHIND THIS PAGE)

EXHIBIT "A"

DOC # 2012-0581094

11/30/2012 01:54P Fee:NC

Page 1 of 15

Recorded in Official Records

County of Riverside

Larry W. Ward

Assessor, County Clerk & Recorder



Recording requested by and when recorded, mail to:
City Clerk
City of Moreno Valley
P.O. Box 88005
Moreno Valley, CA 92552-0805

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**AGREEMENT FOR PUBLIC IMPROVEMENTS FOR
PROJECT NO. PA06-0021 (PM 34577)**

Title of Document

**THIS AREA FOR
RECORDER'S
USE ONLY**

THIS PAGE ADDED TO PROVIDE ADEQUATE SPACE FOR RECORDING INFORMATION

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
FOR
PROJECT NO. PA06-0021 (PM 34577)**

| | | | |
|-----------------|-----------------|-----------------|-----------------|
| APN 316-170-015 | APN 316-170-017 | APN 316-170-006 | APN 316-170-013 |
| APN 316-170-016 | APN 316-170-004 | APN 316-170-007 | APN 316-170-010 |

This Agreement, made and entered into by and between the City of Moreno Valley, State of California, hereinafter called City, and **I-215 Logistics, LLC A Delaware limited liability company**, herein after called Developer, on the date the City signs this agreement.

WITNESSETH:

FIRST: Developer, 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 **PA06-0021 (PM 34577)** agrees, at Developer'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. Developer 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. Developer shall complete the improvements described in this paragraph pursuant to Section 66462, Government Code. Developer 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 Developer waives the 120 day time limitation set forth in Section 66462.5, Government Code.

Security to guarantee the performance of this agreement shall be in the following amounts:

Faithful Performance security shall be in the sum of **FIVE MILLION THREE HUNDRED SIXTY-FIVE THOUSAND AND NO/100** Dollars (*****\$5,365,000.00*****). The estimated cost of said work and improvements, pursuant to the Preliminary Estimate of Cost labeled Exhibit A attached hereto.

Labor and Material security shall be in the sum of **TWO MILLION SIX HUNDRED EIGHTY-TWO THOUSAND FIVE HUNDRED AND NO/100** Dollars (*****\$2,682,500.00*****). The estimated cost securing payment of labor and materials is fifty (50) percent of the total cost estimate of the improvements.

SECOND: Developer 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. Developer 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 Developer 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.

**AGREEMENT FOR PUBLIC IMPROVEMENTS
PROJECT NO. PA06-0021 (PM 34577)**

PAGE 2 OF 3

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 Developer, his agents or employees, in the performance of the work, and all of said liabilities are assumed by Developer. Developer 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 Developer, 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 Developer 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 Developer has completed the work within the time specified or any extension thereof granted by the City.

FIFTH: Developer 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 Developer 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 Developer's obligation under this provision shall be secured by the bonds securing performance of this Agreement.

SIXTH: The Developer, 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 Developer, 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 Developer 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 Developer 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 Developer, 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: Developer 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. Developer 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 Developer 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 Developer of the insufficiency of said bonds. Developer reserves the right to substitute the form of security in accordance with the City's Municipal Code at anytime during the term of this agreement, subject to approval by the City Engineer and City Attorney.

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 Developer, and such extensions shall in no way affect the validity of this Agreement or release the surety or sureties on said bonds, Developer 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

Developer:
I-215 Logistics, LLC
A Delaware limited liability company
3501 Jamboree Road, Suite 230
Newport Beach, CA 92660

IN WITNESS WHEREOF Developer has affixed his name, address and seal.

Date approved by the City: September 25, 2012

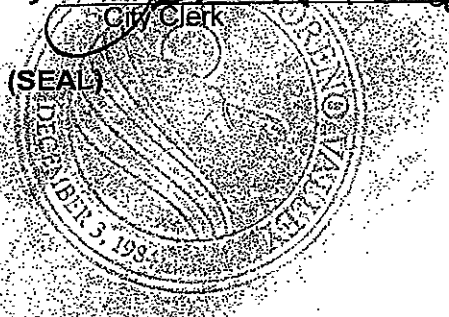
I-215 Logistics, LLC A Delaware limited liability company:
Developer

BY: [Signature]
Signature
THOMAS A. BAK
Print/Type Name
Vice President
Title

BY: [Signature]
Signature
David Nazemk
Print/Type Name
VP
Title

ATTEST:
CITY CLERK
OF THE CITY OF MORENO VALLEY
By: [Signature]
City Clerk

CITY OF MORENO VALLEY
By: [Signature]
Mayor



APPROVED AS TO FORM:
CITY ATTORNEY
Date: 1 OCT 2012
By: [Signature]
City Attorney

NOTE: TWO SIGNATURES ARE REQUIRED FOR CORPORATIONS UNLESS CORPORATE DOCUMENTS ARE PROVIDED THAT INDICATE OTHERWISE.

SIGNATURES OF DEVELOPER MUST BE EXECUTED IN QUADRUPPLICATE AND THE EXECUTION OF THE ORIGINAL COPY MUST BE ACKNOWLEDGED BEFORE A NOTARY
ORIGINAL - CITY CLERK; PINK - DEVELOPER; GREEN - SURETY; BLUE - PROJECT FILE

ACKNOWLEDGMENT

State of California
County of Orange

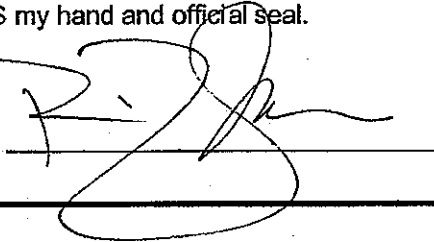
On August 23, 2012 before me, R. Flandez, Notary Public
(insert name and title of the officer)

personally appeared David Nazaryk
who proved to me on the basis of satisfactory evidence to be the pers on(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 pers on(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of Call fornia that the foregoing
paragraph is true and correct.

WITNESS my hand and official seal.

Signature



(Seal)



ACKNOWLEDGMENT

State of California
County of Orange

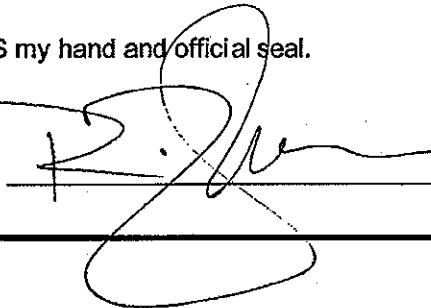
On August 23, 2012 before me, R. Flandez, Notary Public
(insert name and title of the officer)

personally appeared Thomas A. Bak
who proved to me on the basis of satisfactory evidence to be the pers on(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 pers on(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



(Seal)

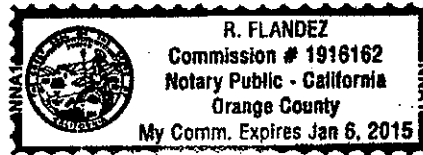


EXHIBIT "A"
ENGINEER'S ESTIMATE

Sheet 1 of 8

CMJ

PROJECT: PA06-0021
FM 34577
Tramway Crow

PUBLIC PAVEMENT SECTIONS

DATE: 8/22/12
PREPARED BY: C. Jimenez

| TYPE | QUANTITY | UNIT | UNIT PRICE | TOTAL |
|--------------------------------|----------|-----------------|------------|-----------|
| Street Work - Non DIF Non TUMF | | | | |
| Roadway Excavation | 2440 | C.Y. | 29.00 | 70,760 |
| A.B. Class II - Cardinal | 1 | Thickness (ft.) | | |
| | 39694 | S.F. | 23.00 | 91,341 |
| A.C. - Cardinal | 0.5 | Thickness (ft.) | | |
| | 39694 | S.F. | 80.00 | 115,040 |
| Roadway Excavation | | | 29.00 | 0 |
| A.B. Class II - Street 2 | 0 | Thickness (ft.) | | |
| | 0 | S.F. | 33.00 | 0 |
| A.C. - Street 2 | 0 | Thickness (ft.) | | |
| | 0 | S.F. | 80.00 | 0 |
| Street Work - DIF | | | | |
| Roadway Excavation | 4800 | C.Y. | 29.00 | 116,000 |
| A.B. Class II - San Michale | 1 | Thickness (ft.) | | |
| | 54479 | S.F. | 33.00 | 131,274 |
| A.C. - San Michale | 0.5 | Thickness (ft.) | | |
| | 54479 | S.F. | 80.00 | 159,120 |
| Roadway Excavation | | | 28.00 | 26,870 |
| A.B. Class II - Indian | 0.75 | Thickness (ft.) | | |
| | 13610 | S.F. | 33.00 | 24,420 |
| A.C. - Indian | 0.45 | Thickness (ft.) | | |
| | 13610 | S.F. | 80.00 | 38,520 |
| Roadway Excavation | | | 29.00 | 0 |
| A.B. Class II - Street 3 | 0 | Thickness (ft.) | | |
| | 0 | S.F. | 33.00 | 0 |
| A.C. - Street 3 | 0 | Thickness (ft.) | | |
| | 0 | S.F. | 80.00 | 0 |
| Street Work - TUMF | | | | |
| Roadway Excavation | 3700 | C.Y. | 29.00 | 107,300 |
| A.B. Class II - Heacock | 1 | Thickness (ft.) | | |
| | 65409 | S.F. | 33.00 | 156,466 |
| A.C. - Heacock | 0.5 | Thickness (ft.) | | |
| | 65409 | S.F. | 80.00 | 189,680 |
| Roadway Excavation | | | 28.00 | 0 |
| A.B. Class II - Street 2 | 0 | Thickness (ft.) | | |
| | 0 | S.F. | 33.00 | 0 |
| A.C. - Street 2 | 0 | Thickness (ft.) | | |
| | 0 | S.F. | 80.00 | 0 |
| Roadway Excavation | | | 29.00 | 0 |
| A.B. Class II - Street 3 | 0 | Thickness (ft.) | | |
| | 0 | S.F. | 33.00 | 0 |
| A.C. - Street 3 | 0 | Thickness (ft.) | | |
| | 0 | S.F. | 80.00 | 0 |
| | | | SUBTOTAL | 1,227,511 |



**EXHIBIT "A"
ENGINEER'S ESTIMATE**

Sheet 2 of 3

PROJECT: PA08-0021
PM 34577
Tramier Crow
PUBLIC STREET WORK

DATE: 8/27/12
PREPARED BY: C. Jimenez *cmj*

| TYPE | QUANTITY | UNIT | UNIT PRICE | TOTAL |
|---|----------|------------------|------------|----------------|
| Offsite Street Work | | | | |
| Pavement: | | | | |
| Grind & Pave 0.15" | 0 | S.F. | 3.26 | 0 |
| A.C. Cap Overlay | 0 | Ton | 80.00 | 0 |
| Skurry Seal (Based on \$150/Ton Type II) | 4450 | S.Y. | 2.25 | 10,013 |
| Paving Fabric | 0 | S.Y. | 1.20 | 0 |
| Sawcut | 3800 | L.F. | 3.00 | 11,400 |
| Edge Taper A.C. Pavement | 1720 | S.F. | 5.30 | 9,116 |
| Trench Repairing | 0 | S.F. | 12.00 | 0 |
| A.C. Berm - 6" | 0 | L.F. | 10.00 | 0 |
| Remove Existing Barrier | 20 | L.F. | 45.00 | 900 |
| Adjust (M.H. to Grade | 11 | EA. | 800.00 | 8,800 |
| Remove Existing Access Ramp | 996 | S.F. | 4.00 | 3,984 |
| Remove & Dispose Existing Pavement & Base | 78739 | S.F. | 3.00 | 236,217 |
| Remove Existing Cross Gutter | 420 | G.F. | 4.00 | 1,680 |
| Concrete | | | | |
| P.C.C. Paving - 6" | 0 | S.F. | 6.50 | 0 |
| P.C.C. Paving - 8.5" | 1575 | S.F. | 11.20 | 17,640 |
| Curb and Gutter - 6" | 0 | L.F. | 25.00 | 0 |
| Curb and Gutter - 8" | 4890 | L.F. | 30.00 | 146,700 |
| Curb and Gutter - 8" (DIF Street Name) | 0 | L.F. | 30.00 | 0 |
| Curb and Gutter - 8" (TUMF Street Name) | 0 | L.F. | 30.00 | 0 |
| Cross Gutter and Spandrel | 880 | S.F. | 10.25 | 9,020 |
| Skidwalk | 11320 | S.F. | 4.25 | 47,910 |
| Skidwalk (DIF Street Name) | 0 | S.F. | 7.00 | 0 |
| Skidwalk (TUMF Street Name) | 0 | S.F. | 7.00 | 0 |
| Driveway Approach - 6" | 0 | S.F. | 6.50 | 0 |
| Driveway Approach - 8" | 1290 | S.F. | 10.50 | 13,545 |
| Wheelchair Ramp | 4 | EA. | 2,500.00 | 10,000 |
| Benchtop | 90 | L.F. | 100.00 | 9,000 |
| Bus Bay | 0 | EA. | 15,000.00 | 0 |
| Miscellaneous | | | | |
| Relocate Power Poles | 0 | EA. | 30,000.00 | 0 |
| Relocate Power Poles (DIF Street Name) | 0 | EA. | 30,000.00 | 0 |
| Erosion Control | 0 | AC. | 5,000.00 | 0 |
| Relocate Existing Pullbox (City Specified Location) | 11 | EA. | 250.00 | 2,750 |
| | | | | 0 |
| | | SUBTOTAL: | | 658,462 |
| Traffic Improvements | | | | |
| Traffic Signaling (DIF Street) | 0 | ES. | - | 0 |
| Street Name Sign | 1 | EA. | 500.00 | 500 |
| Stop Sign | 0 | EA. | 200.00 | 0 |
| Signs and Posts | 0 | EA. | 200.00 | 0 |
| Signs and Posts (DIF Street) | 0 | EA. | 200.00 | 0 |
| Street Sweeping Sign | 0 | EA. | 200.00 | 0 |
| Traffic Control | 1 | LS. | 10,000 | 10,000 |
| Traffic Control (DIF Street Name) | 0 | ES. | 10,000 | 0 |
| Type 17 Pavement Delimiter @ 20' Along Taper | 300 | L.F. | 25.00 | 7,500 |
| | | SUBTOTAL: | | 10,500 |
| Bondable Street Work Only (not plan checked) | | | | |
| Undergrounding of Utilities | 1200 | L.F. | 188.00 | 225,600 |
| Monuments | 10 | EA. | 300.00 | 3,000 |
| | | SUBTOTAL: | | 240,600 |



EXHIBIT "A"
ENGINEER'S ESTIMATE

Sheet 3 of 8

PROJECT: PA08-0021
PM 34577
Tranmere Grow

PUBLIC STREET WORK (CONTINUED)

DATE: 8/22/12
PREPARED BY: C. Jimenez

cmj

| TYPE | QUANTITY | UNIT | UNIT PRICE | TOTAL |
|---|----------|------|--------------|-----------|
| Special Districts | | | | |
| Landscaping - Medians | 0 | S.F. | 6.00 | 0 |
| Landscaping - Parkways | 0 | S.F. | 6.00 | 0 |
| Street Lights (9500 lumen) | 0 | EA | 5,000.00 | 0 |
| Street Lights (22000 lumen) | 35 | EA | 6,000.00 | 210,000 |
| SPECIAL DISTRICTS SUBTOTAL: | | | | 210,000 |
| Moreno Valley Utilities | | | | |
| Electrical Utility Infrastructure | 1 | LS | 1,000,000.00 | 1,000,000 |
| MVU SUBTOTAL: | | | | 1,000,000 |
| Water Quality Basin | | | | |
| Landscaping | 0 | S.F. | 8.00 | 0 |
| Filtration Basins | 0 | EA | 0 | 0 |
| Access Ramp PCC | 0 | S.F. | 0 | 0 |
| Low Flow Pipe System | 0 | L.F. | 0 | 0 |
| Headwalls | 0 | EA | 0 | 0 |
| Outlets | 0 | EA | 0 | 0 |
| Risers | 0 | EA | 0 | 0 |
| Forebay PCC | 0 | S.F. | 0 | 0 |
| Toe of slope protection PCC | 0 | S.F. | 20.00 | 0 |
| WQS SUBTOTAL: | | | | 0 |
| Transportation Engineering | | | | |
| Traffic Signal New (Interconnect, Controller, Software, Initial Coordination) | 1 | EA | 272,000.00 | 272,000 |
| Traffic Signal Modification | 1 | LS | 100,000 | 100,000 |
| Traffic Signal Interconnect (Existing Signals Only) | 1200 | L.F. | 30.00 | 36,000 |
| TRANSPORTATION SUBTOTAL: | | | | 408,000 |



EXHIBIT "A"
ENGINEER'S ESTIMATE

Sheet 4 of 8

PROJECT: PA06-0021
RM 34577
Trenching Crew

PUBLIC STORM DRAIN SYSTEM

DATE: 8/22/12
PREPARED BY: C. Minerva

CMJ

| TYPE | QUANTITY | UNIT | UNIT PRICE | TOTAL |
|--|----------|------|------------|---------|
| Pipe | | | | |
| 12" Reinforced Concrete Pipe | 0 | L.F. | 190.00 | 0 |
| 18" Reinforced Concrete Pipe | 0 | L.F. | 140.00 | 0 |
| 24" Reinforced Concrete Pipe | 1560 | L.F. | 160.00 | 252,800 |
| 24" Reinforced Concrete Pipe (DIF Street Name) | 0 | L.F. | 160.00 | 0 |
| 30" Reinforced Concrete Pipe | 0 | L.F. | 180.00 | 0 |
| 36" Reinforced Concrete Pipe | 180 | L.F. | 190.00 | 34,200 |
| 36" Reinforced Concrete Pipe | 0 | L.F. | 200.00 | 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. | 360.00 | 0 |
| 66" Reinforced Concrete Pipe | 0 | L.F. | 375.00 | 0 |
| 72" Reinforced Concrete Pipe | 0 | L.F. | 414.00 | 0 |
| 78" Reinforced Concrete Pipe | 0 | L.F. | 460.00 | 0 |
| 84" Reinforced Concrete Pipe | 0 | L.F. | 505.00 | 0 |
| 90" Reinforced Concrete Pipe | 0 | L.F. | 557.00 | 0 |
| 96" Reinforced Concrete Pipe | 0 | L.F. | 613.00 | 0 |
| 102" Reinforced Concrete Pipe | 0 | L.F. | 671.00 | 0 |
| 108" Reinforced Concrete Pipe | 0 | L.F. | 724.00 | 0 |
| 114" Reinforced Concrete Pipe | 0 | L.F. | 785.00 | 0 |
| 12" HDPE | 0 | L.F. | 45.00 | 0 |
| 18" HDPE | 0 | L.F. | 60.00 | 0 |
| 24" HDPE | 0 | L.F. | 65.00 | 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. | 80.00 | 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. | 600.00 | 0 |
| 8' X 10' Reinforced Concrete Box | 0 | C.Y. | 1200.00 | 0 |
| 8' X 12' Reinforced Concrete Box | 0 | C.Y. | 1400.00 | 0 |
| 2'-72" Reinforced Concrete Pipe | 0 | L.F. | 840.00 | 0 |
| 3'-4' X 2' Reinforced Concrete Pipe | 0 | L.F. | 461.00 | 0 |
| | 0 | | 0.00 | 0 |
| Manholes | | | | |
| Manhole No. 1 | 4 | EA. | 5000.00 | 20,000 |
| Manhole No. 2 | 0 | EA. | 1200.00 | 0 |
| Manhole No. 3 | 0 | EA. | 6500.00 | 0 |
| Manhole No. 4 | 0 | EA. | 10000.00 | 0 |
| | 0 | | 0.00 | 0 |
| Catch Basins | | | | |
| Catch Basin (3.5) | 0 | EA. | 3100.00 | 0 |
| Catch Basin (7) | 7 | EA. | 5000.00 | 38,500 |
| Catch Basin (7) | 0 | EA. | 5000.00 | 0 |
| Catch Basin (10) | 0 | EA. | 6000.00 | 0 |
| 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. | 5000.00 | 0 |
| Catch Basin (10) (DIF Street Name) | 0 | EA. | 6000.00 | 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 | EA. | 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 |
| Remove/Relocate Catch Basin | 0 | EA. | 5000.00 | 0 |
| Grated Catch Basin | 0 | EA. | 6000.00 | 0 |
| Headwall | 0 | EA. | 5500.00 | 0 |



EXHIBIT "A"
ENGINEER'S ESTIMATE

Sheet 5 of 8

DATE: 8/27/12

PREPARED BY: C. Jimenez

CMJ

PROJECT: PA06-0021
PM 34577
Tranmell Crow

PUBLIC STORM DRAIN SYSTEM (CONTINUED)

| TYPE | QUANTITY | UNIT | UNIT PRICE | TOTAL |
|-----------------------------------|----------|------|------------------|---------------|
| Structures: | | | | |
| Transition Structure | 1 | EA | 5500.00 | 5500 |
| Junction Structure | 8 | EA | 2500.00 | 20000 |
| Type IX Inlet Structure | 0 | EA | 2500.00 | 0 |
| Inlet Structure (drop) | 0 | EA | 4000.00 | 0 |
| Outlet Structure | 0 | EA | 3000.00 | 0 |
| Concrete Collar (to 48") | 0 | EA | 3000.00 | 0 |
| Headwall | 0 | EA | 5500.00 | 0 |
| Concrete Collar (Grater than 48") | 0 | EA | 5000.00 | 0 |
| Moulded Junction Structure | 0 | EA | 15000.00 | 0 |
| End Cap | 3 | EA | 1000.00 | 3000 |
| 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 |
| 4" Gutter | 0 | S.F. | 10.00 | 0 |
| | 0 | | 0 | 0 |
| Miscellaneous: | | | | |
| Rip Rap | 0 | TON | 60.00 | 0 |
| Concrete Pipe Slope Anchor | 0 | EA | 2500.00 | 0 |
| Manhole Shaft | 0 | | 5000.00 | 0 |
| Access Opening | 0 | | 15000 | 0 |
| | | | SUBTOTAL: | 409746 |



EXHIBIT "A"
ENGINEER'S ESTIMATE

Sheet 6 of 8

DATE: 8/27/12
PREPARED BY: C. Jimenez *CMJ*

PROJECT: PA06-0021
PM 04577
Trammell Crow
PUBLIC WATER SYSTEMS

| TYPE | QUANTITY | UNIT | UNIT PRICE | TOTAL |
|---|----------|------|------------|---------|
| Pipes - Water System | | | | |
| 2" PVC Service Line Recycled Water System | 109 | LF | 25.00 | 2,725 |
| 6" PVC C-900 | 38 | LF | 20.00 | 760 |
| 8" PVC C-900 | 240 | LF | 35.00 | 8,400 |
| 10" PVC C-900 | 0 | LF | 40.00 | 0 |
| 12" PVC C-900 | 1495 | LF | 60.00 | 89,700 |
| 16" PVC C-900 | 0 | LF | 90.00 | 0 |
| 18" PVC C-900 | 0 | LF | 135.00 | 0 |
| 20" PVC C-900 | 0 | LF | 180.00 | 0 |
| 6" PVC C-900 Recycled Water System | 2863 | LF | 35 | 100,205 |
| Valves - Water System | | | | |
| 4" Gate Valve | 0 | EA | 715.00 | 0 |
| 6" Gate Valve | 0 | EA | 830.00 | 0 |
| 8" Gate Valve | 1 | EA | 5,360.00 | 5,360 |
| 8" Gate Valve Recycled Water System | 0 | EA | 1,500.00 | 0 |
| 10" Gate Valve | 2 | EA | 2,300.00 | 4,600 |
| 12" Gate Valve | 0 | EA | 6,270.00 | 0 |
| 16" Gate Valve | 0 | EA | 14,300.00 | 0 |
| 18" Gate Valve | 0 | EA | 393.00 | 0 |
| 4" Butterfly Valve | 0 | EA | 520.00 | 0 |
| 6" Butterfly Valve | 0 | EA | 590.00 | 0 |
| 8" Butterfly Valve | 0 | EA | 1,200.00 | 0 |
| 10" Butterfly Valve | 0 | EA | 1,800.00 | 0 |
| 12" Butterfly Valve | 0 | EA | 2,700.00 | 0 |
| 16" Butterfly Valve | 0 | EA | 2,800.00 | 0 |
| 18" Butterfly Valve | 0 | EA | 4,200.00 | 0 |
| 20" Butterfly Valve | 0 | EA | 6,200.00 | 0 |
| 24" Butterfly Valve | 0 | EA | 2,400.00 | 0 |
| 1" Air Vac Release | 0 | EA | 4,000.00 | 0 |
| 2" Air Vac Release | 0 | EA | 4,500.00 | 0 |
| 2" Backflow Preventer, Pad & Cover | 0 | EA | 3,500.00 | 0 |
| 4" Blow Off | 0 | EA | 4,000.00 | 0 |
| 6" Blow Off | 0 | EA | 0.00 | 0 |
| Fire Hydrants - Water System | | | | |
| 6" Standard Fire Hydrant | 0 | EA | 4,000.00 | 0 |
| 6" Super Fire Hydrant | 11 | EA | 4,500.00 | 49,500 |
| 6" Super Fire Hydrant | 0 | EA | 0.00 | 0 |
| Service Connections | | | | |
| 4" Service | 0 | EA | 800.00 | 0 |
| 1" Service w/ 5/8" Service | 0 | EA | 2,000.00 | 0 |
| 1 1/2" Service | 0 | EA | 1,100.00 | 0 |
| 2" Service Recycled Water System | 2 | EA | 1,600.00 | 3,200 |
| 0 | 0 | EA | 0.00 | 0 |
| Fittings - Water System | | | | |
| Misc. Fittings 4" | 0 | EA | 120.00 | 0 |
| Misc. Fittings 6" | 0 | EA | 160.00 | 0 |
| Misc. Fittings 8" Recycled Water System | 4 | EA | 200.00 | 800 |
| Misc. Fittings 10" | 0 | EA | 240.00 | 0 |
| Misc. Fittings 12" | 4 | EA | 750.00 | 3,000 |
| 0 | 0 | EA | 0.00 | 0 |
| Water Meters - Water System | | | | |
| 5/8" Meter | 0 | EA | 230.00 | 0 |
| 1" Meter | 0 | EA | 420.00 | 0 |
| 1 1/2" Meter | 0 | EA | 420.00 | 0 |
| 2" Meter | 0 | EA | 525.00 | 0 |
| 0 | 0 | EA | 0.00 | 0 |
| Hot Tap Connections - Water System | | | | |
| 6" Hot Tap | 0 | EA | 1,750.00 | 0 |
| 8" Hot Tap | 0 | EA | 2,200.00 | 0 |
| 12" Hot Tap | 4 | EA | 3,150.00 | 12,600 |
| Hot Tap Service Clamp | 0 | EA | 1,000.00 | 0 |
| Water Service | 0 | EA | 330.00 | 0 |
| 0 | 0 | EA | 0.00 | 0 |



Miscellaneous Water System
Thrust Block
Jack & Bore
Joint at Existing 8"
Adjust Water Meter Box to Grade

0 CY 150.00
0 LF 300.00
0 EA 650.00
0 EA 235.00
0 0.00

CMG

SUBTOTAL 285.00

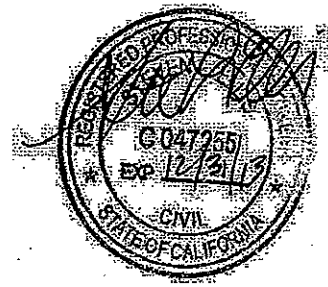


EXHIBIT "A"
ENGINEER'S ESTIMATE

Sheet 7 of 8

PROJECT: FA06-0021
PM 34577
Trammell Crow

PUBLIC SEWER SYSTEMS

DATE: 8/22/12
PREPARED BY: C. Jimenez

CMJ

| TYPE | QUANTITY | UNIT | UNIT PRICE | TOTAL |
|-------------------------------------|----------|------|-----------------|---------------|
| Pipes - Sewer System | | | | |
| 4" V.C. Pipe | 0 | L.F. | 25.00 | 0 |
| 6" V.C. Pipe | 0 | L.F. | 40.00 | 0 |
| 8" V.C. Pipe | 180 | L.F. | 65.00 | 9,900 |
| 10" V.C. Pipe | 0 | L.F. | 80.00 | 0 |
| 12" V.C. Pipe | 0 | L.F. | 70.00 | 0 |
| 15" V.C. Pipe | 0 | L.F. | 80.00 | 0 |
| 18" V.C. Pipe | 0 | L.F. | 160.00 | 0 |
| 21" V.C. Pipe | 0 | L.F. | 180.00 | 0 |
| 24" V.C. Pipe | 0 | L.F. | 195.00 | 0 |
| 27" V.C. Pipe | 0 | L.F. | 245.00 | 0 |
| 30" V.C. Pipe | 0 | L.F. | 235.00 | 0 |
| 33" V.C. Pipe | 0 | L.F. | 280.00 | 0 |
| 36" V.C. Pipe | 0 | L.F. | 300.00 | 0 |
| 4" SDR-35 | 0 | L.F. | 25.00 | 0 |
| 6" SDR-35 | 0 | L.F. | 30.00 | 0 |
| 8" SDR-35 | 0 | L.F. | 35.00 | 0 |
| 10" SDR-35 | 0 | L.F. | 45.00 | 0 |
| 12" SDR-35 | 0 | L.F. | 64.00 | 0 |
| 15" SDR-35 | 0 | L.F. | 90.00 | 0 |
| Concrete Encasement | 0 | L.F. | 20.00 | 0 |
| | 0 | | 0.00 | 0 |
| Clean Outs - Sewer System | | | | |
| Clean-outs | 0 | EA | 720.00 | 0 |
| Clean Out (Lateral) | 0 | EA | 200.00 | 0 |
| | 0 | | 0.00 | 0 |
| Manholes - Sewer System | | | | |
| Standard Manhole 48" | 3 | EA | 3,140.00 | 9,420 |
| Standard Manhole 48" Extra Depth | 0 | EA | 3,500.00 | 0 |
| Standard Manhole 60" | 0 | EA | 4,500.00 | 0 |
| Shallow Manhole | 0 | EA | 3,300.00 | 0 |
| Adjust Manhole to Grade | 0 | EA | 230.00 | 0 |
| Tie into Existing Manhole | 0 | EA | 2,100.00 | 0 |
| Rechannel Existing Manhole | 0 | EA | 1,500.00 | 0 |
| Join Existing 8" Pipe | 0 | EA | 1,500.00 | 0 |
| Join Existing 12" Pipe | 0 | EA | 2,000.00 | 0 |
| Pavement around MH | 0 | S.F. | 14.00 | 0 |
| | 0 | | 0.00 | 0 |
| Miscellaneous - Sewer System | | | | |
| Wyes | 0 | EA | 90.00 | 0 |
| TV Sewer | 0 | L.F. | 120 | 0 |
| Trench Paving | 200 | S.F. | 5.00 | 1,000 |
| Pavement Replacement | 0 | S.F. | 3.00 | 0 |
| | | | | |
| | | | SUBTOTAL | 20,320 |



EXHIBIT "A"
ENGINEER'S ESTIMATE

Sheet 8 of 8

CITY OF MORENO VALLEY
PUBLIC WORKS DEPARTMENT - LAND DEVELOPMENT DIVISION
BOND COMPUTATION SHEET

PROJECT: PARS-0021
PM-34577
Tramadol Crow

DATE:
PREPARED BY: C. Jimenez

CMG

IMPROVEMENT TYPE:

| | |
|--|--------------------|
| PAVEMENT SECTION WORK | \$1,227,511 |
| OFF-SITE STREET WORK | \$658,462 |
| SPECIAL DISTRICTS | \$210,000 |
| MORENO VALLEY UTILITIES | \$1,000,000 |
| WATER QUALITY BASIN | \$0 |
| TRANSPORTATION ENGINEERING | \$408,000 |
| STORM DRAIN SYSTEM | \$409,745 |
| WATER SYSTEM & RECYCLED | \$285,680 |
| SEWER SYSTEM | \$20,320 |
| TRAFFIC IMPROVEMENTS | \$10,800 |
| BONDABLE WORK (not plan checked) | \$240,600 |
| TOTAL COST (VALUE) OF IMPROVEMENTS: | \$4,470,818 |
| *20% CONTINGENCY: | \$894,164 |
| TOTAL WITH STANDARD CONTINGENCY: | \$5,364,982 |

BOND AMOUNT: **\$5,365,000**





Wells Fargo Bank, N.A.
U.S. Trade Services
Standby Letters of Credit
MAC A0195-212
One Front Street, 21st Floor
San Francisco, California 94111
Phone: 1(800)798-2815 Option 1
E-Mail: sfttrade@wellsfargo.com

**IRREVOCABLE LETTER OF CREDIT
AS FAITHFUL PERFORMANCE BOND**

Irrevocable Letter of Credit No.IS0014770U

Project No. PA06-0021 (PM 34577)

Dated: SEPTEMBER 07, 2012

Public RW
Improvements US \$5,365,000.00

City of Moreno Valley
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805

Re: Irrevocable Letter of Credit Delivered as Improvement Security Pursuant to California Government Code Sections 66499 et seq. and Regulations of the City of Moreno Valley

Gentlemen:

Wells Fargo Bank, N.A., a financial institution subject to regulation by the State of California and the United States Government, establishes and delivers to the City of Moreno Valley this irrevocable letter of credit in your favor for the account of I-215 Logistics, LLC A Delaware Limited Liability Company located at 3501 Jamboree Rd., Suite 230 Newport Beach, CA 92660 up to an aggregate sum of Five Million Three Hundred Sixty Five Thousand and No/100Dollars (US \$5,365,000.00) as "Improvement Security" as required by Government Code Sections 66499 et seq. and Regulations of the City of Moreno Valley, for Project No. PA06-0021 (PM 34577).

All or any portion of the funds available pursuant to this irrevocable letter of credit will be paid upon the written demand of the City of Moreno Valley. The written demand need not present documentation of any type as a condition of payment, including proof of loss, but will be available by your draft at sight drawn on us and accompanied by your signed certification stating either that:

1. "I-215 Logistics, LLC A Delaware Limited Liability Company has not complied with the performance requirements as set forth in the agreements entered into with the City of Moreno Valley."

Together we'll go far



I.L.O.C (FP) NO. IS0014770U
PROJECT NO. PA06-0021 (PM 34577)
PAGE 2 OF 3

OR

2. "I-215 Logistics, LLC A Delaware Limited Liability Company has not maintained the offsite improvements as set forth in the agreements entered into with the City of Moreno Valley for the one year guarantee and warranty period provided, however, that the maximum amount which may be drawn under this subparagraph 2. shall be limited to 10% of the letter of credit.

This irrevocable letter of credit expires at the institution's counter on September 05, 2013; however, it is a condition of this letter of credit that it shall be deemed automatically extended without amendment for successive one year periods from the present and all future expiration dates thereof unless 60 days prior to any such date the institution shall notify the City in writing that the institution elects not to consider this letter of credit renewed for any such additional period.

Upon our sending you such notice of the non-extension of the expiration date of this Letter of Credit, you may also draw under this Letter of Credit, on or before the Final Expiration Date specified in such notice, by presentation of the following documents to us at our above address:

1. A draft drawn on us at sight marked "Drawn under Wells Fargo Bank, N.A. Standby Letter of Credit No. IS0014770U."
2. The original of this Standby Letter of Credit and any amendments thereto.
3. Your signed and dated statement worded as follows (with the instructions in brackets therein complied with):

The undersigned, an authorized representative of the beneficiary of Wells Fargo Bank, N. A. Letter of Credit No. IS0014770U, hereby certifies that it has received notification from Wells Fargo Bank, N.A. that this letter of credit will not be extended past its current expiration date. The undersigned further certifies that (i) as of the date of this statement, it has not received a letter of credit or other instrument acceptable to it as a replacement; and (ii) I-215 Logistics, LLC a Delaware Limited Liability Co. has not been released from its obligations."
I.L.O.C (FP) NO. IS0014770U

Together we'll go far





PROJECT NO. PA06-0021 (PM 34577)

PAGE 3 OF 3

When the work is completed to the satisfaction of the City, the City Engineer of the City of Moreno Valley will accept the work and thereupon the amount of the obligation of this security will be reduced by 90% with the remaining 10% will be held as security for a one year guarantee period and warranty period provided for in the agreements.

As a 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 the City in successfully enforcing such obligation, all to be taxed as costs and included in any judgment rendered.

This Letter of Credit is Irrevocable.

Wells Fargo Bank, N.A.
(TYPE/PRINT - INSTITUTION)

By: Sharon Peace Smoot

Sharon Peace Smoot, AVP
(TYPE/PRINT - NAME & TITLE)

By: Angie Mendenhall

Angie Mendenhall, Operations Officer
(TYPE/PRINT - NAME & TITLE)

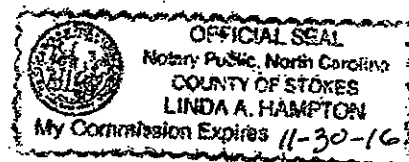
ACKNOWLEDGMENT

STATE OF NORTH CAROLINA

COUNTY OF Forsyth; TO WIT:

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS 7th DAY OF September, 2012 BY NAME AND TITLE Sharon Peace Smoot, AVP + Angie Mendenhall, Operations Officer.

Lisa A. Hampton
(NOTARY PUBLIC)



MY COMMISSION EXPIRES: 11-30-2016

Together we'll go far





original copy

Wells Fargo Bank, N.A.
U.S. Trade Services
Standby Letters of Credit
MAC A0195-212
One Front Street, 21st Floor
San Francisco, California 94111
Phone: 1(800)798-2815 Option 1
E-Mail: sftrade@wellsfargo.com

**IRREVOCABLE LETTER OF CREDIT
AS FAITHFUL PERFORMANCE BOND**

Irrevocable Letter of Credit No. IS0014767U

Project No. PA06-0021 (PM 34577)

Dated: SEPTEMBER 07, 2012

Public R/W
Improvements US \$2,682,500.00

City of Moreno Valley
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805

Re: Irrevocable Letter of Credit Delivered as Security for Labor and Materials Pursuant to Government Code Sections 66499 et seq. and Regulations of the City of Moreno Valley

Gentlemen:

Wells Fargo Bank, N.A., a financial institution subject to regulation by the State of California and the United States Government, establishes and delivers to the City of Moreno Valley this irrevocable letter of credit in your favor for the account of I-215 Logistics, LLC A Delaware Limited Liability Company located at 3501 Jamboree Rd., Suite 230 Newport Beach, CA 92660 up to an aggregate sum of Two Million Six Hundred Eighty Two Thousand Five Hundred and No/100Dollars (US \$2,682,500.00) as "ISecurity for Labor and Materials" as required by Government Code Sections 66499 et seq. and Regulations of the City of Moreno Valley, for Project No. PA06-0021 (PM 34577).

All or any portion of the funds available pursuant to this irrevocable letter of credit will be paid upon the written demand of the City of Moreno Valley. The written demand need not present documentation of any type as a condition of payment, including proof of loss, but will be available by your draft at sight drawn on us and accompanied by your signed certification stating either that:

1. "I-215 Logistics, LLC A Delaware Limited Liability Company has not complied with the labor and material payment requirements as set forth in the agreements entered into with the City of Moreno Valley."

Together we'll go far





I.L.O.C (FP) NO. IS0014767U
PROJECT NO. PA06-0021 (PM 34577)
PAGE 2 OF 3

This irrevocable letter of credit expires at the institution's counter on September 05, 2013; however, it is a condition of this letter of credit that it shall be deemed automatically extended without amendment for successive one year periods from the present and all future expiration dates thereof unless 60 days prior to any such date the institution shall notify the City in writing that the institution elects not to consider this letter of credit renewed for any such additional period.

Upon our sending you such notice of the non-extension of the expiration date of this Letter of Credit, you may also draw under this Letter of Credit, on or before the Final Expiration Date specified in such notice, by presentation of the following documents to us at our above address:

1. A draft drawn on us at sight marked "Drawn under Wells Fargo Bank, N.A. Standby Letter of Credit No. IS0014767U."
2. The original of this Standby Letter of Credit and any amendments thereto.
3. Your signed and dated statement worded as follows (with the instructions in brackets therein complied with):

The undersigned, an authorized representative of the beneficiary of Wells Fargo Bank, N. A. Letter of Credit No. IS0014767U, hereby certifies that it has received notification from Wells Fargo Bank, N.A. that this letter of credit will not be extended past its current expiration date. The undersigned further certifies that (i) as of the date of this statement, it has not received a letter of credit or other instrument acceptable to it as a replacement; and (ii) I-215 Logistics, LLC a Delaware Limited Liability Co. has not been released from its obligations."

As a 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 fees incurred by the City in successfully enforcing such obligation, all to be taxed as costs and included in any judgment rendered.

This Letter of Credit is Irrevocable.

Together we'll go far





WELLS FARGO (FP) NO. IS0014767U
PROJECT NO. PA06-0021 (PM 34577)
PAGE 3 OF 3

Wells Fargo Bank, N.A.
(TYPE/PRINT - INSTITUTION)

By: Sharon Peace-Smoot

Sharon Peace-Smoot, AVP
(TYPE/PRINT - NAME & TITLE)

By: Angie Mendenhall

Angie Mendenhall, Operations officer
(TYPE/PRINT - NAME & TITLE)

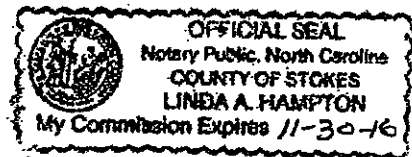
ACKNOWLEDGMENT

STATE OF NORTH CAROLINA

COUNTY OF Forsyth ; TO WIT:

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS
7th DAY OF September, 2012 BY NAME AND TITLE Sharon Peace Smoot, AVP
+ Angie Mendenhall, Operations officer

L.A. Hampton
(NOTARY PUBLIC)



MY COMMISSION EXPIRES: 11-30-2016

Together we'll go far



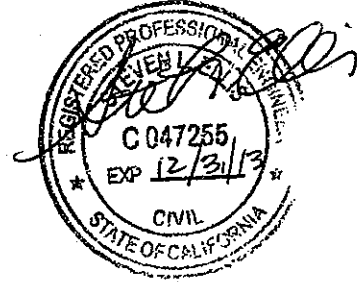
EXHIBIT "B"
DIF IMPROVEMENTS

EXHIBIT "B"

PM 34577 (PA06-0021)
ENGINEER'S ESTIMATE OF DIF IMPROVEMENTS
SAN MICHELE ROAD

Fusco Engineering

| TYPE | QUANTITY | UNIT | UNIT PRICE | TOTAL |
|---|---------------------|------|------------|-------------------|
| Street Work - DIF | | | | |
| Roadway Excavation | 3051 | C.Y. | 29.00 | 88,479 |
| A.B. Class II | 1 Thickness (ft.) | | | |
| | 34,338 | S.F. | 2,489 | 82,137 |
| A.C. | 0.5 Thickness (ft.) | | | |
| | 34,338 | S.F. | 1,244 | 99,520 |
| Curb and Gutter - 8" | 1,811 | L.F. | 30.00 | 54,330 |
| Striping | 1 | L.S. | | 0 |
| Traffic Control | 0 | L.S. | 10,000.00 | 0 |
| TOTAL COST (VALUE) OF IMPROVEMENTS: | | | | \$ 324,466 |
| 25% ENGINEERING: | | | | \$ 81,117 |
| 10% PLANNING: | | | | \$ 32,447 |
| 10% CONTINGENCY: | | | | \$ 32,447 |
| SUBTOTAL: | | | | \$ 470,476 |
| RIGHT-OF-WAY DEDICATION: (Length x Width) x \$5.00/sf | | | | \$ 269,200 |
| GRAND TOTAL: | | | | \$ 739,676 |

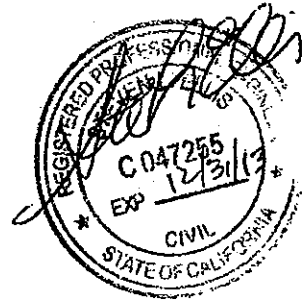


Footnotes:

**PM 34577 (PA06-0021)
ENGINEER'S ESTIMATE OF DIF IMPROVEMENTS
INDIAN STREET**

Fusco Engineering

| TYPE | QUANTITY | UNIT | UNIT PRICE | TOTAL |
|---|----------|---------------------|------------|-------------------|
| Street Work - DIF | | | | |
| Roadway Excavation | 756 | C.Y. | 29.00 | 21,924 |
| A.B. Class II | 1 | Thickness (ft.) | | |
| | 16,792 | S.F. | | |
| A.C. | 1,217 | Ton | 33.00 | 40,161 |
| | | 0.5 Thickness (ft.) | | |
| | 16,792 | S.F. | | |
| Curb and Gutter - 8" | 608 | Ton | 80.00 | 48,640 |
| Striping | 873 | L.F. | 30.00 | 26,190 |
| Traffic Control | 0 | L.S. | | 0 |
| | 0 | L.S. | 10,000.00 | 0 |
| TOTAL COST (VALUE) OF IMPROVEMENTS: | | | | \$ 136,915 |
| 25% ENGINEERING: | | | | \$ 34,229 |
| 10% PLANNING: | | | | \$ 13,692 |
| 10% CONTINGENCY: | | | | \$ 13,692 |
| SUBTOTAL: | | | | \$ 198,527 |
| RIGHT-OF-WAY DEDICATION: (Length x Width) x \$5.00/sf | | | | \$ 88,400 |
| GRAND TOTAL: | | | | \$ 286,927 |

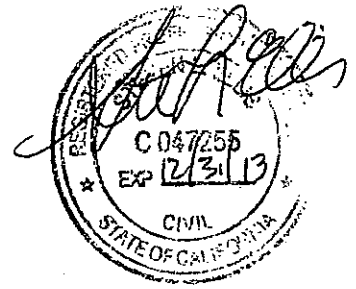


Footnotes:

PM 34577 (PA06-0021)
ENGINEER'S ESTIMATE OF DIF IMPROVEMENTS - TRAFFIC SIGNALS

Fusco Engineering

| TYPE | QUANTITY | UNIT PRICE | TOTAL |
|--|----------|------------|-------------------|
| Traffic Signals - DIF | | | |
| Heacock Street @ Cardinal Avenue | 0 | L.S. | 0 |
| TOTAL COST (VALUE) OF IMPROVEMENTS: | | | \$ 274,100 |
| 25% ENGINEERING: | | | \$ 68,525 |
| 10% PLANNING: | | | \$ 27,410 |
| 10% CONTINGENCY: | | | \$ 27,410 |
| SUBTOTAL: | | | \$ 397,445 |
| GRAND TOTAL: | | | \$ 397,445 |



Footnotes:
 (na)

EXHIBIT "C" – DIF Credit Calculation Table

| Item | Process for DIF Credit Calculation | Streets | Traffic Signals | Police | Fire | Library | Park | Community / Rec Centers | Public Facilities* | Interchange Improvement | 2% Admin Fee |
|------|--|-------------|-----------------|-----------|-----------|---------|------|-------------------------|--------------------|-------------------------|--------------|
| 1 | Engineer's Estimate | \$1,026,602 | \$397,445 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| 2 | Project costs as identified in DIF study | \$746,360 | \$274,100 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| 3 | Actual DIF Obligation | \$213,750 | \$145,000 | \$145,000 | \$321,250 | \$0 | \$0 | \$0 | \$287,500 | \$132,500 | \$24,900 |
| 4 | Developer's Credit Amount** - Least of Lines 1 & 2 & 3 | \$213,750 | \$145,000 | \$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"

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| APPROVALS | |
|----------------|--------------------|
| BUDGET OFFICER | <i>[Signature]</i> |
| CITY ATTORNEY | <i>[Signature]</i> |
| CITY MANAGER | <i>[Signature]</i> |

Report to City Council

TO: Mayor and City Council

FROM: Barry Foster, Community & Economic Development Director

AGENDA DATE: April 23, 2013

TITLE: PA06-0021, PM 34577 – ACCEPT TRANSPORTATION UNIFORM MITIGATION FEE (TUMF) PROGRAM IMPROVEMENT AND CREDIT/REIMBURSEMENT AGREEMENT #T13-001 FOR HEACOCK AVENUE IMPROVEMENTS ASSOCIATED WITH THE I-215 LOGISTICS PROJECT

RECOMMENDED ACTION

Recommendations:

1. Accept the Transportation Uniform Mitigation Fee Improvement Credit/Reimbursement Agreement #T13-001 (TUMF Agreement) for PA06-0021, PM 34577 improvements.
2. Authorize the Mayor to execute the TUMF Agreement.
3. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable.

BACKGROUND

The Transportation Uniform Mitigation Fee (TUMF) Program applies to those jurisdictions in Western Riverside County that have adopted and are implementing the TUMF Program Ordinance. The TUMF Program has been developed pursuant to and consistent with authority provided in the requirements of California Government Code, Chapter 5, Section 66000-66008, "Fees for Development Projects" (also known as California Assembly Bill 1600 [AB1600] or the Mitigation Fee Act) which governs the

assessment of development impact fees in California. Pursuant to the City of Moreno Valley Municipal Code 3.44.070, the Western Riverside Council of Governments (WRCOG) has been appointed the Administrator of the Transportation Uniform Mitigation Fee Program.

Developers are required to pay TUMF to the City for projects that impact designated arterial streets. The TUMF Program funds may only be used for capital expenditures associated with the Regional System of Highways and Arterials (RSHA) and for capital expenditures for transit system improvements consistent with the TUMF Nexus Study. These purposes include expenditures for the planning, environmental review, engineering and design costs, right-of-way acquisition, and administrative costs. The TUMF Agreement will allow the developer to be credited and potentially reimbursed for the qualifying improvements.

The TUMF Agreement will allow the developer to be credited and potentially reimbursed for planning, environmental review, engineering and design costs, right-of-way acquisition, and administrative costs associated with RSHA roads that have been identified in the Nexus Study. The developer's credit is the lower of the TUMF Nexus Study amount, the bid amount from the lowest responsible bidder to construct the qualifying improvements, and the TUMF Fee Obligation.

In addition, the developer may seek reimbursement from WRCOG, when the developer is required to provide improvements beyond its immediate effect, such as building out the other side of a street. The developer's reimbursement is the lower of the TUMF Nexus Study amount or Verified Actual Construction Cost.

DISCUSSION

On January 11, 2007, the Planning Commission of the City of Moreno Valley approved Tentative Parcel Map No. 34577 (PA06-0021) along with Plot Plan (PA06-0022) for two industrial warehouse buildings. On November 28, 2011, Amended Plot Plan P11-090 (Building #1; 455,000 square feet) and Amended Plot Plan P11-091 (Building #2; 1,250,000 square feet) were approved by the Planning Director as amendments to the original plot plan. The developer is constructing Building #2 as part of Phase I. The project is bounded by Indian Street to the east, Heacock Street to the west, San Michelle Road to the south, and Cardinal Avenue to the north.

The City Council of the City of Moreno Valley executed the Agreement for Public Improvements and letters of credit as securities for public improvements in the amount of \$5,365,000 for Faithful Performance and \$2,682,500 for Material and Labor. The letters of credit were secured by Wells Fargo Bank.

The developer agrees to perform and complete all of the required public improvements in accordance with the TUMF Improvement Credit/Reimbursement Agreement and its exhibits. The public improvements covered under the TUMF Improvement Credit Agreement are for qualifying improvements to Heacock Street which include expenditures for the planning, environmental review, engineering and design costs,

right-of-way acquisition, and administrative costs. The developer's TUMF obligation to the City is \$781,960. The developer's credit is based on City of Moreno Valley Municipal Code 3.44.040. The initial credit is the lower of the Nexus Study amount (\$1,273,785) or the amount of the lowest responsible bid which will be determined at the time the developer conducts a public bid opening, up to the TUMF obligation. The TUMF credit would be \$781,960 if the lowest responsible bid is higher than the TUMF obligation. If the lowest responsible bid is lower than the TUMF obligation, the TUMF credit will be equal to the lowest responsible bid amount.

Reimbursement, if the developer has constructed improvements beyond which he is obligated, can be applied for after actual construction costs are verified. The reimbursement amount will be the difference between the lower of the TUMF Nexus Study amount or Verified Actual Construction Costs less the amount of the initial credit.

ALTERNATIVES

1. Accept the Transportation Mitigation Fee Improvement Credit/Reimbursement Agreement (TUMF Agreement) for PA06-0021, PM 34577. Authorize the Mayor to execute the Agreement. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation.
2. Do not accept the Transportation Mitigation Fee Improvement Credit/Reimbursement Agreement (TUMF Agreement) for PA06-0021, PM 34577. Do not authorize the Mayor to execute the Agreement. Do not direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation.

FISCAL IMPACT

There are no fiscal impacts associated with the proposed action.

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.

ATTACHMENTS

Attachment 1 – TUMF Improvement and Credit/Reimbursement Agreement

Prepared By:
Clement Jimenez, P.E.
Senior Engineer

Department Head Approval:
Barry Foster
Community and Economic Development
Director

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

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

CITY OF MORENO VALLEY**IMPROVEMENT AND CREDIT / REIMBURSEMENT AGREEMENT NO. T13-001****TRANSPORTATION UNIFORM MITIGATION FEE PROGRAM**

This **IMPROVEMENT AND CREDIT AGREEMENT** ("Agreement") is entered into this ____ day of _____, 2013, by and between the City of Moreno Valley, California, a municipal corporation ("City"), and I-215 Logistics, LLC a Delaware limited liability company, with its principal place of business at 3501 Jamboree Road, Suite 230, Newport Beach, CA 92660 ("Developer"). City and Developer are sometimes hereinafter referred to individually as "Party" and collectively as "Parties."

RECITALS

WHEREAS, Developer owns 76 acres of real property located within the City of Moreno Valley, California, identified as PM 34577 (PA06-0021), which is more specifically described in the legal description set forth in Exhibit "A," attached hereto and incorporated herein by this reference ("Property");

WHEREAS, Developer has requested from City certain entitlements and/or permits for the construction of improvements on the Property, which are more particularly described as a 1,250,000 square-foot industrial building (P11-091) and all related infrastructure associated with City project number PM 34577 (PA06-0021) ("Project");

WHEREAS, the City of Moreno Valley is a member agency of the Western Riverside Council of Governments ("WRCOG"), a joint powers agency, comprised of the County of Riverside and 16 cities located in Western Riverside County. WRCOG is the administrator for the Transportation Uniform Mitigation Fee ("TUMF") Program;

WHEREAS, as part of the TUMF Program, the City of Moreno Valley has adopted "Transportation Uniform Mitigation Fee Nexus Study: 2009 Update" ("2009 Nexus Study");

WHEREAS, as a condition to City's approval of the Project, City has required Developer to construct certain street and transportation system improvement(s) of regional importance ("TUMF Improvements");

WHEREAS, pursuant to the TUMF Program, the City of Moreno Valley requires Developer to pay the TUMF which covers the Developer's fair share of the costs to deliver those TUMF Improvements that help mitigate the Project's traffic impacts and burdens on the Regional System of Highways and Arterials (also known as the "TUMF Network"), generated by the Project and that are necessary to protect the safety, health, and welfare of persons that travel to and from the Project using the TUMF Network;

WHEREAS, the TUMF Improvements have been designated as having Regional or Zonal Significance as further described in the 2009 Nexus Study and the 5 year Transportation Improvement Program as may be amended;

WHEREAS, City and Developer now desire to enter into this Agreement for the following purposes: (1) to provide for the timely delivery of the TUMF Improvements, (2) to ensure that delivery of the TUMF Improvements is undertaken as if the TUMF Improvements were constructed under the direction and authority of the City, (3) to provide a means by which the Developer's costs for project delivery of the TUMF Improvements and related right-of-ways is offset against Developer's obligation to pay the applicable TUMF for the Project in accordance with the TUMF Administrative Plan adopted by WRCOG, and (4) to provide a means, subject to the separate approval of WRCOG, for Developer to be reimbursed to the extent the actual and authorized costs for the delivery of the TUMF Improvements exceeds Developer's TUMF obligation.

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:

TERMS

1.0 Incorporation of Recitals. The Parties hereby affirm the facts set forth in the Recitals above and agree to the incorporation of the Recitals as though fully set forth herein.

2.0 Construction of TUMF Improvements. Developer shall construct or have constructed at its own cost, expense, and liability certain street and transportation system improvements generally described as saw cutting and removal of existing pavement, roadway earthwork, pavement, base, curb and gutter, cross gutter and spandrel, relocation of signs, traffic striping, traffic control, and drainage improvements and as shown more specifically on the plans, profiles, and specifications which have been or will be prepared by or on behalf of Developer and approved by City, and which are incorporated herein by this reference ("TUMF Improvements"). Construction of the Improvements shall include any transitions and/or other incidental work deemed necessary for drainage or public safety. Developer shall be responsible for the replacement, relocation, or removal of any component of any existing public or private improvement in conflict with the construction or installation of the TUMF Improvements. Such replacement, relocation, or removal shall be performed to the complete satisfaction of City and the owner of such improvement. Developer further promises and agrees to provide all equipment, tools, materials, labor, tests, design work, and engineering services necessary to fully and adequately complete the Improvements.

2.1 Pre-approval of Plans and Specifications. Developer is prohibited from commencing work on any portion of the TUMF Improvements until all plans and specifications for the TUMF Improvements have been submitted to and approved by City. Approval by City shall not relieve Developer from ensuring that all TUMF Improvements conform with all other requirements and standards set forth in this Agreement.

2.2 Permits and Notices. Prior to commencing any work, Developer shall, at its sole cost, expense, and liability, obtain all necessary permits and licenses and give all necessary and incidental notices required for the lawful construction of the TUMF Improvements and performance of Developer's obligations under this Agreement. Developer shall conduct the work in full compliance with the regulations, rules, and other requirements contained in any permit or license issued to Developer.

2.3 Public Works Requirements. In order to ensure that the TUMF Improvements will be constructed as if they had been constructed under the direction and supervision, or under the authority of City, Developer shall comply with all of the following requirements with respect to the construction of the TUMF Improvements:

(a) Developer shall obtain bids for the construction of the Improvements, in conformance with the standard procedures and requirements of City with respect to its public works projects, or in a manner which is approved by the Public Works Department.

(b) The contract or contracts for the construction of the TUMF Improvements shall be awarded to the responsible bidder(s) submitting the lowest responsive bid(s) for the construction of the TUMF Improvements.

(c) Developer shall require, and the specifications and bid and contract documents shall require, all such contractors to pay prevailing wages (in accordance with Articles 1 and 2 of Chapter 1, Part 7, Division 2 of the Labor Code) and to otherwise comply with applicable provisions of the Labor Code, the Government Code and the Public Contract Code relating to public works projects of cities/counties and as required by the procedures and standards of City with respect to the construction of its public works projects or as otherwise directed by the Public Works Department.

(d) All such contractors shall be required to provide proof of insurance coverage throughout the term of the construction of the TUMF Improvements which they will construct in conformance with City's standard procedures and requirements.

(e) Developer and all such contractors shall comply with such other requirements relating to the construction of the TUMF Improvements which City may impose by written notification delivered to Developer and each such contractor at any time, either prior to the receipt of bids by Developer for the construction of the TUMF Improvements, or to the extent required as a result of changes in applicable laws, during the progress of construction thereof.

Owner shall provide proof to City, at such intervals and in such form as City may require that the foregoing requirements have been satisfied as to the TUMF Improvements.

2.4 Quality of Work; Compliance with Laws and Codes. The construction plans and specifications for the TUMF Improvements shall be prepared in

accordance with all applicable federal, state, and local laws, ordinances, regulations, codes, standards, and other requirements. The TUMF Improvements shall be completed in accordance with all approved maps, plans, specifications, standard drawings, and special amendments thereto on file with City, as well as all applicable federal, state, and local laws, ordinances, regulations, codes, standards, and other requirements applicable at the time work is actually commenced.

2.5 Standard of Performance. Developer and its contractors, if any, shall perform all work required, constructing the TUMF Improvements in a skillful and workmanlike manner, and consistent with the standards generally recognized as being employed by professionals in the same discipline in the State of California. Developer represents and maintains that it or its contractors shall be skilled in the professional calling necessary to perform the work. Developer warrants that all of its employees and contractors shall have sufficient skill and experience to perform the work assigned to them, and that they shall have all licenses, permits, qualifications and approvals of whatever nature that are legally required to perform the work, and that such licenses, permits, qualifications and approvals shall be maintained throughout the term of this Agreement.

2.6 Alterations to TUMF Improvements. All work shall be done and the TUMF Improvements completed as shown on approved plans and specifications, and any subsequent alterations thereto. If during the course of construction and installation it is determined that the public interest requires alterations in the TUMF Improvements, Developer shall undertake such design and construction changes as may be reasonably required by City. Any and all alterations in the plans and specifications and the TUMF Improvements to be completed may be accomplished without first giving prior notice thereof to Developer's surety for this Agreement.

3.0 Maintenance of TUMF Improvements. City shall not be responsible or liable for the maintenance or care of the Improvements until City approves and accepts them. City shall exercise no control over the TUMF Improvements until accepted. Any use by any person of the TUMF Improvements, or any portion thereof, shall be at the sole and exclusive risk of Developer at all times prior to City's acceptance of the TUMF Improvements. Developer shall maintain all of the TUMF Improvements in a state of good repair until they are completed by Developer and approved and accepted by City, and until the security for the performance of this Agreement is released. It shall be Developer's responsibility to initiate all maintenance work, but if it shall fail to do so, it shall promptly perform such maintenance work when notified to do so by City. If Developer fails to properly prosecute its maintenance obligation under this section, City may do all work necessary for such maintenance and the cost thereof shall be the responsibility of Developer and its surety under this Agreement. City shall not be responsible or liable for any damages or injury of any nature in any way related to or caused by the TUMF Improvements or their condition prior to acceptance.

4.0 Fees and Charges. Developer shall, at its sole cost, expense, and liability, pay all fees, charges, and taxes arising out of the construction of the TUMF Improvements, including, but not limited to, all plan check, design review, engineering,

inspection, sewer treatment connection fees, and other service or impact fees established by City.

5.0 City/County Inspection of TUMF Improvements. Developer shall, at its sole cost, expense, and liability, and at all times during construction of the TUMF Improvements, maintain reasonable and safe facilities and provide safe access for inspection by City of the TUMF Improvements and areas where construction of the TUMF Improvements is occurring or will occur.

6.0 Liens. Upon the expiration of the time for the recording of claims of liens as prescribed by Sections 3115 and 3116 of the Civil Code with respect to the TUMF Improvements, Developer shall provide to City such evidence or proof as City shall require that all persons, firms, and corporations supplying work, labor, materials, supplies, and equipment to the construction of the TUMF Improvements, have been paid, and that no claims of liens have been recorded by or on behalf of any such person, firm or corporation. Rather than await the expiration of the said time for the recording of claims of liens, Developer may elect to provide to City a title insurance policy or other security acceptable to City guaranteeing that no such claims of liens will be recorded or become a lien upon any of the Property.

7.0 Acceptance of TUMF Improvements; As-Built, or Record Drawings. If the TUMF Improvements are properly completed by Developer and approved by City, and if they comply with all applicable federal, state, and local laws, ordinances, regulations, codes, standards, and other requirements, City shall be authorized to accept the TUMF Improvements. City may, in its sole and absolute discretion, accept fully completed portions of the TUMF Improvements prior to such time as all of the TUMF Improvements are complete, which shall not release or modify Developer's obligation to complete the remainder of the TUMF Improvements. Upon the total or partial acceptance of the TUMF Improvements by City, Developer shall file with the Recorder's Office of the County of Riverside a notice of completion for the accepted TUMF Improvements in accordance with California Civil Code section 3093 ("Notice of Completion"), at which time the accepted TUMF Improvements shall become the sole and exclusive property of City without any payment therefore. Notwithstanding the foregoing, City may not accept any TUMF Improvements unless and until Developer provides one (1) set of "as-built" or record drawings or plans to the City for all such TUMF Improvements. The drawings shall be certified and shall reflect the condition of the TUMF Improvements as constructed, with all changes incorporated therein.

8.0 Warranty and Guarantee. Developer hereby warrants and guarantees all the TUMF Improvements against any defective work or labor done, or defective materials furnished in the performance of this Agreement, including the maintenance of the TUMF Improvements, for a period of one (1) year following completion of the work and acceptance by City ("Warranty"). During the Warranty, Developer shall repair, replace, or reconstruct any defective or otherwise unsatisfactory portion of the TUMF Improvements, in accordance with the current ordinances, resolutions, regulations, codes, standards, or other requirements of City, and to the approval of City. All repairs, replacements, or reconstruction during the Warranty shall be at the sole cost, expense, and liability of Developer and its surety. As to any TUMF Improvements which have been repaired, replaced, or reconstructed during the Warranty, Developer and its surety hereby agree to extend the Warranty for an additional one (1) year period following City's acceptance of the repaired, replaced, or reconstructed TUMF Improvements. Nothing herein shall relieve Developer from any other liability it may have under federal, state, or local law to repair, replace, or reconstruct any TUMF Improvement following expiration of the Warranty or any extension thereof. Developer's warranty obligation under this section shall survive the expiration or termination of this Agreement.

9.0 Administrative Costs. If Developer fails to construct and install all or any part of the TUMF Improvements, or if Developer fails to comply with any other obligation contained herein, Developer and its surety shall be jointly and severally liable to City for all administrative expenses, fees, and costs, including reasonable attorney's fees and costs, incurred in obtaining compliance with this Agreement or in processing any legal action or for any other remedies permitted by law.

10.0 Default; Notice; Remedies.

10.1 Notice. If Developer neglects, refuses, or fails to fulfill complete any obligation, term, or condition of this Agreement, or if City determines there is a violation of any federal, state, or local law, ordinance, regulation, code, standard, or other requirement, City may at any time thereafter declare Developer to be in default or violation of this Agreement and make written demand upon Developer or its surety, or both, to immediately remedy the default or violation ("Notice"). Developer shall substantially commence the work required to remedy the default or violation within five (5) days of the Notice. If the default or violation constitutes an immediate threat to the public health, safety, or welfare, City may provide the Notice verbally, and Developer shall substantially commence the required work within twenty-four (24) hours thereof. Immediately upon City's issuance of the Notice, Developer and its surety shall be liable to City for all costs of construction and installation of the TUMF Improvements and all other administrative costs expenses as provided for in this Section 10.0 of this Agreement.

10.2 Failure to Remedy; City Action. If the work required to remedy the noticed default or violation is not diligently prosecuted to a completion acceptable to City within the time frame contained in the Notice, City may complete all remaining work, arrange for the completion of all remaining work, and/or conduct such remedial activity as in its sole and absolute discretion it believes is required to remedy the default or

violation. All such work or remedial activity shall be at the sole and absolute cost, expense, and liability of Developer and its surety, without the necessity of giving any further notice to Developer or surety. City's right to take such actions shall in no way be limited by the fact that Developer or its surety may have constructed any of the TUMF Improvements at the time of City's demand for performance. In the event City elects to complete or arrange for completion of the remaining work and the TUMF Improvements, City may require all work by Developer or its surety to cease in order to allow adequate coordination by City.

10.3 Other Remedies. No action by City pursuant to this Section 10.0 et seq. of this Agreement shall prohibit City from exercising any other right or pursuing any other legal or equitable remedy available under this Agreement or any federal, state, or local law. City may exercise its rights and remedies independently or cumulatively, and City may pursue inconsistent remedies. City may institute an action for damages, injunctive relief, or specific performance.

11.0 Security; Surety Bonds. Prior to the commencement of any work on the TUMF Improvements, Developer or its contractor shall provide City with surety bonds in the amounts and under the terms set forth below ("Security"). The amount of the Security shall be based on the estimated actual costs to construct the TUMF Improvements, as determined by City after Developer has awarded a contract for construction of the TUMF Improvements to the lowest responsive and responsible bidder in accordance with this Agreement ("Estimated Costs"). If City determines, in its sole and absolute discretion, that the Estimated Costs have changed, Developer or its contractor shall adjust the Security in the amount requested by City. Developer's compliance with this Section 11.0 et seq. of this Agreement shall in no way limit or modify Developer's indemnification obligation provided in Section 12.0 of this Agreement.

11.1 Performance Bond. To guarantee the faithful performance of the TUMF Improvements and all the provisions of this Agreement, to protect City if Developer is in default as set forth in Section 10.0 et seq. of this Agreement, and to secure the one-year guarantee and warranty of the TUMF Improvements, Developer or its contractor shall provide City a faithful performance bond in an amount which sum shall be not less than one hundred percent (100%) of the Estimated Costs. City may, in its sole and absolute discretion, partially release a portion or portions of the security provided under this section as the TUMF Improvements are accepted by City, provided that Developer is not in default on any provision of this Agreement and the total remaining security is not less than ten percent (10%) of the Estimated Costs. All security provided under this section shall be released at the end of the Warranty period, or any extension thereof as provided in Section 11.0 of this Agreement, provided that Developer is not in default on any provision of this Agreement.

11.2 Labor & Material Bond. To secure payment to the contractors, subcontractors, laborers, materialmen, and other persons furnishing labor, materials, or equipment for performance of the TUMF Improvements and this Agreement, Developer or its contractor shall provide City a labor and materials bond in an amount which sum shall not be less than fifty percent (50%) of the Estimated Costs. The security provided

under this section may be released by written authorization of City after ninety (90) days from the date City accepts the TUMF Improvements. The amount of such security shall be reduced by the total of all stop notice or mechanic's lien claims of which City is aware, plus an amount equal to twenty percent (20%) of such claims for reimbursement of City's anticipated administrative and legal expenses arising out of such claims.

11.3 Additional Requirements. The surety for any surety bonds provided as Security shall have a current A.M. Best rating of at least "A" and FSC-VIII, shall be licensed to do business in California, and shall be satisfactory to City. As part of the obligation secured by the Security and in addition to the face amount of the Security, Developer, its contractor or the surety shall secure the costs and reasonable expenses and fees, including reasonable attorney's fees and costs, incurred by City in enforcing the obligations of this Agreement. Developer, its contractor and the surety shall stipulate and agree that no change, extension of time, alteration, or addition to the terms of this Agreement, the TUMF Improvements, or the plans and specifications for the TUMF Improvements shall in any way affect its obligation on the Security.

11.4 Evidence and Incorporation of Security. Evidence of the Security shall be provided on the forms set forth in Exhibit "B", unless other forms are deemed acceptable by the City, and when such forms are completed to the satisfaction of City, the forms and evidence of the Security shall be attached hereto as Exhibit "B" and incorporated herein by this reference.

12.0 Indemnification. Developer shall defend, indemnify, and hold harmless the City of Moreno Valley and the Moreno Valley Community Services District, and the Moreno Valley Housing Authority, its elected officials, employees, and agents from any and all actual or alleged claims, demands, causes of action, liability, loss, damage, or injury to property or persons, including wrongful death, whether imposed by a court of law or by administrative action of any federal, state, or local governmental agency, arising out of or incident to any acts, omissions, negligence, or willful misconduct of Developer, its employees, contractors, or agents in connection with the performance of this Agreement ("Claims"). This indemnification includes, without limitation, the payment of all penalties, fines, judgments, awards, decrees, attorneys fees, and related costs or expenses, and the reimbursement of City, its elected officials, employees, and/or agents for all legal expenses and costs incurred by each of them. This indemnification excludes only such portion of any Claim which is caused solely and exclusively by the negligence or willful misconduct of City as determined by a court or administrative body of competent jurisdiction. Developer's obligation to indemnify shall survive the expiration or termination of this Agreement, and shall not be restricted to insurance proceeds, if any, received by City, its elected officials, employees, or agents.

13.0 Insurance.

13.1 Types; Amounts. Developer shall procure and maintain, and shall require its contractor(s) to procure and maintain, during performance of this Agreement, insurance of the types and in the amounts described below ("Required Insurance"). If any of the Required Insurance contains a general aggregate limit, such insurance shall

apply separately to this Agreement or be no less than two times the specified occurrence limit.

13.1.1 General Liability. Occurrence version general liability insurance, or equivalent form, with a combined single limit of not less than Two Million Dollars (\$2,000,000) per occurrence for bodily injury, personal injury, and property damage.

13.1.2 Business Automobile Liability. Business automobile liability insurance, or equivalent form, with a combined single limit of not less than One Million Dollars (\$1,000,000) per occurrence. Such insurance shall include coverage for the ownership, operation, maintenance, use, loading, or unloading of any auto owned, leased, hired, or borrowed by the insured or for which the insured is responsible.

13.1.3 Workers' Compensation. Workers' compensation insurance with limits as required by the Labor Code of the State of California and employers' liability insurance with limits of not less than One Million Dollars (\$1,000,000) per occurrence, at all times during which insured retains employees.

13.1.4 Professional Liability. For any consultant or other professional who will engineer or design the TUMF Improvements, liability insurance for errors and omissions with limits not less than Two Million Dollars (\$2,000,000) per occurrence, shall be procured and maintained for a period of five (5) years following completion of the TUMF Improvements. Such insurance shall be endorsed to include contractual liability.

13.2 Deductibles. Any deductibles or self-insured retentions must be declared to and approved by City. At the option of City, either: (a) the insurer shall reduce or eliminate such deductibles or self-insured retentions as respects City, its elected officials, officers, employees, agents, and volunteers; or (b) Developer and its contractors shall provide a financial guarantee satisfactory to City guaranteeing payment of losses and related investigation costs, claims, and administrative and defense expenses.

13.3 Additional Insured; Separation of Insureds. The Required Insurance, except for the professional liability and workers' compensation insurance, shall name the City of Moreno Valley, the Moreno Valley Community Services District, and the Moreno Valley Housing Authority, its elected officials, officers, employees, and agents as additional insureds with respect to work performed by or on behalf of Developer or its contractors, including any materials, parts, or equipment furnished in connection therewith. The Required Insurance shall contain standard separation of insureds provisions, and shall contain no special limitations on the scope of its protection to City, its elected officials, officers, employees, or agents.

13.4 Primary Insurance; Waiver of Subrogation. The Required Insurance shall be primary with respect to any insurance or self-insurance programs covering City, its elected officials, officers, employees, or agents. The policy required for workers' compensation insurance shall provide that the insurance company waives

all right of recovery by way of subrogation against City in connection with any damage or harm covered by such policy.

13.5 Certificates; Verification. Developer and its contractors shall furnish City with original certificates of insurance and endorsements effecting coverage for the Required Insurance. The certificates and endorsements for each insurance policy shall be signed by a person authorized by that insurer to bind coverage on its behalf. All certificates and endorsements must be received and approved by City before work pursuant to this Agreement can begin. City reserves the right to require complete, certified copies of all required insurance policies, at any time.

13.6 Term; Cancellation Notice. Developer and its contractors shall maintain the Required Insurance for the term of this Agreement and shall replace any certificate, policy, or endorsement which will expire prior to that date. All policies shall be endorsed to provide that the Required Insurance shall not be suspended, voided, reduced, canceled, or allowed to expire except on thirty (30) days' prior written notice to City.

13.7 Insurer Rating. Unless approved in writing by City, all Required Insurance shall be placed with insurers licensed to do business in the State of California and with a current A.M. Best rating of at least "A" and FSC-VIII.

14.0 TUMF Credit.

14.1 Developer's TUMF Obligation. Developer hereby agrees and accepts that as of the date of this Agreement, the amount Developer is obligated to pay to City pursuant to City's Project PM 34577 (PA06-0021) Conditions of Approval No. LD58 and City Municipal Code Section 3.44 as part of the TUMF Program is Seven Hundred Eighty One Thousand Nine Hundred Sixty Dollars (\$781,960) ("TUMF Obligation"). This TUMF Obligation shall be initially determined under the nexus study and fee schedule in effect for the City at the time the Developer submits a building permit application for TUMF Improvement. Notwithstanding, this TUMF Obligation does not have to be paid until Certificate of Occupancy is obtained.

14.2 Limited Period of Adjustment. For those participating jurisdictions in WRCOG that have adopted the Addendum to the 2009 Nexus Study, the Developer may still qualify for a pro-rata adjustment of its Maximum TUMF Share if existing or future phases of the TUMF Improvement are completed under a different nexus study and the Developer pays the full TUMF Obligation required under the 2009 Nexus Study. A Developer may also request to pay the full TUMF Obligation under the 2009 Nexus Study if TUMF Improvements started under the Addendum will be completed under a different nexus study. To make either request, the Developer must submit its Amendment No. 1 to this Agreement ("Agreement") attached as Exhibit "G" before WRCOG adopts the following year's Construction Cost Index in February. If the Developer fails to submit an Amendment before February of the following year, the TUMF Obligation as would be otherwise calculated under the Addendum shall remain in effect.

14.3 Fee Adjustments. Notwithstanding the foregoing, the Developer agrees that this Agreement shall not estop City from adjusting the TUMF in accordance with the provisions of City Resolution No. 2010-01 in accordance with City Ordinance No. 807 and City Ordinance No. 835 and City Municipal Code Section 3.44. If Section 14.2 is not applicable, Developer agrees and acknowledges that Developer's final TUMF Obligation for the Project shall be calculated when the building permit application is submitted and in accordance with the provisions of City Resolution No. 2010-01 in accordance with City Ordinance No. 807 and City Ordinance No. 835 and City Municipal Code Section 3.44 in effect at such time.

14.4 Credit Offset against TUMF Obligation. Pursuant to City Resolution No. 2010-01 in accordance with City Ordinance No. 807 and City Ordinance No. 835 and City Municipal Code Section 3.44 and in consideration for Developer's obligation under this Agreement for the delivery of TUMF Improvements, credit shall be applied by City to offset the TUMF Obligation ("Credit") subject to adjustment and reconciliation under Section 14.2 and 14.6 of this agreement. Developer hereby agrees that the amount of the Credit shall be applied after Developer has initiated the process of project delivery of TUMF Improvements to the lowest responsible bidder in accordance with this Agreement. Developer further agrees that the dollar amount of the Credit shall be equal to the lesser of: (A) the bid amount set forth in the contract awarded to the lowest responsible bidder, or (B) the unit cost assumptions for the TUMF Improvements in effect at the time of the contract award, as such assumptions are identified and determined in the 2009 Nexus Study and the TUMF Administrative Plan adopted by WRCOG ("Unit Cost Assumptions").

The bid amount and the Unit Cost Assumptions shall hereafter be collectively referred to as "Estimated Cost". At no time will the Credit exceed the Developer's TUMF Obligation. If the dollar amount of the Estimated Cost exceeds the dollar amount of the TUMF Obligation, Developer will be deemed to have completely satisfied its TUMF Obligation for the Project and may apply for a reimbursement agreement, to the extent applicable, as provided in Section 14.5 of this Agreement. If the dollar amount of the Estimated Cost is less than the dollar amount of the TUMF Obligation, the Developer agrees the Credit shall be applied to offset the TUMF Obligation as follows:

(1) For residential units in the Project, the Credit shall be applied to all residential units to offset and/or satisfy the TUMF Obligation. The residential units for which the TUMF Obligation has been offset and/or satisfied by use of the Credit, and the amount of offset applicable to each unit, shall be identified in the notice provided to the Developer by City pursuant to this section.

(2) For commercial and industrial structures in the Project, the Credit shall be applied to all commercial and industrial development to offset and/or satisfy the TUMF Obligation. The commercial or industrial structure(s) for which the TUMF Obligation has been offset and/or satisfied by use of the Credit, and the amount of offset applicable to such structure(s), shall be identified in the notice provided to the Developer by City pursuant to this section.

City shall provide Developer written notice of the determinations that City makes pursuant to this section, including how the Credit is applied to offset the TUMF Obligation as described above.

14.5 Verified Cost of the Improvements. Upon recordation of the Notice of Completion for the TUMF Improvements and acceptance of the TUMF Improvements by City, Developer shall submit to the City Public Works Director the information set forth in the attached Exhibit "C". The City Public Works Director, or his or her designee, shall use the information provided by Developer to calculate the total actual costs incurred by Developer in delivering the TUMF Improvements covered under this Agreement ("Verified Costs"). The City Public Works Director will use his or her best efforts to determine the amount of the Verified Costs and provide Developer written notice thereof within ninety (90) calendar days of receipt of all the required information from Developer.

14.6 Reconciliation; Final Credit Offset against TUMF Obligation. The Developer is aware and accepts the fact that Credits are speculative and conceptual in nature. The actual amount of Credit that shall be applied by City to offset the TUMF Obligation shall be equal to the lesser of: (A) the Verified Costs or (B) Unit Cost Assumptions for the TUMF Improvements as determined in accordance with Section 14.4 of this Agreement ("Actual Credit"). No Actual Credit will be awarded until the Verified Costs are determined through the reconciliation process. Please be advised that while a Developer may use an engineer's estimate in order to estimate Credits for project planning purposes, the Actual Credit awarded will only be determined by the reconciliation process.

(a) TUMF Balance. If the dollar amount of the Actual Credit is less than the dollar amount of the TUMF Obligation ("TUMF Balance"), the City Public Works Director shall provide written notice to Developer of the amount of the TUMF Balance and Developer shall pay the TUMF Balance in accordance with City Resolution No. 2010-01 in accordance with City Ordinance No. 807 and City Ordinance No. 835 and City Municipal Code Section 3.44 to fully satisfy the TUMF Obligation (see Exhibit "F" - Example "A").

(b) TUMF Reimbursement. If the dollar amount of the Actual Credit exceeds the TUMF Obligation, Developer will be deemed to have fully satisfied the TUMF Obligation for the Project and may apply for a reimbursement agreement, to the extent applicable, as provided in Section 14.7 of this Agreement. City shall provide Developer written notice of the determinations that City makes pursuant to this section (see Exhibit "F" - Example "B").

(c) TUMF Overpayment. If the dollar amount of the Actual Credit exceeds the Estimated Cost, but is less than the TUMF Obligation, but the Actual Credit plus additional monies collected by City from Developer for the TUMF Obligation exceed the TUMF Obligation ("TUMF Overpayment"), Developer will be deemed to have fully satisfied the TUMF Obligation for the Project and may be entitled to a refund. The City Public Works Director shall provide written notice to WRCOG and the Developer of the amount of the TUMF Overpayment and WRCOG shall refund the Developer in accordance with City Municipal Code Section 3.44 (see Exhibit "F" - Example C).

14.7 Reimbursement Agreement. If authorized under either Section 14.4 or Section 14.6, Developer may apply to City and WRCOG for a reimbursement agreement for the amount by which the Actual Credit exceeds the TUMF Obligation, as determined pursuant to Section 14.4 of this Agreement, City Municipal Code Section 3.44, and the TUMF Administrative Plan adopted by WRCOG ("Reimbursement Agreement"). If City and WRCOG agree to a Reimbursement Agreement with Developer, the Reimbursement Agreement shall be executed on the form set forth in Exhibit "D", and shall contain the terms and conditions set forth therein. The Parties agree that the Reimbursement Agreement shall be subject to all terms and conditions of this Agreement, and that upon execution, an executed copy of the Reimbursement Agreement shall be attached hereto and shall be incorporated herein as a material part of this Agreement as though fully set forth herein.

15.0 Miscellaneous.

15.1 Assignment. Developer may assign all or a portion of its rights pursuant to this Agreement to a purchaser of a portion or portions of the Property ("Assignment"). Developer and such purchaser and assignee ("Assignee") shall provide to City such reasonable proof as it may require that Assignee is the purchaser of such portions of the Property. Any assignment pursuant to this section shall not be effective unless and until Developer and Assignee have executed an assignment agreement with City in a form reasonably acceptable to City, whereby Developer and Assignee agree, except as may be otherwise specifically provided therein, to the following: (1) that Assignee shall receive all or a portion of Developer's rights pursuant to this Agreement, including such credit as is determined to be applicable to the portion of the Property purchased by Assignee pursuant to Section 14.0 et seq. of this Agreement, and (2) that Assignee shall be bound by all applicable provisions of this Agreement.

15.2 Relationship between the Parties. The Parties hereby mutually agree that this Agreement shall not operate to create the relationship of partnership, joint venture, or agency between City and Developer. Developer's contractors are exclusively and solely under the control and dominion of Developer. Nothing herein shall be deemed to make Developer or its contractors an agent or contractor of City.

15.3 Warranty as to Property Ownership; Authority to Enter Agreement. Developer hereby warrants that it owns fee title to the Property and that it has the legal capacity to enter into this Agreement. Each Party warrants that the individuals who have signed this Agreement have the legal power, right, and authority to make this Agreement and bind each respective Party.

15.4 Prohibited Interests. Developer warrants that it has not employed or retained any company or person, other than a bona fide employee working solely for Developer, to solicit or secure this Agreement. Developer also warrants that it has not paid or agreed to pay any company or person, other than a bona fide employee working solely for Developer, any fee, commission, percentage, brokerage fee, gift, or other consideration contingent upon the making of this Agreement. For breach of this warranty, City shall have the right to rescind this Agreement without liability.

15.5 Notices. All notices, demands, invoices, and written communications shall be in writing and delivered to the following addresses or such other addresses as the Parties may designate by written notice:

To City: City of Moreno Valley
Land Development
Attn: City Engineer
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805
Fax No. 951.413.3158

To Developer: I-215 Logistics, LLC
Attn: David Nazaryk
3501 Jamboree Road, Suite 230
Newport Beach, CA 92660

Depending upon the method of transmittal, notice shall be deemed received as follows: by facsimile, as of the date and time sent; by messenger, as of the date delivered; and by U.S. Mail first class postage prepaid, as of 72 hours after deposit in the U.S. Mail.

15.6 Cooperation; Further Acts. The Parties shall fully cooperate with one another, and shall take any additional acts or sign any additional documents as may be necessary, appropriate, or convenient to attain the purposes of this Agreement.

15.7 Construction; References; Captions. It being agreed the Parties or their agents have participated in the preparation of this Agreement, the language of this Agreement shall be construed simply, according to its fair meaning, and not strictly for or against any Party. Any term referencing time, days, or period for performance shall be deemed calendar days and not work days. All references to Developer include all personnel, employees, agents, and contractors of Developer, except as otherwise specified in this Agreement. All references to City include its elected officials, officers, employees, agents, and volunteers except as otherwise specified in this Agreement. The captions of the various articles and paragraphs are for convenience and ease of reference only, and do not define, limit, augment, or describe the scope, content, or intent of this Agreement.

15.8 Amendment; Modification. No supplement, modification, or amendment of this Agreement shall be binding unless executed in writing and signed by both Parties.

15.9 Waiver. No waiver of any default shall constitute a waiver of any other default or breach, whether of the same or other covenant or condition. No waiver, benefit, privilege, or service voluntarily given or performed by a Party shall give the other Party any contractual right by custom, estoppel, or otherwise.

15.10 Binding Effect. Each and all of the covenants and conditions shall be binding on and shall inure to the benefit of the Parties, and their successors, heirs, personal representatives, or assigns. This section shall not be construed as an authorization for any Party to assign any right or obligation.

15.11 No Third Party Beneficiaries. There are no intended third party beneficiaries of any right or obligation assumed by the Parties.

15.12 Invalidity; Severability. If any portion of this Agreement is declared invalid, illegal, or otherwise unenforceable by a court of competent jurisdiction, the remaining provisions shall continue in full force and effect.

15.13 Consent to Jurisdiction and Venue. This Agreement shall be construed in accordance with and governed by the laws of the State of California. Any legal action or proceeding brought to interpret or enforce this Agreement, or which in any way arises out of the Parties' activities undertaken pursuant to this Agreement, shall be filed and prosecuted in the appropriate California State Court in the County of Riverside, California. Each Party waives the benefit of any provision of state or federal law providing for a change of venue to any other court or jurisdiction including, without limitation, a change of venue based on the fact that a governmental entity is a party to the action or proceeding, or that a federal right or question is involved or alleged to be involved in the action or proceeding. Without limiting the generality of the foregoing waiver, Developer expressly waives any right to have venue transferred pursuant to California Code of Civil Procedure Section 394.

15.14 Time is of the Essence. Time is of the essence in this Agreement, and the Parties agree to execute all documents and proceed with due diligence to complete all covenants and conditions.

15.15 Counterparts. This Agreement may be signed in counterparts, each of which shall constitute an original and which collectively shall constitute one instrument.

15.16 Entire Agreement. This Agreement contains the entire agreement between City and Developer and supersedes any prior oral or written statements or agreements between City and Developer.

[SIGNATURES OF PARTIES ON NEXT PAGE]

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement as of the day and year first above written.

DEVELOPER:

I-215 Logistics, LLC,
a Delaware limited liability company

By: SEE ATTACHED
Signature SIGNATURE PAGE

Print/Type Name

Title

By: _____
Signature

Print/Type Name

Title

CITY OF MORENO VALLEY:

By: _____

Its: _____

ATTEST:

By: _____

Its: _____

APPROVED AS TO FORM
CITY ATTORNEY

Date: _____

By: _____
City Attorney

NOTE: TWO SIGNATURES ARE REQUIRED FOR CORPORATIONS UNLESS CORPORATE DOCUMENTS ARE PROVIDED THAT INDICATE OTHERWISE.

I-215 Logistics, LLC
a Delaware limited liability company

By: **LION-TCC DEVELOPMENT II, LLC**
a Delaware limited liability Company, its single
member

By: **TC Industrial Associates, Inc.**
a Delaware corporation, its managing
member

By: 

David Nazaryk,
Vice President

ACKNOWLEDGMENT

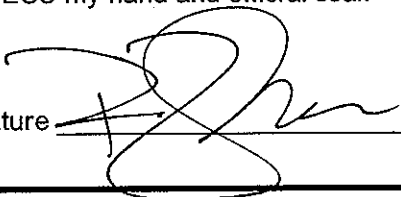
State of California
County of Orange

On April 2, 2013 before me, R. Flandez, Notary Public
(insert name and title of the officer)

personally appeared David Nazaryk
who proved to me on the basis of satisfactory evidence to be the pers on(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 pers on(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of Cali fornia that the foregoing
paragraph is true and correct.

WITNESS my hand and official seal.

Signature 

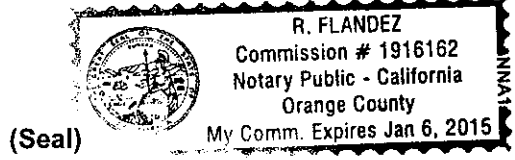


EXHIBIT "A"

LEGAL DESCRIPTION OF PROPERTY

[ATTACHED BEHIND THIS PAGE]

Legal Description

Parcel Map No. 34577, as shown by map on file in Book 234 of Parcel Maps at Pages 85-89 thereof, Records of Riverside County, California

EXHIBIT "B"

FORMS FOR SECURITY

[ATTACHED BEHIND THIS PAGE]



Wells Fargo Bank, N.A.
U.S. Trade Services
Standby Letters of Credit
MAC A0195-212
One Front Street, 21st Floor
San Francisco, California 94111
Phone: 1(800)798-2815 Option 1
E-Mail: sfrade@wellsfargo.com

**IRREVOCABLE LETTER OF CREDIT
AS FAITHFUL PERFORMANCE BOND**

Irrevocable Letter of Credit No.IS0014770U

Project No. PA06-0021 (PM 34577)

Dated: SEPTEMBER 07, 2012

Public R/W
Improvements US \$5,365,000.00

City of Moreno Valley
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805

Re: Irrevocable Letter of Credit Delivered as Improvement Security Pursuant to California Government Code Sections 66499 et seq. and Regulations of the City of Moreno Valley

Gentlemen:

Wells Fargo Bank, N.A., a financial institution subject to regulation by the State of California and the United States Government, establishes and delivers to the City of Moreno Valley this irrevocable letter of credit in your favor for the account of I-215 Logistics, LLC A Delaware Limited Liability Company located at 3501 Jamboree Rd., Suite 230 Newport Beach, CA 92660 up to an aggregate sum of Five Million Three Hundred Sixty Five Thousand and No/100Dollars (US \$5,365,000.00) as "Improvement Security" as required by Government Code Sections 66499 et seq. and Regulations of the City of Moreno Valley, for Project No. PA06-0021 (PM 34577).

All or any portion of the funds available pursuant to this irrevocable letter of credit will be paid upon the written demand of the City of Moreno Valley. The written demand need not present documentation of any type as a condition of payment, including proof of loss, but will be available by your draft at sight drawn on us and accompanied by your signed certification stating either that:

1. "I-215 Logistics, LLC A Delaware Limited Liability Company has not complied with the performance requirements as set forth in the agreements entered into with the City of Moreno Valley."

Together we'll go far





I.L.O.C (FP) NO. IS0014770U
PROJECT NO. PA06-0021 (PM 34577)
PAGE 2 OF 3

OR

2. "I-215 Logistics, LLC A Delaware Limited Liability Company has not maintained the offsite improvements as set forth in the agreements entered into with the City of Moreno Valley for the one year guarantee and warranty period provided, however, that the maximum amount which may be drawn under this subparagraph 2. shall be limited to 10% of the letter of credit.

This irrevocable letter of credit expires at the institution's counter on September 05, 2013; however, it is a condition of this letter of credit that it shall be deemed automatically extended without amendment for successive one year periods from the present and all future expiration dates thereof unless 60 days prior to any such date the institution shall notify the City in writing that the institution elects not to consider this letter of credit renewed for any such additional period.

Upon our sending you such notice of the non-extension of the expiration date of this Letter of Credit, you may also draw under this Letter of Credit, on or before the Final Expiration Date specified in such notice, by presentation of the following documents to us at our above address:

1. A draft drawn on us at sight marked "Drawn under Wells Fargo Bank, N.A. Standby Letter of Credit No. IS0014770U."
2. The original of this Standby Letter of Credit and any amendments thereto.
3. Your signed and dated statement worded as follows (with the instructions in brackets therein complied with):

The undersigned, an authorized representative of the beneficiary of Wells Fargo Bank, N. A. Letter of Credit No. IS0014770U, hereby certifies that it has received notification from Wells Fargo Bank, N.A. that this letter of credit will not be extended past its current expiration date. The undersigned further certifies that (i) as of the date of this statement, it has not received a letter of credit or other instrument acceptable to it as a replacement; and (ii) I-215 Logistics, LLC a Delaware Limited Liability Co. has not been released from its obligations."
I.L.O.C (FP) NO. IS0014770U

Together we'll go far





PROJECT NO. PA06-0021 (PM 34577)

PAGE 3 OF 3

When the work is completed to the satisfaction of the City, the City Engineer of the City of Moreno Valley will accept the work and thereupon the amount of the obligation of this security will be reduced by 90% with the remaining 10% will be held as security for a one year guarantee period and warranty period provided for in the agreements.

As a 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 the City in successfully enforcing such obligation, all to be taxed as costs and included in any judgment rendered.

This Letter of Credit is Irrevocable.

Wells Fargo Bank, N.A.
(TYPE/PRINT - INSTITUTION)

By: Sharon Peace-Smoet

Sharon Peace-Smoet, AVP
(TYPE/PRINT - NAME & TITLE)

By: Angie Mendenhall

Angie Mendenhall, Operations Officer
(TYPE/PRINT - NAME & TITLE)

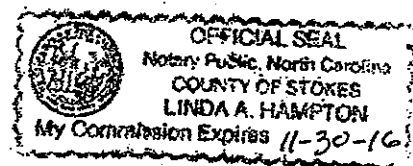
ACKNOWLEDGMENT

STATE OF NORTH CAROLINA

COUNTY OF Forsyth; TO WIT:

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS
7th DAY OF September, 2012 BY NAME AND TITLE Sharon Peace-Smoet, AVP
+ Angie Mendenhall, Operations Officer

Lie A. Hampton
(NOTARY PUBLIC)



MY COMMISSION EXPIRES: 11-30-2016

Together we'll go far





original copy

Wells Fargo Bank, N.A.
U.S. Trade Services
Standby Letters of Credit
MAC A0195-212
One Front Street, 21st Floor
San Francisco, California 94111
Phone: 1(800)798-2815 Option 1
E-Mail: sftrade@wellsfargo.com

**IRREVOCABLE LETTER OF CREDIT
AS FAITHFUL PERFORMANCE BOND**

Irrevocable Letter of Credit No. IS0014767U

Project No. PA06-0021 (PM 34577)

Dated: SEPTEMBER 07, 2012

Public R/W
Improvements US \$2,682,500.00

City of Moreno Valley
14177 Frederick Street
P.O. Box 88005
Moreno Valley, CA 92552-0805

Re: Irrevocable Letter of Credit Delivered as Security for Labor and Materials Pursuant to Government Code Sections 66499 et seq. and Regulations of the City of Moreno Valley

Gentlemen:

Wells Fargo Bank, N.A., a financial institution subject to regulation by the State of California and the United States Government, establishes and delivers to the City of Moreno Valley this irrevocable letter of credit in your favor for the account of I-215 Logistics, LLC A Delaware Limited Liability Company located at 3501 Jamboree Rd., Suite 230 Newport Beach, CA 92660 up to an aggregate sum of Two Million Six Hundred Eighty Two Thousand Five Hundred and No/100 Dollars (US \$2,682,500.00) as "ISecurity for Labor and Materials" as required by Government Code Sections 66499 et seq. and Regulations of the City of Moreno Valley, for Project No. PA06-0021 (PM 34577).

All or any portion of the funds available pursuant to this irrevocable letter of credit will be paid upon the written demand of the City of Moreno Valley. The written demand need not present documentation of any type as a condition of payment, including proof of loss, but will be available by your draft at sight drawn on us and accompanied by your signed certification stating either that:

1. "I-215 Logistics, LLC A Delaware Limited Liability Company has not complied with the labor and material payment requirements as set forth in the agreements entered into with the City of Moreno Valley."

Together we'll go far





I.L.O.C (FP) NO. IS0014767U
PROJECT NO. PA06-0021 (PM 34577)
PAGE 2 OF 3

This irrevocable letter of credit expires at the institution's counter on September 05, 2013; however, it is a condition of this letter of credit that it shall be deemed automatically extended without amendment for successive one year periods from the present and all future expiration dates thereof unless 60 days prior to any such date the institution shall notify the City in writing that the institution elects not to consider this letter of credit renewed for any such additional period.

Upon our sending you such notice of the non-extension of the expiration date of this Letter of Credit, you may also draw under this Letter of Credit, on or before the Final Expiration Date specified in such notice, by presentation of the following documents to us at our above address:

1. A draft drawn on us at sight marked "Drawn under Wells Fargo Bank, N.A. Standby Letter of Credit No. IS0014767U."
2. The original of this Standby Letter of Credit and any amendments thereto.
3. Your signed and dated statement worded as follows (with the instructions in brackets therein complied with):

The undersigned, an authorized representative of the beneficiary of Wells Fargo Bank, N. A. Letter of Credit No. IS0014767U, hereby certifies that it has received notification from Wells Fargo Bank, N.A. that this letter of credit will not be extended past its current expiration date. The undersigned further certifies that (i) as of the date of this statement, it has not received a letter of credit or other instrument acceptable to it as a replacement; and (ii) I-215 Logistics, LLC a Delaware Limited Liability Co. has not been released from its obligations."

As a 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 fees incurred by the City in successfully enforcing such obligation, all to be taxed as costs and included in any judgment rendered.

This Letter of Credit is Irrevocable.

Together we'll go far





C (FP) NO. IS0014767U
PROJECT NO. PA06-0021 (PM 34577)
PAGE 3 OF 3

Wells Fargo Bank, N.A.
(TYPE/PRINT - INSTITUTION)

By: Sharon Peace-Smoot

Sharon Peace-Smoot, AVP
(TYPE/PRINT - NAME & TITLE)

By: Angie Mendenhall

Angie Mendenhall, Operations Officer
(TYPE/PRINT - NAME & TITLE)

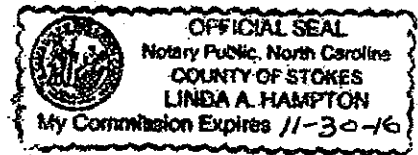
ACKNOWLEDGMENT

STATE OF NORTH CAROLINA

COUNTY OF Forsyth; TO WIT:

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS
7th DAY OF September, 2012 BY NAME AND TITLE Sharon Peace Smoot, AVP
+ Angie Mendenhall, Operations Officer

Linda A. Hampton
(NOTARY PUBLIC)



MY COMMISSION EXPIRES: 11-30-2016

Together we'll go far



EXHIBIT "C"

DOCUMENTATION TO BE PROVIDED TO CITY BY DEVELOPER FOR DETERMINATION OF CONSTRUCTION COSTS

To assist City in determining the Construction Costs for a completed TUMF Improvement, Developer shall provide the following documents to City:

1. Plans, specifications and Developer's civil engineer's cost estimate;
2. List of bidders from whom bids were requested;
3. Construction schedules and progress reports;
4. Contracts, insurance certificates and change orders with each contractor or vendor;
5. Invoices received from all vendors;
6. Canceled checks for payments made to contractors and vendors (copy both front and back of canceled checks);
7. Spreadsheet showing total costs incurred in and related to the construction of each TUMF Improvement and the check number for each item of cost and invoice;
8. Final lien releases from each contractor and vendor; and
9. Such further documentation as may be reasonably required by City to evidence the completion of construction and the payment of each item of cost and invoice.

EXHIBIT "D"
REIMBURSEMENT AGREEMENT
TRANSPORTATION UNIFORM MITIGATION FEE PROGRAM

NUMBER T13-001

THIS REIMBURSEMENT AGREEMENT ("Agreement") is entered into this ____ day of _____, 20____, by and between the City of Moreno Valley, a California municipal corporation ("City"), and and I-215 Logistics, LLC a Delaware limited liability company, with its principal place of business at 3501 Jamboree Road, Suite 230, Newport Beach, CA 92660 ("Developer"). City and Developer are sometimes hereinafter referred to individually as "Party" and collectively as "Parties."

RECITALS

WHEREAS, City and Developer are parties to an agreement dated _____, 20____, entitled "Improvement and Credit Agreement - Transportation Uniform Mitigation Fee Program" (hereinafter "Credit Agreement");

WHEREAS, Sections 14.1 through 14.4 of the Credit Agreement provide that Developer is obligated to pay City the TUMF Obligation, as defined therein, but shall receive credit to offset the TUMF Obligation if Developer constructs and City accepts the TUMF Improvements in accordance with the Credit Agreement;

WHEREAS, Section 14.5 of the Credit Agreement provides that if the dollar amount of the credit to which Developer is entitled under the Credit Agreement exceeds the dollar amount of the TUMF Obligation, Developer may apply to City and WRCOG for a reimbursement agreement for the amount by which the credit exceeds the TUMF Obligation;

WHEREAS, Section 14.5 additionally provides that a reimbursement agreement executed pursuant to the Credit Agreement (i) shall be executed on the form attached to the Credit Agreement, (ii) shall contain the terms and conditions set forth therein, (iii) shall be subject to all terms and conditions of the Credit Agreement, and (iv) shall be attached upon execution to the Credit Agreement and incorporated therein as a material part of the Credit Agreement as though fully set forth therein; and

WHEREAS, City and WRCOG have consented to execute a reimbursement agreement with Developer pursuant to the Credit Agreement, City Resolution No. 2010-01 in accordance with City Ordinance No. 807 and City Ordinance No. 835 and City Municipal Code Section 3.44, and the TUMF Administrative Plan adopted by WRCOG.

NOW, THEREFORE, for the purposes set forth herein, and for good and valuable consideration, the adequacy of which is hereby acknowledged, the Parties hereby agree as follows:

TERMS

1.0 Incorporation of Recitals. The Parties hereby affirm the facts set forth in the Recitals above and agree to the incorporation of the Recitals as though fully set forth herein.

2.0 Effectiveness. This Agreement shall not be effective unless and until the Credit Agreement is effective and in full force in accordance with its terms.

3.0 Definitions. Terms not otherwise expressly defined in this Agreement, shall have the meaning and intent set forth in the Credit Agreement.

4.0 Amount of Reimbursement. Subject to the terms, conditions, and limitations set forth in this Agreement, the Parties hereby agree that Developer is entitled to receive the dollar amount by which the Actual Credit exceeds the dollar amount of the TUMF Obligation as determined pursuant to the Credit Agreement, City Resolution No. 2010-01 in accordance with City Ordinance No. 807 and City Ordinance No. 835 and City Municipal Code Section 3.44, and the TUMF Administrative Plan adopted by WRCOG ("Reimbursement"). The Reimbursement shall be subject to verification by WRCOG. City and Developer shall provide any and all documentation reasonably necessary for WRCOG to verify the amount of the Reimbursement. The Reimbursement shall be in an amount not exceeding _____ (\$ _____) ("Reimbursement Amount"). WRCOG shall pay the Reimbursement Amount to City and the City shall be responsible for transmitting the Reimbursement Agreement to the Developer. In no event shall the dollar amount of the Reimbursement exceed the difference between the dollar amount of all credit applied to offset the TUMF Obligation pursuant to Section 14.4, 14.5, and 14.6 of the Credit Agreement, and one hundred (100%) of the approved unit awarded, as such assumptions are identified and determined in the Nexus Study and the TUMF Administrative Plan adopted by WRCOG.

5.0 Payment of Reimbursement; Funding Contingency. The payment of the Reimbursement Agreement shall be subject to the following conditions:

5.1 Developer shall have no right to receive payment of the Reimbursement unless and until (i) the TUMF Improvements are completed and accepted by City in accordance with the Credit Agreement, (ii) the TUMF Improvements are scheduled for funding pursuant to the five-year Transportation Improvement Program adopted annually by WRCOG, (iii) WRCOG has funds available and appropriated for payment of the Reimbursement amount.

5.2 Developer shall not be entitled to any interest or other cost adjustment for any delay between the time when the dollar amount of the Reimbursement is determined and the time when payment of the Reimbursement is made to Developer by WRCOG through City.

6.0 Affirmation of Credit Agreement. City and Developer represent and warrant to each other that there have been no written or oral modifications or amendments of the Credit

Agreement, except by this Agreement. City and Developer ratify and reaffirm each and every one of their respective rights and obligations arising under the Credit Agreement. City and Developer represent and warrant that the Credit Agreement is currently an effective, valid, and binding obligation.

7.0 Incorporation Into Credit Agreement. Upon execution of this Agreement, an executed original of this Agreement shall be attached as Exhibit "D" to the Credit Agreement and shall be incorporated therein as a material part of the Credit Agreement as though fully set forth therein.

8.0 Terms of Credit Agreement Controlling. Each Party hereby affirms that all provisions of the Credit Agreement are in full force and effect and shall govern the actions of the Parties under this Agreement as though fully set forth herein and made specifically applicable hereto, including without limitation, the following sections of the Credit Agreement: Sections 10.0 through 10.3, Section 12.0, Sections 13.0 through 13.7, Sections 14.0 through 14.7, and Sections 15.0 through 15.17.

[SIGNATURES OF PARTIES ON NEXT PAGE]

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement as of the day and year first above written.

DEVELOPER:

I-215 Logistics, LLC,
a Delaware limited liability company

By: SEE Attached Signature
Signature *page*

Print/Type Name

Title

By: _____
Signature

Print/Type Name

Title

CITY OF MORENO VALLEY:

By: _____

Its: _____

ATTEST:

By: _____

Its: _____

APPROVED AS TO FORM
CITY ATTORNEY

Date: _____

By: _____
City Attorney

NOTE: TWO SIGNATURES ARE REQUIRED FOR CORPORATIONS UNLESS CORPORATE DOCUMENTS ARE PROVIDED THAT INDICATE OTHERWISE.

I-215 Logistics, LLC
a Delaware limited liability company

By: **LION-TCC DEVELOPMENT II, LLC**
a Delaware limited liability Company, its single
member

By: **TC Industrial Associates, Inc.**
a Delaware corporation, its managing
member

By:



David Nazaryk,
Vice President

ACKNOWLEDGMENT

State of California
County of Orange)

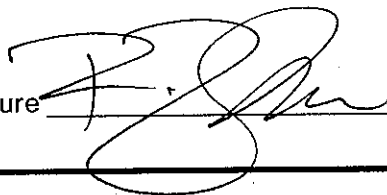
On April 2, 2013 before me, R. Flandez, Notary Public
(insert name and title of the officer)

personally appeared David Nazaryk
who proved to me on the basis of satisfactory evidence to be the pers on(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 pers on(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



(Seal)

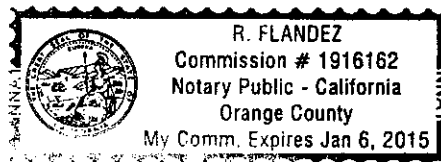


EXHIBIT "E"

TUMF CREDIT / REIMBURSEMENT ELIGIBILITY PROCESS

1. Prior to the construction of any TUMF Improvement, Developer shall follow the steps listed below:
 - a. Prepare a separate bid package for the TUMF Improvements.
 - b. The plans, cost estimate, specifications and contract document shall require all contractors to pay prevailing wages and to comply with applicable provisions of the Labor Code, Government Code, and Public Contract Code relating to Public Works Projects.
 - c. Bids shall be obtained and processed in accordance with the formal public works bidding requirements of the City/County.
 - d. The contract(s) for the construction of TUMF Improvements shall be awarded to the lowest responsible bidder(s) for the construction of such facilities in accordance with the City's/County's requirements and guidelines.
 - e. Contractor(s) shall be required to provide proof of insurance coverage throughout the duration of the construction.
2. Prior to the determination and application of any Credit pursuant to a TUMF Improvement and Credit Agreement executed between City/County and Developer ("Agreement"), Developer shall provide the City/County and WRCOG with the following:
 - a. Copies of all information listed under Item 1 above.
 - b. Surety Bond, Letter of Credit, or other form of security permitted under the Agreement and acceptable to the City/County and WRCOG, guaranteeing the construction of all applicable TUMF Improvements.
3. Prior to the City's/County's acceptance of any completed TUMF Improvement, and in order to initiate the construction cost verification process, the Developer shall comply with the requirements as set forth in Sections 7, 14.3 and 14.4 of the Agreement, and the following conditions shall also be satisfied:
 - a. Developer shall have completed the construction of all TUMF Improvements in accordance with the approved Plans and Specifications.
 - b. Developer shall have satisfied the City's/County's inspection punch list.
 - c. After final inspection and approval of the completed TUMF Improvements, the City/County shall have provided the Developer a final inspection release letter.
 - d. City/County shall have filed a Notice of Completion with respect to the TUMF Improvements pursuant to Section 3093 of the Civil Code with the County Recorder's Office, and provided a copy of filed Notice of Completion to WRCOG.
 - e. Developer shall have provided City/County a copy of the As-Built plans for the TUMF Improvements.
 - f. Developer shall have provided City/County copies of all permits or agreements that may have been required by various resource/regulatory agencies for construction, operation and maintenance of any TUMF Improvements.
 - g. Developer shall have submitted a documentation package to the City/County to determine the final cost of the TUMF Improvements, which shall include at a minimum, the following documents related to the TUMF Improvements:
 - i. Plans, specifications, and Developer's Civil Engineer's cost estimates; or Engineer's Report showing the cost estimates.
 - ii. Contracts/agreements, insurance certificates and change orders with each vendor or contractor.
 - iii. Invoices from all vendors and service providers.
 - iv. Copies of cancelled checks, front and back, for payments made to contractors, vendors and service providers.
 - v. Final lien releases from each contractor and vendor (unconditional waiver and release).

- vi. Certified contract workers payroll for City/County verification of compliance with prevailing wages.
- vii. A total cost summary, in spreadsheet format (MS Excel is preferred) and on disk, showing a breakdown of the total costs incurred. The summary should include for each item claimed the check number, cost, invoice numbers, and name of payee. See attached sample for details.

EXHIBIT "F"

RECONCILIATION EXAMPLES

All examples are based on a single family residential development project of 200 dwelling units:
200 SF dwelling units @ \$6,650 / dwelling unit = \$1,330,000 in fees (TUMF Obligation)

Example A: "TUMF BALANCE"

| | |
|---|--------------------|
| CREDIT | |
| TUMF Obligation: | \$1,330,000 |
| Estimated Cost: Bid (\$1,500,000) or unit Cost Assumption (\$1,600,000) whichever is less | <u>\$1,500,000</u> |
| Potential Reimbursement: | (\$170,000) |
| RECONCILIATION | |
| TUMF Obligation: | \$1,330,000 |
| Actual Credit: | <u>\$1,200,000</u> |
| TUMF Balance (Payment to TUMF): | \$130,000 |

Example B: "REIMBURSEMENT"

| | |
|---|--------------------|
| CREDIT | |
| TUMF Obligation: | \$1,330,000 |
| Estimated Cost: Bid (\$1,500,000) or unit Cost Assumption (\$1,600,000) whichever is less | <u>\$1,500,000</u> |
| Potential Reimbursement: | (\$170,000) |
| RECONCILIATION | |
| TUMF Obligation: | \$1,330,000 |
| Actual Credit: | <u>\$1,500,000</u> |
| Reimbursement Agreement with Developer (Based on Priority Ranking): | (\$170,000) |

Example C: "TUMF OVERPAYMENT"

| | |
|---|--------------------|
| CREDIT | |
| TUMF Obligation: | \$1,330,000 |
| Estimated Cost: Bid (\$1,200,000) or unit Cost Assumption (\$1,500,000) whichever is less | <u>\$1,200,000</u> |
| Remaining TUMF Obligation: | \$130,000 |
| Prorated Fee: \$130,000 / 200 du = | \$650 / du |
| RECONCILIATION | |
| Actual Credit: | \$1,300,000 |
| TUMF payments from Developer (\$650 per unit x 200 units) | <u>\$130,000</u> |
| Actual Credit plus TUMF Payment | \$1,430,000 |
| TUMF Obligation: | |
| TUMF Obligation: | \$1,330,000 |
| Actual Credit plus TUMF Payment | <u>\$1,430,000</u> |
| TUMF Overpayment (Refund to Developer): | (\$100,000) |

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| APPROVALS | |
|----------------|--------------------|
| BUDGET OFFICER | <i>[Signature]</i> |
| CITY ATTORNEY | <i>[Signature]</i> |
| CITY MANAGER | <i>[Signature]</i> |

Report to City Council

TO: Mayor and City Council

FROM: Abdul Ahmad, Fire Chief

AGENDA DATE: April 23, 2012

TITLE: APPROVE MEMORANDUM OF UNDERSTANDING WITH THE CITY OF RIVERSIDE OFFICE OF EMERGENCY MANAGEMENT REGARDING URBAN AREA SECURITY INITIATIVE (UASI) GRANT FUNDING FOR FEDERAL FISCAL YEAR 2010

RECOMMENDED ACTION

Recommendations:

1. Adopt Resolution No. 2013-24 of the City of Moreno Valley, California, approving the Memorandum of Understanding with the City of Riverside Office of Emergency Management regarding the Urban Area Security Initiative (UASI) grant funding for Federal Fiscal Year 2010.
2. Authorize the allocation of \$5,000 for expenditures related to the Fiscal Year 10 UASI grant not to exceed the amount of grant award.
3. Authorize the City Manager or his designee to execute the Certificate of Non-Supplanting.
4. Authorize the City Manager or his designee to execute the Riverside Urban Area Security Initiative Certification Regarding Debarment, Suspension, and other Responsibility Matters.
5. Authorize the City Manager or his designee to execute the California Emergency Management Agency FY2010 Grant Assurances.
6. Accept the grant award from the City of Riverside Office of Emergency Management regarding the Urban Area Security Initiative (UASI) grant funding for

Federal Fiscal Year 2010.

ADVISORY BOARD/COMMISSION RECOMMENDATION

N/A

BACKGROUND

Since 2004, the United States Department of Homeland Security (DHS), through the State of California Emergency Management Agency (Cal EMA) acting as the State Administrative Agency, has designated areas as being eligible for Urban Area Security Initiative (UASI) grant funds. The City of Moreno Valley is a participating agency within the Riverside UASI and is eligible for reimbursement associated with conferences and training.

DISCUSSION

The City of Riverside is designated as the Single Point of Contact (SPC) for the grant application and financial management of the FY 10 UASI grant. The SPC responsibilities include serving as the application lead; financial and reporting management; and coordination of grant requirements with DHS.

On November 15, 2012 a letter was received by the Office of Emergency Management (OEM) Program Manager authorizing reimbursement to the City of Moreno Valley for OEM staff to attend various conferences and training utilizing FY 10 UASI grant funding. The conferences attended by OEM staff associated with this grant include:

- The California Emergency Services Association (CESA) Conference and Training held September 30, 2012 through October 4, 2012
- The International Association of Emergency Managers Conference and Training held October 26, 2012 through November 1, 2012
- The 2013 State Community Emergency Response Team (CERT) conference held March 1, 2013 through March 3, 2013

The total amount of registration, airfare, mileage, hotel, and per diem associated with these three conferences is \$4,952.99.

In order to receive reimbursement from the FY 10 UASI grant through the Riverside UASI for these conferences the City of Moreno Valley is required to file the following paperwork with the City or Riverside Office of Emergency Management:

- Memorandum of Understanding
- Grant Assurances
- Certificate of Non-Supplanting
- Certification Regarding Debarment
- A copy of the City of Moreno Valley Travel Policy

ALTERNATIVES

1. Approve and authorize the recommended action as presented in this staff report. *This alternative allows for the cost recovery of expenses associated with training and travel that was approved by the Riverside UASI.*
2. Do not approve and authorize the recommended actions as presented in this staff report. *This alternative will result in the costs associated with the training and travel approved by the Riverside UASI to be borne by the City's General Fund.*

FISCAL IMPACT

The FY 10 UASI grant provides for 100% reimbursement of registration and travel costs associated with specific training opportunities for Office of Emergency Management staff as outlined by the Riverside UASI. The Fire Department is requesting \$5,000 to be allocated to 2503-40-47-74110-620510 for expenditures related to the Fiscal Year 10 UASI grant. All expenditures are offset with corresponding grant reimbursement and therefore there is no net impact to the City's General Fund. Expenditures will not exceed the amount of the grant award.

Proposed Budget Appropriation Adjustment for Fiscal Year 2012/2013:

| Cat. | Fund | Account Number | Account Type | FY 12/13 Budget | Proposed Adjustment | Revised Budget |
|-------------|-----------------------------------|-------------------------|---------------------|------------------------|----------------------------|-----------------------|
| G/L | EMPG – Emergency Mgmt Grant | 2503-40-47-74110-487000 | Revenue | \$0 | \$5,000 | \$5,000 |
| G/L | EMPG – Emergency Mgmt Grant | 2503-40-47-74110-620510 | Expense | \$0 | \$5,000 | \$5,000 |

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.

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.

ATTACHMENTS

Attachment 1 Resolution Approving the Memorandum of Understanding with the City of Riverside Office of Emergency Management Regarding the

Urban Area Security Initiative (UASI) Grant Funding for Federal Fiscal Year 2010

- Attachment 2 Riverside Urban Area Security Initiative Certification Regarding Debarment, Suspension, and other Responsibility Matters
- Attachment 3 Certificate of Non-Supplanting
- Attachment 4 California Emergency Management Agency FY2010 Grant Assurances
- Attachment 5 City of Moreno Valley Travel and Related Business Expense Policy

Prepared By:
Cynthia Owens
Management Assistant

Department Head Approval:
Abdul Ahmad
Fire Chief

Concurred By:
Randy Metz
Fire Marshal

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

RESOLUTION NO. 2013-24

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, AUTHORIZING THE CITY TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE CITY OF RIVERSIDE OFFICE OF EMERGENCY MANAGEMENT REGARDING URBAN AREA SECURITY INITIATIVE (UASI) GRANT FUNDING FOR FEDERAL FISCAL YEAR 2010

WHEREAS, the United States Department of Homeland Security, through the State of California Emergency Management Agency, has allocated Federal Fiscal Year 2010 Urban Area Security Initiative (UASI) grant funding to the Riverside UASI which is administered by the City of Riverside Office of Emergency Management; and

WHEREAS, the City is familiar with the terms, conditions, and limitations of any such grant; and

WHEREAS, the City received a letter dated November 15, 2012 authorizing reimbursement for staff from the City's Office of Emergency Management to attend various conferences and training from the Riverside UASI for which the City of Riverside Office of Emergency Management is the lead agency of the Fiscal Year 2010 UASI grant funding; and

WHEREAS, in order to receive this funding, the Mayor must sign the Memorandum of Understanding with the City of Riverside Office of Emergency Management regarding Urban Area Security initiative (UASI) grant funding for Federal Fiscal Year 2010.

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

That the City of Moreno Valley will enter into a Memorandum of Understanding with the City of Riverside Office of Emergency Management regarding the Urban Area Security Initiative (UASI) grant funding for Federal Fiscal Year 2010 attached hereto as Exhibit A and incorporated herein by this reference.

1
Resolution No. 2013-24
Date Adopted: April 23, 2013

APPROVED AND ADOPTED this 23rd day of April, 2013.

Mayor of the City of Moreno Valley

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

Resolution No. 2013-24²
Date Adopted: April 23, 2013

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. 2013-24 was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the 23rd day of April, 2013 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

CITY CLERK

(SEAL)

3
Resolution No. 2013-24
Date Adopted: April 23, 2013

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**MEMORANDUM OF UNDERSTANDING
CITY OF RIVERSIDE OFFICE OF EMERGENCY MANAGEMENT
AND THE _____
REGARDING URBAN AREA SECURITY INITIATIVE (UASI) GRANT FUNDING
FOR FEDERAL FISCAL YEAR 2010**

THIS MEMORANDUM OF UNDERSTANDING (MOU) is effective _____, 20___, between THE CITY OF RIVERSIDE OFFICE OF EMERGENCY MANAGEMENT and the _____ ("Participating Agency") under the following terms and conditions:

1. The Participating Agency agrees to comply with the Grant Assurances for Urban Area Security Initiative (**Attachment A**).
2. The Participating Agency agrees to comply with United States Department of Homeland Security – Homeland Security Grant Program guidance, processes and requirements.
3. The Participating Agency agrees that all equipment, supplies and training funded through the UASI program is for the mutual benefit of the Riverside UASI Region and not for the exclusive benefit of the Participating Agency.
4. The Participating Agency agrees that all equipment, supplies and technical expertise developed through training funded by the UASI program is to be made available for emergency use through established mutual aid systems, established mutual aid agreements or made reasonably available through a valid request by a member jurisdiction or organization of the Riverside UASI.
5. The Participating Agency agrees to provide prior to being funded the most recent copy of their; 1. NIMSCAST Report and 2. Single Audit Report.
6. The Participating Agency agrees to submit a Monthly Project Progress Report (**Attachment B**) by the 15th day of each month in accordance with the UASI grant program guidelines.
7. The participating agency agrees to designate a Project Manager and Grant Manager for each project awarded and provide the contact information of those individuals to the City of Riverside Office of Emergency Management / UASI. Upon any changes to the original designation the agency will provide written notification and updated contact information.

8. The Participating Agency agrees to maintain all documentation supporting all expenditures reimbursed from grant funds, and ensure all expenditures are allowable under grant requirements. Recipients that expend \$300,000 or more of federal funds during their respective fiscal year agree to submit an organization wide financial and compliance audit report. The audit shall be performed in accordance with the U. S. General Accounting Office Government Auditing Standards and OMB Circular A-133 (Federal Grantor Agency: U. S. Department of Homeland Security; Pass-Through Agency: Office of Homeland Security; Program Title: Public Assistance Grants; Federal CFDA Number: 97.008). The records shall be maintained and retained in accordance with UASI grant requirements and shall be available for audit and inspection by the City and designated grant agent personnel.
9. The Participating Agency agrees that all its expenditures shall be in accordance with the approved project expenditures and allowable costs as submitted to the City and approved by the California Emergency Management Agency (Cal EMA) and the U.S. Department of Homeland Security Grants Program Directorate.
10. The Participating Agency agrees to defend, indemnify, and hold harmless the City, its agents, officers, and employees, from and against all liability arising out of the Participating Agency's acts or omissions under this MOU.
11. The City agrees to defend, indemnify, and hold harmless the Participating Agency, its agents, officers, and employees, from and against all liability arising out of the City's acts or omissions under this MOU.
12. The Participating Agency agrees to provide the Certificate of Non-Supplanting (**Attachment C**).
13. The Participating Agency agrees to provide the Certification regarding Debarment, Suspension and Other responsibility matters (**Attachment D**).
14. The Subgrantee Performance Period for the FY 2010 UASI funding cycle is from October 21, 2010 to April 30, 2013.

Memorandum of Understanding - Urban Area Security Initiative Grant Funding

IN WITNESS WHEREOF, this Memorandum of Understanding is entered into by the City of Riverside Office of Emergency Management and the _____, by and through their authorized representatives.

CITY OF RIVERSIDE

PARTICIPATING AGENCY

By: _____

By: _____

Title: _____

Title: _____

Attest:

Attest:

By: _____

By: _____

Colleen J. Nicol

Title: _____

Title: _____

City Clerk

Approved as to form:

By: _____

James E. Brown

Title: _____

Supervising Deputy City Attorney

**Governing Body Resolution
(For Operational Areas and Urban Area's)**

BE IT RESOLVED BY THE _____
(Governing Body)

OF THE _____ THAT
(Name of Applicant)

_____, OR
(Name or Title of Authorized Agent)

_____, OR
(Name or Title of Authorized Agent)

_____,
(Name or Title of Authorized Agent)

is hereby authorized to execute for and on behalf of the named applicant, a public entity established under the laws of the State of California, any actions necessary for the purpose of obtaining federal financial assistance provided by the federal Department of Homeland Security and sub-granted through the State of California.

Passed and approved this _____ day of _____, 20_____

Certification

I, _____, duly appointed and
(Name)

_____ of the _____
(Title) (Governing Body)

do hereby certify that the above is a true and correct copy of a resolution passed and approved by
the _____ of the _____ on the
(Governing body) (Name of Applicant)

_____ day of _____, 20_____.

Memorandum of Understanding - Urban Area Security Initiative Grant Funding

(Official Position)

(Signature)

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Certificate of Non-Supplanting

My signature below affirms that grant funds from the Urban Area Security Initiative Grant will be used to supplement existing funds, and will not replace (supplant) funds that have been appropriated for the same purpose.

Designated Agent:

Printed Name

Signature

Title

Agency

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**RIVERSIDE URBAN AREA SECURITY INITIATIVE
CERTIFICATION REGARDING DEBARMENT,
SUSPENSION AND OTHER RESPONSIBILITY MATTERS**

Applicants should refer to the regulations cited below to determine the certification to which they are required to attest. Applicants should also review the instructions for certification included in the regulations before completing this form. Signature of this form provides for compliance with certification requirements under the applicable CFR covering New Restrictions on Government-wide Debarment and Suspension (Non-procurement). The certification shall be treated as a material representation of fact upon which reliance will be placed when the Agency determines to award the covered transaction or cooperative agreement.

If it is later determined that an applicant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment. The applicant shall provide immediate written notice to the person to whom this proposal is submitted if at any time the applicant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

As required by Executive Order 12549, Debarment and Suspension, and implemented under the applicable CFR, for prospective participants in covered transactions, as defined in the applicable CFR

1. The applicant certifies that it and its principals:
 - a. Are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of Federal benefits by a State or Federal court, or voluntarily excluded from covered transactions by any Federal department or agency (Note: The terms "covered transaction," "debarred," "suspended," "ineligible," and "voluntarily excluded," as used in this clause, have the meanings set out in the Definitions and Coverage sections of rules implementing Executive Order 12549.);
 - b. Have not within a three-year period preceding this application been conflicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
 - c. Are not presently indicted for or otherwise criminally or civilly charged by a government entity (Federal, State, or local) with commission of any of these offenses enumerated in paragraph (1)(b) of this certification; and
 - d. Have not within a three-year period preceding this application had one or more public transactions (Federal, State, or local) terminated for cause or default; and
2. Where the applicant is unable to certify to any of the statements in this certification, he or she shall attach as explanation to this application.

Authorized Agent Signature

Business Name

Name Printed or Typed

Street Address

Date

City, State, Zip Code

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California Emergency Management Agency

FY2010 Grant Assurances

(All HSGP Applicants)

Name of Applicant: _____

Address: _____

City: _____ State: _____ Zip Code: _____

Telephone Number: _____ Fax Number: _____

E-Mail Address: _____

As the duly authorized representative of the applicant, I certify that the applicant named above:

1. Will assure that grant funds will support efforts related to providing an integrated mechanism to enhance the coordination of national priority efforts to prevent, respond to, and recover from terrorist attacks, major disasters and other emergencies.
2. Has the legal authority to apply for Federal assistance and has the institutional, managerial and financial capability to ensure proper planning, management and completion of the grant provided by the U.S. Department of Homeland Security (DHS)/Federal Emergency Management Agency (FEMA) and sub-granted through the State of California, California Emergency Management Agency (Cal EMA).
3. Will assure that grant funds are used for allowable, fair, and reasonable costs only and will not be transferred between grant programs (for example: State Homeland Security Program, Urban Area Security Initiative, Citizen Corps Program, and Metropolitan Medical Response System) or fiscal years.
4. Will comply with any cost sharing commitments included in the FY2010 Investment Justifications submitted to DHS/FEMA/Cal EMA, where applicable.
5. Will give the Federal government, the General Accounting Office, the Comptroller General of the United States, the State of California, the Office of Inspector General, through any authorized representative, access to, and the right to examine, all paper or electronic records, books, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards and/or awarding agency directives.
6. Agrees that funds utilized to establish or enhance State and Local fusion centers must support the development of a statewide fusion process that corresponds with the Global Justice/Homeland Security Advisory Council (HSAC) Fusion Center Guidelines, follow the Federal and State approved privacy policies, and achieve (at a minimum) baseline level of capability as defined by the Fusion Capability Planning Tool.

7. Will provide progress reports, and other such information as may be required by the awarding agency, including the Initial Strategy Implementation Plan (ISIP) within 45 (forty-five) days of the award, and update via the Grant Reporting Tool (GRT) twice each year.
8. Will initiate and complete the work within the applicable time frame after receipt of approval from Cal EMA.
9. Will maintain procedures to minimize the time elapsing between the award of funds and the disbursement of funds.
10. Will comply with all provisions of DHS/FEMA's codified regulation 44, Part 13, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments, including the payment of interest earned on advances.
11. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes, or presents the appearance of, personal or organizational conflict of interest, or personal gain for themselves or others, particularly those with whom they have family, business, or other ties.
12. Understands and agrees that Federal funds will not be used, directly or indirectly, to support the enactment, repeal, modification or adoption of any law, regulation, or policy, at any level of government, without the express prior written approval from DHS/FEMA/Cal EMA.
13. Agrees that, to the extent contractors or subcontractors are utilized, will use small, minority-owned, women-owned, or disadvantaged business concerns and contractors or subcontractors to the extent practicable.
14. Will notify Cal EMA of any developments that have a significant impact on award-supported activities, including changes to key program staff.
15. Will comply, if applicable, with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§ 4801 et seq.) which prohibits the use of lead based paint in construction or rehabilitation of structures.
16. Will comply with all Federal and State Statues relating to Civil Rights and Nondiscrimination. These include, but are not limited to:
 - a. Title VI of the Civil Rights Act of 1964 (P.L. 88-352), as amended, which prohibits discrimination on the basis of race, color or national origin.
 - b. Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§ 1681-1683 and 1685-1686), which prohibits discrimination on the basis of gender.
 - c. Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794), which prohibits discrimination on the basis of handicaps.
 - d. The Age Discrimination Act of 1975, as amended (42 U.S.C. §§ 6101-6107), which prohibits discrimination on the basis of age.
 - c. The Drug Abuse Officc and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse.
 - f. The Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism.

- g. §§ 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. 290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records.
 - h. Title VIII of the Civil Rights Act of 1968 (42 U.S.C. § 3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing.
 - i. Title 44 Code of Federal Regulations (CFR) Parts 7, 16, and 19 relating to nondiscrimination.
 - j. The requirements on any other nondiscrimination provisions in the specific statute(s) under which the application for Federal assistance is being made.
 - k. Will, in the event that a Federal or State court or Federal or State administrative agency makes a finding of discrimination after a due process hearing on the grounds or race, color, religion, national origin, gender, or disability against a recipient of funds, the recipient will forward a copy of the finding to the Office of Civil Rights, Office of Justice Programs.
 - l. Will provide an Equal Employment Opportunity Plan, if applicable, to the Department of Justice Office of Civil Rights within 60 days of grant award.
 - m. Will comply, and assure the compliance of all its subgrantees and contractors, with the nondiscrimination requirements and all other provisions of the current edition of the Office of Justice Programs Financial and Administrative Guide for Grants, M7100.1.
17. Will comply with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. § 4601 et seq. [P.L. 91-646]) which provides for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or Federally assisted programs. These requirements apply to all interested in real property acquired for project purposes regardless of Federal participation in purchases. Will also comply with Title 44 CFR, Part 25, Uniform Relocation Assistance and Real Property Acquisition for Federal and Federally-assisted programs.
18. Will comply, if applicable, with the flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is ten thousand dollars (\$10,000) or more.
19. Will comply with all applicable Federal, State, and Local environmental and historical preservation (EHP) requirements. Failure to meet Federal, State, and Local EHP requirements and obtain applicable permits may jeopardize Federal funding. Will comply with all conditions placed on any project as the result of the EHP review; any change to the scope of work of a project will require reevaluation of compliance with these EHP requirements.
20. Agrees not to undertake any project having the potential to impact the EHP resources without the prior written approval of DHS/FEMA/Cal EMA, including, but not limited to, ground disturbance, construction, modification to any structure, physical security enhancements, communications towers, and purchase and/or use of any sonar equipment. The subgrantee must comply with all conditions placed on the project as a result of the EHP review. Any construction-related activities initiated without the necessary EHP review and approval will result in a noncompliance finding, and may not be eligible for reimbursement with DHS/FEMA/Cal EMA funding. Any change to the scope of work will require re-evaluation of compliance with the EHP. If ground-disturbing activities occur during the project implementation, the subgrantee must ensure monitoring of the disturbance. If any potential archeological resources are

discovered, the subgrantee will immediately cease activity in that area and notify DHS/FEMA/Cal EMA and the appropriate State Historic Preservation Office.

21. Will ensure that the facilities under its ownership, lease or supervision, which shall be utilized in the accomplishment of this project, are not on the Environmental Protection Agency's (EPAs) List of Violating Facilities, and will notify Cal EMA and the Federal Grantor agency of the receipt of any communication from the Director of the EPA Office of Federal Activities indicating if a facility to be used in the project is under consideration for listing by the EPA.
22. Will provide any information requested by DHS/FEMA/Cal EMA to ensure compliance with applicable laws, including the following:
 - a. Institution of environmental quality control measures under the National Environmental Policy Act, National Historical Preservation Act, Archaeological and Historic Preservation Act, Endangered Species Act, and Executive Orders on Floodplains (11988), Wetlands (11990) and Environmental Justice (EO12898) and Environmental Quality (EO11514).
 - b. Notification of violating facilities pursuant to EO 11738.
 - c. Assurance of project consistency with the approved state management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§ 1451 et seq.).
 - d. Conformity of Federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. § 7401 et seq.).
 - e. Protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended, (P.L. 93-523).
 - f. California Environmental Quality Act (CEQA). California Public Resources Code Sections 21080-21098. California Code of Regulations, Title 14, Chapter 3 Section 15000-15007.
 - g. Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§ 1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
 - h. Applicable provisions of the Coastal Barrier Resources Act (P.L. 97-348) dated October 19, 1982 (16 USC 3501 et seq.) which prohibits the expenditure of most new Federal funds within the units of the Coastal Barrier Resources System.
23. Will comply with Standardized Emergency Management System (SEMS) requirements as stated in the California Emergency Services Act, Government Code, Chapter 7 of Division 1 of Title 2, Section 8607.1(e) and CCR Title 19, Sections 2445, 2446, 2447, and 2448.
24. Agrees that all publications created or published with funding under this grant shall prominently contain the following statement: *"This document was prepared under a grant from FEMA's Grant Programs Directorate, U.S. Department of Homeland Security. Points of view or opinions expressed in this document are those of the authors and do not necessarily represent the official position or policies of FEMA's Grant Programs Directorate or the U.S. Department of Homeland Security."* The recipient also agrees that, when practicable, any equipment purchased with grant funding shall be prominently marked as follows: *"Purchased with funds provided by the U.S. Department of Homeland Security."*
25. Acknowledges that DHS/FEMA reserves a royalty-free, nonexclusive, and irrevocable license to reproduce, publish, or otherwise use, and authorize others to use, for Federal government purposes: a) the copyright in any work developed under an award or sub-award; and b) any rights of copyright to which a recipient or sub-recipient purchases ownership with Federal support.

26. The recipient agrees to consult with DHS/FEMA/Cal EMA regarding the allocation of any patent rights that arise from, or are purchased with, this funding.
27. Has requested through the State of California, Federal financial assistance to be used to perform eligible work approved in the submitted application for Federal assistance and after the receipt of Federal financial assistance, through the State of California, agrees to the following:
 - a. Promptly return to the State of California all the funds received which exceed the approved, actual expenditures as accepted by the Federal or State government.
 - b. In the event the approved amount of the grant is reduced, the reimbursement applicable to the amount of the reduction will be promptly refunded to the State of California.
 - c. Separately account for interest earned on grant funds, and will return all interest earned, in excess of \$100 per Federal Fiscal Year.
28. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. Sections 4728-4763) relating to prescribed standards for merit systems for programs funded under one of the nineteen statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
29. Will comply with provisions of the Hatch Act (5 U.S.C. Sections 1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.
30. Will comply, if applicable, with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.
31. Will comply, if applicable, with the Laboratory Animal Welfare Act of 1966 (P. L. 89-544, as amended, 7 U.S.C. 2131 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.
32. Will comply with the minimum wage and maximum hour provisions of the Federal Fair Labor Standards Act (29 U.S.C. 201), as they apply to employees of institutions of higher education, hospitals, and other non-profit organizations.
33. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. Section 276a to 276a-7), the Copeland Act (40 U.S.C. Section 276c and 18 U.S.C. Sections 874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. Sections 327-333), regarding labor standards for Federally-assisted construction sub-agreements.
34. Agrees that:
 - a. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any Federal grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal grant or cooperative agreement.
 - b. If any other funds than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or an employee of Congress, or employee of a Member

- of Congress in connection with the Federal grant or cooperative agreement, the undersigned shall complete and submit Standard Form LLL, "Disclosure of Lobbying Activities," in accordance with its instructions.
- c. The undersigned shall require that the language of this certification be included in the award documents for all sub awards at all tiers including subgrants, contracts under grants and cooperative agreements, and subcontract(s) and that all sub recipients shall certify and disclose accordingly.
 - d. This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.
35. Agrees that equipment acquired or obtained with grant funds:
 - a. Will be made available pursuant to applicable terms of the California Disaster and Civil Defense Master Mutual Aid Agreement in consultation with representatives of the various fire, emergency medical, hazardous materials response services, and law enforcement agencies within the jurisdiction of the applicant, and deployed with personnel trained in the use of such equipment in a manner consistent with the California Law Enforcement Mutual Aid Plan or the California Fire Services and Rescue Mutual Aid Plan.
 - b. Is consistent with needs as identified in the State Homeland Security Strategy and will be deployed in conformance with that Strategy.
 36. Agrees that funds awarded under this grant will be used to supplement existing funds for program activities, and will not supplant (replace) non-Federal funds.
 37. Will comply with all applicable Federal statutes, regulations, policies, guidelines and requirements, including OMB Circulars A102 and A-133, E.O. 12372 and the current Administrative Requirements, Cost Principles, and Audit Requirements.
 38. Will comply with all provisions of 2 CFR, including: Part 215 Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations (OMB Circular A-110); Part 225 Cost Principles for State, Local and Indian Tribal Governments (OMB Circular A-87); Part 220 Cost Principles for Educational Institutions (OMB Circular A-21); Part 230 Cost Principles for Non-Profit Organizations (OMB Circular A-122).
 39. Will comply with Subtitle A, Title II of the Americans with Disabilities Act (ADA) 1990.
 40. Agrees to cooperate with any assessments, national evaluation efforts, or information or data collection requests, including, but not limited to, the provision of any information required for the assessment or evaluation of any activities within this agreement.
 41. Will comply with Federal Acquisition Regulations (FAR), part 31.2 Contract Cost Principles and Procedures, Contracts with Commercial Organizations.
 42. Will comply with the financial and administrative requirements set forth in the current edition of the DHS Financial Management Guide.

43. Agrees that all allocations and use of funds under this grant will be in accordance with the FY 2010 Homeland Security Grant Program Guidance and Application Kit, and the California Supplement to the FY 2010 Homeland Security Grant Program Guidance and Application Kit. All allocations and use of funds under this grant will be in accordance with the Allocations, and use of grant funding must support the goals and objectives included in the State and/or Urban Area Homeland Security Strategies as well as the investments identified in the Investment Justifications which were submitted as part of the California FY2010 Homeland Security Grant Program application. Further, use of FY10 funds is limited to those investments included in the California FY10 Investment Justifications submitted to DHS/FEMA/Cal EMA and evaluated through the peer review process.
44. Will not make any award or permit any award (subgrant or contract) to any party which is debarred or suspended or is otherwise excluded from or ineligible for participation in Federal assistance programs under Executive Order 12549 and 12689, "Debarment and Suspension".
45. As required by Executive Order 12549, Debarment and Suspension, and implemented at 44 CFR Part 17, for prospective participants in primary covered transactions,
- a. The applicant certifies that it and its principals:
 - i. Are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of Federal benefits by a State or Federal court, or voluntarily excluded from covered transactions by any Federal department or agency.
 - ii. Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property.
 - iii. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and have not within a three-year period preceding this application had one or more public transactions (Federal, State, or local) terminated for cause or default; and
 - b. Where the applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.
46. Agrees to comply with the Drug-Free Workplace Act of 1988, and certifies that it will or will continue to provide a drug-free workplace by:
- a. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition.
 - b. Establishing an on-going drug-free awareness program to inform employees about:
 - i. The dangers of drug abuse in the workplace;
 - ii. The grantee's policy of maintaining a drug-free workplace;
 - iii. Any available drug counseling, rehabilitation, and employee assistance programs; and

- iv. The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace.
 - c. Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a).
 - d. Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will
 - i. Abide by the terms of the statement; and
 - ii. Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction.
 - e. Notifying the agency, in writing, within 10 calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to:

Department of Justice, Office of Justice Programs
ATTN: Control Desk
633 Indiana Avenue, N.W.
Washington, D.C. 20531
 - f. Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted.
 - i. Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
 - ii. Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency.
 - g. Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f).
47. Will comply with all applicable requirements of all other Federal and State laws, executive orders, regulations, program and administrative requirements, policies and any other requirements governing this program.
48. Understands that failure to comply with any of the above assurances may result in suspension, termination, or reduction of grant funds.

The undersigned represents that he/she is authorized by the above named applicant to enter into this agreement for and on behalf of the said applicant.

Signature of Authorized Agent: _____

Printed Name of Authorized Agent: _____

Title: _____ Date: _____

TRAVEL AND RELATED BUSINESS EXPENSES

PURPOSE: This policy establishes the basic guidelines for travel on City business. It defines the City's expectations of its employees who are required to travel in connection with their work responsibilities, and clarifies which expenses will be advanced or reimbursed to the employee by the City, and which expenses are considered the personal responsibility of the employee. Business travel is defined as authorized attendance at conferences and seminars, or authorized travel for any other purpose in connection with official City responsibilities. Business travel includes one-day trips and trips requiring one or more overnight stays.

As a general rule, this policy is not intended to cover business meetings of less than one day involving travel of less than 150 miles round trip, even though employees may be reimbursed for their cost of meals and travel. In such cases department head discretion is required and departments may decide that such travel fits within the scope of this policy. As an example, a day trip to Los Angeles to attend a business meeting will likely involve meals and transportation expense reimbursement. However, such travel may involve less than \$100 of expenditures and are generally not considered as part of the scope of this policy.

POLICY:**I. General Standards**

- A. Mandatory Use of the Travel Authorization & Expense Reporting Form ("Travel Form")
 1. The Travel Form is a mandatory document for all employees, whether or not one expects to receive a travel advance or reimbursement for business related travel expenses. It serves as an estimate of the total cost of attending conferences, meetings and seminars, and provides documentation of cash advances, vendor payments and credit card purchases. Equally important, it serves as documented authorization to travel on City business and helps identify when the employee is traveling on behalf of the City in case of an accident or other incident.
- B. Mandatory Use of the Travel Expense Log
 1. The Travel Expense Log is a specially designed record and envelope to assist the employee in accounting for daily travel expenses and consolidating business travel receipts.
 2. Employees are to notate each travel expense item requiring a receipt and check the appropriate box for its inclusion in the packet. Receipts are required for reimbursement of out-of-pocket expenses and certain advanced expenses such as ground transportation.
 3. The Travel Expense Log is submitted to Finance along with the completed Travel Expense Report within 15 workdays after completion of travel.
- C. Policy Emphasizes Economy and Practicality with Reasonable Subsistence and Accommodations while on City Business
 1. This policy provides for reasonable subsistence, modes of travel, and lodging and accommodations while on City business. The intent is to allow employees to eat in moderately priced restaurants, stay in moderately priced hotels, and travel comfortably. Employees are responsible for using good judgment in making reservations, and travel decisions should emphasize economy and efficiency at all times. For example:
 - a. When using air travel, employees should always book flights in coach as opposed to first class.
 - b. Although the Internet offers plenty of specials and low-priced flights, flexibility is often sacrificed and sales are often final. Employees should consider this when

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TRAVEL AND RELATED BUSINESS EXPENSES

booking their flights and can be held personally accountable if a flight is booked incorrectly, costing the City money. To provide more flexibility, designated travel agencies should be used.

- c. When choosing a hotel for a conference, it is preferable to stay at the hotel where the conference is being held even though it may be slightly more expensive than others in the area.
 2. It is permissible to combine personal travel with business travel, such as departing for a business conference a few days early to utilize personal vacation time. But only strictly business-related expenses will be advanced or reimbursed and personal travel shall not result in higher business travel costs or they must be reimbursed to the City.
- D. Policy is Not Intended to be All Inclusive
1. This policy is not intended to address every issue, exception or contingency that may arise in the course of City travel or attendance at meetings.
 2. Accordingly, the basic standard that should always prevail is to use good judgment and economy in the use and stewardship of City funds.

II. Travel Authorization & Expense Reporting Form (“Travel Form”)**A. Travel Authorization**

1. Travel Authorization approval by a department head is required whenever:
 - a. Total estimated cost will exceed \$200; or
 - b. Overnight accommodations will be required.
2. Division Manager authorization can be substituted for department head authorization for employee travel that is estimated at \$200 or less and does not involve overnight accommodations.
3. Travel Restrictions
 - a. Out-of-state travel authorizations require City Manager approval (or his designee).
 - b. Department Head travel authorizations require City Manager approval (or his designee)
4. Determining Methods of Payment for Travel Expenses
 - a. The City will pay for legitimate and reasonable travel-related business expenses, including transportation, lodging, registration fees, meals, and any other related expenses if they are for official business and fit within these guidelines.
 - b. There are four methods of payment for travel-related expenses: (1) direct payment to vendors by check, (2) payment by City CAL-Card or credit card, (3) reimbursement to the employee for out-of-pocket expenses, and (4) cash advances, which include per diem.

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- c. Direct payments to vendors are made by the City to an organization to pay for specific costs related to the trip. These are usually registration fees, lodging and airfare.
- d. City CAL-Card or credit card may be used to prepay travel expenses, including registration fees, lodging and airfare, or may be used to cover expenses as they arise on the trip. CAL-Cards and credit cards may not be used to advance per diem.
- e. The employee will be reimbursed for actual, reasonable and allowable out-of-pocket expenses related to travel on City business. The employee must account for out-of-pocket expenses with receipts and utilizing the Travel Expense Log.
- f. Cash advances, including per diem, are lump sum payments made to the employee prior to one's travel based on reasonable estimated expenses. Ground transportation is often difficult to estimate, but may be advanced to the employee using reasonable estimates based on the itinerary. Upon the employee's return, and with the exception of per diem expenses, the employee must account for advanced expenses with receipts and utilizing the Travel Expense Log. Advances exceeding substantiated expenses must be returned to the City. If authorized expenses (excluding meals and incidentals covered by per diem) exceed the amount advanced, the City will reimburse the employee for the difference.

Note: Receipts are not needed to justify meals and incidental expenses covered by per diem.

- g. To obtain direct vendor payments or to receive a cash advance, the employee must do the following prior to his trip:
 - 1) Complete the appropriate sections of the Travel Form. The form is available on the City's Intranet under "Forms".
 - 2) Attach documentation for all payments requested. This would include copies of registration forms, announcements, itineraries, and copies of seminar brochures that provide detail of costs.
 - 3) Attach completed and signed Direct Pay forms for all travel-related payment requests.
 - a) Include the appropriate authorization signatures.
 - b) Retain a copy of the completed form to reconcile and account for actual expenses upon return from trip.
 - c) Submit the Travel Form and any Direct Pay forms to the Accounts Payable Unit of the Finance Department.

5. Per Diem (Meals and Incidentals)

- a. Meals and incidentals, as defined by IRS guidelines, include all meals and miscellaneous hotel services, such as tips to waiters and porters. Per Diem will be paid at the current rates established by IRS guidelines determined by the maximum federal per diem rate table. All IRS tax rules will apply.

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NOTE: Per Diem rates for California cities and out-of-state destinations are identifiable through a hyperlink on the Travel Form on the City's Intranet.

- b. By IRS regulations, per diem is defined as travel subsistence extending beyond one day and there is no requirement to provide receipts. However, for one day or partial days of travel, meals expense receipts ARE required and the standard one day, non-per diem meal allowance will be \$50 allocated as follows:

Breakfast – \$10.00

Lunch – \$15.00

Dinner – \$25.00

If an employee is advanced money for one-day or partial day meals and the total amount of all receipts is less than the amount advanced, the difference must be reimbursed to the City.

Conversely, if the employee exceeds the total one-day or partial day standard non-per diem meal allowance and is requesting reimbursement, receipts MUST be provided and reimbursement shall be at the discretion of the Finance Director based on the circumstances.

- c. As a general rule, employees are expected to base their requests for daily meals and incidentals according to the federal per diem rates.
- d. As an alternative, an employee can elect not to receive per diem and request reimbursement of actual, reasonable and allowable subsistence expenses that are substantiated with receipts. This alternative must be approved in advance and receipts must accompany the request for reimbursement. However, a combination of per diem and reimbursement of meals and incidental business expenses is prohibited.
- e. Partial per diem for travel of more than one day may be advanced depending on the employee's departure time and return time. The request for partial or full per diem will be based on the employee's itinerary and will be granted based on a "fair and reasonable" request. Partial days per diem will be prorated as follows:

- Travel of less than 12 hours in a day will be prorated to one-half day of per diem.
- Travel of 12 hours or more in a day will count as a full day for per diem.

For example, assuming a daily per diem of \$50, if an employee leaves on Monday at 6:00 A.M. to San Francisco for a business conference and returns to work at 1:00 P.M. on Tuesday, the per diem advance would be \$100.

- f. A CAL-Card or City credit card may be used on a business trip as a substitute for petty cash to cover business related expenses other than meals and incidentals.
- g. Employees will be reimbursed up to \$5.00 per day for personal phone calls while on overnight travel on city business. Employees with City-assigned cell phones should use these phones whenever possible and keep such calls to a limited duration.

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TRAVEL AND RELATED BUSINESS EXPENSES

6. Other Expenses

- a. Alcoholic Beverages – Expense reimbursement for alcoholic beverages will not be allowed. The City Council or City Manager may approve exceptions to this policy on a case-by-case basis for special receptions or other unique circumstances.
- b. Spouses and Guests – Spouses and guests are welcome to accompany employees on City travel and at conferences, seminars and meetings. However, any additional costs associated with the participation of a spouse or guests are the responsibility of the employee.

7. Method of Travel

- a. When planning the transportation portion of the trip, the employee must consider all aspects of cost to the City, such as daily expenses, overtime, lost work time, and actual transportation costs. In general, common carrier (bus, train or plane) is preferred mode of transportation.
- b. The City will only pay or reimburse employees for the cost of coach class flights.
- c. Employees shall be responsible for canceling any airline or hotel reservations they will not use. Any charge for an unused reservation shall be considered the employee's personal expense, unless failure to cancel the reservation was due to circumstances beyond the employee's control.
- d. Whenever practical, City owned vehicles should be used for travel unless the employee receives a mileage allowance.
- e. If a City vehicle is not available, or if there is another reason why the employee should drive his/her personal automobile, the City shall reimburse the employee with either the cost of the most appropriate means of transportation, or the actual mileage involved in the travel, whichever is the lesser of the two.
- f. The reimbursed mileage rate for use of a private vehicle for City travel will be at the current Standard Federal Mileage Rate set by the IRS.
- g. Mileage reimbursement for a private vehicle being used for City travel must consider the employee's normal commute to work and whether the employee receives a monthly vehicle allowance. If the employee does not receive a vehicle allowance, the employee is entitled to reimbursement for all business miles driven, with the following exceptions:
 - 1) If travel begins and ends at work, the entire business mileage will be reimbursed.
 - 2) If travel begins at work and ends at home (or vice versa), and if the total business mileage driven is less than the total mileage that would have been driven if travel began and ended at work, the total mileage can be claimed. (Example: John Doe lives in Banning and is attending a morning conference in Los Angeles. The trip from Banning to Los Angeles is 75 miles, but is only 60 miles from Moreno Valley to Los Angeles. Since his normal commute would bring him to Moreno Valley

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and 15 miles closer, in this case John would be reimbursed 120 miles, the round-trip distance from City Hall).

- 3) If travel begins at home and ends at home, and if the total business mileage driven is less than the total mileage that would have been driven if travel began and ended at work, the total mileage can be claimed. (Example: Jane Doe lives in Banning and is attending a conference in Palm Springs. The round-trip mileage from her house is 60 miles, but would have been 90 miles had she started at and returned to Moreno Valley City Hall. In this case Jane would be reimbursed for the 60 mile round trip).
 - 4) Under no circumstances shall reimbursement be given to the total business mileage claimed that exceeds the total mileage had the travel begun and ended at work.
- h. If an employee already receives a monthly vehicle allowance, a total of 50 miles must be deducted for each one-way travel to or from the authorized City business travel destination. The mileage exceeding a 50-mile radius is subject to reimbursement, however, the first 50 miles each way is considered applicable to the employee's vehicle allowance. The above four rules shall also apply.
 - i. In order to drive a privately owned vehicle on City business, the employee must:
 - 1) Possess a valid California driver's license.
 - 2) Carry liability insurance, as required by the State of California
 - 3) Realize that any damage to the employee's personal vehicle and/or service or repair occurring on the trip will be the employee's responsibility, as insurance costs are factored in the IRS per mile cost reimbursement.
 - j. If local ground transportation is needed during the trip, the use of public transit such as airport shuttles, buses, streetcars, and subways is appropriate.
 - k. Ground transportation must be efficient and cost effective. Use of taxis, hotel courtesy buses and local shuttles are allowed when other public transit or common carriers are not reasonably available.
 - l. Requests for advances of ground transportation costs (including tips) should be substantiated whenever possible. If the cost cannot be substantiated, advances will be based on a fair and reasonable estimate of expenses.
 - m. Ground transportation receipts are required. However, in cases where a receipt is not available, the employee must notate this on the Travel Expense Log. Employee requests for out-of-pocket reimbursement of ground transportation costs without receipts are subject to review and approval by the Finance Director.
 - n. The use of a rental car is authorized in cases where it is economical or more feasible relative to using ground transportation.
 - o. If a car rental is required, the employee may use a City CAL-Card or credit card or request reimbursement for out-of-pocket costs including fuel, upon return from

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business travel. Receipts are required. The optional car rental agency-provided insurance is not a reimbursable cost. Since employees are normally insured by their own automobile insurance carrier for use of a rental vehicle, employees may opt for this coverage at their own expense.

- p. The City will reimburse all reasonable business travel expenses, including bridge tolls and parking fees incurred as a result of an employee's authorized use of a private vehicle or City vehicle while traveling on City business. Receipts are required, and if a receipt is not available, the employee shall notate this on the Travel Expense Log.
- q. Without receipts, any employee request for out-of-pocket reimbursement of costs incurred as a result of an employee's authorized use of a private vehicle or City vehicle while traveling on City business is subject to review and approval by the Finance Director.

8. Compensation for Travel Time (Non-Exempt Employees)

- a. When travel time exceeds the normal workday or workweek, the City's rules for overtime apply to those employees eligible for overtime.
- b. In determining overtime compensation, normal commute time should be deducted from total travel time.
- c. Normal unpaid meal periods are not considered work time while traveling.
- d. Overtime eligibility applies equally to drivers and passengers, and should be granted whether travel occurs during normal workdays or on weekends or evenings.

9. Lodging

- a. Lodging is allowed for attendance at conferences, seminars or meetings that are in excess of 50 miles or one hour of travel time, one-way, from the employee's home. A Department Head may approve exceptions to the 50-mile/one hour minimum if he/she considers the request to be reasonable and practical, especially considering the destination, the difficulty of the commute, and the starting time of the conference.
- b. Reasonable lodging expenses will be paid at actual cost including taxes and parking, for as many nights as necessary.
- c. The lodging accommodations should be economical and practical. In general, the employee should select the most reasonably priced accommodations available, but consistent with the purpose and goals of the trip.
- d. When choosing a hotel for a conference, it is preferable to stay at the hotel where the conference is being held even though it may be slightly more expensive than others in the area.
- e. Other non-business related room charges, including movies or refreshments are not reimbursable.

TRAVEL AND RELATED BUSINESS EXPENSES

- f. When making lodging reservations, be sure to ask if a “government rate” is available. Some cities exempt travelers on government business from their local transient occupancy tax (TOT). This can be as much as a 12-15% savings on lodging costs depending on the TOT rate. Check with the hotel for this exemption and form.
- g. Since there is seldom a difference in the room rate for double occupancy, it is permissible for an employee to share a room with a spouse or guest at no additional cost to the City. However, if double occupancy of a room by a non-City employee results in an increased room rate, the difference shall be the employee’s personal expense. Furthermore, incurring a non-business related expense using advanced City funds, or a City Cal-Card or credit card is prohibited.

10. Incidental Expenses

- a. Incidental expenses include but are not limited to tips for persons who provide services, such as waiters, maids, porters, and baggage handlers.
- b. Incidental expenses incurred while on an overnight business trip are covered by per diem. To receive reimbursement on incidental expenses incurred on a day business trip, receipts should be submitted whenever possible. If the employee is unable to obtain a receipt, the costs should be documented on the Travel Expense Log and on the Travel Form as a reimbursement request.
- c. Business-related expenses such as telegrams and telephone calls, copying and faxing, computer accessories, tapes and other training materials purchased at a conference are reimbursable with receipts, and become property of the City. Whenever possible, employees should anticipate the need for supplies and should take whatever they need with them instead of purchasing these supplies at their destination, where the cost may be significantly more than what the City would normally pay.
- d. Tips are generally an allowable and reimbursable cost of business travel, but they must be reasonable.
 - 1) For business trips not involving per diem, they should never exceed 15%-20% of the cost of the meal.
 - 2) For ground transportation, they should not exceed 15% - 20% of the fare.

11. Non-Reimbursable Expenses

- a. Personal entertainment costs are not reimbursable. These include headphones or alcoholic beverages purchased on airplanes, video rentals and refreshment bars in hotel rooms, spas and gyms, laundry or dry cleaning and other items of a personal nature.

B. Travel Expense Report

- 1. When returning from a trip, a final accounting of all expenses related to the trip must be approved by the Department Head (or applicable Division Manager) and submitted to the Finance Department within fifteen working days. A travel expense report is required in all cases – there are no exceptions. This is mandatory whether or not the advance received is equal to the expenses incurred, whether the employee is eligible for additional reimbursement, or whether money is owed to the City.

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2. The final accounting of the travel is made by completing the Travel Expense Report, Section Two of the Travel Form.
3. After completing the Travel Expense Report, the employee must place it in the Travel Expense Log envelope with all required receipts, sign the report attesting to its accuracy and submit it to your Department Head for review and approval. Remember, receipts are not required to justify meals and incidental expenses covered by per diem.
4. If the employee owes the City for the unused balance of a cash advance (other than per diem), he should pay the amount due to the Finance Department cashier and attach the receipt to his Travel Expense Report. The amount returned to the City must be applied as a credit to the expense account originally used for the cash advance.
5. Department Heads (or applicable Division Managers) approving Travel Expense Reports are responsible for ensuring that:
 - a. All expenses are reasonable, necessary and consistent with these guidelines.
 - b. Any required receipts are attached and enclosed in the Travel Expense Log.
 - c. The final disposition is correct (balance due employee, or balance due City).
 - d. Any amounts due to the City are fully reimbursed.
 - e. Final accounting of all expenses related to the trip is submitted to the Finance Department within fifteen workdays following the employee's completed travel.
6. If the City owes the employee money, the employee may request reimbursement by forwarding the Travel Expense Report to the Finance Department along with a Request for Direct Pay. If the amount requested is \$100 or less, a Petty Cash Request may be submitted for reimbursement. Requests for reimbursement by direct pay will be processed on the next available Accounts Payable check run, if submitted by the normal Accounts Payable deadline, but no later than ten workdays following receipt. Requests for reimbursement by petty cash will be reimbursed per the Petty Cash Policy.
7. If the employee owes the City money, he should pay the Finance Department cashier and forward the Travel Expense Report with the cash register receipt attached evidencing payment of the amount due.

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TRAVEL AND RELATED BUSINESS EXPENSES

Summary of Travel and Related Business Expense Policy

A. TRAVEL AUTHORIZATION REMINDERS (Part I of Travel Form)

| | |
|--|---|
| <p>Employee</p> | <ul style="list-style-type: none"> • Consult with Department Head or applicable Division Manager on the need for travel. • Carefully plan the itinerary, including basic transportation, ground transportation, lodging, and meals and incidentals. • Complete the Travel Authorization (Section One of “Travel Form”); attach a copy of the announcement for the conference, meeting or seminar; attach a Request for Direct Pay for employee cash advance (if needed), and attach a Request for Direct Pay for each direct vendor payment request. All requests for vendor payments must include copies of the conference brochure or similar information. • It is the employee’s responsibility to make and attach all necessary copies. Travel request packages submitted to the Finance Department without appropriate copies and documentation will be returned to the requesting department for follow-up and resubmittal. Checks will not be released before all authorized and required paperwork is received. |
| <p>Department Head or if applicable, Division Manager</p> | <ul style="list-style-type: none"> • Review Travel Authorization Form for compliance with City travel policy, employee’s professional development needs, and department’s overall training needs and priorities. • Verify that adequate funding exists in the appropriate travel budget to cover all costs. • If travel is out-of state, obtain City Manager’s approval. • Approve the Travel Authorization Form, provide a copy to the employee and submit to the Finance Department for payment processing. |
| <p>Finance Department</p> | <ul style="list-style-type: none"> • Review the Travel Authorization Form for compliance with City Travel policy. • Make cash advance and vendor payments. • File Travel Authorization Form with copies of Direct Pays and all related Direct Pay forms for hotels, conference registration, etc., in employee file for subsequent matching and review of employee’s Expense Reporting, which is due within fifteen workdays of his/her return from the business trip. |

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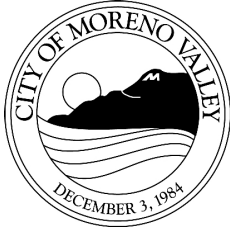
TRAVEL AND RELATED BUSINESS EXPENSES

B. TRAVEL EXPENSE REPORTING REMINDERS (Part II of Travel Form)

| | |
|--|--|
| <p>Employee</p> | <ul style="list-style-type: none"> • Complete the Travel Expense Report (Section Two of “Travel Form”), which is the mandatory accounting for all expenses incurred on the business trip. • Attach the Travel Expense Log and include all applicable business expense receipts. • Notate all business expenses on the log, by date, and check the appropriate box to indicate if the receipt is enclosed. • Sign the Expense Report, attesting to its accuracy. • Submit the completed package to the appropriate department authority in time to meet the requirement that the employee’s Travel Expense Reporting be submitted within fifteen workdays after completion of travel. • Make payment to the City of Moreno Valley and submit to the Finance Department for any amount of the cash advance balance due and attach the receipt as proof of payment. |
| <p>Department Head or if applicable, Division Manager</p> | <ul style="list-style-type: none"> • Review the Travel Expense Report and Travel Expense Log for compliance with City travel guidelines. • Verify the accuracy of balances and review all expenses incurred for propriety and in relation to original goals of the business trip. • Approve the Travel Expense Report, make a copy for department records, and submit to the Finance Department. • Ensure that a Request for Direct Pay is attached if funds are due to the employee. |
| <p>Finance Department</p> | <ul style="list-style-type: none"> • Review the Travel Expense Report and Travel Expense Log for compliance with the City’s Travel Policy. • File the Travel Expense Report and Travel Expense Log in the employee’s vendor file and process any Request for Direct Pay if funds are due to the employee. |

Any questions regarding the Travel and Related Business Expense Policy can be directed to the Finance Department, Accounts Payable Supervisor at (909) 413-3087.

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| APPROVALS | |
|----------------|--------------------|
| BUDGET OFFICER | <i>[Signature]</i> |
| CITY ATTORNEY | <i>[Signature]</i> |
| CITY MANAGER | <i>[Signature]</i> |

Report to City Council

TO: Mayor and City Council

FROM: Ahmad R. Ansari, P.E., Public Works Director/City Engineer

AGENDA DATE: April 23, 2013

TITLE: APPROVE THE CITY OF MORENO VALLEY'S FIVE-YEAR MEASURE A LOCAL STREETS AND ROADS CAPITAL IMPROVEMENT PLAN (CIP) AND MAINTENANCE OF EFFORT (MOE) CERTIFICATION STATEMENT FOR THE RIVERSIDE COUNTY TRANSPORTATION COMMISSION (RCTC) MEASURE A LOCAL FUNDS PROGRAM, FISCAL YEAR (FY) 2014-2018

RECOMMENDED ACTION

Recommendations:

1. Approve the City of Moreno Valley's Five-Year Measure A Local Streets and Roads CIP and MOE for the RCTC Measure A Local Funds Program, FY 2014-2018.
2. Authorize submittal of the RCTC Measure A Local Streets and Roads CIP and MOE for the RCTC Measure A Local Funds Program, FY 2014-2018.
3. Authorize staff to submit an amended five-year plan to RCTC if changes are made by City Council to the listed Measure A projects as part of the upcoming FY 2013-2014 budget approval process

BACKGROUND

The Riverside County Transportation Commission Ordinance No. 02-001, as enacted pursuant to the provisions of Division 25 of the Public Utilities Code, specifies that local cities and counties must submit an annual Five-Year CIP to receive Measure A funds. RCTC requires local agencies to submit their FY 2014-2018 Five Year CIP for Measure A by May 13, 2013. The program is subject to amendment after review and approval by RCTC.

The City of Moreno Valley has received Measure A funds (local sales tax) for expenditures on local streets since November 1989.

On July 26, 2011, the City Council authorized issuance of the Certificates of Participation Series 2011B (COPS) in an amount up to \$20 million, including issuance costs, with an anticipated annual debt service of \$1,321,000. Upon consultation of Finance, Public Works and City Manager's Office, staff has reviewed the favorable market status and analyzed the ability to issue the maximum amount of debt authorized. COPS funds are estimated to be available in November 2013.

DISCUSSION

Measure A is a major funding source for transportation infrastructure improvements. The total amount of funding received from FY 1989/90 through FY 2011/12 is \$61.5 million. The City is scheduled to receive \$3,027,000 in Measure A revenue by FY 2012/13 year-end and \$3,136,000 in funding for FY 2013/14. The City's Measure A Fund Balance also receives revenue from several supplementary sources:

- Interest income
- Federal-aid awards
- State grants
- County/Local grants
- Sale of plans and specs

The total revenue received from these supplementary funding sources since FY 1989/90 is in excess of \$34 million. Because Measure A funds are used to provide required City matching funds for federal, state and county transportation grant awards, the reimbursements from these grants are currently deposited into the Measure A Fund Balance. The sale of plans and specs for projects going out to bid is designated as an additional source of income although this revenue recoups the cost incurred in the printing and publishing of the documents. The income received from these supplemental revenue sources, combined with the annual Measure A revenue from RCTC provides the funding to construct multi-million dollar projects.

RCTC requires all local jurisdictions to submit an annual five-year CIP for continued receipt of Measure A Local Streets and Roads funds. As required by RCTC, the attached tables include the actual FY 2012/13 Measure A budget approved by Council, as well any budget appropriation adjustments during the fiscal year. Additional tables include proposed projects for FY 2013/14 and planned projects for FY 2014/15 through FY 2017/18. The listed projects are consistent with the City's Capital Improvement Program. All identified projects meet the criteria for Measure A funding.

The projects are included in the Measure A Five-Year CIP to satisfy RCTC Ordinance No. 02-001. Although RCTC requires this information by May 13, 2013, the City Council may make any changes to the list of projects as part of the City's annual budget

approval process. City staff can forward the amended Measure A project list to RCTC once the City's budget is approved.

RCTC Ordinance No. 02-001 also requires the City to provide an executed MOE Certification Statement indicating that Measure A funds will not replace local discretionary funds used for the City's transportation issues, but will be in addition to the City's funds for transportation purposes. The MOE base year amount, approved by the RCTC at its July 2011 meeting, is \$1,459,153. The MOE requirement is met by the Public Works Department General Fund operating budgets and by a contribution from the General Fund to the Gas Tax Fund.

ALTERNATIVES

1. Approve the City of Moreno Valley's Five-Year Measure A Local Streets and Roads CIP and MOE for the RCTC Measure A Local Funds Program, FY 2014-2018, authorize submittal of the RCTC Measure A Local Streets and Roads CIP and MOE for the RCTC Measure A Local Funds Program, FY 2014-2018, and authorize staff to submit an amended five-year plan to RCTC if changes are made by City Council to the listed Measure A projects as part of the upcoming FY 2013/14 budget approval process. *This alternative allows the City to continue receiving Measure A monies annually to fund significant roadway and other transportation related infrastructure improvements.*
2. Do not approve the City of Moreno Valley's Five-Year Measure A Local Streets and Roads CIP and MOE for the RCTC Measure A Local Funds Program FY 2014-2018. *This alternative eliminates Measure A funding for the City, significantly affecting the ability to deliver critical CIP projects.*

FISCAL IMPACT

The timely approval and submittal of the Five-Year CIP by May 13, 2013, ensures continued receipt of Measure A funds for FY 2013/14. City staff can forward an amended Measure A project list to RCTC once City Council approves the FY 13/14 City budget. Measure A funds can only be used for transportation related projects.

CITY COUNCIL GOALS

PUBLIC FACILITIES AND CAPITAL PROJECTS:

Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

SUMMARY

The City of Moreno Valley is required to submit an annual Five-Year CIP for Measure A projects and a MOE certification for continued receipt of Measure A funds.

ATTACHMENTS

ATTACHMENT 1: FY 2013/14 MOE Certification Statement

ATTACHMENT 2: Riverside County Transportation Commission, Measure A Local Funds Program, Project Status Report FY 2012-2013 for the City of Moreno Valley

ATTACHMENT 3: Riverside County Transportation Commission, Measure A Local Funds Program, FY 2014-2018, for the City of Moreno Valley

Prepared By:
Linda Wilson
Senior Management Analyst

Department Head Approval:
Ahmad R. Ansari, 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: |

***FY 2013/14 MAINTENANCE OF EFFORT
CERTIFICATION STATEMENT***

The undersigned agrees and certifies for the City of Moreno Valley (the "Agency") that sales tax transportation funds received pursuant to Ordinance No. 02-001 of the Riverside County Transportation Commission ("Measure A") shall be used in compliance with the Commission's Maintenance of Effort Guidelines and a base year amount of \$1,459,153, approved by the Commission at its July 13, 2011 meeting, and that the Agency shall not use such funds to replace discretionary local funds previously expended by the Agency for local transportation purposes. The Agency hereby acknowledges that the failure of the Agency to continue such local expenditure shall result in a reduction or loss of Measure A funds. Additionally, the Agency commits to expending Measure A Local Streets and Roads funds for projects listed in the Five Year Capital Improvement Plan as approved by Riverside County Transportation Commission.

Dated: _____, 2013

HENRY GARCIA, CITY MANAGER

ATTEST:

CITY CLERK

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**Riverside County Transportation Commission
Measure A Local Funds Program
Project Status Report FY 2012-2013**

Agency: City of Moreno Valley

Page 1 of 2

Prepared by: Linda Wilson

Date: April 23, 2013

| 2012-2013 | | | | | | |
|------------------|---|---------------------|-----------------------------|----------------------------------|-----------------------------|------------------------------------|
| Item No. | Project Name / Limits | Project Type | Total Cost (\$000's) | Measure A Funds (\$000's) | Estimated Completion | Status |
| 1 | Measure A Program Budget | Program Budget | 449 | 449 | NA | On-going program |
| 2 | Indirect Cost Rate | Overhead | 242 | 242 | NA | On-going |
| 3 | Alessandro Boulevard/ Esworth Street Intersection Improvements | Street Improvements | 845 | 85 | Sep-16 | Design in progress |
| 4 | Alessandro Boulevard Median/Indian Street to Perris Boulevard | Street Improvements | 959 | 59 | Apr-14 | Design in progress |
| 4 | Alessandro Boulevard Pavement Modification | Street Improvements | 72 | 72 | Mar-14 | Design in progress |
| 5 | Bike Lane Improvements | Street Improvements | 84 | 84 | Jun-14 | On-going |
| 6 | Citywide Annual Pavement Resurfacing Program | Street Improvements | 1,713 | 978 | NA | On-going annual program |
| 7 | Citywide Traffic Sign Retro-reflectivity Inventory | Traffic Signal | 70 | 70 | Dec-13 | Inventory on-going |
| 8 | Delphinium Avenue Sidewalk Improvements | Street Improvements | 463 | 46 | Dec-14 | New - design to begin in June 2013 |
| 9 | Heacock St. Bridge/Perris Valley Storm Drain Lateral "A" | Bridge | 1,495 | 158 | Oct-12 | Project Closeout completed |
| 10 | Heacock Street Sidewalk/Atwood Avenue to Myers Avenue | Street Improvements | 81 | 81 | Jun-12 | Project Closeout completed |
| 11 | Heacock Street South Extension | Street Improvements | 525 | 525 | Jun-18 | 35% design; environmental |
| 12 | Indian Street/Alessandro Boulevard Sidewalk Improvements | Street Improvements | 2 | 2 | Feb-12 | Project Closeout completed |
| 13 | Indian Street / Manzanita Avenue Intersection Reconfiguration | Street Improvements | 101 | 101 | Jan-14 | Design in progress |
| 14 | Indian Street Bicycle Lanes / Iris Avenue to Katrina Street | Street Improvements | 2 | 2 | Jun-12 | Project Closeout completed |
| 15 | Moreno Valley Bicycle Master Plan Update | Street Improvements | 150 | 14 | Jun-14 | Inventory on-going |
| 16 | Nason Street/Cactus Avenue Street Improvements | Street Improvements | 21,932 | 2,317 | Oct-13 | Construction on-going |
| 17 | Pavement Management Program | Street Improvements | 85 | 85 | NA | On-going annual program |
| 18 | Pavement Rehabilitation Program (formerly Slurry Seal Program) | Street Resurface | 284 | 284 | NA | On-going annual program |
| 19 | Perris Blvd SB Lane to SR-60 WB On-Ramp | Street Improvements | 146 | 146 | Aug-12 | Project Closeout completed |
| 20 | Reche Vista Dr. Realignment/Perris Blvd./Heacock St. to North City Limits | Street Improvements | 6 | 6 | Jun-18 | Research construction |
| 21 | Residential Traffic Management Program (Speed Hump Program) | Street Improvements | 85 | 85 | NA | On-going annual program |

**Riverside County Transportation Commission
Measure A Local Funds Program
Amended Project Status Report FY 2012-2013**

Agency: City of Moreno Valley

Page 2 of 2

Prepared by: Linda Wilson

Date: April 23, 2013

| 2012-2013 | | | | | | |
|------------------|---|----------------------------|-----------------------------|----------------------------------|-----------------------------|----------------------------|
| Item No. | Project Name / Limits | Project Type | Total Cost (\$000's) | Measure A Funds (\$000's) | Estimated Completion | Status |
| 22 | SR-60/Nason St. Interchange | Street Improvements | 973 | 211 | Jun-12 | Project closeout and audit |
| 23 | Street Improvement Program (SIP) | Street & Storm Drain Imprv | 2,120 | 891 | NA | On-going annual program |
| 24 | Sunnymead Boulevard / SR-60 On-Ramp Intersection Improvements | Street Improvements | 459 | 25 | Jun-16 | Design Jan 2014- June 2015 |
| | | Totals | 33,343 | 7,018 | | |

**RIVERSIDE COUNTY TRANSPORTATION COMMISSION
MEASURE A LOCAL FUNDS PROGRAM
FY 2014 - 2018**

Agency: City of Moreno Valley

Page 1 of 6

Prepared by: Linda Wilson

Phone #: 951-413-3132

Date: April 23, 2013

| | |
|--|------------------|
| Estimated Prior Year Measure A Balance: | 9,661,000 |
| Estimated FY 2013-2014 Measure A Allocation: | <u>3,136,000</u> |
| Estimated Measure A Available for FY 2013-2014 Projects: | 12,797,000 |

| Item No. | Project Name / Limits | Project Type | Total Cost (\$000's) | Measure A Funds (\$000's) |
|------------------|--|---|----------------------|---------------------------|
| 2013-2014 | | | | |
| 1 | Measure A Program Budget | Program Budget | 449 | 449 |
| 2 | City-Wide Sign/Striping | Operating Budget | 200 | 200 |
| 3 | Street Maintenance Vehicle/Equipment Program | Street Vehicles | 710 | 710 |
| 4 | Indirect Cost Rate | Overhead | 251 | 251 |
| 5 | Corporate Yard Loan Repayment | Loan for Nason/Cactus Street Improvements | 2,500 | 2,500 |
| 6 | MVU Substation Loan Repayment | Loan for Nason/Cactus Street Improvements | 150 | 150 |
| 7 | Alessandro Boulevard/Elsworth Street Intersection Improvements | Street Improvements | 841 | 85 |
| 8 | Alessandro Boulevard Median/Indian Street to Perris Boulevard | Street Improvements | 846 | 209 |
| 9 | Alessandro Boulevard Pavement Modifications | Street Improvements | 70 | 70 |
| 10 | Annual ADA Compliant Curb Ramps | Street Improvements | 200 | 200 |
| 11 | Bike Lane Improvements | Street Improvements | 24 | 24 |
| 12 | Bridge Repair Maintenance Program | Bridge | 10 | 10 |
| 13 | Citywide Annual Pavement Resurfacing Program | Street Improvements | 5,177 | 1,093 |

**RIVERSIDE COUNTY TRANSPORTATION COMMISSION
MEASURE A LOCAL FUNDS PROGRAM
FY 2014 - 2018**

Agency: City of Moreno Valley

Page 2 of 6

Prepared by: Linda Wilson

Phone #: 951-413-3132

Date: April 23, 2013

| Item No. | Project Name / Limits | Project Type | Total Cost (\$000's) | Measure A Funds (\$000's) |
|------------------|---|-----------------------------------|-----------------------------|----------------------------------|
| 2013-2014 | | | | |
| 14 | Citywide Traffic Sign Retro-reflectivity Inventory | Traffic Signal | 69 | 69 |
| 15 | Delphinium Avenue Sidewalk Improvements | Street Improvements | 463 | 46 |
| 16 | Heacock Street South Extension | Street Improvements | 325 | 325 |
| 17 | Indian Street/ Manzanita Avenue Intersection Reconfiguration | Street Improvements | 124 | 124 |
| 18 | Moreno Valley Bicycle Master Plan | Street Improvements | 145 | 14 |
| 19 | Nason Street/Cactus Avenue Street Improvements | Street Improvements | 1,476 | 1,317 |
| 20 | Pavement Management Program | Street Improvements | 35 | 35 |
| 21 | Pavement Rehabilitation and Slurry Seal Program | Resurface | 293 | 293 |
| 22 | Reche Vista Dr. Realignment/Perris Blvd./Heacock St. to North City Limits | Street Improvements | 4 | 4 |
| 23 | Residential Traffic Management Program (Speed Hump Program) | Street Improvements | 56 | 56 |
| 24 | SR-60/Nason St. Interchange | Street Improvements | 3 | 1 |
| 25 | Street Improvement Program (SIP) | Street & Storm Drain Improvements | 1,800 | 721 |
| 26 | Sunnymead Boulevard/SR-60 EB On-Ramp Intersection Improvements | Street Improvements | 459 | 25 |
| TOTALS | | | 16,680 | 8,981 |

**RIVERSIDE COUNTY TRANSPORTATION COMMISSION
MEASURE A LOCAL FUNDS PROGRAM
FY 2014 - 2018**

Agency: City of Moreno Valley

Page 3 of 6

Prepared by: Linda wilson

Phone #: 951-413-3132

Date: April 23, 2013

| | |
|--|------------------|
| Estimated Prior Year Measure A Balance: | 3,816,000 |
| Estimated FY 2014-2015 Measure A Allocation: | <u>3,230,000</u> |
| Estimated Measure A Available for FY 2014-2015 Projects: | 7,046,000 |

| Item No. | Project Name / Limits | Project Type | Total Cost (\$000's) | Measure A Funds (\$000's) |
|------------------|---|---|----------------------|---------------------------|
| 2014-2015 | | | | |
| 27 | Measure A Program Budget | Program Budget | 449 | 449 |
| 28 | City-Wide Sign/Striping | Operating Budget | 200 | 200 |
| 29 | Street Maintenance Vehicle/Equipment Program | Street Vehicles | 200 | 200 |
| 30 | Indirect Cost Rate | Overhead | 258 | 258 |
| 31 | Operating transfer to pay COPs debt service. | Debt Service | 1,322 | 1,322 |
| 32 | Library DIF Loan Repayment | Loan for Nason/Cactus Street Improvements | 750 | 750 |
| 33 | Annual ADA Compliant Curb Ramp | Street Improvement | 200 | 200 |
| 34 | Bridge Repair Maintenance Program | Maintenance Program | 10 | 10 |
| 35 | Citywide Annual Pavement Resurfacing | Street Improvement | 1,100 | 1,100 |
| 36 | Pavement Rehabilitation and Slurry Seal Program | Street Improvement | 60 | 60 |
| 37 | Residential Traffic Management Program | Speed Hump Program | 50 | 50 |
| 38 | Street Improvement Program | Street Improvement | 200 | 200 |
| TOTALS | | | 4,799 | 4,799 |

**RIVERSIDE COUNTY TRANSPORTATION COMMISSION
MEASURE A LOCAL FUNDS PROGRAM
FY 2014 - 2018**

Agency: City of Moreno Valley

Page 4 of 6

Prepared by: Linda Wilson

Phone #: 951-413-3132

Date: April 23, 2013

| | |
|--|------------------|
| Estimated Prior Year Measure A Balance: | 2,247,000 |
| Estimated FY 2015-2016 Measure A Allocation: | <u>3,327,000</u> |
| Estimated Measure A Available for FY 2015-2016 Projects: | 5,574,000 |

| Item No. | Project Name / Limits | Project Type | Total Cost (\$000's) | Measure A Funds (\$000's) |
|------------------|--|---|----------------------|---------------------------|
| 2015-2016 | | | | |
| 39 | Measure A Program Budget | Program Budget | 449 | 449 |
| 40 | City-Wide Sign/Striping | Operating Budget | 200 | 200 |
| 41 | Street Maintenance Vehicle/Equipment Program | Street Vehicles | 38 | 38 |
| 42 | Indirect Cost Rate | Overhead | 266 | 266 |
| 43 | Operating transfer to pay COPs debt service. | Debt Service | 1,322 | 1,322 |
| 44 | Operating Transfer to pay 2005 Lease Revenue Bond Debt Service | Debt Service | 1,117 | 1,117 |
| 45 | Library DIF Loan Repayment | Loan for Nason/Cactus Street Improvements | 750 | 750 |
| 46 | Annual ADA Compliant Curb Ramp | Street Improvement | 200 | 200 |
| 47 | Bridge Repair Maintenance Program | Maintenance Program | 10 | 10 |
| 48 | Citywide Annual Pavement Resurfacing | Street Improvement | 600 | 600 |
| 49 | Pavement Rehabilitation and Slurry Seal Program | Street Improvement | 60 | 60 |
| 50 | Residential Traffic Management Program | Speed Hump Program | 50 | 50 |
| 51 | Street Improvement Program | Street Improvement | 200 | 200 |
| TOTALS | | | 5,262 | 5,262 |

**RIVERSIDE COUNTY TRANSPORTATION COMMISSION
MEASURE A LOCAL FUNDS PROGRAM
FY 2014 - 2018**

Agency: City of Moreno Valley

Page 5 of 6

Prepared by: Linda wilson

Phone #: 951-413-3132

Date: April 23, 2013

Estimated Prior Year Measure A Balance: 312,000
Estimated FY 2016-2017 Measure A Allocation: 3,427,000
Estimated Measure A Available for FY 2016-2017 Projects: 3,739,000

| Item No. | Project Name / Limits | Project Type | Total Cost (\$000's) | Measure A Funds (\$000's) |
|------------------|--|---|----------------------|---------------------------|
| 2016-2017 | | | | |
| 52 | Measure A Program Budget | Program Budget | 400 | 400 |
| 53 | City-Wide Sign/Striping | Operating Budget | 150 | 150 |
| 54 | Indirect Cost Rate | Overhead | 0 | 0 |
| 55 | Operating transfer to pay COPs debt service. | Debt Service | 1,322 | 1,322 |
| 56 | Operating Transfer to pay 2005 Lease Revenue Bond Debt Service | Debt Service | 1,117 | 1,117 |
| 57 | Library DIF Loan Repayment | Loan for Nason/Cactus Street Improvements | 750 | 750 |
| 58 | Annual ADA Compliant Curb Ramp | Street Improvement | 0 | 0 |
| 59 | Bridge Repair Maintenance Program | Maintenance Program | 0 | 0 |
| 60 | Citywide Annual Pavement Resurfacing | Street Improvement | 0 | 0 |
| 61 | Pavement Rehabilitation and Slurry Seal Program | Street Improvement | 0 | 0 |
| 62 | Residential Traffic Management Program | Speed Hump Program | 0 | 0 |
| 63 | Street Improvement Program | Street Improvement | 0 | 0 |
| TOTALS | | | 3,739 | 3,739 |

**RIVERSIDE COUNTY TRANSPORTATION COMMISSION
MEASURE A LOCAL FUNDS PROGRAM
FY 2014 - 2018**

Agency: City of Moreno Valley

Page 6 of 6

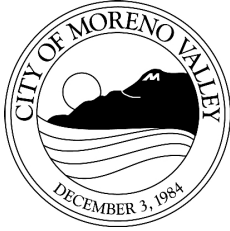
Prepared by: Linda wilson

Phone #: 951-413-3132

Date: April 23, 2013

Estimated Prior Year Measure A Balance: -
Estimated FY 2017-2018 Measure A Allocation: 3,530,000
Estimated Measure A Available for FY 2017-2018 Projects: 3,530,000

| Item No. | Project Name / Limits | Project Type | Total Cost (\$000's) | Measure A Funds (\$000's) |
|------------------|--|---|----------------------|---------------------------|
| 2017-2018 | | | | |
| 64 | Measure A Program Budget | Program Budget | 100 | 100 |
| 65 | City-Wide Sign/Striping | Operating Budget | 100 | 100 |
| 66 | Indirect Cost Rate | Overhead | 0 | 0 |
| 67 | Operating transfer to pay COPs debt service. | Debt Service | 1,322 | 1,322 |
| 68 | Operating Transfer to pay 2005 Lease Revenue Bond Debt Service | Debt Service | 1,117 | 1,117 |
| 69 | Library DIF Loan Repayment | Loan for Nason/Cactus Street Improvements | 750 | 750 |
| 70 | Annual ADA Compliant Curb Ramp | Street Improvement | 0 | 0 |
| 71 | Bridge Repair Maintenance Program | Maintenance Program | 0 | 0 |
| 72 | Citywide Annual Pavement Resurfacing | Street Improvement | 100 | 100 |
| 73 | Pavement Rehabilitation and Slurry Seal Program | Street Improvement | 41 | 41 |
| 74 | Residential Traffic Management Program | Speed Hump Program | 0 | 0 |
| 75 | Street Improvement Program | Street Improvement | 0 | 0 |
| TOTALS | | | 3,530 | 3,530 |



| APPROVALS | |
|----------------|--------------|
| BUDGET OFFICER | <i>April</i> |
| CITY ATTORNEY | <i>SMB</i> |
| CITY MANAGER | <i>MJD</i> |

Report to City Council

TO: Mayor and City Council and the City Council Acting as the Successor Agency

FROM: Ahmad R. Ansari, P.E., Public Works Director/City Engineer

AGENDA DATE: April 23, 2013

TITLE: APPROVE AND EXECUTE AGREEMENT FOR CONVEYANCE OF PROPERTY FOR PARTIAL ACQUISITION OF APN'S 488-080-003 AND 488-080-012 FOR THE SR-60/MORENO BEACH INTERCHANGE IMPROVEMENTS PROJECT – PROJECT NO. 801 0038 70 77

RECOMMENDED ACTION

Recommendations:

1. Approve the Agreement for Conveyance of Real Property with LCTH Investment, LP, for partial acquisition of APN's 488-080-003 and 488-080-012 for the SR-60/Moreno Beach Interchange Improvements project.
2. Authorize the City Manager to execute the Agreement for Conveyance of Real Property and authorize the Public Works Director/City Engineer to approve any changes subject to the approval of the City Attorney.
3. Authorize the issuance of a Purchase Order for \$222,317 (\$212,317 for the acquisition purchase price plus \$10,000 for escrow closing fees) when the Agreement has been signed by all parties.

BACKGROUND

The overall purpose of the SR-60/Moreno Beach Interchange Improvements Project is to provide operational improvements to facilitate movement at and near the SR-60/Moreno Beach Drive Interchange, alleviate existing traffic congestion, increase storage capacity and to address the existing roadway and bridge deficiencies at this

interchange. This project is needed to improve safety, bring the bridge features up to current standards, and provide acceptable levels of service along the facility.

The SR-60/Moreno Beach project is being designed and constructed in two phases. Phase 1 construction is currently improving the south side of the interchange, and Phase 2 will reconfigure the north side ramps, replace the bridge over SR-60, and install a portion of the master-planned Line K-1 drainage system along Ironwood Avenue.

From 2009 through present, the City has been progressing in the steps necessary for the acquisition of right-of-way needed for the interchange project. On December 4, 2012, City Council, in closed session, authorized staff to negotiate and settle for one final parcel (APN's 488-080-003 and 488-080-012; Caltrans Parcel 21448-1). The owner is LCTH Investments, LP.

DISCUSSION

The City is acquiring a fee take of 35,094 square feet on the south side of APN's 488-080-003 and 488-080-012, the property located north of the SR-60 freeway and immediately east of the Nason Basin.

An appraisal of the parcel was prepared on April 18, 2012. Overland, Pacific & Cutler, the City's acquisition consultants, presented the written offer to the property owner and an amicable settlement was reached.

The owner has agreed to a purchase price of \$212,317. Escrow closing fees are estimated to not exceed \$10,000. The acquisition of APN's 488-080-003 and 488-080-012 exceeds the \$100,000 threshold of the City Manager's signature authority; therefore, it requires the Agreement for Conveyance of Property to be approved by the City Council.

The property owner has accepted the offer and both parties are completing negotiations on the Agreement terms. Therefore, staff is requesting that the Public Works Director/City Engineer authorize any changes that may be requested by either the City or the property owner, subject to the approval of the City Attorney. It is prudent to approve the agreement at this time prior to its finalization in order to secure the arrangement.

Since this parcel is the final offer to be accepted, the acquisition of this parcel will allow the City to move forward with the certification of right-of-way for the north side of the SR-60/Moreno Beach Interchange, and to seek funds for construction.

ALTERNATIVES

1. Approve and authorize the recommended actions as presented in this staff report. *This alternative allows the City to acquire the land needed for the construction of the SR-60/Moreno Beach Interchange Improvements project.*
2. Do not approve and authorize the recommended actions as presented in this staff report. *This alternative will result in delaying acquisition of the land required for the construction of the SR-60/Moreno Beach Interchange Improvements project.*

FISCAL IMPACT

Funding for the proposed acquisition is included in the Fiscal Year 2012/2013 Capital Improvement Plan budget and is funded by the Successor Agency Tax Allocation Bonds (Fund 4821). There is no impact to the General Fund.

AVAILABLE FUNDS – FY 2012/2013

| | |
|---|---------------------|
| Successor Agency 2007 Tax Allocation Bonds | |
| (Account 4821-70-77-80001) (Project No. 801 0038 70 77-4821)..... | \$ 5,087,000 |
| Transportation Uniform Mitigation Fees | |
| (Account 3003-70-77-80001) (Project No. 801 0038 70 77-3003)..... | <u>\$ 3,500,000</u> |
| Total FY 2012/2013 Project Budget | \$ 8,587,000 |

ESTIMATED COSTS – FY 2012/2013

| | |
|---|--------------------------|
| Construction and Construction Support (Phase 1) | \$ 8,262,000 |
| Partial Acquisition of APN's 488-080-003 and 488-080-012 | <u>\$ 222,000</u> |
| Total Estimated Cost | \$ 8,484,000 |

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

The partial acquisition of APN's 488-080-003 and 488-080-012, along with other properties needed for the project, will allow the City to move forward with Phase 2 of the SR-60/Moreno Beach Interchange Improvements Project. It is requested that the City Council approve the Agreement for Conveyance of Property and authorize the issuance of a Purchase Order for the acquisition purchase price plus the escrow closing fees.

ATTACHMENTS

- Attachment 1: Location Map
- Attachment 2: Agreement for Conveyance of Property

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

Department Head Approval:
Ahmad R. Ansari, P.E.
Public Works Director/City Engineer

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

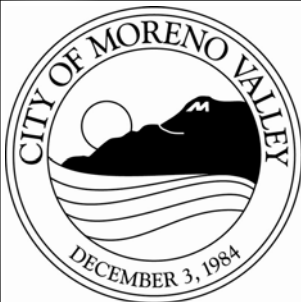
Concurred By:
Barry Foster
Community & Economic Development
Director

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

Date: 04 Apr 13 - 11:36 am
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User: deepok



NOT TO SCALE



Public Works Department
Capital Projects Division

Scale: None

ATTACHMENT 1

LOCATION MAP

STATE ROUTE 60 & MORENO BEACH DRIVE
INTERCHANGE IMPROVEMENTS

PROJECT NUMBER 801 0038 70 77 4821

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AGREEMENT
FOR CONVEYANCE OF PROPERTY

THIS AGREEMENT is entered into by and between, LCTH Investment, LP, a California Limited Partnership ("Grantor"), and the CITY OF MORENO VALLEY, a municipal corporation ("Grantee").

RECITALS

A. Grantor owns certain real property located on the north side of State Route 60 Freeway, east and west of unimproved Oliver Street, within the corporate limits of the City of Moreno Valley, California bearing Assessor Parcel No. 488-080-003, & 488-080-012 (the "Larger Parcel").

B. Grantee is proceeding with a capital improvement known as the State Route 60/Moreno Beach Drive Interchange Improvement Project. The purpose of the project is to alleviate congestion, enhance freeway access, and replace the existing bridge over State Route 60, ("Project"). Grantee desires to purchase a fee interest, of 35,094 square feet, in a portion of the Larger Parcel, and Grantor desires to sell and convey a fee interest, in a portion of the Larger Parcel, described in Exhibit "A", and depicted in exhibit "B" (the "Property") attached hereto.

C. The parties desire by this Agreement to provide the terms and conditions for the purchase and sale of the Property.

AGREEMENT

The parties therefore agree as follows:

1. PURCHASE

Grantee agrees to buy and Grantor agrees to sell and convey the Property for the purchase price and upon the terms and conditions hereinafter set forth. The Purchase Price, defined below, is acknowledged by both parties to be fair market value for the Property.

2. ESCROW

Upon execution of this Agreement by all parties, Grantee shall open an escrow (the "Escrow") with Lawyers Title Company (the "Escrow Holder") for the purpose of consummating the purchase and sale of the Property. The parties hereto shall execute and deliver to Escrow Holder such escrow instructions prepared by Escrow Holder as may be required to consummate this transaction. Any such instructions shall not conflict with, amend, or supersede any provision of this Agreement. If there is any inconsistency between such instructions and this Agreement, this Agreement shall control unless the parties agree in writing otherwise. The Escrow Instructions shall include the following terms and conditions of sale:

2.1 PURCHASE PRICE

The total purchase price for the Property shall be the lump sum of Two Hundred Twelve Thousand Three Hundred Seventeen Dollars (**\$212,317.00**) which shall be paid by Grantee to Grantor through Escrow Holder at Close of Escrow.

2.2 CLOSE OF ESCROW

Escrow shall close on or before forty-five (45) days following the execution of this Agreement (the "Close of Escrow"). If the Escrow is not in a condition to close by the Close of Escrow, any party who is not then in default may, in writing, demand the return of its/his/her money and/or documents. Thereupon, subject to the provisions in paragraph 3, all obligations and liabilities of the parties under this Agreement shall cease and terminate. If no such demand is made, Escrow shall be closed as soon as possible.

2.3 CONDITION OF TITLE TO THE PROPERTY

Grantor shall convey title to the Property to Grantee as evidenced by a CLTA Standard Form Policy or Binder of Title Insurance ("Title Policy") issued by a title insurance company to be selected by Grantee in an amount equal to the purchase price. As a condition of Grantee's obligation to close, the Title Policy shall show as exceptions with respect to the Property only matters approved in writing by Grantee. Any exceptions to title representing monetary liens or encumbrances caused by, through or under Grantor, are hereby disapproved by Grantee, and Escrow Holder is hereby authorized and instructed to cause the reconveyance, partial reconveyance, or subordination, as the case may be, of any such monetary exceptions to Grantee's title to the Property at or prior to the Close of Escrow.

2.4 ESCROW AND CLOSING COSTS

Grantee shall pay the cost of the Title Policy, all Escrow fees (including reconveyance fees, trustee's fees or forwarding fees for any partial reconveyance or subordination of a deed of trust or mortgage), and all recording costs incurred herein. All parties acknowledge that Grantee is exempt from payment of documentary transfer taxes.

2.5 INVESTIGATIONS

Prior to the Close of Escrow, Grantee may, at its option, conduct, at Grantee's expense, any and all investigations, inspections, surveys, and tests of the Property including, without limitation, soils, groundwater, wells, percolation, geology, environmental (but no invasive Phase II testing), drainage, engineering and utilities investigations, inspections, surveys, and tests, which determines, in its sole discretion, are required to determine the suitability of the Property for Grantee's intended use thereof. If Grantee determines that the Property is not suitable for its intended use, Grantee may disapprove this item and terminate this Agreement as provided at Section 2.2 above. Grantor hereby grants to Grantee, and Grantee's employees, representatives, agents and independent contractors, a license to enter the Property for purposes of conducting such investigations, inspections, surveys, and tests. Grantee shall repair any damage to the Property resulting from such investigations, inspections, surveys, and tests conducted by Grantee or Grantee's employees, representatives, agents or independent contractors. Grantee's approval of any of such investigations, inspections, surveys, or tests shall not alter or diminish Grantor's representations or warranties under this Agreement, and Grantor acknowledges and agrees that Grantee is relying upon Grantor's representations and warranties made herein, unless such representation or warranty is specifically waived in whole or in part by Grantor.

2.6 DEPOSIT OF FUNDS AND DOCUMENTS

(a) Prior to Close of Escrow, Grantee shall deposit into Escrow (i) all Escrow and Closing Costs as described above; (ii) the purchase price to be paid to Grantor through Escrow; and (iii) such other documentation as is necessary to close Escrow in conformance herewith.

(b) Prior to the Close of Escrow, Grantor shall deposit into Escrow (i) the properly executed Grant Deed conveying the Property, and (ii) such other documents and sums, if any, as are reasonably necessary to close Escrow in conformance herewith.

2.7 GRANTEE'S CONDITIONS PRECEDENT TO CLOSE OF ESCROW

The Close of Escrow is subject to the following conditions:

(a) All representations and warranties of Grantor set forth in this Agreement shall be true and correct as of the Close of Escrow; and

(b) Grantor shall timely perform all obligations required by the terms of this Agreement to be performed by them.

2.8 GRANTOR'S CONDITIONS PRECEDENT TO CLOSE OF ESCROW

For the benefit of Grantor, the Close of Escrow shall be conditioned upon the timely performance by Grantee of all obligations required of Grantee by the terms of this Agreement.

3. POSSESSION

Grantee requires the immediate use and possession of the Property for purposes of the Project. One of the purposes of this Agreement is to allow Grantee to acquire rights in the Property and proceed with construction of improvements on the Property in connection with the Project, without delay. With respect to the use and possession of the Property, Grantee and Seller therefore agree as follows:

(a) Seller hereby grants to Grantee, its contractors, agents and all others acting on behalf of Grantee, the irrevocable and immediate right to possession and use of the Property. Right of possession will be effective immediately upon Opening of Escrow.

(b) As consideration for this irrevocable and immediate grant of possession and use, concurrent with the Opening of Escrow, Grantee will deposit in Escrow the full amount of the Purchase Price. Grantee's right to possession of the Property shall be conditioned upon and shall commence as of the date upon which such sum is received by Escrow Holder.

(c) Upon taking possession, Grantee shall be solely responsible for the Property and shall defend, indemnify and hold Seller harmless from and against any and all claims arising out of or related to Grantee's possession and use of the Property. If Grantee does not complete the purchase of the Property and this Agreement is terminated as a result of the failure of a condition for Grantee's benefit, Grantee shall, at its sole cost and expense, fully restore the Property to the condition in which it existed immediately prior to Grantee taking possession.

4. REPRESENTATIONS AND WARRANTIES OF GRANTOR

Grantor makes the following representations and warranties, each of which shall survive the Close of Escrow:

(a) Grantor holds title to an indefeasible estate in fee simple in the Property. Grantor is the sole owner of the Property and has good, absolute and marketable title to the Property and has full power and authority to own and sell and convey the Property over, under and/or through the Property to Grantee and to enter into and perform his/her/its obligations pursuant to this Agreement;

(b) The execution and delivery of this Agreement by Grantor, Grantor's performance hereunder, and the consummation of this transaction will not constitute a violation of any order or decree or result in the breach of any contract or agreement to which Grantor is at present a party, or by which Grantor is bound;

(c) Grantor will not enter into any agreements or undertake any new obligations prior to Close of Escrow which will in any way burden, encumber or otherwise affect the Property without the prior written consent of Grantee; and

(d) To Grantor's knowledge, no litigation and no governmental, administrative or regulatory act or proceeding regarding the environmental, health and safety aspects of the Property is pending, proposed or threatened;

(e) Grantor has and shall have paid before Close of Escrow any and all current and past due taxes, assessments, penalties and interest levied and assessed against the Property. If not paid prior to Close of Escrow, Grantor hereby authorizes Escrow Holder to disburse to the taxing authority from funds otherwise due to Grantor an amount sufficient to discharge said taxes, assessments, penalties and interest.

5. ACKNOWLEDGMENT OF FULL BENEFITS AND RELEASE

(a) By execution of this Agreement, Grantor, on behalf of their respective heirs, executors, administrators, successors and assigns, hereby acknowledge that this Agreement provides full payment for the acquisition of the Property by Grantee, and Grantor hereby expressly and unconditionally waives any and all claims for damages, relocation assistance benefits, severance damages, interest, loss of goodwill, claims for inverse condemnation or unreasonable precondemnation conduct, or any other compensation or benefits, other than as already expressly provided for in this Agreement, it being understood that this is a complete and full settlement of all acquisition claims, liabilities, or benefits of any type or nature whatsoever relating to or in connection with the acquisition of the Property.

(b) This Agreement arose out of Grantee's efforts to acquire the Property through its municipal authority. The parties agree that this Agreement is a settlement of claims in order to avoid litigation and shall not in any manner be construed as an admission of the fair market value of the Property or of the Property or of liability by any party to this Agreement. Grantor, on behalf of herself and her respective heirs, executors, administrators, successors and assigns, hereby fully release Grantee, its successors, agents, representatives, and assigns, and all other persons and associations, known or unknown, from all claims and causes of action by reason of any damage which has been sustained, or may be sustained, as a result of Grantee's

efforts to acquire the Property or to construct works of improvement thereon, or any preliminary steps thereto, except as set forth in Section 5 above. Grantor further releases and agrees to hold Grantee harmless from any and all claims by reason of any leasehold interest in the Property.

(c) Grantor hereby acknowledges that he has been advised by his attorney and is familiar with the provisions of California Civil Code section 1542, which provides as follows:

"A general release does not extend to claims which the Creditor does not know or suspect to exist in his favor at the time of executing the release, which if known by him must have materially affected his settlement with the debtor."

Grantor acknowledges that he may have sustained damage, loss, costs or expenses which are presently unknown and unsuspected, and such damage, loss, costs or expenses which may have been sustained, may give rise to additional damage, loss, costs or expenses in the future. Nevertheless, Grantor hereby acknowledges that this Agreement has been negotiated and agreed upon in light of that situation, and hereby expressly waive any and all rights which they may have under California Civil Code section 1542, or under any statute or common law or equitable principal of similar effect, except as set forth in Section 5 above.

This acknowledgment and release shall survive the Close of Escrow.

6. REMEDIES

If Grantor defaults under this Agreement, then Grantee may, at Grantee's option, terminate the Escrow or initiate an action for specific performance of this Agreement, or pursue any other rights or remedies that Grantee may have at law or in equity. If Grantee defaults under this Agreement, then Grantor may, at Grantor's option, terminate the Escrow or pursue any rights or remedies that Grantor may have at law or in equity.

7. MISCELLANEOUS

(a) Notice. Any notice to be given or other document or documents to be delivered to either party by the other hereunder may be delivered in person or may be deposited in the United States Mail in the State of California, duly registered or certified, with postage prepaid, and addressed as follows:

Grantor: LCTH Investment, LP
1000 Dove St. Suite, 100
Newport Beach, CA 92660
Attn: Nelson Chung

Grantee: City of Moreno Valley
14177 Frederick Street
P. O. Box 88005
Moreno Valley, CA 92552-0805
Attn: Margery Lazarus, Senior Engineer

Any party hereto may, from time to time, by written notice to the other parties, designate a different address, which shall be substituted for the one specified above. Any notice or other documents sent by registered or certified mail as aforesaid shall be deemed to have been

effectively served or delivered at the expiration of twenty-four (24) hours following the deposit of said notice or other documents in the United States mail.

(b) Time of Essence. Time is of the essence with respect to each and every provision hereof.

(c) Assignment. Neither this Agreement, nor any interest herein, shall be assignable by any party without prior written consent of the other party.

(d) Governing Law. All questions with respect to this Agreement, and the rights and liabilities of the parties hereto, shall be governed by the laws of the State of California.

(e) Inurement. This Agreement shall inure to the benefit of, and shall be binding upon, the assigns, successors in interest, personal representatives, estates, heirs and legatees of each of the parties hereto.

(f) Attorneys Fees. If any legal action, arbitration or other proceeding is brought for the interpretation or enforcement of this Agreement, or because of any alleged dispute, breach, default or misrepresentation in connection with the Agreement, the successful or prevailing party shall be entitled to recover actual attorneys fees (including fees for in-house counsel, paraprofessionals and similar personnel and disbursements) and other costs it incurs in that action or proceeding, in addition to any other relief to which it may be entitled. The parties agree that actual attorneys' fees shall be based on attorney's fees actually incurred (based on the attorneys' customary hourly billing rates including, but not limited to, equivalent rates for in-house counsel) rather than the court or arbitrator making an independent inquiry concerning reasonableness. The venue of any such action, arbitration, lawsuit or other proceeding or litigation may, at the option of the Grantee, be laid in Riverside County, California, and the parties waive any right to change of venue.

(g) Entire Agreement. This Agreement contains the entire Agreement of the parties hereto, and supersedes any prior written or oral agreements between them concerning the subject matter contained herein. There are no representations, agreements, arrangements, or understandings, oral or written, between the parties hereto, relating to the subject matter contained in this Agreement which are not fully expressed herein.

(h) Additional Documents. The parties hereto agree to execute any and all additional documents and instruments necessary to carry out the terms of this Agreement.

(i) Confidentiality. Grantor will keep confidential the terms of this Agreement and refrain from disclosing or causing same to be disclosed to any person or entity not specifically released herein. In no event, however, shall Grantor be required to refrain from disclosing the terms of this Agreement where: (i) she is legally required to do so, whether by statute, court order, process or otherwise; or (ii) disclosure is required or necessary to enforce any right, duty, obligation or release arising under the terms of this Agreement; or (iii) disclosure is required or necessary in order for Grantor, or any of her agents or employees, to maintain or compile her personal or business books or records; or (iv) disclosure is necessary or required in order for Grantor, or any of her agents or employees, to prepare and file income tax returns or any other forms required by any governmental, administrative or regulatory entities, boards or authorities.

(j) No Admissions. This Agreement is a compromise and settlement of outstanding claims between the parties relating to Grantee's acquisition of the Property and shall

never be treated as an admission by either party to the Agreement for any purpose in any judicial, arbitration or administrative proceeding between the parties. This paragraph shall not apply to any claim that one may have against the other for breach of any provision or covenant of this Agreement.

(k) No Merger. All representations, warranties, acknowledgments, releases, covenants and obligations contained in this Agreement shall survive delivery and recordation of the Grant Deed for the Property

(l) Ratification. This Agreement is subject to approval and ratification by the City Council of the City of Moreno Valley.

(m) Broker. Grantor and Grantee each represent and warrant to the other that no broker, agent or finder has been engaged by it in connection with the transaction contemplated by this Agreement and that all negotiations relative to these instructions and this transaction have been carried out by such party directly with the other party without the intervention of any person in such a manner as to give rise to any valid claim against either of the parties for a broker's commission, finder's fee or other like payment. Each of the parties shall indemnify and defend the other party and hold it harmless from any and all loss, damage, liability or expense, including costs and reasonable attorneys' fees, which the other party may incur or sustain by reason of or in connection with any misrepresentation or breach of warranty by the indemnifying party with respect to the foregoing.

(n) Counterparts. This Agreement may be signed in counterpart or duplicate copies, and any signed counterpart or duplicate copy shall be equivalent to a signed original for all purposes.

(o) Legal Advice and Review. The parties hereby acknowledge that they have entered into this Agreement upon their own volition and have not relied upon the other party for any interpretation or legal advice relating hereto. The parties acknowledge that they have had an opportunity to have this Agreement reviewed by legal counsel of their choice. Therefore, the parties acknowledge their intent that this Agreement be construed as having been jointly created and that neither party shall be determined to be the drafter hereof.

(Signatures on following page)

EXECUTED on the date or dates set forth below. This Agreement shall be effective as of the date signed by all parties.

DATED: _____

Grantor:

LCTH Investment, LP, a California Limited Partnership

DATED: _____

Grantee:

CITY OF MORENO VALLEY

City Manager

APPROVED AS TO FORM:

City Attorney

Exhibit "A" Fee Interest

In the City of Moreno Valley, County of Riverside, State of California, being a portion of Lot 8 in Block 27 of Otis Subdivision, Filed in Book 12, Page 12 of Maps in the Office of the County Recorder of San Bernardino County, together with that portion of Oliver Street within said Block 27 lying easterly and adjacent to said Lot 8, and a portion of Lot 5 in Block 28 of Map No. 1, Bear Valley and Alessandro Development Company, Filed in Book 11, Page 10 of Maps in the Office of the County Recorder of San Bernardino County, together with the east half of Oliver Street within said Block 28, more particularly described as follows:

BEGINNING at the southeast corner of Parcel "A" as described in Grant Deed to the Riverside County Flood Control and Water Conservation District recorded September 15, 2006 as Document No. 2006-0684628, Official Records of Riverside County, also being a point on the west line of said Lot 8, also being the beginning of Course "A"; thence North 89°06'41" East, along said Course "A", a distance of 1052.31 feet to the beginning of Course "B"; thence North 80°48'57" East, along said Course "B", a distance of 272.42 feet to a point on the east line of said Lot 5, said point being distant South 00°26'18" West, along said east line, a distance of 1067.76 feet from the northwest corner of Lot 3 in said Block 28; thence South 00°26'18" West, along said east line, a distance of 73.42 feet to the north line of that certain parcel of land described in Grant Deed to the State of California recorded December 27, 1962 as Instrument No. 119152, Official Records of said County; thence along said north line the following six courses:

South 88°39'33" West, a distance of 186.49 feet,
 North 80°32'23" West, a distance of 443.76 feet to the east right-of-way line of Oliver Street,
 North 89°32'44" West, a distance of 60.00 feet to the west line of Oliver Street,
 North 89°33'04" West, a distance of 366.45 feet,
 North 84°24'27" West, a distance of 100.38 feet,
 North 89°33'04" West, a distance of 164.05 feet to the POINT OF BEGINNING.

Containing 35,094 square feet of land, more or less.

This conveyance is made for the purpose of a freeway and the grantor hereby releases and relinquishes to the grantee any and all abutter's rights, including access rights, appurtenant to grantor's remaining property, in and to said freeway, over and across said Courses "A" and "B".

The bearings and distances used in the above description are based on the California Coordinate System of 1983, Zone 8. Multiply distances shown by 1.000063554 to obtain ground level distances.

This real property description has been prepared by me, or under my direction, in conformance with the Professional Land Surveyors' Act.

Signature

Janeen Nedlik
 Janeen Nedlik, L.S. 7563

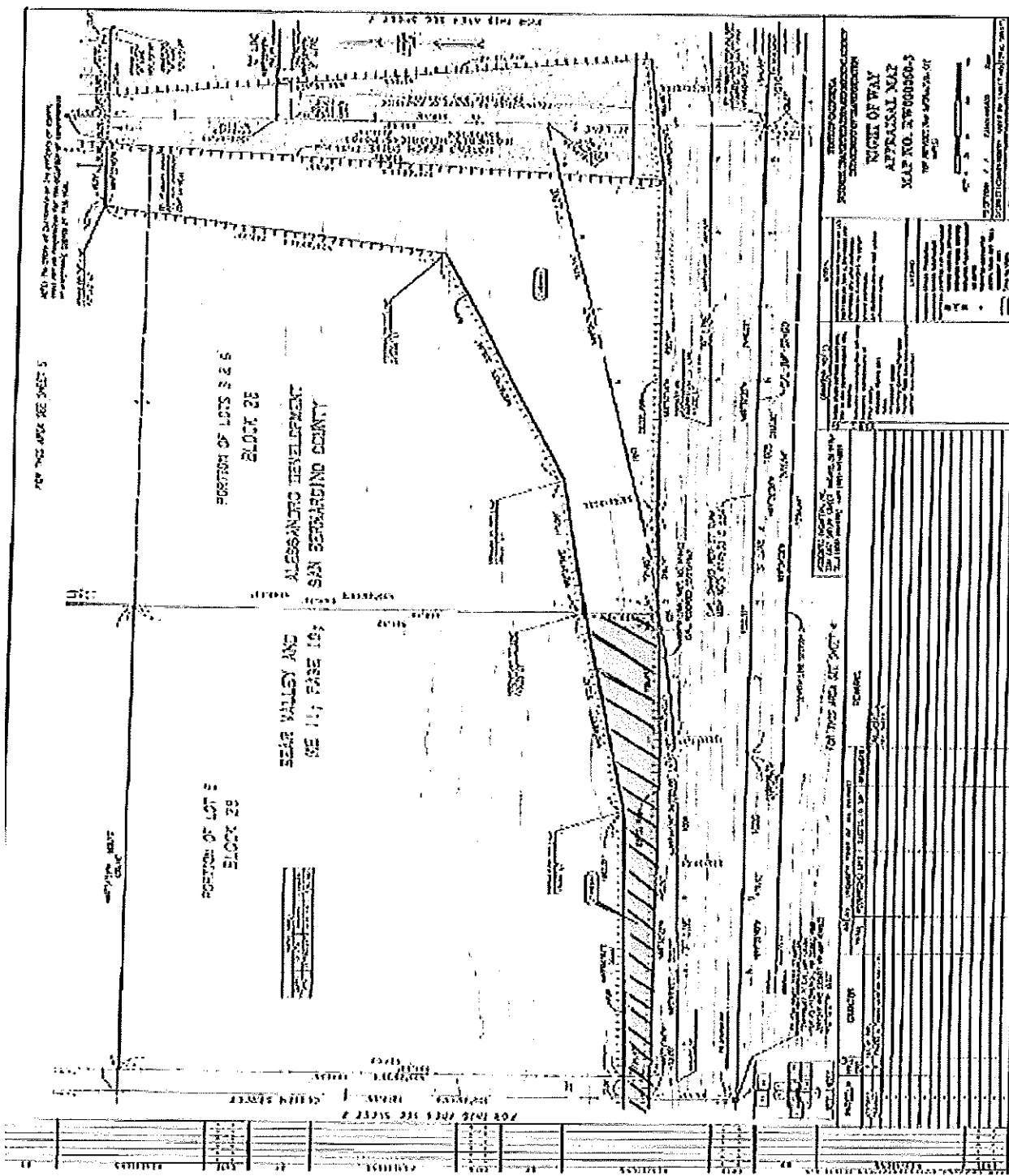
Date

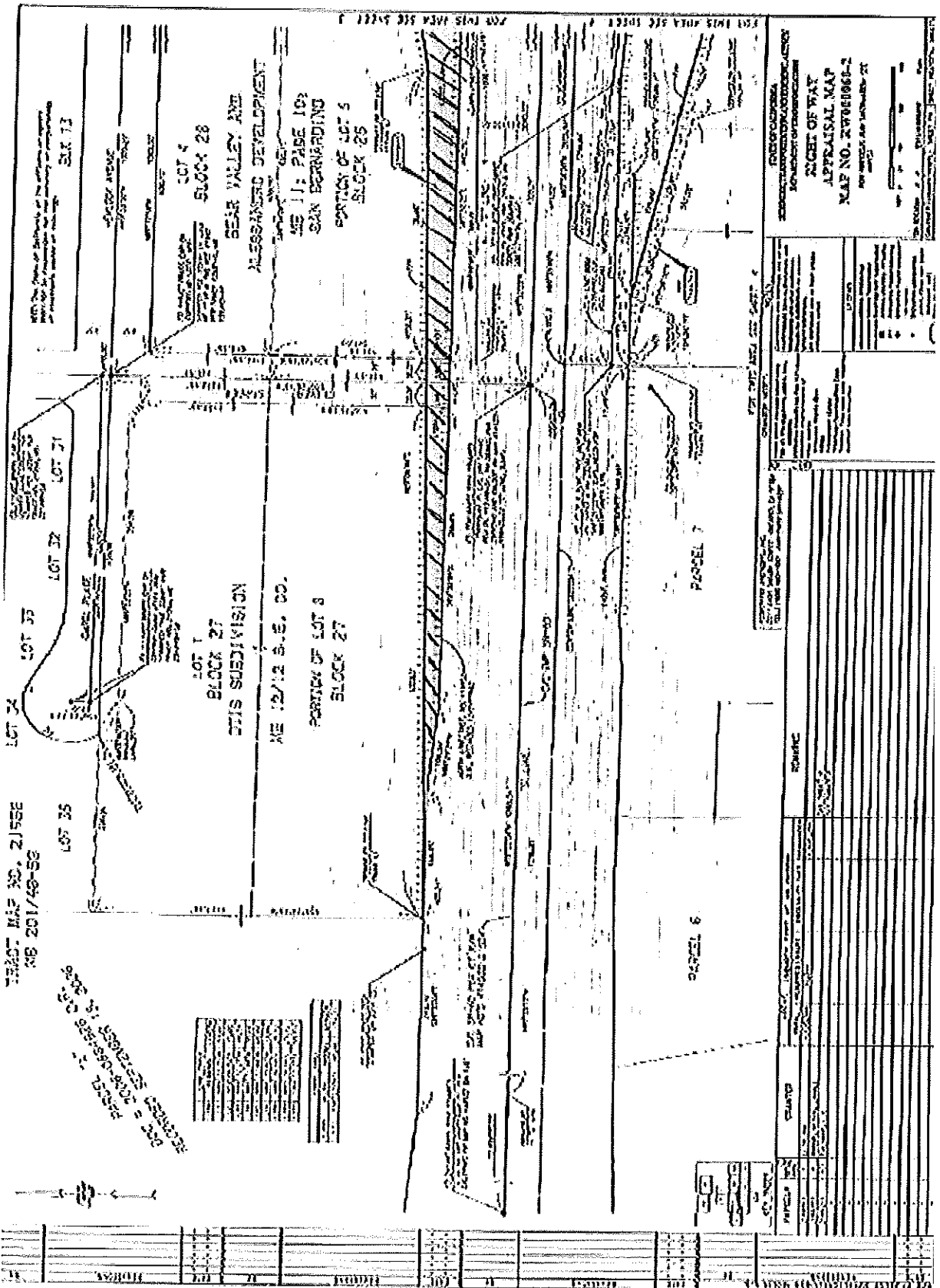
April 3, 2013



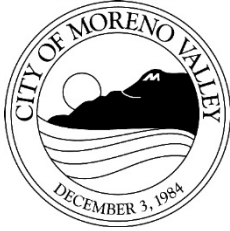
08-RIV-60-PM 18,95-21448(21448-1)

Exhibit "B" ROW Map





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| APPROVALS | |
|----------------|--------------------|
| BUDGET OFFICER | <i>[Signature]</i> |
| CITY ATTORNEY | <i>[Signature]</i> |
| CITY MANAGER | <i>[Signature]</i> |

Report to City Council

TO: Mayor and City Council

FROM: Ahmad R. Ansari, P.E., Public Works Director/City Engineer

AGENDA DATE: April 23, 2013

TITLE: RATIFICATION OF GRANT PROPOSAL SUBMITTAL FOR THE SURFACE TRANSPORTATION PROGRAM (STP)

RECOMMENDED ACTION

Recommendations:

1. Ratify the submittal of a grant proposal to the Riverside County Transportation Commission (RCTC) for the Surface Transportation Program (STP).

BACKGROUND

The Riverside County Transportation Commission (RCTC) has identified that the current federal transportation act, Moving Ahead for Progress in the 21st Century (MAP-21) as part of the STP, will set aside \$13.8 million of federal funding for rehabilitation projects in Fiscal Years 2013/2014, 2014/2015, and 2015/2016. The total allocation amount for the City of Moreno Valley was approximately \$1,084,000.

On March 26, 2013 the City Council authorized the submittal of the grant proposal to the RCTC and adopted Resolution No. 2013-19 committing to provide local matching funds at a minimum of 11.47% of the total project cost as required by the STP. In addition, the STP requires that streets to be selected to receive federal funding shall be classified either arterial or collector streets in the National Highway System (NHS). The grant proposal included two segments of Dracaea Avenue, two segments of Bay Avenue, and one segment of Elsworth Street. The Dracaea Avenue and Bay Avenue segments are considered collector streets in accordance with the Moreno Valley City standard plans.

DISCUSSION

On April 3, 2013, RCTC informed the City that the City's grant proposal streets of Dracaea Avenue and Bay Avenue do not meet the requirements as collector streets at the federal level and are not currently listed in the NHS and, therefore, are ineligible to receive STP funding. In order to retain the City's eligibility to receive the federal grant monies, staff immediately revised and resubmitted the grant proposal to substitute Dracaea Avenue and Bay Avenue with Frederick Street from Sunnymead Boulevard to Alessandro Boulevard. Frederick Street is classified as an arterial street in the NHS and meets the requirements of the STP, which essentially involves resurfacing, restoration, rehabilitation, and preventative maintenance.

Frederick Street from Sunnymead Boulevard to Alessandro Boulevard, is listed in the Citywide Annual Pavement Resurfacing Program in the City Council approved Fiscal Year 2012/2013 Capital Improvement Plan (CIP) budget as funds become available. Streets are prioritized and selected for pavement rehabilitation based on the Pavement Condition Index (PCI) rating and vehicle usage traffic counts. Therefore, the City Council is requested to ratify the grant proposal submittal with Frederick Street from Sunnymead Boulevard to Alessandro Boulevard being nominated for rehabilitation.

The current cost estimate for rehabilitating Frederick Street is at \$1,240,000. With an amount of \$1,084,000 available from STP funds, the City will need to provide matching funds of approximately \$156,000 to meet the minimum of 11.47% of the total project cost as required by STP. The project will include Elsworth Street from Cactus Avenue to Business Center Drive, at an estimated cost of \$250,000, as an additive alternate bid street in the event that favorable bids are received by the City.

ALTERNATIVES

1. Approve and authorize the recommended action as presented in this staff report. *This alternative will provide for the ratification of the grant proposal allowing the City to receive funding from RCTC under STP for the construction of needed street pavement rehabilitation.*
2. Do not approve and authorize the recommended action as presented in this staff report. *This alternative will delay the ratification of the grant proposal and prevent the City from obtaining funding from RCTC under STP and delay the construction of needed street pavement rehabilitation.*

FISCAL IMPACT

Per the STP requirements, the federal reimbursement ratio for the project cost will be 88.53%, with the City's match of 11.47% at the minimum. For this project, approximately \$1,084,000 of STP funds will be available for the City of Moreno Valley. The City's matching funds will be approximately \$156,000 and will be from Measure "A"

funds in the Citywide Annual Pavement Resurfacing Program budget. RCTC requires local agencies to fund the project development work with local funds and identify federal STP funds for the construction phase. The City is currently working to complete the design with the remaining funds in the Citywide Annual Pavement Resurfacing Program budget. There is no impact to the General Fund.

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.

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.

SUMMARY

Riverside County Transportation Commission (RCTC) is accepting Surface Transportation Program (STP) grant proposals for street reconstruction and rehabilitation. Staff recommends that the City Council ratifies the submitted grant proposal for the STP to obtain funding for pavement rehabilitation for the selected streets.

ATTACHMENT

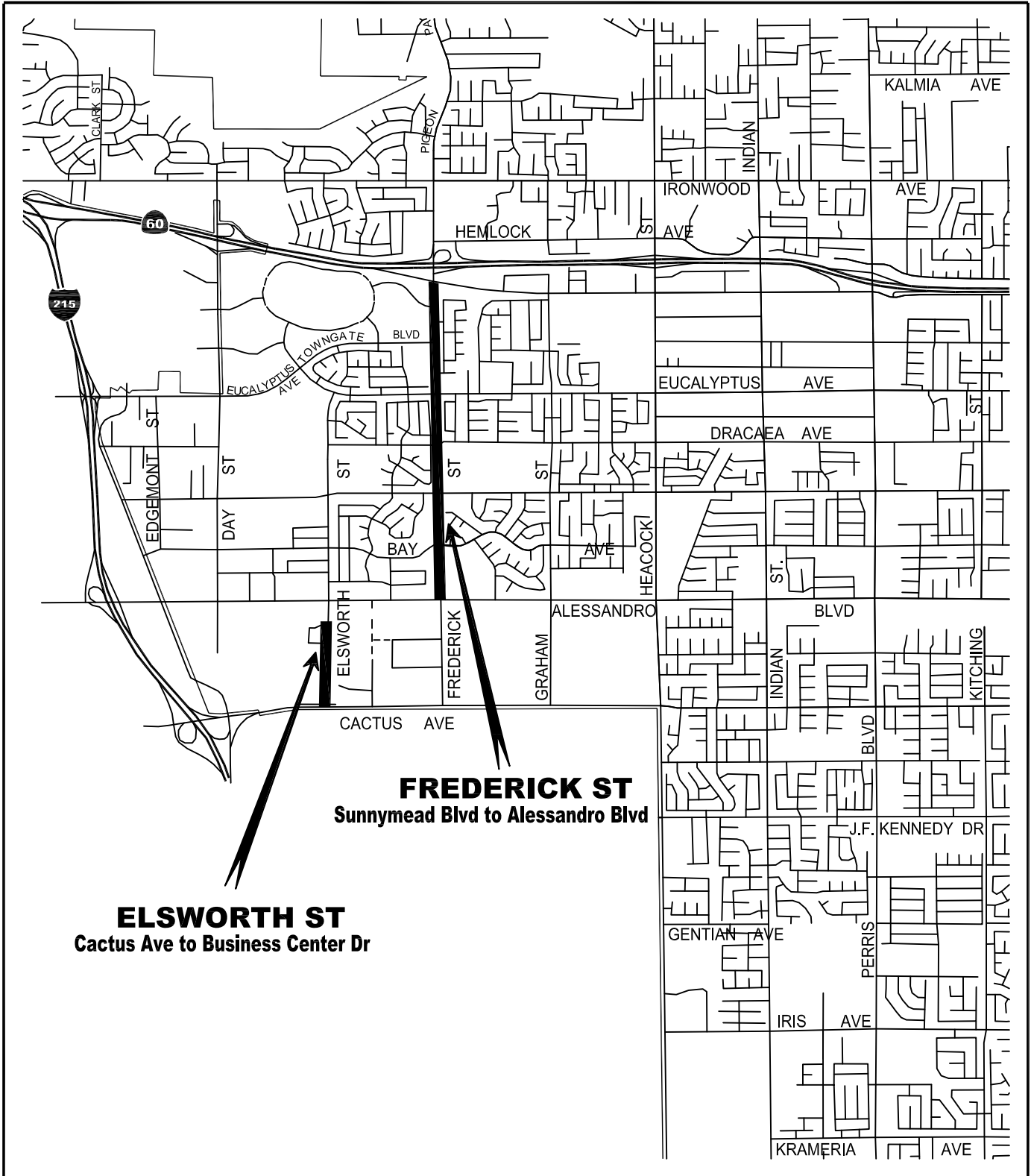
Attachment 1: Location Map

Prepared By:
Quang Nguyen, P.E.
Senior Engineer

Department Head Approval:
Ahmad R. Ansari, 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: |



FREDERICK ST
Sunnymead Blvd to Alessandro Blvd

ELSWORTH ST
Cactus Ave to Business Center Dr

LOCATION MAP

Public Works Department
Capital Projects Division

Attachment 1

PROPOSED STREETS
FOR PAVEMENT REHABILITATION
STP GRANT PROPOSAL



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| APPROVALS | |
|----------------|--------------------|
| BUDGET OFFICER | <i>[Signature]</i> |
| CITY ATTORNEY | <i>[Signature]</i> |
| CITY MANAGER | <i>[Signature]</i> |

Report to City Council

TO: Mayor and City Council

FROM: Barry Foster, Community & Economic Development Director

AGENDA DATE: April 23, 2013

TITLE: 3-YEAR ECONOMIC DEVELOPMENT ACTION PLAN

RECOMMENDED ACTION

Recommendation:

1. Approve the 3-Year Economic Development Action Plan.

ADVISORY BOARD/COMMISSION RECOMMENDATION

The City's Economic Development Subcommittee recommends approval of the 3-Year Economic Development Action Plan as drafted.

BACKGROUND

In April 2011, the City adopted a 2-Year Economic Development Action Plan to act as a short term (2 year) strategic plan to help guide the City's economic development efforts in five geographic areas including: 1) Towngate, 2) Centerpointe Business Park, 3) South Moreno Valley Industrial Area, 4) Rancho Belago - East Moreno Valley and 5) City Center. Additionally, the Economic Development Action Plan helped focus Capital Improvement Plan Funding on projects that can help advance Economic Development efforts. During the 2-Year period of the Economic Development Action Plan much has been accomplished in the five geographic areas including the significant project advancement and job creation.

DISCUSSION

The new proposed 3-Year ED Action Plan has been formulated to build upon the 2-Year ED Action Plan, but continues to push many more economic development efforts including even more job creation. The proposed 3-Year ED Action Plan presents the following:

- A new 3-Year ED Action Plan would expand the focus of to nine geographic areas including 1) Edgemont, 2) TownGate, 3) Festival, 4) Sunnymead Blvd., 5) Centerpointe Business Park, 6) South Moreno Valley Industrial Area, 7) City Center & Medical/ Healthcare Corridor, 8) World Logistics Center at Rancho Belago and 9) SR 60 East Corridor.

- The ED Action Plan also includes fourteen objectives aimed at increasing overall economic development efforts with 1) Business Attraction, 2) Business retention and 3) Business Expansion.

ATTACHMENTS

Attachment 1 _ 2013_ 3-Year Economic Development Action Plan

Prepared By:
 Barry Foster
 Community & Economic Development Director

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

ECONOMIC DEVELOPMENT ACTION PLAN 2013-2016

An updated Economic Development Action Plan has been formulated to capitalize on near-term opportunities in eight geographic areas during a 3-year time frame. The focus of the updated Economic Development Action Plan includes the following goals and objectives in the nine recommended geographic areas:

Edgemont

Pursue the revitalization of the Edgemont area through the adoption of a multi-faceted redevelopment strategy.

- Work towards the upgrading the water system to ensure sufficient water pressure to allow for new development projects in this area.
- Use Neighborhood Stabilization program funding to acquire and land bank foreclosed properties- both single-family and multi-family residential.
- Conduct quarterly Neighborhood Clean-up programs.
- Retain a planning consultant to evaluate land uses to establish the highest and best land use designations for redevelopment efforts.
- Pursue a master developer to assist with the planning for redevelopment in the Edgemont area.

TownGate

Collaborate with the Fritz Duda Company and CW Capital towards stabilizing, upgrading and expanding retail and restaurant development opportunities in the TownGate area including the Moreno Valley Mall and the five shopping centers surrounding the regional mall including TownGate Center, TownGate Plaza, TownGate Crossing, TownGate Promenade and TownGate Square

- Continue to work with CW Capital-the owner of the Moreno Valley Mall in upgrading and attracting new users to the regional mall.
- Facilitate the planning and marketing for a 30,000 S.F. expansion project at the Moreno Valley Mall to include a new restaurant, retail and plaza area next to Harkins Theatres.
- Work with the Fritz Duda Company in the re-occupancy of vacant retail spaces and the overall stabilization of TownGate Center including new uses such as ULTA Beauty, BevMo and Planet Fitness.
- Assist in the processing of development plans for new projects in TownGate shopping centers including 24 Hour Fitness Sport, Miguel's Jr. Mexican Restaurant and Richie's Real American Diner.
- Cooperate with the Fritz Duda Company in pursuing the continued development of a 'Restaurant Row' area in TownGate Promenade.

Festival

Cooperate with the Kodash Company and Miller Family Trust-the ownership of the Festival Center, to explore ways to redevelop or enhance the viability of the Festival Center including rehabilitation efforts and incorporating new appropriate land uses.

- Help facilitate attracting new users and the upgrade of the Festival Center.
- Explore developing a new residential component at the Festival Center.
- Explore possibilities with Moreno Valley Unified School District of developing new education facilities at Festival.
- Pursue an overlay study to consider other uses at Festival including possibly cultural & performing arts facilities, along with developing sports or recreation facilities for use by the community to create a mixed-use development concept.

Sunnymead Boulevard

Work towards the further redevelopment of Sunnymead Boulevard, between Frederick Street to Perris Boulevard.

- Conduct a code compliance effort aimed at enhancing the image of Sunnymead Boulevard.
- Pursue new users and development projects for Sunnymead Boulevard.
- Market mixed-use development opportunities for Sunnymead Boulevard that combine new residential projects with retail and office uses.

Centerpointe Business Park

Work with Ridge Property Trust and USAA Real Estate to expand development and business opportunities aimed at completing the Centerpointe Business Park.

- Assist Ridge Property Trust and Harbor Freight Tools (HFT) in the 507,720 S.F. expansion of HFT's Distribution Center at the NW corner of Cactus and Graham.
- Facilitate efforts for a user to occupy USAA's new 522,774 S.F. Centerpointe Logistics Center at the NW corner of Cactus and Frederick.
- Help advance the development of Ridge Property Trust's approved 607,960 S.F. industrial building at the NW corner of Brodiaea and Graham.
- Facilitate expansion plans for the Serta Mattress facility.
- Work with the owner of the Plaza Del Sol Center in stabilizing the center to provide needed shopping and restaurant opportunities in the Centerpointe Business Park area.

South Moreno Valley Industrial Area

Work with seven developers (Alere Property Group, First Industrial Realty Trust, IDS Real Estate Group, Panattoni Development Co., Sares-REGIS Group, Trammell Crow Company & Western RealCo) on new business attraction and development projects in the South Moreno Valley Industrial Area.

- Work with IDS Real Estate Group in securing a business user for the new 769,320 S.F. Nandina Distribution Center.
- Facilitate the completion of Trammell Crow Company's 1,250,000 S.F. I-215 Logistics Center project, including securing a user.

- Cooperate with First Industrial Realty Trust and Panattoni Development Co. in pursuing the speculative development of two industrial buildings with a total of nearly 2 million S.F.
- Assist Sares-REGIS Group and Western RealCo in build-to-suit opportunities for two approved industrial building projects with a total of more than 3.6 million S.F.
- Work with Alere Property Group, First Industrial Realty Trust and Trammell Crow Co. in the planning and entitlements for several new industrial projects with a proposed 4 million S.F.

City Center Medical/Healthcare Corridor

Cooperate with Riverside County Regional Medical Center (RCRMC), Kaiser Permanente, Moreno Valley College and Highland Fairview to help facilitate the further expansion of the City of Moreno Valley's Medical/Healthcare Corridor on Nason Street & Iris Avenue.

- Assist Riverside County with the implementation of the Master Plan for expanding the Riverside County Regional Medical Center including a new Trauma & Urgent Care, relocated & upgraded Operations Support building and facilities for the new UCR School of Medicine.
- Facilitate plans by Kaiser Permanente to expand the Moreno Valley Community Hospital with an expansion and upgrade of the Emergency Room facilities and development of a planned second tower.
- Cooperate with Moreno Valley College and Riverside Community College District in the development of a proposed 30,000 S.F. allied health sciences facility in the medical-healthcare corridor.
- Support the planning and marketing efforts of Highland Fairview to pursue the creation of a master planned 200-acre healthcare campus to be situated within the medical corridor and between the two existing hospitals-RCRMC and Kaiser's Community Hospital.
- Continue the planning and funding of capital improvement projects that will widen and construct the ultimate improvements on Nason Street from SR 60 to Iris Avenue to provide critical access to the two hospitals and the medical/healthcare corridor.
- The continued development of Medical/Healthcare corridor on Nason Street and Iris Avenue shall be the City's top priority for new medical and healthcare development.
- Undertake a study to determine highest and best land uses for the City-owned 60-acre property at the NW corner of Nason and Alessandro.

World Logistics Center at Rancho Belago

Collaborate with Highland Fairview in the development of the World Logistics Center—a 41.6 million S.F. master planned corporate park proposed to be developed on 2,700 acres in the Rancho Belago area of eastern Moreno Valley.

- Process an Environmental Impact Report and preliminary development plans for the World Logistics Center in eastern Moreno Valley—south of SR 60 and east of Redlands Boulevard to Gilman Springs Road.
- Assist in the drafting of a Specific Plan that will guide the orderly development for of World Logistics Center.
- Cooperate with Highland Fairview in the formulation of a Development Agreement to create a public-private partnership to help facilitate the development of new public infrastructure in eastern

Moreno Valley associated with the World Logistics Center including roads, trails, utilities, storm water protection and fire protection facilities.

- Work with Highland Fairview in branding the World Logistics Center as one of the largest e-commerce focused development projects in the U.S.

SR 60 East Corridor

Pursue new development opportunities along the SR 60 East corridor—from Nason Street to the easterly City limits.

- Prepare an Overlay Study to determine the ‘highest and best’ land uses along the SR 60 East Corridor.
- Assist property owners and developers in marketing development opportunities along the SR 60 East Corridor.
- Work on opportunities to expand the Moreno Valley Auto Mall.
- Facilitate the stabilization and further development of Stoneridge Towne Centre and Moreno Beach Plaza.

In addition to activities in the eight geographic areas, a series of objectives are being recommended to assist with overall economic development efforts to assist with Business Attraction, Business Retention and Business Expansion including the following:

- Continue to coordinate the Capital Program (CIP) with economic development efforts
- Expand the Development Ombudsman Program to provide a comprehensive range of business support services for developers and businesses
- Restart the Business Visitation Program, including the participation of the Mayor in 1 on 1 visits annually with the Top 50 with the major employers in the community
- Implement new software that will enable business owners, developers, contractors and residents to electronically submit and manage their plans with the City of Moreno Valley
- Utilize the Chambers of Commerce to expand participation in the Small Business Counseling Services provided by the Small Business Development Center (SBDC)
- Work with the Community Investment Corporation in a the development of a business incubator and micro-business loan program
- Pursue the reuse of vacant anchor retail spaces, including the use of the new ED-Retail Anchor Reuse Incentive Program
- Explore revising the scopes of work with the Agreements the Chamber of Commerce to better focus on business retention and expansion activities, including expansion of Shop MoVal, as well as establishing a program to promote more business to business transactions in Moreno Valley
- Utilize the Chambers of Commerce to undertake a survey of the small business community on ways to improve the business climate in Moreno Valley
- Use the Chambers of Commerce to assist with increasing high school graduation rates in the community through the development of mentor programs to link students with business leaders
- Pursue the creation of a Business Support Advisory Council comprised of major employers in Moreno Valley

- Seek ways to promote opportunities for more ties between cultural & performing arts in the community with economic development
- Explore creating an incentive program aimed at attracting development projects with e-commerce or fulfillment center users
- Continue to work with residential developers and the Building Industry Association (BIA) on ways to help facilitate new quality residential development in Moreno Valley

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| APPROVALS | |
|----------------|--------------------|
| BUDGET OFFICER | <i>[Signature]</i> |
| CITY ATTORNEY | <i>[Signature]</i> |
| CITY MANAGER | <i>[Signature]</i> |

Report to City Council

TO: Mayor and City Council

FROM: Ahmad R. Ansari, P.E., Public Works Director/City Engineer

AGENDA DATE: April 23, 2013

TITLE: BUDGET APPROPRIATION FOR THE SR-60/THEODORE INTERCHANGE IMPROVEMENTS AS A NEW CAPITAL IMPROVEMENT PLAN PROJECT
PROJECT NO. 801 0052 70 77

RECOMMENDED ACTION

Recommendations:

1. Authorize the following budget appropriation from unencumbered funds in the Development Impact Fee (DIF) Interchange Improvements Revenue Fund Balance to create a new Capital Improvement Project Expenditure Account titled the SR-60/Theodore Interchange Improvement Project:
 - a. \$138,000 – from (2911-99-95-92911) to (3311-99-99-93311)
2. Amend the Fiscal Year 12/13 Adopted Capital Improvement Plan (CIP) to include the SR-60/Theodore Interchange Improvement Project as a funded Street Improvement, Project Number 801 0052 70 77 and General Ledger Number 3311-70-77-80001.

ADVISORY BOARD/COMMISSION RECOMMENDATION

Not applicable

BACKGROUND

On April 26, 2011, the City Council Adopted a 2-Year Economic Development Action Plan that identified the Eastern Moreno Valley as one of the five critical Areas of Opportunity. This 2-Year Economic Development Action plan referenced the need for

CIP revenues to be strategically planned and used for new public improvements that benefit economic development.

At the April 2, 2013 City Council Study Session, a new 3-Year Economic Development Action Plan was presented to City Council that further expanded the previously referenced Eastern Moreno Valley area to include the World Logistics Center at Rancho Belago and the SR-60 East Corridor. This Economic Development Action Plan also further emphasizes the continued coordination of the CIP revenues with economic development efforts.

The Moreno Valley Freeway, State Route 60 (SR-60), is a major east-west transportation route within Riverside County and an integral part of the freeway network for the Southern California metropolitan area. The entire SR-60 route is considered a Priority Global Gateway trade corridor for movement of international trade. It is also a Surface Transportation Assistance Act (STAA) Route for use by oversized trucks. The SR-60/Theodore Street Interchange is a major access point for the existing and proposed development in the Eastern Moreno Valley area.

DISCUSSION

The SR-60/Theodore Street Interchange was built in 1964. The interchange is configured with hook ramps from SR-60 that terminate at Theodore Street. The existing ramp termini are stop controlled. Theodore Street is categorized as a north-south arterial roadway in the City's circulation plan but it currently exists as an undivided two lane rural roadway with no curbs, gutters or sidewalks. Theodore Street overcrossing is a four span bridge structure over SR-60. The posted vertical clearance between the bridge structure and the freeway below is approximately 15.5 feet and the minimum Caltrans standard vertical clearance for freeways is 16.5 feet. This segment of SR-60 is currently a four lane freeway and based on Caltrans 2011 Traffic Data, the annual average daily traffic (AADT) volume to the east and west of the interchange is approximately 56,000 vehicles.

The approximately 50 year old SR-60/Theodore Street Interchange is in need of operational and capacity improvements. The proposed improvements will correct existing geometrical deficiencies, improve access and reduce congestion for existing traffic volumes as well as forecasted increased traffic demands. Without improvements, based on 20 year traffic projections in accordance with the City's General Plan growth build-out, the eastbound SR-60 on & off ramps are expected to operate at LOS (Level of Service) F (heavy congestion and unacceptable delays) in the PM peak hour, while the westbound SR-60 on & off ramps are expected to operate at LOS E and F, respectively in the AM peak hour.

Embarking on an interchange improvement project is a long and arduous process on average taking about seven to ten years from start of preliminary design to completion of construction. The total project cost for such an interchange improvement could range between \$50M - \$75M and will require a blend of funding sources to make it a reality. The City has always taken a proactive approach in moving forward with infrastructure

projects in a timely manner to meet the demands of traffic growth patterns rather than dealing with the situation after grid lock and congestion exists. Staff is recommending that the City Council amend the Fiscal Year 12/13 Adopted Capital Improvement Plan (CIP) to include the SR-60/Theodore Interchange Improvement Project and appropriate initial seed money of \$138,000 so staff can work on this project to get it off the ground. Staff's first action item is to solicit proposals from experienced interchange consultants to proceed with the preliminary engineering and environmental phase of the project, technically called the Project Approval and Environmental Document (PA & ED) Phase by Caltrans. Staff anticipates coming back to City Council sometime in the middle of this year with a Professional Consultant Services agreement and initial funding plan to kick-off the PA & ED phase.

ALTERNATIVES

1. Approve and authorize the recommended actions as presented in this staff report. *This will allow the project to move forward with the preliminary design phase.*
2. Do not approve and authorize the recommended actions as presented in this staff report. *This alternative will not allow the preliminary design phase of the project to be initiated which inevitably will delay the timeliness of the needed improvements at the referenced interchange.*

FISCAL IMPACT

The City's Development Impact Fee (DIF) Program includes a category called "Interchange Improvements". The SR-60/Theodore Interchange Improvement Project is a listed qualifying improvement within the City's DIF program. As new development occurs in the City, developers contribute to funding this category of improvements. There is currently about \$138,000 in the DIF-Interchange Improvements Revenue Account that is available to fund the efforts as referenced in this staff report. These funds can only be used for interchange related improvement efforts. There is no impact to the General Fund.

The City Council is requested to authorize the following budget appropriation from unencumbered funds in the DIF-Interchange Improvements Revenue Fund Balance as a new Capital Improvement Project Expenditure Account titled the SR-60/Theodore Interchange Improvement Project.

PROPOSED APPROPRIATIONS:

Transfer

| Cat. | Fund | Account No. | Type | Proposed Adjustment |
|--------------|--|-------------------------|-------------|----------------------------|
| Transfer out | DIF-Interchange Fund (2911) | 2911-99-95-92911-903311 | EXP | \$138,000 |
| Transfer in | DIF-Interchange Capital Projects Fund (3311) | 3311-99-99-93311-802911 | REV | \$138,000 |

Budget Appropriation

| Cat. | Fund | Project No (PN) G/L Account (GL) | Type | Original Budget | Proposed Adjustment | Revised Budget |
|-------------|--|---|-------------|----------------------------|--------------------------------|---------------------------|
| CIP | DIF Interchange Capital Projects Fund (3311) | PN - 801 0052 70 77-3311-99 GL – 3311-70-77-80001-720199 | EXP | \$0 \$173,794 | \$138,000 \$138,000 | \$138,000 \$311,794 |

CITY COUNCIL GOALS

The following City Council Goals will be furthered with this action:

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.

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.

SUMMARY

Consistent with the City's Economic Development Action Plan and due to the anticipated growth in the Eastern Moreno Valley area, the proposed addition of the SR-60/Theodore Interchange Improvement Project into the Fiscal Year 12/13 Adopted Capital Improvement Plan (CIP) makes strategic sense. The appropriation of funds will allow for the initiation of work efforts to get this important project started in order to facilitate timely development in the Eastern Moreno Valley area.

ATTACHMENTS

Attachment 1 – Location Map

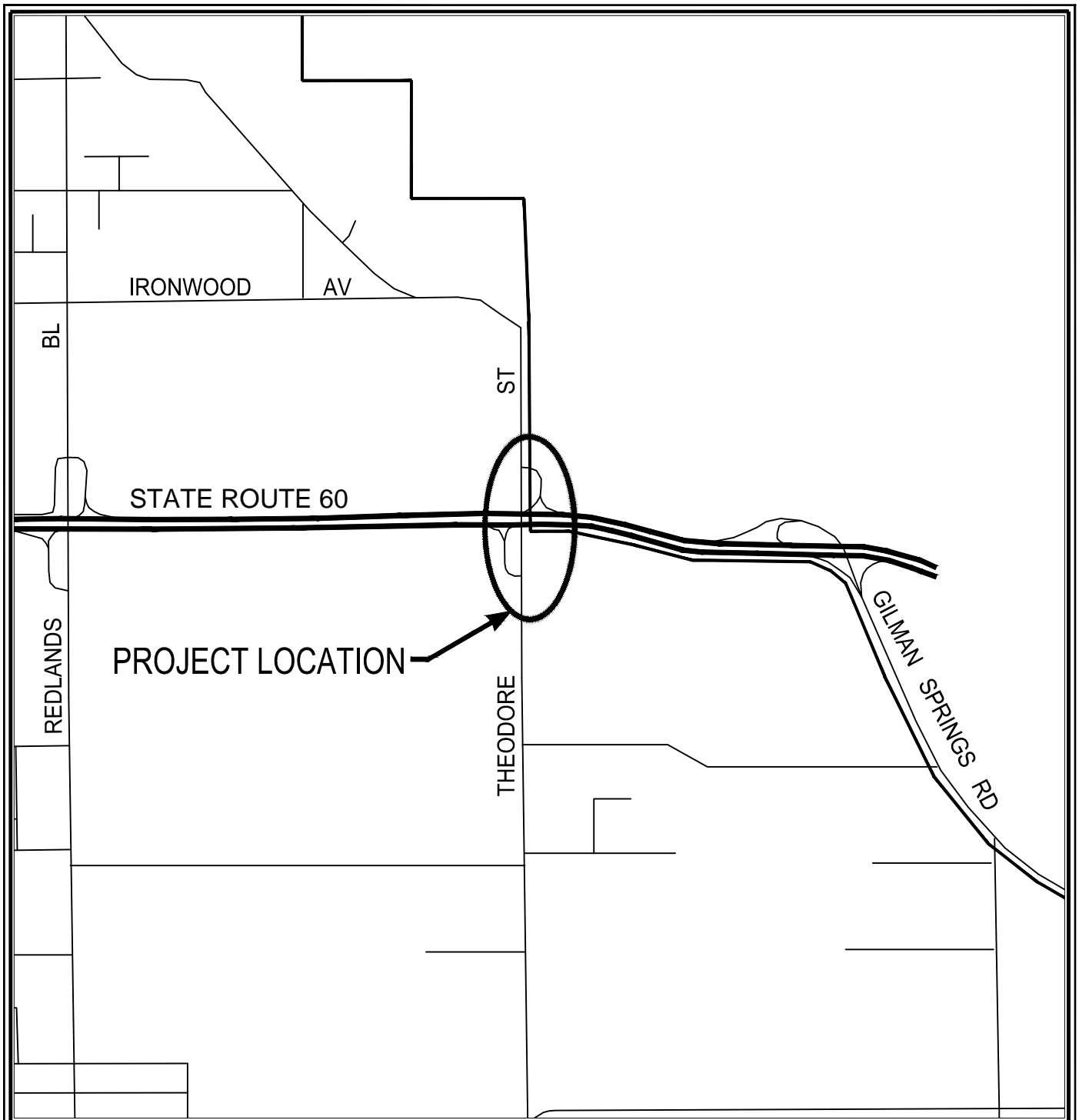
Prepared By:
Prem Kumar
Deputy Public Works Director/ Assistant City Engineer

Department Head Approval:
Ahmad R. Ansari, P.E.
Public Works Director/City Engineer

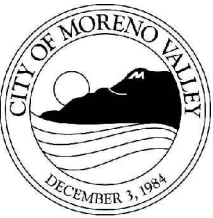
Concurred By:
Margery Lazarus, P.E.
Senior Engineer

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

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THEODORE STREET



LOCATION MAP
 Public Works Department
 Capital Projects Division
 ATTACHMENT 1

SR 60 & THEODORE STREET
 INTERCHANGE IMPROVEMENTS
 Project No. 801 0052 70 77

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| APPROVALS | |
|----------------|--------------------|
| BUDGET OFFICER | <i>[Signature]</i> |
| CITY ATTORNEY | |
| CITY MANAGER | <i>[Signature]</i> |

Report to City Council

TO: Mayor and City Council

FROM: Thomas M. DeSantis, Administrative Services Director

AGENDA DATE: April 23, 2013

TITLE: APPROVAL OF EMPLOYMENT AGREEMENT BETWEEN THE CITY OF MORENO VALLEY AND SUZANNE M. BRYANT FOR THE POSITION OF CITY ATTORNEY

RECOMMENDED ACTION

Recommendation:

1. Approve the Employment Agreement between the City of Moreno Valley and Suzanne M. Bryant for the position of City Attorney.

BACKGROUND

Since December 11, 2012, Suzanne M. Bryant has served as Acting City Attorney. Having found Ms. Bryant's performance in this important role to be exemplary, the Council on April 9, 2013 appointed Ms. Bryant to the position of City Attorney effective upon the retirement of the former City Attorney.

DISCUSSION

The Administrative Services Director worked with outside legal counsel to develop an Employment Agreement through which Ms. Bryant will serve as City Attorney effective July 9, 2013. Pending the effective date of the Agreement, Ms. Bryant will continue to serve as Acting City Attorney and will exercise all duties prescribed for the position of City Attorney for the City of Moreno Valley.

ALTERNATIVES

1. Approve the Employment Agreement
2. Do not approve the Employment Agreement.

FISCAL IMPACT

The proposed salary and benefits are within the range established for the position and sufficient funds have been budgeted.

ATTACHMENTS

Attachment 1 – Employment Agreement between the City of Moreno Valley and Suzanne M. Bryant for the position of City Attorney

Department Head Approval:

Thomas M. DeSantis
Administrative Services Director

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

EMPLOYMENT AGREEMENT FOR THE POSITION OF CITY ATTORNEY

This Employment Agreement (hereafter referred to herein as "Agreement") is made and entered into this 23rd day of April, 2013, by and between the City of Moreno Valley, California (hereafter referred to herein as "CITY"), a California municipal corporation and general law city, and Suzanne M. Bryant (hereafter referred to herein as "BRYANT"), an individual, on the following terms and conditions:

RECITALS

A. CITY, by and through the City Council, desires to employ the services of BRYANT as City Attorney of CITY; and

B. BRYANT desires to accept employment as City Attorney in consideration of and subject to the terms and conditions set forth in this Agreement.

OPERATIVE PROVISIONS

In consideration of the promises and covenants contained herein, the parties agree as follows:

1. Position, Term and Duties.

1.1 Position. Without any impact upon employee benefit levels based upon her original date of hire with the City of Moreno Valley, BRYANT relinquishes her prior position as Deputy City Attorney and accepts employment with CITY as its City Attorney and shall perform all functions, duties and services set forth in Section 1.4 [Duties] of this Agreement and consistent with Government Code §41801 et seq. BRYANT shall provide services at the direction and under the supervision of the City Council of CITY. It is the intent of the parties that the City Attorney shall keep the City Council fully apprised of all significant legal issues of the CITY. Toward that end, BRYANT shall report directly to the City Council and will periodically, or as may be specifically requested by the City Council, provide status reports to the City Council on her activities and those of CITY.

1.2 Term. The term of this Agreement shall commence on July 9, 2013 (Commencement Date), upon being executed by BRYANT and approved by the City Council. This Agreement shall remain in effect until such time as this Agreement is terminated pursuant to Section 4, below.

1.3 At-Will Employment. BRYANT acknowledges that she is an at-will employee of CITY who shall serve at the pleasure of the City Council at all times during the period of her service under this Agreement. The terms and provisions of CITY's personnel rules, policies, procedures, ordinances and resolutions applicable to At Will employees shall also apply to BRYANT, and she shall be entitled to all benefits and rights afforded to other Executive Management (as defined in the City's Personnel Rules) of CITY, except to the extent provided by this Agreement, and, in the case of any conflict between this Agreement, and the Personnel Rules, policies, procedures, ordinances and resolution, the terms of this Agreement shall prevail. Notwithstanding the application of the City's Personnel Rules to this Agreement, and without limitation, BRYANT shall have no rights under sections 9, 10, 11 and 12 of the Personnel Rules. Nothing in this Agreement is intended to, or does, confer upon BRYANT any right to any property interest in continued employment, or any due process right to a hearing before or after a decision by the City Council to terminate her employment, except as is expressly provided in Section 4

[Termination] of this Agreement. Nothing contained in this Agreement shall in any way prevent, limit or otherwise interfere with the right of CITY to terminate the services of BRYANT as provided in Section 4 [Termination]. Nothing in this Agreement shall prevent, limit or otherwise interfere with the right of BRYANT to resign at any time from this position with CITY, subject only to the provisions set forth in Section 4 [Termination] of this Agreement. This at-will employment Agreement shall be expressly subject to the rights and obligations of CITY and BRYANT, as set forth in Section 4 [Termination] herein.

1.4 Duties. BRYANT shall serve as the City Attorney and shall be vested with the powers, duties and responsibilities of the City Attorney as set forth in the City's applicable ordinances and resolutions, and in the City of Moreno Valley Municipal Code, as may be amended from time to time, the terms of which are incorporated herein by reference. It is the intent of the City Council for the City Attorney to function as the chief legal counsel of CITY's organization. Without additional compensation, BRYANT shall provide such other services as are customary and appropriate to the position of City Attorney, including serving as legal counsel for the Moreno Valley Housing Authority and the Moreno Valley Community Services District, together with such additional services assigned from time to time by the City Council as may be consistent with California law and the City of Moreno Valley Municipal Code. BRYANT shall devote her best efforts and full-time attention to the performance of these duties.

1.5 Hours of Work. BRYANT shall devote the time necessary to adequately perform her duties as City Attorney. The work schedule shall be the same as the schedule in place for all other Executive Managers of CITY, provided the schedule of such hours provides adequate availability to the City Council, City Staff, and members of the community during normal business hours and for the performance of her duties in conducting CITY business. The position of City Attorney shall be deemed an exempt position under applicable wage and hour law. BRYANT hereby acknowledges that she shall not be entitled to any compensation for overtime.

1.6 Professional Activity. The City Council desires BRYANT to be reasonably active in national, statewide, regional and professional organizations that will contribute to City Attorney's professional development and standing and that will contribute to the advancement of the CITY's interests and standing. Toward that end, BRYANT may, upon advance notice to the City Council, undertake such activities as are directly related to her professional development and that advance the interests and standing of the CITY. These activities may include, without limitation, participation in the California League of Cities, California state and local bar associations, or other similar national, statewide, regional or professional organizations, provided that such activities do not in any way interfere with or adversely affect her employment as City Attorney or the performance of her duties as provided herein. CITY agrees to budget and pay for the reasonable dues and subscriptions of the City Attorney necessary for her participation in such organizations. CITY agrees to reimburse BRYANT's reasonable and necessary travel, business and subsistence expenses for her activities as provided for in the City's Administrative Policies.

1.7 Other Activity. In accordance with Government Code Section 1126, during the period of her employment, BRYANT shall not accept, without the express prior written consent of the City Council, any other employment or engage, directly or indirectly, in any other business, commercial, or professional activity (except as permitted under Section 1.6 [Professional Activity]), regardless of whether for pecuniary advantage, that is or may be competitive with the CITY, that might cause a conflict-of-interest with the CITY, or that otherwise might interfere with the business or operation of the CITY or the satisfactory performance of BRYANT's duties as City Attorney.

2. Compensation.

2.1 Salary. For all services performed by BRYANT as the City Attorney under this Agreement, CITY shall pay BRYANT compensation in accordance with the adopted salary schedule for the position, plus all other compensation benefits afforded by CITY to other full time Executive Management employees. BRYANT shall be entitled to all cost of living and other salary and benefit adjustments implemented by the CITY as applicable to other full time Executive Management employees, to include City's employee furlough program and eligibility for Merit Increases (Section 3.3). The starting salary shall be fifteen thousand four hundred seventeen dollars (\$15,417) per month, paid bi-weekly according to the payroll schedule in place for CITY employees. All compensation and leave policies applicable to Executive Management employees as contained in CITY'S Personnel Rules and Regulations shall apply.

2.2 Annual Leave. All compensation and leave policies applicable to Executive Management as contained in the City's Personnel Rules and Regulations, Sections 7 and 14, shall apply. BRYANT shall annually accrue 376 hours of Annual Leave, allocated at a rate of 14.46 hours per pay period. Annual Leave shall be subject to CITY's Personnel Rules and Regulations as they apply to other Executive Management employees.

2.3 Automobile Allowance. BRYANT shall be entitled to an automobile allowance as compensation for the use of personal automobile(s) for CITY business as provided for in CITY policies. This monthly allowance shall equal the amount provided to other Executive Management employees, and is currently five hundred dollars (\$500.00) per month. In addition, BRYANT shall be entitled to excess mileage reimbursement according to adopted CITY policies for any qualifying trip in the course and scope of employment.

2.4 Deferred Compensation. Within 30 days of the effective date of this Agreement, City shall make a one-time deposit of \$10,000 into BRYANT's individual Deferred Compensation account. BRYANT shall provide CITY with specific instructions to facilitate this one-time deposit.

3. Performance Evaluation.

3.1 The City Council shall review and evaluate BRYANT's performance at least once annually. Said review and evaluation shall be in accordance with specific criteria developed jointly between BRYANT and the City Council. Said criteria may be added to or deleted from as the City Council may determine from time to time in consultation with BRYANT. Further, the Mayor shall provide BRYANT with a summary written statement of the findings of the City Council and provide an adequate opportunity for BRYANT to discuss said evaluation with the entire City Council.

3.2 Annually, the City Council shall define such goals and performance objectives which they determine necessary for the proper function of the City Attorney's Office and in the attainment of City Council goals and objectives, and shall further establish a relative priority among the various goals and objectives, said goals and objectives to be reduced to writing. Any such goals or objectives shall generally be attainable within the time limitations as specified and within City Attorney Department budgets.

3.3 CITY agrees to consider an increase to BRYANT's Salary [Section 2.1] during said Performance Evaluation; however, any increase to Salary [Section 2.1] shall be at the sole discretion of the City Council.

4. Termination.

4.1 The City Council may terminate BRYANT'S employment, and this Agreement "for cause" at any time upon written notice. "For cause" is defined as any of the following:

(i) an act in bad faith and to the detriment of the City; (ii) refusal or failure to act in accordance with any specific lawful direction or order of the City Council that is not in conflict with the Rules of Professional Conduct and/or the Legal Canon of Ethics for attorneys in the State of California; (iii) unfitness or unavailability for service that exceeds thirty (30) consecutive calendar days and is not the result of any excused illness or medical condition; (iv) commission of an act involving moral turpitude or other acts which harm the reputation of or interests of the City; (v) habitual neglect of responsibilities, or incompetence; (vi) a conviction of a felony or other crime punishable by jail or imprisonment in the jurisdiction involved (or entry of a plea of guilty or *nolo contendere* with respect to any such crime); (vii) possession of, use of, or working while under the influence of alcoholic beverages or other non-prescribed controlled substances or abuse/misuse of lawfully prescribed controlled substances during working hours; (viii) engaging in an actual conflict of interest; (ix) commission of acts of theft, embezzlement, or fraud; (x) acceptance of bribes or extortion; (xi) imposition of professional discipline by the State Bar of California resulting in suspension or disbarment; or (xii) material breach of this Agreement by BRYANT. If this Agreement is terminated by the City Council "for cause," BRYANT's employment shall be deemed immediately terminated and BRYANT shall surrender all CITY keys, computer passwords, and other CITY property entrusted to BRYANT for the purposes of the discharge of her duties. Upon termination for cause, BRYANT shall have no recourse under this AGREEMENT or any administrative procedure for purposes of challenging the termination action.

4.2 In the event BRYANT is terminated "without cause" or asked to resign during such time that BRYANT is willing and able to perform the Duties [Section 1.4] under this Agreement, then CITY agrees, upon receipt of a Comprehensive General Release and Settlement Agreement in the standard form signed by BRYANT, to pay BRYANT a lump sum cash payment equal to 12 months of Salary and benefits [Section 2.1] as severance pay.

4.3 BRYANT shall receive a lump sum payout of any unpaid accruals of Annual Leave [Section 2.2] and Sick Leave upon termination of employment for any reason pursuant to CITY policies.

4.4 BRYANT shall not be entitled to any increases in Salary [Section 2.1], or benefits afforded by CITY to other Executive Management employees following the date of termination.

4.5 This Agreement may be terminated by BRYANT at any time upon 45 days written notice to the City Council. If such written notice is given, the City has the option to ask BRYANT to leave her position sooner than the expiration of 45 days, but, if it does so, the City will continue to honor its obligations under this Agreement until expiration of the 45-day period.

4.6 BRYANT'S employment and this Agreement shall terminate automatically upon BRYANT'S death. In this event, the City shall pay the beneficiary designated by BRYANT in writing, or in the absence of such designation, BRYANT'S estate, her accrued and unpaid compensation, and all accrued but unused benefits, if any, through the date of BRYANT'S death.

4.7 If BRYANT becomes disabled and requires accommodation to permit her to perform the essential functions of the position, the City shall provide reasonable accommodation if possible and unless doing so creates undue hardship for the City.

5. Proprietary Information.

"Proprietary Information" is all information and any idea pertaining to any economic development engaged in or contemplated by the City (or any CITY affiliate), including marketing plans and development projects. Proprietary Information shall include, without limitation, trade secrets (as further defined in Uniform Trade Secrets Act, Civil Code §3426 et seq.), ideas, inventions, processes, formulae, data, know-how, software and other computer programs, copyrightable material, marketing plans, strategies, sales, financial reports, and forecasts. During her employment by CITY, BRYANT shall only use Proprietary Information for the benefit of CITY and as is or may be necessary to perform her job responsibilities under this Agreement. Following termination, BRYANT shall not use or disclose any Proprietary Information for the benefit of herself or any third party, except with the express written consent of CITY. BRYANT's obligations under this Section shall survive the termination of her employment and the termination of this Agreement.

6. Conflict Of Interest.

BRYANT represents and warrants to CITY that she presently has no interest, and represents that she will not acquire any interest, direct or indirect, financial or otherwise, which would conflict in any manner or interfere in any way with performance of her services under this Agreement.

7. General Provisions.

7.1 Vehicle Operation. BRYANT shall operate any vehicle used in connection with the performance of her duties as City Attorney in a safe manner and otherwise in observance of all established traffic safety laws and ordinances and shall maintain a valid California automobile's driver's license during the period of employment. In addition, BRYANT shall maintain in full force and effect during the Term of this Agreement, valid automobile liability insurance providing coverage for collision, personal injury and medical reimbursement, in accordance with the City's Administrative Policy.

7.2 Notices. All notices, requests, demands and other communications under this Agreement shall be in writing and shall be effective upon delivery by hand or three (3) business days after deposit in the United States mail, postage prepaid, certified or registered, and addressed to CITY at the address below, and at the last known address maintained in BRYANT's personnel file. BRYANT agrees to notify CITY in writing of any change in her address during her employment with CITY. Notice of change of address shall be effective only when accomplished in accordance with this Section.

City's Notice Address: City of Moreno Valley c/o City Manager
P.O. Box 88005 14177 Frederick Street Moreno Valley, California 92552-0805

City Attorney's Address: [Deliver to last updated address in personnel file]

7.3 Indemnification. Subject to, in accordance with, and to the extent provided by the California Tort Claims Act [Government Code Section 810 et seq.] the CITY will indemnify, defend, and hold BRYANT harmless from and against any action, demand, suit, monetary judgment or other legal or administrative proceeding, and any liability, injury, loss or other damages, arising out of any act or omission associated with BRYANT's performance of functions, duties and services set forth in this Agreement.

7.4 Bonding. The CITY shall bear the full cost of any fidelity or other bonds required of the City Attorney under any law or ordinance.

7.5 Integration. This Agreement is intended to be the final, complete, and exclusive statement of the terms of BRYANT's employment by CITY. This Agreement supersedes all other prior and

contemporaneous agreements and statements, whether written or oral, express or implied, pertaining in any manner to the employment of BRYANT, and it may not be contradicted by evidence of any prior or contemporaneous statements or agreements. To the extent that the practices, policies, or procedures of CITY, now or in the future, apply to BRYANT and are inconsistent with the terms of this Agreement, the provisions of this Agreement shall control.

7.6 Amendments. This Agreement may not be amended, altered or modified, except in a written document signed by BRYANT, approved by the City Council and signed by the Mayor.

7.7 Waiver. Failure to exercise any right under this Agreement shall not constitute a waiver of such right.

7.8 Assignment. BRYANT shall not assign any rights or obligations under this Agreement. CITY may, upon prior written notice to BRYANT, assign its rights and obligations hereunder.

7.9 Severability. If a court holds any provision of this Agreement to be invalid, unenforceable, or void, the remainder of this Agreement shall remain in full force and effect.

7.10 Governing Law. This Agreement shall be governed by and construed in accordance with the laws of the State of California, with venue proper only in Riverside County, State of California.

7.11 Interpretation. This Agreement shall be construed as a whole, according to its fair meaning, and not in favor of or against any party. By way of example and not in limitation, this Agreement shall not be construed in favor of the party receiving a benefit or against the party responsible for any particular language in this Agreement. Captions are used for reference purposes only and should be ignored in the interpretation of the Agreement.

7.12 Acknowledgment. BRYANT acknowledges that she has had the opportunity to consult legal counsel in regard to this Agreement, that she has read and understands this Agreement, that she is fully aware of its legal effect, and that she has entered into it freely and voluntarily and based on her own judgment and not on any representations or promises other than those contained in this Agreement.

IN WITNESS WHEREOF, the CITY has caused this Agreement to be signed and executed on its behalf by its Mayor and duly attested to by its City Clerk, and BRYANT has signed and executed this Agreement, as of the date first indicated above.

Suzanne M. Bryant

Tom Owings, Mayor

Jane Halstead, City Clerk

Jeffrey Freedman
Special Counsel to the City

**MINUTES - REGULAR MEETING OF APRIL 9, 2013 (Report
of: City Clerk Department)**

Recommendation: Approve as submitted.

SEE AGENDA ITEM A.2

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| APPROVALS | |
|----------------|--------------------|
| BUDGET OFFICER | <i>[Signature]</i> |
| CITY ATTORNEY | <i>[Signature]</i> |
| CITY MANAGER | <i>[Signature]</i> |

Report to City Council

TO: Mayor and City Council

FROM: Richard Teichert, Chief Financial Officer

AGENDA DATE: APRIL 23, 2013

TITLE: PUBLIC HEARING TO CONSIDER FEE SCHEDULE FOR FISCAL YEAR 2013-14

RECOMMENDED ACTION

Recommendations: That the City Council:

1. Conduct a Public Hearing to receive public input on the proposed Fee Schedule for Fiscal Year 2013-14.
2. Adopt Resolution No. 2013-25, approving the Fee Schedule for Fiscal Year 2013-14.

ADVISORY BOARD/COMMISSION RECOMMENDATION

NA

BACKGROUND

The guiding principle behind user fee cost recovery, as established in the California Government Code, is that a jurisdiction is entitled to recover the estimated reasonable cost of providing a service for which a fee is charged, but not to recover more than its estimated reasonable cost. The City's Fee Schedule is based upon this principle.

In 2005, a comprehensive review of the City's user fee structure and cost recovery policies was conducted with the assistance of the consulting firm DMG-Maximus. Building & Safety fees were excluded from this review and are based on an earlier study conducted by DMG-Maximus in 1999. One of the major policy decisions approved by the City Council in 1999, and which has continued to the present, is to adjust user fees

each year based on the year-over-year change in February Consumer Price Index (CPI), All Items, for Los Angeles-Riverside-Orange County. This policy of adjusting fees based on the annual change in CPI provides a mechanism for user fees to be adjusted annually to keep pace with inflationary cost increases incurred by the City without the need for a comprehensive review of fees each year.

It is anticipated that a new fee cost study will be conducted during Fiscal Year 2014 after the completion of a new cost allocation plan. This will provide accurate overhead cost allocation rates which will reflect the current organization structure and activity levels to ensure that full cost recovery is achieved by the City's fee structure.

DISCUSSION

Although the City's user fees, in general, are adjusted based on the annual change in CPI, the annual process for establishing the recommended Fee Schedule provides City departments the opportunity to recommend other actions, as appropriate, with respect to their fees. Department fee recommendations may include a number of different actions including the following:

1. Adding new fees as recommended;
2. Deleting certain fees that are no longer applicable;
3. Moving a certain fee from one department/program to another to reflect changes in program oversight;
4. Revising a fee description to more accurately reflect the nature of the service provided;
5. Recommending a fee adjustment different than CPI if the cost of providing the service has materially changed in the past year; and
6. Recommending a different methodology for charging a given fee to achieve more equitable cost recovery.

In order to ensure consistency among departments, all new fees or fees that are proposed to increase are based on a uniform cost analysis methodology. All fees have been increased by the growth in the Consumer Price Index (CPI) with the exception of any new fees created after November 2, 2010. With the passage of Proposition 26, fees created after November 2, 2010, cannot be increased automatically by CPI. Fees subject to this provision are identified with "See Note 1" in the comment section of the Fee Schedule. If fees were increased by some other factor or if divisions requested that fees not be increased by CPI, a comment will be shown in the comments column identifying this activity. All proposed fee additions, deletions or revisions other than those resulting from the application of the CPI factor have been identified in red text and

the description of the modification will be shown in the comments column to make them more easily identifiable.

The increase in the CPI applied to existing fees is 2.0%. This factor was developed from data released by the Bureau of Labor Statistics (BLS) for the Los Angeles-Riverside-Orange County region and reflects the average growth in the CPI over the twelve month period of December 2011 through November 2012. A twelve month average was used to reduce the impact from spikes that may occur during any given month.

Other revisions to the fee schedule include the following:

Administrative Services

The fees related to dog adoption were left unchanged. This is based on the direction of the City Council to maintain dog adoption fees at levels consistent with other jurisdictions.

Community and Economic Development Department / Building and Safety Division

- The following fees were not increased by CPI but were set to match the fully burdened average hourly rate:
 - Demand Letter
 - Updated Demand Letter
 - Replacement Lien Release
- The following new fees were added:
 - Replacement Job Card
 - Transfer of Issued Permit to New Applicant with Job Card
 - Special Inspector Registration
 - Address Assignment
 - Alternate Means, Methods or Materials Review
 - Counter Plan Check/Site Plan Approval
 - Plan Check (Accessibility, Green Code & Energy Code)
 - Plan Check Solar SV System
 - Plan Check/Permit Extension
 - Revision of Approved Plans
 - Inspections (Accessibility, Green Code, & Energy Code)
 - Training Surcharge (AB 717)
 - Document Archive
 - Technology Maintenance Fee

Community and Economic Development Department / Land Development Division

Fees have been recalculated to capture the cost of the review process performed by Planning Division staff. These services have been provided in the past but were not

included in the fee calculation that was charged. Specific fees that will be increased to include these cost components:

- Lot Line Adjustment
 - Certificate of Parcel Merger
 - Certificate of Compliance
 - Conditional Certificate of Compliance
 - Parcel Map Residential & Commercial
 - Amended Parcel Map Residential & Non-Residential
 - Amended Tract Map
 - 4th and Subsequent Reviews
 - Subdivisions & Custom Homes
 - Tract Maps & Non-Subdivisions
 - Revisions (Mass/Rough Grading Plans)
 - Stockpile/Borrow Site Plans
 - Revisions (Stockpile/Borrow)
 - Precise Grading Plan Check Parcel Maps
 - Precise Grading Plan Check Tract Maps
 - Precise Grading Plan Non-Subdivisions
 - Precise Grading Plan Revisions (Precise Grading Plans)
- Added NPDES Construction Inspection Invoice Processing Fee
 - Added NPDES Business Inspection Invoice Processing Fee
 - Advanced Energy categories have been expanded to better represent potential future street light installations.

Community and Economic Development Department / Planning Division

- The “Fully Burdened Hourly Rate” is being increased from \$168.00 to \$176.00.
- Fees have been recalculated to capture the cost of the review process performed by Building & Safety and Special Districts Division staff. These services have been provided in the past but were not included in the fee calculation that was charged. Specific fees that will be increased to include these cost components:
 - Conditional Use Permit
 - Conditional Use Permit Amended CUP/Substantial Conformance
 - Custom Home Review
 - Environmental Review-Expanded Initial Study/Expanded Project Review
 - Plot Plan
 - With Hearing
 - Without Hearing (notice)
 - Without Hearing (no notice)
 - Amended Plot Plan/Substantial Conformance
 - Temporary Use Permits

Financial & Management Services Department / Special Districts Division

Added a notation that Mail Ballot/Special Elections Processing fees will include any associated 3rd party costs.

Parks & Community Services

- The following fees are being added:
 - Athletic Field Lighting – Adult Groups at Moreno Valley Community Park
 - Over 4 Hour Play – Field Preparation Weekends
 - Golf Course:
 - Adult 18 Holes Twilight Rate (after 2PM)
 - Adult 9 Holes Twilight Rate (after 2PM)
 - Seniors 55 & Over 18 Holes (after 2PM)
 - Seniors 55 & Over 9 Holes (after 2PM)
 - Students Under 18 -18 Holes Twilight Rate (after 2PM)
 - Students Under 18 - 9 Holes Twilight Rate (after 2PM)
 - Students Under 18 -18 Holes (Weekends, Holiday, Tournament)
 - Students Under 18 - 9 Holes (Weekends, Holiday, Tournament)
 - Replay for Additional 9 Holes
 - Punch Cards
 - Adults, Seniors & Students
 - Ten 9-Hole Rounds (Any Day)
 - Ten 18-Hole Rounds (Mon-Fri)
 - Ten 18-Hole Rounds (Any Day)
 - Facility Rental
 - Fees have been added for the Cottonwood Banquet Room
- The following fees are being deleted:
 - Locker Rentals
 - Youth After School Cards
 - Monthly Cards: Family of 4

Fee Schedule Implementation

The proposed updates to the Fee Schedule are scheduled to become effective Monday, July 1, 2013 to allow for the 60-day waiting period required for increases to development-related fees by Government Code Section 660016-17.

ALTERNATIVES

The following alternatives are available to the City Council:

1. Following the public hearing, adopt Proposed Resolution, approving the proposed Fee Schedule for FY 2013-14.
2. Following the public hearing, modify the proposed Fee Schedule prior to adopting Proposed Resolution.
3. Provide staff with further direction.

Staff recommends Alternative No. 1.

FISCAL IMPACT

User fees included in the City's Fee Schedule generate revenues that enable the City to provide a wide variety of services requested by our constituents. For FY 2013-14, these revenues are projected to be approximately \$13 million, which includes the General Fund and various zones in the Community Services District (CSD).

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

It has been City Council's policy to adjust user fees annually to reflect changes in the Consumer Price Index (CPI) for the Los Angeles-Riverside-Orange County region. The applicable CPI has increased by 2.0% in the past year and most fees have been adjusted to reflect this increase. Other fee adjustments are recommended, where appropriate, to better reflect the City's actual cost of providing the applicable service, to achieve more equitable cost recovery, or to clarify how fees are applied. It is anticipated that a new fee cost study will be conducted during Fiscal Year 2014 after the completion of a new cost allocation plan. This will provide accurate overhead cost allocation rates which will reflect the current organization structure and activity levels to ensure that full cost recovery is achieved by the City's fee structure. It is recommended that City Council adopt the Proposed Resolution approving the Fee Schedule for FY 2013-14.

NOTIFICATION

The City Council meeting of April 23, 2013, has been properly noticed as a Public Hearing to consider the proposed FY 2013-14 Fee Schedule.

ATTACHMENTS

Attachment 1: Proposed Resolution
Attachment 2: PowerPoint

Prepared By:
Brooke McKinney
Treasury Operations Division Manager

Department Head Approval:
Richard Teichert
Chief Financial Officer

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

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RESOLUTION NO. 2013-25

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ESTABLISHING SPECIFIED FEES FOR VARIOUS SERVICES FOR FISCAL YEAR 2013-14 AND REPEALING PRIOR RESOLUTIONS THAT MAY BE IN CONFLICT

WHEREAS, the City Council has in the past approved and adopted fee schedules for various services provided by the City for the benefit of a limited number of persons; and

WHEREAS, the cost of rendering such services should be borne by the beneficiaries of such service; and

WHEREAS, data supporting the estimated cost of providing said services has been made available to the City Council and to the public; and

WHEREAS, the City Council has duly considered at a duly noticed public hearing the question of whether or not to modify existing fees and establish new fees for such services, to provide more equitable cost recovery for such services; and

WHEREAS, at said hearing, the City Council duly considered all public comments which were made with respect to said question;

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

1. The fee schedule attached as Exhibit "A" hereto is hereby approved and adopted.
2. Where services are performed for the City by another governmental agency, the fees charged by the City shall be adjusted upward or downward to reflect fluctuations, if any, in the price which the City pays to the other government agency for such services. Such adjustments shall be made as the fluctuations occur if imposed upon the City without recourse.
3. All prior enactments of the City Council establishing fees for services, materials, impact and mitigation are hereby repealed to the extent that such enactments establish fees for services, materials and mitigation which are different than the fees established therefore by this Resolution, but shall otherwise remain in full force and effect.

1
Resolution No. 2013-25
Date Adopted: April 23, 2013

4. All fees established by this Resolution shall, when collected, be paid to the City Treasurer for deposit into the General Fund of the City or into such special funds as may be otherwise required by law.

5. If any provision, clause, sentence or paragraph of this Resolution or the application thereof to any person or circumstances shall be held invalid, such invalidity shall not affect any other provision or application of the provisions of this Resolution which can be given effect without the invalid provision or application, and to this end the provisions of this Resolution are hereby declared to be severable.

6. Each fee or charge set by this Resolution is for the specific process or service to which the fee or charge is related. When a process or service in addition thereto is requested or required, the appropriate additional fee or charge shall be imposed and collected only upon approval of the City Council.

7. When a fee or charge is indicated on a unit basis, a fee or charge for each such unit or portion of a unit associated with the requested or required process or service shall be imposed and collected.

8. If a deposit has been made on account of a fee or charge, and where the deposit is insufficient to pay the later-determined actual fee or charge, the balance due shall be paid to the City before any associated entitlement or permit is issued to the applicant. If the amount of the deposit exceeds the later-determined actual fee or charge, the overage shall be refunded to the applicant, except that an overage of one dollar or less shall not be refunded but shall be transferred to the General Fund of the City.

9. The fees approved, increased and established herein shall become effective July 1, 2013.

APPROVED AND ADOPTED this 23rd day of April, 2013.

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

2
Resolution No. 2013-25
Date Adopted: April 23, 2013

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. 2013-25 was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the 23rd day of April, 2013 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

CITY CLERK

(SEAL)

3
Resolution No. 2013-25
Date Adopted: April 23, 2013

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City of Moreno Valley
Schedule of City Fees, Charges and Rates
 Fiscal Year 2013-14

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Item No. E.1

-399-

Section 1 - Administrative Services**Animal Services**

| | <u>Unit</u> | <u>Current Fee</u> | <u>Proposed Fee</u> | <u>Comments on Proposed Changes to Fees</u> |
|---|-------------|------------------------|-------------------------|---|
| Adoption Fee (Does not include the cost for spay/neuter) | | | | |
| Dogs | Each | \$ 31.00 | \$ 31.00 | No Change |
| Cats | Each | \$ 20.00 | \$ 20.00 | |
| Rabbit, Hamsters and Guinea Pigs | Each | \$ 10.00 | \$ 10.00 | |
| Other Animals * | Each | \$ 10.00 | \$ 10.00 | |
| * Fee for "Other Animals" not to exceed the fair market price | | | | |
| Deposits (Refundable) | | | | |
| Rabies Vaccination | Each | \$ 20.00 | \$ 20.00 | |
| Spay & Neuter | Each | \$ 75.00 | \$ 75.00 | |
| Owner Relinquishment | | | | |
| Dog/Cat* | Each | \$ 23.00 | \$ 23.00 | |
| Dog/Cat-Litter* | Each | \$ 23.00 | \$ 23.00 | |
| Other Domestic* | Each | \$ 10.00 | \$ 10.00 | |
| * Owner may be asked to pay for the cost of spay/neuter and/or vaccines | | | | |
| ** Out of area animals are accepted at the discretion of shelter staff based on adoptability and shelter population | | | | |
| Owner Requested Companion Pet Euthanasia | | | | |
| Small/Medium (0-50 lbs) | Each | \$ 23.00 | \$ 23.00 | |
| Medium/Large (> 50 lbs) | Each | \$ 27.00 | \$ 28.00 | |
| Litter (up to 8) | Each | \$ 23.00 | \$ 23.00 | |
| Litter (each add'l >8) | Each | \$ 2.00 | \$ 2.00 | |
| Deceased Animal Disposal | | | | |
| Small/Medium (0-50 lbs) | Each | \$ 18.00 | \$ 18.00 | |
| Medium/Large (51+ lbs) | Each | \$ 23.00 | \$ 23.00 | |
| Animal Redemption | | | | |
| 1st Impound | Per Animal | \$ 26.00 | \$ 27.00 | |
| 2nd Impound | Per Animal | \$ 52.00 | \$ 53.00 | |
| 3rd Impound | Per Animal | \$ 78.00 | \$ 80.00 | |
| More than 3 (each occurrence)* | Per Animal | See Note * | See Note * | |
| Small Livestock ** | Per Animal | \$ 30.00 | \$ 31.00 | |
| Large Livestock ** | Per Animal | \$ 60.00 | \$ 61.00 | |
| Other (birds, reptiles, etc) | Per Animal | \$ 20.00 | \$ 20.00 | |
| * Impound fee will increase by \$50 for each additional occurrence. For example the 4th occurrence would be \$125, the 5th occurrence would be \$175 etc. | | | | |
| ** Trailering Fee | | \$ 60.00 | \$ 61.00 | |
| | | + actual cost for ACO | + actual cost for ACO | |

Section 1 - Administrative Services

Animal Services

Boarding

| | Unit | Current Fee | Proposed Fee | Comments on Proposed Changes to Fees |
|---|----------------|-------------|--------------|--------------------------------------|
| Dogs, Cats & Other | Per Day | \$ 6.00 | \$ 6.00 | |
| Small Livestock | Per Day | \$ 8.00 | \$ 8.00 | |
| Large Livestock | Per Day | \$ 11.00 | \$ 11.00 | |
| Other Small Animals | Per Day | \$ 5.00 | \$ 5.00 | |
| Special handling fee (Special handling relates to call that require additional Animal Control Officers or extraordinary circumstances such as badly decomposed, owned, deceased animals or transportation to a Veterinarian for sick/injured animals.) | Per Animal | \$ 21.00 | \$ 21.00 | |
| Re-inspection Fee (Failed compliance on confinement/property inspections) | Per Inspection | \$ 51.00 | \$ 52.00 | |

Licensing

| | | | | |
|------------------|-----------------------------------|------|-----------|-----------|
| Dog (altered) | 1 year | Each | \$ 15.00 | \$ 15.00 |
| | 2 year | Each | \$ 26.00 | \$ 27.00 |
| | 3 year | Each | \$ 33.00 | \$ 34.00 |
| Dog (unaltered) | 1 year | Each | \$ 51.00 | \$ 52.00 |
| | 2 year | Each | \$ 82.00 | \$ 84.00 |
| | 3 year | Each | \$ 103.00 | \$ 105.00 |
| Licensing (cont) | Potentially Dangerous/Vicious | Each | \$ 103.00 | \$ 105.00 |
| | Economic Hardship* (altered only) | Each | \$ 6.00 | \$ 6.00 |

*Residents must provide proof that they earn 65% of the median income as set by HUD for the County of Riverside.

| | | | |
|----------------------|------|----------|----------|
| Late Fee | Each | \$ 20.00 | \$ 20.00 |
| Transfer Fee | Each | \$ 6.00 | \$ 6.00 |
| Lost Tag Replacement | Each | \$ 6.00 | \$ 6.00 |

Kennel

| | | | | |
|--------------|--------|------|-----------|-----------|
| Class I Dog | 1 year | Each | \$ 134.00 | \$ 137.00 |
| | 2 year | Each | \$ 196.00 | \$ 200.00 |
| Class II Dog | 1 year | Each | \$ 201.00 | \$ 205.00 |
| | 2 year | Each | \$ 261.00 | \$ 266.00 |
| Cattery | 1 year | Each | \$ 134.00 | \$ 137.00 |
| | 2 year | Each | \$ 196.00 | \$ 200.00 |
| Late Fee | | | \$ 64.00 | \$ 65.00 |

Item No. E.1

-401-

Section 1 - Administrative Services

Animal Services

Other Services

| | <u>Unit</u> | <u>Current Fee</u> | <u>Proposed Fee</u> | <u>Comments on Proposed Changes to Fees</u> |
|---|-------------|--------------------|---------------------|---|
| Dog DA2PP Vaccination * | Each | \$ 10.00 | \$ 10.00 | |
| Cat FVRCP Vaccination ** | Each | \$ 10.00 | \$ 10.00 | |
| Bordatella Vaccination | Each | \$ 10.00 | \$ 10.00 | See Note 1 |
| Microchip (Owner to pay AKC registration fee) | Each | \$ 16.00 | \$ 16.00 | |

* DA2PP Vaccination- Distemper, Adeno-2, Parvo and Oanfluenza (commonly known as a 5 in 1)

** FVRCP Vaccination - Feline Viral Rhinotracheitus (FHV-1), Calicivirus and Panleukopenia (commonly known as a 4 in 1)

Trap Rental

Cat

| | | | | |
|--------------------|----------|----------|----------|-----------|
| Trap Rental | per Week | \$ 12.00 | \$ 12.00 | No Change |
| Refundable Deposit | | \$ 50.00 | \$ 50.00 | No Change |

Dog

| | | | | |
|--------------------|----------|-----------|-----------|-----------|
| Trap Rental | per Week | \$ 21.00 | \$ 21.00 | No Change |
| Refundable Deposit | | \$ 150.00 | \$ 150.00 | No Change |

Requests for Information

| | | | | |
|-------------------------|----------|-----------------|-----------------|--|
| Pet Identification Tags | per Page | \$ 0.20 | \$ 0.20 | |
| | Each | \$5.50 - \$7.50 | \$5.50 - \$7.50 | |

Surcharges

| | | | | |
|---|------|----------|----------|--|
| Unlicensed Animal | Each | \$ 15.00 | \$ 15.00 | |
| Un-altered Animal | Each | \$ 15.00 | \$ 15.00 | |
| Out-of-area Service Request (for non-residents) | Each | \$ 26.00 | \$ 27.00 | |
| Un-altered Kennel/Cattery | Each | \$ 52.00 | \$ 53.00 | |
| Owner Field Service Request | Each | \$ 15.00 | \$ 15.00 | |
| After Hours Emergency Field Response | Each | \$ 21.00 | \$ 21.00 | |

Section 1 - Administrative Services

Animal Services

| | <u>Unit</u> | <u>Current Fee</u> | | |
|--------------------------|--|-----------------------------------|----------------------------|---------------------------------------|
| Municipal Code Reference | Violation | Offenses within a 36 month period | | |
| | | 1st | 2nd | 3rd |
| 10.02.020 A | Failure to License Dog/Wear License Tag | \$50.00 | \$100.00 | \$200.00 |
| 10.02.020 B | Failure to Vaccinate for Rabies | \$50.00 | \$100.00 | \$200.00 |
| 10.02.040 | Failure to License Kennel/Cattery | \$100.00 | \$200.00 | \$500.00 |
| 10.02.130 A-G | Animal Cruelty-Minor Offense | \$100.00 | \$200.00 | \$500.00 |
| 10.02.130 A-G | Animal Cruelty-Major Offense | \$200.00 | \$500.00 | |
| 10.02.090 N | Animal Abandonment | \$100.00 | \$200.00 | \$500.00 |
| 10.02.080 A,B | Animal at Large-Altered | \$50.00 | \$100.00 | \$200.00 |
| 10.02.080 A,B | Animal at Large-Unaltered | \$100.00 | \$200.00 | \$500.00 |
| 10.02.080 E | Animal at Large-Threat to Public Safety | \$200.00 | \$500.00 | \$500.00 (plus removal from City*) |
| 10.02.100 | Failure to Provide Proof of Spay/Neuter (spay/neuter deposit forfeited) | \$150.00 | | |
| 10.02.160 | Failure to Comply with Public Nuisance Remedial Requirements | \$100.00 | \$200.00 | \$500.00 |
| 10.02.240-270 | Failure to Comply with Requirements for Potentially Dangerous or Vicious Animals | \$500.00 | \$500.00 | (plus removal from City*) |
| 10.02.120 | Failure to Quarantine/Produce the Animal/Concealing Information | \$100.00 | \$200.00 | \$500.00 |
| 10.02.110 | Barking Dog | \$100.00 | \$200.00 | \$500.00 |
| 10.02.140 C,D | Interference with ACE or Tampering with Animal/Equipment | \$100.00 | \$200.00 | \$500.00 |
| 10.02.010 | Failure to Pay for Services Rendered or Outstanding Fees | \$50.00 | (plus outstanding balance) | |
| H&S 122335 | Dog Tethering Violation | \$50.00 | \$100.00 | \$200.00 |
| 122220 | Violation of Pet Protection Act (Businesses/Commercial Breeding) | \$50.00 | \$200.00 | \$500.00 |

* 10.02.160 B.8 Public Nuisance-Prohibit or regulate the acquiring and keeping within the city specified animals for a period of up to five years.

Note 1 - Any fees added to the Fee Schedule after November 2010 may not be automatically increased by CPI based on legal interpretation of Prop 26. This ruling does not include fees related to recreation programs, facility rental or utility operations.

Item No. E.1

-403-

Section 1 - Administrative Services

Library

| | <u>Unit</u> | <u>Current Fee</u> | <u>Proposed Fee</u> | <u>Comments on Proposed Changes to Fees</u> |
|--|------------------|--------------------|---------------------|---|
| Replacement Library Card | Each | \$ 2.00 | \$ 2.00 | |
| Inter-Library Loan Overdue | per Day | \$ 2.00 | \$ 2.00 | |
| Floppy Disks (blank) | Each | \$ 1.00 | \$ 1.00 | |
| Flash Drives & Earbuds | Each | Actual Cost | | |
| Replacement Bar Code | Each | \$ 1.00 | \$ 1.00 | |
| Account Printout | per Page | \$ 0.20 | \$ 0.20 | |
| Printing - Black & White | per Page | \$ 0.20 | \$ 0.20 | |
| Printing - Color | per Page | \$ 0.75 | \$ 0.75 | |
| Copies - Black & White | per Page | \$ 0.15 | \$ 0.15 | |
| <u>Faxes</u> | | | | |
| Send/Receive Public Faxes - Local | per Page | \$ 1.00 | \$ 1.00 | |
| Domestic Long Distance Faxes | per Page | \$ 2.00 | \$ 2.00 | |
| International Long Distance Faxes | per Page | \$ 3.00 | \$ 3.00 | |
| Exam Proctoring | per Exam | \$ 15.00 | \$ 15.00 | |
| Lost Materials | per Item | Actual Cost + | Actual Cost + | |
| Lost Material Processing | per Item* | \$ 10.00 | \$ 10.00 | |
| * Except for uncataloged paperbacks, no processing fee | | | | |
| <u>Fines</u> | | | | |
| <u>Overdue Books</u> | | | | |
| Adult | per Item per Day | \$ 0.50 | \$ 0.50 | |
| Children | per Item per Day | \$ 0.25 | \$ 0.25 | |
| Overdue Videos, Kits & Book Club Bags | per Item per Day | \$ 1.00 | \$ 1.00 | |
| Overdue CDs | per Item per Day | \$ 0.50 | \$ 0.50 | |
| Overdue Audiocassettes | per Item per Day | \$ 0.50 | \$ 0.50 | |

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Section 2 - City Clerk

| | <u>Unit</u> | <u>Current Fee</u> | <u>Proposed Fee</u> | <u>Comments on Proposed Changes to Fees</u> |
|--|-------------|---|---|---|
| Agenda Subscription | per Year | \$ 106.00 | \$ 108.00 | |
| Certification of Public Records | Each | \$ 6.00 | \$ 6.00 | |
| Minutes Subscription | per Year | \$ 106.00 | \$ 108.00 | |
| Municipal Code and Code Supplements | per Page | \$ 0.20 +mailing costs | \$ 0.20 +mailing costs | |
| Nomination Papers Filing Fee | Each | \$ 25.00 Pursuant to §10228 of the CA Elections Code | \$ 25.00 Pursuant to §10228 of the CA Elections Code | |
| Notice of Intent Filing Fee | Each | \$ 200.00 Pursuant to § 9202 of the CA Elections Code | \$ 200.00 Pursuant to § 9202 of the CA Elections Code | |
| Audio Tape Recordings of Council Meetings | per Tape | \$ 2.00 | \$ 2.00 | |
| Fair Political Practices Commission (FPPC) | per Page | \$ 0.10 | \$ 0.10 | |

Item No. E.1

-405-

Section 3 - City Manager

| | <u>Unit</u> | <u>Current Fee</u> | <u>Proposed Fee</u> | <u>Comments on Proposed Changes to Fees</u> |
|---|-------------|------------------------|-------------------------|---|
| <u>Cable TV Administration and Production</u> | | | | |
| Video Recordings of Council Meetings | per Tape | \$ 6.00 | \$ 6.00 | |
| Recordings of Council Meetings on DVD | per DVD | \$ 2.00 | \$ 2.00 | |
| Recording of Council Meetings on CD (Audio only MP3 file) | per CD | \$ 2.00 | \$ 2.00 | |

-406-

Section 4 - Community & Economic Development

| <u>Building and Safety</u> | <u>Unit</u> | <u>Current Fee</u> | <u>Proposed Fee</u> | <u>Comments on Proposed Changes to Fees</u> |
|--|--------------|--------------------|---------------------|---|
| Water Heater Permit | Each | \$ 60.00 | \$ 60.00 | |
| Water Heater Permit Re-inspection | Each | \$ 60.00 | \$ 60.00 | |
| Residential Tract Unit | | | | |
| Note: Residential tract plan check fees and residential tract housing inspection fees are based on the following tables: | | | | |
| 1 Story Permit | | | | |
| <= 1,400 sq ft | | \$ 471.00 | \$ 480.00 | |
| > 1,400 sq ft | per 50 sq ft | \$ 7.38 | \$ 7.53 | |
| 1 Story Plan Check | | | | |
| <= 1,400 sq ft | | \$ 667.00 | \$ 680.00 | |
| > 1,400 sq ft | per 50 sq ft | \$ 6.78 | \$ 6.92 | |
| 1.5 Story Permit | | | | |
| <= 1,400 sq ft | | \$ 545.00 | \$ 556.00 | |
| > 1,400 sq ft | per 50 sq ft | \$ 8.32 | \$ 8.49 | |
| 1.5 Story Plan Check | | | | |
| <= 1,400 sq ft | | \$ 824.00 | \$ 840.00 | |
| > 1,400 sq ft | per 50 sq ft | \$ 8.93 | \$ 9.11 | |
| 2 Story Permit | | | | |
| <= 1,400 sq ft | | \$ 662.00 | \$ 675.00 | |
| > 1,400 sq ft | per 50 sq ft | \$ 9.24 | \$ 9.42 | |
| 2 Story Plan Check | | | | |
| <= 1,400 sq ft | | \$ 824.00 | \$ 840.00 | |
| > 1,400 sq ft | per 50 sq ft | \$ 8.93 | \$ 9.11 | |
| Identical Unit Plan Check Site Plan Approval Tract Only | per Unit | \$ 91.00 | \$ 93.00 | |

Item No. E.1

-407-

Section 4 - Community & Economic Development

| <u>Building and Safety</u> | <u>Unit</u> | <u>Current Fee</u> | <u>Proposed Fee</u> | <u>Comments on Proposed Changes to Fees</u> |
|---|--------------|--------------------|---------------------|---|
| Structural Alterations-Plan Check-Per Option | | | | |
| 1 Story | | | | |
| <= 1,400 sq ft | | \$ 386.00 | \$ 394.00 | |
| > 1,400 sq ft | per 50 sq ft | \$ 3.10 | \$ 3.16 | |
| 1.5 Story | | | | |
| <= 1,400 sq ft | | \$ 407.00 | \$ 415.00 | |
| > 1,400 sq ft | per 50 sq ft | \$ 4.62 | \$ 4.71 | |
| 2 Story | | | | |
| <= 1,400 sq ft | | \$ 407.00 | \$ 415.00 | |
| > 1,400 sq ft | per 50 sq ft | \$ 4.62 | \$ 4.71 | |
| Non-Structural Alterations-Plan Check-Per Option | | | | |
| 1 Story | | | | |
| <= 1,400 sq ft | | \$ 162.00 | \$ 165.00 | |
| > 1,400 sq ft | per 50 sq ft | \$ 1.54 | \$ 1.57 | |
| 1.5 Story | | | | |
| <= 1,400 sq ft | | \$ 201.00 | \$ 205.00 | |
| > 1,400 sq ft | per 50 sq ft | \$ 2.15 | \$ 2.19 | |
| 2 Story | | | | |
| <= 1,400 sq ft | | \$ 201.00 | \$ 205.00 | |
| > 1,400 sq ft | per 50 sq ft | \$ 2.15 | \$ 2.19 | |

Building Permit Fees

1997 Uniform Administrative Code fees

Building Plan Check Fees

When building plans are required by the Building Official, plan check fees shall be equal to the building permit fee (100%) and shall be paid at the time of submitting plans, excluding the permit issuance fee.

Section 4 - Community & Economic Development

| | <u>Unit</u> | <u>Current Fee</u> | <u>Proposed Fee</u> | <u>Comments on Proposed Changes to Fees</u> |
|--|-------------|------------------------|-------------------------|---|
| <u>Building and Safety</u> | | | | |
| <u>Electrical Permit Fees</u> | | | | |
| 1997 Uniform Administrative Code fees | | | | |
| Note: An Electrical Permit Fee is separate from, and in addition to, the fee for any other permit which may be required by other code provisions. | | | | |
| <u>Electrical Plan Check Fees</u> | | | | |
| Whenever electrical plans are required by the Building Official, plan check fees shall be equal to the electrical permit (100%) and shall be paid at the time of submitting plans, excluding the permit fee. | | | | |
| <u>Mechanical Permit Fees</u> | | | | |
| 1997 Uniform Administrative Code fees | | | | |
| Note: A mechanical permit fee is separate from, and in addition to, the fee for any other permit, which may be required by other code provisions. | | | | |
| <u>Mechanical Plan Check Fees</u> | | | | |
| Whenever mechanical plans are required by the Building Official, plan check fees shall be equal to the electrical permit (100%) and shall be paid at the time of submitting plans, excluding the permit fee. | | | | |
| <u>Plumbing Permit Fees</u> | | | | |
| 1997 Uniform Administrative Code fees | | | | |
| Note: A plumbing permit fee is separate from, and in addition to, the fee for any other permit, which may be required by other code provisions. | | | | |
| <u>Plumbing Plan Check Fees</u> | | | | |
| Whenever plumbing plans are required by the Building Official, plan check fees shall be equal to the (100%) and shall be paid at the time of submitting plans, excluding the permit fee. | | | | |
| <u>Pool and Spa Permit Fees</u> | | | | |
| 1997 Uniform Administrative Code | | | | |

Item No. E.1

-409-

Section 4 - Community & Economic Development

| <u>Building and Safety</u> | <u>Unit</u> | <u>Current Fee</u> | <u>Proposed Fee</u> | <u>Comments on Proposed Changes to Fees</u> |
|--|-------------|------------------------|-------------------------|---|
| <u>Pool and Spa Plan Check Fees</u> | | | | |
| Whenever specific plans are required by the Building Official, plan check fees shall be equal to the electrical permit (100%) and shall be paid at the time of submitting plans, excluding the permit fee. | | | | |
| Note: These fees do not include the permit fees for any parts of the pool and spa system which are subject to the requirements of other applicable codes. | | | | |
| <u>Miscellaneous Fees</u> | | | | |
| Minimum Permit Fee | Each | \$ 154.00 | \$ 157.00 | |
| Permit Issuance | Fee | \$ 33.00 | \$ 34.00 | |
| <u>Investigation Fees</u> | | | | |
| For work that is under construction for which no permit has been obtained, the investigation fee shall be equal to the value set forth in this Resolution for permit fees (building, electrical, mechanical, plumbing, etc). Plan check fees may be assessed as directed by the Building Official. | | | | |
| Research/Administration Fee | | | | |
| First 15 minutes | | No charge | | |
| Each additional 30 minutes or fraction thereof | | \$ 77.00 | \$ 79.00 | |
| Re-inspection fees approved by the Building Official | per Hour | \$ 154.00 | \$ 157.00 | |
| Inspections for which no fee is specifically identified | per Hour | \$ 154.00 | \$ 157.00 | |
| Additional plan review required by changes, additions or revisions to approved plans or incomplete plan check re-submittal after 3 reviews | per Hour | \$ 154.00 | \$ 157.00 | |
| Inspection outside of normal business hours (2 hr min) | per Hour | \$ 154.00 * | \$ 157.00 * | |
| * Or the fully burdened hourly rate cost to the City, whichever is greater | | | | |

Section 4 - Community & Economic Development

| <u>Building and Safety</u> | <u>Unit</u> | <u>Current Fee</u> | <u>Proposed Fee</u> | <u>Comments on Proposed Changes to Fees</u> |
|--|-------------|--------------------|-----------------------|--|
| Premium Inspection - During business hours (Inspection provided within 2 hours after payment) | per Hour | \$ 154.00 | \$ 157.00 | |
| Certificate of Occupancy Inspection | Each | \$ 185.00 | \$ 189.00 | |
| Temporary Certificate of Occupancy Up to and including first 30 days | | No Charge | No Charge | Note 1 |
| Each subsequent 30 day period (Due in Advance) | | \$ 616.00 | \$628.00 | Note 1 |
| Demand Letter (1 hr min) | per Hour | \$ 154.00 | \$157.00 | Actual time spent Note 1 |
| Updated Demand Letter (30 minute min) | per Hour | \$ 154.00 | \$157.00 | Actual time spent Note 1 |
| Lien Release - Initial Preparation | | No Charge | No Charge | Note 1 |
| Replacement Lien Release | | | | |
| within 60 days of initial preparation | | \$ 77.00 | \$79.00 | Note 1 (DEPT REQ) |
| more than 60 days from initial preparation | | \$ 154.00 | \$157.00 | Note 1 (DEPT REQ) |
| Replacement Job Card | | | \$39.25 | NEW |
| Transfer of Issued Permit to New Applicant with Job Card | | | \$39.25 | NEW |
| Special Inspector Registration | | | | |
| Initial Registration | | | \$39.25 | NEW |
| Renewal/ Addition of Certification | | | \$15.70 | NEW |
| Address Assignment | | | | |
| 1st Assignment (min 30 minute) | | | \$78.50 | NEW |
| 2nd through 10th (add) | | | \$78.50 | NEW |
| Each Additional (add) | | | \$39.25 | NEW |
| Alternate Means, Methods or Materials Review | DEPOSIT | | \$628.00 | Actual charge is "fully burdened" rate charge NEW |
| Counter Plan Check/Site Plan Approval (min 15 minutes) | per Hour | | \$157.00 | NEW |
| Plan Check | | | | |
| Accessibility | | | 10% of Plan Check Fee | NEW |
| Green Code | | | 10% of Plan Check Fee | NEW |
| Energy Code | | | 10% of Plan Check Fee | NEW |
| Plan Check Solar PV System | | | \$106.50 | NEW |
| Plan Check/Permit Extension | | | \$15.70 | NEW |
| Revision of Approved Plans (min 1 hour) | per Hour | | \$157.00 | NEW |
| Inspections | | | | |

Item No. E.1

-411-

Section 4 - Community & Economic Development

| <u>Building and Safety</u> | <u>Unit</u> | <u>Current Fee</u> | <u>Proposed Fee</u> | <u>Comments on Proposed Changes to Fees</u> |
|--|-------------|--------------------|-----------------------|---|
| Accessibility | | | 10% of Inspection Fee | NEW |
| Green Code | | | 10% of Inspection Fee | NEW |
| Energy Code | | | 10% of Inspection Fee | NEW |
| Training Surcharge (AB 717) | | | \$3.40 | NEW |
| Document Archive Fee | | | | |
| No Plan Check Documents | per Permit | | \$3.40 | NEW |
| With Plan Check Documents | per Permit | | 10% of Plan Check Fee | NEW |
| Technology Maintenance Fee | | | \$3.40 | NEW |
| Construction Valuation Will Be Based on the Latest ICC Valuation Table | | | | |

Note 1 - Any fees added to the Fee Schedule after November 2010 may not be automatically increased by CPI based on legal interpretation of Prop 26. This ruling does not include fees related to recreation programs, facility rental or utility operations.

Section 4 - Community & Economic Development

| <u>Code and Neighborhood Services</u> | <u>Unit</u> | <u>Current Fee</u> | | <u>Proposed Fee</u> | <u>Comments on Proposed Changes to Fees</u> |
|--|-------------|--------------------|--|---------------------|--|
| Re-inspection Fee for Failed Compliance | Each | \$ 188.00 | | \$ 192.00 | |
| Nuisance Abatement Administrative Fee | | | | | |
| Level 1 (4 hrs or less) | Each | \$ 250.00 | | \$ 255.00 | |
| Level 2 (more than 4 hrs) | Hourly | \$ 92.00 | | \$ 94.00 | |
| Removal of Signs in Right-of-Way | | | | | |
| Sign Removal | Each | \$ 26.00 | | \$ 27.00 | |
| Surcharge on signs requiring special equipment or additional labor to remove | Each | \$ 55.00 | or actual cost of removal whichever is greater | \$ 56.00 | or actual cost of removal whichever is greater |
| Lost or Stolen Parking Ticket Recovery | Each | \$ 11.00 | | \$ 11.00 | |
| Drive-off Parking Violation | Each | \$ 18.00 | | \$ 18.00 | |
| Department of Motor Vehicle (DMV) Hold | Each | \$ 10.00 | or current DMV rate | \$ 10.00 | |
| Certificate of Correction | | \$ 147.00 | | \$ 150.00 | |
| Rotational Tow Service Program | | | | | |
| Application | Each | \$ 2,939.00 | | \$2,998.00 | |
| Agreement | Deposit | \$ 5,000.00 | Actual charge is "fully burdened" rate charge | \$5,000.00 | Actual charge is "fully burdened" rate charge |
| Rotational Tow Vehicle Release Fee | Each | \$ 77.00 | | \$ 79.00 | |
| Demand Letter (1 hr min) | per Hour | \$ 154.00 | Actual time spent | \$154.00 | Actual time spent |
| Updated Demand Letter (30 minute min) | per Hour | \$ 154.00 | Actual time spent | \$154.00 | Actual time spent |
| Lien Release - Initial Preparation | | No Charge | | No Charge | |
| Replacement Lien Release | | | | | |
| within 60 days of initial preparation | | \$ 77.00 | | \$77.00 | Note 1 |
| more than 60 days from initial preparation | | \$ 154.00 | | \$154.00 | Note 1 |

Note 1 - Any fees added to the Fee Schedule after November 2010 may not be automatically increased by CPI based on legal interpretation of Prop 26. This ruling does not include fees related to recreation programs, facility rental or utility operations.

Item No. E.1

-413-

Section 4 - Community & Economic Development

Land Development

LEGAL AND OTHER DOCUMENTS

Fee Includes Three (3) Reviews, Unless Otherwise Noted

| | <u>Unit</u> | <u>Current Fee</u> | <u>Proposed Fee</u> | <u>Comments on Proposed Changes to Fees</u> |
|---------------------------------------|-------------|--------------------|---------------------|---|
| Lot Line Adjustment | Each | \$ 973.00 | \$ 1,168.00 | SEE NOTE 2 |
| Certificate of Parcel Merger | Each | \$ 973.00 | \$ 1,168.00 | SEE NOTE 2 |
| Certificate of Correction | Each | \$ 488.00 | \$ 498.00 | |
| Certificate of Compliance | Each | \$ 788.00 | \$ 980.00 | SEE NOTE 2 |
| Conditional Certificate of Compliance | Each | \$ 1,224.00 | \$ 1,424.00 | SEE NOTE 2 |

Street Vacation

| | | | | |
|---------|------|-------------|-------------|--|
| Summary | Each | \$ 1,184.00 | \$ 1,208.00 | |
| Full | Each | \$ 3,930.00 | \$ 4,009.00 | |

Condemnation

| | | | | |
|---|-------------------|---|---|--|
| Initial Processing Deposit | Deposit | \$ 5,000.00 | \$ 5,000.00 | |
| Right-of-Way Acquisition and Processing (minimum fee) | Deposit (per lot) | \$ 5,000.00 Amount determined by City Engineer. Not to exceed total City cost. | \$ 5,000.00 Amount determined by City Engineer. Not to exceed total City cost. | |

Document Review and Processing

| | | | | |
|---|---------|--|--|--|
| Minor Documents (Staff Reports, Offers of Dedication, Easement Deeds, Grant Deeds, Centerline Tie Sheets, Public Improvement Agreements, partial Security Reduction, etc) (For 2 Reviews) | Each | \$ 782.00 | \$ 798.00 | |
| Major Documents (DIF/TUMF Actual cost verification, etc) | Each | Amount determined by City Engineer. Not to exceed total City cost. | Amount determined by City Engineer. Not to exceed total City cost. | |
| Public Improvement Agreement (Extension) | Each | \$ 914.00 | \$ 932.00 | |
| Security Release/Exoneration | Each | \$ 1,760.00 | \$ 1,795.00 | |
| Assurance of Construction (Grading, Damage and Minor Construction Securities) | Deposit | Security amount determined by City Engineer | Security amount determined by City Engineer | |

-414-

Section 4 - Community & Economic Development

Land Development

MAP CHECKING

Initial Fee Includes Three (3) Reviews, Unless Otherwise Noted

| | <u>Unit</u> | <u>Current Fee</u> | | <u>Proposed Fee</u> | <u>Comments on Proposed Changes to Fees</u> |
|--|----------------------------|------------------------------------|---|-------------------------|---|
| Parcel Map Residential and Tract Map | Each per Lot | \$ 4,011.00 \$ 42.00 | + | \$ 4,771.00 | SEE NOTE 2 DELETE |
| Parcel Map Non-Residential | Each | \$ 4,011.00 | + | \$ 5,108.00 | SEE NOTE 2 |
| Tract Map | Each per Lot | \$ 4,011.00 \$ - | + | \$ 5,108.00 \$ 43.00 | SEE NOTE 2 |
| 4th and Subsequent Reviews (Parcel and Tract) | per Sheet, per Review | \$ 197.00 | | \$ 289.00 | SEE NOTE 2 |
| Amended Map Residential | Each | \$ 2,241.00 | | \$ 2,966.00 | SEE NOTE 2 |
| Amended Map Non-Residential | Each | \$ 2,241.00 | | \$ 3,303.00 | SEE NOTE 2 |
| Amended Tract Map | Each | \$ 2,241.00 | | \$ 3,303.00 | SEE NOTE 2 |
| 4th and Subsequent Reviews (Parcel and Tract) | per Sheet, per Review | \$ 197.00 | | \$ 289.00 | SEE NOTE 2 |
| Reversion to Acreage | Each | \$ 1,699.00 | | \$ 1,733.00 | |
| Monument Review Field | | 5% of Bond or \$415 min | | 5% of Bond or \$415 min | |
| Survey Monument Restoration (Two Reviews, Per Set) | Each | \$ 267.00 | | \$ 272.00 | |

IMPROVEMENT PLAN CHECK (Includes but is not limited to Street Improvements, Storm Drain, Water, Sewer, etc Plans)

Initial Fee Includes Three (3) Reviews, Unless Otherwise Noted

| | | | | | |
|--|-----------------------|---|---|---|---|
| <= \$100,000 of Engineer's estimate Plus | | 4.00% | + | 4.00% | + |
| \$100,001-\$250,000 of Engineer's estimate Plus | | 3.00% | + | 3.00% | + |
| > \$250,000 of Engineer's estimate | | 2.50% | | 2.50% | |
| On-site Improvements (For non-single family residential, based on Engineer's estimate) | | 1.00% | | 1.00% | |
| 4th and Subsequent Reviews (Improvement Plans minimum fee) | per Sheet, per Review | \$ 258.00 | | \$ 263.00 | |
| | | or amount determined by the City Engineer. Fee not to exceed total City cost. | | or amount determined by the City Engineer. Fee not to exceed total City cost. | |

Revisions (Improvement Plans)

| | | | | | |
|---|-----------------------|--|--|--|--|
| Minor (Including As-Builts, minimum fee*) | per Sheet, per Review | \$ 271.00 | | \$ 276.00 | |
| Major (minimum fee) | per Sheet, per Review | \$ 279.00 | | \$ 285.00 | |
| | | Amount determined by the City Engineer. Fee not to exceed total City | | Amount determined by the City Engineer. Fee not to exceed total City cost. | |

* For As-Builts with no changes, a one sheet fee is required.

Item No. E.1

-415-

Section 4 - Community & Economic Development

Land Development

MASS/ROUGH GRADING PLAN CHECK

Initial Fee Includes Three (3) Reviews, Unless Otherwise Noted

Parcel Map Subdivisions and Custom Homes

| <u>Unit</u> | <u>Current Fee</u> | <u>Proposed Fee</u> | <u>Comments on Proposed Changes to Fees</u> |
|--|--------------------|---------------------|---|
| 0-5,000 CY | \$ 2,004.00 | \$ 2,724.00 | SEE NOTE 2 |
| 5,001-100,000 CY Plus | \$ 2,004.00 + | \$ 2,724.00 + | SEE NOTE 2 |
| Each Additional 5,000 CY or portion thereof over 5,000 CY (prorated per cubic yard) | \$ 331.00 | \$ 338.00 | |
| > 100,000 CY Plus | \$ 8,293.00 + | \$ 9,146.00 + | SEE NOTE 2 |
| Each Additional 10,000 CY or portion thereof over 100,000 CY (prorated per cubic yard) | \$ 111.00 | \$ 113.00 | |

Tract Maps & Non Subdivisions

| | | | |
|--|---------------|---------------|------------|
| 0-5,000 CY | \$ 2,004.00 | \$ 3,061.00 | SEE NOTE 2 |
| 5,001-100,000 CY Plus | \$ 2,004.00 + | \$ 3,061.00 + | SEE NOTE 2 |
| Each Additional 5,000 CY or portion thereof over 5,000 CY (prorated per cubic yard) | \$ 295.00 | \$ 338.00 | DEPT REQ |
| > 100,000 CY Plus | \$ 7,609.00 + | \$ 9,483.00 + | SEE NOTE 2 |
| Each Additional 10,000 CY or portion thereof over 100,000 CY (prorated per cubic yard) | \$ 73.00 | \$ 113.00 | |

4th and Subsequent Reviews (Mass/Rough Grading Plans) per Sheet, per Review \$ 215.00 \$ 307.00 SEE NOTE 2

Revisions (Mass/Rough Grading Plans)

| | | | | |
|--|-----------------------|-----------|-----------|------------|
| Minor (Including As-Built, minimum fee*) | per Sheet, per Review | \$ 257.00 | \$ 350.00 | SEE NOTE 2 |
| Major (minimum fee) | per Sheet, per Review | \$ 306.00 | \$ 400.00 | SEE NOTE 2 |

* For As-Built with no changes, a one sheet fee is required.

STOCKPILE/BORROW SITE PLAN

Initial Fee Includes Three (3) Reviews, Unless Otherwise Noted

| | | | |
|------------------|-------------|-------------|------------|
| 0-5,000CY | \$ 607.00 | \$ 795.00 | SEE NOTE 2 |
| 5,001-100,000 CY | \$ 1,049.00 | \$ 1,246.00 | SEE NOTE 2 |
| > 100,000 CY | \$ 1,456.00 | \$ 1,661.00 | SEE NOTE 2 |

4th and Subsequent Reviews (Stockpile/Borrow Plans) per Sheet, per Review \$ 215.00 \$ 307.00 SEE NOTE 2

Revisions (Stockpile/Borrow Plans)

| | | | | |
|---------------------|-----------------------|-----------|-----------|------------|
| Minor | per Sheet, per Review | \$ 257.00 | \$ 350.00 | SEE NOTE 2 |
| Major (minimum fee) | per Sheet, per Review | \$ 306.00 | \$ 400.00 | SEE NOTE 2 |

Actual amount determined by the City Engineer. Fee not to exceed total City cost.

Actual amount determined by the City Engineer. Fee not to exceed total City cost.

Section 4 - Community & Economic Development

Land Development

PRECISE GRADING PLAN CHECK

Initial Fee Includes Three (3) Reviews, Unless Otherwise Noted

| | <u>Unit</u> | <u>Current Fee</u> | <u>Proposed Fee</u> | <u>Comments on Proposed Changes to Fees</u> |
|--|-----------------------|---------------------------|---------------------------|---|
| Parcel Map Subdivisions and Custom Homes Plus | Each per Lot | \$ 1,909.00 + \$ 73.00 | \$ 2,627.00 + \$ 74.00 | SEE NOTE 2 |
| Tract Maps | Each per Lot | \$ 73.00 | \$ 2,964.00 + \$ 74.00 | SEE NOTE 2 |
| Non Subdivisions | | | | |
| On-site Improvement Plan Check Fee | | | | |
| 0-5,000CY | | \$ 1,910.00 | \$ 2,965.00 | SEE NOTE 2 |
| 5,001-100,000 CY Plus | | \$ 1,910.00 + | \$ 2,965.00 + | SEE NOTE 2 |
| Each Additional 5,000 CY or portion thereof over 5,000 CY (prorated per cubic yard) | | \$ 295.00 | \$ 301.00 | |
| > 100,000 CY Plus | | \$ 7,515.00 + | \$ 8,684.00 + | SEE NOTE 2 |
| Each Additional 10,000 CY or portion thereof over 100,000 CY (prorated per cubic yard) | | \$ 73.00 | \$ 74.00 | |
| 4th and Subsequent Reviews (Precise Grading Plans) | per Sheet, per Review | \$ 227.00 | \$ 320.00 | SEE NOTE 2 |
| Revisions (Precise Grading Plans) | | | | |
| Minor (Including As-Builts, minimum fee*) | per Sheet, per Review | \$ 257.00 | \$ 350.00 | SEE NOTE 2 |
| Major (minimum fee) | per Sheet, per Review | \$ 306.00 | \$ 400.00 | SEE NOTE 2 |

* For As-Builts with no changes, a one sheet fee is required.

Actual amount determined by the City Engineer. Fee not to exceed total City cost.

Actual amount determined by the City Engineer. Fee not to exceed total City cost.

STORM WATER MANAGEMENT PLAN CHECK

Initial Fee Includes Three (3) Reviews, Unless Otherwise Noted

| | | | | |
|---|-----------------------|-------------|-------------|--|
| Water Quality Basins (SFR Projects) (Civil Drawings) | Per Sheet | \$ 1,499.00 | \$ 1,529.00 | |
| Water Quality Treatment (Non SFR Projects) (Civil Drawings) | Per Sheet | \$ 1,499.00 | \$ 1,529.00 | |
| 4th and Subsequent Reviews (Civil Drawings) | per Sheet, per Review | \$ 257.00 | \$ 262.00 | |
| Water Quality Basin Landscaping (Landscape Drawings) Base Fee (7 sheets Maximum) | | \$ 6,158.00 | \$ 6,281.00 | |
| Each Additional Sheet | | \$ 863.00 | \$ 880.00 | |
| 4th and Subsequent Reviews (Landscape Drawings) | per Sheet, per Review | \$ 185.00 | \$ 189.00 | |
| Hydrology & Hydraulic Calculations for Treatment Control Devices | Each | \$ 483.00 | \$ 493.00 | |
| Storm Water Pollution Prevention Plan (SWPPP) Document Review | Each | \$ 681.00 | \$ 695.00 | |

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Section 4 - Community & Economic Development

Land Development

STUDIES

Initial Fee Includes Three (3) Reviews, Unless Otherwise Noted

| | <u>Unit</u> | <u>Current Fee</u> | | <u>Proposed Fee</u> | | <u>Comments on Proposed Changes to Fees</u> |
|--|-------------|--------------------|---------------|---------------------|---------------|---|
| Flood Plain (CLOMR/LOMR) | | | | | | |
| 1-10 Acres (Tributary) | Each | \$ 3,516.00 | | \$ 3,516.00 | | No Change |
| Over 10 Acres | Each | \$ 3,516.00 | + | \$ 3,516.00 | + | No Change |
| Each Acre over 10 Acres | per Acre | \$ 21.00 | | \$ 21.00 | | |
| Drainage (Hydrology/Hydraulics) | | | | | | |
| 0-50 Acres (Tributary) | per Acre | \$ 50.00 | \$450 minimum | \$ 51.00 | \$450 minimum | |
| 51-100 Acres Plus | Each | \$ 2,500.00 | + | \$ 2,500.00 | + | |
| Each Additional Acre over 50 | per Acre | \$ 6.00 | | \$ 6.00 | | No Change |
| 101-1,000 Acres Plus | Each | \$ 2,800.00 | + | \$ 2,800.00 | + | |
| Each Additional Acre over 100 | per Acre | \$ 4.00 | | \$ 4.00 | | No Change |
| Over 1,000 Acres Plus | Each | \$ 6,400.00 | + | \$ 6,400.00 | + | |
| Each Additional Acre over 1,000 | per Acre | \$ 1.00 | | \$ 1.00 | | No Change |

| | | | | | | |
|--|-------------|-----------|-----------------|-----------|-----------------|--|
| 4th and Subsequent Review | Each Review | | Total City Cost | | Total City Cost | |
| Preliminary Drainage Study (Entitlement Stage) | Each | \$ 483.00 | | \$ 493.00 | | |

Preliminary Water Quality Management Plan (P-WQMP)

WQMP Preliminary Document Review

| | | | | | |
|--|-------------|-----------|--|-----------|--|
| First Two Reviews Only (Consultant and Admin) | | \$ 971.00 | | \$ 990.00 | |
| Third and Subsequent Reviews (Fee for Consultant Only) | Each Review | \$ 334.00 | | \$ 341.00 | |
| All Meetings | per Hour | \$ 260.00 | | \$ 265.00 | |
| All Teleconferences | per Hour | \$ 156.00 | | \$ 159.00 | |

Final Water Quality Management Plan (F-WQMP)

WQMP Final Document Review

(Initial fee includes Document Review, Teleconferences and Meetings)

| | | | | | |
|--|-------------|-------------|--|-------------|--|
| Basic Review (Maximum 2 Reviews and 2 Meetings) (Applies to Hillside Residential ≤ 9 Units) | | \$ 1,141.00 | | \$ 1,164.00 | |
| Subsequent Reviews | Each Review | \$ 779.00 | | \$ 795.00 | |
| Subsequent Meetings | per Hour | \$ 260.00 | | \$ 265.00 | |
| Subsequent Teleconferences | per Hour | \$ 156.00 | | \$ 159.00 | |
| Standard Review (Maximum 2 Reviews and 2 Meetings) (Applies to Residential ≤ 50 Units; Commercial ≤ 2 Acres; Industrial ≤ 1 Acre; Automotive ≤ 1 Acre; Restaurants ≤ 1 Acre; Hillside Development ≤ 1 Acre (Except Hillside Residential ≤ 9 Units); and Parking Lots ≤ 2 Acres) | | \$ 4,458.00 | | \$ 4,547.00 | |
| Subsequent Reviews | Each Review | \$ 1,496.00 | | \$ 1,526.00 | |
| Subsequent Meetings | per Hour | \$ 260.00 | | \$ 265.00 | |
| Subsequent Teleconferences | per Hour | \$ 156.00 | | \$ 159.00 | |

Section 4 - Community & Economic Development

| <u>Land Development</u> | <u>Unit</u> | <u>Current Fee</u> | <u>Proposed Fee</u> | <u>Comments on Proposed Changes to Fees</u> |
|--|--------------------|------------------------|------------------------|---|
| <u>STUDIES (CONT)</u> | | | | |
| Complex Review (Maximum 3 Reviews and 3 Meetings) (Applies to MFR or SFR > 50 Units; Commercial > 2 Acres; Industrial > 1 Acre; Automotive > 1 Acre; Restaurants > 1 Acre; Hillside Development > 1 Acre (Except Hillside Residential ≤ 9 Units); and Parking Lots > 2 Acres) | | \$ 6,422.00 | \$ 6,550.00 | |
| Subsequent Reviews | Each Review | \$ 1,896.00 | \$ 1,934.00 | |
| Subsequent Meetings | per Hour | \$ 260.00 | \$ 265.00 | |
| Subsequent Teleconferences | per Hour | \$ 156.00 | \$ 159.00 | |
| <u>OTHER PLAN CHECK FEES</u> | | | | |
| <u>Underground Overhead Utilities</u> | | | | |
| Underground of Utilities Administration Fee Plus | | \$ 73.00 + | \$ 74.00 + | |
| Underground of Utilities In-Lieu Fee (In accordance with Development Code 9.14.130) | per Linear Foot | \$ 203.00 | \$ 207.00 | |
| <u>IMPROVEMENT PLAN INSPECTION</u> | | | | |
| <u>Grading</u> | | | | |
| Mass, Rough, Precise, Stockpile or Borrow Grading Inspection (All projects) | | | | |
| 0-100 CY | | \$ 662.00 | \$ 675.00 | |
| 101-1,000 CY Plus | | \$ 662.00 + | \$ 675.00 + | |
| Each Additional 100 CY or portion thereof over 100 CY (prorated per cubic yard) | | \$ 124.00 | \$ 126.00 | |
| 1,001-10,000 CY Plus | | \$ 1,778.00 + | \$ 1,809.00 + | DEPT REQUESTED |
| Each Additional 1,000 CY or portion thereof over 1,000 CY (prorated per cubic yard) | | \$ 406.00 | \$ 414.00 | |
| 10,001-100,000 CY Plus | | \$ 5,432.00 + | \$ 5,535.00 + | DEPT REQUESTED |
| Each Additional 10,000 CY or portion thereof over 10,000 CY (prorated per cubic yard) | | \$ 369.00 | \$ 376.00 | |
| > 100,000 CY Plus | | \$ 8,753.00 + | \$ 8,919.00 + | DEPT REQUESTED |
| Each Additional 10,000 CY or portion thereof over 100,000 CY (prorated per cubic yard) | | \$ 331.00 | \$ 338.00 | |
| <u>Improvements</u> | | | | |
| Improvement Plan (Offsite Public Improvements, Per Project) | | | | |
| < \$100,000 of Engineers estimate Plus | | 4.00% + | 4.00% + | |
| \$100,000-\$250,000 of Engineers estimate Plus | | 3.00% + | 3.00% + | |
| > \$250,000 of Engineers estimate | | 2.50% | 2.50% | |
| Onsite Improvements (Based on Engineer's estimate) | | 1.00% | 1.00% | |
| Re-inspection | Each | \$ 449.00 | \$ 458.00 | |
| Holidays, Weekends and Night Inspections (Based on staff availability) | per Hour* | \$ 79.00 Straight Time | \$ 79.00 Straight Time | |
| | *minimum of 2 hour | \$ 96.00 Over Time | \$ 96.00 Over Time | |

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Section 4 - Community & Economic Development

| <u>Land Development</u> | <u>Unit</u> | <u>Current Fee</u> | <u>Proposed Fee</u> | <u>Comments on Proposed Changes to Fees</u> |
|--|--------------|--------------------|---------------------|---|
| <u>STORM WATER MANAGEMENT INSPECTION</u> | | | | |
| <u>Storm Water Pollution Abatement Program</u> | | | | |
| <u>Projects Under Construction</u> | | | | |
| Construction Site Inspection | | \$ 418.00 | \$ 426.00 | |
| NPDES Construction Inspection Invoice Processing | | \$ - | \$ 19.00 | NEW |
| <u>Existing Businesses</u> | | | | |
| NPDES Industrial Site Initial Inspection | Each | \$ 468.00 | \$ 477.00 | |
| Follow-up Compliance Inspection | Each | \$ 220.00 | \$ 224.00 | |
| NPDES Commercial Site Initial Inspection | Each | \$ 344.00 | \$ 351.00 | |
| Follow-up Compliance Inspection | Each | \$ 220.00 | \$ 224.00 | |
| NPDES Restaurant Initial Inspection (CAP) | Each | \$ 281.00 | \$ 287.00 | |
| Follow-up Compliance Inspection | Each | \$ 220.00 | \$ 224.00 | |
| NPDES Business Inspection Invoice Processing | | \$ - | \$ 19.00 | NEW |
| <u>Water Quality Basin Landscape Inspection</u> | | | | |
| 0-1 Acre | | \$12,319.00 | \$ 12,565.00 | |
| 1-1.5 Acres | | \$14,167.00 | \$ 14,450.00 | |
| 1.5-2 Acres | | \$16,014.00 | \$ 16,334.00 | |
| 2-2.5 Acres | | \$17,863.00 | \$ 18,220.00 | |
| Each additional 1/2 Acre > 2.5 Acres | per 1/2 Acre | \$ 1,847.00 | \$ 1,884.00 | |
| <u>PENALTY FEES</u> | | | | |
| Inspection and Testing work in Right-of-Way without Encroachment Permit | | \$ 626.00 | \$ 639.00 | |
| Failure to Schedule Inspection Prior to Performing Work * | | \$ 126.00 | \$ 129.00 | |
| <small>* Penalty Fee to be determined by the City Engineer. Listed amount for the first offense and not to exceed \$500 for each subsequent offense.</small> | | | | |
| <u>PERMITS - ADMINISTRATION FEES</u> | | | | |
| Grading or Inspection: Permit Issuance | Each | \$ 85.00 | \$ 87.00 | |
| Construction Permit Issuance | Each | \$ 85.00 | \$ 87.00 | |
| Newspaper Rack Annual Permit Issuance | Each | \$ 85.00 | \$ 87.00 | |
| Annual Utility Blanket Permit Administration | Each | \$ 85.00 | \$ 87.00 | |
| Second Driveway Approach Application | Each | \$ 85.00 | \$ 87.00 | |

Section 4 - Community & Economic Development

Land Development

PERMITS - INSPECTION FEES

| | <u>Unit</u> | <u>Current Fee</u> | | <u>Proposed Fee</u> | | <u>Comments on Proposed Changes to Fees</u> |
|---|--------------------|--------------------|---------------|---------------------|---------------|---|
| Concrete Sidewalk | | | | | | |
| 0-100 Linear Feet | Each | \$ 69.00 | + | \$ 70.00 | + | |
| > 100 Linear Feet | per Linear Foot | \$ 1.00 | | \$ 1.00 | | |
| Parkway Drains | Each | \$ 150.00 | | \$ 153.00 | | |
| Residential Curb Core (2 maximum per lot) | per Lot | \$ 81.00 | | \$ 83.00 | | |
| Driveways | | | | | | |
| Commercial | Each | \$ 150.00 | | \$ 153.00 | | |
| Residential | Each | \$ 211.00 | | \$ 215.00 | | |
| Excavation-Street Crossing | per Linear Foot | \$ 2.00 | \$232 min | \$ 2.00 | | |
| Excavation Parallel Trench | per Linear Foot | \$ 0.50 | \$232 min | \$ 0.50 | | |
| Small Bore Potholes (12" Diameter Maximum) | Each | \$ 27.00 | | \$ 28.00 | | |
| All Other Potholes | Each | \$ 80.00 | | \$ 82.00 | | |
| Bores/Splice Pits | Each | \$ 54.00 | | \$ 55.00 | | |
| Non-Retaining Wall | Each | \$ 150.00 | | \$ 153.00 | | |
| Fence | Each | \$ 150.00 | | \$ 153.00 | | |
| Newspaper Rack Installation | Each | \$ 54.00 | | \$ 55.00 | | |
| Utility Blanket Permit Individual Location Inspection | Each | \$ 15.00 | | \$ 15.00 | | |
| Miscellaneous Inspections (Based on staff availability) | per Hour* | \$ 79.00 | Straight Time | \$ 79.00 | Straight Time | |
| | *minimum of 1 hour | \$ 96.00 | Over Time | \$ 96.00 | Over Time | |

OTHER PERMITS

| | | | | | | |
|--|---------|-----------|--|-----------|--|--|
| Application Fee for Special Events, (Including Permit to Conduct a Parade or other event within Public Property or Street Right-of-Way.) | Each | \$ 213.00 | | \$ 217.00 | | |
| Block Party Permit Processing | Each | \$ 85.00 | | \$ 87.00 | | |
| Flood Plain Determination (Community Rating System) | per Lot | \$ 21.00 | | \$ 21.00 | | |
| Elevation Certification (Mobile Home Park) | Each | \$ 161.00 | | \$ 164.00 | | |

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Section 4 - Community & Economic Development

Land Development

OTHER FEES

Advanced Energy Fees

Street Light(s) -Zone B (Residential and Zone C (Arterial & Intersections)

| | <u>Unit</u> | <u>Current Fee</u> | <u>Proposed Fee</u> | <u>Comments on Proposed Changes to Fees</u> |
|--|-------------|--------------------|---------------------|---|
| Administration Fee | | \$ 420.00 | \$ 428.00 | |
| Zone-B 100w HPSV or equivalent (9,500 Lumens) | Each | \$ 637.00 | \$ 621.00 | DECREASE |
| Zone-C 200w HPSV or equivalent (22,000 Lumens) | Each | \$ 700.00 | \$ 680.00 | DECREASE |
| 250w HPSV or equivalent* | | | \$ 705.00 | NEW |
| 100w LED or equivalent | | | \$ 655.00 | NEW |
| 145w LED or equivalent* | | | \$ 706.00 | NEW |

* The fee for any street light installation which may exceed the identified wattages (w), as denoted above will be determined by the Special Districts Division. Fee is not to exceed actual City Cost.

Area Drainage Plan Fee

Established by and payable to the County of Riverside Flood Control District

MISCELLANEOUS LAND DEVELOPMENT FEES

| | | | | | |
|--|------------|-----------|---------------------|-----------|---------------------|
| City of Moreno Valley Book of Standard Drawings | Each | \$ 47.00 | | \$ 48.00 | |
| Research of Records, Files, etc. | | | | | |
| Technical | per Hour * | \$ 87.00 | +reproduction costs | \$ 87.00 | +reproduction costs |
| Professional | per Hour * | \$ 142.00 | +reproduction costs | \$ 145.00 | +reproduction costs |
| * minimum of 1/2 hour | | | | | |
| In-house Reproduction costs of Engineered Plan Sheets (Large Format) | per Sq Ft | \$ 1.00 | | \$ 1.00 | |

NOTE 2: These Land Development fees have been modified to include the costs related to the Planning Division that should be reflected in these services.

Section 4 - Community & Economic Development

| | <u>Unit</u> | <u>Current Fee</u> | | <u>Proposed Fee</u> | | <u>Comments on Proposed Changes to Fees</u> |
|---|-------------|--------------------|---|---------------------|---|---|
| <u>Planning</u> | | | | | | |
| Annexation Process and Environmental Review | Deposit | \$ 5,000.00 | Actual charge is "fully burdened" rate charge | \$ 5,000.00 | Actual charge is "fully burdened" rate charge | NO CHANGE |
| Appeal | | \$ 750.00 | | \$ 750.00 | | NO CHANGE |
| Change of Zone | Deposit | \$ 3,500.00 | Actual charge is "fully burdened" rate charge | \$ 3,500.00 | Actual charge is "fully burdened" rate charge | |
| Conditional Use Permit | | \$ 10,562.00 | Plus applicable environmental review, notice, posting and acreage/per unit fees | \$10,926.00 | Plus applicable environmental review, notice, posting and acreage/per unit fees | SEE NOTE 3 |
| Conditional Use Permit: Admin & Existing Structure | | \$ 6,240.00 | Plus applicable notice and posting fees | \$ 6,365.00 | | |
| Conditional Use Permit (Com/Ind) | per Acre | \$ 65.00 | | \$ 91.00 | | DEPT REQ |
| Conditional Use Permit: Amended CUP/Substantial Conformance | | \$ 5,608.00 | Plus applicable notice and posting fees | \$ 5,875.00 | Plus applicable notice and posting fees | SEE NOTE 3 |
| Custom Home Review | | \$ 1,047.00 | | \$ 1,108.00 | | SEE NOTE 3 |
| Development Agreement | Deposit | \$ 7,400.00 | Actual charge is "fully burdened" rate charge | \$ 7,400.00 | Actual charge is "fully burdened" rate charge | NO CHANGE |
| Development Agreement Amendment | Deposit | \$ 3,225.00 | Actual charge is "fully burdened" rate charge | \$ 3,225.00 | Actual charge is "fully burdened" rate charge | NO CHANGE |
| Development Agreement Annual Review | Deposit | \$ 1,000.00 | Actual charge is "fully burdened" rate charge | \$ 1,000.00 | Actual charge is "fully burdened" rate charge | NO CHANGE |
| Development Code Amendment | Deposit | \$ 5,000.00 | Actual charge is "fully burdened" rate charge | \$ 5,000.00 | Actual charge is "fully burdened" rate charge | NO CHANGE |

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Section 4 - Community & Economic Development

| <u>Planning</u> | <u>Unit</u> | <u>Current Fee</u> | <u>Proposed Fee</u> | <u>Comments on Proposed Changes to Fees</u> |
|---|-------------|---------------------------|--|---|
| <u>Environmental Review</u> | | | | |
| EIR Report Preparation | Deposit | \$ 7,000.00 | Actual charge is "fully burdened" rate charge \$ 7,000.00 | Actual charge is "fully burdened" rate charge NO CHANGE |
| Expanded Initial Study / Expanded Project Review | Deposit | \$500 per Study | Actual charge is "fully burdened" rate charge \$ 3,000.00 | Actual charge is "fully burdened" rate charge SEE NOTE 3 |
| Environmental Assessment | | \$ 1,033.00 | \$ 1,054.00 | |
| Environmental Mitigation Monitoring | Deposit | \$ 3,500.00 | Actual charge is "fully burdened" rate charge \$ 3,500.00 | Actual charge is "fully burdened" rate charge NO CHANGE |
| Extension of Time | | \$ 3,267.00 | \$ 3,611.00 | SEE NOTE 3 |
| Fully Burdened Hourly Rate | Per Hour | \$ 168.00 | See Note 1 \$ 176.00 | DEPT REQ |
| General Plan Amendment | Deposit | \$ 3,500.00 | Actual charge is "fully burdened" rate charge \$ 3,500.00 | Actual charge is "fully burdened" rate charge NO CHANGE |
| Home Occupation Permit | | \$ 93.00 | \$ 95.00 | |
| <u>Plan Check and Inspection</u> | | | | |
| Residential | | | | |
| 1-4 Lots (1 st through 3 rd Review) | | \$ 667.00 | \$ 680.00 | |
| 5 or more Lots and Multi-Family(1 st through 3 rd Review) | | \$ 997.00 | \$ 1,017.00 | |
| Commercial/Industrial Non-Residential (1 st through 3 rd Review) (Including multiple family projects: residential tentative and final tract map) | | \$ 997.00 | \$ 1,017.00 | |
| Re-inspection/Residential Front Yard Landscape Plancheck fee | | \$ 173.00 | \$ 176.00 | |
| 4th and subsequent (Land Development Reviews) | Per Sheet | \$ 86.00 | \$ 88.00 | |
| 4th and subsequent (All Other Reviews) | | 100% of original fee | 100% of original fee | NO CHANGE |
| Concurrent processing | | Base Fee + 30% See Note 1 | Base fee + 30% | |
| Land Development Reviews | Per Sheet | \$ 86.00 | \$ 88.00 | |
| Development Impact Fee Processing | Per Hour | | \$ 176.00 | NEW |
| Newspaper Notice | | \$ 285.00 | \$ 285.00 | NO CHANGE |
| Phasing Map | | \$ 2,384.00 | \$ 2,553.00 | |

Section 4 - Community & Economic Development

| | <u>Unit</u> | <u>Current Fee</u> | <u>Proposed Fee</u> | <u>Comments on Proposed Changes to Fees</u> |
|--|-------------|--|--|---|
| <u>Planning</u> | | | | |
| <u>Planning Letter</u> | | | | |
| Basic | | \$ 112.00 | \$ 114.00 | |
| Interpretation and Research Required | Deposit | \$ 250.00 | \$ 250.00 | NO CHANGE |
| Planning Review of Building Permits | | \$ 178.00 | \$ 182.00 | NO CHANGE |
| <u>Plot Plan</u> | | | | |
| With hearing | | \$ 10,776.00 | \$11,637.00 | SEE NOTE 3 |
| (Note: More than one may be charged for projects with multiple buildings or parcels) | | | | |
| Without hearing (notice) | | \$ 7,321.00 | \$ 8,113.00 | SEE NOTE 3 |
| Without hearing (no notice) | | \$ 3,596.00 | \$ 4,315.00 | SEE NOTE 3 |
| Amended plot plan/substantial conformance | | \$ 3,982.00 | \$ 4,709.00 | SEE NOTE 3 |
| Multi-Family | per Unit | \$ 41.00 | \$ 42.00 | |
| Plot Plan Conditional Use Permit (Com/Ind) | per Acre | \$ 89.00 | \$ 91.00 | |
| Administrative (Includes second units) | | \$ 833.00 | \$ 850.00 | |
| Property Posting | | \$140 per street frontage + \$75 per project | \$140 per street frontage + \$75 per project | NO CHANGE |
| Pre-application Review | | \$ 769.00 | \$ 784.00 | |
| Renewal Fee | | 50% of original fee | 50% of original fee | |
| Reversion to Acreage | Deposit | \$ 1,500.00 | \$ 1,500.00 | NO CHANGE |

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Section 4 - Community & Economic Development

| <u>Planning</u> | <u>Unit</u> | <u>Current Fee</u> | <u>Proposed Fee</u> | <u>Comments on Proposed Changes to Fees</u> |
|---|-------------|---|---|--|
| <u>Signs</u> | | | | |
| Banner | | \$ 42.00 | \$ 43.00 | |
| Permit: Wall | | \$ 119.00 | \$ 121.00 | |
| Permit: Monument | | \$ 474.00 | \$ 483.00 | |
| Permit: Pole and Freeway | | \$ 793.00 | \$ 809.00 | |
| Review Program | Deposit | \$ 1,300.00 | \$ 1,300.00 | Actual charge is "fully burdened" rate charge |
| Program Amendment Review | Deposit | \$ 975.00 | \$ 975.00 | Actual charge is "fully burdened" rate charge |
| Special Event Permit | | \$ 35.00 | \$ 36.00 | NO CHANGE |
| Specific Plan | Deposit | \$ 17,000.00 | \$17,000.00 | Actual charge is "fully burdened" rate charge NO CHANGE |
| Specific Plan Amendment | Deposit | \$ 8,000.00 | \$ 8,000.00 | Actual charge is "fully burdened" rate charge NO CHANGE |
| Subdivision Sales Office (Trailer) and Model Home Complexes-Temporary | | \$ 1,034.00 | \$ 1,055.00 | |
| Temporary Use Permits | | \$ 284.00 | \$ 329.00 | SEE NOTE 3 |
| <u>Tentative Parcel Map</u> | | | | |
| Residential additional lot | per Lot | \$ 8,877.00 + \$ 116.00 + applicable environmental review and applicable notice and posting fees. | \$ 9,049.00 \$ 116.00 + applicable environmental review and applicable notice and posting fees. | |
| Commercial additional lot | per Lot | \$ 9,619.00 + \$ 116.00 + applicable environmental review and applicable notice and posting fees. | \$ 9,806.00 \$ 116.00 + applicable environmental review and applicable notice and posting fees. | |

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Section 4 - Community & Economic Development

| | <u>Unit</u> | <u>Current Fee</u> | | <u>Proposed Fee</u> | <u>Comments on Proposed Changes to Fees</u> |
|---|-------------|----------------------------|--|---------------------------|---|
| <u>Planning</u> | | | | | |
| Waiver | Deposit | \$ 1,000.00 | Actual charge is "fully burdened" rate charge plus applicable notice and posting fees. | \$ 1,000.00 | Actual charge is "fully burdened" rate charge plus applicable notice and posting fees. NO CHANGE |
| Tentative Tract or Condo Map additional lot | per Lot | \$ 11,090.00 + \$ 96.00 | + applicable environmental review and applicable notice and posting fees. | \$11,307.00 + \$ 96.00 | + applicable environmental review and applicable notice and posting fees. |
| Tentative Tract or Parcel Map Revised | | \$ 5,612.00 | Plus applicable notice and posting fees | \$ 5,721.00 | Plus applicable notice and posting fees |
| <u>Variance from Standards</u> | | | | | |
| Public Hearing Variance | | \$ 3,591.00 | Plus applicable notice and posting fees | \$ 3,663.00 | Plus applicable notice and posting fees |
| Administrative Variance | | \$ 650.00 | | \$ 663.00 | |

Notes:

The environmental review fee shall be charged only one time for concurrently filed major developmental review applications. For example, the fee for a concurrently filed Parcel Map and Plot Plan will be the sum of the respective fees minus one environmental review fee.

Fees for quasi-public uses shall be reduced by 25%.

Note 1 - Any fees added to the Fee Schedule after November 2010 may not be automatically increased by CPI based on legal interpretation of Prop 26. This ruling does not include fees related to recreation programs, facility rental or utility operations.

Note 3 - These fees have been increased to reflect the time spent by both the Building & Safety and the Special Districts Divisions in providing these services.

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Section 5 - Financial & Management Services

| <u>Financial Operations</u> | <u>Unit</u> | <u>Current Fee</u> | <u>Proposed Fee</u> | <u>Comments on Proposed Changes to Fees</u> |
|--|-------------|--------------------|---------------------|---|
| Annual City Budget | Each | \$10.00 | \$10.00 | Also available on City website |
| Comprehensive Annual Financial Report (CAFR) | Each | \$10.00 | \$10.00 | Also available on City website |

The Annual City Budget and the CAFR are also available on the City's website at the following links:

Budget http://www.moval.org/city_hall/departments/admin/budgetoffice.shtml

CAFR http://www.moval.org/city_hall/departments/admin/financial-ops.shtml

Treasury Operations

| | | | | |
|---|-------------------------------|--------------------|---------|---------|
| Collection of Returned Check | Each | \$32.00 | \$33.00 | |
| <u>Business License</u> | | | | |
| Application | Jan 1, 2013 thru Dec 31, 2013 | per License | \$60.00 | |
| | Jan 1, 2014 thru Dec 31, 2014 | per License | | \$61.00 |
| Vehicle Tag | | per Tag | \$6.00 | \$6.00 |
| License for Farmers Market at Towngate Mall | | Per Vendor Per Day | \$5.00 | \$5.00 |
| License for single day events | | Per Vendor Per Day | \$5.00 | \$5.00 |
| (Note: Licenses for single day events must be reviewed and approved by the Chief Financial Officer) | | | | |
| Reprint of License | Each | \$5.00 | \$5.00 | |
| Business Listing | Each | \$20.00 | \$20.00 | |
| Photo Identification Card | Each | \$5.00 | \$5.00 | |

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Section 5 - Financial & Management Services

| <u>Special Districts</u> | <u>Unit</u> | <u>Current Fee</u> | | <u>Proposed Fee</u> | | <u>Comments on Proposed Changes to Fees</u> |
|---|-------------|--------------------|------------------------|---------------------|------------------------|---|
| Miscellaneous Document Preparation, Review, Research, Processing etc | per Hour | \$ 121.00 | + third party expenses | \$ 123.00 | + third party expenses | |
| Land and Assessment Division Applications | per Parcel | \$ 924.00 | + | \$ 942.00 | + third party expenses | |
| | | \$ 26.00 | | \$ 27.00 | | |
| Special District Formation Application | Each | \$ 5,135.00 | | \$ 5,238.00 | | |
| Special District Bond Issuance | Each | 1% of bond issue | \$50,000 min | 1% of bond issue | \$50,000 min | |
| Special Tax Report | Each | City Cost | \$10 min | City Cost | \$10 min | NO CHANGE |
| Annual Levy Report | Each | City Cost | \$10 min | City Cost | \$10 min | NO CHANGE |
| Parcel Payoff/ Amortization Schedule | per Parcel | \$ 46.00 | | \$ 46.00 | | NO CHANGE |
| Note: Bond payoff/amortization schedule information is given to property owners free of charge. Others requesting information will be charged per parcel. | | | | | | |
| Fixed Charge Tax Bill Revisions | per Parcel | County Cost | | County Cost | | NO CHANGE |
| Plans and Specifications (Non-refundable) (Landscape and Street Light documents) | | City Cost | \$10 min | City Cost | \$10 min | NO CHANGE |

Item No. E.1

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Section 5 - Financial & Management Services

| <u>Special Districts</u> | <u>Unit</u> | <u>Current Fee</u> | <u>Proposed Fee</u> | <u>Comments on Proposed Changes to Fees</u> |
|---|----------------|--|--|---|
| Mail Ballot / Special Election Processing (includes 2 Council meetings) | | | | |
| Administrative Fee | per Proceeding | \$ 3,309.00 | \$ 3,375.00 + 3rd Party expenses | |
| Administrative Fee (CFD Annexations Only) | per Proceeding | \$ 1,800.00 | \$ 1,800.00 + 3rd Party expenses | SEE NOTE 1 |
| Additional/rescheduled Council Meeting | per Meeting | \$ 791.00 | \$ 791.00 + 3rd Party expenses | SEE NOTE 1 |
| Annexation/boundary map preparation | per Map | Actual charge is "fully burdened" rate charge plus expenses. Not to exceed actual City cost. | Actual charge is "fully burdened" rate charge plus expenses. Not to exceed actual City cost. | SEE NOTE 1 |
| <u>Landscape Plan Check</u> | | | | |
| Base Fee (7 sheets & 3 total submittals) | | \$ 6,158.00 | \$ 6,281.00 | |
| Each Additional Sheet & 3 submittals | | \$ 863.00 | \$ 880.00 | |
| Each Additional submittal | per Sheet | \$ 185.00 | \$ 189.00 | |
| <u>Landscape Inspection</u> | | | | |
| 0-1 Acre | | \$ 12,319.00 | \$ 12,565.00 | |
| 1-1.5 Acres | | \$ 14,167.00 | \$ 14,450.00 | |
| 1.5-2 Acres | | \$ 16,014.00 | \$ 16,334.00 | |
| 2-2.5 Acres | | \$ 17,863.00 | \$ 18,220.00 | |
| Each additional 1/2 acre > 2.5 | per 1/2 acre | \$ 1,847.00 | \$ 1,884.00 | |
| Additional Inspections or Re-Inspections | per Hour | \$ 121.00 | \$ 121.00 | SEE NOTE 1 |
| Public Works Landscape Design Guidelines | Each | \$ 10.00 | \$ 10.00 | |

Note 1 - Any fees added to the Fee Schedule after November 2010 may not be automatically increased by CPI based on legal interpretation of Prop 26. This ruling does not include fees related to recreation programs, facility rental or utility operations.

Section 6 - Fire

| <u>Pre-Development</u> | <u>Unit</u> | <u>Current Fee</u> | <u>Proposed Fee</u> | <u>Comments on Proposed Changes to Fees</u> |
|--|-------------|--------------------|---------------------|---|
| Annexation Agreement | Deposit | \$ 94.00 | \$ 94.00 | |
| Community Care Facility (Pre-inspection) | | | | |
| 25 or less | | \$ 50.00 | \$ 50.00 | State Mandated |
| 26 or more | | \$ 100.00 | \$ 100.00 | State Mandated |
| Revised Tentative Parcel Map | | \$ 442.00 | \$ 451.00 | |
| Fuel Modification Plan | | \$ 104.00 | \$ 106.00 | |
| Fire Protection Plan | | \$ 339.00 | \$ 346.00 | |
| Alternate methods and materials | | \$ 104.00 | \$ 106.00 | |
| 3rd review and subsequent submittals | | \$ 104.00 | \$ 106.00 | |
| OTC/Misc Plan Review | | | \$ - | |

Architectural / Development**Plan Check and Inspections**

| <u>Unit</u> | <u>Plan Check</u> | | <u>Inspection</u> | |
|---|--------------------|---------------------|--------------------|---------------------|
| | <u>Current Fee</u> | <u>Proposed Fee</u> | <u>Current Fee</u> | <u>Proposed Fee</u> |
| A-1 <=10,000 SF | \$ 647.00 | \$ 660.00 | \$ 622.00 | \$ 634.00 |
| A-1 > 10,000 SF | \$ 803.00 | \$ 819.00 | \$ 830.00 | \$ 847.00 |
| A-2, 2.1 <= 10,000 SF | \$ 544.00 | \$ 555.00 | \$ 519.00 | \$ 529.00 |
| A-2, 2.1 > 10,000 SF | \$ 700.00 | \$ 714.00 | \$ 726.00 | \$ 741.00 |
| A-3 <= 10,000 SF | \$ 544.00 | \$ 555.00 | \$ 572.00 | \$ 583.00 |
| A-3 >10,000 SF | \$ 647.00 | \$ 660.00 | \$ 622.00 | \$ 634.00 |
| A-4 <= 5000 SF | \$ 441.00 | \$ 450.00 | \$ 519.00 | \$ 529.00 |
| A-4 > 5000 SF | \$ 494.00 | \$ 504.00 | \$ 572.00 | \$ 583.00 |
| A-5<=5000 SF | \$ 427.00 | \$ 436.00 | \$ 503.00 | \$ 513.00 |
| A-5>5000 SF | \$ 480.00 | \$ 490.00 | \$ 554.00 | \$ 565.00 |
| A TI 0-5000 SF | \$ 338.00 | \$ 345.00 | \$ 415.00 | \$ 423.00 |
| A TI 5001 - 25,000 SF | \$ 441.00 | \$ 450.00 | \$ 519.00 | \$ 529.00 |
| A TI > 25,001 SF | \$ 544.00 | \$ 555.00 | \$ 572.00 | \$ 583.00 |
| B 0-5000 SF | \$ 182.00 | \$ 186.00 | \$ 242.00 | \$ 247.00 |
| B 5001 - 50,000 SF | \$ 284.00 | \$ 290.00 | \$ 415.00 | \$ 423.00 |
| B >50,000 SF | \$ 388.00 | \$ 396.00 | \$ 572.00 | \$ 583.00 |
| B TI 0-5000 SF | \$ 157.00 | \$ 160.00 | \$ 215.00 | \$ 219.00 |
| B TI 5001 - 50,000 SF | \$ 207.00 | \$ 211.00 | \$ 312.00 | \$ 318.00 |
| B TI >50,000 SF | \$ 284.00 | \$ 290.00 | \$ 388.00 | \$ 396.00 |
| E-1,2 0-2000 SF (private schools only) | \$ 233.00 | \$ 238.00 | \$ 364.00 | \$ 371.00 |
| E-1,2 2001 - 20,000 SF (private schools only) | \$ 284.00 | \$ 290.00 | \$ 415.00 | \$ 423.00 |
| E-1,2 > 20,000 SF (private schools only) | \$ 441.00 | \$ 450.00 | \$ 494.00 | \$ 504.00 |
| E-1,2 TI 0-2000 SF (private schools only) | \$ 104.00 | \$ 106.00 | \$ 215.00 | \$ 219.00 |

Section 6 - Fire**Plan Check and Inspections (Cont)**

| Unit | Plan Check | | Inspection | | |
|--|-------------|--------------|-------------|--------------|-----------|
| | Current Fee | Proposed Fee | Current Fee | Proposed Fee | |
| E-1,2 TI 2001 - 20,000 SF (private schools only) | \$ 157.00 | \$ 160.00 | \$ 242.00 | \$ 247.00 | |
| E-1,2 TI > 20,000 SF (private schools only) | \$ 207.00 | \$ 211.00 | \$ 268.00 | \$ 273.00 | |
| E-3 0-1000 SF (private schools only) | \$ 130.00 | \$ 133.00 | \$ 215.00 | \$ 219.00 | |
| E-3 1001 - 20,000 SF (private schools only) | \$ 233.00 | \$ 238.00 | \$ 441.00 | \$ 450.00 | |
| E-3 > 20,000 SF (private schools only) | \$ 284.00 | \$ 290.00 | \$ 494.00 | \$ 504.00 | |
| E-3 TI 0-1000 SF (private schools only) | \$ 104.00 | \$ 106.00 | \$ 189.00 | \$ 193.00 | |
| E-3 TI 1001 - 20,000 SF (private schools only) | \$ 130.00 | \$ 133.00 | \$ 215.00 | \$ 219.00 | |
| E-3 TI > 20,000 SF (private schools only) | \$ 157.00 | \$ 160.00 | \$ 242.00 | \$ 247.00 | |
| F,M,S 0-5000 SF | \$ 233.00 | \$ 238.00 | \$ 364.00 | \$ 371.00 | |
| F,M,S 5001 - 12,500 SF | \$ 338.00 | \$ 345.00 | \$ 415.00 | \$ 423.00 | |
| F,M,S 12,501 - 100,000 SF | \$ 388.00 | \$ 396.00 | \$ 519.00 | \$ 529.00 | |
| F,M,S > 100,000 SF | \$ 441.00 | \$ 450.00 | \$ 622.00 | \$ 634.00 | |
| F,M,S TI 0-5000 SF | \$ 157.00 | \$ 160.00 | \$ 242.00 | \$ 247.00 | |
| F,M,S TI 5001 - 12,500 SF | \$ 182.00 | \$ 186.00 | \$ 312.00 | \$ 318.00 | |
| F,M,S TI 12,501 - 100,000 SF | \$ 233.00 | \$ 238.00 | \$ 338.00 | \$ 345.00 | |
| F,M,S TI > 100,000 SF | \$ 284.00 | \$ 290.00 | \$ 364.00 | \$ 371.00 | |
| H-1,2,3, 7 0-1000 SF | \$ 338.00 | \$ 345.00 | \$ 388.00 | \$ 396.00 | |
| H-1,2,3, 7 1001- 2,500 SF | \$ 388.00 | \$ 396.00 | \$ 415.00 | \$ 423.00 | |
| H-1,2,3, 7 2,501 - 10,000 SF | \$ 494.00 | \$ 504.00 | \$ 519.00 | \$ 529.00 | |
| H-1,2,3, 7 > 10,000 SF | \$ 622.00 | \$ 634.00 | \$ 622.00 | \$ 634.00 | |
| H-1,2,3, 7 TI 0-1000 SF | \$ 233.00 | \$ 238.00 | \$ 338.00 | \$ 345.00 | |
| H-1,2,3, 7 TI 1001- 2,500 SF | \$ 284.00 | \$ 290.00 | \$ 364.00 | \$ 371.00 | |
| H-1,2,3, 7 TI 2,501 - 10,000 SF | \$ 338.00 | \$ 345.00 | \$ 388.00 | \$ 396.00 | |
| H-1,2,3, 7 TI > 10,000 SF | \$ 388.00 | \$ 396.00 | \$ 415.00 | \$ 423.00 | |
| H-4,5,6 0-1000 SF | \$ 260.00 | \$ 265.00 | \$ 388.00 | \$ 396.00 | |
| H-4,5,6 1001- 2,500 SF | \$ 364.00 | \$ 371.00 | \$ 415.00 | \$ 423.00 | |
| H-4,5,6 2,501 - 10,000 SF | \$ 467.00 | \$ 476.00 | \$ 467.00 | \$ 476.00 | |
| H-4,5,6 > 10,000 SF | \$ 597.00 | \$ 609.00 | \$ 519.00 | \$ 529.00 | |
| H-4,5,6 TI 0-1000 SF | \$ 207.00 | \$ 211.00 | \$ 338.00 | \$ 345.00 | |
| H-4,5,6 TI 1001- 2,500 SF | \$ 260.00 | \$ 265.00 | \$ 364.00 | \$ 371.00 | |
| H-4,5,6 TI 2,501 - 10,000 SF | \$ 312.00 | \$ 318.00 | \$ 388.00 | \$ 396.00 | |
| H-4,5,6 TI > 10,000 SF | \$ 364.00 | \$ 371.00 | \$ 415.00 | \$ 423.00 | |
| L-0-1,000 SF | \$ 328.00 | \$ 335.00 | \$ 375.00 | \$ 383.00 | |
| L-1,001-2,500 SF | \$ 377.00 | \$ 385.00 | \$ 403.00 | \$ 411.00 | |
| L-2,501-10,000 SF | \$ 480.00 | \$ 490.00 | \$ 503.00 | \$ 513.00 | |
| L->10,000 SF | \$ 604.00 | \$ 616.00 | \$ 604.00 | \$ 616.00 | |
| L-T.I. 0-1,000 SF | \$ 226.00 | \$ 231.00 | \$ 328.00 | \$ 335.00 | |
| L-T.I. 1,001-2,500 SF | \$ 276.00 | \$ 282.00 | \$ 352.00 | \$ 359.00 | |
| L-T.I. 2,501-10,000 SF | \$ 328.00 | \$ 335.00 | \$ 377.00 | \$ 385.00 | |
| L-T.I. >10,000 SF | \$ 377.00 | \$ 385.00 | \$ 403.00 | \$ 411.00 | |
| I Occupancies | Deposit | \$ 350.00 | \$ 350.00 | \$ 409.00 | \$ 417.00 |
| R-1, 2 0-5000 SF | \$ 233.00 | \$ 238.00 | \$ 338.00 | \$ 345.00 | |
| R-1, 2 5001 - 25,000 SF | \$ 284.00 | \$ 290.00 | \$ 364.00 | \$ 371.00 | |

Section 6 - Fire

Plan Check and Inspections (Cont)

| | Unit | Plan Check | | Inspection | |
|---------------------------------|---------|-------------|--------------|-------------|--------------|
| | | Current Fee | Proposed Fee | Current Fee | Proposed Fee |
| R-1, 2 >25,001 SF | | \$ 338.00 | \$ 345.00 | \$ 415.00 | \$ 423.00 |
| R-3 Model 1-5 homes | | \$ 182.00 | \$ 186.00 | \$ 242.00 | \$ 247.00 |
| R-3 Model > 6 homes | | \$ 233.00 | \$ 238.00 | \$ 293.00 | \$ 299.00 |
| R-3 Custom (1-2 units) | | \$ 157.00 | \$ 160.00 | \$ 234.00 | \$ 239.00 |
| U - Occupancy | | \$ 157.00 | \$ 160.00 | \$ 207.00 | \$ 211.00 |
| Shell 0-50,000 SF | | \$ 1,037.00 | \$ 1,058.00 | \$ 908.00 | \$ 926.00 |
| Shell > 50,000 SF | Deposit | \$ 350.00 | \$ 350.00 | \$ 350.00 | \$ 350.00 |
| High-rise (4 floors or greater) | Deposit | \$ 350.00 | \$ 350.00 | \$ 362.00 | \$ 362.00 |

| Occupancy Classifications | |
|---------------------------|--|
| A | Facilities for Assemblies |
| B | Professional or Service Facilities |
| E | Educational Facilities |
| F | Factory and Industrial (non H) |
| H | Factory and Industrial (high fire, explosion or health hazard) |
| I | Hospitals, Nursing Homes |
| L | Laboratories |
| M | Sale of Merchandise |
| R | Hotels, Apartments and Congregate Residences |
| S | Storage (non hazardous) |
| U | Garages, Carports, Sheds and Agricultural Buildings |

Fire Development

Development Plan Check and Inspection

| | Unit | Plan Check | | Inspection | |
|---|------|-------------|--------------|-------------|--------------|
| | | Current Fee | Proposed Fee | Current Fee | Proposed Fee |
| Sprinkler System New 1-100 heads | | \$ 234.00 | \$ 239.00 | \$ 546.00 | \$ 557.00 |
| Sprinkler System New > 100 heads | | \$ 366.00 | \$ 373.00 | NA | NA |
| Sprinkler System New 101-300 heads | | NA | NA | \$ 598.00 | \$ 610.00 |
| Sprinkler System New 301-700 heads | | NA | NA | \$ 651.00 | \$ 664.00 |
| Sprinkler System New > 700 heads | | NA | NA | \$ 702.00 | \$ 716.00 |
| Sprinkler TI 1-10 heads | | \$ 157.00 | \$ 160.00 | \$ 234.00 | \$ 239.00 |
| Sprinkler TI 11-50 heads | | \$ 182.00 | \$ 186.00 | \$ 442.00 | \$ 451.00 |
| Sprinkler TI 51-100 heads | | \$ 234.00 | \$ 239.00 | \$ 495.00 | \$ 505.00 |
| Sprinkler TI > 100 heads | | \$ 260.00 | \$ 265.00 | \$ 546.00 | \$ 557.00 |
| Alarm New 1-10 Initiating Devices with notification | | \$ 157.00 | \$ 160.00 | \$ 339.00 | \$ 346.00 |
| Alarm New 11-50 Initiating Devices with notification | | \$ 234.00 | \$ 239.00 | \$ 366.00 | \$ 373.00 |
| Alarm New 51-100 Initiating Devices with notification | | \$ 287.00 | \$ 293.00 | \$ 416.00 | \$ 424.00 |
| Alarm New > 100 Initiating Devices with notification | | \$ 339.00 | \$ 346.00 | \$ 495.00 | \$ 505.00 |
| Alarm TI 1-10 Initiating Devices with notification | | \$ 131.00 | \$ 134.00 | \$ 287.00 | \$ 293.00 |
| Alarm TI 11-50 Initiating Devices with notification | | \$ 157.00 | \$ 160.00 | \$ 313.00 | \$ 319.00 |
| Alarm TI 51-100 Initiating Devices with notification | | \$ 208.00 | \$ 212.00 | \$ 366.00 | \$ 373.00 |
| Alarm TI > 100 Initiating Devices with notification | | \$ 287.00 | \$ 293.00 | \$ 416.00 | \$ 424.00 |

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Section 6 - Fire**Development Plan Check and Inspection (Cont)**

| | Unit | Plan Check | | Inspection | |
|--|------------|-------------|--------------|-------------|--------------|
| | | Current Fee | Proposed Fee | Current Fee | Proposed Fee |
| ESFR | per Riser | \$ 157.00 | \$ 160.00 | NA | NA |
| Underground Sprinkler | per Riser | \$ 234.00 | \$ 239.00 | \$ 633.00 | \$ 646.00 |
| Underground Hydrant | | \$ 182.00 | \$ 186.00 | \$ 633.00 | \$ 646.00 |
| Underground Combo Up to 4 Connections | | \$ 339.00 | \$ 346.00 | \$ 711.00 | \$ 725.00 |
| Aboveground Hydrant | | \$ 260.00 | \$ 265.00 | \$ 520.00 | \$ 530.00 |
| Residential Sprinkler 13R Family 1-2 units | | \$ 234.00 | \$ 239.00 | \$ 520.00 | \$ 530.00 |
| Residential Sprinkler 13D Single Family 1-2 units | | \$ 182.00 | \$ 186.00 | \$ 520.00 | \$ 530.00 |
| Residential Sprinkler 13R Multi Family up to 4 stories | per System | \$ 313.00 | \$ 319.00 | \$ 651.00 | \$ 664.00 |
| Hood and Duct | per System | \$ 157.00 | \$ 160.00 | \$ 216.00 | \$ 220.00 |
| Fire Pump | per Pump | \$ 287.00 | \$ 293.00 | \$ 287.00 | \$ 293.00 |
| Standpipes | | \$ 390.00 | \$ 398.00 | \$ 295.00 | \$ 301.00 |
| Special Extinguishing Systems | | \$ 182.00 | \$ 186.00 | NA | NA |
| Vapor Recovery Special Equipment | | \$ 157.00 | \$ 160.00 | NA | NA |
| Medical Gases Special System | | \$ 182.00 | \$ 186.00 | \$ 189.00 | \$ 193.00 |
| Industrial Gases Special System | | \$ 234.00 | \$ 239.00 | \$ 295.00 | \$ 301.00 |
| Liquefied Petroleum Gases Special System > 500 gal | | \$ 234.00 | \$ 239.00 | \$ 346.00 | \$ 353.00 |
| Tank/Piping Installation | per Tank | \$ 243.00 | \$ 248.00 | \$ 243.00 | \$ 248.00 |
| Tank/Piping Removal | per Tank | \$ 164.00 | \$ 167.00 | \$ 287.00 | \$ 293.00 |
| Ovens, industrial baking or drying per oven, furnace or kiln Special Equip. (New Construction) | | \$ 131.00 | \$ 134.00 | \$ 189.00 | \$ 193.00 |
| Smoke Control | | \$ 234.00 | \$ 239.00 | \$ 346.00 | \$ 353.00 |
| Dust Collection Special Equipment | | \$ 157.00 | \$ 160.00 | \$ 189.00 | \$ 193.00 |
| Hazmat Storage | | \$ 287.00 | \$ 293.00 | \$ 295.00 | \$ 301.00 |
| High Piled/Solid Piled Storage Class III, IV, High Hazard | | \$ 339.00 | \$ 346.00 | \$ 451.00 | \$ 460.00 |
| Racking System | | \$ 390.00 | \$ 398.00 | \$ 451.00 | \$ 460.00 |
| Regulated Refrigeration per system | | \$ 157.00 | \$ 160.00 | \$ 295.00 | \$ 301.00 |
| Miscellaneous Industrial Equipment Install | | \$ 157.00 | \$ 160.00 | \$ 189.00 | \$ 193.00 |
| FPE Technical Report Major Review | | \$ 442.00 | \$ 451.00 | NA | NA |
| FPE Technical Report Minor Review | | \$ 234.00 | \$ 239.00 | NA | NA |
| Spray Booth Inspection | | NA | NA | \$ 295.00 | \$ 301.00 |
| Foam/Liquid System Inspection | | NA | NA | \$ 346.00 | \$ 353.00 |
| Dry Chemical System Inspection | | NA | NA | \$ 243.00 | \$ 248.00 |
| CO2 System Inspection | | NA | NA | \$ 243.00 | \$ 248.00 |
| Inert Gas System Inspection | | NA | NA | \$ 243.00 | \$ 248.00 |
| FM200 Clean Agent System | | NA | NA | \$ 243.00 | \$ 248.00 |
| Adult Care Facility Inspection | | NA | NA | \$ 390.00 | \$ 398.00 |
| Child Care Facility Inspection | | NA | NA | \$ 390.00 | \$ 398.00 |
| Residential Care Facilities 1 - 6 | | NA | NA | \$ 366.00 | \$ 373.00 |
| Residential Care Facilities >6 | per Story | NA | NA | \$ 149.00 | \$ 152.00 |
| K-12 Public School Inspection | | NA | NA | \$ 197.00 | \$ 201.00 |
| K-12 Private School Inspection | | NA | NA | \$ 442.00 | \$ 451.00 |
| High-rise Inspection | per Hour | NA | NA | \$ 104.00 | \$ 106.00 |
| Asbestos removal | | NA | NA | \$ 243.00 | \$ 248.00 |
| Work without Approval or Permit | | NA | NA | \$ 208.00 | \$ 212.00 |
| Inspection following Failure to Maintain Fire Protection Systems | | NA | NA | \$ 208.00 | \$ 212.00 |
| Fire Prevention Inspection/Re-inspection/Phasing | | NA | NA | \$ 148.00 | \$ 151.00 |

Section 6 - Fire

| Unit | Plan Check | | Inspection | |
|--|-------------|--------------|-------------|--------------|
| | Current Fee | Proposed Fee | Current Fee | Proposed Fee |
| Renewable Permit Fees | | | | |
| Aerosol Products | \$ 233.00 | \$ 238.00 | \$ 66.00 | \$ 67.00 |
| Aircraft Refueling Vehicles | \$ 182.00 | \$ 186.00 | \$ 91.00 | \$ 93.00 |
| Automobile Wrecking Yard | \$ 182.00 | \$ 186.00 | \$ 195.00 | \$ 199.00 |
| Battery System | \$ 233.00 | \$ 238.00 | \$ 66.00 | \$ 67.00 |
| Candles and Open Flame in Assembly Occupancy Areas | \$ 130.00 | \$ 133.00 | \$ 66.00 | \$ 67.00 |
| Cellulose Nitrate Film | \$ 130.00 | \$ 133.00 | \$ 66.00 | \$ 67.00 |
| Cellulose Nitrate Storage | \$ 182.00 | \$ 186.00 | \$ 195.00 | \$ 199.00 |
| Combustible fiber Storage | \$ 182.00 | \$ 186.00 | \$ 195.00 | \$ 199.00 |
| Combustible materials Storage | \$ 182.00 | \$ 186.00 | \$ 195.00 | \$ 199.00 |
| Commercial Rubbish Handling Operation | \$ 182.00 | \$ 186.00 | \$ 195.00 | \$ 199.00 |
| Compressed Gases | \$ 207.00 | \$ 211.00 | \$ 195.00 | \$ 199.00 |
| Cryogenics | \$ 207.00 | \$ 211.00 | \$ 195.00 | \$ 199.00 |
| Dry Cleaning Plant | \$ 233.00 | \$ 238.00 | \$ 299.00 | \$ 305.00 |
| Dust-Producing Operations | \$ 130.00 | \$ 133.00 | \$ 91.00 | \$ 93.00 |
| Explosives or Blasting agents, Use or Transportation | \$ 284.00 | \$ 290.00 | \$ 325.00 | \$ 332.00 |
| Flammable or Combustible Liquids pipelines, store, handle, use | \$ 284.00 | \$ 290.00 | \$ 299.00 | \$ 305.00 |
| High Piled/Solid Piled Combustible Storage Class I, II | \$ 77.00 | \$ 79.00 | \$ 144.00 | \$ 147.00 |
| Hot Works Operations | \$ 130.00 | \$ 133.00 | \$ 66.00 | \$ 67.00 |
| Liquefied Petroleum Gases store, use, handle, dispense-Plan Check 125-500 gals | \$ 77.00 | \$ 79.00 | \$ 144.00 | \$ 147.00 |
| Ovens - Industrial Baking or drying | \$ 77.00 | \$ 79.00 | \$ 91.00 | \$ 93.00 |
| Places of Assembly | \$ 182.00 | \$ 186.00 | \$ 66.00 | \$ 67.00 |
| Refrigeration Equipment | \$ 77.00 | \$ 79.00 | \$ 91.00 | \$ 93.00 |
| Repair Garages | \$ 157.00 | \$ 160.00 | \$ 91.00 | \$ 93.00 |
| Spraying or Dipping | \$ 77.00 | \$ 79.00 | \$ 66.00 | \$ 67.00 |
| Wood Products | \$ 77.00 | \$ 79.00 | \$ 91.00 | \$ 93.00 |
| Motor Vehicle fuel dispensing | \$ 77.00 | \$ 79.00 | \$ 91.00 | \$ 93.00 |
| Tire Storage | \$ 182.00 | \$ 186.00 | \$ 91.00 | \$ 93.00 |
| Lumber Yard | \$ 182.00 | \$ 186.00 | \$ 195.00 | \$ 199.00 |
| Fireworks, manufacture, compound, store | \$ 338.00 | \$ 345.00 | \$ 299.00 | \$ 305.00 |
| Fruit ripening | \$ 182.00 | \$ 186.00 | \$ 91.00 | \$ 93.00 |
| Magnesium Working | \$ 182.00 | \$ 186.00 | \$ 91.00 | \$ 93.00 |
| Radioactive materials | \$ 338.00 | \$ 345.00 | \$ 195.00 | \$ 199.00 |
| Bowling pin or alley refinishing | \$ 164.00 | \$ 167.00 | | |
| Candles and open flames in assembly areas | \$ 164.00 | \$ 167.00 | | |
| Carnivals and fairs | \$ 243.00 | \$ 248.00 | | |
| Explosives or blasting agents, use, dispose | \$ 346.00 | \$ 353.00 | | |
| Fireworks, displays | \$ 320.00 | \$ 326.00 | | |
| Hot works operations | \$ 164.00 | \$ 167.00 | | |
| Liquefied petroleum gases, install containers | \$ 243.00 | \$ 248.00 | | |
| Liquid or gas fueled vehicles or equipment in assembly areas | \$ 216.00 | \$ 220.00 | | |
| Mall, covered | \$ 216.00 | \$ 220.00 | | |
| Open Burning | \$ 164.00 | \$ 167.00 | | |
| Parade floats (per event) | \$ 243.00 | \$ 248.00 | | |
| Pyrotechnical special effects material / model rockets | \$ 346.00 | \$ 353.00 | | |
| Temporary membrane structures, tents and canopies | \$ 295.00 | \$ 301.00 | | |

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Section 6 - Fire

| | | <u>Current Fee</u> | <u>Proposed Fee</u> | |
|--|---|--------------------------------------|-------------------------|---|
| <u>Activity Permits</u> | | | | |
| | Christmas Tree sales | \$ 164.00 | \$ 167.00 | |
| | Pumpkin Patch | \$ 164.00 | \$ 167.00 | |
| | Haunted Houses | \$ 164.00 | \$ 167.00 | |
| | Hazardous Area Fire Permit | \$ 320.00 | \$ 326.00 | |
| | Miscellaneous Activity Permit | \$ 157.00 | \$ 160.00 | |
| | | | | |
| | | <u>Current Fee</u> | <u>Proposed Fee</u> | |
| <u>Post Development</u> | | | | |
| <u>Fire and Life Safety Inspection</u> | | | | |
| | Annual inspection (includes one re-inspection) | \$ 157.00 | \$ 160.00 | |
| | 2nd re-inspection | \$ 313.00 | \$ 319.00 | |
| | 3rd and subsequent re-inspections | \$ 469.00 | \$ 478.00 | |
| | Fire Watch Inspection | \$ 104.00 | \$ 106.00 | per Hour |
| | Fire Hydrant Inspection | \$ 104.00 | \$ 106.00 | |
| | | | | |
| <u>Fire Inspection</u> | | | | |
| | State Mandated | \$ 89.00 | \$ 89.00 | |
| | Community Care Facility | | | |
| | 25 or less (not including elderly 1-6) | \$ 89.00 | \$ 89.00 | State Mandated |
| | 26 or more | \$ 134.00 | \$ 134.00 | State Mandated |
| | Special Event | \$ 89.00 | \$ 89.00 | |
| | Miscellaneous Post Development Inspection | \$ 89.00 | \$ 89.00 | |
| | | | | |
| <u>Records Request</u> | | | | |
| | Photographs, color print (4"x6") | \$ 5.00 | \$ 5.00 | |
| | Fire Incident Reports (paid to County of Riverside) | \$ 20.00 | \$ 20.00 | |
| | | | | |
| <u>Fire Inspection Reports (up to 8 1/2"x14")</u> | | | | |
| | First 10 pages | \$ 6.00 | \$ 6.00 | per Report |
| | Additional pages | \$ 1.00 | \$ 1.00 | per Page |
| | | | | |
| | | <u>Current Fee</u> | <u>Proposed Fee</u> | |
| <u>Hourly Rates</u> | | | | |
| | Fire Marshal | \$ 140.00 | | The fully-burdened wage rate including overhead; not to exceed actual City costs. |
| | Deputy Fire Marshal | \$ 105.00 | | |
| | Fire Safety Specialists | \$ 106.00 | | |
| | Fire Safety Inspector | \$ 106.00 | | |
| | Overtime | Position time + 50% | | |
| | Consultant Fire Plan Review | Consultant Cost +20% Admin Fee | | |

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Section 6 - Fire

Other Fees

False Alarm

| <u>Unit</u> | <u>Current Fee</u> | <u>Proposed Fee</u> |
|-------------|------------------------|-------------------------|
| Residential | \$ 100.00 | \$ 100.00 |
| Commercial | \$ 200.00 | \$ 200.00 |

| | | |
|--------------------------|----------|----------|
| Fire Permit Issuance Fee | \$ 22.00 | \$ 22.00 |
|--------------------------|----------|----------|

Hazard Reduction Inspection

This fee will be assessed to all parcels defined as open space land and where legally permitted. Any fees associated with failure to comply and fire department ordered abated land will be pursued separately from this inspection fee. This fee will be collected as part of the annual property tax bill through the County of Riverside.

| | | |
|-----------------------------|-----------|-----------|
| Parcels < 1 acre | \$ 50.00 | \$ 50.00 |
| Parcels 1 acre to < 5 acres | \$ 75.00 | \$ 75.00 |
| Parcels > 5 acres | \$ 100.00 | \$ 100.00 |

| | | |
|---|-----------|-----------|
| Hazard Reduction Abatement Administrative Fee | \$ 240.00 | \$ 240.00 |
|---|-----------|-----------|

| | | |
|--|---|--|
| Hazard Reduction Abatement Cost Recovery | Actual cost charged by the City's abatement contractor. | |
|--|---|--|

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Section 6 - Fire

| <u>Office of Emergency Management and Volunteer Services</u> | | <u>Current Fee</u> | <u>Proposed Fee</u> | <u>Comments on Proposed Changes to Fees</u> |
|---|-------------|------------------------|-------------------------|---|
| | <u>Unit</u> | | | |
| Community Emergency Response (CERT) | per Class | \$ 15.00 | \$ 15.00 | |

Section 7 - Parks and Community Services

| | <u>Unit</u> | <u>Current Fee</u> | <u>Proposed Fee</u> | <u>Comments on Proposed Changes to Fees</u> |
|--|-------------|---------------------------|---------------------|---|
| <u>Parks Projects</u> | | | | |
| <u>Plan Check Fees (1 - 3 submittals)</u> | | | | |
| Project Cost: | | | | |
| \$0-\$20,000 | | 3.50% | 3.50% | |
| \$20,001-\$100,000 | | 3.25% | 3.25% | |
| > \$100,000 | | 3.00% | 3.00% | |
| 4th and subsequent submittals | | \$ 140.00 | \$ 140.00 | |
| <u>Revisions</u> | | | | |
| Minor (detail changes only) | | \$ 256.00 | \$ 256.00 | |
| Major | | Same as initial submittal | | |
| <u>Inspection and Testing</u> | | | | |
| Project Cost: | | | | |
| \$0-\$20,000 | | 7.00% | 7.00% | |
| \$20,001-\$100,000 | | 6.00% | 6.00% | |
| > \$100,000 | | 5.00% | 5.00% | |
| Research of Records, Files, etc | | Actual City Cost | Actual City Cost | |
| <u>Penalty Fees</u> | | | | |
| Inspection and Testing Work in the right-of-way or park without encroachment permit or written agreement with Parks and Community Services | per Offense | \$ 561.00 | plus actual damages | \$ 561.00 plus actual damages |
| Applicant's failure to schedule inspection prior to performing work | per Offense | \$ 112.00 | | \$ 112.00 |
| Applicant's failure to attend or be prepared for a scheduled inspection | per Offense | \$ 112.00 | | \$ 112.00 |

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Section 7 - Parks and Community Services

| Fee Description | Policy Category | Unit | Current Fee | Proposed Fee | Comments on Proposed Changes to Fees |
|-----------------|-----------------|------|-------------|--------------|--------------------------------------|
|-----------------|-----------------|------|-------------|--------------|--------------------------------------|

Recreation Programs

Non-Resident Fees: Fees for Non-Residents to participate in Recreation Programs and Services will be charged at full cost recovery, which is the Resident Fee plus 30%.

Adult Sports (18 Years or Older)

Category 4 includes Adult Sports Programs provided by the City which are Council approved fees to cover the direct program cost plus 20% for administrative and overhead related costs.

| | | | | |
|--|------------|-------------|--------------------|--------------------|
| Program Registration Fee | | Per Program | \$ 2.00 | \$ 2.00 |
| Basketball League * | Category 4 | Per Team | \$ 300.00 | \$ 300.00 |
| Basketball Open Play ** | Category 4 | Per Person | \$ 3.00 | \$ 3.00 |
| Bowling Class and League | Category 4 | Per Person | \$ 78.00 - 85.00 | \$ 78.00 - 85.00 |
| Father's Day Over-The-Line Softball Tournament * | Category 4 | Per Team | \$ 65.00 - 100.00 | \$ 65.00 - 100.00 |
| Flag Football League * | Category 4 | Per Team | \$ 300.00 | \$ 300.00 |
| Flag Football Tournament * | Category 4 | Per Team | \$ 150.00 - 200.00 | \$ 150.00 - 200.00 |
| Official's Clinic | Category 4 | Per Person | \$ 15.00 | \$ 15.00 |
| Protest Fee | Category 4 | Per Team | \$ 25.00 | \$ 25.00 |
| Softball League - Competitive * | Category 4 | Per Team | \$ 345.00 | \$ 345.00 |
| Softball League - Non-Competitive * | Category 4 | Per Team | \$ 260.00 | \$ 260.00 |
| Softball Tournament * | Category 4 | Per Team | \$ 185.00 - 310.00 | \$ 185.00 - 310.00 |
| Tennis Tournament * | Category 4 | Per Person | \$ 20.00 - 50.00 | \$ 20.00 - 50.00 |
| Volleyball League * | Category 4 | Per Team | \$ 260.00 | \$ 260.00 |
| Volleyball Tournament * | Category 4 | Per Team | \$ 175.00 - 225.00 | \$ 175.00 - 225.00 |
| Volleyball Open Play ** | Category 4 | Per Person | \$ 3.00 | \$ 3.00 |
| New Program | Category 4 | Per Person | \$ Cost Recovery | \$ Cost Recovery |
| Cancellation /Transfer Fee | Category 4 | Per Person | 20% | 20% |
| * Denotes Fee for Late Registration | Category 4 | Per Team | \$ 18.00 | \$ 18.00 |

** Excludes Program Registration Fee

Adult Contract Classes (18 Years or Older)

Category 5 includes Adult Contract Programs provided by the City which are Council approved fees to cover the direct program cost plus 15% for administrative and overhead related costs.

| | | | | |
|-----------------------------------|------------|-------------|--------------------|--------------------|
| Program Registration Fee | | Per Program | \$ 2.00 | \$ 2.00 |
| Belly Dancing For Fun and Fitness | Category 5 | Per Person | \$ 32.00 - 45.00 | \$ 32.00 - 45.00 |
| Boxing | Category 5 | Per Person | \$ 60.00 - 80.00 | \$ 60.00 - 80.00 |
| Bryan's Dog Training | Category 5 | Per Person | \$ 65.00 - 75.00 | \$ 65.00 - 75.00 |
| Kung Fu Art of Self-Defense | Category 5 | Per Person | \$ 65.00 - 85.00 | \$ 65.00 - 85.00 |
| Yoga - 1 Day | Category 5 | Per Person | \$ 36.00 - 50.00 | \$ 36.00 - 50.00 |
| Cancellation /Transfer Fee | Category 5 | Per Person | 20% | 20% |
| New Adult Contract Classes | Category 5 | Per Person | Full Cost Recovery | Full Cost Recovery |

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Section 7 - Parks and Community Services

| Fee Description | Policy Category | Unit | Current Fee | Proposed Fee | Comments on Proposed Changes to Fees |
|---|-----------------|-------------|------------------|------------------|--------------------------------------|
| Youth Sports | | | | | |
| Category 6 includes Youth Sports Programs provided by the City which are Council approved fees to cover the direct program cost plus 20% for administrative and overhead related costs. | | | | | |
| Program Registration Fee | | Per Program | \$ 2.00 | \$ 2.00 | |
| Basketball League * # | Category 6 | Per Person | \$ 65.00 - 86.00 | \$ 65.00 - 86.00 | |
| Basketball Pee Wee * # | Category 6 | Per Person | \$ 50.00 | \$ 50.00 | |
| Sports Camp # | Category 6 | Per Person | \$ 60.00-110.00 | \$ 60.00-110.00 | |
| Flag Football League * # | Category 6 | Per Person | \$ 59.00 | \$ 59.00 | |
| Middle School Sports Program # | Category 6 | Per Person | \$ 25.00 | \$ 25.00 | |
| Spudball * # | Category 6 | Per Person | \$ 50.00 | \$ 50.00 | |
| Tennis Lessons # | Category 6 | Per Person | \$ 37.00-65.00 | \$ 37.00-65.00 | |
| Pee Wee Flag Football # | Category 6 | Per Person | \$ 50.00 | \$ 50.00 | |
| General Sports Skills Contests # | Category 6 | Per Person | Cost Recovery | Cost Recovery | |
| Open Play Basketball / Volleyball # ** | Category 6 | Per Person | \$ 1.00 | \$ 1.00 | |
| Jr. Basketball # | Category 6 | Per Person | \$ 60.00 | \$ 60.00 | |
| New Youth Sports Programs # | Category 6 | Per Person | Cost Recovery | Cost Recovery | |
| Cancellation /Transfer Fee | Category 6 | Per Person | 20% | 20% | |
| * Denotes Fee for Late Registration | Category 6 | Per Person | \$ 5.00-10.00 | \$ 5.00-10.00 | |
| ** Excludes Program Registration Fee | | | | | |
| # Denotes Family Discount available. See note below. | | | | | |

Youth/Teen Activities and Programs

Category 7 includes Youth Contract Classes and Youth Programs provided by the City which are Council approved fees to cover the direct program cost plus 15% for administrative and overhead related costs.

| | | | | | |
|--|------------|-------------|------------------|------------------|--|
| Program Registration Fee | | Per Program | \$ 2.00 | \$ 2.00 | |
| Breakfast with Santa # | Category 7 | Per Person | \$ 6.00 - 10.00 | \$ 6.00 - 10.00 | |
| Bunny Brunch # | Category 7 | Per Person | \$ 6.00 - 10.00 | \$ 6.00 - 10.00 | |
| Holiday Chef # | Category 7 | Per Person | \$ 8.00 - 10.00 | \$ 8.00 - 10.00 | |
| Holiday Craft # | Category 7 | Per Person | \$ 8.00 - 10.00 | \$ 8.00 - 10.00 | |
| Camp * (Weekly) # | Category 7 | Per Person | \$ 85.00 | \$ 85.00 | |
| Spring Chef Workshop # | Category 7 | Per Person | \$ 8.00 - 10.00 | \$ 8.00 - 10.00 | |
| Spring Craft # | Category 7 | Per Person | \$ 8.00 - 10.00 | \$ 8.00 - 10.00 | |
| Time for Tots - 2 Days (2 Weeks) # | Category 7 | Per Person | \$ 40.00 | \$ 40.00 | |
| Time for Tots - 4 Days (2 Weeks) # | Category 7 | Per Person | \$ 52.00 | \$ 52.00 | |
| T-Shirts ** | Category 7 | Per Shirt | \$ 10.00 | \$ 10.00 | |
| Sunshine Social # | Category 7 | Per Person | \$ 20.00 | \$ 20.00 | |
| Bowling Class/League # | Category 7 | Per Person | \$ 50.00 - 65.00 | \$ 50.00 - 65.00 | |
| New Youth/Teen Activities and Programs # | Category 7 | Per Person | Cost Recovery | Cost Recovery | |
| Cancellation /Transfer Fee | Category 7 | Per Person | 20% | 20% | |
| * Denotes Fee for Late Registration | Category 7 | Per Person | \$ 5.00 | \$ 5.00 | |

** Excludes Program Registration Fee

Denotes Family Discount available. See note below.

-FAMILY DISCOUNT

A family discount applies when siblings are registered in the same program. The family discount only applies to non-contract programs as identified with an #.

The following family discount rates apply:

1st child = Full rate

2nd Child = Receives a 15% discount

3rd Child += Receives a 10% discount

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Section 7 - Parks and Community Services

| Fee Description | Policy Category | Unit | Current Fee | Proposed Fee | Comments on Proposed Changes to Fees |
|---|-----------------|-------------|------------------|------------------|--------------------------------------|
| Youth/Teen Classes | | | | | |
| Category 7 includes Youth Contract Classes and Youth Programs provided by the City which are Council approved fees to cover the direct program cost plus 15% for administrative and overhead related costs. | | | | | |
| Program Registration Fee | | Per Program | \$ 2.00 | \$ 2.00 | |
| Ballet Folklorico - Youth | Category 7 | Per Person | \$ 22.00 - 35.00 | \$ 22.00 - 35.00 | |
| Boxing - Youth | Category 7 | Per Person | \$ 60.00 - 70.00 | \$ 60.00 - 70.00 | |
| Drawing for Kids - Youth | Category 7 | Per Person | \$ 30.00 - 40.00 | \$ 30.00 - 40.00 | |
| Hip Hop Jazz | Category 7 | Per Person | \$ 32.00 - 45.00 | \$ 32.00 - 45.00 | |
| Instant Piano | Category 7 | Per Person | \$ 25.00 - 35.00 | \$ 25.00 - 35.00 | |
| Golf Clinic - Youth | Category 7 | Per Person | \$ 42.00 - 55.00 | \$ 42.00 - 55.00 | |
| Kickboxing - Teen | Category 7 | Per Person | \$ 70.00 | \$ 70.00 | |
| Kung Fu Art of Self Defense - Youth | Category 7 | Per Person | \$ 42.00 - 55.00 | \$ 42.00 - 55.00 | |
| Salsa/Latin Dance - Teen | Category 7 | Per Person | \$ 55.00 - 85.00 | \$ 55.00 - 85.00 | |
| Cancellation /Transfer Fee | Category 7 | Per Person | 20% | 20% | |
| New Youth/Teen Contract Classes | Category 7 | Per Person | Cost Recovery | Cost Recovery | |

Senior Programs

Category 1 includes Senior Programs provided by outside agencies at no charge to the participant, and there is no direct cost to the City. All indirect costs will be subsidized by the City.

| | | | | | |
|--|-------------|------------|---|---|--|
| Bingo | Category 3 | Per Person | \$ 1.00 = 2 Cards add Cards = \$.50 ea | \$ 1.00 = 2 Cards add Cards = \$.50 ea | |
| Breakfast, Lunch, Pizza, Picnic | Category 3 | Per Person | Cost Recovery | Cost Recovery | |
| Bunco | Category 3 | Per Person | \$ 2.00 | \$ 2.00 | |
| Dances | Category 3 | Per Person | \$ 8.00 | \$ 8.00 | |
| Line Dancing | Category 11 | Per Person | Contracted | Contracted | |
| Swap Meet | Category 3 | Per Table | \$ 5.00 | \$ 5.00 | |
| New Senior Contract Program - Administered by Contract | Category 11 | Per Person | Contracted | Contracted | |
| New Senior Program Provided by Outside Agencies | Category 1 | Per Person | \$ 0 | \$ 0 | |
| New Senior Program Assisted by City Staff | Category 3 | Per Person | Cost Recovery | Cost Recovery | |
| New Senior Programs Assisted By Volunteers | Category 2 | Per Person | \$ 0 | \$ 0 | |
| Trips / Tours - Administered by Contract | Category 11 | Per Person | Contracted | Contracted | |

Special Events

Category 8 includes Family and Community Seasonal Non-Fee Programs approved and directed by City Council to seek potential private sector sponsorship for programs in this category to cover direct program cost where possible. This may include charging a fee

| | | | | | |
|--|------------|-------------|------------------|------------------|--|
| Program Registration Fee | | Per Program | \$ 2.00 | \$ 2.00 | |
| Easter Egg Hunt | Category 8 | Per Person | FREE | FREE | |
| Fourth of July Parade Entry ** | Category 8 | Per Entry | \$ 30.00 | \$ 30.00 | |
| Fourth of July Parade Vendor ** | Category 8 | Per Booth | \$ 50.00 | \$ 50.00 | |
| Fourth of July Festival Arts & Crafts Booth ** | Category 8 | Per Booth | \$ 75.00 | \$ 75.00 | |
| Fourth of July Festival Food Booth (Commercial) ** | Category 8 | Per Booth | \$ 250.00 | \$ 250.00 | |
| Fourth of July Festival Food Booth (Non-Profit) ** | Category 8 | Per Booth | \$ 150.00 | \$ 150.00 | |
| Fourth of July Festival Service Info Booth (Non-Profit) ** | Category 8 | Per Booth | \$ 25.00 | \$ 25.00 | |
| Fourth of July Food Booth Deposit ** | Category 8 | Per Booth | \$ 50.00 | \$ 50.00 | |
| Youth Fest | Category 8 | Per Booth | FREE | FREE | |
| Artober Fest | Category 8 | Per Booth | \$ 15.00 - 25.00 | \$ 15.00 - 25.00 | |
| Art au Soleil | Category 8 | Per Booth | \$ 15.00-25.00 | \$ 15.00 - 25.00 | |
| Wine & Art Show | Category 8 | Per Booth | \$ 15.00 - 25.00 | \$ 15.00 - 25.00 | |

** Excludes Program Registration Fee

Section 7 - Parks and Community Services

| Fee Description | Policy Category | Unit | Current Fee | Proposed Fee | Comments on Proposed Changes to Fees |
|---|-----------------|------|-------------|--------------|--------------------------------------|
| <u>On-Line Registration Processing Fee (This fee is charged by the on-line provider)</u> | | | | | |
| On-Line Registration has no applicable category association. | | | | | |
| Transactions < \$150 | | | | | |
| Percentage of Transaction cost plus | | | 6.50% * | 6.50% | |
| Fixed Fee per Transaction | | | \$ 0.50 * | \$ 0.50 | |
| Transactions from \$150 to \$500 | | | | | |
| Percentage of Transaction cost plus | | | 3.50% | 3.50% | |
| Fixed Fee per Transaction | | | \$ 5.00 | \$ 5.00 | |
| Transactions over \$500 | | | | | |
| Percentage of Transaction cost plus | | | 2.50% | 2.50% | |
| Fixed Fee per Transaction | | | \$ 10.00 | \$ 10.00 | |
| * \$2.00 minimum | | | | | |

Item No. E.1

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Section 7 - Parks and Community Services

| Fee Description | Policy Category | Unit | Current Fee | Proposed Fee | Comments on Proposed Changes to Fees |
|--|-----------------|---------------|-------------------|---------------------|--------------------------------------|
| <u>Park Reservations</u> | | | | | |
| <i>Non-Resident Fees: Fees for Non-Residents to participate in Recreation Programs and Services will be charged at full cost recovery, which is the Resident Fee plus 30%.</i> | | | | | |
| <u>Athletic Field Reservation</u> | | | | | |
| Non-Profit Youth Groups per field | N/A | 2 Hour min. | \$ 2.00 | \$ 2.00 | |
| Adult Non-Profit Groups and Unorganized Group Play per field | N/A | Per Hour | \$ 5.00 | \$ 5.00 | |
| Adult & Youth Sports play by Private Groups | N/A | Per Hour | \$ 10.00 | \$ 10.00 | |
| Organized Commercial (For Profit) Groups (per field) | N/A | Per Hour | \$ 50.00 | \$ 50.00 | |
| Field Preparation - not included - cost recovery of staff overtime | N/A | Per Hour | \$ 50.00 | \$ 75.00 | |
| Cancellation /Transfer Fee | N/A | N/A | 20% | 20% | |
| <u>Athletic Field Lighting</u> | | | | | |
| All Users (This does not include adult groups at Moreno Valley Community Park) | N/A | Per Hour | \$ 15.00 | \$ 15.00 | |
| Adult groups at Moreno Valley Community Park | N/A | Per Hour | \$ | \$ 18.00 | NEW |
| <u>Snack Bar (4 Hours or Less Play)</u> | | | | | |
| Moreno Valley Youth and Non-Profit Groups | N/A | Per Day | \$ 20.00 | \$ 20.00 | |
| Moreno Valley Youth and Non-Profit Groups | N/A | Per Evening * | \$ 10.00 | \$ 10.00 | |
| Cleaning Deposit Fee (required for all groups) | N/A | Per Rental | \$ 125.00 | \$ 125.00 | |
| Key Deposit (required for all groups) | N/A | Per Group | \$ 25.00 | \$ 25.00 | |
| <u>Storage Unit Rental</u> | | | | | |
| Storage Units | N/A | Per Month | \$ 35.00 | \$ 35.00 | |
| <u>Over 4 Hour Play</u> | | | | | |
| Field Reservation/Non-Profit (First field preparation included.) | N/A | Per Field | \$ 100.00 | \$ 100.00 | |
| Field Reservation/ Private Group (First field preparation included.) | N/A | Per Field | \$ 175.00 | \$ 175.00 | |
| Field Preparation - Weekday-Cost Recovery | N/A | Per Field | \$ 50.00 | \$ 75.00 | |
| Field Preparation - Weekend | N/A | Per Field | \$ | \$ 115.00 | NEW |
| Mound Drop and Removal | N/A | Per Event | \$ 175.00- 300.00 | \$ 175.00- 300.00 | |
| Admission Gate (Pre-Approved by Director) | N/A | Per Event | 25% of gate | 25% of gate revenue | |
| Snackbar Cleaning Deposit Fee (required for all groups) | N/A | Per Event | \$ 200.00 | \$ 200.00 | |
| Snackbar | N/A | Per Day | \$ 50.00 | \$ 50.00 | |
| Vendor Fee | N/A | Per Event | \$ 100.00 | \$ 100.00 | |
| Facility Deposit | N/A | N/A | \$ 100.00 | \$ 100.00 | |
| Cancellation/Transfer Fee | N/A | N/A | 20% | 20% | |
| Gate Admission Must be Pre-Approved by Director Per Event | | | | | |

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Section 7 - Parks and Community Services

| Fee Description | Policy Category | Unit | Current Fee | Proposed Fee | Comments on Proposed Changes to Fees |
|---|-----------------|-----------------------|----------------------------|----------------------------|--------------------------------------|
| <u>Park Fees</u> | | | | | |
| Park Reservation for Special Events | N/A | Per Day | \$ 50.00 | \$ 50.00 | |
| Park Reservation for Park Area | N/A | Per Day | \$ 25.00 | \$ 25.00 | |
| Picnic Shelter Small (1-2 Tables) | N/A | Per Day | \$ 37.00 | \$ 37.00 | |
| Picnic Shelter Medium (3-6 Tables) | N/A | Per Day | \$ 80.00 | \$ 80.00 | |
| Picnic Shelter Large (Over 6 Tables) | N/A | Per Day | \$ 156.00 | \$ 156.00 | |
| Cleaning/Security Deposit | N/A | Per Day | \$ 75.00 | \$ 75.00 | |
| Special Event Permit | N/A | Per Day | \$ 207.00 | \$ 207.00 | |
| Cancellation/Transfer Fee | N/A | N/A | 20% | 20% | |
| Electrical Use | | Per Day | \$ 35.00 | \$ 35.00 | |
| <u>Valley Skate Park and Soccer Arena</u> | | | | | |
| Helmet Rental | N/A | Per Person | \$ 3.00 | \$ 3.00 | |
| Helmet Deposit (ID Required or \$20 Deposit) | N/A | Per Person | \$ 20.00 | \$ 20.00 | |
| Instructional Clinics/Lessons Per Session | N/A | Per Person | \$ 5.00-20.00 | \$ 5.00-20.00 | |
| Skate Park and Arena Soccer Session Entry Fee | | | | | |
| Youth | NA | Per Session | \$ 2.00 | \$ 2.00 | |
| Adult | NA | Per Session | \$ 4.00 | \$ 4.00 | |
| Soccer Arena Rental | NA | Per Hour | \$ 5.00-50.00 | \$ 5.00-50.00 | |
| Arena Soccer League | | | | | |
| Youth | NA | Per Team | \$ 50.00-100.00 | \$ 50.00-100.00 | |
| Adult | NA | Per Team | \$ 300.00-500.00 | \$ 300.00-500.00 | |
| Lights | NA | Half Hour | \$ 7.50 | \$ 7.50 | |
| School District Arena Rental | NA | Per Team | \$ Cost Recovery for Staff | \$ Cost Recovery for Staff | |
| <u>Golf Course</u> | | | | | |
| Golf Course Fees: | | | | | |
| Adult - 18 Holes (Mon. - Fri.) | N/A | Per Person | \$ 11.00 | \$ 13.00 | |
| Adult - 18 Holes Twilight Rate (after 2PM) | N/A | Per Person | \$ | \$ 10.00 | NEW |
| Adult - 9 Holes (Mon. - Fri.) | N/A | Per Person | \$ 8.00 | \$ 9.00 | |
| Adult - 9 Holes Twilight Rate (After 2PM) | N/A | Per Person | \$ | \$ 6.00 | NEW |
| Seniors 55 & Over - 18 Holes (Mon. - Fri.) | N/A | Per Person | \$ 9.00 | \$ 11.00 | |
| Seniors 55 & Over - 18 Holes Twilight Rate (After 2PM) | N/A | Per Person | \$ | \$ 10.00 | NEW |
| Seniors 55 & Over - 9 Holes (Mon. - Fri.) | N/A | Per Person | \$ 6.50 | \$ 7.00 | |
| Seniors 55 & Over - 9 Holes Twilight Rate (After 2PM) | N/A | Per Person | \$ | \$ 6.00 | |
| Adult & Seniors 18 Holes - Weekends, Holidays, Tournament Play | N/A | Per Person | \$ 14.00 | \$ 15.00 | NEW |
| Adult & Seniors 9 Holes - Weekends, Holidays, Tournament Play | N/A | Per Person | \$ 9.50 | \$ 11.00 | |
| Students Under 18 - 18 Holes (Mon. - Fri.) | N/A | Per Person | \$ 9.00 | \$ 8.00 | |
| Students Under 18 - 18 Holes Twilight Rates (After 2PM) | N/A | Per Person | \$ | \$ 8.00 | NEW |
| Students Under 18 - 9 Holes (Mon. - Fri.) | N/A | Per Person | \$ 6.50 | \$ 5.00 | |
| Students Under 18 - 9 Holes Twilight Rates (After 2PM) | N/A | Per Person | \$ | \$ 5.00 | NEW |
| Students Under 18 - 18 Holes (Weekends, Holidays, Tournament) | N/A | Per Person | \$ | \$ 9.00 | NEW |
| Students Under 18 - 9 Holes (Weekends, Holidays, Tournament) | N/A | Per Person | \$ | \$ 7.00 | NEW |
| Cart Rental | N/A | Per Cart | \$ 2.50 | \$ 3.00 | |
| Club Rental | N/A | Per Set | \$ 5.00 | \$ 5.00 | |
| Replay for Additional 9-Holes | N/A | Per Person | \$ | \$ 5.00 | NEW |
| Locker Rentals = with Monthly Card | N/A | Per Person | \$ 5.00 | \$ 5.00 | DELETE |
| Locker Rentals = without Monthly Card | N/A | Per Person | \$ 10.00 | \$ 10.00 | DELETE |

Item No. E.1

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Section 7 - Parks and Community Services

| Fee Description | Policy Category | Unit | Current Fee | Proposed Fee | Comments on Proposed Changes to Fees |
|---|-----------------|-----------------------|----------------------|----------------------|--------------------------------------|
| Golf Course Specials | | | | | |
| Punch Cards: Adults = Ten 9-Hole Rounds (Mon-Fri) | N/A | Per Card | \$ 75.00 | \$ 60.00 | |
| Punch Cards: Seniors = Ten 9-Hole Rounds (Mon-Fri) | N/A | Per Card | \$ 50.00 | \$ 50.00 | |
| Punch Cards: Juniors Students = Ten 9-Hole Rounds (Mon-Fri) | N/A | Per Card | \$ 50.00 | \$ 35.00 | |
| Punch Cards: Adults = Ten 9-Hole Rounds (Any Day) | N/A | Per Card | \$ | \$ 75.00 | NEW |
| Punch Cards: Seniors = Ten 9-Hole Rounds (Any Date) | N/A | Per Card | \$ | \$ 75.00 | NEW |
| Punch Cards: Students = Ten 9-Hole Rounds (Any Day) | N/A | Per Card | \$ | \$ 50.00 | NEW |
| Punch Cards: Adults = Ten 18-Hole Rounds (Mon-Fri) | N/A | Per Card | \$ | \$ 90.00 | NEW |
| Punch Cards: Seniors = Ten 18-Hole Rounds (Mon-Fri) | N/A | Per Card | \$ | \$ 75.00 | NEW |
| Punch Cards: Students = Ten 18-Hole Rounds (Mon-Fri) | N/A | Per Card | \$ | \$ 55.00 | NEW |
| Punch Cards: Adults = Ten 18-Hole Rounds (Any Day) | N/A | Per Card | \$ | \$ 100.00 | NEW |
| Punch Cards: Seniors = Ten 18-Hole Rounds (Any Date) | N/A | Per Card | \$ | \$ 100.00 | NEW |
| Punch Cards: Students = Ten 18-Hole Rounds (Any Day) | N/A | Per Card | \$ | \$ 60.00 | NEW |
| Youth After School Cards = 3 months (Local schools + up to 17 yrs-old) M - F = 3 pm until dusk | N/A | Per Person | \$ 90.00 | \$ 90.00 | DELETE |
| Monthly Cards: Seniors (Mon.-Fri.) Unlimited Play | N/A | Per Person | \$ 65.00 | \$ 75.00 | |
| Monthly Cards: Juniors Students (Mon.-Fri.) Unlimited Play | N/A | Per Person | \$ 65.00 | \$ 75.00 | |
| Monthly Cards: Adults (Mon.-Fri.) Unlimited Play | N/A | Per Person | \$ 90.00 | \$ 75.00 | |
| Monthly Cards: Family of 4 (Mon.-Fri.) Unlimited Play | N/A | Per Group | \$ 170.00 | \$ 170.00 | DELETE |

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Section 7 - Parks and Community Services

Facility Rental

Senior Center

| User Group | Classification | Room | Minimum Time | Comments | Unit | Fee | Proposed Fee |
|---------------------------------|---|-------------------------|--------------|--|----------|-----------|---------------------------------|
| Group 1 | City sponsored/conducted events, governmental agencies (Federal, State, County) and educational institutions with reciprocal arrangements (defined below) | Banquet Room | 4 hours | Monday through Thursday (with Kitchen) | Per Hour | \$ 10.00 | \$ 10.00 |
| | | Banquet Room with Patio | 4 hours | Monday through Thursday (with Kitchen) | Per Hour | \$ 20.00 | \$ 20.00 |
| | | Banquet Room | 2 hours | Friday through Sunday (with Kitchen) | Per Hour | \$ 20.00 | \$ 20.00 |
| | | Banquet Room with Patio | 2 hours | Friday through Sunday (with Kitchen) | Per Hour | \$ 35.00 | \$ 35.00 |
| | | Classroom I and II | 2 hours | Monday through Thursday | Per Hour | - | - |
| | | Classroom I or II | 2 hours | Monday through Thursday | Per Hour | - | - |
| | | Arts & Crafts I and II | 2 hours | Monday through Thursday | Per Hour | - | - |
| | | Arts & Crafts I or II | 2 hours | Monday through Thursday | Per Hour | - | - |
| Service/Facility fees may apply | | | | | | | Service/Facility fees may apply |
| Group 2 | City of Moreno Valley resident, non-profit resident organization, Moreno Valley commercial groups for social activities, government agencies (Federal, State, County) and educational institutions. Proof of residency may be required. | Banquet Room | 4 hours | Monday through Thursday | Per Hour | \$ 45.00 | \$ 45.00 |
| | | Banquet Room with Patio | 4 hours | Monday through Thursday (with Kitchen) | Per Hour | \$ 90.00 | \$ 90.00 |
| | | Banquet Room | 2 hours | Friday through Sunday | Per Hour | \$ 100.00 | \$ 100.00 |
| | | Banquet Room with Patio | 2 hours | Friday through Sunday (with Kitchen) | Per Hour | \$ 175.00 | \$ 175.00 |
| | | Classroom I and II | 2 hours | Monday through Thursday | Per Hour | \$ 55.00 | \$ 55.00 |
| | | Classroom I or II | 2 hours | Monday through Thursday | Per Hour | \$ 40.00 | \$ 40.00 |
| | | Arts & Crafts I and II | 2 hours | Monday through Thursday | Per Hour | \$ 45.00 | \$ 45.00 |
| | | Arts & Crafts I or II | 2 hours | Monday through Thursday | Per Hour | \$ 30.00 | \$ 30.00 |
| Service/Facility fees may apply | | | | | | | Service/Facility fees may apply |
| Group 3 | Non-Resident and non-resident non-profit agencies. Proof of non-profit status may be required. Commercial use. | Banquet Room | 4 hours | Monday through Thursday | Per Hour | \$ 100.00 | \$ 100.00 |
| | | Banquet Room with Patio | 4 hours | Monday through Thursday (with Kitchen) | Per Hour | \$ 175.00 | \$ 175.00 |
| | | Banquet Room | 2 hours | Friday through Sunday | Per Hour | \$ 175.00 | \$ 175.00 |
| | | Banquet Room with Patio | 2 hours | Friday through Sunday (with Kitchen) | Per Hour | \$ 300.00 | \$ 300.00 |
| | | Classroom I and II | 2 hours | Monday through Thursday | Per Hour | \$ 125.00 | \$ 125.00 |
| | | Classroom I or II | 2 hours | Monday through Thursday | Per Hour | \$ 68.00 | \$ 68.00 |
| | | Arts & Crafts I and II | 2 hours | Monday through Thursday | Per Hour | \$ 100.00 | \$ 100.00 |
| | | Arts & Crafts I or II | 2 hours | Monday through Thursday | Per Hour | \$ 58.00 | \$ 58.00 |
| Service/Facility fees may apply | | | | | | | Service/Facility fees may apply |

| Service/Facility | Current Fee | Proposed Fee |
|--|----------------------------|---------------------|
| Refundable Cleaning / Security Deposit | \$ 300.00 | \$ 300.00 |
| Setup / Reset Charge (if applicable) | \$ 75.00 | \$ 75.00 |
| Main Kitchen (Only) | \$ 100.00 | \$ 100.00 |
| Cleaning | \$130.00 - \$150.00 | \$130.00 - \$150.00 |
| Decorating | Per Hour \$ 25.00 | \$ 25.00 |
| Overtime Staff Charge | Per Hour Cost Recovery | Cost Recovery |
| Staff Time | Per Hour \$20.00 - \$30.00 | \$20.00 - \$30.00 |
| Security Services | Per Hour \$20.00 - \$25.00 | \$20.00 - \$25.00 |
| False Fire / Police Alarm penalty (per each false alarm) | Per False Alarm \$ 200.00 | \$ 200.00 |
| False Alarm - Fire penalty | Per False Alarm \$ 28.00 | \$ 28.00 |
| False Alarm - Police penalty | Per Hour \$ 150.00 | \$ 150.00 |
| Insurance | Cost Recovery | Cost Recovery |
| Cancellation Fee | \$ 300.00 | \$ 300.00 |

RECIPROCAL ARRANGEMENTS

Reciprocal arrangements are defined as a relationship of mutual facility use between the City of Moreno Valley and/or Moreno Valley Community Services District and governmental, educational agencies or resident non-profit organizations. Where reciprocal arrangements exist, no rental fee will be charged. However, cost recovery for staff and/or extraordinary expenses will be passed on to the user.

Towngate Community Center

| User Group | Classification | Room | Minimum Time | Comments | Unit | Current Fee | Proposed Fee |
|---------------------------------|---|----------------------------------|--------------|-------------------------|----------|-------------|--------------|
| Group 1 | City sponsored/conducted events, governmental agencies (Federal, State, County) and educational institutions with reciprocal arrangements (defined below) | Multipurpose Room (with Kitchen) | 2 Hours | Monday through Thursday | Per Hour | \$ 15.00 | \$ 15.00 |
| | | | 4 hours | Friday through Sunday | Per Hour | \$ 15.00 | \$ 15.00 |
| Service/Facility fees may apply | | | | | | | |
| Group 2 | City of Moreno Valley resident, non-profit resident organization, Moreno Valley commercial groups for social activities, government agencies (Federal, State, County) and educational institutions. Proof of residency may be required. | Multipurpose Room (with Kitchen) | 2 Hours | Monday through Thursday | Per Hour | \$ 60.00 | \$ 60.00 |
| | | | 4 Hours | Friday through Sunday | Per Hour | \$ 70.00 | \$ 70.00 |
| Service/Facility fees may apply | | | | | | | |
| Group 3 | Non-Resident and non-resident non-profit agencies. Proof of non-profit status may be required. Commercial use. | Multipurpose Room (with Kitchen) | 2 Hours | Monday through Thursday | Per Hour | \$ 80.00 | \$ 80.00 |
| | | | 4 Hours | Friday through Sunday | Per Hour | \$ 90.00 | \$ 90.00 |
| Service/Facility fees may apply | | | | | | | |
| Group 4 | Resident of Renaissance Park Housing Development | Multipurpose Room (with Kitchen) | 2 Hours | Monday through Thursday | Per Hour | \$ 25.00 | \$ 25.00 |
| | | | | First two hours | | | |
| | | | 4 Hours | Friday through Sunday | Per Hour | \$ 18.00 | \$ 18.00 |
| | | | | First two hours | | | |
| Service/Facility fees may apply | | | | | | | |

| Service/Facility | Unit | Current Fee | Proposed Fee |
|------------------------------------|-----------|---------------------|---------------------|
| Refundable Security Deposit | Per Hour | \$ 200.00 | \$ 200.00 |
| Setup/Reset Charge (if applicable) | | \$ 25.00 | \$ 25.00 |
| Cleaning Fee | | \$130.00 - \$150.00 | \$130.00 - \$150.00 |
| Cancellation Fee | | \$ 200.00 | \$ 200.00 |
| Staff Regular Time | Per Hour | \$20.00 - \$30.00 | \$20.00 - \$30.00 |
| Staff Overtime | | Cost Recovery | Cost Recovery |
| Decorating | Per Hour | \$ 25.00 | \$ 25.00 |
| Set-up Time and Tear Down of Event | Per Hour | \$ 25.00 | \$ 25.00 |
| False Alarm - Fire | Per Alarm | \$ 200.00 | \$ 200.00 |
| False Alarm - Police | Per Alarm | \$ 28.00 | \$ 28.00 |
| Unscheduled Program Use | Per Hour | \$ 100.00 | \$ 100.00 |
| Security Services | Per Hour | \$20.00 - \$25.00 | \$20.00 - \$25.00 |

RECIPROCAL ARRANGEMENTS

Reciprocal arrangements are defined as a relationship of mutual facility use between the City of Moreno Valley and/or Moreno Valley Community Services District and governmental, educational agencies or resident non-profit organizations. Where reciprocal arrangements exist, no rental fee will be charged. However, cost recovery for staff and/or extraordinary expenses will be passed on to the user.

Section 7 - Parks and Community Services

Conference and Recreation Center

| User Group | Classification | Room | Minimum Time | Comments | Unit | Current Fee | Proposed Fee |
|---------------------------------|--|---|--------------|--|----------|-------------|---------------------------------|
| Group 1 | City sponsored/conducted events | Grand Valley Ballroom with small patio | 3 Hours | Monday through Friday 4:59pm | Per Hour | \$ 25.00 | \$ 25.00 |
| | | Grand Valley Ballroom with large patio | 3 Hours | Monday through Friday 4:59pm | Per Hour | \$ 25.00 | \$ 25.00 |
| | | Grand Valley Ballroom with small patio or large patio | 3 Hours | Friday evening beginning at 5:00 pm and Sunday | Per Hour | \$ 250.00 | \$ 250.00 |
| | | Grand Valley Ballroom with small patio or large patio | 3 Hours | Saturday | Per Hour | \$ 300.00 | \$ 300.00 |
| | | Alessandro Room | 2 Hours | Monday through Friday 4:59pm | Per Hour | \$ 12.00 | \$ 12.00 |
| | | Alessandro Room | 2 Hours | Friday 5:00 pm through Sunday | Per Hour | \$ 12.00 | \$ 12.00 |
| | | Dance Studio | 2 Hours | Monday through Sunday | Per Hour | \$ 12.00 | \$ 12.00 |
| | | Gymnasium | 2 Hours | Monday through Sunday | Per Hour | \$ 12.00 | \$ 12.00 |
| | | Little Rascals Room | 2 Hours | Monday through Sunday | Per Hour | \$ 25.00 | \$ 25.00 |
| | | Frank E. Brown Room | 2 Hours | Monday through Sunday | Per Hour | \$ 25.00 | \$ 25.00 |
| Service/Facility fees may apply | | | | | | | Service/Facility fees may apply |
| 2 | Federal, State, County and Educational Institutions. | Grand Valley Ballroom with small patio | 3 Hours | Monday through Friday 4:59pm | Per Hour | \$ 144.00 | \$ 144.00 |
| | | Grand Valley Ballroom with large patio | 3 Hours | Monday through Friday 4:59pm | Per Hour | \$ 144.00 | \$ 144.00 |
| | | Grand Valley Ballroom with small patio | 3 Hours | Friday 5:00 pm & All Day Sunday | Per Hour | \$ 250.00 | \$ 250.00 |
| | | Grand Valley Ballroom with small patio | 3 Hours | Saturday | Per Hour | \$ 300.00 | \$ 300.00 |
| | | Grand Valley Ballroom with large patio | 2 Hours | Friday 5:00 pm & All Day Sunday | Per Hour | \$ 300.00 | \$ 300.00 |
| | | Grand Valley Ballroom with large patio | 3 Hours | Saturday | Per Hour | \$ 350.00 | \$ 350.00 |
| | | Alessandro Room (Full) | 2 Hours | Monday through Friday 4:59pm | Per Hour | \$ 50.00 | \$ 50.00 |
| | | Alessandro Room (Half) | 2 Hours | Monday through Friday 4:59pm | Per Hour | \$ 25.00 | \$ 25.00 |
| | | Alessandro Room (Half) | 2 Hours | Long Term Rental 2-12 months | Per Hour | \$ 20.00 | \$ 20.00 |
| | | Alessandro Room (Full) | 2 Hours | Friday 5:00 pm through Sunday | Per Hour | \$ 50.00 | \$ 50.00 |
| | | Alessandro Room (Half) | 2 Hours | Friday 5:00 pm through Sunday | Per Hour | \$ 25.00 | \$ 25.00 |
| | | Frank E. Brown Room | 2 Hours | Monday through Sunday | Per Hour | \$ 25.00 | \$ 25.00 |
| | | Dance Studio | 2 Hours | Monday through Friday 4:59pm | Per Hour | \$ 30.00 | \$ 30.00 |
| | | Dance Studio | 2 Hours | Friday 5:00 pm through Sunday | Per Hour | \$ 45.00 | \$ 45.00 |
| | | Entire Gymnasium | 2 Hours | Monday through Friday 4:59pm | Per Hour | \$ 50.00 | \$ 50.00 |
| | | Half Gymnasium | 2 Hours | Friday 5:00 pm through Sunday | Per Hour | \$ 25.00 | \$ 25.00 |
| | | Little Rascals Room | 2 Hours | Monday through Sunday | Per Hour | \$ 40.00 | \$ 40.00 |
| | | Service/Facility fees may apply | | | | | |
| Group 3 | City of Moreno Valley resident, non-profit resident organization, Moreno Valley commercial groups for social activities. - Proof of residency may be required. | Grand Valley Ballroom with small patio | 3 Hours | Monday through Friday 4:59pm | Per Hour | \$ 160.00 | \$ 160.00 |
| | | Grand Valley Ballroom with large patio | 3 Hours | Monday through Friday 4:59pm | Per Hour | \$ 210.00 | \$ 210.00 |
| | | Grand Valley Ballroom with small patio | 3 Hours | Friday 5:00 pm & All Day Sunday | Per Hour | \$ 250.00 | \$ 250.00 |
| | | Grand Valley Ballroom with small patio | 3 Hours | Saturday | Per Hour | \$ 300.00 | \$ 300.00 |
| | | Grand Valley Ballroom with small patio-attendance under 200 | 3 Hours | Saturday | Per Hour | \$ 250.00 | \$ 250.00 |
| | | Grand Valley Ballroom with large patio | 2 Hours | Friday 5:00 pm & All Day Sunday | Per Hour | \$ 300.00 | \$ 300.00 |
| | | Grand Valley Ballroom with large patio | 3 Hours | Saturday | Per Hour | \$ 350.00 | \$ 350.00 |
| | | Alessandro Room (Full) | 2 Hours | Monday through Friday 4:59pm | Per Hour | \$ 50.00 | \$ 50.00 |
| | | Alessandro Room (Half) | 2 Hours | Monday through Friday 4:59pm | Per Hour | \$ 25.00 | \$ 25.00 |
| | | Alessandro Room (Half) | 2 Hours | Long Term Rental 2-12 months | Per Hour | \$ 20.00 | \$ 20.00 |
| | | Alessandro Room (Full) | 2 Hours | Friday 5:00 pm through Sunday | Per Hour | \$ 50.00 | \$ 50.00 |
| | | Alessandro Room (Half) | 2 Hours | Friday 5:00 pm through Sunday | Per Hour | \$ 25.00 | \$ 25.00 |
| | | Frank E. Brown Room | 2 Hours | Monday through Sunday | Per Hour | \$ 25.00 | \$ 25.00 |
| | | Dance Studio | 2 Hours | Monday through Friday 4:59pm | Per Hour | \$ 30.00 | \$ 30.00 |
| | | Dance Studio | 2 Hours | Friday 5:00 pm through Sunday | Per Hour | \$ 45.00 | \$ 45.00 |
| | | Entire Gymnasium | 2 Hours | Monday through Friday 4:59pm | Per Hour | \$ 50.00 | \$ 50.00 |
| | | Half Gymnasium | 2 Hours | Friday 5:00 pm through Sunday | Per Hour | \$ 25.00 | \$ 25.00 |

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Section 7 - Parks and Community Services

Conference and Recreation Center (Cont.)

| User Group | Classification | Room | Minimum Time | Comments | Unit | Current Fee | Proposed Fee | |
|---------------------|--|--|--------------|---------------------------------|----------|-------------|--------------|---------------------------------|
| | | Little Rascals Room | 2 Hours | Monday through Sunday | Per Hour | \$ 40.00 | \$ 40.00 | |
| | | Service/Facility fees may apply | | | | | | Service/Facility fees may apply |
| Group 4 | Non-Resident and non-resident non-profit agencies. Proof of non-profit status may be required. Commercial use. | Grand Valley Ballroom with small patio | 3 Hours | Monday through Friday 4:59pm | Per Hour | \$ 200.00 | \$ 200.00 | |
| | | Grand Valley Ballroom with large patio | 3 Hours | Monday through Friday 4:59pm | Per Hour | \$ 250.00 | \$ 250.00 | |
| | | Grand Valley Ballroom with small patio | 2 Hours | Friday 5:00 pm & All Day Sunday | Per Hour | \$ 350.00 | \$ 350.00 | |
| | | Grand Valley Ballroom with small patio | 3 Hours | Saturday | Per Hour | \$ 400.00 | \$ 400.00 | |
| | | Grand Valley Ballroom with small patio - Long Term Rental (2 to 12 months) | 3 Hours | Saturday | Per Hour | \$ 160.00 | \$ 160.00 | |
| | | Grand Valley Ballroom with large patio | 3 Hours | Friday 5:00 pm & All Day Sunday | Per Hour | \$ 350.00 | \$ 350.00 | |
| | | Grand Valley Ballroom with large patio | 3 Hours | Saturday | Per Hour | \$ 400.00 | \$ 400.00 | |
| | | Alessandro Room (Full) | 2 Hours | Monday through Friday 4:59pm | Per Hour | \$ 75.00 | \$ 75.00 | |
| | | Alessandro Room (Half) | 2 Hours | Monday through Friday 4:59pm | Per Hour | \$ 40.00 | \$ 40.00 | |
| | | Alessandro Room (Half) | 2 Hours | Long Term Rental 2-12 months | Per Hour | \$ 20.00 | \$ 20.00 | |
| | | Alessandro Room (Full) | 2 Hours | Friday 5:00 pm through Sunday | Per Hour | \$ 75.00 | \$ 75.00 | |
| | | Alessandro Room (Half) | 2 Hours | Friday 5:00 pm through Sunday | Per Hour | \$ 40.00 | \$ 40.00 | |
| | | Frank E. Brown Room | 2 Hours | Monday through Sunday | Per Hour | \$ 40.00 | \$ 40.00 | |
| | | Dance Studio | 2 Hours | Monday through Friday 4:59pm | Per Hour | \$ 75.00 | \$ 75.00 | |
| | | Dance Studio | 2 Hours | Friday 5:00 pm through Sunday | Per Hour | \$ 110.00 | \$ 110.00 | |
| | | Entire Gymnasium | 2 Hours | Monday through Friday 4:59pm | Per Hour | \$ 100.00 | \$ 100.00 | |
| Half Gymnasium | 2 Hours | Friday 5:00 pm through Sunday | Per Hour | \$ 50.00 | \$ 50.00 | | | |
| Little Rascals Room | 2 Hours | Monday through Sunday | Per Hour | \$ 40.00 | \$ 40.00 | | | |
| | | Service/Facility fees may apply | | | | | | Service/Facility fees may apply |

| Service/Facility | Unit | Current Fee | Proposed Fee |
|---|-----------------------|---------------------|---------------------|
| Grand Valley Ballroom Refundable Security Deposit for Groups 3 and 4 | | \$200.00 - \$750.00 | \$200.00-\$750.00 |
| Grand Valley Ballroom Refundable Security Deposit for Group 2 (Dependent on Event Liability) | | \$ - | \$ - |
| Alessandro Room Refundable Security Deposit | | \$ 100.00 | \$ 100.00 |
| Frank E. Brown Room Refundable Security Deposit | | \$ 100.00 | \$ 100.00 |
| Dance Studio Refundable Security Deposit | | \$250.00 - \$500.00 | \$250.00 - \$500.00 |
| Gymnasium Refundable Security Deposit | | \$250.00 - \$500.00 | \$250.00 - \$500.00 |
| Grand Valley Ballroom Set-up Time and Tear Down of Event Minimum of one hour prior and one hour following event. Maximum of two hours. | Per Hour | \$ 31.00 | \$ 31.00 |
| Alessandro Room Set-up Time and Tear Down of Event Minimum of one hour prior and one hour following event. Maximum of two hours. | Per Hour | \$ 25.00 | \$ 25.00 |
| Scoreboard and Contoller | Per Day | \$ 20.00 | \$ 20.00 |
| Extended Facility Use | | | |
| | Entire Gymnasium | Per Hour \$ 100.00 | \$ 100.00 |
| | Half Gymnasium | Per Hour \$ 50.00 | \$ 50.00 |
| | Grand Valley Ballroom | Per Hour \$ 450.00 | \$ 450.00 |
| False Alarm - Fire | Per Alarm | \$ 200.00 | \$ 200.00 |
| False Alarm - Police | Per Alarm | \$ 28.00 | \$ 28.00 |
| Cleaning Fee | | \$200.00 - \$230.00 | \$200.00 - \$230.00 |
| Unscheduled Program Use | Per Hour | \$ 100.00 | \$ 100.00 |
| Insurance | | Cost Recovery | Cost Recovery |
| Decorating | Per Hour | \$ 31.00 | \$ 31.00 |
| Audio Visual Technician | Per Hour | \$35.00 - \$45.00 | \$35.00 - \$45.00 |
| Staff Time | Per Hour | \$20.00 - \$30.00 | \$20.00 - \$30.00 |
| Staff Overtime (per hour) | | Cost Recovery | Cost Recovery |
| Security Services | Per Hour/Per Guard | \$20.00 - \$25.00 | \$20.00 - \$25.00 |

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Conference and Recreation Center (Cont.)

| Equipment Rental | Current Fee | Proposed Fee |
|--|---------------------|---------------------|
| TV/VCR/DVD | \$25 | \$25 |
| Coffee Pot (12 cup) | \$6 | \$6 |
| Coffee Pot (55 cup) | \$20 | \$20 |
| Coffee Pot (100 cup) | \$40 | \$40 |
| Linen Rental | \$5 | \$5 |
| AV Projector | \$25 | \$25 |
| Overhead Projector | \$20 | \$20 |
| Microphone (cordless) | \$25 | \$25 |
| Deluxe Sound System (small system available at no charge) | \$100 | \$100 |
| Dance Floor - 500 sq.ft. thru 1000 sq. ft. (includes set-up) | \$200 | \$200 |
| Easel | \$10 | \$10 |
| Flags | No charge | No charge |
| Gymnasium Floor Covering | \$1,300 | \$1,300 |
| Platform Lights | \$100.00 - \$200.00 | \$100.00 - \$200.00 |
| Portable Bar | \$50 | \$50 |
| Projection Screen | No charge | No charge |
| Podium with microphone | No charge | No charge |

- * Tables and chairs are included in the room rental fee.
- * Replacement fee will be assessed if equipment is damaged or destroyed.
- * Fees are subject to cost recovery charges.
- * Linens, cutlery, decorations, and patio furniture are not included with the room rental fee.
- * Rental equipment fees are subject to change without notice.

RECIPROCAL ARRANGEMENTS

Reciprocal arrangements are defined as a relationship of mutual facility use between the City of Moreno Valley and/or Moreno Valley Community Services District and governmental, educational agencies or resident non-profit organizations. Where reciprocal arrangements exist, no rental fee will be charged. However, cost recovery for staff and/or extraordinary expenses will be passed on to the user.

Item No. E.1

-451-

Mobile Stage Unit

| Categories | Mandatory Staff Fee | | Refundable Cleaning Deposit | Unit | Current Fee | Proposed Fee |
|--|-------------------------------------|---------------|-----------------------------|---------|-------------|--------------|
| | Stage Unit with Platforms (3 staff) | (2 staff) | | | | |
| Category I | Cost Recovery | Cost Recovery | | | | |
| | | | No Charge | | No Charge | No Charge |
| Category II | | | | | | |
| Within Moreno Valley City Boundaries | Cost Recovery | Cost Recovery | \$ 100.00 | Per Day | \$ 135.00 | \$ 135.00 |
| Boundaries Outside of Moreno Valley | Cost Recovery | Cost Recovery | \$ 100.00 | Per Day | \$ 575.00 | \$ 575.00 |
| Category III | | | | | | |
| | Cost Recovery | Cost Recovery | \$ 100.00 | Per Day | \$ 125.00 | \$ 125.00 |
| Category IV | | | | | | |
| | Cost Recovery | Cost Recovery | \$ 100.00 | Per Day | \$ 335.00 | \$ 335.00 |
| Category V | | | | | | |
| Within boundaries of Moreno Valley | Cost Recovery | Cost Recovery | \$ 100.00 | Per Day | \$ 560.00 | \$ 560.00 |
| Outside of boundaries of Moreno Valley | Cost Recovery | Cost Recovery | \$ 100.00 | Per Day | \$ 600.00 | \$ 600.00 |

| CATEGORY DEFINITIONS | |
|----------------------|---|
| Category I: | Parks and Community Services Department, City sponsored and/or city co-sponsored events. |
| Category II: | Other governmental agencies (city, county, federal or state) and educational institutions (school districts). |
| Category III: | A Moreno Valley based non-profit service organization that holds monthly meetings within the City of Moreno Valley's city boundaries. Organization must have a City of Moreno Valley mailing address. Organization's primary purpose must be charity, youth development, cultural enrichment, or civic improvement; and must show proof of non-profit status (Section 501(c)(3) and 501(c)(4) of Internal Revenue Code). Organization must show a viable organizational structure including with the application a listing of board officers' names, addresses and telephone numbers. |
| Category IV: | Moreno Valley businesses located within the City of Moreno Valley's city boundaries. |
| Category V: | Non-Moreno Valley based businesses and non-profit organizations. |

MOBILE STAGE UNIT MISCELLANEOUS INFORMATION

| DIMENSIONS | |
|----------------------------------|----------------|
| Stage When Extended | |
| Interior Length | 36' |
| Interior Depth | 13', 6" |
| Body of Mobile Stage Unit | |
| Width | 8 feet |
| Length | 40', 45' hitch |
| Height of Back Wall | 92" or 7'-8" |
| Platforms | |
| Extra Stage - Total of 9 Each | 4' X 8' |

AMENITIES INCLUDED IN MOBILE STAGE UNIT COST

Skirting around mobile stage unit
Generator

OPTIONAL AMENITIES

Sound System available at an additional cost of \$50.00 per day plus \$100.00 refundable security / deposit.
Sound System include Amplifier - Includes 8 Channels
Two (2) Large speakers with stands
Two (2) microphones with stands
Tape deck

Equestrian Center

| User Group | Classification | | Current Fee | Proposed Fee |
|------------|--|---------|-------------|--------------|
| Group 1 | City sponsored/conducted events, non-profit organizations, governmental agencies (Federal, State, County) and Educational Institutions with reciprocal arrangements (defined below). | | \$ 0 * | \$ 0 |
| Group 2 | City of Moreno Valley resident (proof of residency may be required), resident non-profit organization (proof of residency may be required), governmental agencies (Federal, State, County) and Education Institutions. | | \$ 100.00 * | \$ 100.00 |
| Group 3 | Moreno Valley commercial groups - social activities. | Per Day | \$ 125.00 * | \$ 125.00 |
| Group 4 | Non-Resident, non-profit, (proof of non-profit status may be required). | Per Day | \$ 125.00 * | \$ 125.00 |
| Group 5 | Resident, commercial use for profit. | Per Day | \$ 125.00 * | \$ 125.00 |
| Group 6 | Non-Resident, commercial use for profit. | Per Day | \$ 125.00 * | \$ 125.00 |

* Service/Facility Use Fees may apply

SERVICE / FACILITY USE FEES

| Service / Facility | Current Fee | Proposed Fee |
|--------------------------------------|---------------|---------------|
| Refundable Security Deposit | \$ 300.00 | \$ 300.00 |
| Tractoring Fee (if applicable), each | \$ 100.00 | \$ 100.00 |
| Standby Tractoring Fee | \$ 50.00 | \$ 50.00 |
| Water Key Deposit | \$ 25.00 | \$ 25.00 |
| Lighting | \$ 15.00 | |
| Cancellation | \$ 25.00 | \$ 25.00 |
| Staff Overtime (per hour) | Cost Recovery | Cost Recovery |

RECIPROCAL ARRANGEMENTS

Reciprocal arrangements are defined as a relationship of mutual facility use between the City of Moreno Valley and/or Moreno Valley Community Services District and governmental, educational agencies or resident non-profit organizations. Where reciprocal arrangements exist, no rental fee will be charged. However, cost recovery for staff and/or extraordinary expenses will be passed on to the user.

Cottonwood Banquet Room

| Room | Classification | | Current Fee | Proposed Fee |
|--------------|---|----------|-------------|--------------|
| Banquet Room | Friday through Saturday (Minimum Time 4 hours) | per Hour | \$ 0 * | \$ 50.00 NEW |
| Banquet Room | Monday through Thursday (Minimum Time 2 hours) | Per Hour | \$ 0 * | \$ 40.00 NEW |

* Service/Facility Use Fees may apply

SERVICE / FACILITY USE FEES

| Service / Facility | Current Fee | Proposed Fee |
|--------------------------------------|---------------|-------------------|
| Refundable Cleaning/Security Deposit | \$ - | \$ 200.00 NEW |
| Setup/Reset Charge | per Hour \$ - | \$ 25.00 NEW |
| Cleaning | \$ - | Cost Recovery NEW |
| Decorating | per Hour \$ - | \$ 25.00 NEW |
| Staff Charge | per Hour \$ - | \$ 25.00 NEW |
| Other Security Services | per Hour \$ - | \$ 20.00 NEW |
| Unscheduled Program Use | per Hour \$ - | \$ 90.00 NEW |
| Cancellation Fee | per Hour \$ - | \$ 200.00 NEW |

Item No. E.1

-453-

Section 8 - Police

| | <u>Unit</u> | <u>Current Fee</u> | | <u>Proposed Fee</u> | <u>Comments on Proposed Changes to Fees</u> |
|---|---|------------------------|---------------------------------------|-------------------------|---|
| ABC Letter (Alcohol Beverage Control Letter) | Each | \$ 20.00 | | \$ 20.00 | |
| <u>Administrative Citations</u> | | | | | |
| 1st Offense | | \$ 100.00 | MC 1.01.230 | \$ 100.00 | |
| 2nd Offense | | \$ 200.00 | MC 1.01.230 | \$ 200.00 | |
| 3rd Offense | | \$ 500.00 | MC 1.01.230 | \$ 500.00 | |
| Bingo Permit | Annual | \$ 50.00 | Fee set by PC 326.5/Ord 611 11.50.050 | \$ 50.00 | |
| Certification of Police Records | Each | \$ 5.00 | | \$ 5.00 | |
| Clearance Letter | Each | \$ 10.00 | GC6253(b) | \$ 10.00 | |
| Citation Sign-off for Non-Resident | Each | \$ 15.00 | GC26746.1 | \$ 15.00 | |
| Concealed Weapons Permit | Processed by the Riverside County Sheriff's Department | | | | |
| Explosive Permit (fingerprinting) | See Fingerprinting: Live Scan | | | | |
| False Alarm Response | | | | | |
| Burglary | per Occurrence | \$ 31.00 | | \$ 32.00 | |
| Robbery | per Occurrence | \$ 123.00 | | \$ 125.00 | |
| Fingerprinting (Live Scan) | | | | | |
| Processing through DOJ and FBI | per Set | \$ 49.00 | Fee set by DOJ and FBI | \$ 49.00 | |
| Processing through DOJ | per Set | \$ 32.00 | Fee set by DOJ | \$ 32.00 | |
| Processing fee | per Set | \$ 10.00 | PC 13300(e) | \$ 10.00 | |
| Juvenile Daytime Curfew Ordinance Police Service Fee (plus fine amount) | | \$ 30.00 | MC 11.05.080 | \$ 30.00 | |
| Photographs | | | | | |
| Photographs: Traffic Collisions (3"x5" or 8"x10")* | Each | \$ 22.00 | | \$ 22.00 | |
| Color Copy of Digital Photo | Each | \$ 5.00 | | \$ 5.00 | |
| Mug Shot/Booking Photo | Each | \$ 5.00 | | \$ 5.00 | |

Section 8 - Police

| | <u>Unit</u> | <u>Current Fee</u> | | <u>Proposed Fee</u> | <u>Comments on Proposed Changes to Fees</u> |
|---|----------------------|--------------------|--|---------------------|---|
| Police Services at Public Event | | | | | |
| Police Sergeant | per Hour | \$ 95.37 | Fully burdened City cost per contract | \$ 95.37 | Fully burdened City cost per contract |
| Police Officer | per Hour | \$ 70.67 | Fully burdened City cost per contract | \$ 70.67 | Fully burdened City cost per contract |
| Community Services Officer | per Hour | \$ 48.35 | Fully burdened City cost per contract | \$ 48.35 | Fully burdened City cost per contract |
| Reports | | | | | |
| Collision and Crime | up to 10 pages | \$ 5.00 | | \$ 5.00 | |
| | each additional page | \$ 0.20 | | \$ 0.20 | |
| Repossession Fee | | \$ 15.00 | Fee set by GC26751 & GC41612 | \$ 15.00 | |
| Second Hand Dealers License | | | | | |
| State Initial License | | \$ 195.00 | Bus & Prof Code 21641 | \$ 300.00 | BASED ON BUS & PROF CODE |
| Renewal | | \$ 12.00 | Bus & Prof Code 21642 | \$ 300.00 | BASED ON BUS & PROF CODE |
| Fingerprinting (Live Scan) | | \$ 32.00 | Fee set by DOJ | \$ 32.00 | |
| Live Scan processing fee | | \$ 10.00 | PC 13300(e) | \$ 10.00 | |
| Security Clearance Information Act (SCIA) - Local Records Check | | \$ 5.00 | Federal Statute Title 5 Chapter 91 Section 9101 | \$ 5.00 | |
| Taxicab | | | | | |
| Application Processing | Annual | \$ 156.00 | | \$ 159.00 | |
| Taxicab Driver Permit | Annual / per Driver | \$ 11.00 | | \$ 11.00 | |
| Taxicab Permit | Annual / per Taxicab | \$ 11.00 | | \$ 11.00 | |
| Fingerprinting/Background Check | | | See Fingerprinting: Live Scan | | |
| Tow Truck | | | | | |
| Driver Fee | Annual | \$ 25.00 | | \$ 26.00 | |
| Fingerprinting/Background Check | | | See Fingerprinting: Live Scan | | |
| Vehicle Release | | \$ 120.00 | | \$ 120.00 | |
| Massage | | | | | |
| Appeal Fee (Operator and technician) | | \$ 143.00 | | \$ 146.00 | |
| Application Fee and Renewal | | \$ 13.00 | | \$ 13.00 | |
| Inspection Fee | | \$ 139.00 | | \$ 142.00 | |
| <u>Background Check, Fingerprinting and photo</u> | | | | | |
| Initial | | \$ 172.00 | | \$ 175.00 | |
| Renewal | | \$ 69.00 | | \$ 70.00 | |
| Testing Fee (Operator and technician) | | \$ 96.00 | | \$ 98.00 | |

Item No. E.1**-455-**

Section 9 - Public Works

| | <u>Unit</u> | <u>Current Fee</u> | <u>Proposed Fee</u> | <u>Comments on Proposed Changes to Fees</u> |
|--|-------------|------------------------|-------------------------|---|
| <u>Administration</u> | | | | |
| Plans and Specification Fee (non-refundable) | | Actual cost (\$10 min) | Actual cost (\$10 min) | |
| Copy of Capital Improvement Plan | Each | Actual City Cost | Actual City Cost | |
| <u>Solid Waste</u> | | | | |
| Self Haul Permit (Solid Waste) | Each | \$ 41.00 | \$ 42.00 | |

Electric Utility

| Current Fee | Proposed Fee | Comments on Proposed Changes to Fees |
|----------------|-----------------|---|
|----------------|-----------------|---|

PLAN CHECKING AND INSPECTION/TESTING FEES

Upon submittal of improvement plan(s) for a project's electrical distribution system, line extension facilities and/or structures for plan review, the submittal shall be accompanied with a deposit of an amount equal to 3.25% of the engineer's estimated construction costs for improvements. Prior to second submittal of improvement plans, the City Engineer will approve a final cost for improvements and a plan review fee will be established. From this final fee, the deposit will be deducted. This fee shall be paid prior to the second submittal of the improvement plan(s).

Improvement Plans (Total cost of construction)

| | | |
|---|---|---|
| Off-Site & On-Site 1-3 submittals | | |
| First \$20,000 | 4.00% | 4.00% |
| Next \$80,000 | 3.50% | 3.50% |
| Over \$100,000 | 3.25% | 3.25% |
| 4th and subsequent submittals per sheet | \$248/sheet or as directed by City Engineer | \$248/sheet or as directed by City Engineer |

Revisions (Improvement Plans)

| | | |
|-------------------------------|-----------|-----------|
| Minor per sheet | \$ 261.00 | \$ 261.00 |
| Major per sheet (minimum fee) | \$ 269.00 | \$ 269.00 |

Inspection and Testing (Total cost of construction)

| | | |
|--------------------|-------|-------|
| Off-Site & On-Site | | |
| First \$20,000 | 4.00% | 4.00% |
| Next \$80,000 | 3.50% | 3.50% |
| Over \$100,000 | 3.25% | 3.25% |

RATE SCHEDULE & CHART OF CHARGES AND FEES

The chart of Moreno Valley Electric Utility charges and fees are located in the *City of Moreno Valley Electric Service Rules, Fees and Charges* document. Moreno Valley Electric Utility rates are located in the *Moreno Valley Electric Rates* document. Both documents are approved by the City Council under separate consideration and are available online at http://www.moval.org/resident_services/utilities/rate-tariff.shtml or from the MVU Office.

Item No. E.1

-457-

Section 9 - Public Works

| <u>Maintenance and Operations</u> | <u>Unit</u> | <u>Current Fee</u> | <u>Proposed Fee</u> | <u>Comments on Proposed Changes to Fees</u> |
|--|-------------|--------------------|---------------------|---|
| Private Residence Tree Removal (Service not available on request; service will only be performed when required as determined by Public Works, Maintenance and Operations Division) | Each | \$ 280.00 | \$ 286.00 | |

Section 9 - Public Works

| | <u>Unit</u> | <u>Current Fee</u> | <u>Proposed Fee</u> | <u>Comments on Proposed Changes to Fees</u> |
|--|-------------|--------------------|---------------------|---|
| <u>Transportation Engineering</u> | | | | |
| <u>Permit Parking Program</u> | | | | |
| Application Fee | Each | \$ 93.00 | \$ 95.00 | |
| <u>Special Traffic Count</u> | | | | |
| Daily Directional | per Count | \$ 141.00 | \$ 144.00 | |
| Daily Non-Directional | per Count | \$ 70.00 | \$ 71.00 | |
| Peak Hour Intersectional | per Count | \$ 49.00 | \$ 50.00 | |
| <u>Speed Study</u> | | | | |
| Radar | | \$ 53.00 | \$ 54.00 | |
| Speed Profile (2 tubes, 1 machine) | | \$ 197.00 | \$ 201.00 | |
| Special Traffic Curb Painting | Deposit | \$ 178.00 | \$ 178.00 | Actual charge is "fully burdened" rate charge |
| <u>Signs</u> | | | | |
| Miscellaneous Traffic Control Signs (Stop, Yield, Bus Stop, etc) | Each | \$ 280.00 | \$ 286.00 | |
| Neighborhood Watch Signs (Installed) | Each | \$ 13.00 | \$ 13.00 | |
| Street Name Sign | Each | \$ 421.00 | \$ 429.00 | |

Item No. E.1

-459-

Section 9 - Public Works

| | <u>Unit</u> | <u>Current Fee</u> | <u>Proposed Fee</u> | <u>Comments on Proposed Changes to Fees</u> |
|--|-------------|--------------------|---------------------|---|
| <u>Transportation Engineering</u> | | | | |
| <u>Signal Construction Inspection and Turn-on</u> | | | | |
| <= \$100,000 of Engineer's estimate | | 4.00% | 4.00% | |
| \$100,001-\$250,000 of Engineer's estimate | | 3.00% | 3.00% | |
| > \$250,000 of Engineer's estimate | | 2.50% | 2.50% | |
| Controller Testing | | \$ 2,005.00 | \$ 2,045.00 | |
| Signing and Striping Plan Review (1-3 submittals) | Per Sheet | \$ 364.00 | \$ 371.00 | |
| 4th and subsequent submittals | Per Sheet | \$ 213.00 | \$ 217.00 | |
| <u>Temporary Parking Permit</u> | | | | |
| Type I (Allow temporary parking on a restricted street section with curb lane width of less than 18 ft) | | \$ 141.00 | \$ 144.00 | |
| Type II (Allow temporary parking on a restricted street section with curb lane width of 18 ft or more) | | \$ 70.00 | \$ 71.00 | |
| <u>Traffic Impact Analysis</u> | | | | |
| Minor | Each | \$ 1,177.00 | \$ 1,201.00 | |
| Major | Each | \$ 3,118.00 | \$ 3,180.00 | |
| Traffic Control Plan Review (1-3 submittals) | per Sheet | \$ 364.00 | \$ 371.00 | |
| 4th and subsequent submittals | Per Sheet | \$ 213.00 | \$ 217.00 | |

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Section 10 - Miscellaneous Fees and Charges

| | <u>Unit</u> | <u>Current Fee</u> | <u>Proposed Fee</u> | <u>Comments on Proposed Changes to Fees</u> |
|--|-------------|--------------------|---------------------|---|
| Council Chamber Room Rental | per Day | \$ 132.00 | \$ 132.00 | |
| Neighborhood Preservation Revitalization Program Housing Inspection Minimum Permit Fees (all types of permits) | Each | \$1,526.00 | \$ 1,557.00 | |
| Housing Assistance Financial Analysis Charge | | City Cost | City Cost | |
| Mileage for City employee appearances | per Mile | IRS allowable rate | IRS allowable rate | |
| Motion Picture Permit | Each | \$ 393.00 | \$ 393.00 | |
| <u>Copies *</u> | | | | |
| Black & White | per Page | \$ 0.20 | \$ 0.20 | |
| Color | per Page | \$ 0.75 | \$ 0.75 | |

* All government agencies and their official representatives shall be exempt from paying these charges for single copies for official use.

| | | | | |
|---|----------------|--|--|--|
| Copies and Research in response to subpoena | per Occurrence | City cost as provided for in California Evidence Code Section 1563 | | |
|---|----------------|--|--|--|

Copies of maps, documents, graphs or special work may be furnished upon the payment of the cost of printing and preparation. For such items for which a regular established price is unavailable, the Department Head, in collaboration with the Financial & Administrative Services Director, may establish a price consistent with the cost of printing and preparation thereof. The Financial & Administrative Services Director shall report such exceptions to the City Manager. It shall be the responsibility of the City Manager to review such costs annually and make such recommendations to the City Council as required to keep charges consistent with actual costs.

The City Council may waive processing or appeal fees for any private or public agency on a case-by-case basis. In the case of an appeal by a public agency or school district, no fee shall be charged until the City Council considers the appeal matter itself and renders a decision on the waiver of the fee after the entire appeal matter has been heard.

Note: Projects equal to or in excess of \$50,000,000 in total value will qualify to be considered for inclusion in the City's pilot program utilizing Time-and-Material charging/billing methodology for Development Services activities; this program encompasses all Departments and all fees for projects in the program. For more information on this pilot program please contact the City Manager's Office.

Land Development Division Deposits will be valued at one-quarter of the fee that would typically be charged for plan check or inspection services.

Item No. E.1

-461-

Section 11 - Penalties and Delinquent Fee Schedule for Parking Violations

| M.V.M.C. | Description | Bail | | | Bail with Penalty (Delinquent) | | |
|-------------|---|--------------|---------------|------------|--------------------------------|---------------|------------|
| | | City Portion | State Portion | Total Bail | City Portion | State Portion | Total Bail |
| 12.12.130 | Parked in violation of designated curb color | \$ 28.50 | \$ 12.50 | \$ 41.00 | \$ 69.50 | \$ 12.50 | \$ 82.00 |
| 12.12.130 | No standing/stopping/parking anytime (posted) | \$ 28.50 | \$ 12.50 | \$ 41.00 | \$ 69.50 | \$ 12.50 | \$ 82.00 |
| 12.12.130 | Posted time 6 p.m. to 6 a.m. (commercial vehicle) | \$ 28.50 | \$ 12.50 | \$ 41.00 | \$ 69.50 | \$ 12.50 | \$ 82.00 |
| 12.38.040 | Vehicle parked on street in excess of 72 hours | \$ 28.50 | \$ 12.50 | \$ 41.00 | \$ 69.50 | \$ 12.50 | \$ 82.00 |
| 12.42 | No parking (street sweeping) | \$ 45.00 | \$ 12.50 | \$ 57.50 | \$ 102.50 | \$ 12.50 | \$ 115.00 |
| 6.04.040.D2 | Parking on unimproved surface | \$ 20.00 | \$ 12.50 | \$ 32.50 | \$ 52.50 | \$ 12.50 | \$ 65.00 |
| 11.24.200 | Inoperative vehicle in view in excess of 72 hours | \$ 20.00 | \$ 12.50 | \$ 32.50 | \$ 52.50 | \$ 12.50 | \$ 65.00 |

| M.V.M.C. | Description | Bail | | | Bail with Penalty (Delinquent) | | |
|-------------|--|--------------|---------------|------------|--------------------------------|---------------|------------|
| | | City Portion | State Portion | Total Bail | City Portion | State Portion | Total Bail |
| 12.38.020A | It is unlawful to park or leave standing any of the following: | | | | | | |
| 12.383020A1 | Any vehicle or trailer which is used to transport animals or which harbors vermin or pestilence or which emits noxious or nuisance odors on any highway, street, road alley or on any public or private property within the city. | \$ 73.50 | \$ 12.50 | \$ 86.00 | \$ 159.50 | \$ 12.50 | \$ 172.00 |
| 12.38.020A2 | Any vehicle or trailer which contains any hazardous substances as defined in section 2452 of the California Vehicle Code on any highway, street, road, alley or on any public or private property within the city. | \$ 73.50 | \$ 12.50 | \$ 86.00 | \$ 159.50 | \$ 12.50 | \$ 172.00 |
| 12.38.020A3 | Any trailer, utility trailer, boat trailer, boat, camper, camper shell, camp trailer, trailer coach or semi-trailer that is non-self propelled, non-motorized or not capable of movement under its own power and which is unattached to a vehicle on any highway, street, road or alley within the city. | \$ 73.50 | \$ 12.50 | \$ 86.00 | \$ 159.50 | \$ 12.50 | \$ 172.00 |
| 12.38.020A4 | Any vehicle on any highway, street, road or alley within the city for the purpose of servicing or repairing such vehicle except when necessitated by an emergency. | \$ 73.50 | \$ 12.50 | \$ 86.00 | \$ 159.50 | \$ 12.50 | \$ 172.00 |

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Section 11 - Penalties and Delinquent Fee Schedule for Parking Violations

| M.V.M.C. | Description | Bail | | | Bail with Penalty (Delinquent) | | |
|-------------|--|--------------|---------------|------------|--------------------------------|---------------|------------|
| | | City Portion | State Portion | Total Bail | City Portion | State Portion | Total Bail |
| 12.38.020B | It is unlawful to park or leave standing any commercial vehicle, truck, trailer or semi-trailer having a manufacturer's gross vehicle weight rating (Vehicle Code Section 390) of ten thousand (10,000) pounds or more as described in the following: | | | | | | |
| 12.38.020B1 | On any highway, street, road, alley or private property within the residential district within the city. | \$ 73.50 | \$ 12.50 | \$ 86.00 | \$ 159.50 | \$ 12.50 | \$ 172.00 |
| 12.38.020B2 | On any vacant or unimproved non-residential property in the city. | \$ 73.50 | \$ 12.50 | \$ 86.00 | \$ 159.50 | \$ 12.50 | \$ 172.00 |
| 12.38.020B3 | On any residential property so that any part of such vehicle is within one hundred (100) feet of any human dwelling. | \$ 73.50 | \$ 12.50 | \$ 86.00 | \$ 159.50 | \$ 12.50 | \$ 172.00 |
| 12.38.020B4 | Within one hundred fifty (150) feet of any driveway opening. | \$ 73.50 | \$ 12.50 | \$ 86.00 | \$ 159.50 | \$ 12.50 | \$ 172.00 |
| 12.38.020B5 | Within any commercially zoned property for the purpose other than doing business at the site, or for the purpose not related to such business operation, or remaining parked or standing for longer than reasonably appropriate to do such business or acts related to such business operations. | \$ 73.50 | \$ 12.50 | \$ 86.00 | \$ 159.50 | \$ 12.50 | \$ 172.00 |
| 12.38.020B6 | On any residential property so that any part of such vehicle is within fifteen (15) feet of the property line, a public sidewalk or a public or private roadway edge. | \$ 73.50 | \$ 12.50 | \$ 86.00 | \$ 159.50 | \$ 12.50 | \$ 172.00 |
| 12.38.020B7 | On any alley within the city. | \$ 73.50 | \$ 12.50 | \$ 86.00 | \$ 156.50 | \$ 12.50 | \$ 172.00 |
| 12.38.020B7 | On any highway, street or road which is adjacent to a parcel upon which there exists a public facility. Within the meaning of this subsection, "public facility" includes, but is not limited to, parks, schools and civic buildings. | \$ 73.50 | \$ 12.50 | \$ 86.00 | \$ 159.50 | \$ 12.50 | \$ 172.00 |
| 12.38.020B9 | Any unattached semi-trailer on a public highway, street, road or alley within the city. | \$ 73.50 | \$ 12.50 | \$ 86.00 | \$ 159.50 | \$ 12.50 | \$ 172.00 |
| 12.38.020C | While adjacent to a developed residential area within the city, the operator shall not idle the vehicle's engine for longer than fifteen (15) minutes. | \$ 73.50 | \$ 12.50 | \$ 86.00 | \$ 159.50 | \$ 12.50 | \$ 172.00 |

Item No. E.1

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Section 11 - Penalties and Delinquent Fee Schedule for Parking Violations

| C.V.C. | Description | Bail | | | Bail with Penalty (Delinquent) | | |
|------------|---|--------------|---------------|------------|--------------------------------|---------------|------------|
| | | City Portion | State Portion | Total Bail | City Portion | State Portion | Total Bail |
| 5204 | Improper display of tabs | \$ 45.00 | \$ 12.50 | \$ 57.50 | NA | NA | NA |
| | Improper display of tabs with correction | \$ 5.00 | \$ 5.00 | \$ 10.00 | NA | NA | NA |
| 21113(a) | Unauthorized parking upon public grounds | \$ 20.00 | \$ 12.50 | \$ 32.50 | \$ 52.50 | \$ 12.50 | \$ 65.00 |
| 21211(a) | Stopping in bicycle lane | \$ 20.00 | \$ 12.50 | \$ 32.50 | \$ 52.50 | \$ 12.50 | \$ 65.00 |
| 22500(a) | Parking unlawfully, within intersection | \$ 20.00 | \$ 12.50 | \$ 32.50 | \$ 52.50 | \$ 12.50 | \$ 65.00 |
| 22500(b) | Parking unlawfully, on crosswalk | \$ 20.00 | \$ 12.50 | \$ 32.50 | \$ 52.50 | \$ 12.50 | \$ 65.00 |
| 22500(c) | Parking unlawfully, adjacent to safety zone | \$ 20.00 | \$ 12.50 | \$ 32.50 | \$ 52.50 | \$ 12.50 | \$ 65.00 |
| 22500(d) | Parking unlawfully, within 15 feet of fire station driveway | \$ 20.00 | \$ 12.50 | \$ 32.50 | \$ 52.50 | \$ 12.50 | \$ 65.00 |
| 22500(e) | Parking unlawfully, blocking any driveway | \$ 20.00 | \$ 12.50 | \$ 32.50 | \$ 52.50 | \$ 12.50 | \$ 65.00 |
| 22500(f) | Parking unlawfully, on a sidewalk | \$ 20.00 | \$ 12.50 | \$ 32.50 | \$ 52.50 | \$ 12.50 | \$ 65.00 |
| 22500(g) | Parking unlawfully, blocking excavation | \$ 20.00 | \$ 12.50 | \$ 32.50 | \$ 52.50 | \$ 12.50 | \$ 65.00 |
| 22500(h) | Parking unlawfully, double parking | \$ 20.00 | \$ 12.50 | \$ 32.50 | \$ 52.50 | \$ 12.50 | \$ 65.00 |
| 22500(i) | Parking unlawfully, in posted bus loading zone | \$ 20.00 | \$ 12.50 | \$ 32.50 | \$ 52.50 | \$ 12.50 | \$ 65.00 |
| 22500(k) | Parking on a bridge, unless otherwise permitted or authorized | \$ 20.00 | \$ 12.50 | \$ 32.50 | \$ 52.50 | \$ 12.50 | \$ 65.00 |
| 22500(l) | Parking unlawfully, blocking sidewalk wheelchair access | \$ 420.00 | \$ 12.50 | \$ 432.50 | NA | NA | NA |
| 22500.1 | Parking unlawfully, in posted fire area | \$ 50.00 | \$ 12.50 | \$ 62.50 | \$ 112.50 | \$ 12.50 | \$ 125.00 |
| 22502(a) | Vehicle parked with right wheels in excess of 18" from right hand curb (exception: Motorcycles shall be parked with at least one wheel touching the right hand curb). | \$ 20.00 | \$ 12.50 | \$ 32.50 | \$ 52.50 | \$ 12.50 | \$ 65.00 |
| 22507.8(a) | Parking in space designated for disabled | \$ 420.00 | \$ 12.50 | \$ 432.50 | NA | NA | NA |
| 22507.8(b) | Obstruct or block disabled parking space | \$ 420.00 | \$ 12.50 | \$ 432.50 | NA | NA | NA |
| 22507.8(c) | Parking in cross-hatch area designated for disabled | \$ 420.00 | \$ 12.50 | \$ 432.50 | NA | NA | NA |
| 22514 | Parking within 15 feet of fire hydrant | \$ 50.00 | \$ 12.50 | \$ 62.50 | \$ 112.50 | \$ 12.50 | \$ 125.00 |
| 22515(b) | Unattended vehicle wheels not blocked, and/or parking brake not | \$ 20.00 | \$ 12.50 | \$ 32.50 | \$ 52.50 | \$ 12.50 | \$ 65.00 |
| 22522 | Parking within 3 feet of a sidewalk access ramp | \$ 420.00 | \$ 12.50 | \$ 432.50 | NA | NA | NA |
| 22658 | Unauthorized parking | \$ 20.00 | \$ 12.50 | \$ 32.50 | \$ 52.50 | \$ 12.50 | \$ 65.00 |
| 40226 | Failure to display handicapped placard | \$ 20.00 | \$ 12.50 | \$ 32.50 | NA | NA | NA |
| | Other | \$ 20.00 | \$ 12.50 | \$ 32.50 | \$ 52.50 | \$ 12.50 | \$ 65.00 |



CITY OF MORENO VALLEY

Annual Fee Schedule Update

April 23, 2013

Item No. E.1

-465-

Background



The Fee Schedule is based on the recovery of the estimated reasonable cost to provide a service as established by the California Government Code



Last comprehensive fee study was done in FY 2005



Anticipate conducting a new fee/cost study during FY 2014



Most fees have been increased to reflect the average rate of change in the CPI (Los Angeles-Riverside-Orange County) which was 2%

General Considerations



An inflation factor of 2% has been applied to most fees to reflect the average rate of change in the CPI (Los Angeles-Riverside-Orange County)



The inflation factor has not been applied to Deposit based fees which generally reflect time & material based charges



Other increases or decreases in fees or the addition or deletion of fees can be recommended by departments

Administrative Services

Animal Services



Dog adoption fees were left unchanged to maintain fees at levels which are consistent with other jurisdictions

Community and Economic Development Building & Safety Division



Fees increased to match fully burdened rate

- Demand Letter
- Updated Demand Letter
- Replacement Lien Release



New fees requested

- Replacement Job Card
- Transfer of Issued Permit to New Applicant with Job Card
- Special Inspector Registration
- Address Assignment
- Alternate Means, Methods or Materials Review

Community and Economic Development Building & Safety Division



New fees requested (continued)

- **Counter Plan Checks/Site Approval**
- **Plan Check (Accessibility, Green or Energy Code)**
- **Plan Check Solar SV System**
- **Plan Check/Permit Extension**
- **Revision of Approved Plans**
- **Inspections (Accessibility, Green or Energy Code)**
- **Training Surcharge (AB717)**
- **Document Archive**
- **Technology Maintenance Fee**

Community and Economic Development Land Development Division



Fees recalculated to reflect review processes performed by the Planning Division

- **Lot Line Adjustment**
- **Certificate of Parcel Merger**
- **Certificate of Compliance**
- **Conditional Certificate of Compliance**
- **Parcel Map Residential & Commercial**
- **Amended Parcel Map Residential & Commercial**
- **Amended Tract Map**
- **4th and Subsequent Reviews**
- **Subdivisions & Custom Homes**

Community and Economic Development Land Development Division



Fees recalculated to reflect review processes performed by the Planning Division (continued)

- **Tract Map & Non-Subdivisions**
- **Revisions (Mass/Rough Grading Plans)**
- **Stockpile/Borrow Site Plans**
- **Revisions (Stockpile/Borrow)**
- **Precise Grading Plan Check Parcel Maps**
- **Precise Grading Plan Check Tract Maps**
- **Precise Grading Plan Non-Subdivisions**
- **Precise Grading Plan Revisions (Precise Grading Plans)**

Community and Economic Development Land Development Division



New fees requested

- **NPDES Invoice Processing Fees**
 - **Construction Inspection**
 - **Business Inspection**



Advanced Energy categories have been expanded to better represent potential future street lighting installations

Community and Economic Development Planning Division



Increased “Fully Burdened Hourly Rate” to reflect current cost levels



Fees recalculated to reflect review processes performed by the Building & Safety and Special Districts Divisions

- **Conditional Use Permit**
- **Conditional Use Permit Amended CUP/Substantial Conformance**
- **Custom Home Review**
- **Environmental Review-Expanded Initial Study /Expanded Project Review**

Community and Economic Development Planning Division



Fees recalculated to reflect review processes performed by the Building & Safety and Special Districts Divisions (continued)

- **Plot Plan**
 - **With Hearing**
 - **Without Hearing (notice)**
 - **Without Hearing (no notice)**
 - **Amended Plot Plan/Substantial Conformance**
- **Temporary Use Permits**

Financial & Management Services Special Districts



Added a notation that Mail Ballot/Special Election Fees will include any associated 3rd party costs

Parks & Community Services



New fees requested

- **Athletic Field Lighting-Adult Groups at Moreno Valley Community Park**
- **Over 4 Hour Play-Field Preparation-Weekends**
- **Golf Course**
 - **Twilight Rate (after 2 P.M.)**
 - **Adult**
 - **Senior (55 & Over)**
 - **Students under 18**
 - **Students under 18 (Weekends, Holiday, Tournament)**
 - **Replay for Additional 9 Holes**
 - **Punch Cards for Adults, Seniors & Students**
 - **Facility Rental Fee for the Cottonwood Banquet Room**

Parks & Community Services



Fees to be deleted

- **Golf Course**
 - **Locker Rentals**
 - **Youth After School Cards**
 - **Monthly Cards: Family of 4**

Implementation Schedule



Fees are scheduled to take effect Monday, July 1, 2013



This will accommodate the 60 day waiting period required by Government Code Section 660016-17 for development related fees

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| APPROVALS | |
|----------------|--------------------|
| BUDGET OFFICER | <i>[Signature]</i> |
| CITY ATTORNEY | <i>[Signature]</i> |
| CITY MANAGER | <i>[Signature]</i> |

Report to City Council

TO: Mayor and City Council

FROM: Barry Foster, Community & Economic Development Director

AGENDA DATE: April 23, 2013

TITLE: ALESSANDRO BOULEVARD CORRIDOR IMPLEMENTATION PROJECT, WHICH INCLUDES TWO GENERAL PLAN AMENDMENTS (PA11-0028 & PA12-0046), TWO CHANGES OF ZONES (PA11-0029 & PA12-0047), AND MUNICIPAL CODE AMENDMENT (PA11-0030). THE PROJECT INCLUDES REZONING AREAS ALONG ALESSANDRO BOULEVARD AND NEAR PERRIS BOULEVARD AND IRIS AVENUE TO R30 (RESIDENTIAL UP TO 30 UNITS PER ACRE), 10.46 ACRES TO OPEN SPACE, COMMERCIAL REZONING OF A PARCEL AT THE SOUTHWEST CORNER OF PERRIS BOULEVARD AND GENTIAN AVENUE, AND THE CREATION OF A MIXED USE DISTRICT OVERLAY. THE R30 REZONING WILL PROVIDE CONSISTENCY WITH THE CITY'S CERTIFIED HOUSING ELEMENT

RECOMMENDED ACTION

Recommendations: That the City Council:

1. **ADOPT** a Mitigated Negative Declaration for PA11-0028 (General Plan Amendment), PA11-0029 (Change of Zone), PA11-0030 (Municipal Code Amendment), PA12-0046 (General Plan Amendment) and PA12-0047 (Change of Zone) pursuant to the California Environmental Quality Act (CEQA) Guidelines.
2. **APPROVE** Resolution No. 2013-26 approving PA11-0028 and PA12-0046 (General Plan Amendments), thereby establishing General Plan Land Use Map designations for certain properties as described in the Resolution, and the revised General Plan Maps.
3. **INTRODUCE** Ordinance No. 864 approving a Municipal Code Amendment (PA11-0030) creating the Mixed Use District Overlay and amending various sections of

Title 9 of the City of Moreno Valley Municipal Code based on the findings in the Ordinance.

4. **INTRODUCE** Ordinance No. 865 approving Zone Change (PA11-0029) from Community Commercial (CC), Office Commercial (OC), Residential 15 (R15 and Residential 5 (R5) to Residential 30 (R30), and Zone Change (PA12-0047) from Residential 5 (R5) to Community Commercial (CC), based on the findings in the Ordinance, and the revised zoning pages.

ADVISORY BOARD/COMMISSION RECOMMENDATION

The Planning Commission, at its March 14, 2013 meeting approved Planning Commission Resolution No. 2013-08, with revisions, recommending by a 6-0 vote that the City Council adopt a Mitigated Negative Declaration for PA11-0028 (General Plan Amendment), PA11-0029 (Change of Zone), PA11-0030 (Municipal Code Amendment), PA12-0046 (General Plan Amendment) and PA12-0047 (Change of Zone) and approve PA11-0028 (General Plan Amendment), PA11-0029 (Change of Zone), PA11-0030 (Municipal Code Amendment), PA12-0046 (General Plan Amendment) and PA12-0047 (Change of Zone).

The revisions to the project included changes to PA11-0028 (General Plan Amendment) and PA11-0029 (Change of Zone) regarding a number of parcels in Area #3 to be changed to Residential 30 (R30). One property owner on Alessandro Boulevard (just east of Blue Ribbon Lane) did not want his property rezoned. Another land owner with property near the southeast corner of Alessandro Boulevard and Lasselle Street requested to be included in the rezoning to Residential 30 (R30). With the location of these parcels relatively close, total of acreage being comparable and a discussion with RBF Consulting (who completed the required CEQA documentation for the project), trade out of approximately 17 acres east of Blue Ribbon Lane for 17 acres of APN 486-280-043 to be rezoned Residential 30 (R30) was possible without a major revision to the Initial Study and related reports.

BACKGROUND

The proposed “Alessandro Boulevard Corridor Project - Phase II Implementation” is based on the prior “Alessandro Boulevard Corridor Demonstration Project” (Phase I - SCAG sponsored Demonstration Project completed in June 2010) and promotes the Compass Principles by encouraging strategies to integrate transportation and community (housing, shopping, entertainment, etc.). The “Alessandro Boulevard Corridor Demonstration Project” (Phase I) explored opportunities for mixed use transit-oriented development along Alessandro Boulevard, an important regional transportation link for Moreno Valley. The City of Moreno Valley through Phase II has further promoted 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.

To assist the City in the implementation of a vision for the Alessandro Boulevard area, Phase II includes:

- Creation an overlay district for the Alessandro Boulevard corridors to identify areas suited for Mixed Use Districts;
- Creation of requirements for selecting Mixed Use Districts sites;
- Creation urban design strategies to intensify land uses;
- Rezoning of areas along Alessandro Boulevard and northeast of Perris Boulevard and Iris Avenue to Residential 30 (R30) as identified in the February 2011 General Plan Housing Element Update;
- Rezoning of a 21.47 acre parcel at the southwest corner of Gentian Avenue and Perris Boulevard (APN: 485-220-041) to Commercial (C);
- And amending the Municipal Code to include all the new standards.

Planning staff has been working with RBF Consulting through the second SCAG Compass Blueprint grant to complete the required CEQA documentation (Mitigated Negative Declaration) and the overlay district design standards.

Site/Corridor

The project area includes an approximately 5.5-mile stretch of Alessandro Boulevard from the Old 215 Frontage Road on the west to Nason Street on the east. The project area has direct access to and from the I-215 Freeway at the Alessandro Boulevard interchange. An additional area funded locally includes R30 and Commercial zoning northeast of Perris Boulevard and Iris Avenue.

DISCUSSION

Section 1: Residential 30 Rezoning (General Plan Amendment and Change of Zone)

With implementation of the Alessandro Boulevard Corridor Project, the City Moreno Valley will be able to provide additional Multiple Family housing opportunities in areas near existing or emerging employment and shopping centers along Alessandro Boulevard.

The areas noted in the Alessandro Boulevard Corridor Project to be rezoned to Residential 30 (R30) were also identified in the February 2011 General Plan Housing Element Update along with parcels near the northwest corner of Iris Avenue and Perris Boulevard. The Residential 30 (R30) rezoning proposed with the Alessandro Boulevard Corridor Project will allow the City of Moreno Valley to meet its 2008-2014 State-mandated Regional Housing Needs Assessment (RHNA) numbers, as well as provide a wider range of housing choices for the Moreno Valley workforce.

The Regional Housing Needs Assessment (RHNA) and the R30 Zone Creation

In compliance with State Law, the February 2011 Housing Element Update includes text dedicated to documenting the City's compliance with its Regional Housing Needs Assessment (RHNA) allocation. Through the RHNA process, the Southern California Association of Governments (SCAG) projects each city's demand for future housing and allocates new housing units to be planned for in order for each city to meet projected demand. The total number of projected housing units is further divided into income categories to properly address the housing need across various income levels. SCAG requires (and the State approved has approved) that forty percent of the total RHNA allocation is dedicated to producing housing for low and very low income residents.

During the planning period from 2008 through 2014, Moreno Valley's assigned RHNA number was 7,474 units. Please note: the City is not required to build the housing units assigned in the RHNA. However, the City must ensure that it has sufficient, appropriately-zoned residential sites to accommodate the RHNA allocation.

As required by SCAG, the 7,474 units have been further allocated to the four required income categories based on the relationship to the Area Median Income (AMI), which in 2010 is \$65,000 per year for a family of four. In compliance with SCAG's requirement, forty percent of the City's RHNA allocation is dedicated to producing housing for low and very low income residents.

Table 1: City of Moreno Valley, RHNA 2008-2014

| Moreno Valley Regional Housing Needs Allocation 2008-2014 | | |
|--|--------------|----------------|
| Income Category | Units | Percent |
| Very Low-Income | 1,806 | 24.2% |
| Low-Income | 1,239 | 16.6% |
| Moderate-Income | 1,362 | 18.2% |
| Above Moderate-Income | 3,068 | 41.0% |
| Total Construction Need | 7,474 | 100% |

Source: Southern California Association of Governments (SCAG) Proposed Final RHAN Plan-
Planning Period January 1, 2006 - June 30, 2014.4.2

State Housing Element Law Article 10.6 of the Government Code Section 65583.2 establishes guidelines under which counties and municipalities undertake the Vacant

Land Inventory for Housing Elements. In particular, Section 65583.2(B) prescribes densities that the State deems appropriate to accommodate housing for lower income households. For jurisdictions in metropolitan counties with a local population in excess of 100,000 persons, the State considers a density of thirty (30) units per acre as adequate to accommodate units affordable to low and very low income households.

Consequently, vacant sites zoned at thirty (30) units per acre will automatically be counted as meeting the very low and low income RHNA categories, whether the units are ever built or whether the unit rents are in actuality affordable.

The HCD-approved Housing Element for Moreno Valley proposed to create the R30 zoning designation and then process a General Plan Amendment to apply the R30 zoning to the identified locations. The Residential 30 (R30) rezoning proposed with the Alessandro Boulevard Corridor Project is that General Plan Amendment and allows the City of Moreno Valley to meet its 2008-2014 RHNA numbers and Housing Element requirements.

Residential 30 (R30) Sites

The proposed locations for rezoning to Residential 30 (R30) were addressed in the February 2011 General Plan Housing Element Update (2008-2014 Housing Element), including the parcels owned by the City of Moreno Valley's Housing Authority at the corner of Alessandro Boulevard and Day Street (Section 8.4.8 of the Housing Element on page 46). These parcels (Alessandro Boulevard and Day Street) have not been rezoned, unlike what is stated in Table 8-23 on page 46 of the Housing Element.

Propose general plan amendment to R-30 for sites are:

- Area #1 - Alessandro Boulevard and Day Street,
- Area #2 - Alessandro Boulevard & Elsworth Street (referred as "Cal 5" in the Housing)
- Area #3 - Alessandro Boulevard & Morrison Street (referred as "Cal 3" in the Housing Element)
- Area #4 - Perris Boulevard & Iris Avenue (referred as "Cal 4" in the Housing Element).

General Plan Amendment (PA11-0028)

An application for a General Plan Amendment has been submitted in order to change the land use designation for the four R30 areas.

| Current Land Use | Proposed Land Use | Acreage |
|--------------------------|----------------------|---------|
| Commercial (C) | Residential 30 (R30) | 20.79 |
| Residential/Office (R/O) | Residential 30 (R30) | 71.03 |
| Residential 15 (R15) | Residential 30 (R30) | 39.31 |
| Residential 5 (R5) | Residential 30 (R30) | 15.06 |
| | | |
| | Total Acreage = | 146.19 |

The Alessandro Boulevard Corridor Project and its proposed General Plan Amendment will meet the requirements of the 2008-2014 Housing Element and is consistent with the General Plan and would not be in conflict with any goals, objectives, policies or programs of the General Plan.

Change of Zone (PA11-0029)

An application for a Change of Zone has also been submitted in order to change the zoning designation for the four R30 areas.

| Current Zoning | Proposed Zoning | Acreage |
|---------------------------|----------------------|---------|
| Community Commercial (CC) | Residential 30 (R30) | 20.79 |
| Office Commercial (OC) | Residential 30 (R30) | 27.36 |
| Residential 15 (R15) | Residential 30 (R30) | 82.98 |
| Residential 5 (R5) | Residential 30 (R30) | 15.06 |
| | | |
| | Total Acreage = | 146.19 |

The Alessandro Boulevard Corridor Project and its proposed Change of Zone will meet the requirements of the 2008-2014 Housing Element and is consistent with the General Plan and would not be in conflict with any goals, objectives, policies or programs of the General Plan.

The acreage above for both the General Plan Amendment and Change of Zone includes the parcel swap of approximately 17 acres southeast of Alessandro Boulevard and Blue Ribbon Lane for 17 acres of APN 486-280-043 (southwest of Alessandro Boulevard and Darwin Street) recommended by the Planning Commission. The remaining approximately 10.46 acres of APN 486-280-043 (southwest of Alessandro Boulevard and Darwin Street) was recommended to be rezoned as Open Space (OS).

Attachment #9 shows the proposed parcels for rezoning to Residential 30 (R30) and Open Space (OS).

Section 2: Community Commercial Rezoning (General Plan Amendment PA12-0046 and Change of Zone PA12-0047)

The 21.47 acre parcel at the southwest corner of Gentian Avenue and Perris Boulevard is proposes to change the General Plan and Zoning designation from Residential 5 (R5) to Community Commercial (CC).

The parcels directly to the west and southwest are part of the request for rezoning to Residential 30 (R30). The parcels directly south are currently zoned Community Commercial and include an approved shopping center (PA06-0123), Home Depot and a Farmer Boys restaurant.

There is no development application associated with the proposed land use change. The proposed zoning would permit development of a commercial shopping center, which would support the neighboring proposed high density housing.

The rezoning of 21.47 acres to commercial uses along Perris Boulevard is consistent with the goals of the Alessandro Boulevard Corridor Plan though was not an original part of the vision plan. Perris Boulevard is similar to Alessandro Boulevard as an important regional transportation link for Moreno Valley. Perris Boulevard is ideal to provide a mix of retail and multiple density housing opportunities to promote pedestrian-oriented development. The rezoning to Community Commercial is also consistent with the General Plan and would not be in conflict with any goals, objectives, policies or programs of the General Plan.

Attachment #10 shows the proposed parcel for rezoning to Community Commercial (CC).

Section 3: The Mixed Use Overlay (PA11-0030)

Background

The General Plan currently references and encourages the concept of mixed use development. At this time, only limited specific plan areas within the City (Village at Sunnymead – Specific Plan 204 and the expired Moreno Highlands – Specific Plan 208) are zoned for mixed use development.

On April 23, 2010, the City Council approved Municipal Code Amendment (PA07-0005); creating two new mixed use districts (MUD1 and MUD2) to provide opportunities for future development that would achieve the objectives of the City of Moreno Valley's General Plan.

The City of Moreno Valley has been awarded two grants through Southern California Association of Governments' (SCAG) Demonstration Projects for Compass Blueprint Planning Services. The first was "Alessandro Boulevard Corridor Demonstration Project – Phase 1" in 2009/2010, which provided consultant funding to develop a vision plan for the Alessandro Boulevard Corridor. The second is "The Alessandro Boulevard Corridor Project – Phase II: Implementation", which was awarded in 2011/2012. With Phase II and assistance through RBF Consulting, Staff has developed urban design strategies to intensify land uses along the Alessandro Boulevard Corridor. The strategies have been combined into the "Mixed Use Districts Overlay". It is the intent to replace MUD1 and MUD2, with the enhanced districts developed under Phase II of the Alessandro Boulevard Corridor Project and later expand the "Mixed Use Districts Overlay" to other areas of the City that meet the requirements.

Mixed Use Districts Overlay:

The first step was to create the requirements for selecting sites and then identify areas suited for inclusion in the "Mixed Use Districts Overlay" along the Alessandro Boulevard Corridor.

The Vision Plan (Phase 1) proposed an overall Community Form that included Activity Nodes linked by Primary and Secondary Corridor Zones located in between along Alessandro Boulevard. Both the Activity Nodes and the Corridor Zones are surrounded by Corridor-Adjacent Zones that are unlikely to change. Each Activity Node is located at a major street intersection and projects outward from the intersection for approximately a ¼-mile walking radius. The Activity Nodes range in intensity from regional-level attractions, such as the Moreno Valley Town Center, to community-level collections of retail and services, such as the shops along Sunnymead Boulevard. In total, four types of nodes were identified: Regional, Medical Center, Community, and Neighborhood.

The Alessandro Boulevard Corridor was then divided up as a series of independent, but related nodes. These nodes work in concert with Moreno Valley's existing nodes to provide a complete and strategically dispersed set of places aimed at regional, community, or neighborhood retail and services. Five nodes along the Alessandro Boulevard Corridor have been identified for inclusion within the "Multiple Use Districts Overlay":

- Alessandro Boulevard & Frederick Street (MUI)
- Alessandro Boulevard & Heacock Street (MUN)
- Alessandro Boulevard & Perris Boulevard (MUC)
- Alessandro Boulevard & Lasselle Street (MUN)
- Alessandro Boulevard & Nason Street (MUI)

With the "Multiple Use Districts Overlay", there are three classifications. This Section describes the purpose and intent of each mixed-use overlay district:

A. *Mixed-Use Institutional Anchor (MUI) Overlay District.* The Mixed-Use Institutional Anchor (MUI) Overlay District applies to areas around prominent anchor institutions, such as civic centers, medical centers, and educational campuses. The intent is to build upon the role of the institutions by providing opportunities for urban, high-intensity development that serves the needs of visitors, employees, and residents affiliated with the anchor institution and the surrounding region. Development is allowed up to five stories in height with building frontages near or at the sidewalk, wide sidewalks, and parking under or behind buildings. Vertical mixed-use development (ground-floor retail with offices or housing above) is required at important street intersections. Horizontally-integrated or vertically-integrated mixed-use development, with no requirement for ground-floor retail, is allowed in other locations. The overlay district name may be expanded to include the name of the type of anchor institution (e.g., "MUI – Medical Center").

B. *Mixed-Use Community (MUC) Overlay District.* The Mixed-Use Community (MUC) Overlay District applies to areas along major arterials and arterials. The intent is to provide opportunities for the development of pedestrian-oriented blocks with medium-intense development that serves the needs of residents, visitors, and employees from the surrounding community. Development is allowed up to four stories in height with building frontages near or at the sidewalk, wide sidewalks, and

parking under or behind buildings. Vertical mixed-use development (ground-floor retail with offices or housing above) is required at important street intersections. Horizontally-integrated or vertically-integrated mixed-use development, with no requirement for ground-floor retail, is allowed in other locations. The overlay district name may be expanded to include the community name (e.g., “MUC – East Alessandro”).

C. *Mixed-Use Neighborhood (MUN) Overlay District.* The Mixed-Use Neighborhood (MUN) Overlay District applies to areas along arterials and minor arterials. The intent is to provide an area for low-rise mixed-use development that serves the needs of residents, visitors, and employees from the surrounding immediate neighborhood. Development is allowed up to three stories in height with building frontages near or at the sidewalk, wide sidewalks, and parking under or behind buildings. Vertical mixed-use development (ground-floor retail with offices or housing above) is required at important street intersections. Horizontally-integrated or vertically-integrated mixed-use development, with no requirement for ground-floor retail, is allowed in other locations. The overlay district name may be expanded to include the neighborhood name (e.g., “MUN – Lasselle Crossing”).

Attachment #11 shows the proposed parcels for inclusion in the “Mixed Use Districts Overlay”.

Municipal Code Amendment

Issue 1 – Removal of MUD1 & MUD2 Information and Addition of Mixed-Use Overlay Districts (Municipal Code)

Both Section 9.07.090 Mixed Use Development 1 (MUD1) and Section 9.07.100 Mixed Use Development 2 (MUD2) will be deleted and replaced by “9.07.090 Mixed-Use Overlay Districts”. The new Chapter 9.07.090– Mixed-Use Overlay Districts will include the following sections:

- 9.07.091 – Purpose and Intent
- 9.07.092 – Applicability
- 9.07.093 – Purposes of Mixed-Use Overlay Districts
- 9.07.094 – Permitted Uses in Mixed-Use Overlay Districts
- 9.07.095 – Mixed-Use Overlay District Site Development Standards
- 9.07.096 – Building Frontage Type Standards
- 9.07.097 – Open Space Standards – Publicly-Accessible Open Space
- 9.07.098 – Open Space Standards – Private/Common Open Space
- 9.07.099 – Lot Area Requirements and Lot Consolidation Incentives

The purpose of the Mixed-Use Overlay Districts is to provide regulations that implement the goals and policies of the General Plan, the Alessandro Boulevard Corridor Vision Plan (accepted by the Moreno Valley City Council on June 30, 2010), and other similar

long-range planning documents aimed at encouraging mixed-use development within the City.

The Mixed-Use Overlay Districts are intended to provide the following:

1. Stimulate economic development and reinvestment through regulations based upon recognized urban design principles that allow property owners to respond with flexibility to market forces;
2. Create specific development nodes at street intersections with a pedestrian-oriented mix of uses with convenient access between area neighborhoods, housing, employment centers, and retail services;
3. Accommodate intensities and patterns of development that can support multiple modes of transportation including public transit, bicycles, and walking;
4. Facilitate well-designed new mixed-use development projects that combine residential and nonresidential uses (e.g., office, retail, business services, personal services, public spaces and uses, other community amenities, etc.) to promote a better balance of jobs and housing;
5. Ensure compatibility with adjacent existing single-family neighborhoods and harmonious integration with existing commercial areas;
6. Encourage the development of unique district character through a streetscape that provides attractive features (e.g., landscaping, street furniture, niche or linear parks, public places, courtyards, public transportation shelters; etc.) designed to integrate the public realm (e.g., streets, sidewalks, etc.) with adjacent development on private property; and
7. Provide additional property rights while preserving existing property rights. This intent is achieved by providing additional development rights in compliance with this Chapter, which property owners may exercise under certain conditions, while retaining all development rights conferred by the underlying district to property owners in the mixed-use overlay districts. Incentives and advantages include allowing a greater range and mix of uses; more permissive dimensional specifications (e.g., greater floor area ratio, lot coverage ratio, and height; reduced setbacks; etc.); exemption from certain design review requirements; and fee reductions or waivers.

Owners or developers of any property within any mixed-use overlay district may choose to develop in compliance with the standards and procedures in the proposed Chapter 9.07.090 - Mixed-Use Overlay Districts that apply to the particular mixed-use overlay district in which the property is located. If the owners or developers chose not to develop a mixed-use project, the underlying zoning will be enforced.

Issue 2 – Addition to Chapter 9.02 Permits and Approvals (Municipal Code)

The purpose of administrative variances is to allow for an administrative procedure for limited adjustments to the provisions of this title in order to prevent unnecessary hardships that might result from a strict or literal interpretation and enforcement of certain regulations prescribed by this title. It is also intended that, with respect to accessory structures for existing single-family residential uses, certain adjustments shall be subject to the director’s review procedures, rather than an administrative variance.

Staff proposes to add the following section to Chapter 9.02.090 under “C - Limitations on Administrative Variances”:

5. Decrease in building frontage requirements. In any mixed-use overlay district, the community development director may authorize up to a ten (10) percent decrease in the distance threshold established to specify the required percentage of a building frontage to be built to the Build-To-Zone, as indicated in Table 9.07.095-10 (Mixed Use Overlay District Development Standards) (i.e., the distance threshold from street intersections for the purposes of calculating building frontage length may be reduced from 300 feet to 270 feet). The community development director is not authorized to reduce the percentage of the building frontage that is required to be built to the Build-To-Zone.

Issue 3 – Additions to Chapter 9.09 - Specific Use Development (Municipal Code)

Chapter 9.09 - Specific Use Development covers certain activities and uses, due to their nature, may have the opportunity to create more significant impacts upon the community than others. As a result, specific regulation of these activities and uses is warranted. The purpose of this chapter is to identify and regulate such uses in districts permitting those uses, in order to ensure the maintenance of the public health, safety and welfare in accordance with the goals, objectives, policies and implementation programs of the general plan.

Staff proposes to add the following three new uses to Chapter 9.09 - Specific Use Development:

- 9.09.250 – Live-Work Development
- 9.09.260 – Mixed-Use Development
- 9.09.270 – Outdoor Dining

The Live-Work Development section provides operational and compatibility standards for the development of live/work units. These standards are in addition to the standards for live-work development provided in Chapter 9.07.090 (Mixed-Use Overlay Districts). The Mixed-Use Development section provides operational and compatibility standards for mixed-use development. These standards are in addition to the standards provided in Chapter 9.07.090 (Mixed Use Overlay Districts). The last additional section to Chapter 9.09 - Specific Use Development is Outdoor Dining and this section provides

standards for outdoor dining areas. Unlike the two previous uses, outdoor dining is not restricted to only the Mixed Use Overlay District.

Issue 4 – Additions/Revisions to Chapter 9.11- Parking, Pedestrian, and Loading Requirement (Municipal Code)

The purpose of this chapter is to ensure the adequate provision of parking, loading and bicycle facilities proportionate to the needs created by the various land uses within the city.

- 9.11.030 – General Regulations
- 9.11.040 – Off-Street Parking Requirements
- 9.11.060 – Off-Street Bicycle Parking Requirements

Staff proposes to add to 9.11.030 – General Regulations the following:

H. Rear Parking. Parking in the rear of buildings and service area shall be limited to five percent of the total required off-street parking, except in the mixed-use overlay districts identified in Chapter 9.07.090 (Mixed-Use Overlay Districts).

Staff proposes to add parking standard information for “Live-Work Units (residential component)” and “Residential Component of Mixed-Use Projects” to Table 9.11.040A-12 in Section 9.11.040 – Off-Street Parking Requirements for Residential Uses. The additions to the table will appear as follows:

Table 9.11.040A-12: Off-Street Parking Requirements

| Use | Requirement | Covered Parking | Notes |
|---|--|--|---|
| Residential Uses | | | |
| Live-Work Units (residential component) | 2/unit | 2 covered/unit | Guest parking is required for all units at 0.25 spaces/unit. Guest parking is NOT included in the minimum required parking standard and can be shared with the business aspect of the "Live-Work" parking standard. |
| Residential Component of Mixed-Use Project | See Multiple-Family requirements in Table 9.11.040A-12 | See Multiple-Family requirements in Table 9.11.040A-12 | Guest parking is required for all units at 0.25 spaces/unit. Guest parking is included in the minimum required parking standard and may be shared with the non-residential component. Alternate parking requirements may be permitted subject to approval of a parking study pursuant to Section 9.11.070(A) of this chapter. |

Staff proposes to add parking standard information for “Eating and Drinking Establishments” to Table 9.11.040B-12 in Section 9.11.040 – Off-Street Parking Requirements for Commercial Uses. The addition to the table will appear as follows:

Table 9.11.040B-12: Off-Street Parking Requirements

| Commercial Uses | Minimum Requirement | Notes |
|--|---|--|
| Eating and Drinking Establishments | 1/100 sq. ft. of gross floor area up to 6,000 sq. ft. 1/75 sq. ft. of gross floor area over 6,000 sq. ft. | A minimum of 10 spaces required for stand-alone use. No additional parking required if outdoor dining area comprises no more than 15 percent of the interior gross floor area of the primary food service use; If outdoor dining area is over 15%, 1 space for every 60 sq ft or 1 space for every 3 seats, whichever is greater. |
| Eating and drinking establishments within shopping centers of 25,000 square feet of building area or greater. | 1/225 sq. ft. of gross floor area up to 15% of the shopping center gross building square footage. | Eating and drinking establishments within shopping centers of 25,000 square feet of building area or greater. |

Staff proposes to revise Section 9.11.060-B of the Off-street bicycle parking requirements by deleting the current wording shown below:

~~—B. Number of Parking Spaces Required. Bicycle parking spaces shall be provided in all commercial, office and industrial districts equal to five percent of the required automobile parking spaces, with a minimum of two bicycle parking stalls required for any one use. Single family and multiple family residences, senior housing complexes, mobile home parks and model home complexes are exempt from this section.~~

The revised Section 9.11.060-B of the Off-street bicycle parking requirements will now read as follows:

B. Number of Parking Spaces Required.

1. Bicycle parking spaces shall be provided in all commercial, office and industrial districts equal to five percent of the required automobile parking spaces, with a minimum of two bicycle parking stalls required for any one use.
2. Single and Multiple-family residences are exempt from this section.

Staff proposes to revise Section 9.11.060-D of the General Requirements of the Off-street bicycle parking requirements by adding the following:

6. Signage should be posted to direct bicyclists to the locations of bicycle racks that may not be readily apparent. Similarly, signs indicating the location of bicycle parking should be posted wherever a NO BICYCLE PARKING sign is posted.

Issue 5 – Addition to Chapter 9.15.030 – Definitions (Municipal Code)

The purpose of the definitions chapter is to ensure precision in interpretation of the City of Moreno Valley’s Municipal Code. The meaning and construction of words and phrases defined in this chapter applies throughout the Municipal Code. The addition of the Mixed-Use Overlay District has provided new development terms to the Municipal Code. The list below will be added into the current definitions section in alphabetic order:

“**Block**” means the aggregate of lots, pedestrian passages, and rear alleys, circumscribed on all sides by streets.

“**Block Length**” means the linear dimension of a block along one of its street frontages.

“**Block Perimeter**” means the aggregate dimension of a block along all of its street frontages.

“**Build-to-Zone**” means the area between the minimum and maximum setbacks within which the principal building’s front façade (building façade line) is to be located. See Figure 9.15.030-1 (Build-to-Zone).

**Figure 9.15.030-1
Build-To-Zone**

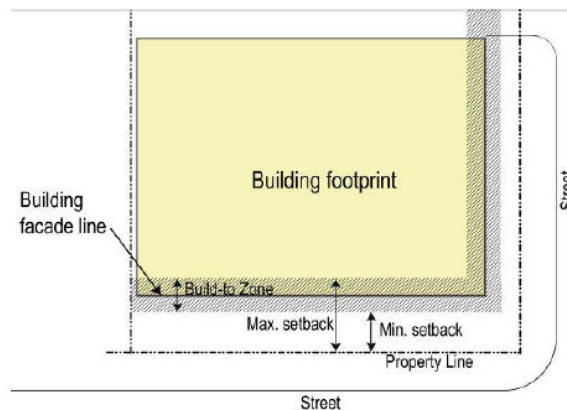


Illustration indicating the location of the build-to zone relative to the minimum and maximum setbacks and the building façade line

“**Building Façade Line**” means the vertical plane along a lot where the building’s front façade is actually located. See Figure 9.15.030-1 (Build-to-Zone).

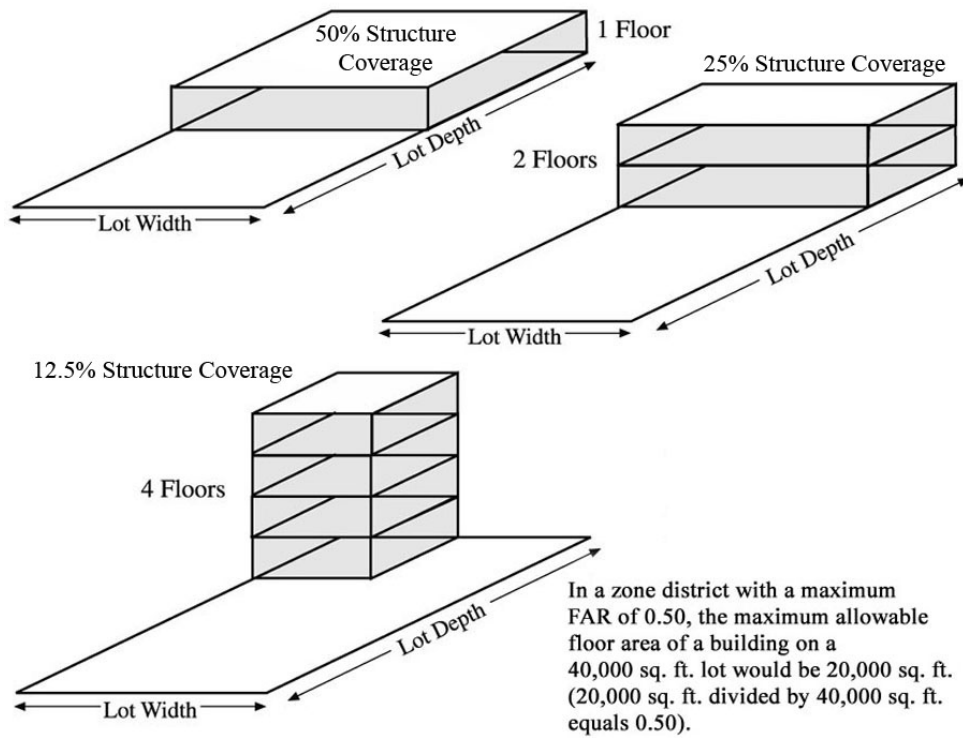
“**Commercial-Ready Space**” means the ground floor interior space constructed with a minimum height as established in Section 9.075.060 (Building Frontage Type Standards) that may be used for either residential or nonresidential uses. The intent of Commercial-Ready space is to provide flexibility so that a space can be

converted between residential and nonresidential uses in response to market demand.

“**Floor Area Ratio (FAR)**” means the mathematical relation between volume of building and unit of land expressed as the ratio of gross floor area of all structures on a lot to total lot area. See Table 9.075.050-10 (Mixed-Use Development Standards) for FAR figures applicable to the mixed-use overlay districts. See Figure 9.15.030-2 (Floor Area Ratio).

Figure 9.15.030-2: Floor Area Ratio

Possible Building Configurations for 0.50 FAR



NOTE: Variations may occur if upper floors are stepped back from ground level lot coverage.

$$\text{Floor Area Ratio (FAR)} = \frac{\text{Gross Building Area (All Floors)}}{\text{Lot Area}}$$

“Integration of uses” means potential ways to integrate uses allowed in mixed-use development including:

1. Vertical integration. A mix of nonresidential uses (i.e., commercial, retail, and/or office) located on the ground floor with residential dwelling units located above.
2. Horizontal integration. A mix of nonresidential uses located on the primary street frontage of a lot and residential uses located at the rear of a lot.

“Live-Work” means a structure or complex of structures that integrates space for both residential and nonresidential uses within individual units.

“Live/Work Unit” means a unit with both residential and nonresidential uses and where neither use is subordinate to the other.

“Mezzanine” means an intermediate floor between main floors of a building. The floor often projects from the walls and does not completely close the view of the ceiling from the floor immediately below. A mezzanine floor and the floor below it share the same ceiling.

“Mixed-Use Vertical Development” means development that combines two or more types of land uses (e.g., residential, commercial, office, industrial, institutional, or recreation) in a single building in a vertical configuration, typically with residential uses located above nonresidential uses.

“Mixed-Use Horizontal Development” means development that combines two or more types of land uses (e.g., residential, commercial, office, industrial, institutional, or recreation) on a single development site, but not necessarily in the same building, typically nonresidential uses are located adjacent to the street and residential uses are located away from major streets behind nonresidential uses.

“Mixed-Use Overlay District” means a land use designation (zoning district) that allows a combination of uses, which may include residential, commercial, office, industrial, institutional, or recreational uses.

“Podium Parking” means parking spaces that are covered by the ground floor of a building and are completely enclosed by walls. Podium parking may occur at or below the grade of the adjacent sidewalk.

“Private Realm” means any privately-owned property.

“Public Realm” means any publicly owned streets, roadways, sidewalks, parks, plazas, and other open spaces that comprise the shared space of a city for its visitors, employees and residents. It is the space between buildings where civic interaction occurs and is defined in contrast to private property.

“Surface Parking” means parking spaces that are not covered by a building and are not enclosed by walls. Surface parking is also known as a “parking lot”.

“Tuck-Under Parking” means parking spaces that are covered by the upper floor of a building, but are otherwise open.

“Underground Level” means that portion of a structure between the floor and ceiling which is wholly or partly below grade and having more than one half of its height below grade.

Issue 6 - Modification of the Permitted Uses Table (Municipal Code)

Chapter 9.02.020 - Permitted uses includes a table (Permitted Uses Table 9.02.020-1) which contains columns with headings identifying zoning districts, and list uses by indicating the zoning district or districts in which each use is permitted or allowed and whether the stated use is permitted subject to district requirements, or whether the stated use is allowed only after obtaining a conditional use permit.

The Permitted Uses Table will be modified to remove both the MUD1 & MUD2 columns.

| | |
|-----------------|--|
| MUD1 | Mixed Use District 1 (Up to 15 Dwelling Units per net acre) |
| MUD2 | Mixed Use District 2 (Up to 30 Dwelling Units per net acre) |

Add a column for Residential 30 (R30), which was not done when the Residential 30 (R30) Zoning District was created. For the list of approved uses under the Residential 30 (R30) Zoning District please see Attachment # 11.

Add a column for Mixed Use (MU), which will replace the MUD1 and MUD2 designations. For the list of approved uses under the Mixed Use Overlay District please see Attachment # 11.

The following items will be added to the “Zoning District Key” below the Permitted Uses Table 9.02.020-1:

| | |
|-----|--|
| R30 | Residential 30 District (Up to 30 Dwelling Units per net acre) |
| MU | Mixed Use Overlay |

And remove the following from the “Zoning District Key” below the Permitted Uses Table 9.02.020-1:

| | |
|------|---|
| MUD1 | Mixed Use District 1 (Up to 15 Dwelling Units per net acre) |
| MUD2 | Mixed Use District 2 (Up to 30 Dwelling Units per net acre) |

With the addition of the new Mixed Use Overlay, the following will be added to the “Notes” section at the end of the Permitted Use Table:

| |
|---|
| (8) In the MUI district, mixed use (commercial uses on first floor with office uses or residential uses on upper floors) are (a) required to on lots at street intersections and within 300 feet in any direction from a street intersection, as measured from the corner formed by the lot’s property lines, and (b) are allowed, but not required on the other lots. |
| (9) In the MUC and MUN districts, mixed use (commercial uses on first floor with office uses or residential uses on upper floors) are (a) required to on lots at street intersections and within 150 feet in any direction from a street intersection, as measured from the corner formed by the lot’s property lines, and (b) are allowed, but not required on the other lots. |
| (10) See Section 9.07.040 (Medical Use Overlay District). |
| (11) See Section 9.09.260 (Mixed-Use Development). |
| (12) See Section 9.09.250 (Live-Work Development). |
| (13) See Section 9.09.270 (Outdoor Dining). |

All the above Mixed Use District Overlay Guidelines are included in one document as Attachment #12. These will be merged into Chapter 9 of the Municipal Code after approval by the City Council.

REVIEW PROCESS

With the development of the Alessandro Boulevard Corridor Focus Study - Phase I, stakeholder meetings were held in 2010 with groups ranging from the Mayor and City staff to local property owners and developers. Two Community Workshops were also held on April 22, 2010 and May 6, 2010 to allow the public to provide input and comment on the selecting Mixed Use District sites and parcels to be rezoned as Residential 30 (R30). The five nodes selected along the Alessandro Boulevard Corridor for inclusion within the “Multiple Use Districts Overlay” are based on these meetings.

Planning staff has been working with RBF Consulting through the second SCAG Compass Blueprint grant (Phase II) to complete the required CEQA documentation (Mitigation Negative Declaration) and the overlay district design standards. A public informational meeting was held on March 7, 2013, one week prior to the Planning Commission Hearing (March 14, 2013).

ENVIRONMENTAL

The proposed Alessandro Boulevard Corridor Project – Phase II Implementation, is a City initiated project to: 1) create the Mixed Use Overlay Districts to implement the

Vision Plan for Alessandro Boulevard Corridor, 2) increase the maximum permitted density to 30 dwelling units per acre in specified areas of the City, and 3) amend the general plan and zoning for approximately 21.74 acres of R-5 to Community Commercial. The proposed changes affect approximately 315 acres along, adjacent to, or in close proximity to Alessandro Boulevard. The project involves an amendment to the General Plan Land Use Map, as well as an amendment to the Moreno Valley Zoning Code and Zoning Map. Following a preliminary review of the proposed project, the City of Moreno Valley has determined that it is subject to the guidelines and regulations of the California Environmental Quality Act (CEQA). This Initial Study addresses the direct, indirect, and cumulative environmental effects of the project, as proposed.

In accordance with the *California Code of Regulations (CCR)* Sections 15051 and 15367, the City of Moreno Valley is identified as the Lead Agency for the proposed project. Under the *California Environmental Quality Act (CEQA) (Public Resources Code Section 21000-21177)* and pursuant to *CCR* Section 15063, the City is required to undertake the preparation of an Initial Study to determine if the proposed project would have a significant environmental impact. If, as a result of the Initial Study, the Lead Agency finds that there is evidence that any aspect of the project may cause a significant environmental effect, the Lead Agency shall further find that an Environmental Impact Report (EIR) is warranted to analyze project-related and cumulative environmental impacts. Alternatively, if the Lead Agency finds that there is no evidence that the project, either as proposed or as modified to include the mitigation measures identified in the Initial Study, may cause a significant effect on the environment, the Lead Agency shall find that the proposed project would not have a significant effect on the environment and shall prepare a Negative Declaration. Such determination can be made only if “there is no substantial evidence in light of the whole record before the Lead Agency” that such impacts may occur (*Public Resources Code* Section 21080(c)).

The environmental documentation, which is ultimately selected by the City in accordance with *CEQA*, is intended as an informational document undertaken to provide an environmental basis for subsequent discretionary actions upon the project. The resulting documentation is not, however, a policy document and its approval and/or certification neither presupposes nor mandates any actions on the part of those agencies from whom permits and other discretionary approvals would be required.

The environmental documentation and supporting analysis is subject to a public review period. During this review, public agency comments on the document relative to environmental issues should be addressed to the City of Moreno Valley. Following review of any comments received, the City will consider these comments as a part of the project’s environmental review and include them with the Initial Study documentation for consideration by the City.

ALTERNATIVES

If not approved, the City would be out of conformance with its certified housing element, which could result in sanctions relative to the review and certification of the next cycle housing element update, which is due to the State in October 2013.

NOTIFICATION

Public notice was sent to all property owners of record within 300' of each of the parcels within the project. The public hearing notice for this project was also published in the local newspaper.

ATTACHMENTS

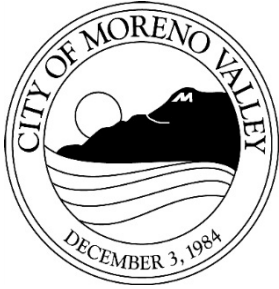
1. Public Hearing Notice
2. Proposed Resolution
3. Proposed Ordinance
4. Proposed Ordinance Redlined Version
5. Proposed Ordinance
6. Mitigated Negative Declaration
7. Initial Study
8. Map of the Alessandro Boulevard Corridor Project Study Area
9. Residential 30 (R30) Rezoning Maps
10. Commercial Rezoning - Area 5
11. Mixed Use Overlay District Maps
12. Mixed Use Districts Overlay Guidelines
13. Permitted Use Table
14. Planning Commission Staff Report (excluding exhibits)
15. Place Holder for Draft Planning Commission minutes, dated March 14, 2013.

Prepared By:
 Claudia Manrique
 Associate Planner

Department Head Approval:
 Barry Foster
 Community & Economic Development Director

Concurred By:
 John Terell
 Planning Official

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



NOTICE OF CITY COUNCIL PUBLIC HEARING

THE CITY COUNCIL WILL CONSIDER TWO GENERAL PLAN AMENDMENTS (PA11-0028 & PA12-0046), TWO CHANGES OF ZONES (PA11-0029 & PA12-0047), AND MUNICIPAL CODE AMENDMENT (PA11-0030) RELATED TO THE ALESSANDRO BOULEVARD CORRIDOR IMPLEMENTATION PROJECT.

The City of Moreno Valley used grant funds rewarded by SCAG's Compass Blueprint for "Phase II of the implementation of the Alessandro Boulevard Corridor Demonstration Project" (The Alessandro Boulevard Corridor Focus Study - Phase I was funded by SCAG's Compass Blueprint program in February 2010). Phase II includes:

- 1) Rezoning areas along Alessandro Boulevard to R30 (Residential up to 30 units per acre). The R30 rezoning will also provide consistency with the City's certified Housing Element.
- 2) Commercial rezoning of a parcel at the southwest corner of Perris Boulevard and Gentian Avenue.
- 3) Rezoning of approximately 10.4 acres near the southeast corner of Alessandro Boulevard and Lasselle Street to open space.
- 4) The creation of a Mixed Use Districts Overlay, including various parcels along Alessandro Boulevard.

This item will not have a significant effect on the environment and approval of a Mitigated Negative Declaration is recommended.

The City Council may consider any appropriate modifications or alternatives to the amendment or the environmental determination. Any person concerned about the proposal may submit written comments to the Planning Division prior to the hearing date listed below. Any person may appear and be heard in support or opposition to the project or the environmental determination at the time of the hearing. Any person interested in the proposed project may contact Claudia Manrique, Associate Planner at (951) 413-3225 in the Community & Economic Development Department at 14177 Frederick Street, Moreno Valley, California, during normal business hours (7:30 a.m. to 5:30 p.m., Monday – Thursday).

If you challenge any of these items in court, you may be limited to raising only those issues you or someone else raised at the Public Hearing described in this notice, or in written correspondence delivered to the City Council on or before the following meeting date:

**Tuesday, April 23, 2013
6:00 P.M. or thereafter
City Hall Council Chamber
14177 Frederick Street
Moreno Valley, CA 92552-0805**

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RESOLUTION NO. 2013-26

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING TWO AMENDMENTS TO THE GENERAL PLAN LAND USE ELEMENT (PA11-0028 AND PA12-0046) RELATING TO THE ALESSANDRO BOULEVARD CORRIDOR PROJECT – PHASE II IMPLEMENTATION INCLUDING REZONING APPROXIMATELY 146.19 ACRES TO RESIDENTIAL 30 (R30), APPROXIMATELY 10.46 ACRES OF OPEN SPACE (OS) AND APPROXIMATELY 21.47 ACRES TO COMMERCIAL (C)

Section 1:

WHEREAS, the applicant, the City of Moreno Valley has filed an application for approval of PA11-0028, requesting amendments to the General Plan Land Use. The requested amendment to the Land Use Element changes approximately 146.19 acres of Residential 5 (R5), Residential 15 (R15), Residential/Office (R/O) and Commercial land uses to Residential 30 (R30) and approximately 10.46 acres of Open Space (OS) land uses as described in the title of this resolution and the attached Exhibit A; and

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

WHEREAS, pursuant to Government Code Section 66020(d)(1), NOTICE IS HEREBY GIVEN that the associated development projects are subject to certain fees, dedications, reservations and other exactions as provided herein; and

WHEREAS, an environmental assessment, including an initial study, has been prepared to address the environmental impacts associated with applications PA11-0028 and PA12-0046 described above and environmental determinations have been adopted pursuant to the California Environmental Quality Act (CEQA); and

WHEREAS, a public hearing was held before the Planning Commission on March 14, 2013, regarding the Alessandro Boulevard Corridor Project – Phase II: Implementation. The Planning Commission recommended that the City Council approve and adopt a mitigated negative declaration for this project; and

WHEREAS, on April 23, 2013, the City Council of the City of Moreno Valley held a public hearing to consider the subject General Plan Amendments; and

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

WHEREAS, all of the facts set forth in this Resolution are true and correct.

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BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, HEREBY FINDS AS FOLLOWS WITH RESPECT TO PA11-0028:

Based upon substantial evidence presented during the above-referenced public hearing, including written and oral staff reports, and the record from the public hearing, the City Council hereby finds that:

1. **Conformance with General Plan Policies** – The amendment is consistent with the General Plan, and its goals, objectives, policies and programs, and with any applicable specific plan.

FACT: California State law (Government Code Section 65580-65589.8) requires that cities provide an inventory of land suitable for residential development. Section 65583.2(B)(e) requires that jurisdictions with a population greater than 100,000 must have sites allowing at least 30 unit per acre. The City of Moreno Valley’s current population is approximately 193,365 thus requiring the City to provide high density housing opportunities at the 30 unit per acre.

PA11-0028 (General Plan Amendment) will change the land use designation for the four areas totaling approximately 146.19 acres to Residential 30 (R30) and approximately 10.4 of Open Space (OS). All of the proposed changes are consistent with, and do not conflict with the goals, objectives, policies, and programs established within the General Plan or any specific plan. The Assessor’s Parcel Numbers of the parcels affected by this General Plan Amendment are as followed:

| Area #1 (Day/Alessandro) – General Plan Amendment | | |
|---|------------------|-------------------|
| APN | Current Land Use | Proposed Land Use |
| 291191004 | C | R30 |
| 291191007 | C | R30 |
| 291191008 | R/O & C | R30 |
| 291191009 | R/O & C | R30 |
| 291191010 | R/O | R30 |
| 291191011 | C | R30 |
| 291191012 | R/O | R30 |
| 291191013 | R/O | R30 |
| 291191025 | C | R30 |
| 291191026 | C | R30 |
| 291191027 | R/O | R30 |
| 291191028 | R/O | R30 |

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| | | |
|-----------|---|-----|
| 291191029 | C | R30 |
|-----------|---|-----|

| Area #2 (Elsworth/Alessandro) – General Plan Amendment | | |
|--|------------------|-------------------|
| APN | Current Land Use | Proposed Land Use |
| 291200023 | C | R30 |
| 291200024 | R/O | R30 |
| 291200025 | C | R30 |
| 291200027 | C | R30 |
| 291200030 | C | R30 |
| 291200038 | C | R30 |
| 291200039 | C | R30 |
| 291200040 | C | R30 |
| 291264001 | C | R30 |
| 291264002 | C | R30 |
| 291264003 | C | R30 |
| 291264004 | C | R30 |
| 291264005 | C | R30 |
| 291264006 | C | R30 |
| 291264007 | C | R30 |
| 291264008 | C | R30 |
| 291264009 | C | R30 |
| 291264011 | C | R30 |
| 291264012 | C | R30 |
| 291273001 | C | R30 |
| 291273004 | C | R30 |
| 291273005 | C | R30 |
| 291273007 | C | R30 |
| 291273008 | C | R30 |

| Area #3 (Morrison/Alessandro) – General Plan Amendment | | |
|--|------------------|------------------------|
| APN | Current Land Use | Proposed Land Use |
| 486270001 | R/O | R30 |
| 486270002 | R/O | R30 |
| 486270003 | R/O | R30 |
| 486270004 | R/O | R30 |
| 486280043 | R/O | R30 (17 acres) |
| 486280043 | R/O | OS (approx.10.5 acres) |
| 486270008 | R/O | R30 |
| 486270017 | R/O | R30 |
| 486280002 | R/O | R30 |
| 486280004 | R/O | R30 |

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| | | |
|-----------|-----|-----|
| 486280005 | R/O | R30 |
| 486280006 | R/O | R30 |
| 486280007 | R/O | R30 |
| 486280008 | R/O | R30 |
| 486280010 | R/O | R30 |
| 486280011 | R/O | R30 |
| 486280012 | R/O | R30 |
| 486280013 | R/O | R30 |

| Area #4 (Perris/Iris) – General Plan Amendment | | |
|--|------------------|-------------------|
| APN | Current Land Use | Proposed Land Use |
| 485220006 | R15 | R30 |
| 485220007 | R15 | R30 |
| 485220008 | R15 | R30 |
| 485220009 | R15 | R30 |
| 485220015 | R15 | R30 |
| 485220016 | R15 | R30 |
| 485220017 | R15 | R30 |
| 485220040 | R5 | R30 |

2. **Health, Safety and Welfare** – The proposed use will not be detrimental to the public health, safety or general welfare.

FACT: The proposed amendment to the General Plan does not have the potential of adversely affecting the public health, safety or welfare of the residents of City of Moreno Valley or surrounding jurisdictions. The amendment deals with administrative matters that would not cause a physical effect on the environment.

Section 2:

WHEREAS, the applicant, the City of Moreno Valley has filed an application for approval of PA12-0046, requesting an amendment to the General Plan Land Use. The requested amendment to the Land Use Element changes approximately 21.47 acres of Residential 5 (R5) land use to Commercial (C) land use as described in the title of this resolution and the attached Exhibit B; and

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

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Resolution No. 2013-26
Date Adopted: April 23, 2013

WHEREAS, pursuant to Government Code Section 66020(d)(1), NOTICE IS HEREBY GIVEN that the associated development projects are subject to certain fees, dedications, reservations and other exactions as provided herein; and

WHEREAS, an environmental assessment, including an initial study, has been prepared to address the environmental impacts associated with applications PA11-0028 and PA12-0046 described above and environmental determinations have been adopted pursuant to the California Environmental Quality Act (CEQA); and

WHEREAS, a public hearing was held before the Planning Commission on March 14, 2013, regarding the Alessandro Boulevard Corridor Project – Phase II: Implementation. The Planning Commission recommended that the City Council approve and adopt a mitigated negative declaration for this project.

WHEREAS, on April 23, 2013, the City Council of the City of Moreno Valley held a public hearing to consider the subject General Plan Amendments; and

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

WHEREAS, all of the facts set forth in this Resolution are true and correct.

BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, HEREBY FINDS AS FOLLOWS WITH RESPECT TO PA12-0046:

Based upon substantial evidence presented during the above-referenced public hearing, including written and oral staff reports, and the record from the public hearing, the City Council hereby finds that:

1. **Conformance with General Plan Policies** – The amendment is consistent with the General Plan, and its goals, objectives, policies and programs, and with any applicable specific plan.

FACT: PA12-0046 (General Plan Amendment) will change the land use designation of Assessor's Parcel Number (APN) 485-220-041, which is located at the southwest corner of Gention Avenue and Perris Boulevard. The 21.47 acre parcel's land use is currently Residential 5 (R5) and the proposed change is to Commercial (C).

The parcels directly to the west and southwest are part of the request for both land use and rezoning to Residential 30 (R30). The parcels directly south are currently Commercial (C) and included an approved shopping center (PA06-0123), Home Depot and a Farmer Boys restaurant.

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There is no development application associated with the proposed land use change. The proposed zoning would permit development of a commercial shopping center, which would support the neighboring proposed high density housing.

Changing the land use of 21.47 acres to commercial uses along Perris Boulevard consistent the goals of the Alessandro Boulevard Corridor Plan though was not an original part of the vision plan. Perris Boulevard is a similar to Alessandro Boulevard as an important regional transportation link for Moreno Valley. Perris Boulevard is ideal to provide a mix of retail and multiple density housing opportunities to promote pedestrian-oriented development. The land use change to Commercial is also consistent with the General Plan and would not be in conflict with the goals, objectives, policies or programs of the General Plan.

2. **Health, Safety and Welfare** – The proposed use will not be detrimental to the public health, safety or general welfare.

FACT: The proposed amendment to the General Plan does not have the potential of adversely affecting the public health, safety or welfare of the residents of City of Moreno Valley or surrounding jurisdictions. The amendment deals with administrative matters that would not cause a physical effect on the environment.

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

1. The City Council hereby approves Resolution No. 2013- __ approving PA11-0028 and PA12-0046, thereby establishing the General Plan Land Uses as described in the Resolution, and the revised General Plan maps attached to the Resolution as Exhibit A & B.

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Date Adopted: April 23, 2013

APPROVED AND ADOPTED this 23rd day of April, 2013.

Mayor of the City of Moreno Valley

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

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Resolution No. 2013-26
Date Adopted: April 23, 2013

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. 2013-26 was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the 23rd day of April, 2013 by the following vote:

AYES:

NOES:

ABSENT:

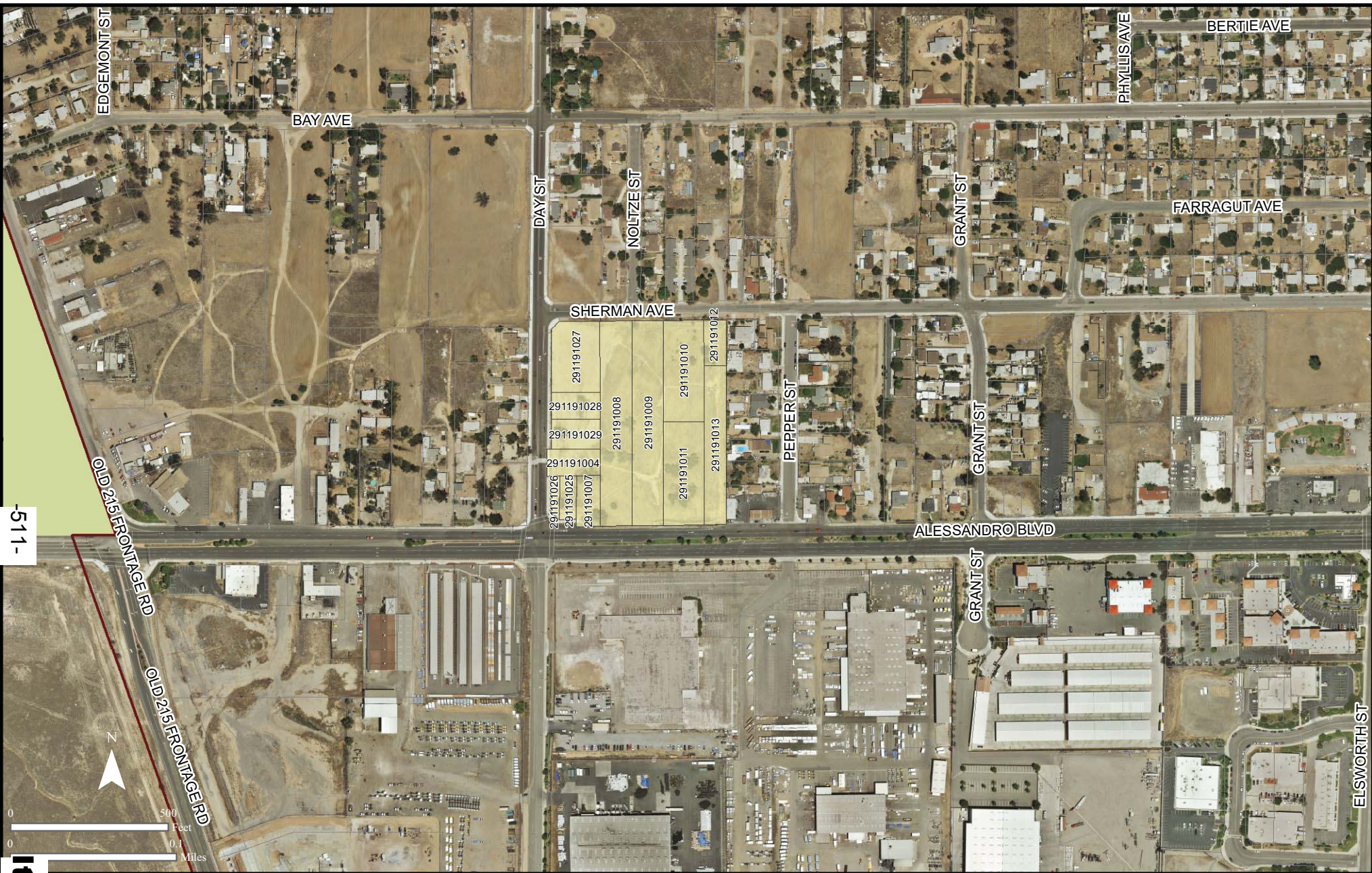
ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

CITY CLERK

(SEAL)

8
Resolution No. 2013-26
Date Adopted: April 23, 2013



-511-

Item No. E.2

Exhibit E

Status: DRAFT
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 Plans\0213\Exhibit
 chibit1.mxd
 te: March 5, 2013

CITY OF MORENO VALLEY RESIDENTIAL 30 (R30) REZONING

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 recycled or resold.

Map Produced by Moreno Valley Geographic Information System

Map Legend

- Area #1 Parcels
- Moreno Valley

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 Resolution No. 2013-26
 Date Adopted: April 23, 2013



Location Map



Exhibit:

E

Map Status: DRAFT

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CorridorPlans\0213\Exhibit
Maps\Exhibit2.mxd
Print Date: March 5, 2013

CITY OF MORENO VALLEY RESIDENTIAL 30 (R30) REZONING

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 recycled or resold.

Map Produced by Moreno Valley Geographic Information System

Map Legend

Area #2 Parcels

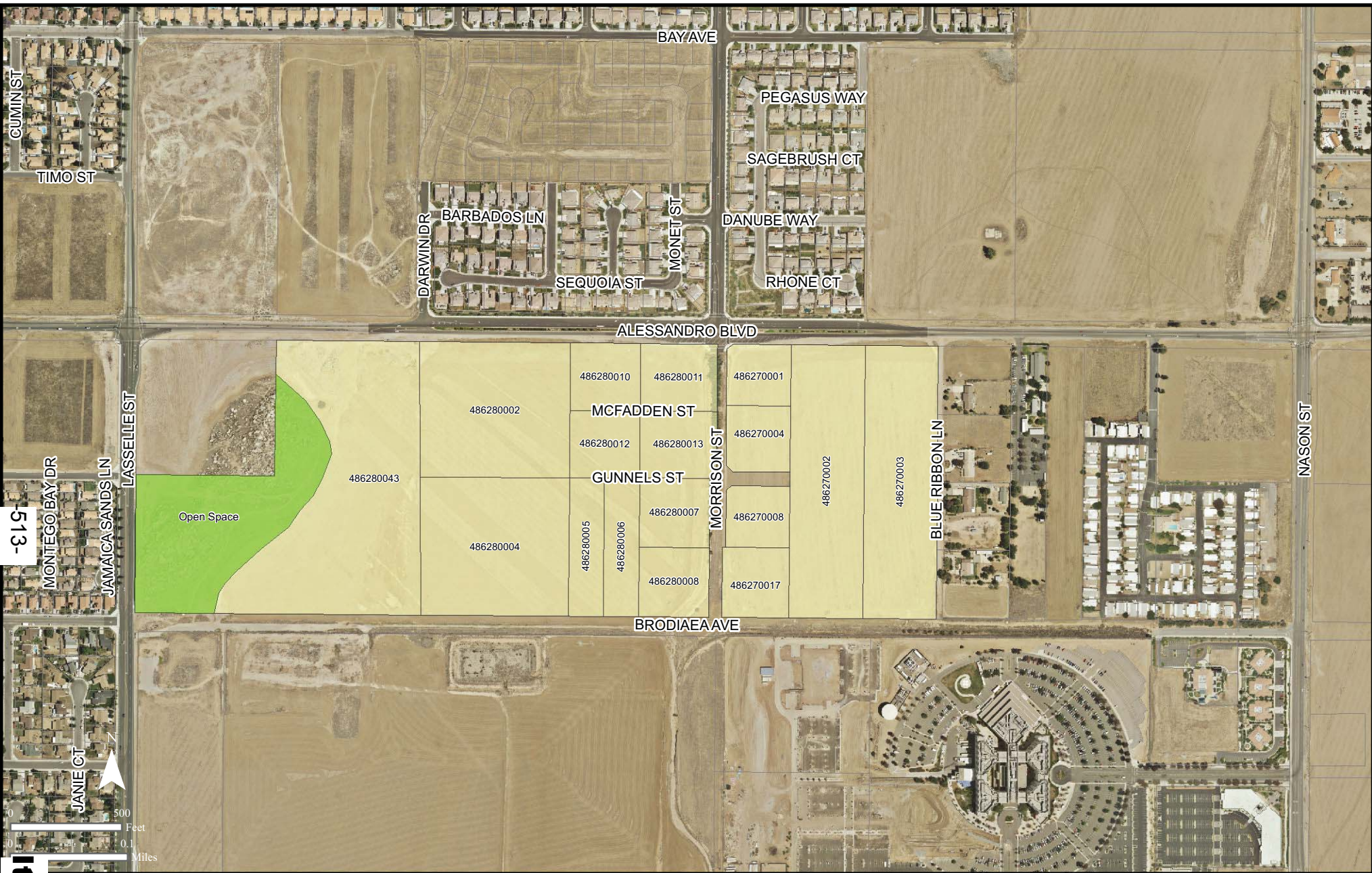
10

Resolution No. 2013-26

Date Adopted: April 23, 2013

Location Map





Item No. E.2
 Exhibit
 Status: DRAFT
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 Plans\0213\Exhibit
 chibit3.mxd
 te: March 20, 2013

CITY OF MORENO VALLEY RESIDENTIAL 30 (R30) REZONING

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 recycled or resold.

Map Produced by Moreno Valley Geographic Information System

Map Legend

- Area #3 Parcels
- Open Space

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 Resolution No. 2013-26
 Date Adopted: April 23, 2013



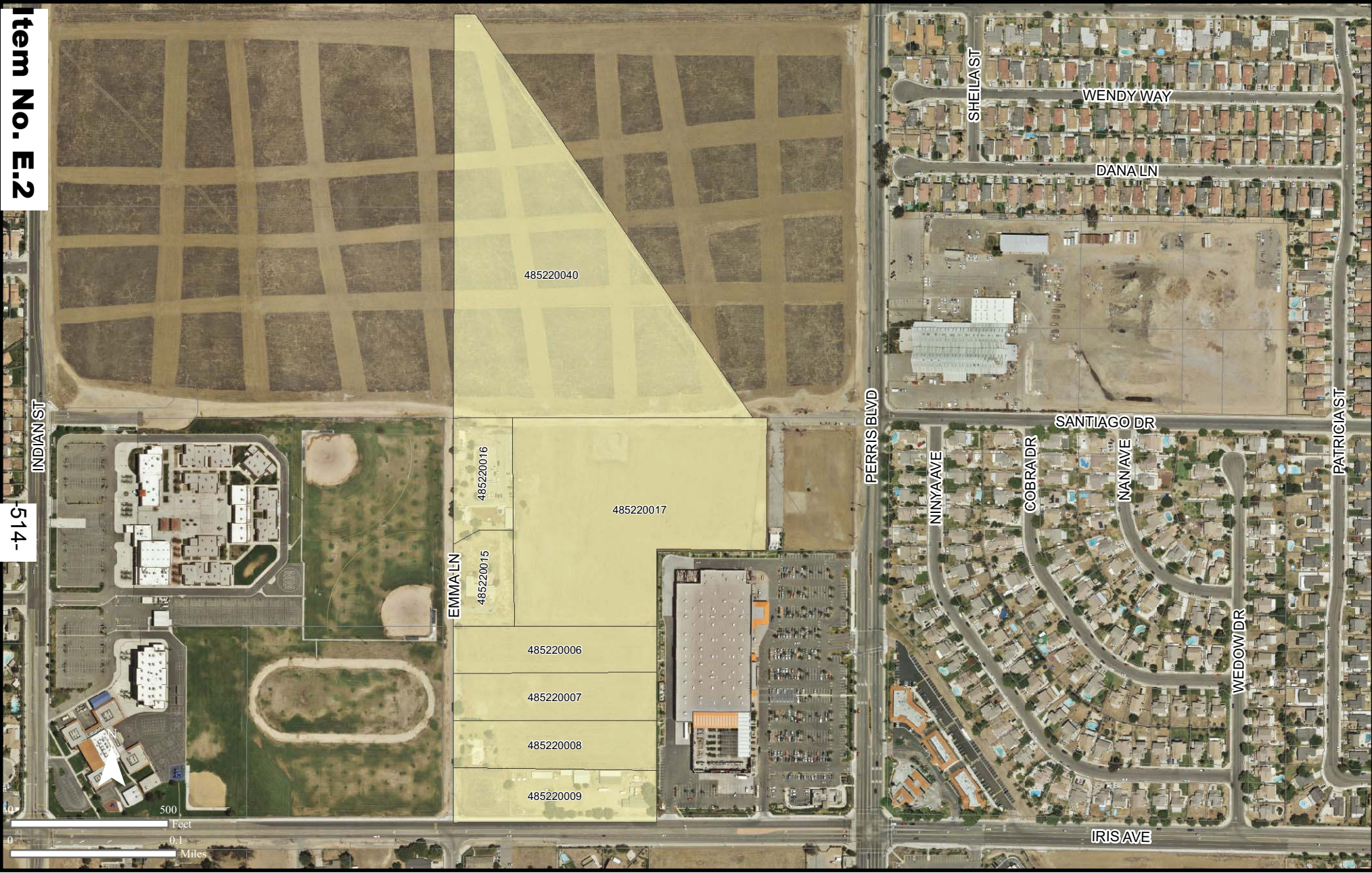


Exhibit:
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Map Status: DRAFT
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Print Date: March 5, 2013

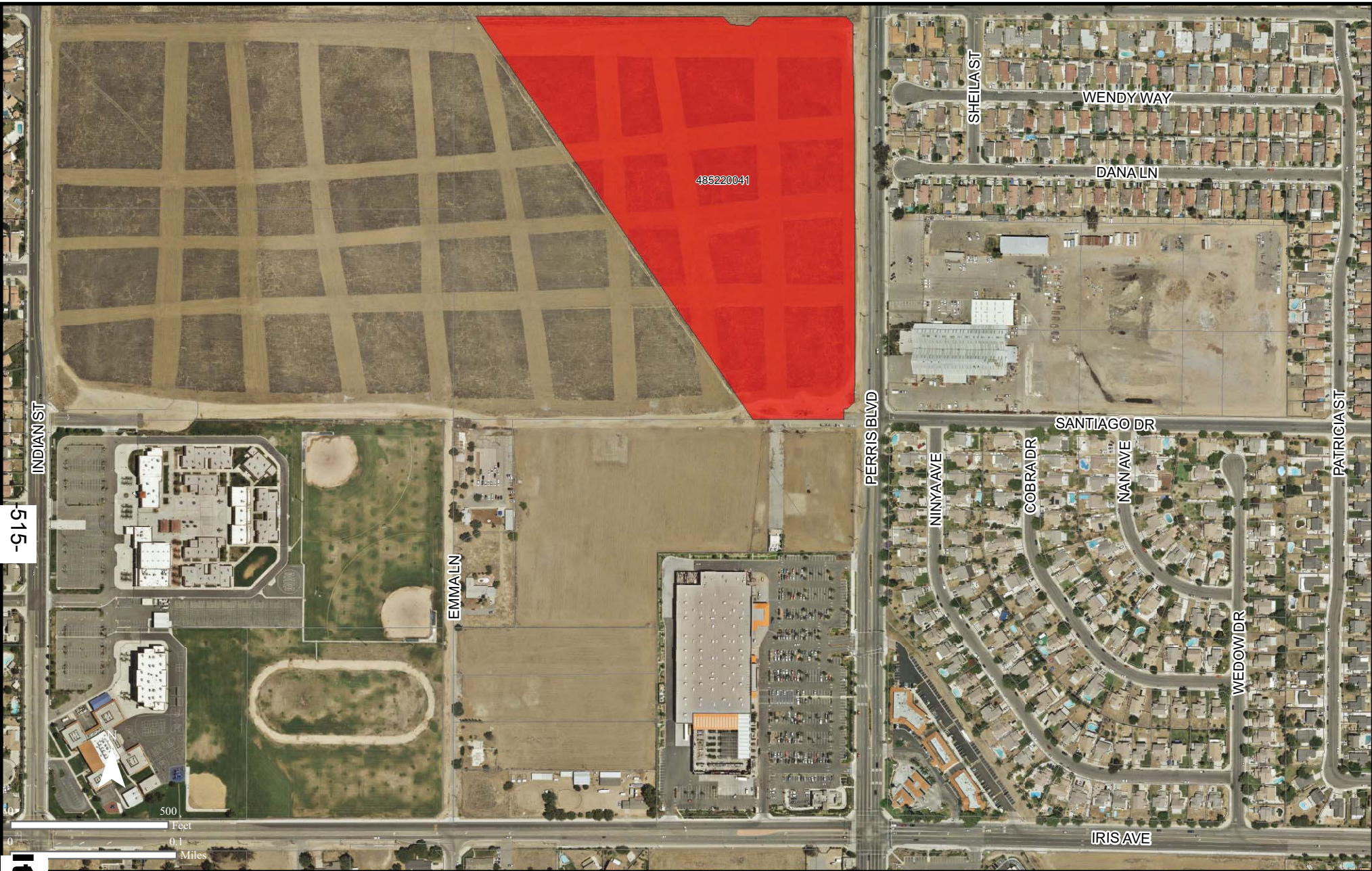
**CITY OF MORENO VALLEY
RESIDENTIAL 30 (R30)
REZONING**

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 recycled or resold.
Map Produced by Moreno Valley Geographic Information System

Map Legend

Area #4 Parcels 12
Resolution No. 2013-26
Date Adopted: April 23, 2013





Item No. E.2
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CITY OF MORENO VALLEY COMMERCIAL (CC) REZONING

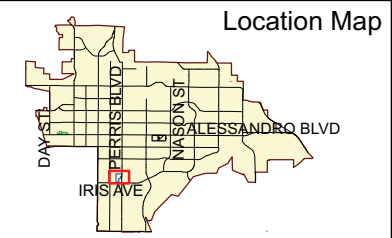
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Map Produced by Moreno Valley Geographic Information System

Map Legend

■ Area #5 Parcels

13
 Resolution No. 2013-26
 Date Adopted: April 23, 2013



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ORDINANCE NO. 864

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING A MUNICIPAL CODE AMENDMENT (PA11-0030) AMENDING TITLE 9 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE REGARDING THE CREATION OF THE MIXED USE OVERLAY DISTRICT (APPROXIMATELY 147.69 ACRES) AND AMENDING THE MUNICIPAL CODE TO INCLUDE STANDARDS RELATED TO THE MIXED USE OVERLAY DISTRICT.

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1:

1.1 Pursuant to the provisions of law, public hearings were held before the City of Moreno Valley Planning Commission and the City Council.

1.2 The matter was fully discussed and the public and other agencies presented testimony and documentation.

1.3 The City of Moreno Valley Official Zoning Atlas shall be modified to reflect the Mixed Use Districts Overlay.

1.3. An environmental assessment, including an initial study, has been prepared to address the environmental impacts associated with application PA11-0030 described above and environmental determinations have been adopted pursuant to the California Environmental Quality Act (CEQA).

SECTION 2: FINDINGS:

Based on substantial evidence presented to this City Council during its public hearing on April 23, 2013, including written and oral staff reports and the record from the public hearing, this City Council hereby finds as follows:

1. Conformance with General Plan Policies – The amendment is consistent with the General Plan, and its goals, objectives, policies and programs, and with any applicable specific plan.

FACT: All of the proposed changes are consistent with, and do not conflict with the goals, objectives, policies, and programs established within the General Plan or any specific plan. The amendment creates the Mixed-Use Overlay District to replace the current Mixed Use Zoning Districts 1 and 2 (MUD1 and MUD2). The amendment also includes development standards for the Mixed Use Overlay District.

The General Plan currently references and encourages the concept of mixed use development. At this time, only limited specific plan areas within the City (Village at Sunnymead – Specific Plan 204 and the expired Moreno Highlands – Specific Plan 208) are zoned for mixed use development. The creation of the Mixed Use Overlay District will help promote the concept of mixed use in the City of Moreno Valley.

General Plan Objective 2.4 states that the City shall “Provide commercial areas within the City that are conveniently located, efficient, attractive, and have safe and easy pedestrian and vehicular circulation in order to serve the retail and service commercial needs of Moreno Valley residents and businesses.” The creation of the Mixed Use Overlay District will help meet this objective.

- 2. Health, Safety and Welfare – The proposed use will not be detrimental to the public health, safety or general welfare.

FACT: The proposed changes do not have the potential of adversely affecting the public health, safety or welfare of the residents of City of Moreno Valley or surrounding jurisdictions. The amendment deals with administrative matters that would not cause a physical effect on the environment.

- 3. Conformance with Zoning Regulations – The proposed amendment is consistent with the purposed and intent of Title 9.

FACT: The amendments to the Municipal Code provides for an internally consistent set of regulations that are compatible with the purpose and intent of Title 9. The proposed changes (creation of the Mixed Use Overlay District, deletion of the MUD1 & MUD2 and inclusion of the development standards for the Mixed Use Overlay District) eliminate conflicts or clarify the meaning of some sections of Title 9. As such, it furthers the specific purpose and intent of Title 9 to “implement the goals, objectives, policies and programs of the Moreno Valley General Plan and manage future growth and change in accordance with that plan.”

SECTION 3: MUNICIPAL CODE AMENDED:

3.1 Removal of MUD1 & MUD2 Information from Chapter 9.07 Special Districts. Both Section 9.07.090 Mixed Use Development 1 (MUD1) and Section 9.07.100 Mixed Use Development 2 (MUD2) will be deleted from Municipal Code as followed:

3.2 Chapter 9.11 - Parking, Pedestrian and Loading Requirements' Section 9.11.060 of the Off-street bicycle parking requirements will be revised by deleting the current Section shown below:

2
Ordinance No. 864
Date Adopted: May 14, 2013

A. Type of Facilities.

1. Class 1 Facilities. Class 1 bicycle facilities required pursuant to the provisions of this chapter are intended for long-term parking, and shall be protected against theft of the entire bicycle and of its components and accessories.

2. Class 2 Facilities. Class 2 facilities are intended for short-term parking, and shall include a stationary object to which the owner or operator can lock the frame and both wheels with a user-provided lock. The facility shall be designed so as to protect the lock from physical assault.

3. Class 3 Facilities. Class 3 facilities are also intended for short-term parking, and shall include a stationary object to which the user can lock the frame and both wheels with a user-provided six-foot cable (or chain) and lock.

B. Number of Parking Spaces Required.

1. Bicycle parking spaces shall be provided in all commercial, office and industrial districts equal to five percent of the required automobile parking spaces, with a minimum of two bicycle parking stalls required for any one use.

2. Single and Multiple-family residences are exempt from this section.

C. Class Requirements. All required bicycle parking spaces shall include a Class 2 or 3 facility, except elementary and junior high schools, which shall include an enclosed Class 1 facility.

D. General Requirements.

1. All bicycle spaces shall be located as close as possible to the entrance(s) of the use that they are intended to serve, but situated as not to obstruct primary pedestrian circulation. If this is not possible, signs should be posted to direct bicyclists to bike parking.

2. All bicycle facilities shall be located in highly visible areas to minimize theft and vandalism.

3. All bicycle parking and storage areas shall be surfaced so as to keep the area in a dust-free condition. Pervious pavement is recommended.

4. A minimum aisle width of five feet shall be provided between and adjacent to rows of bicycle spaces for access and pedestrian pathways.

5. Bicycle parking areas shall be separated from automobile parking areas by a physical barrier of sufficient identification and distance to protect parked bicycles from damage by cars.

6. Signage should be posted to direct bicyclists to the locations of bicycle racks that may not be readily apparent. Similarly, signs indicating the location of bicycle parking should be posted wherever a NO BICYCLE PARKING sign is posted.

3.3 Urban design strategies to intensify land uses along the Alessandro Boulevard Corridor have been combined into the “Mixed Use Districts Overlay”. It is the intent to replace MUD1 and MUD2 with the enhanced districts of the “Mixed Use Districts Overlay”. **Exhibit A** of this Ordinance includes the Chapters and Sections, complete with Figures and Tables, which will be added to Chapter 9 of the Municipal Code.

Exhibit A includes the following chapters to be added to Chapter 9 of the Municipal Code:

Chapter 9.02 – Permits and Approvals [Addition]

9.02.090 – Administrative variances.

Chapter 9.07.090 – Mixed-Use Overlay Districts [New]

9.07.091 – Purpose and Intent

9.07.092 – Applicability

9.07.093 – Purposes of Mixed-Use Overlay Districts

9.07.094 – Permitted Uses in Mixed-Use Overlay Districts

9.07.095 – Mixed-Use Overlay District Site Development Standards

9.07.096 – Building Frontage Type Standards

9.07.097 – Open Space Standards – Publicly-Accessible Open Space

9.07.098 – Open Space Standards – Private/Common Open Space

9.07.099 – Lot Area Requirements and Lot Consolidation Incentives

Chapter 9.09 – Specific Use Development Standards [New]

9.09.250 – Live-Work Development

9.09.260 – Mixed-Use Development

9.09.270 – Outdoor Dining

Chapter 9.11 – Parking, Pedestrian, and Loading Requirements [New/Revised]

9.11.030 – General Regulations

9.11.040 – Off-Street Parking Requirements

9.11.060 – Off-Street Bicycle Parking Requirements

Chapter 9.15 – Definitions [New]

4
Ordinance No. 864
Date Adopted: May 14, 2013

9.15.030 – Defintions

3.4 The Permitted Uses Table 9.02.020-1 in Chapter 9.02.020 will be replaced with **Exhibit B** of this Ordinance.

SECTION 4: EFFECT OF ENACTMENT:

Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

SECTION 5: NOTICE OF ADOPTION:

Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be posted in three public places within the city.

SECTION 6: EFFECTIVE DATE:

This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this 14th day of May, 2013.

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

5
Ordinance No. 864
Date Adopted: May 14, 2013

ORDINANCE 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 Ordinance No. 864 had its first reading on April 23, 2013 and had its second reading on May 14, 2013, and was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the 14th day of May, 2013, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

CITY CLERK

Ordinance No. 864⁶
Date Adopted: May 14, 2013

ORDINANCE NO. 864

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING A MUNICIPAL CODE AMENDMENT (PA11-0030) AMENDING TITLE 9 OF THE CITY OF MORENO VALLEY MUNICIPAL CODE REGARDING THE CREATION OF THE MIXED USE OVERLAY DISTRICT (APPROXIMATELY 147.69 ACRES) AND AMENDING THE MUNICIPAL CODE TO INCLUDE STANDARDS RELATED TO THE MIXED USE OVERLAY DISTRICT.

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1:

1.1 Pursuant to the provisions of law, public hearings were held before the City of Moreno Valley Planning Commission and the City Council.

1.2 The matter was fully discussed and the public and other agencies presented testimony and documentation.

1.3 The City of Moreno Valley Official Zoning Atlas shall be modified to reflect the Mixed Use Districts Overlay.

1.3. An environmental assessment, including an initial study, has been prepared to address the environmental impacts associated with application PA11-0030 described above and environmental determinations have been adopted pursuant to the California Environmental Quality Act (CEQA).

SECTION 2: FINDINGS:

Based on substantial evidence presented to this City Council during its public hearing on April 23, 2013, including written and oral staff reports and the record from the public hearing, this City Council hereby finds as follows:

1. Conformance with General Plan Policies – The amendment is consistent with the General Plan, and its goals, objectives, policies and programs, and with any applicable specific plan.

FACT: All of the proposed changes are consistent with, and do not conflict with the goals, objectives, policies, and programs established within the General Plan or any specific plan. The amendment creates the Mixed-Use Overlay District to replace the current Mixed Use Zoning Districts 1 and 2 (MUD1 and MUD2). The amendment also includes development standards for the Mixed Use Overlay District.

The General Plan currently references and encourages the concept of mixed use development. At this time, only limited specific plan areas within the City (Village at Sunnymead – Specific Plan 204 and the expired Moreno Highlands – Specific Plan 208) are zoned for mixed use development. The creation of the Mixed Use Overlay District will help promote the concept of mixed use in the City of Moreno Valley.

General Plan Objective 2.4 states that the City shall “Provide commercial areas within the City that are conveniently located, efficient, attractive, and have safe and easy pedestrian and vehicular circulation in order to serve the retail and service commercial needs of Moreno Valley residents and businesses.” The creation of the Mixed Use Overlay District will help meet this objective.

- 2. Health, Safety and Welfare – The proposed use will not be detrimental to the public health, safety or general welfare.

FACT: The proposed changes do not have the potential of adversely affecting the public health, safety or welfare of the residents of City of Moreno Valley or surrounding jurisdictions. The amendment deals with administrative matters that would not cause a physical effect on the environment.

- 3. Conformance with Zoning Regulations – The proposed amendment is consistent with the purposed and intent of Title 9.

FACT: The amendments to the Municipal Code provides for an internally consistent set of regulations that are compatible with the purpose and intent of Title 9. The proposed changes (creation of the Mixed Use Overlay District, deletion of the MUD1 & MUD2 and inclusion of the development standards for the Mixed Use Overlay District) eliminate conflicts or clarify the meaning of some sections of Title 9. As such, it furthers the specific purpose and intent of Title 9 to “implement the goals, objectives, policies and programs of the Moreno Valley General Plan and manage future growth and change in accordance with that plan.”

SECTION 3: MUNICIPAL CODE AMENDED:

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~~9.07.090 Mixed Use Development 1 (MUD1)~~
~~9.07.100 Mixed Use Development 2 (MUD2)~~

3.2 Chapter 9.11 - Parking, Pedestrian and Loading Requirements' Section 9.11.060 of the Off-street bicycle parking requirements will be revised by deleting the current Section shown below:

A. Type of Facilities.

1. Class 1 Facilities. Class 1 bicycle facilities required pursuant to the provisions of this chapter are intended for long-term parking, and shall be protected against theft of the entire bicycle and of its components and accessories.

2. Class 2 Facilities. Class 2 facilities are intended for short-term parking, and shall include a stationary object to which the owner or operator can lock the frame and both wheels with a user-provided lock. The facility shall be designed so as to protect the lock from physical assault.

3. Class 3 Facilities. Class 3 facilities are also intended for short-term parking, and shall include a stationary object to which the user can lock the frame and both wheels with a user-provided six-foot cable (or chain) and lock.

B. Number of Parking Spaces Required.

1. Bicycle parking spaces shall be provided in all commercial, office and industrial districts equal to five percent of the required automobile parking spaces, with a minimum of two bicycle parking stalls required for any one use.

2. ~~Single-family and multiple~~~~Multiple~~-family residences, ~~senior housing complexes, mobile home parks and model home complexes~~ are exempt from this section.

C. Class Requirements. All required bicycle parking spaces shall include a Class 2 or 3 facility, except elementary and junior high schools, which shall include an enclosed Class 1 facility.

D. General Requirements.

1. All bicycle spaces shall be located as close as possible to the entrance(s) of the use that they are intended to serve, but situated as not to obstruct primary pedestrian circulation. If this is not possible, signs should be posted to direct bicyclists to bike parking.

2. All bicycle facilities shall be located in highly visible areas to minimize theft and vandalism.

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Ordinance No. 864
Date Adopted: May 14, 2013

3. All bicycle parking and storage areas shall be surfaced so as to keep the area in a dust-free condition. Pervious pavement is recommended.

4. A minimum aisle width of five feet shall be provided between and adjacent to rows of bicycle spaces for access and pedestrian pathways.

5. Bicycle parking areas shall be separated from automobile parking areas by a physical barrier of sufficient identification and distance to protect parked bicycles from damage by cars.

6. Signage should be posted to direct bicyclists to the locations of bicycle racks that may not be readily apparent. Similarly, signs indicating the location of bicycle parking should be posted wherever a NO BICYCLE PARKING sign is posted.

3.3 Urban design strategies to intensify land uses along the Alessandro Boulevard Corridor have been combined into the “Mixed Use Districts Overlay”. It is the intent to replace MUD1 and MUD2 with the enhanced districts of the “Mixed Use Districts Overlay”. **Exhibit A** of this Ordinance includes the Chapters and Sections, complete with Figures and Tables, which will be added to Chapter 9 of the Municipal Code.

Exhibit A includes the following chapters to be added to Chapter 9 of the Municipal Code:

Chapter 9.02 – Permits and Approvals [Addition]

9.02.090 – Administrative variances.

Chapter 9.07.090 – Mixed-Use Overlay Districts [New]

9.07.091 – Purpose and Intent

9.07.092 – Applicability

9.07.093 – Purposes of Mixed-Use Overlay Districts

9.07.094 – Permitted Uses in Mixed-Use Overlay Districts

9.07.095 – Mixed-Use Overlay District Site Development Standards

9.07.096 – Building Frontage Type Standards

9.07.097 – Open Space Standards – Publicly-Accessible Open Space

9.07.098 – Open Space Standards – Private/Common Open Space

9.07.099 – Lot Area Requirements and Lot Consolidation Incentives

Chapter 9.09 – Specific Use Development Standards [New]

9.09.250 – Live-Work Development

9.09.260 – Mixed-Use Development

9.09.270 – Outdoor Dining

Chapter 9.11 – Parking, Pedestrian, and Loading Requirements [New/Revised]

9.11.030 – General Regulations

9.11.040 – Off-Street Parking Requirements

4
Ordinance No. 864
Date Adopted: May 14, 2013

9.11.060 – Off-Street Bicycle Parking Requirements

Chapter 9.15 – Definitions [New]

9.15.030 – Definitions

3.4 The Permitted Uses Table 9.02.020-1 in Chapter 9.02.020 will be replaced with **Exhibit B** of this Ordinance.

SECTION 4: EFFECT OF ENACTMENT:

Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

SECTION 5: NOTICE OF ADOPTION:

Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be posted in three public places within the city.

SECTION 6: EFFECTIVE DATE:

This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this 14th day of May, 2013.

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

5
Ordinance No. 864
Date Adopted: May 14, 2013

ORDINANCE 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 Ordinance No. 864 had its first reading on April 23, 2013 and had its second reading on May 14, 2013, and was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the 14th day of May, 2013, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

CITY CLERK

6
Ordinance No. 864
Date Adopted: May 14, 2013

Addition of the following section to existing Chapter 9.02.090 under “C - Limitations on Administrative Variances”:

Chapter 9.02 – Permits and Approvals [Addition]

Sections:

9.02.090 – Administrative Variances

9.02.090 – Administrative variances.

- C.** Limitations on Administrative Variances. Only the following variances may be granted by the community development director and subject to the following limitations:
5. Decrease in building frontage requirements. In any mixed-use overlay district, the community development director may authorize up to a ten (10) percent decrease in the distance threshold established to specify the required percentage of a building frontage to be built to the Build-To-Zone, as indicated in Table 9.075.050-10 (Mixed-Use Overlay District Development Standards) (i.e., the distance threshold from street intersections for the purposes of calculating building frontage length may be reduced from 300 feet to 270 feet). The community development director is not authorized to reduce the percentage of the building frontage that is required to be built to the Build-To-Zone.

Addition of the following NEW section Chapter 9.07.090 and all related Sections:

Chapter 9.07.090 – Mixed-Use Overlay Districts [New]

Sections:

- 9.07.091 – Purpose and Intent
- 9.07.092 – Applicability
- 9.07.093 – Purposes of Mixed-Use Overlay District
- 9.07.094 – Permitted Uses in Mixed-Use Overlay Districts
- 9.07.095 – Mixed-Use Site Development Standards
- 9.07.096 – Building Frontage Type Standards
- 9.07.097 – Open Space Standards – Publicly-Accessible Open Space
- 9.07.098 – Open Space Standards – Private/Common Open Space
- 9.07.099 – Lot Area Requirements and Lot Consolidation Incentives

9.07.091 – Purpose and Intent

A. Purpose. The purpose of this Chapter to provide regulations that implement the goals and policies of the General Plan, the Alessandro Boulevard Corridor Vision Plan (accepted by the Moreno Valley City Council on June 30, 2010), and other similar long-range planning documents aimed at encouraging mixed-use development within the City.

B. Intent. The Mixed-Use Overlay Districts are intended to:

1. Stimulate economic development and reinvestment through regulations based upon recognized urban design principles that allow property owners to respond with flexibility to market forces;
2. Create specific development nodes at street intersections with a pedestrian-oriented mix of uses with convenient access between area neighborhoods, housing, employment centers, and retail services;
3. Accommodate intensities and patterns of development that can support multiple modes of transportation including public transit, bicycles, and walking;
4. Facilitate well-designed new mixed-use development projects that combine residential and nonresidential uses (e.g., office, retail, business services, personal services, public spaces and uses, other community amenities, etc.) to promote a better balance of jobs and housing;
5. Ensure compatibility with adjacent existing single-family neighborhoods and harmonious integration with existing commercial areas;
6. Encourage the development of unique district character through a streetscape that provides attractive features (e.g., landscaping, street furniture, niche or linear parks, public places, courtyards, public transportation shelters; etc.) designed to integrate the public realm (e.g., streets, sidewalks, etc.) with adjacent development on private property; and
7. Provide additional property rights while preserving existing property rights. This intent is achieved by providing additional development rights in compliance with this Chapter, which property owners may exercise under certain conditions, while retaining all development rights conferred by the underlying district to property owners in the mixed-use overlay districts. Incentives and advantages include allowing a greater range and mix of uses; more permissive dimensional specifications (e.g., greater floor area ratio, lot coverage ratio, and height; reduced setbacks; etc.); exemption from certain design review requirements; and fee reductions or waivers.

9.07.092 – Applicability

This Section describes the applicability of mixed-use overlay district standards to a property when the property is located within two districts – a base district (e.g., Commercial (C), Office (O), Business Park/Light Industrial (BP), etc.) and a mixed-use overlay district.

A. Relationship between overlay district standards and base district standards. For property within a mixed-use overlay district, the regulations in this Chapter allow mixed-use development as an alternative to the type of development allowed under the base (underlying) district standards.

B. Base district standards.

1. The provisions in this Chapter shall apply to all properties within their respective mixed-use overlay districts, but the provisions do not supersede the underlying base district provisions until a property is developed in compliance with the provisions of this Chapter.
2. New projects may be developed in compliance with the existing underlying base district, provided that all standards and requirements of the underlying base district are met.

3. Regulations, development standards, and requirements in the underlying base district shall continue to apply to those projects that are currently developed according to the existing standards.
4. For legal non-conforming uses (i.e., uses that do not comply with the provisions of the base district or this Chapter), the provisions in Section 9.02.180 (Legal Nonconforming Uses, Improvements, and Parcels) shall apply.

C. Option to apply mixed-use overlay district standards.

1. The owner or developer of any property within any mixed-use overlay district may choose to develop in compliance with the standards and procedures in this Chapter that apply to the particular mixed-use overlay district in which the property is located.
2. In order to exercise the option to develop under the provisions in this Chapter, approval of a development review application shall be required in compliance with Chapter 9.02.030 (Development Review Process). In granting the approval, the review authority shall find that:
 - a. The proposed development is in compliance with the provisions in this Chapter; and
 - b. Approval of the project will not reduce the amount of land available in mixed-use overlay zone areas to a point where the City's affordable housing needs under the Regional Housing Needs Assessment (RHNA) cannot be met.

D. Other applicable regulations. Other applicable regulations can be found in Section 9.09.250 (Live-Work Development) and Section 9.09.260 (Mixed-Use Development).

E. Applicable regulations after completion of development. Once a property is developed in compliance with the provisions in this Chapter, the provisions of this Chapter completely supersede the provisions of the underlying base district. Whenever the requirements of the overlay district impose a more or less restrictive standard than the provisions of the underlying base district, the requirements of the overlay district shall govern.

F. Use of photographs. Photographs and illustrations are included in this Chapter for illustrative purposes only. Specific development standards in this Chapter are the controlling language for purposes of development regulation.

9.07.093 – Purposes of Mixed-Use Overlay Districts

This Section describes the purpose and intent of each mixed-use overlay district.

- A. Mixed-Use Institutional Anchor (MUI) Overlay District.** The Mixed-Use Institutional Anchor (MUI) Overlay District applies to areas around prominent anchor institutions, such as civic centers, medical centers, and educational campuses. The intent is to build upon the role of the institutions by providing opportunities for urban, high-intensity development that serves the needs of visitors, employees, and residents affiliated with the anchor institution and the surrounding region. Development is allowed up to five stories in height with building frontages near or at the sidewalk, wide sidewalks, and parking under or behind buildings. Vertical mixed-use development (ground-floor retail with offices or housing above) is required at important street intersections. Horizontally-integrated or vertically-integrated mixed-use development, with no requirement for ground-floor retail, is allowed in other locations. The overlay district name may be expanded to include the name of the type of anchor institution (e.g., “MUI – Medical Center”). See Figure 9.07.093-1 (Examples of Development in Mixed-Use Institutional Anchor (MUI) Overlay District).
- B. Mixed-Use Community (MUC) Overlay District.** The Mixed-Use Community (MUC) Overlay District applies to areas along major arterials and arterials. The intent is to provide opportunities for the development of pedestrian-oriented blocks with medium-intense development that serves the needs of residents, visitors, and employees from the surrounding community. Development is allowed up to four stories in height with building frontages near or at the sidewalk, wide sidewalks, and parking under or behind buildings. Vertical mixed-use development (ground-floor retail with offices or housing above) is required at important street intersections. Horizontally-integrated or vertically-integrated mixed-use development, with no requirement for ground-floor retail, is allowed in other locations. The overlay district name may be expanded to include the community name (e.g., “MUC – East Alessandro”). See Figure 9.07.093-2 (Examples of Development in Mixed-Use Community (MUC) Overlay District).
- C. Mixed-Use Neighborhood (MUN) Overlay District.** The Mixed-Use Neighborhood (MUN) Overlay District applies to areas along arterials and minor arterials. The intent is to provide an area for low-rise mixed-use development that serves the needs of residents, visitors, and employees from the surrounding immediate neighborhood. Development is allowed up to three stories in height with building frontages near or at the sidewalk, wide sidewalks, and parking under or behind buildings. Vertical mixed-use development (ground-floor retail with offices or housing above) is required at important street intersections. Horizontally-integrated or vertically-integrated mixed-use development, with no requirement for ground-floor retail, is allowed in other locations. The overlay district name may be expanded to include the neighborhood name (e.g., “MUN – Lasselle Crossing”). See Figure 9.07.093-3 (Examples of Development in Mixed-Use Neighborhood (MUN) Overlay District).

Figure 9.07.093-1
Examples of Development in Mixed-Use Institutional Anchor (MUI) Overlay District



Alessandro Boulevard

Street

Figure 9.07.093-2
Examples of Development in Mixed-Use Community (MUC) Overlay District



Figure 9.07.093-3
 Examples of Development in Mixed-Use Neighborhood (MUN) Overlay District

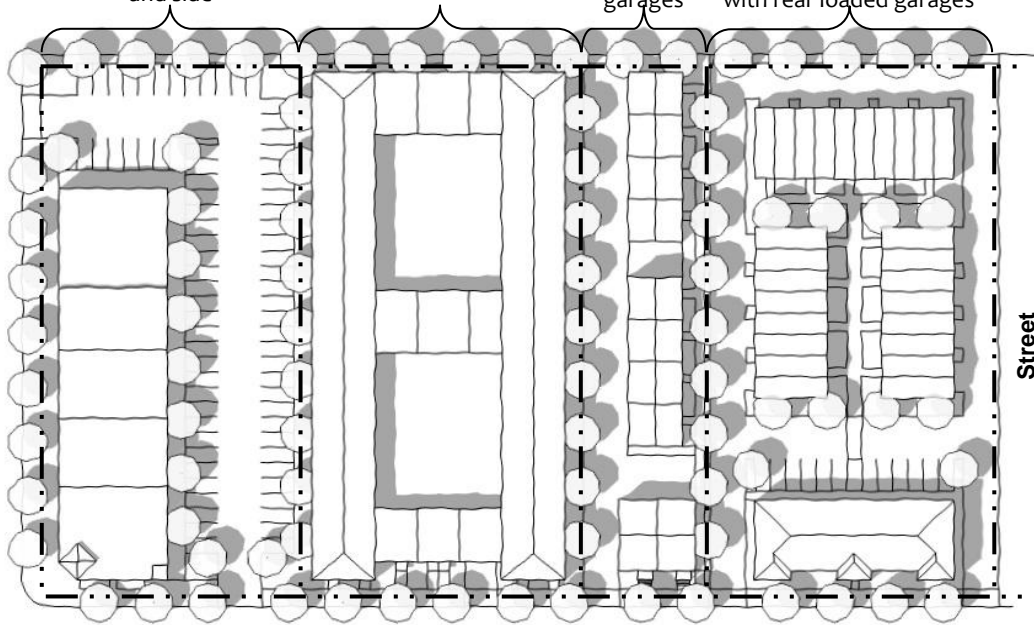


Mixed-Use Building with surface parking to rear and side

Mixed-Use Building with podium parking

Townhomes with rear loaded garages

Apartments (with surface parking to the rear) and townhomes with rear loaded garages



Alessandro

9.07.094 – Permitted Uses in Mixed-Use Overlay Districts

For the mixed-use overlay districts, 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 (Permitted Uses) of this Title. Any use not listed in Table 9.02.020-1 as a permitted use, conditional use, or accessory use shall be prohibited.

9.07.095 – Mixed-Use Overlay District Site Development Standards

This Section provides standards that govern development on properties located in the Mixed-Use Overlay Districts. See Table 9.07.095-10 (Mixed-Use Overlay District Development Standards) and related illustrations. For the purpose of this Zoning Code, mixed-use projects shall comply with nonresidential standards when no mixed-use standards exist.

Table 9.07.095-10: Mixed-Use Overlay District Development Standards

| <i>Development Features</i> | <i>MUI</i> | <i>MUC</i> | <i>MUN</i> |
|-----------------------------|---|--------------|--------------|
| Density Standards | <i>Maximum density for residential uses expressed as dwelling units per net acre. See § 9.08.060 (Development Density)</i> | | |
| Residential Uses | 40 du/ac | 30 du/ac | 30 du/ac |
| Intensity Standards | <i>Maximum floor area ratio (FAR) for nonresidential uses.</i> | | |
| Nonresidential Uses (1) | 1.0 (less than 50% residential) 1.25 (greater than 50% residential) | 1.0 | 1.0 |
| Block Standards | <i>Maximum dimensions required for each newly created block as measured from edge of right-of-way line. See “Block” in § 9.15.030 (Definitions). See Figure 9.07.095-4.</i> | | |
| Block Length (A) | 600 ft (max) | 500 ft (max) | 500 ft (max) |
| Block Perimeter (B) | 1,800 ft | 1,600 ft | 1,500 ft |

Notes:

(1) Podium and underground parking is not counted toward floor area ratio (FAR). Includes residential FAR.

Table continued on next page

Table 9.07.095-10: Mixed-Use Overlay District Development Standards (continued)

| <i>Development Features</i> | <i>MUI</i> | <i>MUC</i> | <i>MUN</i> |
|--|---|--|--|
| Building Placement Standards | | | |
| Build-to-Zone | <i>The area between the minimum and maximum setbacks within which the principal building's front façade (building façade line) is to be located. See "Build-to-Zone" in § 9.15.030 (Definitions). See Figure 9.07.095-5</i> | | |
| Front (C) Along Alessandro Blvd | 0 - 15 ft | 0 - 10 ft | 0 - 10 ft |
| Front (D) All other Streets | 0 - 15 ft | 0 - 10 ft | 0 - 10 ft |
| Street Side Setback (E) | 0 - 15 ft | 0 - 10 ft | 0 - 10 ft |
| Setback | <i>Minimum and maximum required setbacks. See § 9.08.030 (Accessory Structures) for allowed projections into setbacks. See Figure 9.07.095-6</i> | | |
| Front Setback (F) Along Alessandro Blvd | 0 ft (min); 15 ft (max) | 0 ft (min); 10 ft (max) | 0 ft (min); 10 ft (max) |
| Front Setback (G) All other Streets | 0 ft (min); 15 ft (max) | 0 ft (min); 10 ft (max) | 0 ft (min); 10 ft (max) |
| Street Side Setback (H) | 0 ft (min); 15 ft (max) | 0 ft (min); 10 ft (max) | 0 ft (min); 10 ft (max) |
| Interior Side Setback (2) (U) | 5 ft (min); No max | 5 ft (min); No max | 5 ft (min); No max |
| Rear Setback (2) (J) | 10 ft (min); No max | 10 ft (min); No max | 10 ft (min); No max |
| Building Frontage Length | <i>% of building built to BTZ. See "Build-to-Zone" in § 9.15.030 (Definitions). See Figure 9.07.095-7.</i> | | |
| Within 300 ft of street intersections (K) | 65% | 65% | 65% |
| Over 300 ft from street intersections (L) | 50% | 50% | 50% |
| Building Standards | <i>See "Underground Levels" and "Mezzanines/Lofts" in § 9.15.030 (Definitions). See Figure 9.07.095-8.</i> | | |
| Number of Stories (3) (M) | 5 max | 4 max | 3 max |
| Maximum Height (3) (N) | 60 ft | 55 ft | 45 ft |
| Underground Levels (O) | Allowed | Allowed | Allowed |
| Mezzanines/Lofts (4) (P) | Allowed | Allowed | Allowed |
| Building Frontage Types | <i>See § 9.07.096 (Frontage Type Standards).</i> | | |
| Along Alessandro Boulevard within 300 ft of Intersections (Q) | Live-Work Office Storefront | Live-Work Office Residential Storefront | Live-Work Office Residential Storefront |
| Elsewhere (R) | Live-Work Office Residential Storefront | Live-Work Office Residential Storefront | Live-Work Office Residential Storefront |

Notes:

- (2)** Wherever a lot abuts a lot in any single-family residential district, a minimum setback equal to the building height, but not less than 10 feet shall be required.
- (3)** Wherever a lot abuts a lot in any single-family residential district, a 15-foot upper story stepback is required for those portions of buildings that are above 30 feet from finished grade.
- (4)** Mezzanines and lofts shall not be counted as a floor if less than 1/3 of the unit's floor area.

Table continued on next page

Table 9.07.095-10: Mixed-Use Overlay District Development Standards (continued)

| <i>Development Features</i> | <i>MUI</i> | <i>MUC</i> | <i>MUN</i> | |
|---|--|--|--|--------------------|
| Site Planning Standards | | | | |
| Parking Standards | <i>See § 9.11 (Parking Standards) and Figure 9.07.095-9.</i> | | | |
| Surface Parking (S) | 20 ft min setback from front lot line; 15 ft min setback from side lot line | 20 ft min setback from front lot line; 15 ft min setback from side lot line | 20 ft min setback from front lot line; 15 ft min setback from side lot line | |
| Garage / Tuck-Under Parking (T) | Prohibited along front lot lines | Prohibited along front lot lines | Prohibited along front lot lines | |
| Underground / Podium Parking (U) | Allowed beneath building footprint | Allowed beneath building footprint | Allowed beneath building footprint | |
| Above-Ground Parking Structure (5) (V) | Allowed if screened from views from public right-of-way and adjacent single-family residential districts | Allowed if screened from views from public right-of-way and adjacent single-family residential districts | Allowed if screened from views from public right-of-way and adjacent single-family residential districts | |
| Open Space Standards | | | | |
| Publicly Accessible Open Space (nonresidential) | <i>See § 9.07.098 (Open Space Standards – Publicly Accessible Open Space).</i> | | | |
| | 15% of net lot area | 10% of net lot area | 10% of net lot area | |
| Private Open Space (multi-family residential) | <i>See § 9.07.099 (Open Space Standards – Private/Common Open Space).</i> | | | |
| | 1 st floor | 150 sq ft per unit | 150 sq ft per unit | 150 sq ft per unit |
| | Upper floors | 100 sq ft per unit | 100 sq ft per unit | 100 sq ft per unit |
| Common Open Space (multi-family residential) | 300 sq ft per unit | 300 sq ft per unit | 300 sq ft per unit | |

Notes:

- (5)** Minimum interior depth of building liner space that wraps above-ground parking structures facing Alessandro Boulevard shall be 30 feet from the building façade line, as defined in Section 9.15.030 (Definitions).

Figure 9.07.095-4: Block Standards

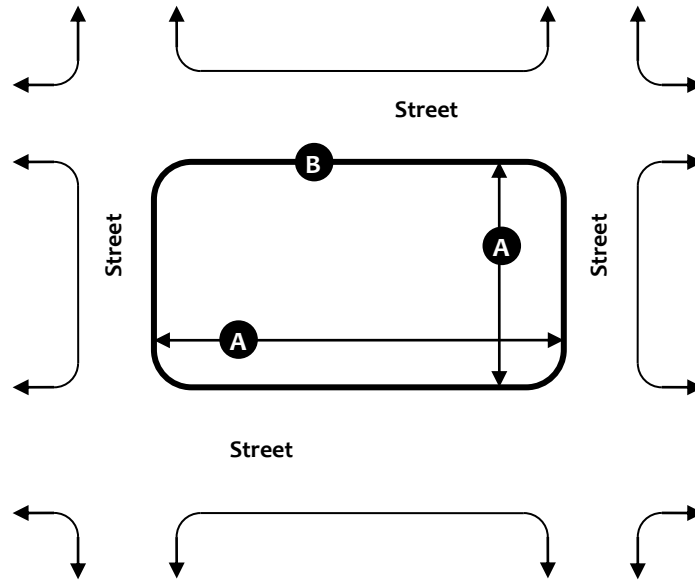


Figure 9.07.095-5: Build-to-Zone Standards



Figure 9.07.095-6: Setback Standards

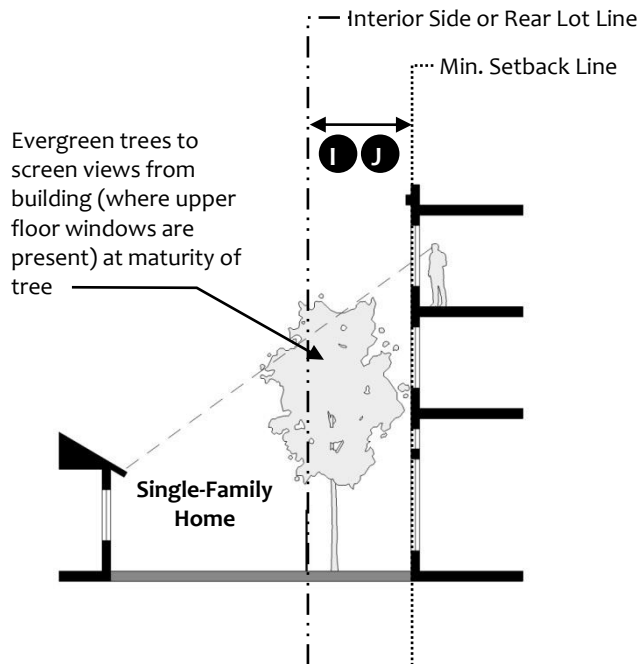
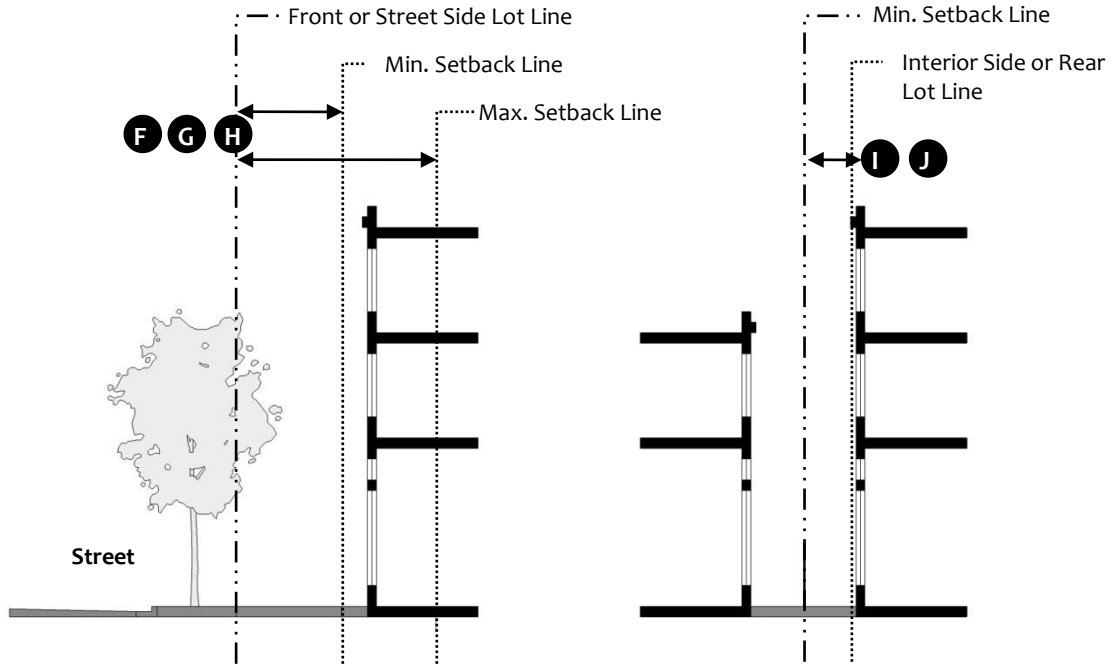


Figure 9.07.095-7: Building Frontage Length

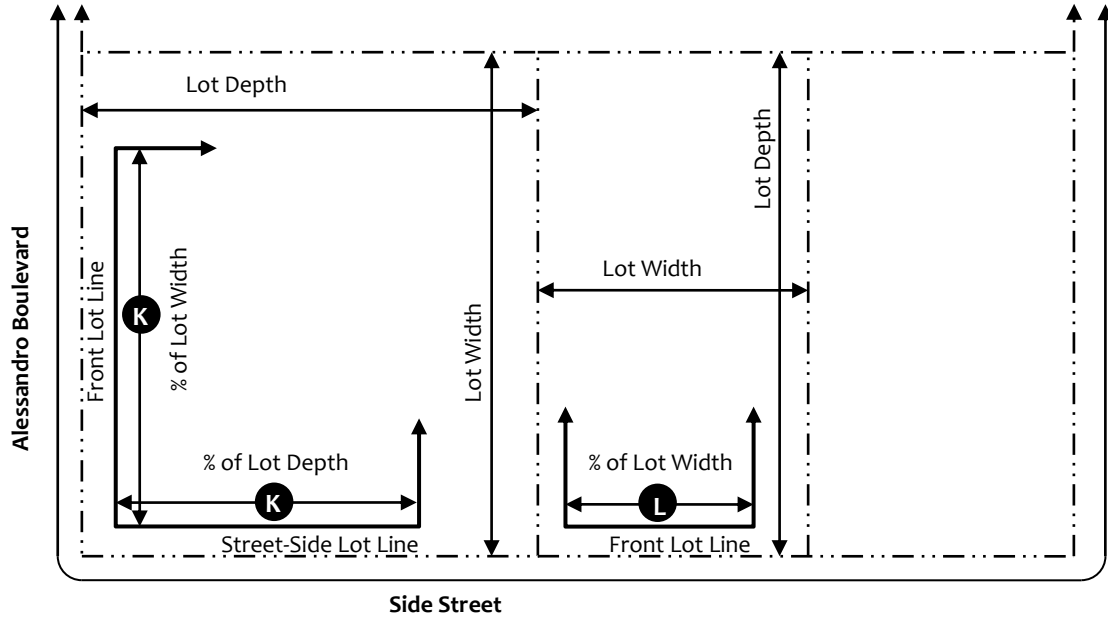


Figure 9.07.095-8: Building Standards and Building Frontage Types

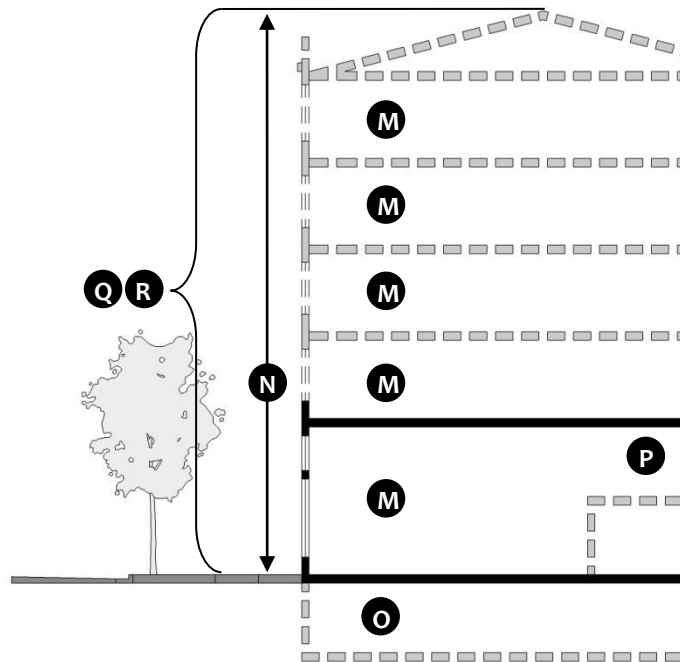
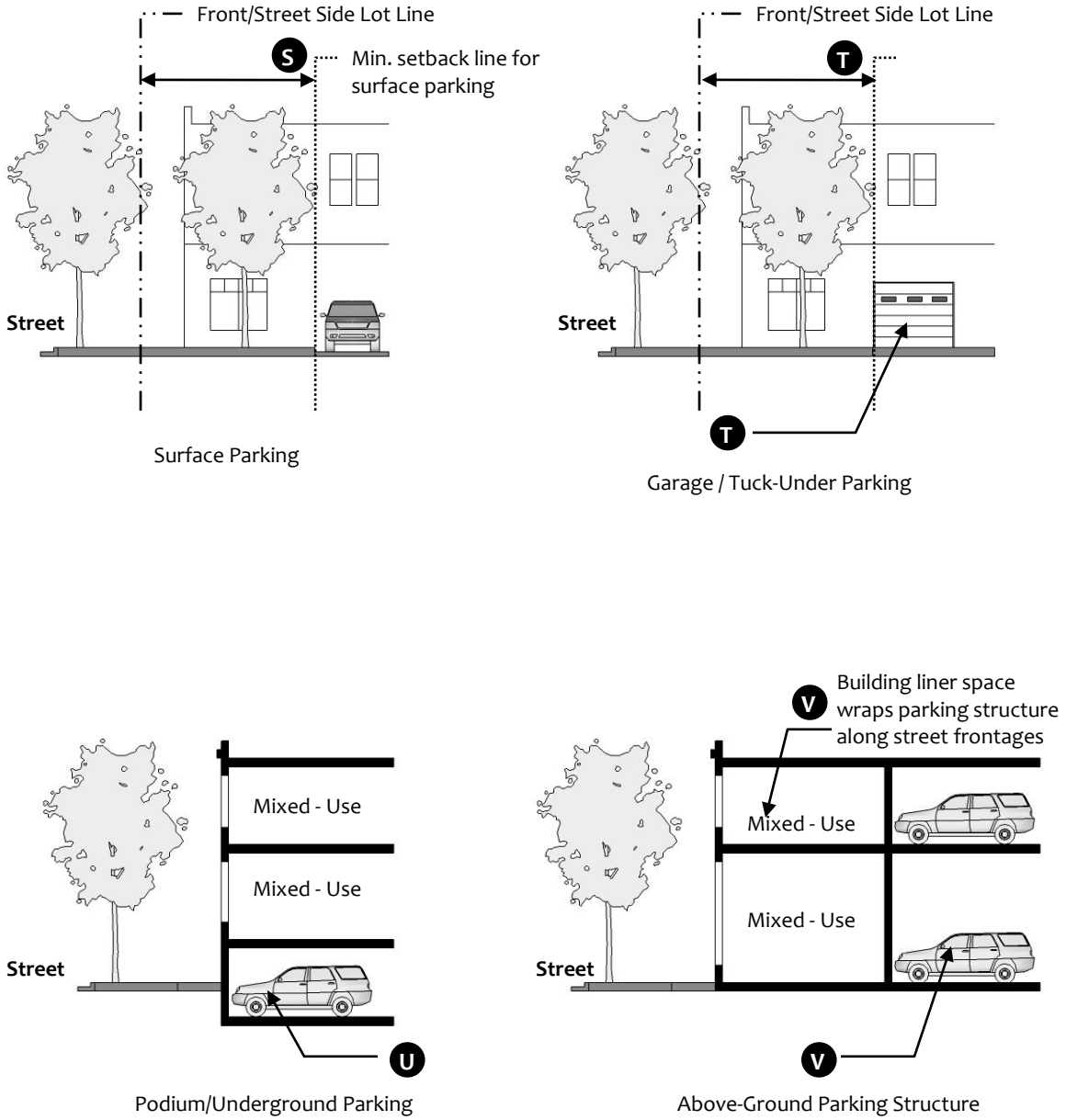


Figure 9.07.095-9: Parking Standards



9.07.096 – Building Frontage Type Standards

This Section provides frontage type standards for buildings in the mixed-use overlay districts. Table 9.075.050-10 specifies allowable building frontage types for each mixed-use overlay district.

A. Types of building frontages.

1. **Live-Work/Office Fronts:** A frontage that reinforces both residential and work activities that can occur in the building. The elevation of the ground floor is located at or near the grade of sidewalk to provide direct public access to the building. Entrances and windows are provided on the front of the facade to provide eyes on the street and direct sidewalk access to commercial and office uses. The front setback (if provided) may be improved with landscaping or as an extension of the public sidewalk to create a more pedestrian-friendly environment. See also Section 9.09.250 (Live-Work Development).
2. **Residential Fronts:** A frontage that reinforces the residential character and use of the building. The elevation of the ground floor is elevated above the grade of the lot to provide privacy for residences by preventing direct views into the home from the sidewalk. Entrances and windows are provided on the front of the facade to provide eyes on the street and direct sidewalk access to the building. Stoops are allowed to project into the front setback to enhance entrances. The front setback is primarily improved with landscaping.
3. **Storefronts:** A frontage that reinforces the commercial character and use of the ground floor of the building. The elevation of the ground floor is located at or near the grade of sidewalk to provide direct public access into the building. Large storefronts display windows are provided on the front of the facade to encourage visual access to merchandise displays and to encourage window shopping. Awnings or marquees are provided over storefront windows and entrances. The front setback (if provided) is primarily improved as an extension of the public sidewalk to create a more pedestrian friendly environment.

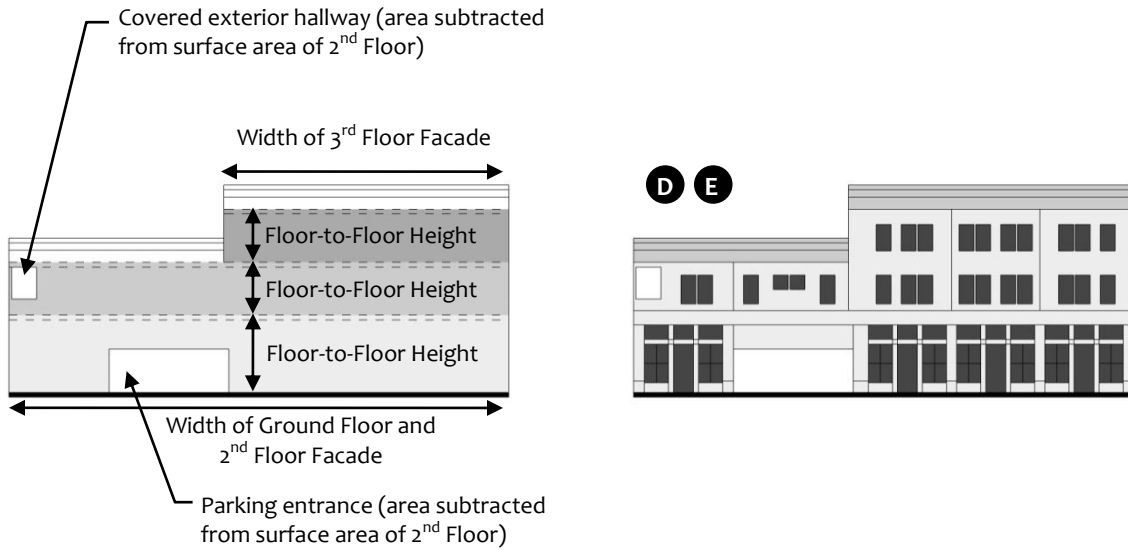
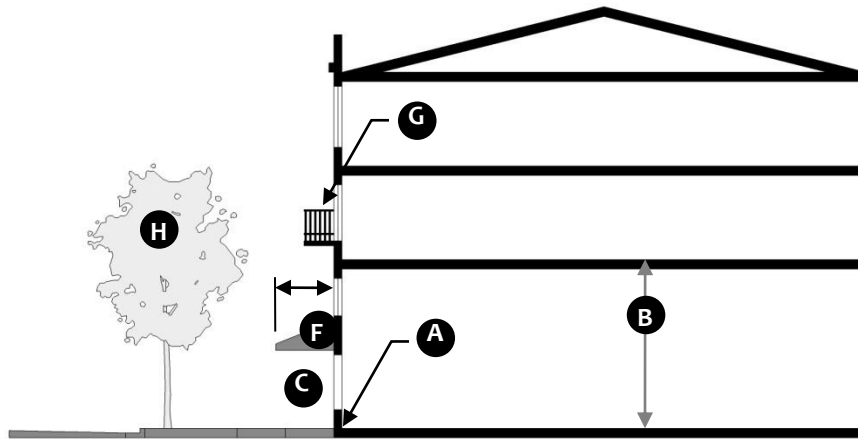
B. Live-Work/Office Frontage Standards (1) Figure 9.07.096-10

| | | |
|----------|--|---|
| A | Elevation of Ground Floor | The ground floor elevation shall be located near the elevation of the sidewalk to minimize the need for external steps and external ADA ramps at public entrances. |
| B | Minimum Ground Floor Interior Height | 12 feet minimum (floor-to-floor height) (Commercial Ready) |
| C | Ground Floor Unit Entrances | All ground floor tenant spaces that have street frontage shall have entrances on a facade fronting a street. All other ground floor uses may have a common lobby entrance along the front facade or private entrances along other facades. |
| | Upper Floor Unit Entrances | Entrances to upper floor units may be provided through a common lobby entrance and/or by a common entrance along a facade fronting a street. |
| | Recessed Entrances | Entrances may be recessed into the facade. |
| D | Ground Floor Windows | At least 40% of the surface area of the ground floor facade (2) shall be occupied by windows (3) . |
| E | Upper Floor Windows | At least 25% of the surface area of each upper floor facade (2) shall be occupied by windows (3) . |
| F | Awnings and Marquees | Awnings or marquees may be provided over storefront windows and entrances. Awning and marquees may project up to 6 feet from the facade and extend over the sidewalk provided that at least 8 feet of vertical clearance is provided. |
| G | Projecting Elements (Balconies, Roof Overhangs, Shade Structures, and Bay Windows) | Projecting Elements on upper floors may project three feet from the facade and project into the setback. |
| H | Sidewalk and Setback Treatment | The public sidewalk shall be improved with street trees with an average spacing of 30' on-center and pedestrian-scaled street lights (no taller than 14 feet). If the front facade is setback from the public sidewalk, the setback shall be landscaped and/or improved as an extension of the public sidewalk. |

Notes:

- (1) See Section 9.09.250 (Live-Work Development).
- (2) As measured by multiplying the width of the facade by the floor-to-floor height. Opening in the facade (such as entrances to parking facilities or covered outdoor hallways/entrances) shall be subtracted from the surface area calculation.
- (3) All parts of the window (e.g. head, jamb, frame, sash, sill, muntin bars, and panes) that are visible on the elevation drawing shall be included as "window" in the calculation. Portions of the window that are not visible on the elevation drawing (such as a window that is blocked by a solid balcony wall) shall not be included in the calculation).

Figure 9.o.096-10: Live-Work/Office Frontage Standards



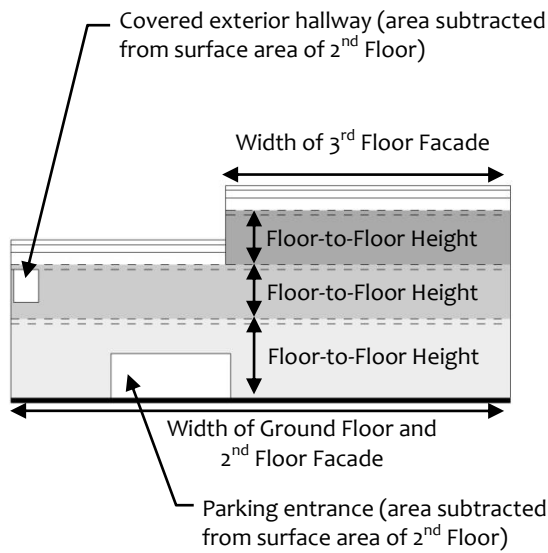
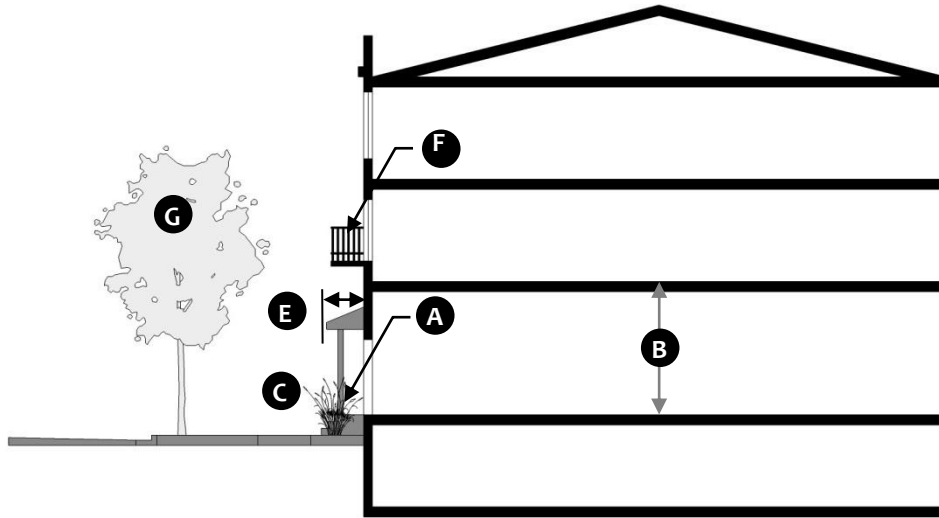
Examples of Live-Work Frontages

| C. Residential Frontage Standards | | Figure 9.07.096-11 |
|--|--|---|
| A | Elevation of Ground Floor | The ground floor elevation shall be located within 6 feet of the ground surface of the adjacent sidewalk or walkway. |
| B | Minimum Ground Floor Ceiling Height | 10 feet minimum (floor-to-floor height) |
| C | Ground Floor Unit Entrances | Entrances to ground floor units that have street frontage may be provided through a common lobby entrance and/or by private entrances from the adjacent sidewalk. |
| | Upper Floor Unit Entrances | Entrances to upper floor units may be provided through a common lobby entrance and/or by a common entrance along a facade fronting a street. |
| | Recessed Entrances | Entrances may be recessed into the facade. |
| D | Ground and Upper Floor Windows | At least 25% of the surface area of the ground and upper floor façade (1) shall be occupied by windows (2) . |
| E | Stoops and Front Porches | Stoops and front porches may be provided in front of building and unit entrances. Stoops and front porches may project up to 5 feet from the facade and project into the setback. |
| F | Projecting Elements (Balconies, Roof Overhangs, Shade Structures, and Bay Windows) | Projecting Elements on upper floors may project 3 feet from the facade and project into the setback. |
| G | Sidewalk and Setback Treatment | The public sidewalk shall be improved with street trees with an average spacing of 30 feet on-center and pedestrian-scaled street lights (no taller than 14 feet). If the front facade is setback from the public sidewalk, the setback shall be landscaped (excluding stoops/front porches and paved paths to building entrances). |

Notes:

- (1)** As measured by multiplying the width of the facade by the floor-to-floor height. Opening in the facade (such as entrances to parking facilities or covered outdoor hallways/entrances) shall be subtracted from the surface area calculation.
- (2)** All parts of the window (e.g. head, jamb, frame, sash, sill, muntin bars, and panes) that are visible on the elevation drawing shall be included as “window” in the calculation. Portions of the window that are not visible on the elevation drawing (such as a window that is blocked by a solid balcony wall) shall not be included in the calculation).

Figure 9.07.096-11: Residential Frontage Standards



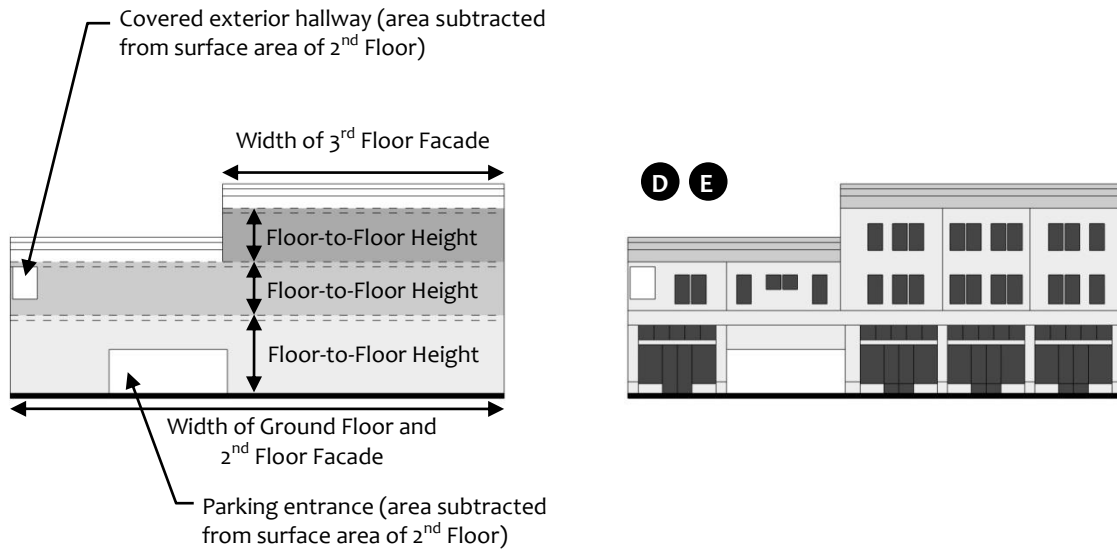
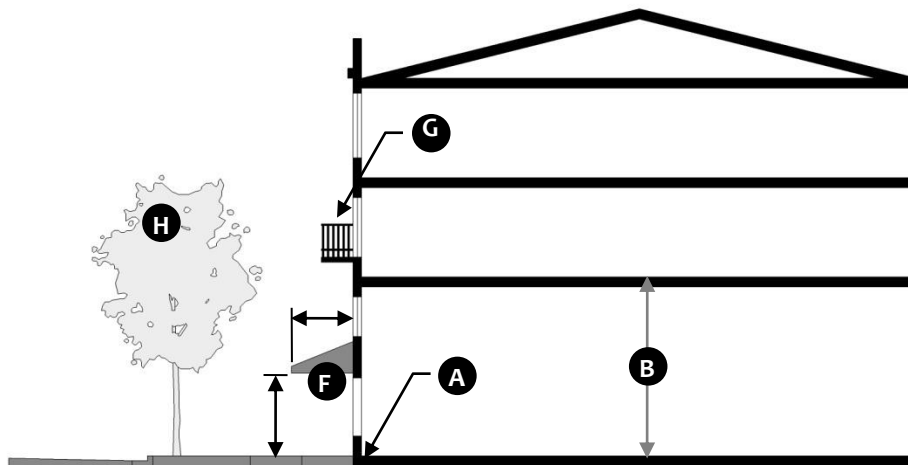
Examples of Residential Frontages

| D. Storefront Standards | | Figure 9.07.096-12 |
|--------------------------------|--|---|
| A | Elevation of Ground Floor | The ground floor elevation shall be located near the elevation of the sidewalk to minimize the need for external steps and external ADA ramps at public entrances. |
| B | Minimum Ground Floor Ceiling Height | 15 feet minimum (floor-to-floor height) (Commercial Ready) |
| C | Storefront Entrances | All ground floor tenant spaces that have street frontage shall have storefront entrances on the facade fronting a street. |
| | Lobby Entrances | Lobby entrances to upper floor uses shall be located on a facade fronting a street. |
| | Recessed Entrances | Storefront and lobby entrances may be recessed into the facade. |
| D | Ground Floor Windows | At least 50% of the surface area of the ground floor façade (1) shall be occupied by windows (2) . |
| E | Upper Floor Windows | At least 25% of the surface area of each upper floor facade ¹ shall be occupied by windows ² . |
| F | Awnings and Marquees | Awnings or marquees are required over storefront windows and entrances. Awning and marquees may project up to 6 feet from the facade and extend over the sidewalk provided that at least 8 feet of vertical clearance is provided. |
| G | Projecting Elements (Balconies, Shade Structures, and Bay Windows) | Projecting Elements on upper floors may project 3 feet from the facade and project into the setback. |
| H | Sidewalk and Setback Treatment | The public sidewalk shall be improved with street trees with an average spacing of 30 feet on-center and pedestrian-scaled street lights (no taller than 14 feet). If the front facade is setback from the public sidewalk, the setback shall be improved as an extension of the public sidewalk. |

Notes:

- (1)** As measured by multiplying the width of the facade by the floor-to-floor height. Opening in the facade (such as entrances to parking facilities or covered outdoor hallways/entrances) shall be subtracted from the surface area calculation.
- (2)** All parts of the window (e.g. head, jamb, frame, sash, sill, muntin bars, and panes) that are visible on the elevation drawing shall be included as “window” in the calculation. Portions of the window that are not visible on the elevation drawing (such as a window that is blocked by a solid balcony wall) shall not be included in the calculation).

Figure 9.07.096-12: Storefront Standards



Examples of Storefronts

9.07.097 – Open Space Standards – Publicly-Accessible Open Space

This Section provides standards for publicly accessible open space areas in order to ensure a high level of pedestrian connectivity and activity between the public realm and the private realm, as defined in Chapter 9.15 (Definitions).

- A. Minimum size.** All new nonresidential development shall provide publicly accessible open spaces as a percentage of the total development site area as indicated in Table 9.075.050-10 (Mixed-Use Site Development Standards).
- B. Eligible areas.** Publicly accessible open space areas shall not include parking, driveway, or rear setback areas, but may include front and side setback areas provided that they are integrated into the overall design of the project.
- C. Ground-level installation.** Plazas, courtyards, or other similar publicly accessible open space areas shall be installed at ground level and shall be incorporated into the design of the development.
- D. Visibility and accessibility.** Public open space areas shall be visible and accessible from the public rights-of-way to engage the interest of pedestrians and encourage public use.
- E. Landscaping and hardscapes.** Landscaping shall comply with Chapter 9.17 (Landscape and Water Efficiency Requirements). In addition, a combination of landscape and hardscape materials shall be used in the design of these areas and shall include the following components:
 - 1. Hardscape paving may include brick, stone, interlocking concrete pavers, textured concrete, and/or impressed patterned concrete. Hardscape elements may include, but are not limited to, seating areas, potted plant materials, water features, and public art installations.
 - 2. The balance of the open space areas shall be landscaped with turf, shrubs, or groundcover, and trees. All plant materials shall be in proportion to the height and mass of the building and shall be permanently maintained.
- F. Minimum height to width ratios.** In order to achieve sunlight and air circulation in required publicly accessible open space areas, the following minimum height to width ratios shall be provided:
 - 1. Enclosed Open Space (i.e., open space that is enclosed on four sides, such as a courtyard): 2 to 1 ratio. The required open space shall have a width of at least one-half the height of the adjacent building façade (measured perpendicularly from the façade). This requirement shall apply to all sides of the required open space.
 - 2. Open Space that is open on one or more sides: 3 to 1 ratio. The required open space shall have a width of at least one-third the height of the adjacent building façade (measured perpendicularly from the façade). This requirement shall apply to all sides of the required open space.

G. Design configuration.

1. In the Mixed-Use Institutional Anchor (MUI) Overlay District, sharing of the required publicly-accessible open space (“quasi-public space”) for nonresidential uses and the required common open space for residential uses, indicated in Table 9.07.095-10 (Mixed-Use Overlay District Site Development Standards), may be allowed by the applicable review authority when it is clear that the open space will provide direct benefit to residents of the project and the public in general subject to the following limitations:
 - a. Up to 30 percent of the required open space for residential uses in a horizontal mixed use project may be provided as quasi-public open space within the nonresidential component of the project; or
 - b. Up to 50 percent of the required open space for residential uses in a vertical mixed use project may be provided as quasi-public open space within the nonresidential component of the project.
 - c. The minimum dimension (length and width) of shared common open space areas shall be 20 feet. These areas shall be located at grade and shall be accessible for use by the general public.
 - d. Quasi-public open space areas shall not include outdoor dining areas or other outdoor activity areas for exclusive use by an individual business.
 - e. Quasi-public open space areas are areas located on private property and accessible to the general public. These areas shall include pedestrian oriented amenities, including enhanced seating, lighting, paving, landscaping, public art, water features, and other similar features deemed appropriate by the Community Development Director.
2. Publicly accessible open space areas shall be located and configured as any one of the following:
 - a. Forecourt: The publicly accessible open space area is located along a recessed center section of the front façade of the building as illustrated in Figure 9.07.098-13 (Publicly Accessible Open Space – Forecourt).
 - b. Front: The publicly accessible open space area is located along the street facing frontage of the building as illustrated in Figure 9.07.098-13 (Publicly Accessible Open Space – Front).
 - c. “L” Shaped: The publicly accessible open space area is located along the front and side of the lot as illustrated in Figure 9.07.098-13 (Publicly Accessible Open Space – “L” Shaped).
 - d. Paseo or Central Courtyard: The publicly accessible open space area is located on the side of the building or along a center pedestrian paseo or courtyard as illustrated in Figure 9.07.098-13 (Publicly Accessible Open Space – Paseo or Central Courtyard).

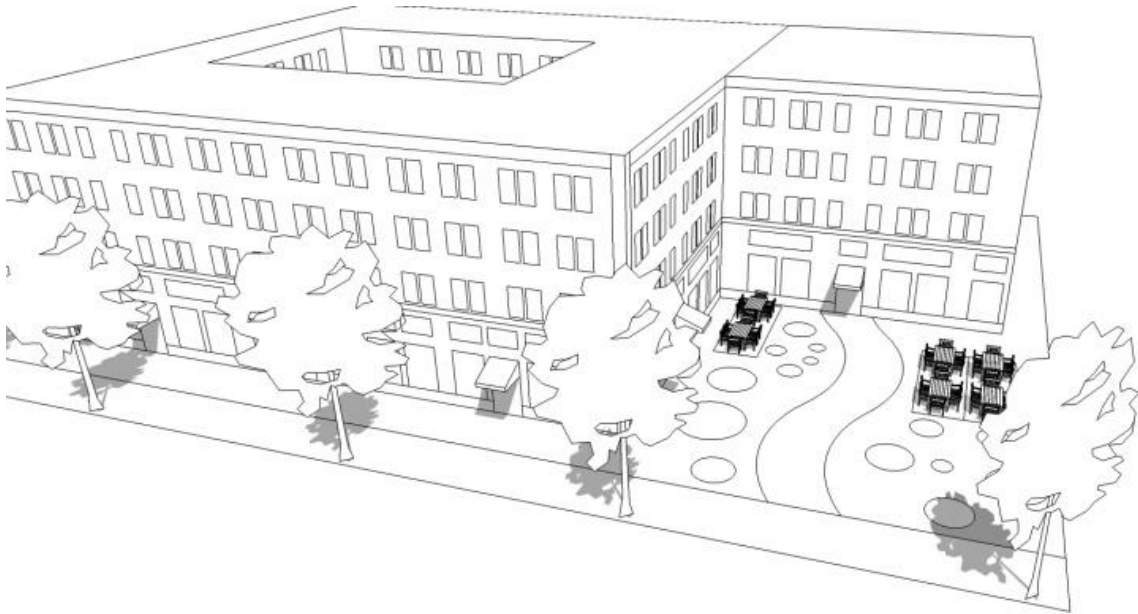
**Figure 9.07.098-13
Publicly Accessible Open Space – Forecourt**



**Figure 9.07.098-13
Publicly Accessible Open Space – Front**



**Figure 9.07.098-13
Publicly Accessible Open Space – “L” Shaped**



**Figure 9.07.098-13
Publicly Accessible Open Space – Paseo or Central Courtyard**



9.07.098 – Open Space Standards – Private/Common Open Space

This Section provides standards for private and/or common open space for residential uses. Private and/or common open space shall be provided in addition to the required publicly accessible open space in Section 9.07.098 (Open Space Standards – Publicly-Accessible Open Space).

A. Required amount of open space.

1. **Minimum required open space.** Private open space and common open space shall be provided in the amounts indicated in Table 9.07.095-10 (Mixed-Use Site Development Standards).
2. **Residential developments.** Private open space and common open space shall be provided on a per unit basis for residential projects and shall be a combination of the total required space divided between private areas (e.g., balconies, patios, etc.) and common areas (e.g., courtyards, playgrounds, recreation facilities, multi-purpose rooms, etc.) designed for the common use of residents as specified below.
3. **Nonresidential or mixed-use developments.** Private open space and common open space shall be provided as a percentage of the total lot area for nonresidential projects and may be used to provide site amenities such as rooftop decks, courtyards, or similar features. Mixed use developments shall combine the residential standards and the nonresidential standard to satisfy this provision.

C. **Exclusive use.** Private and common open space areas shall be located and designed for the exclusive use of the residents or tenants of the property and their guests and shall not be publicly accessible, except in the Civic Center Mixed-Use (CVMU) Overlay District and the Medical Center Mixed-Use (MDMU) Overlay District where sharing of the required publicly accessible open space (“quasi-public space”) for nonresidential uses and the required common open space for residential uses may be allowed in compliance with Subsection 9.07.098.G. (Open Space Standards – Publicly Accessible Open Space – Design configuration).

D. **Types of open space.** A combination of private and common open space shall be provided to satisfy the following requirements:

1. Common open space amenities shall include, but are limited to, one or more of the following amenities: courtyards, plazas, tennis courts, swimming pools, spas, permanently equipped gym/exercise rooms, or other permanent amenity. Rooftop decks and terraces may be used to satisfy this requirement, however, these areas shall be easily accessible to all residents within the building, and face the public rights-of-way where possible.
2. Private open space areas may include balconies, patios, terraces, or rooftop decks. These areas shall be integrated into the overall architectural design of the building. Architectural elements (e.g., railings, trellises, short walls, roof-top enclosures, etc.) shall be consistent with the architectural style of the structure to which they are attached.

E. **Materials and design.** Open space areas shall be constructed of permanent materials and be permanently integrated into the design of the building.

F. Building height to open space width ratios. In order to achieve sunlight and air circulation in outdoor common open space areas, the following building height to open space width ratios are required:

1. Enclosed Open Space (i.e., open space that is enclosed on four sides, such as a courtyard): 1 to 1 ratio.
The required open space shall have a width of at least one-half the height of the adjacent building façade (measured perpendicularly from the façade). This requirement shall apply to all sides of the required open space.
2. Open Space that is open on one or more sides: 2 to 1 ratio. The required open space shall have a width of at least one-third the height of the adjacent building facade (measured perpendicularly from the façade). This requirement shall apply to all sides of the required open space.

9.07.099 – Lot Area Requirements and Lot Consolidation Incentives

A. Lot area requirements. In addition to the lot area requirements provided in Table 9.07.095-10 (Mixed-Use Site Development Standards), the size and shape of each newly created lot shall be adequate to allow the full development of the allowed uses in a manner consistent with the following:

1. Adequate provision shall be made to promote safe and orderly access and circulation of pedestrian and vehicular traffic within the site and from public streets and adjacent developments;
2. Adequate provision shall be made for buildings to be sited to allow for functional use of space between structures and to provide areas for parking, access, and landscaping;
3. Adequate provision shall be made to ensure the compatibility of the site development with surrounding development in regard to size, scale, building and site design, and limitation of overshadowing effects; and
4. The proposed development shall not limit or adversely affect the growth and development potential of adjacent properties or the general area in which the proposed development will be located.

B. Lot consolidation incentives.

1. **Allowable incentives for lot consolidation.** In order to encourage the assembly of smaller existing lots into larger lots that can be more efficiently developed into a mixed-use project, the following incentives are offered:
 - a. Reduction in required parking for a mixed-use project when approved in compliance with Section 9.11.070 (Adjustments to Off-Street Parking requirements).
 - b. Increase in maximum floor area ratio (FAR), up to a maximum of 10 percent.
 - c. Reduction in common and/or private open space requirements, up to a maximum of 10 percent.

2. Eligibility for incentives.

- a. Consolidation of existing small lots into a development project site of one acre or greater up to two acres shall be eligible for any two of the allowable incentives identified above.
- b. Consolidation of existing small lots into a development project site of two acres or greater shall be eligible for any four of the allowable incentives identified above.

Addition of the following three new uses to the existing Chapter 9.09 - Specific Use Development:

Sections:

- 9.09.250 – Live-Work Development**
- 9.09.260 – Mixed-Use Development**
- 9.09.270 – Outdoor Dining**

9.09.250 – Live-Work Development

This Section provides operational and compatibility standards for the development of live/work units. These standards are in addition to the standards for live-work development provided in Chapter 9.07.090 (Mixed-Use Overlay Districts).

A. Allowed Uses.

1. The nonresidential component of a live/work unit shall only be a nonresidential use allowed within a mixed-use overlay district, except that certain uses are determined to be not appropriate within a residential environment and are therefore prohibited as provided in subsection B, below.
2. The residential component of a live/work unit shall only be a residential use allowed within a mixed-use overlay district.

B. Prohibited Uses. A live/work unit shall not be used for any of the following activities or similar activities as determined by the Community Development Director:

1. Adult-oriented businesses;
2. Animal care or boarding;
3. Classroom instruction (e.g., art/music lessons, tutoring, and similar uses) involving five or more students at any one time;
4. Commercial food preparation activities;
5. Industrial uses;
6. Vehicle maintenance or repair (e.g., body or mechanical work, including boats and recreational vehicles), vehicle detailing and painting, upholstery, etc;
7. Storage of flammable liquids or hazardous materials beyond that normally associated with a residential use;
8. Medical and dental offices, clinics, and laboratories (not including chiropractors or counselors/psychotherapists);
9. Activities or uses that are not compatible with residential activities or that would clearly conflict with other live/work activities or the character of the surrounding neighborhood as determined by the Community Development Director; and

10. Activities or uses that would adversely affect the health or safety of live/work unit residents, because of dust, glare, heat, noise, noxious gases, odor, smoke, traffic, vibration, or other impacts, or that would be hazardous because of materials, processes, products, or wastes.

C. Site Planning and Design Standards.

1. Each live/work unit fronting a public right-of-way shall have a pedestrian-oriented frontage that allows views into the interior of the nonresidential areas of the unit.
2. Each live/work unit shall have a clearly identified, separate access from other live/work units within the structure or development. Access to individual units shall be from common access areas, parking lots, or walkways. Access to each unit shall be clearly identified to provide for emergency services.
3. The living space within the live/work unit shall be contiguous with the working space, with direct access between the two areas.

D. Operational standards.

1. No portion of a live/work unit shall be separately sold or rented.
2. The owner or developer of a structure containing live/work units shall provide written notice to all occupants, tenants, and users that the surrounding area may be subject to higher impacts associated with nonresidential uses (e.g., noise) than exist in more predominantly residential areas. Performance standards for live/work units shall be those applicable to nonresidential uses allowed in the zoning district in which the live/work units are located.
3. All activities related to the "work" component of a live/work unit shall be conducted within a completely enclosed building.
4. Up to two additional persons who do not reside in the live/work unit may work in the unit.
5. Client and customer visits to live/work units are allowed.
6. Parking for each live/work unit shall be provided in compliance with Chapter 9.11 (Parking, Pedestrian, and Loading Requirements).
7. A live/work unit shall not be converted to either entirely residential use or entirely nonresidential use.
8. A live/work use may display a window or building-mounted sign up to a maximum of five percent of the building frontage area used for commercial purposes. Signs shall not be illuminated, including neon signs.

9.09.260 – Mixed-Use Development

This Section provides operational and compatibility standards for mixed-use development. These standards are in addition to the standards provided in Chapter 9.07.090 (Mixed-Use Overlay Districts).

A. Operational standards.

- 1. Hours of operation.** Outdoor nonresidential uses in mixed-use projects shall be prohibited from operating between the hours of 10:00 p.m. and 7:00 a.m. These hours may be modified through approval of a Conditional Use Permit in compliance with Section 9.02.060 (Conditional Use Permits).
- 2. Joint tenants and owners association.**
 - a. A joint tenants and owners association shall be formed to ensure the well-being of each tenant and owner in a mixed-use project.
 - b. The association bylaws, including voting rights, shall be subject to review by the City Attorney and approval by the Director. The association's bylaws shall include the following:
 - (1) Assignment of parking spaces per each use.
 - (2) Identification of maintenance responsibilities for landscaping, parking facilities, and recycling and refuse storage facilities.
 - (3) Noise notification procedures.
 - (4) Relationship between uses regarding association representation.
 - (5) Voting procedures.
 - (6) Procedures for solving problems that may arise between the different types of uses or residents.
- 3. Loading and unloading activities.** Where applicable, the covenants, conditions, and restrictions of a mixed-use project shall indicate the times when the loading and unloading of goods may occur on the street, provided that in no event shall loading or unloading take place after 10:00 p.m. or before 7:00 a.m. on any day of the week.
- 4. Noise notification.**
 - a. Residents, whether owners or tenants, of a mixed-use development project shall be notified in writing before taking up residence that they will be living in an urban type of environment and that the noise levels may be higher than a typical residential area.
 - b. The covenants, conditions, and restrictions of a mixed-use project shall require that the residents acknowledge their receipt of the written noise notification. Their signatures shall confirm receipt and understanding of this information.

B. Fences and walls. In addition to the regulations in Section 9.08.070 (Fences and Walls), fences and walls shall be subject to the following regulations:

1. Separation wall required. A masonry separation wall shall be constructed on all property lines adjacent to any single-family residential district. Pedestrian access points are encouraged and may be allowed subject to approval of the Community Development Director. The separation wall shall be six feet in height, as measured from the highest elevation of land contiguous to the wall, except in a required front setback area and in a required exterior side setback area for a corner, reverse corner or key lot, where the wall shall be limited to 36 inches in height.

2. Other fences and walls. Fences and walls are allowed in any yard area subject to the following height regulations:

- a. Front yard area. In the front yard area, the height shall be limited to 36 inches.
- b. Street side yard. In street side yard areas, the height shall be limited to 36 inches.
- c. All other areas. In all other areas, the height shall be limited to six feet, as measured from the side of the fence or wall with the highest grade.

3. Location. All perimeter fences and walls shall be constructed on the property line unless a different location is permitted by the Community Development Director. No parallel wall or fence shall be constructed less than five feet from an existing wall or fence, unless approved by the Community Development Director.

4. Materials.

- a. Chain link fencing shall not be erected between a primary or accessory structure and a public or private street, except that chain link fencing may be used for security purposes for public utility structures and for temporary fencing needs (construction sites, special events, vacant lots, etc.).
- b. Barbed wire and concertina wire are prohibited, except at public utility structures.

C. Landscaping. Landscaping shall comply with Chapter 9.17 (Landscape and Water-Efficiency Requirements).

D. Screening and buffering standards. Mechanical and air-conditioning equipment shall be screened and buffered in compliance with Section 9.10.130 (Mechanical and Electrical equipment).

E. Signs. Signs shall comply with Chapter 9.12 (Sign Regulations). In addition, in a mixed-use overlay district where both residential and nonresidential uses are allowed, the signage rights and responsibilities applicable to a particular use shall be determined as follows: residential uses shall be treated as if they were located in the residential area where that type of use would be allowed as a matter of right, and nonresidential uses shall be treated as if they were located in a district where that particular use would be allowed, either as a matter of right or subject to a discretionary process.

I. Trash and recycling enclosures.

1. Recycling and refuse storage facilities shall be located as far away as possible from residential units and shall be completely screened from view from adjacent residential portions of the project or another adjacent residential uses in compliance with Section 9.08.150 (Screening Requirements).
2. The location and design of recycling and refuse storage facilities shall mitigate nuisances from odors when residential uses might be impacted.
3. The location and design of recycling and refuse storage facilities shall be integrated into and be compatible with the architectural design and details of the overall project.

J. Sound mitigation. Residential dwelling units shall be designed to be sound attenuated against present and future project noise. New projects or new nonresidential uses in existing projects shall provide an acoustical analysis report, by an acoustical engineer, describing the acoustical design features of the structure required to satisfy the exterior and interior noise standards.

K. Design criteria.

1. A mixed-use development project shall be designed and constructed to:
 - a. Be pedestrian in its focus by:
 - i. Providing direct pedestrian linkages to adjacent public sidewalks.
 - ii. Creating enhanced pedestrian connections throughout the project between residential and nonresidential uses and parking areas.
 - iii. Providing enhanced pedestrian amenities throughout the project, including seating, pedestrian area lighting, special paving, public art, water features, common open space, directories, and similar items to create a pleasant pedestrian experience.
 - iv. Incorporating architectural design elements and materials that relate to a pedestrian scale.
 - b. Locate uses in proximity to one another without large intervening parking lots so that it is convenient for people to walk between the various uses and park their vehicles only once.
 - c. Create a pedestrian scale and character of development along the street by providing significant wall articulation and varying roof heights, incorporating pedestrian scale elements (e.g., doors, windows, lighting, landscaping), and locating storefronts and common open space areas (e.g., plaza, courtyard, outdoor dining) near the public sidewalk to contribute to an active street environment.
 - d. Provide a transition to adjacent residential uses –in compliance with the standards provided in Table 9.075.050-10 (Mixed-Use Overlay District Development Standards).
2. Consistent use of architectural details and materials. Architectural style and use of quality materials shall be compatible and consistent throughout an entire mixed-use project. However, differences in architectural details and materials may occur to differentiate between the residential and nonresidential portions of the project. The overall project

design and site layout shall be one that promotes a strong pedestrian environment and active street frontage. This can be accomplished by incorporating features into the project as outlined in Paragraph 3, below.

3. Features.

- a. Street level features. Variations in the front building plane shall be incorporated through the use of varying building setbacks, variations in wall planes, and the inclusion of pedestrian amenities (e.g., plaza, courtyard, outdoor dining, landscaping). Long expanses of blank walls shall be prohibited.
- b. Pedestrian-oriented features. At least 75 percent of the building frontage facing a public street, primary pedestrian way, or parking lot shall be devoted to pedestrian-oriented features (e.g., storefronts, pedestrian entrances to nonresidential uses; transparent display windows; landscaping).
- c. Upper level features. Upper floor balconies, bays, and windows shall be provided whenever opportunities exist for these types of features.
- d. Entrances. When nonresidential and residential uses are located in a vertical mixed use structure, separate pedestrian entrances shall be provided for each use. The entrances for nonresidential uses shall be designed to be visually distinct from the entrances for residential uses. Entrances to individual residential units in a vertical mixed use project shall not be allowed along a street frontage. Instead shared entrances to residential units located above the ground floor shall be from lobbies that serve multiple units.
- e. Neighborhood interface. The design of new infill development shall be sensitive to the scale and design characteristics of established structures in abutting residential neighborhoods, with the objective of achieving a harmonious transition between the new development and existing neighborhood. Consideration shall be given to factors including, but not limited to, orientation of architectural features, building articulation, and exterior building treatments.
- f. Lighting. Lighting shall be incorporated along sidewalks or other pedestrian walkways, plazas, paseos, courtyards, and other common open areas to enhance the pedestrian environment and increase public safety. Lighting for nonresidential uses shall be designed, located, and shielded to ensure that they do not adversely impact the residential uses, but shall provide sufficient illumination for access and security purposes consistent with the provisions of Section 9.08.100 (Lighting).
- g. Security. Projects shall be designed to minimize security risks to residents and to minimize the opportunities for vandalism and theft. This may be accomplished by:
 - i. Maximizing visibility to common open space areas, internal walkways, and public sidewalks. Use opportunities for natural surveillance to increase visibility.
 - ii. Using walkways, low fences, lighting, signage, and landscaping to clearly guide people and vehicles to and from the proper entrances.
 - iii. Eliminating areas of concealment, hiding places, and dead spaces.
 - iv. Using lighting to improve the visibility of common areas while enhancing the pedestrian environment. Lighting should not be overly bright and should provide a uniform level of light over the subject area to eliminate dark spaces.

9.09.270 – Outdoor Dining

This Section provides standards for outdoor dining areas.

A. Public property. Outdoor dining on public property shall require approval of an encroachment permit by the Public Works Director and compliance with the standards of the Public Works Department.

B. Private property. Outdoor dining on private property shall comply with the following standards:

1. **Coordinated design scheme.** The design and appearance of proposed improvements or furniture (e.g., tables, chairs, benches, umbrellas, planters, menu boards, etc.) to be placed in an outdoor dining area shall present a coordinated theme and shall be compatible with the appearance and design of the primary structure, as determined by the Director.
2. **Hours of operation.** Hours of operation for outdoor dining areas shall coincide with those of the associated indoor restaurant.
3. **Property maintenance.** The operator shall maintain the outdoor dining area(s) in a neat, clean, and orderly condition at all times. This shall include all tables, benches, chairs, displays, or other related furniture. An adequate number of trash receptacles shall be provided to serve the outdoor dining area.
4. **Outdoor bar prohibited.** A bar designed and/or operated to sell or dispense any alcoholic beverages shall not be allowed in the outside dining area.
5. **Location.** Outdoor dining areas may be allowed to locate in required setback areas but shall not encroach into required parking areas. They may be allowed to encroach into a public right-of-way with an approved Encroachment Permit issued by the City Engineer.
6. **Noise.** Amplified sound (e.g., music, television, etc.) shall not be audible beyond the lot line.

C. Review criteria. When reviewing an application to allow outdoor dining, the review authority shall consider the relation of outdoor dining areas to sensitive noise receptors (e.g., hospitals, schools, and residential uses). Mitigation measures shall be applied to eliminate potential impacts related to glare, light, loitering, and noise.

Addition of “H. Rear Parking” to existing Section 9.11.030 – General Regulations the following:

Chapter 9.11 – Parking, Pedestrian, and Loading Requirements

9.11.030 – General Regulations

H. Rear Parking. Parking in the rear of buildings and service area shall be limited to five percent of the total required off-street parking, except in the mixed-use overlay districts identified in Chapter 9.075 (Mixed-Use Overlay Districts).

Table 9.11.040A-12 in Section 9.11.040 – Off-Street Parking Requirements for Residential Uses will be replaced with the following table:

Table 9.11.040A-12

Off-Street Parking Requirements

| Use | Requirement | Covered Parking | Notes |
|--|---|--|--|
| Residential Uses | | | |
| Single-family | 2/unit | Within an enclosed garage | |
| Second units | 2/unit | Carport or garage | |
| Duplex | 2/unit | Within an enclosed garage | |
| 3 or more units: Studio 1 bedroom 2 bedrooms 3+ bedrooms | 1.25/unit 1.5/unit 2.0/unit 2.5/unit | 1 covered/unit 1 covered/unit 1 covered/unit 2 covered/unit | Guest parking is required for all units at 0.25 spaces/unit. Guest parking is included in the minimum required parking standard. |
| Senior housing: Studio 1 bedroom 2+ bedrooms | 1.0/unit 1.25/unit 1.5/unit | 1 covered/unit 1 covered/unit 1 covered/unit | Guest parking is required for all units at 0.25 spaces/unit. Guest parking is included in the minimum required parking standard. Alternate parking requirements may be permitted subject to approval of a parking study pursuant to Section 9.11.070(A) of this chapter. |
| Mobile home parks | 2.5/unit | | Tandem spaces may be used to meet resident parking requirements. |

| | | | |
|--|--|--|---|
| Residential care homes | Parking requirements shall be determined by the community development director subject to an approved parking study. | | |
| Live-Work Units (residential component) | 2/unit | 2 covered/unit | Guest parking is required for all units at 0.25 spaces/unit. Guest parking is NOT included in the minimum required parking standard and can be shared with the business aspect of the "Live-Work" parking standard. |
| Residential Component of Mixed-Use Project | See Multiple-Family requirements in Table 9.11.040A-12 | See Multiple-Family requirements in Table 9.11.040A-12 | Guest parking is required for all units at 0.25 spaces/unit. Guest parking is included in the minimum required parking standard and may be shared with the non-residential component. Alternate parking requirements may be permitted subject to approval of a parking study pursuant to Section 9.11.070(A) of this chapter. |

Table 9.11.040B-12 in Section 9.11.040 – Off-Street Parking Requirements for Commercial Uses will be replaced with the following table:

**Table 9.11.040B-12
Off-Street Parking Requirements**

| Commercial Uses | Requirement | Notes |
|---|-----------------------------------|--|
| General retail (unless specified elsewhere) | 1/225 sq. ft. of gross floor area | |
| Automobile, boat, mobile home, or trailer sales, retail nurseries, or other similar outdoor commercial activities | 1/2,000 sq. ft. of display area | 1. Display area shall include all office, service and repair, or other related activities and areas that are accessible to the public. |

| Commercial Uses | Requirement | Notes |
|---|---|--|
| | | 2. No required off-street parking spaces shall be used for display, sales, service or repair of vehicles. |
| Automobile service stations, repair and service facilities | 2 spaces + 4/service bay for 4 or less bays and 2/service bay for 5 or more bays | Any related retail activities shall be subject to the general retail parking standards (mini-markets, tire sales, and the like). |
| Automobile washing and waxing establishments: Self-serve Automated | 2 spaces + 2/washing stall 10 + 1 per 2 employees | |
| Business and professional offices | 1/250 sq. ft. of gross floor area | |
| Banks, savings and loans and medical/dental offices | 1/225 sq. ft. of gross floor area | |
| Day care center | 1/employee + 1/500 sq. ft. of gross floor area | Special design requirements shall apply for bus loading or parent drop-off points. |
| Eating and Drinking Establishments | 1/100 sq. ft. of gross floor area up to 6,000 sq. ft. 1/75 sq. ft. of gross floor area over 6,000 sq. ft. | A minimum of 10 spaces required for stand-alone use. No additional parking required if outdoor dining area comprises no more than 15 percent of the interior gross floor area of the primary food service use; If outdoor dining area is over 15%, 1 space for every 60 sq ft or 1 space for every 3 seats, whichever is greater. |
| Eating and drinking establishments within shopping centers of 25,000 square feet of building area or greater. | 1/225 sq. ft. of gross floor area up to 15% of the shopping center gross building square footage. | Eating and drinking establishments within shopping centers of 25,000 square feet of building area or greater. |

The NEW Section 9.11.060 - Off-street bicycle parking requirements will read as follows:

9.11.060 – Off-Street Bicycle Parking Requirements

A. Type of Facilities.

1. Class 1 Facilities. Class 1 bicycle facilities required pursuant to the provisions of this chapter are intended for long-term parking, and shall be protected against theft of the entire bicycle and of its components and accessories.
2. Class 2 Facilities. Class 2 facilities are intended for short-term parking, and shall include a stationary object to which the owner or operator can lock the frame and both wheels with a user-provided lock. The facility shall be designed so as to protect the lock from physical assault.
3. Class 3 Facilities. Class 3 facilities are also intended for short-term parking, and shall include a stationary object to which the user can lock the frame and both wheels with a user-provided six-foot cable (or chain) and lock.

B. Number of Parking Spaces Required.

1. Bicycle parking spaces shall be provided in all commercial, office and industrial districts equal to five percent of the required automobile parking spaces, with a minimum of two bicycle parking stalls required for any one use.
2. Single and Multiple-family residences are exempt from this section.

C. Class Requirements. All required bicycle parking spaces shall include a Class 2 or 3 facility, except elementary and junior high schools, which shall include an enclosed Class 1 facility.

D. General Requirements.

1. All bicycle spaces shall be located as close as possible to the entrance(s) of the use that they are intended to serve, but situated as not to obstruct primary pedestrian circulation. If this is not possible, signs should be posted to direct bicyclists to the bike parking.
2. All bicycle facilities shall be located in highly visible areas to minimize theft and vandalism.
3. All bicycle parking and storage areas shall be surfaced so as to keep the area in a dust-free condition. Pervious pavement is recommended.
4. A minimum aisle width of five feet shall be provided between and adjacent to rows of bicycle racks or spaces for access and pedestrian pathways.
5. Bicycle parking areas shall be separated from automobile parking areas by a physical barrier of sufficient identification and distance to protect parked bicycles from damage by cars.
6. Signage should be posted to direct bicyclists to the locations of bicycle racks that may not be readily apparent. Similarly, signs indicating the location of bicycle parking should be posted wherever a NO BICYCLE PARKING sign is posted.

The addition of the Mixed-Use Overlay District has provided new development terms to the Municipal Code. The list below will be added into the current definitions section in alphabetic order:

Chapter 9.15 – Definitions [New]

9.15.030 – Definitions

The following terms shall be added to Chapter 9.15 (Definitions).

Block. The aggregate of lots, pedestrian passages, and rear alleys, circumscribed on all sides by streets.

Block Length. The linear dimension of a block along one of its street frontages.

Block Perimeter. The aggregate dimension of a block along all of its street frontages.

Build-to-Zone. The area between the minimum and maximum setbacks within which the principal building's front façade (building façade line) is to be located. See Figure 9.15.030-1 (Build-to-Zone).

**Figure 9.15.030-1
Build-To-Zone**

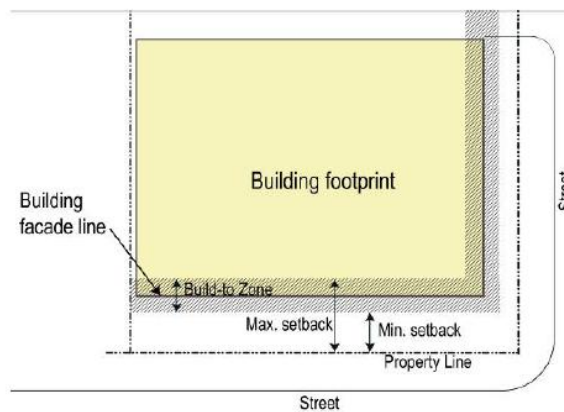


Illustration indicating the location of the build-to zone relative to the minimum and maximum setbacks and the building façade line

Building Façade Line. The vertical plane along a lot where the building's front façade is actually located. See Figure 9.15.030-1 (Build-to-Zone).

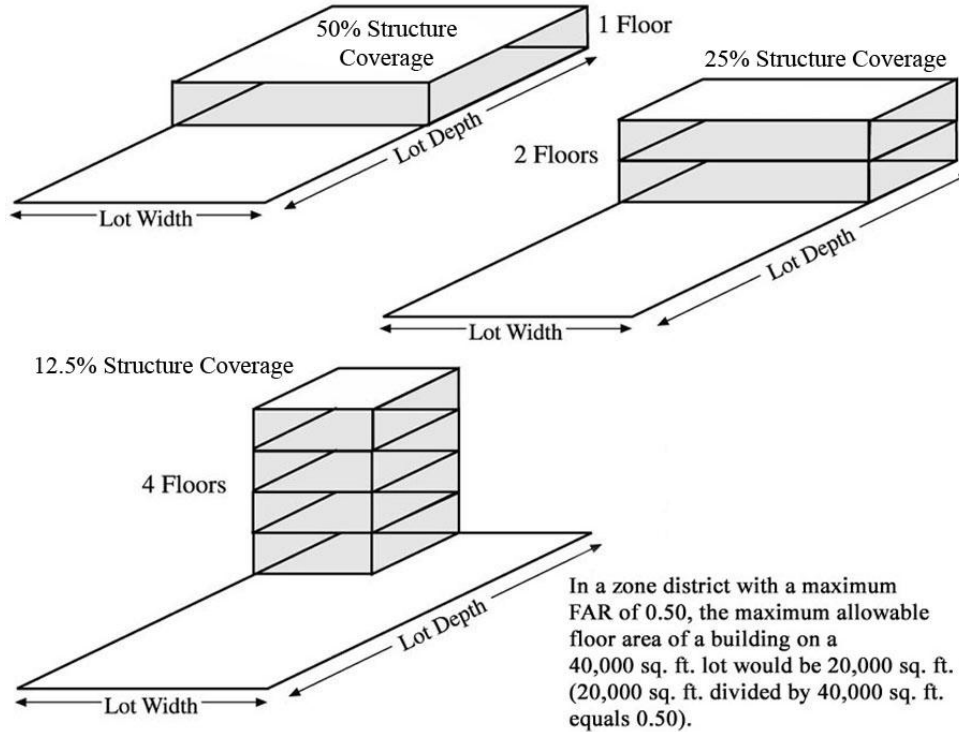
Commercial-Ready Space. Ground floor interior space constructed with a minimum height as established in Section 9.075.060 (Building Frontage Type Standards) that may be used for either residential or nonresidential uses. The intent of Commercial-Ready space is to provide flexibility so that a space can be converted between residential and nonresidential uses in response to market demand.

Floor Area Ratio (FAR). The mathematical relation between volume of building and unit of land expressed as the ratio of gross floor area of all structures on a lot to total lot area. See Table

9.075.050-10 (Mixed-Use Development Standards) for FAR figures applicable to the mixed-use overlay districts. See Figure 9.15.030-2 (Floor Area Ratio).

Figure 9.15.030-2: Floor Area Ratio

Possible Building Configurations for 0.50 FAR



NOTE: Variations may occur if upper floors are stepped back from ground level lot coverage.

$$\text{Floor Area Ratio (FAR)} = \frac{\text{Gross Building Area (All Floors)}}{\text{Lot Area}}$$

Integration of uses. Potential ways to integrate uses allowed in mixed-use development include:

1. Vertical integration. A mix of nonresidential uses (i.e., commercial, retail, and/or office) located on the ground floor with residential dwelling units located above.
2. Horizontal integration. A mix of nonresidential uses located on the primary street frontage of a lot and residential uses located at the rear of a lot.

Live-Work. A structure or complex of structures that integrates space for both residential and nonresidential uses within individual units.

Live/Work Unit. A unit with both residential and nonresidential uses and where neither use is subordinate to the other.

Mezzanine. An intermediate floor between main floors of a building. The floor often projects from the walls and does not completely close the view of the ceiling from the floor immediately below. A mezzanine floor and the floor below it share the same ceiling.

Mixed-Use Vertical Development. Development that combines two or more types of land uses (e.g., residential, commercial, office, industrial, institutional, or recreation) in a single building in a vertical configuration, typically with residential uses located above nonresidential uses.

Mixed-Use Horizontal Development. Development that combines two or more types of land uses (e.g., residential, commercial, office, industrial, institutional, or recreation) on a single development site, but not necessarily in the same building, typically nonresidential uses are located adjacent to the street and residential uses are located away from major streets behind nonresidential uses.

Mixed-Use Overlay District. A land use designation (zoning district) that allows a combination of uses, which may include residential, commercial, office, industrial, institutional, or recreational uses.

Podium Parking. Parking spaces that are covered by the ground floor of a building and are completely enclosed by walls. Podium parking may occur at or below the grade of the adjacent sidewalk.

Private Realm. Any privately-owned property.

Public Realm. Any publicly owned streets, roadways, sidewalks, parks, plazas, and other open spaces that comprise the shared space of a city for its visitors, employees and residents. It is the space between buildings where civic interaction occurs and is defined in contrast to private property.

Surface Parking. Parking spaces that are not covered by a building and are not enclosed by walls. Surface parking is also known as a “parking lot”.

Tuck-Under Parking. Parking spaces that are covered by the upper floor of a building, but are otherwise open.

Underground Level. That portion of a structure between the floor and ceiling which is wholly or partly below grade and having more than one half of its height below grade.

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Permitted Uses Table 9.02.020-1

X - Indicates stated use is permitted subject to district requirements.
 C - Indicates stated use is allowed with a conditional use permit.
 ◆ - Indicates a use is permitted unless the use is located three hundred (300) feet or less from a residential zone or use, in which case the use is allowed with a conditional use permit. However, the expansion of an existing general manufacturing use is allowed without a conditional use permit regardless of its distance from residential zones or residential uses.
 A - Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

| | Residential Zones | | | | | | | | | | | Mixed Use Overlay | | | Commercial & Office Zones | | | | | Industrial Zones | | | | | |
|--|-------------------|----|----|-----|----|----|----|------|-----|-----|-----|-------------------|------------|------------|---------------------------|----|----|----|----|------------------|---|---|----|----|-----|
| | HR | RR | R1 | RA2 | R2 | R3 | R5 | RS10 | R10 | R15 | R20 | R30 | MUN (9,11) | MUC (9,11) | MUI (8,10,11) | NC | CC | VC | OC | O | P | I | LI | BP | BPX |

| | | | | | | | | | | | | | | | | | | | | | | | | | | |
|--|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Adult Businesses | | | | | | | | | | | | | | | | | A | | A | A | | A | A | A | A | |
| Agricultural Uses—Crops Only | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X |
| Agricultural (involving structures) | | | | | | | | | | | | | | | | | | | | | | X | | | | |
| Aircraft Landing Facilities | | | | | | | | | | | | | | | | | C | | C | C | C | C | | | | |
| Ambulance Service | | | | | | | | | | | | | | | | | ◆ | | | | ◆ | X | X | X | X | |
| Amusement Parks, Fairgrounds | | | | | | | | | | | | | | | | | ◆ | | | | | X | | | | |
| Animal Raising (see Section 9.09.090 of this title) | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | |
| Appliance and Electronic Repair Shops | | | | | | | | | | | | X | X | X | X | X | | | | | | X | X | | X | |
| Arcades, Video Machines | | | | | | | | | | | | | | | ◆ | X | ◆ | | | | | | | | | |
| Athletic Clubs, Gymsnasiums and Spas | | | | | | | | | | | | X | X | X | X | X | | X | | | | X | X | X | X | |
| Auction Houses | | | | | | | | | | | | | | | | | X | | | | | | | | X | |
| Auditoriums | | | | | | | | | | | | ◆ | ◆ | ◆ | | | ◆ | ◆ | ◆ | ◆ | ◆ | ◆ | ◆ | ◆ | ◆ | |
| Auto Electronic Accessories and Installation | | | | | | | | | | | | | | | | | X | | | | | X | X | | X | |
| Automobile Fleet Storage | | | | | | | | | | | | | | | | | | | | | | X | X | | | |
| Automobile, Motorcycle, Truck, Golf Cart, Recreational Vehicle | | | | | | | | | | | | | | | | | ◆ | | | | | X | X | | | |

Item No. E.2

-573-

Permitted Uses Table 9.02.020-1

X - Indicates stated use is permitted subject to district requirements.
 C - Indicates stated use is allowed with a conditional use permit.
 ◆ - Indicates a use is permitted unless the use is located three hundred (300) feet or less from a residential zone or use, in which case the use is allowed with a conditional use permit. However, the expansion of an existing general manufacturing use is allowed without a conditional use permit regardless of its distance from residential zones or residential uses.
 A - Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

| | Residential Zones | | | | | | | | | | | Mixed Use Overlay | | | Commercial & Office Zones | | | | | Industrial Zones | | | | | | |
|--|-------------------|----|----|-----|----|----|----|------|-----|-----|-----|-------------------|------------|------------|---------------------------|----|----|----|----|------------------|---|---|----|----|-----|----|
| | HR | RR | R1 | RA2 | R2 | R3 | R5 | RS10 | R10 | R15 | R20 | R30 | MUN (9,11) | MUC (9,11) | MUI (8,10,11) | NC | CC | VC | OC | O | P | I | LI | BP | BPX | OS |

| | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|--|--|--|--|--|--|--|--|--|--|--|--|--|---|---|---|---|---|---|---|---|---|---|---|---|---|---|--|
| and Boat Sales and Incidental Minor Repairs and Accessory Installations | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Auto Service Stations Accessory uses include convenience store and car wash Minor repairs to include auto/boat/motorcycle/RV (excludes major repair, paint, body work) | | | | | | | | | | | | | | | | ◆ | ◆ | ◆ | ◆ | ◆ | ◆ | ◆ | ◆ | ◆ | ◆ | ◆ | |
| Automotive, Boat, Motorcycle and RV Repair—Minor (includes brake, muffler and tire installation and repair) | | | | | | | | | | | | | | | | ◆ | X | | | | | | X | X | | X | |
| Automotive Paint and Body Repair—Major Engine Overhaul | | | | | | | | | | | | | | | | | ◆ | | | | | | X | | | | |
| Auto Rentals | | | | | | | | | | | | | | | | | X | | | | | | | X | X | X | |
| Auto Supply Stores | | | | | | | | | | | | | X | X | X | X | X | X | | | | | X | X | | X | |
| Bakery Shops | | | | | | | | | | | | | X | X | X | X | X | X | | | | | | | | X | |
| Bakery—Commercial | | | | | | | | | | | | | | | | | | | | | | X | | | | | |
| Banks—Financial Institutions | | | | | | | | | | | | | X | X | X | X | X | X | X | X | | | | | X | X | |
| Barber and Beauty Colleges | | | | | | | | | | | | | X | X | X | X | X | | X | X | | | | X | X | | |

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Permitted Uses Table 9.02.020-1

| X - | Indicates stated use is permitted subject to district requirements. | | | | | | | | | | | | | | | | | | | | | | | | | |
|---|--|----|----|-----|----|----|----|------|-----|-----|-----|-----|-------------------|------------|---------------|---------------------------|----|----|----|---|------------------|---|----|----|----|-----|
| C - | Indicates stated use is allowed with a conditional use permit. | | | | | | | | | | | | | | | | | | | | | | | | | |
| ◆ - | Indicates a use is permitted unless the use is located three hundred (300) feet or less from a residential zone or use, in which case the use is allowed with a conditional use permit. However, the expansion of an existing general manufacturing use is allowed without a conditional use permit regardless of its distance from residential zones or residential uses. | | | | | | | | | | | | | | | | | | | | | | | | | |
| A - | Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met. | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Residential Zones | | | | | | | | | | | | Mixed Use Overlay | | | Commercial & Office Zones | | | | | Industrial Zones | | | | OS | |
| | HR | RR | R1 | RA2 | R2 | R3 | R5 | RS10 | R10 | R15 | R20 | R30 | MUN (9,11) | MUC (9,11) | MUI (8,10,11) | NC | CC | VC | OC | O | P | I | LI | BP | | BPX |
| Boat Sales New and Used Including Repairs and Accessory Installation | | | | | | | | | | | | | | | | | ◆ | | | | | X | | | | |
| Boarding and Rooming Houses | | | | | | | | X | X | X | X | X | X | | | | | | | | | | | | | |
| Bowling Alley | | | | | | | | | | | | | ◆ | ◆ | ◆ | X | X | | | | | | | | | |
| Building Material Sales | | | | | | | | | | | | | | | | | ◆ | | | | | | | | | |
| With outdoor storage | | | | | | | | | | | | | | | | | ◆ | | | | | X | X | | | |
| Building Material Storage Yards | | | | | | | | | | | | | | | | | | | | | | X | | | | |
| Bus, Rail and Taxi Stations | | | | | | | | | | | | | | | ◆ | | ◆ | | | | | | | | | |
| Business Equipment Sales (includes repairs) | | | | | | | | | | | | X | X | X | X | X | X | X | X | | | | | | X | |
| Business Schools | | | | | | | | | | | | X | X | X | X | X | X | X | X | X | | | X | X | X | |
| Business Supply Stores | | | | | | | | | | | | X | X | X | X | X | | X | | | | X | X | | X | |
| Cabinet Shop | | | | | | | | | | | | | | | | | | | | | | X | X | X | X | |
| Caretakers Residence ¹ | | | | | | | | | | | | | | | | ◆ | ◆ | C | ◆ | ◆ | ◆ | ◆ | ◆ | ◆ | ◆ | ◆ |
| Car Wash | | | | | | | | | | | | | | | | X | X | | | | | X | | | | |
| Accessory to auto related use | | | | | | | | | | | | | | | | ◆ | ◆ | | | | | X | | | | |
| Catering Service | | | | | | | | | | | | X | X | X | X | X | X | | | | | | | X | X | |
| Cemetery (Human or Pet) With or Without Accessory Mortuary and Cremation Services (Minimum 10-acre site required) | C | C | C | C | C | C | C | C | C | C | C | | | | | | | | | | | | | | | |
| Churches ² | C | C | C | C | C | C | C | C | C | C | C | ◆ | ◆ | ◆ | ◆ | ◆ | ◆ | C | ◆ | ◆ | ◆ | ◆ | ◆ | ◆ | ◆ | ◆ |

Item No. E.2

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Permitted Uses Table 9.02.020-1

X - Indicates stated use is permitted subject to district requirements.
 C - Indicates stated use is allowed with a conditional use permit.
 ♦ - Indicates a use is permitted unless the use is located three hundred (300) feet or less from a residential zone or use, in which case the use is allowed with a conditional use permit. However, the expansion of an existing general manufacturing use is allowed without a conditional use permit regardless of its distance from residential zones or residential uses.
 A - Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

| | Residential Zones | | | | | | | | | | | | Mixed Use Overlay | | | Commercial & Office Zones | | | | | Industrial Zones | | | | |
|--|-------------------|----|----|-----|----|----|----|------|-----|-----|-----|-----|-------------------|------------|---------------|---------------------------|----|----|----|---|------------------|---|----|----|-----|
| | HR | RR | R1 | RA2 | R2 | R3 | R5 | RS10 | R10 | R15 | R20 | R30 | MUN (9,11) | MUC (9,11) | MUI (8,10,11) | NC | CC | VC | OC | O | P | I | LI | BP | BPX |

| | | | | | | | | | | | | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Clubs | | | | | | | | ♦ | ♦ | ♦ | ♦ | ♦ | ♦ | ♦ | ♦ | ♦ | ♦ | ♦ | ♦ | ♦ | | | | | | C |
| Commercial Radio or Television Stations | | | | | | | | | | | | | | | | | | | | | | | | | | |
| With on-site antenna | | | | | | | | | | | | | | | | | ♦ | | | | | | ♦ | ♦ | ♦ | ♦ |
| Without on-site antenna | | | | | | | | | | | | | | | | | X | | | | | | X | X | X | X |
| Communications Facilities (See Section 9.09.040 of this title) | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Computer Sales and Repairs | | | | | | | | | | | | X | X | X | X | X | | | X | | | X | X | X | X | |
| Contractors Storage Yard | | | | | | | | | | | | | | | | | | | | | | X | | | | |
| Convalescent Homes/Assisted Living | | | | | | | C | C | C | C | C | C | ♦ | ♦ | ♦ | ♦ | ♦ | ♦ | ♦ | ♦ | ♦ | | | | | |
| Convenience Stores | | | | | | | | | | | | | | | | | | | | | | | | | | |
| With drive-through | | | | | | | | | | | | | | | | X | X | | | | | | | | | |
| Without drive-through | | | | | | | | | | | | X | X | X | X | X | | | | | | | | | | |
| With alcohol sales | | | | | | | | | | | | ♦ | ♦ | ♦ | ♦ | ♦ | | | | | | | | | | |
| Convention Hall, Trade Show, Exhibit Building with Incidental Food Services | | | | | | | | | | | | | | | C | | ♦ | | ♦ | | ♦ | | | ♦ | ♦ | |
| Copy Shops | | | | | | | | | | | | X | X | X | X | X | X | X | X | X | | X | X | X | X | |
| Country Club | C | C | C | C | C | C | C | C | C | C | C | C | | | | | | | | | | | | | | |
| Dancing, Art, Music and Similar Schools | | | | | | | | | | | | X | X | X | X | X | X | X | X | | | | X | X | X | |
| Day Care Centers | C | C | C | C | C | C | C | C | C | C | C | ♦ | ♦ | ♦ | ♦ | ♦ | ♦ | ♦ | ♦ | ♦ | ♦ | ♦ | ♦ | ♦ | C | |
| Delicatessens | | | | | | | | | | | | X | X | X | X | X | X | X | | | | | X | X | X | |
| Diaper Supply Service | | | | | | | | | | | | | | | | | | | | | | X | | | | |
| Laundry with fleet | | | | | | | | | | | | | | | | | | | | | | X | | | | |

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Permitted Uses Table 9.02.020-1

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 C - Indicates stated use is allowed with a conditional use permit.
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 A - Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

| | Residential Zones | | | | | | | | | | | | Mixed Use Overlay | | | Commercial & Office Zones | | | | | Industrial Zones | | | | |
|--|-------------------|----|----|-----|----|----|----|------|-----|-----|-----|-----|-------------------|------------|---------------|---------------------------|----|----|----|---|------------------|---|----|----|-----|
| | HR | RR | R1 | RA2 | R2 | R3 | R5 | RS10 | R10 | R15 | R20 | R30 | MUN (9,11) | MUC (9,11) | MUI (8,10,11) | NC | CC | VC | OC | O | P | I | LI | BP | BPX |

| | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|--|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| storage | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Disposal company | | | | | | | | | | | | | | | | | | | | | | X | | | | | |
| Drapery Shops | | | | | | | | | | | | | X | X | X | X | X | X | | | | | | | | | |
| Dressmaking Shops | | | | | | | | | | | | | X | X | X | X | X | X | | | | | | | | | |
| Driving School | | | | | | | | | | | | | X | X | X | X | X | | | X | X | | | X | X | X | |
| Drug Stores | | | | | | | | | | | | | X | X | X | X | X | X | | | | | | | | | |
| Dry Cleaning or Laundry | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| a. Dry Cleaning | | | | | | | | | | | | | X | X | X | X | X | X | X | | | | | | | X | |
| b. Laundromat | | | | | | | | | | | | | X | X | X | X | X | X | | | | | | | | | |
| c. Laundry Commercial | | | | | | | | | | | | | | | | | | | | | | X | X | | | | |
| Equestrian Centers, Riding Academies, Commercial Stables (including incidental sales of feed and tack) | C | C | C | C | | | | | | | | | | | | | ♦ | | | | | | | | | | C |
| Exterminators | | | | | | | | | | | | | | | | | C | | | | | X | X | X | X | | |
| Feed and Grain Stores | | | | | | | | | | | | | | | | X | X | X | | | | | | | | | |
| Fire and Police Stations | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X |
| Floor Covering Stores (may include incidental repairs with installation service) | | | | | | | | | | | | X | X | X | X | X | | | | | | X | | | | | |
| Fraternity/Sorority | | | | | | | | C | C | C | C | C | | | | | | | | | | | | | | | |
| Frozen Food Locker | | | | | | | | | | | | | | | | | | | | | | X | X | | | | |
| Gasoline Dispensing - Non-retail accessory to an auto-related use | | | | | | | | | | | | | | | | | X | | | | | X | X | X | X | | |
| Glass Shops and Glass | | | | | | | | | | | | | | | | X | X | | | | | X | X | | X | | |

Item No. E.2

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Permitted Uses Table 9.02.020-1

X - Indicates stated use is permitted subject to district requirements.
 C - Indicates stated use is allowed with a conditional use permit.
 ◆ - Indicates a use is permitted unless the use is located three hundred (300) feet or less from a residential zone or use, in which case the use is allowed with a conditional use permit. However, the expansion of an existing general manufacturing use is allowed without a conditional use permit regardless of its distance from residential zones or residential uses.
 A - Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

| | Residential Zones | | | | | | | | | | | Mixed Use Overlay | | | Commercial & Office Zones | | | | | | Industrial Zones | | | | |
|--|-------------------|----|----|-----|----|----|----|------|-----|-----|-----|-------------------|------------|------------|---------------------------|----|----|----|----|---|------------------|---|----|----|-----|
| | HR | RR | R1 | RA2 | R2 | R3 | R5 | RS10 | R10 | R15 | R20 | R30 | MUN (9,11) | MUC (9,11) | MUI (8,10,11) | NC | CC | VC | OC | O | P | I | LI | BP | BPX |

| | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Studios—Stained, etc. | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Golf Courses or Golf Driving Ranges with Incidental Commercial Uses | C | C | C | C | C | C | C | C | C | C | C | C | | | | | | | | | | | | | | | ◆ |
| Handicapped Housing | | | | | | | | X | X | X | X | X | X | X | | | | | | | | | | | | | |
| Heavy Equipment Sales and Rentals | | | | | | | | | | | | | | | | | X | | | | | | | X | X | | |
| Homeless Shelters | | | | | | | | | | | | | | | | | C | | C | C | X | C | | | C | C | C |
| Hospitals | | | | | | | | | | | | | | | ◆ | ◆ | | ◆ | ◆ | | | | | C | C | C | |
| Hotels | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| a. With 20% or less of the units containing kitchens | | | | | | | | | | | | | X | X | X | | X | | C | | | | | X | X | X | |
| b. With over 20% of the units containing kitchens | | | | | | | | | | | | | C | C | C | | C | | C | | | | | C | C | C | |
| Ice Cream Stores—Including Yogurt Sales | | | | | | | | | | | | X | X | X | X | X | X | X | | | | | | | | X | |
| Impound Yards | | | | | | | | | | | | | | | | | | | | | | | X | | | | |
| Jewelry Stores | | | | | | | | | | | | X | X | X | X | X | X | | | | | | | | | | |
| Kennel and Catteries | C | C | C | C | C | C | C | C | C | C | C | C | C | C | C | C | | | ◆ | ◆ | ◆ | ◆ | C | | | | |
| Laboratories (medical and dental) | | | | | | | | | | | | X | X | X | X | X | | X | X | | | X | X | X | X | | |
| Libraries | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | | X | X | X | X | |
| Liquor Stores | | | | | | | | | | | | ◆ | ◆ | | ◆ | ◆ | | | | | | | | | | | |
| Live/Work Unit (12) | | | | | | | | | | | | X | X | X | | | | | | | | | | | | | |
| Locksmith Shops | | | | | | | | | | | | X | X | X | X | X | X | | | | | X | X | X | X | | |
| Lodge Halls and Similar Facilities | | | | | | | | | | | | ◆ | ◆ | ◆ | ◆ | ◆ | | ◆ | | | | | | ◆ | ◆ | | |
| Lumberyards | | | | | | | | | | | | | | | | | X | | | | | X | | | | | |

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Permitted Uses Table 9.02.020-1

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 A - Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

| | Residential Zones | | | | | | | | | | | Mixed Use Overlay | | | Commercial & Office Zones | | | | | Industrial Zones | | | | OS |
|--|-------------------|----|----|-----|----|----|----|------|-----|-----|-----|-------------------|------------|------------|---------------------------|----|----|----|----|------------------|---|---|----|----|
| | HR | RR | R1 | RA2 | R2 | R3 | R5 | RS10 | R10 | R15 | R20 | R30 | MUN (9,11) | MUC (9,11) | MUI (8,10,11) | NC | CC | VC | OC | O | P | I | LI | |

| | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|--|--|--|--|--|--|--|--|--|--|--|--|--|---|---|---|---|---|--|--|---|---|--|---|---|---|---|--|
| Mail Order House | | | | | | | | | | | | | | | | | X | | | | | | X | X | X | X | |
| Manufacturing and Assembly | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| a. Custom and light manufacturing indoor uses only (50,000 square feet or less), with light truck traffic, on-site and wholesaling of goods produced | | | | | | | | | | | | | | | | | | | | | | | X | X | X | X | |
| b. Custom and light manufacturing indoor uses only (more than 50,000 square feet), with light truck traffic, on-site and wholesaling of goods produced | | | | | | | | | | | | | | | | | | | | | | | X | X | | | |
| c. General manufacturing with frequent truck traffic and/or outdoor equipment or storage | | | | | | | | | | | | | | | | | | | | | | | X | X | | | |
| d. Retail sales of goods produced or warehoused on-site ³ | | | | | | | | | | | | | | | | | | | | | | | X | X | X | X | |
| Medical Clinics/Medical Care | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Inpatient care | | | | | | | | | | | | | X | X | X | X | X | | | X | X | | X | X | X | X | |
| Urgent care | | | | | | | | | | | | | X | X | X | X | X | | | X | X | | | | | | |
| Medical device services | | | | | | | | | | | | | | | X | X | X | | | X | | | | | | | |

Permitted Uses Table 9.02.020-1

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|--|-------------------|----|----|-----|----|----|----|------|-----|-----|-----|-------------------|------------|------------|---------------------------|----|----|----|----|------------------|---|---|----|----|-----|----|
| | HR | RR | R1 | RA2 | R2 | R3 | R5 | RS10 | R10 | R15 | R20 | R30 | MUN (9,11) | MUC (9,11) | MUI (8,10,11) | NC | CC | VC | OC | O | P | I | LI | BP | BPX | OS |

| | | | | | | | | | | | | | | | | | | | | | | | | | | |
|--|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| and sales (retail), including, but not limited to, fittings for and sale of prosthetic and orthotic devices | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Medical equipment supply, including retail sales for in-home medical care, such as wheelchairs, walkers, and respiratory equipment | | | | | | | | | | | | | | | X | X | X | | X | | | | | | | |
| Mobile Home Parks | C | C | C | C | C | C | C | C | C | C | C | C | | | | | | | | | | | | | | |
| Mobile Home Sales or Rentals (outdoor display) | | | | | | | | | | | | | | | | | C | | | | | | | | | |
| Mortuaries | | | | | | | | | | | | | | | | | | | | | | | | | | |
| With cremation services | | | | | | | | | | | | | | | | | | | | | | | X | X | | |
| No cremation services | | | C | C | C | C | C | C | C | C | C | C | | | ♦ | ♦ | ♦ | | | | | | X | X | | |
| Museums | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X |
| Newspaper and Printing Shops | | | | | | | | | | | | | X | X | X | X | X | | | | | X | X | X | X | |
| Nursery, (Plant), Wholesale and Distribution | X | X | X | X | | | | | | | | | | | | | | | | | | X | X | | | X |
| Offices (administrative and professional) | | | | | | | | | | | | | X | X | X | X | X | X | X | X | | | X | X | X | |
| Open Air Theaters | | | | | | | | | | | | | | | C | | | | | | C | | | | | C |
| Orphanages | C | C | C | C | C | C | C | C | C | C | C | C | | | | | | | | | | | | | | |
| Painting Contractor | | | | | | | | | | | | | | | | | | | | | | X | X | | | |

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Permitted Uses Table 9.02.020-1

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 A - Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

| | Residential Zones | | | | | | | | | | | | Mixed Use Overlay | | | Commercial & Office Zones | | | | | | Industrial Zones | | | |
|--|-------------------|----|----|-----|----|----|----|------|-----|-----|-----|-----|-------------------|------------|---------------|---------------------------|----|----|----|---|---|------------------|----|----|-----|
| | HR | RR | R1 | RA2 | R2 | R3 | R5 | RS10 | R10 | R15 | R20 | R30 | MUN (9,11) | MUC (9,11) | MUI (8,10,11) | NC | CC | VC | OC | O | P | I | LI | BP | BPX |

| | | | | | | | | | | | | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Parcel Delivery Terminals | | | | | | | | | | | | | | | | | | | | | | X | X | X | X | |
| Parking Lot | | | | | | | | | | | | | | | C | C | X | X | C | | | | | X | | |
| Parks and Recreation Facilities (public) | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X |
| Personal Services (e.g., nail salons, massage establishment, barber and beauty shops, and tattoo parlors) | | | | | | | | | | | | | X | X | X | X | X | X | X | | | | | | X | |
| Pharmacy ⁴ | | | | | | | | | | | | X | X | X | X | X | X | X | | | | | | | X | |
| Photo Studios | | | | | | | | | | | | X | X | X | X | X | X | X | | | | | | | X | |
| Plumbing Shops | | | | | | | | | | | | | | | | | X | | | | | | | | X | |
| Plumbing Supply Stores for Contractors | | | | | | | | | | | | | | | | | | | | | | | X | X | X | |
| Pool Hall | | | | | | | | | | | | | ◆ | | | ◆ | ◆ | | | | | | | | | |
| Postal Services | | | | | | | | | | | | X | X | X | X | X | X | X | | | | | X | X | X | |
| Pottery Sales with Outdoor Sales | | | | | | | | | | | | X | X | X | X | X | X | | | | | X | | | X | |
| Public Administration, Buildings and Civic Centers | | | | | | | | | | | | X | X | X | X | X | X | X | X | X | X | X | X | X | X | |
| Public Utility Stations, Yards, Wells and Similar Facilities, Excluding Offices | C | C | C | C | C | C | C | C | C | C | C | ◆ | ◆ | ◆ | ◆ | ◆ | ◆ | ◆ | ◆ | ◆ | ◆ | X | X | ◆ | ◆ | C |
| Racetracks | | | | | | | | | | | | | | | | | C | | | | C | | | | | |
| Record Store | | | | | | | | | | | | X | X | X | X | X | X | | | | | | | | | |
| Recording Studio | | | | | | | | | | | | X | X | X | X | X | X | X | X | | | X | X | X | X | |
| Recreational Facilities | C | C | C | C | C | C | C | C | C | C | C | ◆ | ◆ | ◆ | ◆ | ◆ | ◆ | | | | | | | | | |

Permitted Uses Table 9.02.020-1

X - Indicates stated use is permitted subject to district requirements.
 C - Indicates stated use is allowed with a conditional use permit.
 ♦ - Indicates a use is permitted unless the use is located three hundred (300) feet or less from a residential zone or use, in which case the use is allowed with a conditional use permit. However, the expansion of an existing general manufacturing use is allowed without a conditional use permit regardless of its distance from residential zones or residential uses.
 A - Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

| | Residential Zones | | | | | | | | | | | | Mixed Use Overlay | | | Commercial & Office Zones | | | | | Industrial Zones | | | | | |
|--|-------------------|----|----|-----|----|----|----|------|-----|-----|-----|-----|-------------------|------------|---------------|---------------------------|----|----|----|---|------------------|---|----|----|-----|----|
| | HR | RR | R1 | RA2 | R2 | R3 | R5 | RS10 | R10 | R15 | R20 | R30 | MUN (9,11) | MUC (9,11) | MUI (8,10,11) | NC | CC | VC | OC | O | P | I | LI | BP | BPX | OS |

| | | | | | | | | | | | | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|--|
| (Private) such as Tennis Club, Polo Club, with Limited Associated Incidental Uses | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Recycling, Large Collection Facility ⁵ | | | | | | | | | | | | | | | | | ♦ | | | | | X | X | | | |
| Recycling, Small Collection Facility | | | | | | | | | | | | | X | X | X | X | X | X | | | | | | | | |
| Recycling Processing Centers | | | | | | | | | | | | | | | | | | | | | | X | X | X | X | |
| Refreshment Stands | | | | | | | | | | | | | X | X | X | X | X | X | X | X | X | X | X | X | X | |
| Rental Service | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Within an enclosed structure (furniture, office, party supplies) | | | | | | | | | | | | | X | X | X | X | X | X | | | | X | X | X | X | |
| With outdoor storage and display (vehicles, equipment, etc.) | | | | | | | | | | | | | | | | ♦ | ♦ | | | | | X | X | | | |
| Research and Development | | | | | | | | | | | | | X | X | X | | | | | X | X | X | X | X | X | |
| Residential | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Single-Family | X | X | X | X | X | X | X | X | | | | | | | | | | | | | | | | | | |
| Multiple-Family | | | | | | | | | X | X | X | X | X | X | X | | | | | | | | | | | |
| Manufactured home park (see mobile home parks) | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Residential Care Facility (for seven or more persons) | C | C | C | C | C | C | C | C | C | C | C | C | C | C | X | | | | | | | | | | | |

-582-

Permitted Uses Table 9.02.020-1

X - Indicates stated use is permitted subject to district requirements.
 C - Indicates stated use is allowed with a conditional use permit.
 ♦ - Indicates a use is permitted unless the use is located three hundred (300) feet or less from a residential zone or use, in which case the use is allowed with a conditional use permit. However, the expansion of an existing general manufacturing use is allowed without a conditional use permit regardless of its distance from residential zones or residential uses.
 A - Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

| | Residential Zones | | | | | | | | | | | | Mixed Use Overlay | | | Commercial & Office Zones | | | | | Industrial Zones | | | | |
|--|-------------------|----|----|-----|----|----|----|------|-----|-----|-----|-----|-------------------|------------|---------------|---------------------------|----|----|----|---|------------------|---|----|----|-----|
| | HR | RR | R1 | RA2 | R2 | R3 | R5 | RS10 | R10 | R15 | R20 | R30 | MUN (9,11) | MUC (9,11) | MUI (8,10,11) | NC | CC | VC | OC | O | P | I | LI | BP | BPX |

| | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|----------------|---|---|---|---|---|---|--|
| Restaurants (Eating and Drinking Establishments) | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| With entertainment | | | | | | | | | | | | | C | C | C | | ♦ | | | | | | | | | | |
| Without entertainment | | | | | | | | | | | | | X | X | X | X | X | X | X | | | | | | | X | |
| With alcoholic beverage sales | | | | | | | | | | | | | X | X | X | X | X | X | X | | | | | | | X | |
| With outdoor seating ¹³ | | | | | | | | | | | | | X | X | X | X | X | X | X | | | | | | | X | |
| Restaurants (fast-food) | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| With drive-through | | | | | | | | | | | | | | | | ♦ | ♦ | | | | | | | | | ♦ | |
| Without drive-through | | | | | | | | | | | | | X | X | X | X | X | | | | | | | | | X | |
| Retails Sales | | | | | | | | | | | | | X | X | X | X | X | | | | | | | | | | |
| Support Retail Sales | | | | | | | | | | | | | X | X | X | | | | X | | | | | | | | |
| Sandwich Shops ⁶ | | | | | | | | | | | | | X | X | X | X | X | X | X | X ⁶ | | | | | | | |
| Schools, Private | C | C | C | C | C | C | C | C | C | C | C | C | ♦ | ♦ | ♦ | ♦ | ♦ | | | ♦ | ♦ | | | | ♦ | ♦ | |
| Senior Housing | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | | | | X | X | | | | | | | |
| Shoe Shine Stands | | | | | | | | | | | | | X | X | X | X | X | | X | X | | | | X | X | | |
| Shoe Repair Shop | | | | | | | | | | | | | X | X | X | X | X | X | | | | | | | | | |
| Sign Shop | | | | | | | | | | | | | X | X | X | X | X | X | | | | X | X | X | X | | |
| Skating Rinks | | | | | | | | | | | | | | X | | | X | | | | | | | | | | |
| Stationery Stores | | | | | | | | | | | | | X | X | X | X | X | X | X | | | | | X | X | | |
| Statue Shop -Outdoor display | | | | | | | | | | | | | | | | | ♦ | | | | | X | X | | | | |
| Storage Lots and Mini-Warehouses | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Indoor | | | | | | | | | | | | | | | | | | | | | | X | | | | | |
| Outdoor | | | | | | | | | | | | | | | | | | | | | | X | | | | | |
| Swim Schools/Center with Incidental Commercial Uses | C | C | C | C | C | C | C | C | C | C | C | C | | | | | X | | | | | | | | | | |

Item No. E.2

-583-

Permitted Uses Table 9.02.020-1

X - Indicates stated use is permitted subject to district requirements.
 C - Indicates stated use is allowed with a conditional use permit.
 ♦ - Indicates a use is permitted unless the use is located three hundred (300) feet or less from a residential zone or use, in which case the use is allowed with a conditional use permit. However, the expansion of an existing general manufacturing use is allowed without a conditional use permit regardless of its distance from residential zones or residential uses.
 A - Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

| | Residential Zones | | | | | | | | | | | Mixed Use Overlay | | | Commercial & Office Zones | | | | | Industrial Zones | | | | | |
|--|-------------------|----|----|-----|----|----|----|------|-----|-----|-----|-------------------|------------|------------|---------------------------|----|----|----|----|------------------|---|---|----|----|-----|
| | HR | RR | R1 | RA2 | R2 | R3 | R5 | RS10 | R10 | R15 | R20 | R30 | MUN (9,11) | MUC (9,11) | MUI (8,10,11) | NC | CC | VC | OC | O | P | I | LI | BP | BPX |

| | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|---|--|--|--|--|--|--|--|--|--|--|--|--|---|---|---|---|---|---|---|---|---|--|---|---|---|---|--|
| Taxidermist | | | | | | | | | | | | | | | | | X | | | | | | X | X | | | |
| Theaters (excludes open air) | | | | | | | | | | | | | X | X | X | X | X | X | | | | | | | | | |
| Tire Recapping | | | | | | | | | | | | | | | | | | | | | | | X | | | | |
| Trade and Vocational Schools | | | | | | | | | | | | | X | X | X | | X | | | X | X | | | X | X | X | |
| Transfer, Moving and Storage Facilities | | | | | | | | | | | | | | | | | | | | | | | X | X | | | |
| Truck Wash | | | | | | | | | | | | | | | | | | | | | | | X | X | | | |
| Upholstery Shops | | | | | | | | | | | | | | | | | X | | | | | | X | X | | X | |
| Vehicle Storage Yards | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Indoor | | | | | | | | | | | | | | | | | X | | | | | | X | X | | | |
| Outdoor | | | | | | | | | | | | | | | | | C | | | | | | X | X | | | |
| Vending Machine Service and Repair | | | | | | | | | | | | | | | | | | | | | | | X | X | X | X | |
| Veterinarian (including animal hospital) | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| All activities within an enclosed structure | | | | | | | | | | | | | X | X | X | X | X | | | | | | | | X | X | |
| With outdoor activities | | | | | | | | | | | | | | | | | ♦ | | | | | | | | ♦ | ♦ | |
| Weight Reduction Center | | | | | | | | | | | | | X | X | X | X | X | X | X | | | | | | | | |
| Wholesale, Storage, and Distribution | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| All activities indoors (50,000 square feet or less) | | | | | | | | | | | | | | | | | | | | | | | X | X | X | X | |
| All activities indoors (more than 50,000 square feet) | | | | | | | | | | | | | | | | | | | | | | | X | X | | | |

-584-

Permitted Uses Table 9.02.020-1

X - Indicates stated use is permitted subject to district requirements.
 C - Indicates stated use is allowed with a conditional use permit.
 ◆ - Indicates a use is permitted unless the use is located three hundred (300) feet or less from a residential zone or use, in which case the use is allowed with a conditional use permit. However, the expansion of an existing general manufacturing use is allowed without a conditional use permit regardless of its distance from residential zones or residential uses.
 A - Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

| | Residential Zones | | | | | | | | | | | Mixed Use Overlay | | | Commercial & Office Zones | | | | | Industrial Zones | | | | | | |
|--|-------------------|----|----|-----|----|----|----|------|-----|-----|-----|-------------------|------------|------------|---------------------------|----|----|----|----|------------------|---|---|----|----|-----|----|
| | HR | RR | R1 | RA2 | R2 | R3 | R5 | RS10 | R10 | R15 | R20 | R30 | MUN (9,11) | MUC (9,11) | MUI (8,10,11) | NC | CC | VC | OC | O | P | I | LI | BP | BPX | OS |

| | | | | | | | | | | | | | | | | | | | | | | | | | | |
|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|---|---|---|--|--|
| All activities outdoors | | | | | | | | | | | | | | | | | | | | | | X | | | | |
| Retail sale of goods warehoused on-site ⁷ | | | | | | | | | | | | | | | | | | | | | | X | X | X | | |
| Wrecking Yard | | | | | | | | | | | | | | | | | | | | | | ◆ | | | | |

Notes:

- Do not consider residential use per distance requirement.
- The administrative plot plan process may be used to establish these uses in an existing building within any commercial or industrial zone, even if the project is located adjacent to residential uses or zones.
- Retail is limited to fifteen (15) percent of gross floor area (see Section 9.05.040 of this title).
- Permitted in the OC and VOR districts only as a support medical office facility.
- Large collection facilities may be established within an existing building through the “tenant improvement” process if such building or tenant space occupied by the use is not located adjacent to a residential use or zone.
- Sandwich shops shall not have cooking hoods, nor shall they exceed five percent of the gross floor area of the complex where they are located.
- Retail is limited to fifteen (15) percent of gross floor area (see Section 9.05.040 of this title).
- In the MUI district, mixed use (commercial uses on first floor with office uses or residential uses on upper floors) are (a) required to on lots at street intersections and within 300 feet in any direction from a street intersection, as measured from the corner formed by the lot’s property lines, and (b) are allowed, but not required on the other lots.
- In the MUC and MUN districts, mixed use (commercial uses on first floor with office uses or residential uses on upper floors) are (a) required to on lots at street intersections and within 150 feet in any direction from a street intersection, as measured from the corner formed by the lot’s property lines, and (b) are allowed, but not required on the other lots.
- See Section 9.07.40 (Medical Use Overlay District)
- See Section 9.09.260 (Mixed Use Development)
- See Section 9.09.250 (Live-Work Development)
- See Section 9.09.270 (Outdoor Dining)

Permitted Uses Table 9.02.020-1

| | | | | | | | | | | | | | | | | | | | | | | | | | | |
|-----|--|----|----|-----|----|----|----|------|-----|-----|-----|-----|--------------------------|------------|---------------|--------------------------------------|----|----|----|---|-------------------------|---|----|----|-----|----|
| X - | Indicates stated use is permitted subject to district requirements. | | | | | | | | | | | | | | | | | | | | | | | | | |
| C - | Indicates stated use is allowed with a conditional use permit. | | | | | | | | | | | | | | | | | | | | | | | | | |
| ◆ - | Indicates a use is permitted unless the use is located three hundred (300) feet or less from a residential zone or use, in which case the use is allowed with a conditional use permit. However, the expansion of an existing general manufacturing use is allowed without a conditional use permit regardless of its distance from residential zones or residential uses. | | | | | | | | | | | | | | | | | | | | | | | | | |
| A - | Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met. | | | | | | | | | | | | | | | | | | | | | | | | | |
| | Residential Zones | | | | | | | | | | | | Mixed Use Overlay | | | Commercial & Office Zones | | | | | Industrial Zones | | | | | |
| | HR | RR | R1 | RA2 | R2 | R3 | R5 | RS10 | R10 | R15 | R20 | R30 | MUN (9,11) | MUC (9,11) | MUI (8,10,11) | NC | CC | VC | OC | O | P | I | LI | BP | BPX | OS |

Zoning District Key

| | | | |
|------------|--|-----------|-----------------------------------|
| HR | Hillside Residential District | MU | Mixed Use Overlay District |
| RR | Rural Residential District | NC | Neighborhood Commercial District |
| R1 | Residential 1 District (40,000 square feet minimum lot size) | CC | Community Commercial District |
| RA2 | Residential Agriculture 2 (20,000 square feet minimum lot size) | VC | Village Commercial District |
| R2 | Residential 2 District (20,000 square feet minimum lot size) | OC | Office Commercial District |
| R3 | Residential 3 District (10,000 square feet minimum lot size) | O | Office District |
| R5 | Residential 5 District (7,200 square feet minimum lot size) | P | Public District |
| RS10 | Residential Single-Family 10 District (4,500 square feet minimum lot size) | I | Industrial District |
| R10 | Residential 10 District (Up to 10 Dwelling Units per net acre) | LI | Light Industrial |
| R15 | Residential 15 District (Up to 15 Dwelling Units per net acre) | BP | Business Park District |
| R20 | Residential 20 District (Up to 20 Dwelling Units per net acre) | BPX | Business Park-Mixed Use District |
| R30 | Residential 30 District (Up to 30 Dwelling Units per net acre) | OS | Open Space District |
| | | | |

-586-

ORDINANCE NO. 865

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING PA11-0029 (CHANGE OF ZONE) TO CHANGE THE LAND USE DISTRICT FOR APPROXIMATELY 146.19 ACRES TO RESIDENTIAL 30 (R30) AND APPROXIMATELY 10.46 ACRES TO OPEN SPACE (OS) AND PA12-0047 (CHANGE OF ZONE) TO CHANGE THE LAND USE DISTRICT OF APPROXIMATELY 21.47 ACRES TO COMMUNITY COMMERCIAL (CC).

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1.

1.1 Pursuant to the provisions of law, public hearings were held before the City of Moreno Valley Planning Commission and the City Council.

1.2 The matter was fully discussed and the public and other agencies presented testimony and documentation.

1.3 Pages 82, 99 and 140 of the City of Moreno Valley Official Zoning Atlas shall be modified to reflect the Zone Changes (PA11-0029 and PA12-0047).

1.4. An environmental assessment, including an initial study, has been prepared to address the environmental impacts associated with applications PA11-0029 and PA12-0047 described above and environmental determinations have been adopted pursuant to the California Environmental Quality Act (CEQA).

SECTION 2: FINDINGS

2.1 With respect to the proposed change to pages 82, 99 and 140 of the City of Moreno Valley Official Zoning Atlas, and based upon substantial evidence presented to the City Council during the public hearing on April 23, 2013, including written and oral staff reports, and the record from the public hearing, the City Council hereby specifically finds as follows:

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

FACT: The proposed Change of Zone is consistent with, and do not conflict with the goals, objectives, policies, and programs established within the General Plan or any specific plan. California State law (Government Code Section 65580-65589.8) requires that cities provide an inventory of land suitable for residential development. Section 65583.2(B)(e) requires that jurisdictions with a population greater than

100,000 must have sites allowing at least 30 unit per acre. The City of Moreno Valley's current population is approximately 193,365 thus requiring the City to provide high density housing opportunities at the 30 unit per acre. PA11-0029 (Change of Zone) will change the land use designation for the four areas totaling approximately 146.19 acres to Residential 30 (R30) and approximately 10.46 acres to Open Space (OS).

PA12-0047 (Change of Zone) will change the zoning designation of Assessor's Parcel Number (APN) 485-220-041, which is located at the southwest corner of Gentian Avenue and Perris Boulevard. The 21.47 acre parcel's land use is currently Residential 5 (R5) and the proposed change is to Community Commercial (CC).

The parcels directly to the west and southwest are part of the request for both land use and rezoning to Residential 30 (R30). The parcels directly south are currently Community Commercial and included an approved shopping center (PA06-0123), Home Depot and a Farmer Boys restaurant.

There is no development application associated with the proposed zone change. The proposed zoning would permit development of a commercial shopping center, which would support the neighboring proposed high density housing.

Changing the zoning of 21.47 acres to commercial uses along Perris Boulevard consistent the goals of the Alessandro Boulevard Corridor Plan though was not an original part of the vision plan. Perris Boulevard is a similar to Alessandro Boulevard as an important regional transportation link for Moreno Valley. Perris Boulevard is ideal to provide a mix of retail and multiple density housing opportunities to promote pedestrian-oriented development. The land use change to Commercial is also consistent with the General Plan and would not be in conflict with the goals, objectives, policies or programs of the General Plan.

2. Conformance with Specific Plan Policies – The proposed use is consistent with any applicable Specific Plan.

FACT: The project site is not within a specific plan area.

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 Change of Zones will not adversely affect the public health, safety or general welfare. An environmental assessment, including an initial study, has been prepared to address the environmental impacts associated with applications PA11-0029 and PA12-0047 described above

and environmental determinations have been adopted pursuant to the California Environmental Quality Act (CEQA).

4. Conformance with Title 9 – The proposed amendment to change the zoning atlas is consistent with the purposes and intent of Title 9.

FACT: The Change of Zone is compatible with the purpose and intent of Title 9. As such, it furthers the specific purpose and intent of Title 9 to “implement the goals, objectives, policies and programs of the Moreno Valley General Plan and manage future growth and change in accordance with that plan.”

SECTION 3: ZONE CHANGE

3.1 Based on the findings contained in Section 2 of this Ordinance, the City Council hereby adopts the Change of Zones (PA11-0029 and PA12-0047) to change to the zoning districts listed in the tables below and subject to the revised zoning designations depicted in the attached Exhibit A and B.

PA11-0029 (Change of Zone) will change the land use designation for the four areas totaling approximately 146.19 acres to Residential 30 (R30) and approximately 10.46 acres to Open Space (OS). The Assessor’s Parcel Numbers of the parcels affected by this Change of Zone are as followed:

| Area #1 (Day/Alessandro) – Change of Zone | | |
|---|----------------|-----------------|
| APN | Current Zoning | Proposed Zoning |
| 291191004 | CC | R30 |
| 291191007 | CC | R30 |
| 291191008 | R15 & CC | R30 |
| 291191009 | R15 & CC | R30 |
| 291191010 | R15 | R30 |
| 291191011 | CC | R30 |
| 291191012 | R15 | R30 |
| 291191013 | R15 | R30 |
| 291191025 | CC | R30 |
| 291191026 | CC | R30 |
| 291191027 | R15 | R30 |
| 291191028 | R15 | R30 |
| 291191029 | CC | R30 |

| Area #2 (Elsworth/Alessandro) – Change of Zone | | |
|--|----------------|-----------------|
| APN | Current Zoning | Proposed Zoning |
| 291200023 | CC | R30 |
| 291200024 | R15 | R30 |

| | | |
|-----------|----|-----|
| 291200025 | CC | R30 |
| 291200027 | CC | R30 |
| 291200030 | CC | R30 |
| 291200038 | CC | R30 |
| 291200039 | CC | R30 |
| 291200040 | CC | R30 |
| 291264001 | CC | R30 |
| 291264002 | CC | R30 |
| 291264003 | CC | R30 |
| 291264004 | CC | R30 |
| 291264005 | CC | R30 |
| 291264006 | CC | R30 |
| 291264007 | CC | R30 |
| 291264008 | CC | R30 |
| 291264009 | CC | R30 |
| 291264011 | CC | R30 |
| 291264012 | CC | R30 |
| 291273001 | CC | R30 |
| 291273004 | CC | R30 |
| 291273005 | CC | R30 |
| 291273007 | CC | R30 |
| 291273008 | CC | R30 |

| Area #3 (Morrison/Alessandro) – Change of Zone | | |
|--|----------------|------------------------|
| APN | Current Zoning | Proposed Zoning |
| 486270001 | OC | R30 |
| 486270002 | OC | R30 |
| 486270003 | OC | R30 |
| 486270004 | OC | R30 |
| 486270008 | OC | R30 |
| 486270017 | OC | R30 |
| 486280043 | R15 | R30 (approx.17 acres) |
| 486280043 | R15 | OS (approx.10.4 acres) |
| 486280002 | R15 | R30 |
| 486280004 | R15 | R30 |
| 486280005 | R15 | R30 |
| 486280006 | R15 | R30 |
| 486280007 | R15 | R30 |
| 486280008 | R15 | R30 |
| 486280010 | R15 | R30 |
| 486280011 | R15 | R30 |
| 486280012 | R15 | R30 |
| 486280013 | R15 | R30 |

| Area #4 (Perris/Iris) – Change of Zone | | |
|--|----------------|-----------------|
| APN | Current Zoning | Proposed Zoning |
| 485220006 | R15 | R30 |
| 485220007 | R15 | R30 |
| 485220008 | R15 | R30 |
| 485220009 | R15 | R30 |
| 485220015 | R15 | R30 |
| 485220016 | R15 | R30 |
| 485220017 | R15 | R30 |
| 485220040 | R5 | R30 |

PA12-0047 (Change of Zone) will change the zoning designation of Assessor’s Parcel Number (APN) 485-220-041, which is located at the southwest corner of Gentian Avenue and Perris Boulevard. The 21.47 acre parcel’s land use is currently Residential 5 (R5) and the proposed change is to Community Commercial (CC).

| Area #5 (Perris/Gentian) – Change of Zone | | |
|---|----|----|
| 485220041 | R5 | CC |

SECTION 4: EFFECT OF ENACTMENT:

Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

SECTION 5: NOTICE OF ADOPTION:

Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be posted in three public places within the city.

SECTION 6: EFFECTIVE DATE:

This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this 14th day of May, 2013.

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

ORDINANCE 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 Ordinance No. 865 had its first reading on April 23, 2013 and had its second reading on May 14, 2013, and was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the 14th day of May, 2013, by the following vote:

AYES:

NOES:

ABSENT:

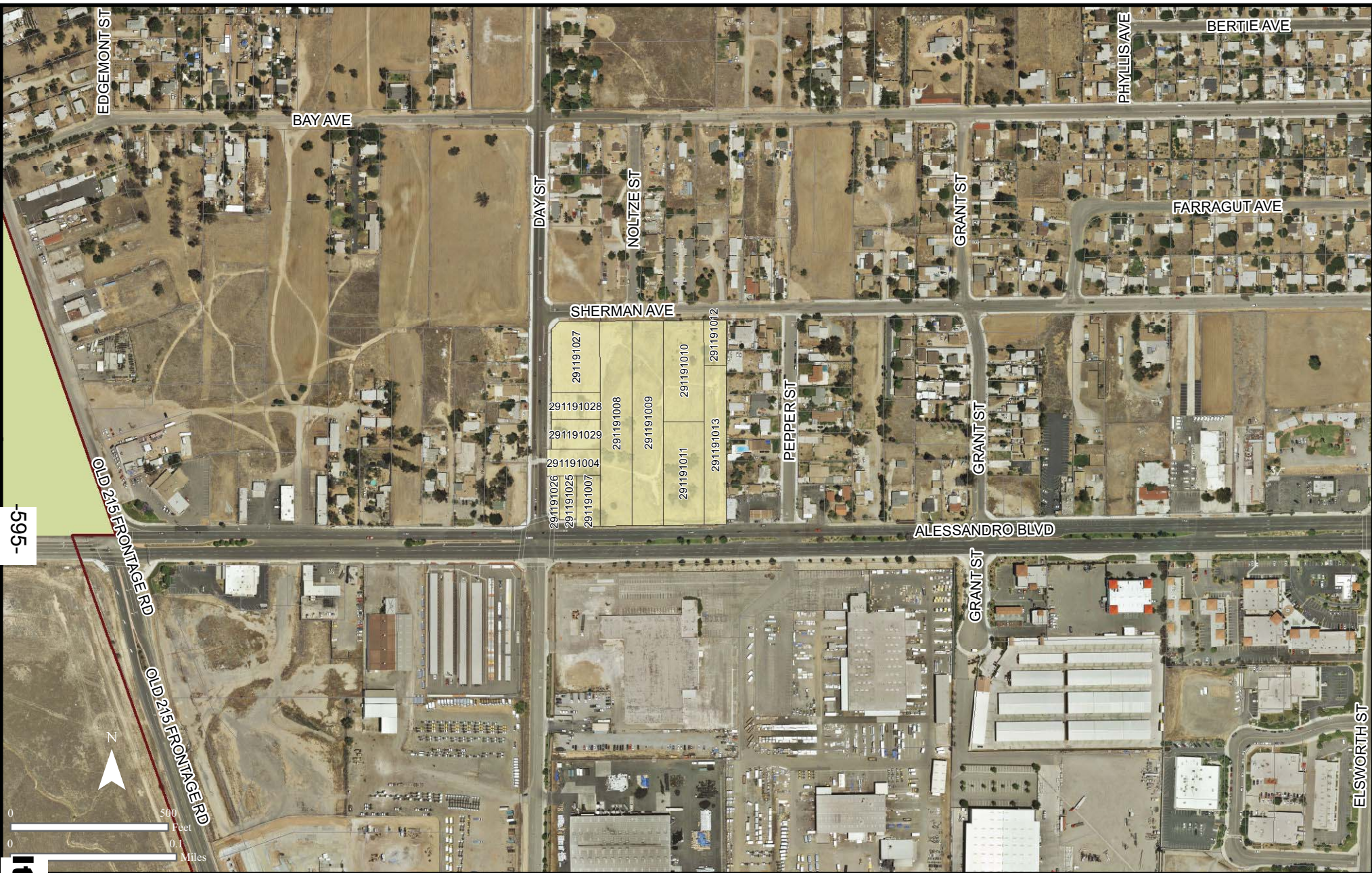
ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

CITY CLERK

(SEAL)

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Item No. E.2
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 te: March 5, 2013

CITY OF MORENO VALLEY RESIDENTIAL 30 (R30) REZONING

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 recycled or resold.

Map Produced by Moreno Valley Geographic Information System

Map Legend
 Area #1 Parcels
 Moreno Valley

8
 Ordinance No. 865
 Date Adopted: May 14, 2013





Exhibit:

E

Map Status: DRAFT


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CorridorPlans0213\Exhibit
Maps\Exhibit2.mxd
Print Date: March 5, 2013

CITY OF MORENO VALLEY RESIDENTIAL 30 (R30) REZONING

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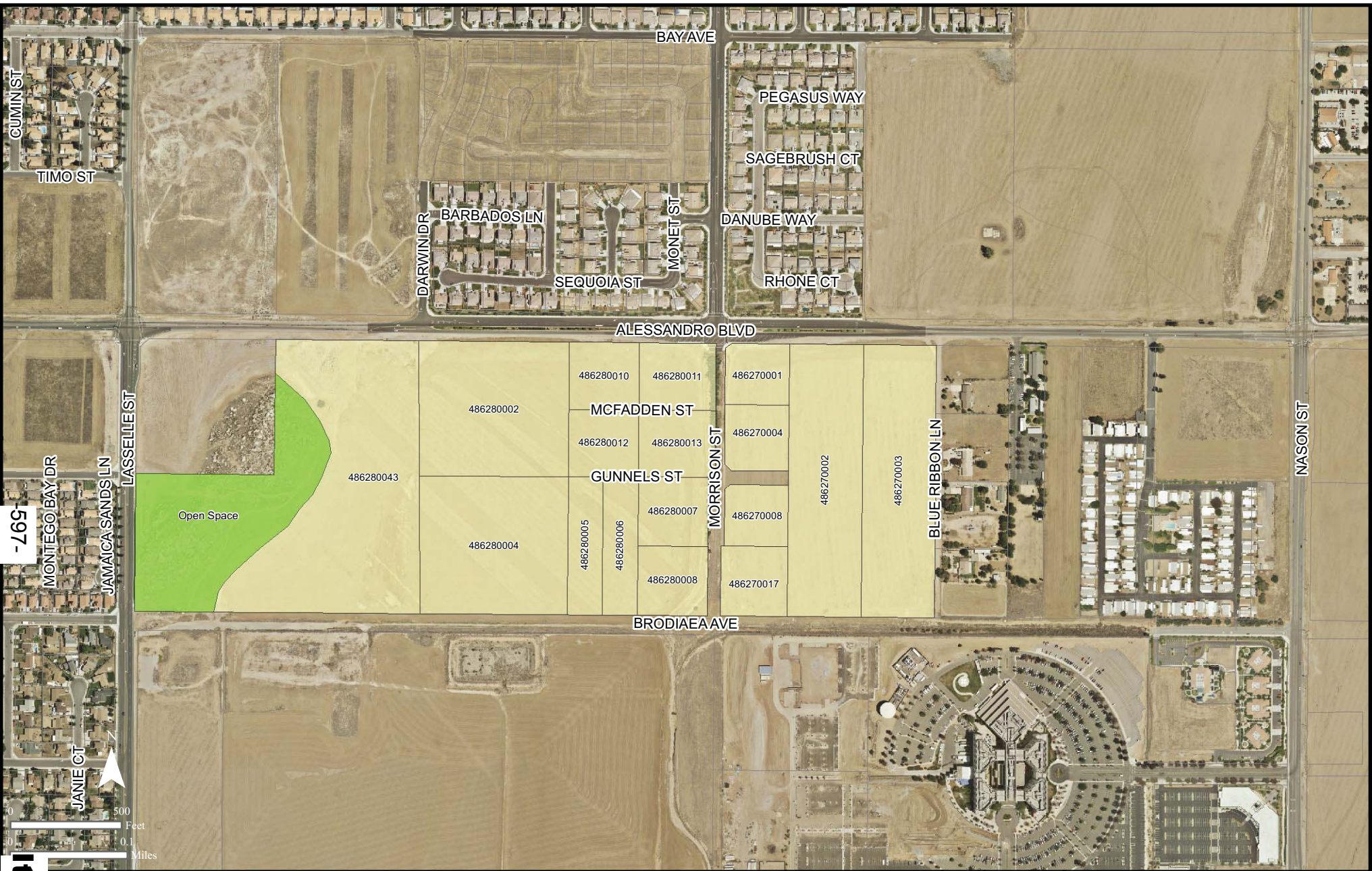
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Map Legend

 Area #2 Parcels

Location Map





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 te: March 20, 2013

CITY OF MORENO VALLEY RESIDENTIAL 30 (R30) REZONING

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Map Produced by Moreno Valley Geographic Information System

- Map Legend**
- Area #3 Parcels
 - Open Space

10
 Ordinance No. 865
 Date Adopted: May 14, 2013



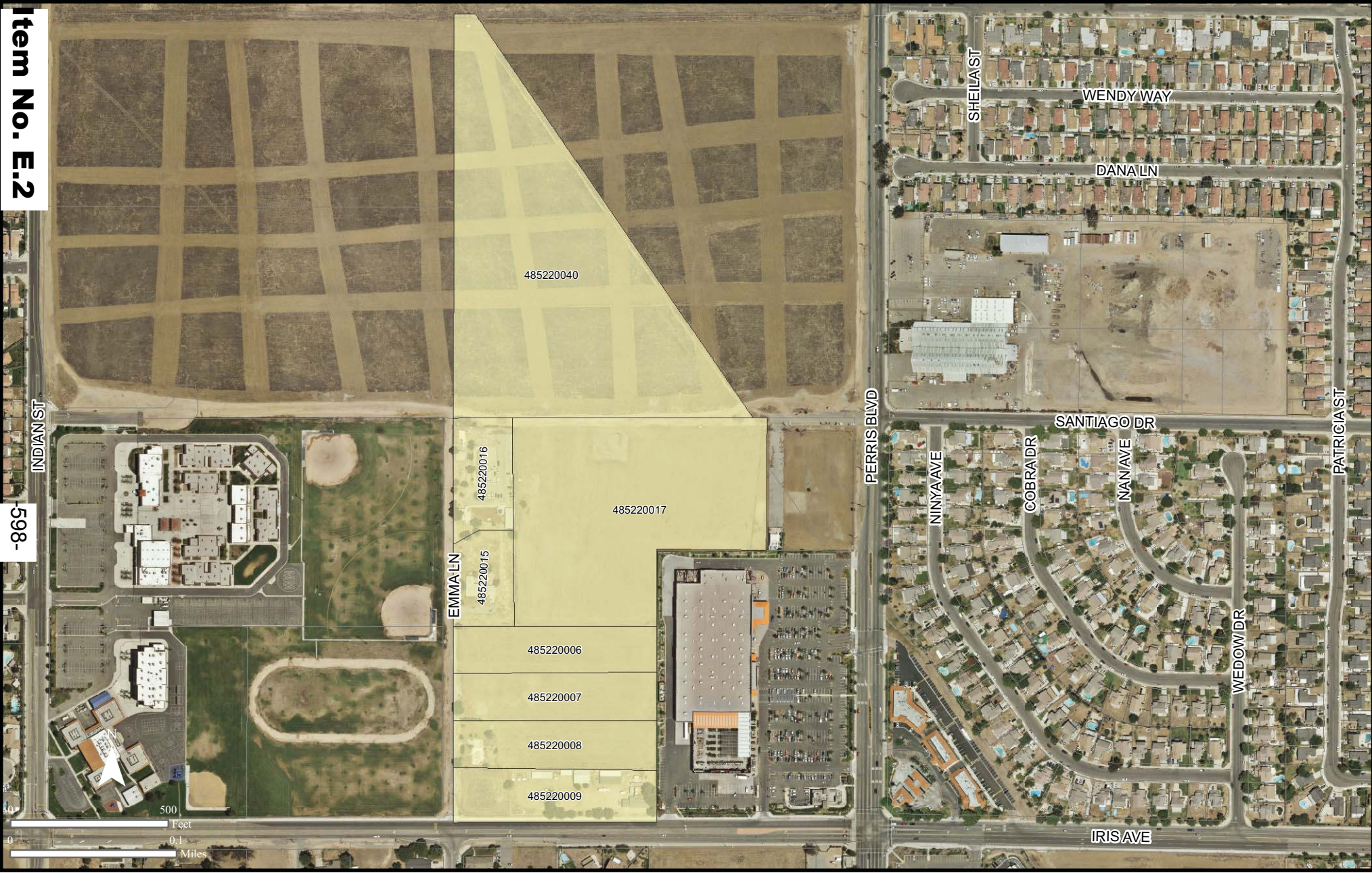


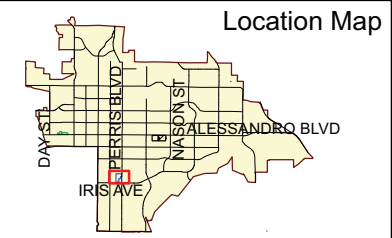
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Maps\Exhibit4.mxd
Print Date: March 5, 2013

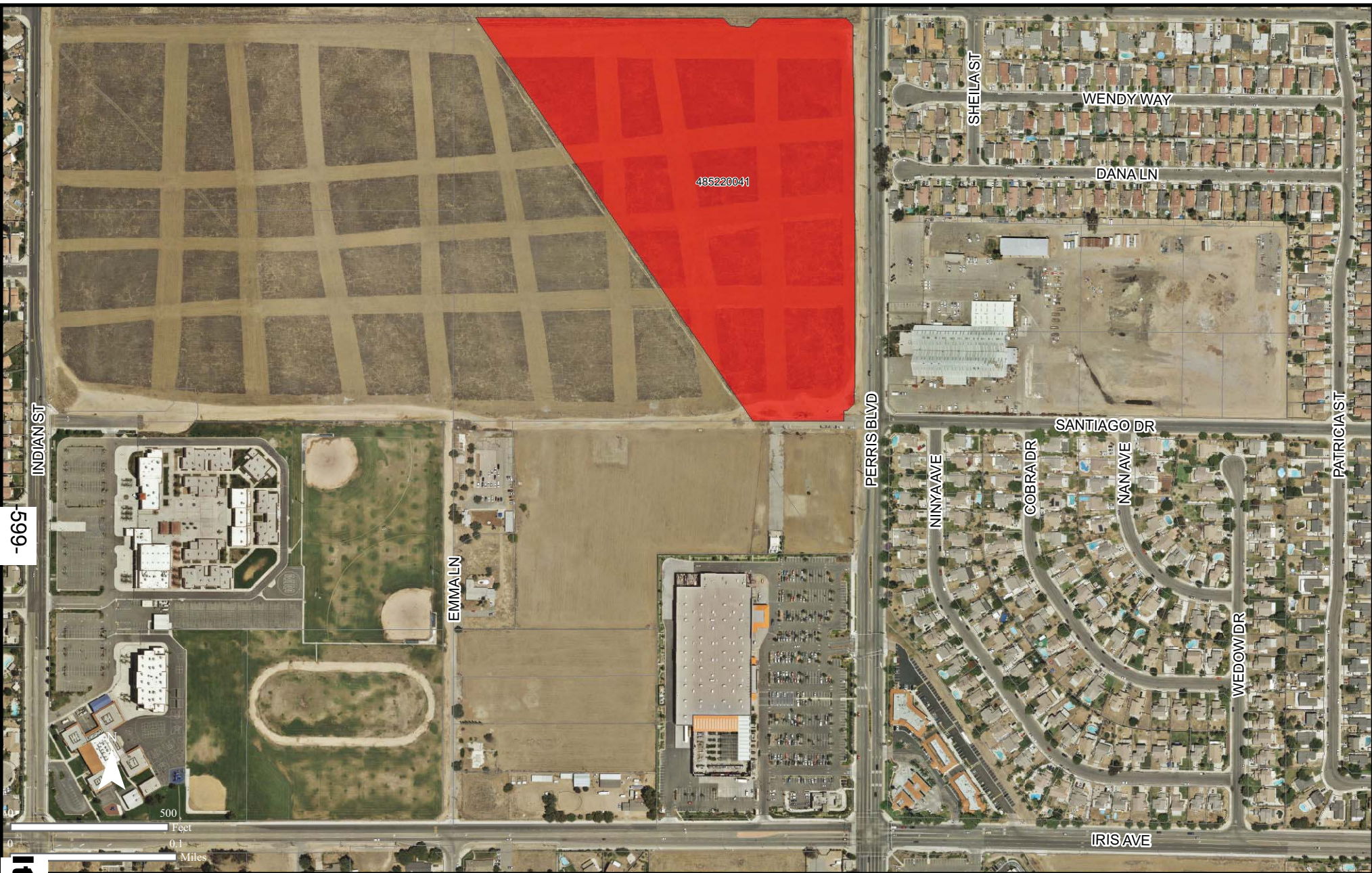
**CITY OF MORENO VALLEY
RESIDENTIAL 30 (R30)
REZONING**

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Map Produced by Moreno Valley Geographic Information System

Map Legend
Area #4 Parcels

11
Ordinance No. 865
Date Adopted: May 14, 2013





Item No. E.2
 Exhibit:
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 Status: DRAFT
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 te: March 5, 2013

CITY OF MORENO VALLEY COMMERCIAL (CC) REZONING

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 recycled or resold.

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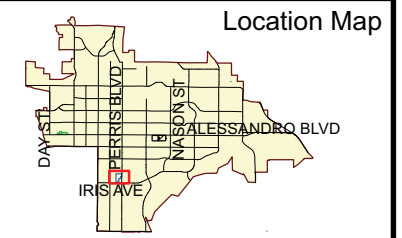
Map Legend

■ Area #5 Parcels

12

Ordinance No. 865

Date Adopted: May 14, 2013



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NEGATIVE DECLARATION

PROJECT TITLE AND FILE NUMBER: PA11-0028 (General Plan Amendment), PA11-0029 (Change of Zone), PA11-0030 (Municipal Code Amendment), PA12-0046 (General Plan Amendment) and PA12-0047 (Change of Zone)

PROJECT APPLICANT: City of Moreno Valley (CEDD) **TELEPHONE NUMBER:** 951-413-3206

PROJECT LOCATION: The project area is located in the southern portion of the City of Moreno Valley in western Riverside County. The project area includes an approximately 5.5-mile stretch of Alessandro Boulevard from the Old 215 Frontage Road on the west to Nason Street on the east (Attachment #5). The project area has direct access to and from the I-215 Freeway at the Alessandro Boulevard interchange. An additional area funded locally includes R30 and Commercial zoning northeast of Perris Boulevard and Iris Avenue.

PROJECT DESCRIPTION: The City of Moreno Valley used grant funds rewarded by SCAG's Compass Blueprint for "Phase II of the implementation of the Alessandro Boulevard Corridor Demonstration Project" (The Alessandro Boulevard Corridor Vision Plan - Phase I was funded by SCAG's Compass Blueprint program in February 2010). Phase II includes rezoning areas along Alessandro Boulevard and northeast of Perris Boulevard and Iris Avenue to Residential 30 (R30), commercial rezoning of a parcel at the southwest corner of Perris Boulevard and Gentian Avenue and the creation an overlay district, including parcels along Alessandro Boulevard that were identified suitable for inclusion in the Mixed Use Overlay Districts in Phase I's Vision Plan.

FINDING

The City of Moreno Valley has reviewed the above project in accordance with the City of Moreno Valley's Guidelines for the Implementation of the California Environmental Quality Act, and has determined that an Environmental Impact Report need not be prepared because:

- [] The proposed project will not have a significant effect on the environment.
- [X] Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because mitigation measures described in the attached Initial Study and hereby made a part of this Negative Declaration have been added to the project.

This determination is based upon an Initial Study. The project file, including the Initial Study and related documents is available for review during normal business hours (7:30 a.m. to 5:30 p.m. Monday through Thursday) at the City of Moreno Valley, Community & Economic Development Department, Planning Division, 14177 Frederick Street, Moreno Valley, California 92553, Telephone (951) 413-3206.

PREPARED BY:
Claudia Manrique

DATE: 3/6/13

NOTICE

The public is invited to comment on the Negative Declaration. The appropriateness and adoption of the Negative Declaration is considered at the time of project approval in light of comments received.

DATE ADOPTED: _____ BY: _____



Draft
Initial Study and
Mitigated Negative Declaration

LEAD AGENCY:

City of Moreno Valley
14177 Frederick Street
Moreno Valley, California 92552
Contact: Mr. John Terell,, AICP
951.413.3206

PREPARED BY:

RBF Consulting
14725 Alton Parkway
Irvine, California 92618
Contact: Ms. Collette Morse, AICP
949.472.3505

March 7, 2013

JN 10-107939 (133624)

This is a project of the City of Moreno Valley with funding provided by the Southern California Association of Governments' (SCAG) Compass Blueprint Program. Compass Blueprint assists Southern California cities and other organizations in evaluating planning options and stimulating development consistent with the region's goals. Compass Blueprint tools support visioning efforts, infill analyses, economic and policy analyses, and marketing and communication programs. The preparation of this report was funded in part through grant(s) from the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) through the United States Department of Transportation (DOT) in accordance with the Metropolitan Planning Program as set forth in Section 104(f) of Title 23 of the U.S. Code. Additional funding was provided through a Blueprint Planning grant from the California Department of Transportation (Caltrans).

The contents of this report reflect the views of the author who is responsible for the facts and accuracy of the data presented herein. The contents do not necessarily reflect the official views or policies of SCAG, DOT or the State of California. This report does not constitute a standard, specification or regulation. SCAG shall not be responsible for the City's future use or adaptation of the report.



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ACRONYMS

| | |
|--------------------|---|
| AB | Assembly Bill |
| ACM | asbestos containing material |
| af | acre feet |
| APN | Assessor's Parcel Number |
| AQMP | Air Quality Management Plan |
| BMPs | Best Management Practices |
| °C | Degrees Celsius |
| CARB | California Air Resources Board |
| CBC | California Building Code |
| CBMWD | Central Basin Municipal Water District |
| CCR | California Code of Regulations |
| CEQA | California Environmental Quality Act |
| cfs | cubic feet per second |
| CH ₄ | Methane |
| CMP | Congestion Management Plan |
| CNEL | Community Noise Equivalent Level |
| CO | carbon monoxide |
| CO ₂ | carbon dioxide |
| CO ₂ eq | carbon dioxide equivalent |
| CUPA | Certified Unified Program Agency |
| dB | decibel scale |
| dba | A-weighted decibel |
| EIR | Environmental Impact Report |
| EMP | Emergency Management Plan |
| EPA | Environmental Protection Agency |
| ESA | Environmental Site Assessment |
| °F | Degrees Fahrenheit |
| FEMA | Federal Emergency Management Agency |
| FHWA | Federal Highway Administration |
| FTA | Federal Transit Administration |
| GHG | global greenhouse gas |
| HCM | Highway Capacity Manual |
| HVAC | Heating Ventilation and Air Conditioning |
| ICU | Intersection Capacity Utilization |
| IPCC | Intergovernmental Panel on Climate Change |
| IS/MND | Initial Study/Mitigated Negative Declaration |
| JOA | Joint Outfall Agreement |
| JOD | Joint Outfall Districts |
| JOS | Joint Outfall System |
| LACDPW | Los Angeles County Department of Public Works |
| LACFD | Los Angeles County Fire Department |
| LBP | lead based paint |

ACRONYMS

| | |
|---------------------|--|
| L _{dn} | Day-Night Sound Level |
| L _{eq} | equivalent sound level |
| LOS | level of service |
| mgd | million gallons per day |
| MMT | million metric tons |
| MT | metric tons |
| MTCO _{2eq} | metric tons of CO ₂ equivalent |
| MWD | Metropolitan Water District |
| N/A | not applicable |
| NAHC | Native American Heritage Commission |
| N ₂ O | nitrous oxides |
| NESHAP | National Emission Standards for Hazardous Air Pollutants |
| NO _x | nitrogen oxides |
| NOI | Notice of Intent |
| NOP | Notice of Preparation |
| NOT | Notice of Termination |
| NPDES | National Pollutant Discharge Elimination System |
| O ₃ | ozone |
| OPR | Office of Planning and Research |
| Pb | lead |
| PCE | passenger car equivalent |
| PM _{2.5} | particulate matter up to 2.5 microns in diameter |
| PM ₁₀ | particulate matter up to 10 microns in diameter |
| PPM | parts per million |
| PPV | peak particle velocity |
| RCP | reinforced concrete pipe |
| RCPG | Regional Comprehensive Plan and Guide |
| RECs | Recognized Environmental Conditions |
| ROG | Reactive Organic Gas |
| RTP | Regional Transportation Plan |
| RWQCB | Regional Water Quality Control Boards |
| SB | Senate Bill |
| SCAG | Southern California Association of Governments |
| SCAQMD | South Coast Air Quality Management District |
| SO _x | sulfur oxides |
| SRA | Source Receptor Area |
| SUSMP | Standard Urban Stormwater Mitigation Plan |
| SWPPP | Storm Water Pollution Prevention Plan |
| SWRCB | State Water Resources Control Board |
| TMP | Traffic Management Plan |
| tsf | total square feet |
| USDOT | United States Department of Transportation |

ACRONYMS

| | |
|------|------------------------------|
| USPS | United States Postal Service |
| UST | underground storage tank |
| UWMP | Urban Water Management Plan |
| V/C | Volume/Capacity |
| VdB | velocity in decibels |
| VOCs | volatile organic compounds |

TECHNICAL APPENDICES ON CD

1.0 INTRODUCTION

The proposed Alessandro Boulevard Corridor Implementation Project (herein referenced as the “project”) is a City-initiated project to: 1) create the Mixed Use Overlay Districts to implement the Vision Plan for Alessandro Boulevard Corridor, 2) increase the maximum permitted density to 30 dwelling units per acre in specified areas of the City, and , and 3) amend the general plan and zoning for approximately 21.74 acres of R-5 to Community Commercial. The proposed changes affect approximately 315 acres along, adjacent to, or in close proximity to Alessandro Boulevard. The project involves an amendment to the General Plan Land Use Map, as well as an amendment to the Moreno Valley Zoning Code and Zoning Map. Following a preliminary review of the proposed project, the City of Moreno Valley has determined that it is subject to the guidelines and regulations of the California Environmental Quality Act (CEQA). This Initial Study addresses the direct, indirect, and cumulative environmental effects of the project, as proposed.

1.1 STATUTORY AUTHORITY AND REQUIREMENTS

In accordance with the *California Code of Regulations (CCR)* Sections 15051 and 15367, the City of Moreno Valley (City) is identified as the Lead Agency for the proposed project. Under the *California Environmental Quality Act (CEQA)* (*Public Resources Code* Section 21000-21177) and pursuant to *CCR* Section 15063, the City is required to undertake the preparation of an Initial Study to determine if the proposed project would have a significant environmental impact. If, as a result of the Initial Study, the Lead Agency finds that there is evidence that any aspect of the project may cause a significant environmental effect, the Lead Agency shall further find that an Environmental Impact Report (EIR) is warranted to analyze project-related and cumulative environmental impacts. Alternatively, if the Lead Agency finds that there is no evidence that the project, either as proposed or as modified to include the mitigation measures identified in the Initial Study, may cause a significant effect on the environment, the Lead Agency shall find that the proposed project would not have a significant effect on the environment and shall prepare a Negative Declaration. Such determination can be made only if “there is no substantial evidence in light of the whole record before the Lead Agency” that such impacts may occur (*Public Resources Code* Section 21080(c)).

The environmental documentation, which is ultimately selected by the City in accordance with *CEQA*, is intended as an informational document undertaken to provide an environmental basis for subsequent discretionary actions upon the project. The resulting documentation is not, however, a policy document and its approval and/or certification neither presupposes nor mandates any actions on the part of those agencies from whom permits and other discretionary approvals would be required.

The environmental documentation and supporting analysis is subject to a public review period. During this review, public agency comments on the document relative to environmental issues should be addressed to the City of Moreno Valley. Following review of any comments received, the City will consider these comments as a part of the project’s environmental review and include them with the Initial Study documentation for consideration by the City.

1.2 PURPOSE

The purpose of the Initial Study is to: (1) identify environmental impacts; (2) provide the lead agency with information to use as the basis for deciding whether to prepare an EIR or a negative declaration; (3) enable an applicant or lead agency to modify a project, mitigating adverse impacts before an EIR is required to be prepared; (4) facilitate environmental assessment early in the design of the project; (5) document the factual basis of the finding in a negative declaration that a project would not have a significant environmental effect; (6) eliminate needless EIRs; (7) determine whether a previously prepared EIR could be used for the project; and (8) assist in the preparation of an EIR, if required, by focusing the EIR on the effects determined to be significant, identifying the effects determined not to be significant, and explaining the reasons for determining that potentially significant effects would not be significant.

CEQA Guidelines Section 15063 identifies specific disclosure requirements for inclusion in an Initial Study. Pursuant to those requirements, an Initial Study shall include:

- A description of the project, including the location of the project;
- Identification of the environmental setting;
- Identification of environmental effects by use of a checklist, matrix, or other method, provided that entries on a checklist or other form are briefly explained to indicate that there is some evidence to support the entries;
- Discussion of ways to mitigate significant effects identified, if any;
- Examination of whether the project is compatible with existing zoning, plans, and other applicable land use controls; and
- The name(s) of the person(s) who prepared or participated in the preparation of the Initial Study.

1.3 CONSULTATION

As soon as the Lead Agency (in this case, the City of Moreno Valley) has determined that an Initial Study would be required for the project, the Lead Agency is directed to consult informally with all Responsible Agencies and Trustee Agencies that are responsible for resources affected by the project, in order to obtain the recommendations of those agencies as to whether an EIR or Negative Declaration should be prepared for the project. Following receipt of any written comments from those agencies, the Lead Agency considers any recommendations of those agencies in the formulation of the preliminary findings. Following completion of this Initial Study, the Lead Agency initiates formal consultation with these and other governmental agencies as required under CEQA and its implementing guidelines.

1.4 INCORPORATION BY REFERENCE

The following documents were utilized during preparation of this Initial Study, and are incorporated into this document by reference. These documents are available for review at the City of Moreno Valley located at 14177 Frederick Street, Moreno Valley, California 92552.

City of Moreno Valley General Plan (adopted July 11, 2006). The *City of Moreno Valley General Plan (General Plan)* is a comprehensive long-term strategy for the physical development of the City. The *General Plan* determines how land may be used and the infrastructure and public services that are needed or desired by the community. The *General Plan* provides a framework for decision making related to planning and long term development in the local and regional context. The *General Plan* includes the following elements:

- Community Development
- Economic Development
- Parks, Recreation and Open Spaces
- Circulation
- Safety
- Conservation
- Housing

City of Moreno Valley Housing Element 2008-2014 (adopted February 22, 2011). On February 22, 2011, the Moreno Valley City Council approved the 2008-2014 Housing Element to the *General Plan*, in compliance with State law. The Housing Element was certified by the California Department of Housing and Community Development (HCD), and was found to be in full compliance with State housing element law on October 13, 2010.

The 2008-2014 Housing Element consists of a series of ongoing and new programs that implement the City's housing element goals, which are classified into five areas of focus:

- Preservation and revitalization of existing neighborhoods.
- Creation of housing opportunities for special needs populations.
- Creation of rental housing for low and very low income households.
- Creation of housing opportunities for low and moderate income first time home buyers.
- Increase of energy conservation measures.

The 2008—2014 Housing Element identifies that the City will accommodate a portion of its regional housing need (1,945 units affordable to lower-income households) by proposing to rezone 142 acres of vacant and underutilized sites to R-30 with a minimum density of 24 units per acre. The sites proposed for the rezone are identified in Attachment 4 of the Element, and are referred to as Calculations 3, 4, and 5. These calculation areas are also shown in Attachment 1 of the Element.

City of Moreno Valley General Plan Final Environmental Impact Report (SCH# 20091075) (certified July 11, 2006). The *City of Moreno Valley General Plan Final Environmental Impact Report (General Plan EIR)* reviews the existing conditions of the City, analyzes potential environmental impacts from implementation of the *General Plan*, identifies objectives, policies and programs from the proposed *General Plan* that serve to reduce and minimize impacts, and identifies additional mitigation measures, if necessary, to reduce potentially significant impacts of the *General Plan*. The project included a comprehensive update of the *General Plan*, and reviewed three potential land use policy map alternatives: 1) Existing General Plan, 2) Alternative 2, and 3) Alternative 3. Alternative 2 was the land use policy map adopted by the City Council, and includes the following:

- 62,922 single-family detached residential units
- 20,402 multi-family attached residential units
- 21,908,000 square feet of commercial
- 19,878,000 square feet of professional office
- 9,241,500 square feet of public
- 46,408,000 square feet of business park/industrial

Collectively, this totals 83,224 dwelling units and 97,409,000 square feet of non-residential floor area by 2030. This represents an increase of 41,179 dwelling units (25,706 single-family detached and 15,473 multi-family attached) and 76,615,000 square feet of non-residential floor area over existing conditions. The *General Plan EIR*, a Program EIR, evaluated the impacts of implementing the *General Plan*, the consideration of broad policy alternatives, and program-wide mitigation measures. The Program EIR also determined when subsequent environmental review would be needed for a specific development proposal that is consistent with the *General Plan*.

The *General Plan EIR* reviewed all topic areas identified in the CEQA Guidelines Appendix G, Environmental Checklist Form: Aesthetics; Agriculture Resources; Air Quality; Biological Resources; Cultural Resources; Geology/Soils; Hazards & Hazardous Materials; Hydrology/Water Quality; Land Use/Planning; Mineral Resources; Noise; Population/Housing; Public Services; Recreation; Transportation/Traffic; and Utilities/Service Systems.

Significant Unavoidable Impacts

The *General Plan EIR* concluded that implementation of the *General Plan* will result in significant project-level and cumulative impacts to traffic/circulation, air quality, and agricultural resources which cannot be fully mitigated. The City Council adopted a Statement of Overriding Considerations for these impacts on July 11, 2006.

Traffic/Circulation

Buildout of the City under Land Use Alternative 2 would result in an average of 2,628,197 daily trips. As shown in *General Plan EIR* Table 5.2.7, a total of 34 roadway segments would have projected V/C ratios indicating they are near to their daily traffic capacities. *General Plan EIR* Table 5.2-8 identifies those roadway segments where the

projected traffic volume exceeds roadway design capacity; 26 roadway segments have V/C ratios that are projected to exceed their daily traffic capacity. The 26 roadway segments are:

1. Alessandro Boulevard from Old 215 Frontage Road to Day Street
2. Cactus Avenue from Graham Street to Heacock Street
3. Cactus Avenue from Old 215 Frontage Road to Elsworth Street
4. Day Street from Ironwood Avenue to SR-60
5. Day Street from SR-60 to Eucalyptus Avenue
6. Eucalyptus Avenue from Graham Street to Heacock Street
7. Eucalyptus Avenue from Old 215 Frontage Road to Day Street
8. Frederick Street from SR-60 to Sunnymead Boulevard
9. Frederick Street from Sunnymead Boulevard to Towngate Boulevard
10. Gilman Springs Road from SR-60 to Spine Road
11. Heacock Avenue from Cottonwood to Alessandro Boulevard
12. Heacock Street from Alessandro Boulevard to Cactus Avenue
13. Heacock Street from Cactus Avenue to John F. Kennedy Drive
14. Heacock Street from Ironwood Avenue to SR-60
15. Heacock Street from Manzanita Avenue to Ironwood Avenue
16. Heacock Street from SR-60 to Sunnymead Boulevard
17. Heacock Street from Sunnymead Boulevard to Eucalyptus Avenue
18. Indian Street from Mariposa Avenue to Nandina Avenue
19. Indian Street from Sunnymead Boulevard to Fir Avenue
20. Kitching Street from Iris Avenue to Krameria Avenue
21. Kitching Street from Krameria Avenue to Mariposa Avenue
22. Perris Boulevard from Elder Avenue to Sunnymead Boulevard
23. Perris Boulevard from Nandina Avenue to Oleander Avenue
24. Perris Boulevard from Oleander Avenue to south of Oleander Avenue (this location is outside of the City Sphere of Influence)
25. Pigeon Pass Road from Ironwood Avenue to SR-60
26. Redlands Boulevard from north of Locust Avenue to Locust Avenue

Air Quality

Short-Term Construction Impacts

Future development in the planning area will generate construction impacts associated with the following construction activities: 1) construction equipment emissions; 2) emissions from workers' vehicles traveling to and from the construction sites; and 3) dust from grading and earth-moving operations. Construction related air quality impacts will occur periodically throughout implementation of the *General Plan*, regardless of which Land Use Alternative is selected. Construction activity will primarily generate PM₁₀, CO, and NO_x. In addition, reactive organic gases (ROGs) will be released during the use of architectural coatings, exterior paints and asphalt.

The three General Plan Land Use Alternatives identify future allowed land uses; however, no specific development is proposed. Construction emissions for specific development projects will vary depending on the size of the project, amount of grading required, type and quantity of construction equipment, building floor area or number of residential units to be constructed. As depicted in Table 5.2-6, the demolition, grading, and building construction activities of a typical development project allowed under the *General Plan* may result in an average of 18 pounds per day of PM₁₀ emissions, 113 pounds per day of ROG emissions, 154 pounds per day of NO_x emission, and 141 pounds per day of CO emissions for one project. However, more than one project is likely to be under construction at one time. The South Coast Air Basin currently fails to meet state and federal air quality standards for four of the criteria pollutants including ozone, nitrogen dioxide, carbon monoxide, and fine particulate matter. Therefore, the addition of construction related emissions to the air basin could violate the existing federal, State, and local air quality standards

for ozone, nitrogen dioxide, carbon monoxide, and fine particulate matter and contribute to an existing air quality violation. This is considered a significant impact.

The PM₁₀ emissions associated with construction activities can be reduced by approximately 50 percent with implementation of the SCAQMD Rule 403 construction regulations. Also, implementation of the aforementioned new state and AQMD regulations on construction equipment, diesel fuels and diesel exhaust will substantially reduce short-term impacts on air quality. Implementation of Mitigation Measures AQ1, AQ2, and AQ3 will further reduce the construction related air quality impact; however, the impact associated with construction related emissions is anticipated to remain significant and unavoidable.

Long-Term Impacts

New development that would occur pursuant to any of the three General Plan Alternatives would impact regional air quality. The major sources of new air pollution would result from: 1) on-site emissions from the use of natural gas for space heating, cooking and water heating; 2) emissions from vehicles traveling to and from the planning area; 3) emissions from the combustion of fossil fuels at power plants to produce the electricity used within the planning area; and 4) stationary source emissions from industrial and commercial uses.

Table 5.3-8 depicts the estimated daily emissions associated with buildout of General Plan Alternative 2, which includes both stationary and mobile emissions. Table 5.3-8 also summarizes the difference between existing and Alternative 2 estimated daily emissions. The planning area is anticipated to generate over 52,535 pounds per day of PM₁₀, 26,776 pounds per day of ROG, 10,814 pounds per day of NO_x, and 107,699 pounds per day of CO. As depicted in Table 5.3-8, this is a decrease of approximately 1,805 pounds per day of ROG, 18,025 pounds per day of NO_x, and 150,932 pounds per day of CO.

The South Coast Air Basin currently fails to meet state and federal air quality standards for four of the criteria pollutants including ozone, nitrogen dioxide, carbon monoxide, and fine particulate matter. Although emission levels are anticipated to decrease for ROG, NO_x, and CO by the buildout of any of the three General Plan Alternatives due to stricter air quality standards and better technology, implementation of any of the three General Plan Alternatives could still significantly contribute to the existing air quality violations. As a result, implementation of the *General Plan* could violate the existing federal, State, and local air quality standard and conflict with the SCAQMD Air Quality Management Plan or SCAG Growth Management Plan. Implementation of Mitigation Measures AQ1 through AQ10 would reduce the air quality impacts; however, the long-term air quality impact is anticipated to remain significant and unavoidable due to cumulative effects in combination with air emissions within the South Coast Air Quality Basin.

Sensitive Receptors

Future development according to any of the three General Plan Alternatives has the potential to increase the exposure of sensitive receptors, including residents, in the planning area to increased air pollutant levels associated with carbon monoxide (CO). Section 5.2 Traffic/Circulation of the *General Plan EIR* provides an analysis of roadway and intersection operations for *General Plan* buildout. As depicted in Section 5.2, implementation of the proposed *General Plan* could result in several intersections operating at Level of Service (LOS) E or worse. These intersections would have the potential to create localized CO “hot spot” impacts. Typically, if a sensitive receptor is located within 500 feet of an intersection operating at LOS worse than E, a significant impact would occur. Therefore, implementation of the *General Plan* may result in a significant impact associated with sensitive receptors.

Concentrations of air pollutants such as carbon monoxide and particulates are much higher adjacent to freeways than the concentrations of pollutants in areas located far from freeways. The land use plan for Alternatives 1 and 3 would allow new residential development adjacent to State Route 60 (from Moreno Beach Drive east), while Alternative 2 would allow commercial, office and business park development adjacent to the freeway. Therefore, both Alternatives 1 and 3 would expose more sensitive receptors to air pollution from freeway traffic than would be the case under Alternative 2.

Implementation of Mitigation Measure AQ10 would reduce the impact; however, the impact associated with sensitive receptors would remain significant and unavoidable. Mitigation Measure AQ10 requires that studies shall be conducted on the identified street segments to determine if any additional traffic controls, pavement width or other operational system improvements are needed to achieve the desired level of service.

Agricultural Resources

Implementation of General Plan Alternatives 1, 2, or 3 will result in the eventual conversion of the majority of the agricultural uses within the planning area to urban uses. General Plan Land Use Alternatives 1, 2, and 3 contain policies to encourage the interim use of land for agricultural activities. However, even with these measures, there are existing pressures that would result in the conversion of agriculture within and adjacent to the planning area with or without implementation of any of the three proposed General Plan Alternatives. Therefore, a significant and unavoidable impact to agriculture as a result of the implementation of General Plan Land Use Alternatives 1, 2, or 3 will remain.

Less Than Significant or Not Significant Impacts

All other impacts in the *General Plan EIR* were concluded to be less than significant, both with or without mitigation, or not significant.

City of Moreno Valley Municipal Code. The *City of Moreno Valley Municipal Code* provides regulations for governmental operations, development, infrastructure, public safety, and business operations within the City. Title 9, Planning and Zoning, is intended to implement the goals, objectives, policies, and programs of the *General Plan* and manage future growth and change in accordance with the plan in order to protect the physical, social, and economic stability and vitality of land uses within the City. It is also intended to attain physical, social, and economic advantages resulting from comprehensive and orderly land use and resource planning while reducing or eliminating hazards to the public.

Initial Study/Environmental Assessment for City of Moreno Valley - Edgemont Water Master Plan Update (September 2009). The United States Environmental Protection Agency issued a Finding of No Significant Impact for the City of Moreno Valley – Edgemont Water Master Plan Update. The Environmental Assessment examines two alternatives to upgrade the water system in the Edgemont area. Alternative 1 consists of the construction of a new water reservoir tank that will serve as the water supply for the City. A new pipeline system will be constructed to supply the water to the Edgemont area. Alternative 2 uses the existing Western Municipal Water District system to supply water to the Edgemont Area. A pipeline system nearly identical to alternative 1 will be constructed under this alternative. The differences in the pipeline are minor and solely related to the connection point between the two alternatives. The EA did not identify any significant impacts to the environment that would result from the implementation of this project, and included a total of six mitigation measures (Aesthetics -1, Biological – 1, Cultural – 2, Geology – 1, Hazards – 1) to reduce significant impacts.

1.5 CEQA DOCUMENT TIERING

Both the *Public Resources Code* and the *CEQA Guidelines* discuss the use of “tiering” environmental impact reports by lead agencies. *Public Resources Code* Section 21068.5 defines “tiering” as:

“The coverage of general matters and environmental effects in an environmental impact report prepared for a policy, plan, program or ordinance followed by narrower or site-specific environmental impact reports which incorporate by reference the discussion in any prior environmental impact report and which concentrate on the environmental effects which: (a) are capable of being mitigated, or (b) were not analyzed as significant effects on the environment in the prior environmental impact report.”

Tiering is a method to streamline EIR preparation by allowing a Lead Agency to focus on the issues that are ripe for decision and exclude from consideration issues already decided or not yet read for decisions (*CEQA Guidelines* Sections 15152 and 15385). The concept of tiering anticipates a multi-tiered approach to preparing EIRs. The first-tier EIR covers general issues in a broader program-oriented analysis, including important program resource and mitigation commitments required to be implemented at the project-level. Subsequent tiers incorporate by reference the general discussions from the broader document, concentrating on the issues specific to the proposed action being evaluated (*CEQA Guidelines* Section 15152).

First-tier documents are usually Program EIRs, Master EIRs, General Plan EIRs, Staged EIRs, Redevelopment Plan EIRs, or similar EIRs. Second-tier documents are typically Project EIRs, Focused EIRs, and Mitigated Negative Declarations that evaluate the impacts of a single activity undertaken to implement the plan, program, or policy.

When an EIR has been prepared and certified for a program or plan consistent with *CEQA*'s tiering requirements, a Lead Agency for a later project pursuant to or consistent with the program or plan should limit the EIR on the later project to effects that were not examined as significant effects on the environment in the prior EIR. In those situations where a programmatic document does not specifically address and analyze the impacts and mitigation measures necessary for a project-level action, the project-level environmental review can be streamlined by tiering from the program-level documents. Agencies are encouraged to tier their *CEQA* analysis to avoid repetition of issues and to focus on the issues for decision at each level of review. Subsequent *CEQA* compliance involves either the preparation of an EIR or Negative Declaration.

For purposes of tiering, significant environmental effects have been "adequately addressed" in the first-tier document if the Lead Agency determines that the significant environmental effects:

- Have been mitigated or avoided as a result of the prior EIR and adopted findings in connection with that prior EIR;
- Have been examined at a sufficient detail in the prior EIR to enable those effects to be mitigated or avoided by site-specific revisions, the imposition of conditions, or by other means with the approval of the later project; and
- Cannot be mitigated to avoid or substantially lessen the significant impacts despite the project proponent's willingness to accept all feasible mitigation measures, and the only purpose of including analysis of such effects in another EIR would be to put the agency in a position to adopt a statement of overriding considerations with respect to the effects.

In the case of this proposed project, a Final EIR was certified for the *City of Moreno Valley General Plan* in July 2006. The *General Plan EIR* analyzed the impacts associated with implementation of the land use policy map and policies contained in the City's *General Plan* that are intended to guide growth and development in the City. The growth anticipated under the *General Plan* was described previously in [Section 1.4, Incorporation By Reference](#), as were the 14 topical areas reviewed in the *General Plan EIR*.

The *General Plan EIR* is considered a first-tier EIR. The Mitigated Negative Declaration for this proposed project is considered a second-tier *CEQA* document, and the analysis in this Mitigated Negative Declaration has: 1) incorporated by reference the *General Plan EIR* and 2) will tier the analysis in this MND to focus on impacts not previously analyzed in the *General Plan EIR*.

The first-tier EIR (*General Plan EIR*) provided analysis for the topics of: Land Use and Planning; Traffic/Circulation; Air Quality; Noise; Hazards and Hazardous Materials; Geology and Soils; Hydrology and Water Quality; Agricultural Resources; Biological Resources; Cultural Resources; Aesthetics; Population and Housing; Public Services; and Mineral Resources.

For purposes of this CEQA document (Mitigated Negative Declaration), the *General Plan EIR* has adequately addressed the proposed project's impacts related to Cultural Resources; Biological Resources; Agricultural Resources; and Mineral Resources, as the growth anticipated under the proposed project is consistent with and accounted for in the projected growth anticipated under the *General Plan*. Topics to be tiered off the *General Plan EIR* in this second-tier CEQA document (Mitigated Negative Declaration) include Land Use and Planning; Aesthetics; Traffic; Air Quality, Noise; Geology and Soils; Hazards and Hazardous Materials; Hydrology and Water Quality; Population and Housing; Public Services; Recreation; and Utilities.

This second-tier CEQA document (Mitigated Negative Declaration) will be used by the Lead Agency to evaluate the proposed project's environmental impacts, and can be further used to modify, approve, or deny the approval of the proposed project based on the analysis it provides.

2.0 PROJECT DESCRIPTION

2.1 PROJECT LOCATION

Regionally, the project area is located in the southern portion of the City of Moreno Valley in western Riverside County; refer to *Exhibit 2-1, Regional Vicinity*. Locally, the project area generally includes an approximately 5.5-mile stretch of Alessandro Boulevard from the Old 215 Frontage Road on the west to Nason Street on the east; refer to *Exhibit 2-2, Project Location Map & Nodes*. The project area has direct access to and from the I-215 Freeway at the Alessandro Boulevard interchange.

2.2 ENVIRONMENTAL SETTING

At 5.5 miles in length, the corridor is the longest of Moreno Valley's five corridors. It serves as an important transportation corridor that connects Interstate 215 and the nearby future planned Metrolink Station at the western end with the Riverside County Regional Medical Center approximately 5.5 miles to the east along Nason Street.

Existing physical conditions on the corridor are typical and characteristic to many suburban corridors – low intensity, automobile-oriented uses such as warehouses, office parks, drive-through restaurants and pharmacies, and multiple strip malls and community-oriented shopping centers. The roadway itself lacks consistent landscaping and an overall positive image. Buildings along the corridor tend to be located behind parking lots. Some new buildings have been built closer to the corridor, but are located behind drainage swales that are visually pleasant but tend to disconnect the building from the environment it its shaping. In some areas, established single-family neighborhoods are north and south of the corridor and present their backyard walls along the corridor. Multi-family apartments and townhomes are located in lesser amounts in the area. Some homes are located directly fronting Alessandro Boulevard, with direct driveway access along the corridor.

The natural setting of the area is very attractive, with long-distance views from the corridor of surrounding hills and mountain ranges, including large peaks in the San Bernardino National Forest and Mt. San Jacinto National State Wilderness. Remnants of agricultural fields, vineyards, and orchards are in the eastern end of the corridor. One mile east of the study area, at the intersection of Alessandro and Redlands Boulevards, is the location where Moreno Valley was established in 1891.

2.3 EXISTING ZONING AND GENERAL PLAN

General Plan: Multiple Designations

Zoning: Multiple Designations

2.4 PROJECT BACKGROUND

2.4.1 Vision Plan for Alessandro Boulevard Corridor

On June 30, 2010, the Moreno Valley City Council accepted the *Vision Plan for Alessandro Boulevard Corridor (Vision Plan)*, a Southern California Association of Governments (SCAG) Compass Blueprint Study. The *Vision Plan* looked at the Alessandro Boulevard corridor and the properties within ½-mile to its north and south between the I-215 Freeway and Nason Street. The purpose of the study was to identify the potential for the Boulevard becoming a transit corridor, linking a planned Metrolink Station with the 50-square mile, 186,000 person community of Moreno Valley. After learning that transit-oriented development would not be possible at the planned Metrolink Station due to restrictions involving aircraft patterns from the nearby March Air Force Base, the study broadened its focus to

evaluate the corridor's potential for transit as part of the composite solution for revitalization of the corridor. Essentially, transit will play a role in the corridor, but it should not drive the community's efforts to recast this corridor.

The *Vision Plan* includes the following chapters: Introduction, Vision and Guiding Principles, Community Form and Role of Alessandro Boulevard, Recommendations, and Implementation. The following paragraphs have been excerpted from the *Vision Plan*.

Vision

Alessandro Boulevard is a thriving multi-modal boulevard that connects neighborhoods and employment centers with regional, community, and neighborhood-serving retail and services spaced along the corridor in activity nodes. Residents, employees, and visitors can walk to the corridor for a variety of needs ranging from personal services to restaurants and groceries.

Guiding Principles

The report evaluated the corridor in five ways – local perspective and vision along with existing physical, policy, economic, and sustainability conditions. Based upon the information obtained during the evaluation activities, the report identified and established the following underlying principles to guide the City's actions for Alessandro Boulevard's revitalization:

1. Alessandro Boulevard's future is established through a vision that has a clear purpose, is generated through a collaborative public process, focuses on placemaking, is implementable and adaptable through a framework of tangible policy and standards;
2. Positive change is realized through a variety of partnerships aimed at a diverse range of opportunities along the corridor;
3. The corridor is organized into a hierarchy of distinct and related activity nodes that respond to the adjacent existing and/or future neighborhoods and employment centers;
4. The physical scale of each activity node and connecting corridor segments is adjusted to the intended physical character to promote compatibility;
5. Streetscapes and rights-of-way accommodate the vehicle while focusing on the needs of pedestrians and cyclists, particularly at activity nodes;
6. Development is scaled to the pedestrian and consists of a mix of retail, housing, public facilities and types of buildings;
7. Commerce is focused at and near activity nodes to generate thriving pedestrian-oriented development and to share infrastructure such as parking;
8. A diverse mix of building types and styles generates an urban form along the corridor that enhances commerce at activity nodes, creating a positive identity;
9. Housing types include a mix of dwellings by size and income levels to generate a wide range of housing choices and to enhance the customer base along the corridor;
10. Mixed use and/or higher density buildings are located at the core of activity nodes to physically shape and activate public space/streetscapes at these important locations;
11. Open Space is distributed along the corridor and consists of a mix of public open spaces -- streetscapes, linear parks, plazas -- depending upon the intended physical scale of the location;
12. Streets are multi-modal -- rail, bus, car, bike, pedestrian -- aimed at providing a range of choices and to support the corridor as a series of distinct and related pieces;
13. The corridor is designed for efficient traffic flow while at speeds that are compatible with pedestrian activity and support commercial activity;
14. The streetscape provides shade and comfort for pedestrians and cyclists with consistent elements to spatially define the corridor and to emphasize the commercial nature of activity nodes; and

15. Parking in non-residential areas and activity nodes is addressed through a 'park-once' approach, which groups and shares parking responsibilities with the parking ratio calibrated to the different intensities of the activity nodes. Residential parking is provided for each property in ways that are supportive of the living environment and that maintain the integrity of the public streetscape.

Community Form and Role of Alessandro Boulevard

The *Vision Plan* proposed an overall Community Form that included Activity Nodes linked by Primary and Secondary Corridor Zones located in between and along Alessandro Boulevard. Both the Activity Nodes and the Corridor Zones are surrounded by Corridor-Adjacent Zones that are unlikely to change. Each Activity Node is located at a major street intersection and projects outward from the intersection for approximately a ¼-mile walking radius. The Activity Nodes range in intensity from regional-level attractions, such as the Moreno Valley Town Center, to community-level collections of retail and services, such as the shops along Sunnymead Boulevard. In total, four types of nodes were identified: Regional, Medical Center, Community, and Neighborhood.

The intended role of Alessandro Boulevard is summarized below:

- A. Alessandro Boulevard as a series of nodes.
- B. A new image to attract business, office, and housing to the corridor.
- C. Serve the local economy.
- D. Transportation, circulation, and access.

Recommendations

The report's key recommendation is that the corridor becomes a series of independent but related nodes. These nodes work in concert with Moreno Valley's existing nodes to provide a complete and strategically dispersed set of places aimed at regional, community, or neighborhood retail and services. The *Vision Plan* also included recommendations for Transportation, Circulation, and Access; and Sustainability.

2.4.2 2008-2014 Housing Element

On February 22, 2011, the Moreno Valley City Council approved the 2008-2014 Housing Element to the *General Plan*, in compliance with State law. The Housing Element was certified by the California Department of Housing and Community Development (HCD), and was found to be in full compliance with State housing element law on October 13, 2010.

In order to maintain its compliance with State housing element law, the City of Moreno Valley is in the process of implementing programs set forth in the 2008-2014 Housing Element. Accordingly, amendments to the *Moreno Valley General Plan* and Moreno Valley Zoning Code are required to increase the City's maximum housing density in certain limited areas of the City. The following objective, policies, and programs are pertinent to the proposed project.

Housing Element Objective 8.13

Propose general plan amendment to R-30 for sites at Alessandro (calculation 5) and Alessandro/hospital (calculation 3) and Perris/Iris (calculation 4) per attachment 1. (Refer to Exhibits 2-3a, 2-3b, and 2-3c, Proposed R-30 General Plan Amendments).

Policies:

8.13.1 Designate land appropriately zoned for the development higher density housing.

Programs:

8.23 Establish an R-30 zone.

8.24 Process General Plan Amendment to apply R-30 zoning to designated sites or alternative sites of equivalent acreage.

2.4.3 R30 General Plan and Zoning Designation

On September 22, 2009, the Moreno Valley City Council approved PA09-0018 (General Plan Amendment) and PA08-0099 (Municipal Code Amendment), which added a new zoning designation to the *General Plan* creating the Residential 30 (R30) zoning district and amend a range of zoning regulations contained in Title 9 of the City of Moreno Valley Municipal Code regarding multiple family development standards.

General Plan

The following changes were made to the *General Plan*:

- Residential 30 (R30) Zoning District was added.
- Amended Section 9.2.2 under “Policies” (page 9-4) of the *General Plan* as follows:
 - 2.2.1 The primary purpose of areas designated Residential 30 is to provide a range of high density multi-family housing types in an urban setting. Developments within Residential 30 areas shall also provide amenities, such as common open spaces and recreational facilities. The maximum density shall be 30 dwelling units per acre.
- The rest of the policies of Objective 2.2 were renumbered.

Municipal Code

For Section 9.01.090(A) under “Residential Districts,” the following changes were made:

- Added k. Residential 30 (R30) District.
- Changed k. to l. Residential Single-Family 10 (RS10) District.

For Section 9.03.020 under “Residential Districts,” L was added:

L. Residential 30 District (R30). The primary purpose of the R30 district is to provide a broadened range of housing types in a more urban setting than is typically found within other areas of the city. This district is intended as an area for development of multifamily residential dwelling units at a maximum allowable density of thirty (30) DU's per net acre in accordance with the provisions outlined herein.

2.5 PROJECT CHARACTERISTICS

The proposed project is a City-initiated project to: 1) create the Mixed Use Overlay Districts to implement the Vision Plan for Alessandro Boulevard Corridor, 2) increase the maximum permitted density to 30 dwelling units per acre in specified areas of the City, and 3) amend the general plan and zoning for approximately 21.74 acres of R-5 to Community Commercial (refer to *Exhibit 2-4, Proposed Zoning Map*). The proposed changes affect approximately 315 acres along, adjacent to, or in close proximity to Alessandro Boulevard.

2.5.1 Project Approvals

A summary of the regulatory amendments are identified below.

General Plan

- Amend the General Plan Land Use Map (*General Plan* Figure 2-2) to designate parcels for the Residential: Maximum 30 dwelling units per acre designation consistent with the Housing Element Objective 8.13, which is depicted on Exhibits 2-3a, 2-3b, and 2-3c.

Zoning Code

Amend the Moreno Valley Zoning Code to:

- Add Chapter 9.075 – Mixed-Use Overlay Districts
- Add Chapter 9.09 – Specific Use Standards
- Revise Section 9.02.090 – Administrative Variances
- Revise Chapter 9.11 – Parking, Pedestrian, and Loading Requirements
- Revise Chapter 9.15 – Definitions
- Amend the Zoning Map to Include MUC, MUI, MU Classifications
- Amend the Zoning Map to designate parcels for the Residential 30 designation consistent with the Housing Element Objective 8.13, which is depicted on Exhibit 2-4.

2.5.2 Summary of Changes to Moreno Valley Zoning Code

Creation of Zoning Code Chapter 9.075 – Mixed-Use Overlay Districts

Chapter 9.075 will include the following sections:

- 9.075.010 – Purpose and Intent
- 9.075.020 – Applicability
- 9.075.030 – Purposes of Mixed-Use Overlay District
- 9.075.040 – Permitted Uses in Mixed-Use Overlay Districts
- 9.075.050 – Mixed-Use Site Development Standards
- 9.075.060 – Building Frontage Type Standards
- 9.075.070 – Open Space Standards – Publicly-Accessible Open Space
- 9.075.080 – Open Space Standards – Private/Common Open Space
- 9.075.090 – Lot Area Requirements and Lot Consolidation Incentives

9.075.010 – Purpose and Intent

A. Purpose. The purpose of this Chapter to provide regulations that implement the goals and policies of the General Plan, the Alessandro Boulevard Corridor Vision Plan (accepted by the Moreno Valley City Council on June 30, 2010), and other similar long-range planning documents aimed at encouraging mixed-use development within the City.

B. Intent. The Mixed-Use Overlay Districts are intended to:

1. Stimulate economic development and reinvestment through regulations based upon recognized urban design principles that allow property owners to respond with flexibility to market forces;
2. Create specific development nodes at street intersections with a pedestrian-oriented mix of uses with convenient access between area neighborhoods, housing, employment centers, and retail services;
3. Accommodate intensities and patterns of development that can support multiple modes of transportation including public transit, bicycles, and walking;

4. Facilitate well-designed new mixed-use development projects that combine residential and nonresidential uses (e.g., office, retail, business services, personal services, public spaces and uses, other community amenities, etc.) to promote a better balance of jobs and housing;
5. Ensure compatibility with adjacent existing single-family neighborhoods and harmonious integration with existing commercial areas;
6. Encourage the development of unique district character through a streetscape that provides attractive features (e.g., landscaping, street furniture, niche or linear parks, public places, courtyards, public transportation shelters; etc.) designed to integrate the public realm (e.g., streets, sidewalks, etc.) with adjacent development on private property; and
7. Provide additional property rights while preserving existing property rights. This intent is achieved by providing additional development rights in compliance with this Chapter, which property owners may exercise under certain conditions, while retaining all development rights conferred by the underlying district to property owners in the mixed-use overlay districts. Incentives and advantages include allowing a greater range and mix of uses; more permissive dimensional specifications (e.g., greater floor area ratio, lot coverage ratio, and height; reduced setbacks; etc.); exemption from certain design review requirements; and fee reductions or waivers.

9.075.020 – Applicability

This Section describes the applicability of mixed-use overlay district standards to a property when the property is located within two districts – a base district (e.g., Commercial (C), Office (O), Business Park/Light Industrial (BP), etc.) and a mixed-use overlay district.

A. Relationship between overlay district standards and base district standards. For property within a mixed-use overlay district, the regulations in this Chapter allow mixed-use development as an alternative to the type of development allowed under the base (underlying) district standards.

B. Base district standards.

1. The provisions in this Chapter shall apply to all properties within their respective mixed-use overlay districts, but the provisions do not supersede the underlying base district provisions until a property is developed in compliance with the provisions of this Chapter.
2. New projects may be developed in compliance with the existing underlying base district, provided that all standards and requirements of the underlying base district are met.
3. Regulations, development standards, and requirements in the underlying base district shall continue to apply to those projects that are currently developed according to the existing standards.
4. For legal non-conforming uses (i.e., uses that do not comply with the provisions of the base district or this Chapter), the provisions in Section 9.02.180 (Legal Nonconforming Uses, Improvements, and Parcels) shall apply.

C. Option to apply mixed-use overlay district standards.

1. The owner or developer of any property within any mixed-use overlay district may choose to develop in compliance with the standards and procedures in this Chapter that apply to the particular mixed-use overlay district in which the property is located.

2. In order to exercise the option to develop under the provisions in this Chapter, approval of a development review application shall be required in compliance with Chapter 9.02.030 (Development Review Process). In granting the approval, the review authority shall find that:
 - a. The proposed development is in compliance with the provisions in this Chapter; and
 - b. Approval of the project will not reduce the amount of land available in mixed-use overlay zone areas to a point where the City's affordable housing needs under the Regional Housing Needs Assessment (RHNA) cannot be met.
- D. Other applicable regulations.** Other applicable regulations can be found in Section 9.09.250 (Live-Work Development) and Section 9.09.260 (Mixed-Use Development).
- E. Applicable regulations after completion of development.** Once a property is developed in compliance with the provisions in this Chapter, the provisions of this Chapter completely supersede the provisions of the underlying base district. Whenever the requirements of the overlay district impose a more or less restrictive standard than the provisions of the underlying base district, the requirements of the overlay district shall govern.
- F. Effect of Alessandro Boulevard Streetscape Master Plan.** Projects on property located with frontage directly along Alessandro Boulevard shall be subject to the guidelines in the *Alessandro Boulevard Streetscape Master Plan*. The plan provides guidelines for street right-of-way design, streetscape furniture enhancements, and pedestrian and bicycle amenities along Alessandro Boulevard between Day Street on the west end and Nason Street on the east end. If there is a conflict between the standards in this Chapter and the guidelines in the *Alessandro Boulevard Streetscape Master Plan*, the standards of this Chapter shall apply.
- G. Use of photographs.** Photographs and illustrations are included in this Chapter for illustrative purposes only. Specific development standards in this Chapter are the controlling language for purposes of development regulation.

9.075.030 – Purposes of Mixed-Use Overlay Districts

This Section describes the purpose and intent of each mixed-use overlay district.

- A. Mixed-Use Institutional Anchor (MUI) Overlay District.** The Mixed-Use Institutional Anchor (MUI) Overlay District applies to areas around prominent anchor institutions, such as civic centers, medical centers, and educational campuses. The intent is to build upon the role of the institutions by providing opportunities for urban, high-intensity development that serves the needs of visitors, employees, and residents affiliated with the anchor institution and the surrounding region. Development is allowed up to five stories in height with building frontages near or at the sidewalk, wide sidewalks, and parking under or behind buildings. Vertical mixed-use development (ground-floor retail with offices or housing above) is required at important street intersections. Horizontally-integrated or vertically-integrated mixed-use development, with no requirement for ground-floor retail, is allowed in other locations. The overlay district name may be expanded to include the name of the type of anchor institution (e.g., "MUI – Medical Center"). See Figure 9.075.030-1 (Examples of Development in Mixed-Use Institutional Anchor (MUI) Overlay District).
- B. Mixed-Use Community (MUC) Overlay District.** The Mixed-Use Community (MUC) Overlay District applies to areas along major arterials and arterials. The intent is to provide opportunities for the development of pedestrian-oriented blocks with medium-intense development that serves the needs of residents, visitors, and employees from the surrounding community. Development is allowed up to four stories in height with building frontages near or at the sidewalk, wide sidewalks, and parking under or behind buildings. Vertical mixed-use development (ground-floor retail with offices or housing above) is required at important street intersections. Horizontally-integrated or vertically-integrated mixed-use development, with no requirement for ground-floor

retail, is allowed in other locations. The overlay district name may be expanded to include the community name (e.g., “MUC – East Alessandro”). See Figure 9.075.030-2 (Examples of Development in Mixed-Use Community (MUC) Overlay District).

- C. *Mixed-Use Neighborhood (MUN) Overlay District.*** The Mixed-Use Neighborhood (MUN) Overlay District applies to areas along arterials and minor arterials. The intent is to provide an area for low-rise mixed-use development that serves the needs of residents, visitors, and employees from the surrounding immediate neighborhood. Development is allowed up to three stories in height with building frontages near or at the sidewalk, wide sidewalks, and parking under or behind buildings. Vertical mixed-use development (ground-floor retail with offices or housing above) is required at important street intersections. Horizontally-integrated or vertically-integrated mixed-use development, with no requirement for ground-floor retail, is allowed in other locations. The overlay district name may be expanded to include the neighborhood name (e.g., “MUN – Lasselle Crossing”). See Figure 9.075.030-3 (Examples of Development in Mixed-Use Neighborhood (MUN) Overlay District).

9.075.040 – Permitted Uses in Mixed-Use Overlay Districts

For the mixed-use overlay districts, 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 (Permitted Uses) of this Title. Any use not listed in Table 9.02.020-1 as a permitted use, conditional use, or accessory use shall be prohibited.

9.075.050 – Mixed-Use Overlay District Site Development Standards

This Section provides standards that govern development on properties located in the Mixed-Use Overlay Districts. See Table 9.075.050-10 (Mixed-Use Overlay District Development Standards) and related illustrations. For the purpose of this Zoning Code, mixed-use projects shall comply with nonresidential standards when no mixed-use standards exist.

9.075.060 – Building Frontage Type Standards

This Section provides frontage type standards for buildings in the mixed-use overlay districts. Table 9.075.050-10 specifies allowable building frontage types for each mixed-use overlay district.

9.075.070 – Open Space Standards – Publicly-Accessible Open Space

This Section provides standards for publicly accessible open space areas in order to ensure a high level of pedestrian connectivity and activity between the public realm and the private realm, as defined in Chapter 9.15 (Definitions)..

9.075.080 – Open Space Standards – Private/Common Open Space

This Section provides standards for private and/or common open space for residential uses. Private and/or common open space shall be provided in addition to the required publicly accessible open space in Section 9.075.080 (Open Space Standards – Publicly-Accessible Open Space).

9.075.090 – Lot Consolidation Incentives

This Section provides incentives to encourage the assembly of smaller existing lots into larger lots that can be more efficiently developed into a mixed-use project.

Creation of Chapter 9.09 – Specific Use Development Standards [New]

Chapter 9.09 will include the following sections:

- 9.09.250 – Live-Work Development
- 9.09.260 – Mixed-Use Development
- 9.09.270 – Outdoor Dining

9.09.250 – Live-Work Development

This Section provides operational and compatibility standards for the development of live/work units. These standards are in addition to the standards for live-work development provided in Chapter 9.075 (Mixed-Use Overlay Districts).

9.09.260 – Mixed-Use Development

This Section provides operational and compatibility standards for mixed-use development. These standards are in addition to the standards provided in Chapter 9.075 (Mixed-Use Overlay Districts).

9.09.270 – Outdoor Dining

This Section provides standards for outdoor dining areas.

Revision to Subsection 9.02.090.C. (Administrative Variances – Limitations on Administrative Variances)

The following subparagraph is added to Paragraph C:

5. Decrease in building frontage requirements. In any mixed-use overlay district, the community development director may authorize up to a ten (10) percent decrease in the distance threshold established to specify the required percentage of a building frontage to be built to the Build-To-Zone, as indicated in Table 9.075.050-10 (Mixed-Use Overlay District Development Standards) (i.e., the distance threshold from street intersections for the purposes of calculating building frontage length may be reduced from 300 feet to 270 feet). The community development director is not authorized to reduce the percentage of the building frontage that is required to be built to the Build-To-Zone.

Revisions to Chapter 9.11 – Parking, Pedestrian, and Loading Requirements [New/Revised]

9.11.030 – General Regulations

H. Rear Parking. Parking in the rear of buildings and service area shall be limited to five percent of the total required off-street parking, except in the mixed-use overlay districts identified in Chapter 9.075 (Mixed-Use Overlay Districts).

9.11.040 – Off-Street Parking Requirements

The addition of a parking ratio for live-work units – 2 covered spaces per unit and 0.25 guest parking spaces per unit, which can be shared with business aspect of the live-work parking standard.

9.11.060 – Off-Street Bicycle Parking Requirements

Revisions to Chapter 9.15 – Definitions [New]

The following terms will be added:

- Block
- Block Length
- Block Perimeter
- Build-to-Zone
- Building Façade Line
- Commercial-Ready Space
- Floor Area Ratio (FAR)
- Integration of uses
- Live-Work
- Live/Work Unit
- Mezzanine
- Mixed-Use Overlay District
- Podium Parking
- Private Realm
- Public Realm
- Surface Parking
- Tuck-Under Parking
- Underground Level

2.5.3 Zone Change from R-5 to Community Commercial

Approximately 21.74 acres of land presently zoned as R-5, which are located immediately east of the Housing Element Calculation 4 area, would be rezoned to Community Commercial.

2.5.4 Development Potential Associated with Proposed General Plan and Zoning Changes

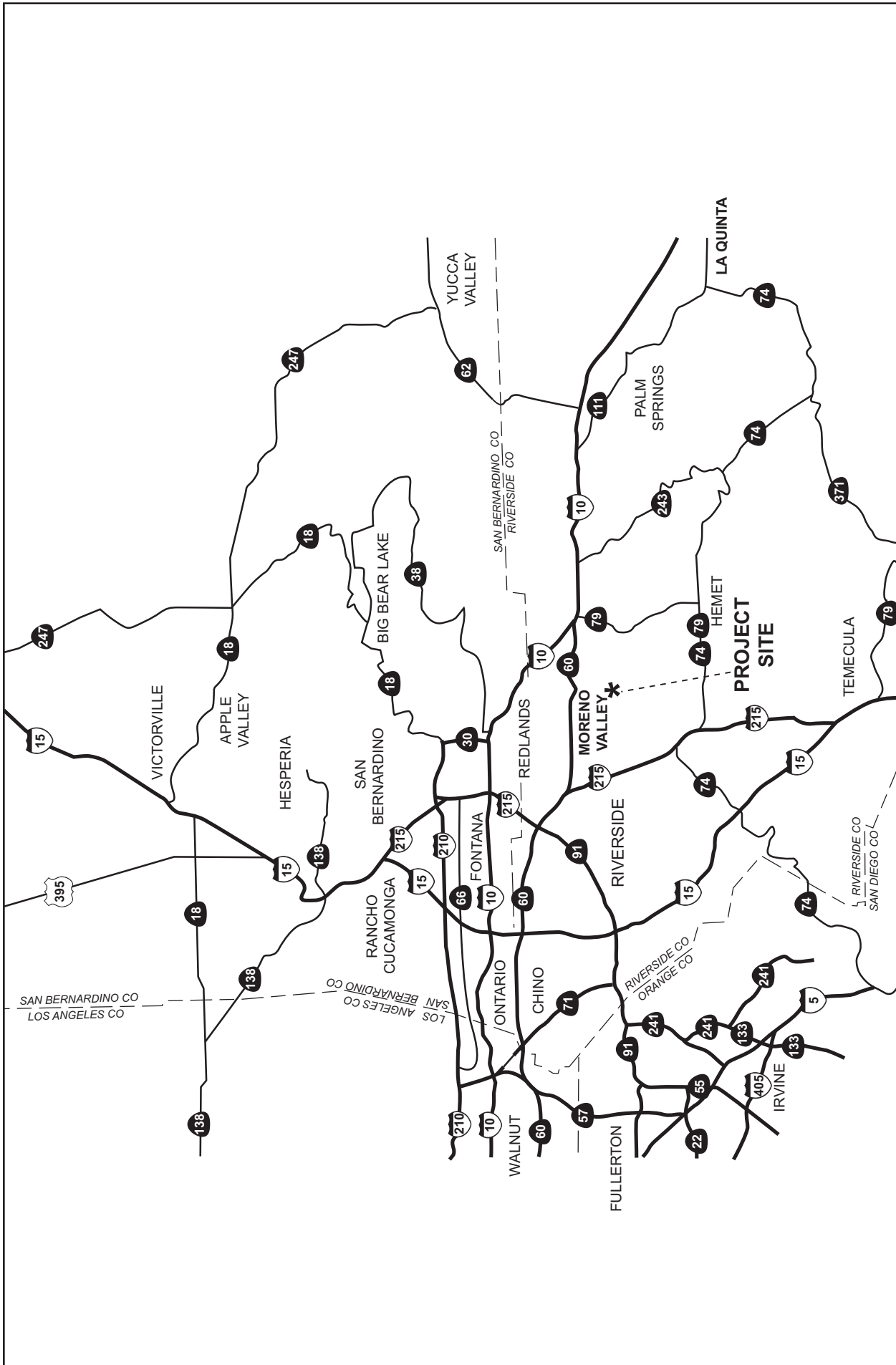
For purposes of analysis, it is assumed that 100 percent of the parcels in the Mixed Use Overlay Districts (which include Housing Element Calculation 3 and 5 areas) and the Housing Element Calculation 4 area would be redeveloped. This takes in account existing vacant and underutilized parcels. Given that the parcel to be rezoned to Community Commercial is currently vacant, there is no need to account for redevelopment of the parcel. The change over existing conditions is shown in Table 2-1, Development Potential in Mixed Use Overlay Districts and Housing Element Calculation 4 Areas.

At full implementation, the proposed project would include 7,288 multi-family dwelling units and 1,168,608 square feet of commercial uses. This represents a change in the following over existing uses:

- Decrease of 46 single-family dwelling units
- Increase of 171,501 square feet of commercial uses
- Decrease of 31,786 square feet of office uses
- Increase of 7,160 multi-family dwelling units

Table 2-1
Development Potential in Mixed Use Overlay Districts
and Housing Element Calculation 4 Area

| Node/Use | Existing | Proposed | Change Over Existing Conditions |
|--|----------------|------------------|---------------------------------|
| Node 1 – R-30 (Housing Element Calculation 5 Area) | | | |
| Single-Family Residential (DU) | 15 | 0 | -15 |
| Multi-Family Residential (DU) | 3 | 681 | 678 |
| Commercial (SF) | 177,881 | 0 | -177,881 |
| Acres | 27.59 | | |
| Node 2 – Mixed Use Overlay District MUI | | | |
| Multi-Family Residential (DU) | 125 | 844 | 719 |
| Commercial (SF) | 139,488 | 211,092 | 71,604 |
| Acres | 24.23 | | |
| Node 3 – Mixed Use Overlay District MUN | | | |
| Multiple-Family Residential (DU) | 0 | 471 | 471 |
| Commercial (SF) | 188,333 | 117,656 | -70,677 |
| Acres | 27.01 | | |
| Node 4 – Mixed Use Overlay District MUN | | | |
| Multiple-Family Residential (DU) | 0 | 871 | 871 |
| Commercial (SF) | 491,405 | 217,648 | -273,757 |
| Acres | 33.31 | | |
| Node 5 – Mixed Use Overlay District MUN | | | |
| Multiple-Family Residential (DU) | 0 | 487 | 487 |
| Commercial (SF) | 0 | 121,750 | 121,750 |
| Acres | 27.95 | | |
| Node 6 – Mixed Use Overlay District MUI & R-30 (Housing Element Calculation 3 Area) | | | |
| Single-Family Residential (DU) | 21 | 0 | -21 |
| Multi-Family Residential (DU) | 0 | 3,021 | 3,021 |
| Commercial (SF) | 0 | 263,712 | 263,712 |
| Office (SF) | 31,786 | 0 | -31,786 |
| Acres | 111.78 | | |
| Housing Element Calculation 4 Area – R-30 | | | |
| Single-Family Residential (DU) | 10 | 0 | -10 |
| Multi-Family Residential (DU) | 0 | 913 | 913 |
| Acres | 41.74 | | |
| Rezone Parcel from R-5 to CC | | | |
| Commercial | 0 | 236,750 | 236,750 |
| Acres | 21.74 | | |
| TOTALS: | | | |
| Single-Family Residential (DU) | 46 | 0 | -46 |
| Multi-Family Residential (DU) | 128 | 7,288 | 7,160 |
| Commercial (SF) | 997,107 | 1,168,608 | 171,501 |
| Office (SF) | 31,786 | 0 | -31,786 |
| Acres | 315.35 | | |

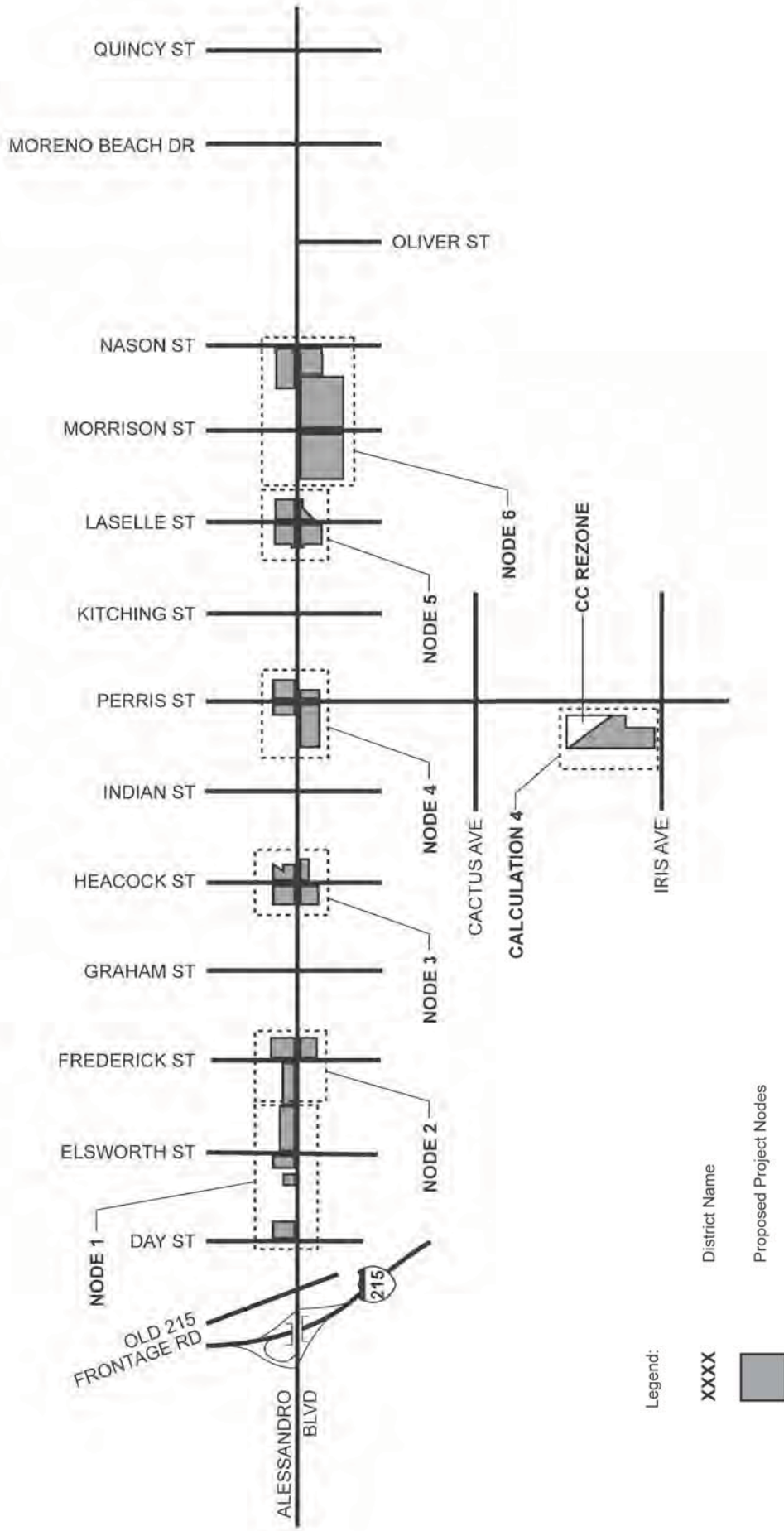


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Legend:

XXXX District Name

Proposed Project Nodes

Project Location Map and Nodes

Exhibit 2-2



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Proposed R-30 General Plan Amendments – Calculation 5



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Proposed R-30 General Plan Amendments – Calculation 3

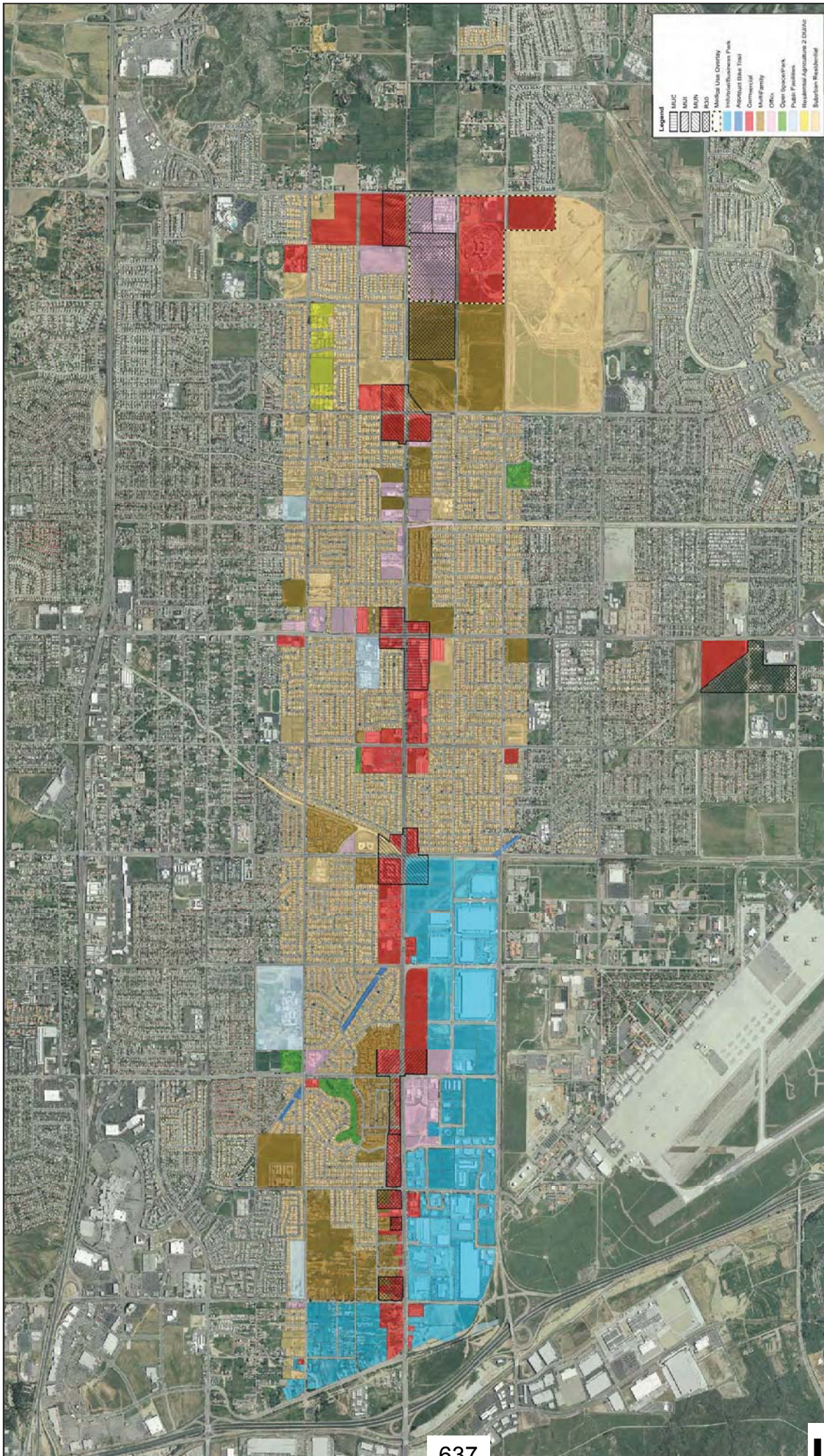


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Proposed R-30 General Plan Amendments – Calculation 4



Proposed Zoning Map
Exhibit 2-4



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3.0 INITIAL STUDY CHECKLIST

3.1 BACKGROUND

| | |
|-----|---|
| 1. | Project Title: Alessandro Boulevard Corridor Implementation Project |
| 2. | Lead Agency Name and Address: City of Moreno Valley 14177 Frederick Street Moreno Valley, California 92552 |
| 3. | Contact Person and Phone Number: John Terell, AICP, Planning Official 951.413.3206 |
| 4. | Project Location: Approximately 5.5-miles of Alessandro Boulevard from the Old 215 Frontage Road on the west to Nason Street on the east and eight parcels north of Iris Avenue and West of Perris Boulevard. |
| 5. | Project Sponsor's Name and Address: City of Moreno Valley 14177 Frederick Street Moreno Valley, California 92552 |
| 6. | General Plan Designation: Various |
| 7. | Zoning: Various |
| 8. | Description of the Project: The proposed Alessandro Boulevard Corridor Implementation Project (herein referenced as the "project") is a City-initiated project to: 1) create the Mixed Use Overlay Districts to implement the Vision Plan for Alessandro Boulevard Corridor, 2) increase the maximum permitted density to 30 dwelling units per acre in specified areas of the City, and , and 3) amend the general plan and zoning for approximately 21.74 acres of R-5 to Community Commercial. The proposed changes affect approximately 315 acres along or adjacent to Alessandro Boulevard. The project involves an amendment to the General Plan Land Use Map, as well as an amendment to the Moreno Valley Zoning Code and Zoning Map. Additional details regarding the project are provided in <u>Section 2.5, Project Characteristics</u> . |
| 9. | Surrounding Land Uses and Setting: The project area is surrounded by a variety of residential and non-residential land uses. |
| 10. | Other public agencies whose approval is required (e.g., permits, financing approval or participation agreement). Refer to <u>Section 2.5.1, Project Approvals</u> . |

3.2 ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a “Potentially Significant Impact” or “Less Than Significant Impact with Mitigation Incorporated,” as indicated by the checklist on the following pages.

| | | | |
|---|------------------------------------|---|------------------------------------|
| | Aesthetics | | Land Use and Planning |
| | Agriculture and Forestry Resources | | Mineral Resources |
| ✓ | Air Quality | ✓ | Noise |
| ✓ | Biological Resources | | Population and Housing |
| ✓ | Cultural Resources | | Public Services |
| ✓ | Geology and Soils | | Recreation |
| ✓ | Greenhouse Gas Emissions | ✓ | Transportation/Traffic |
| ✓ | Hazards & Hazardous Materials | | Utilities & Service Systems |
| | Hydrology & Water Quality | ✓ | Mandatory Findings of Significance |

3.3 EVALUATION OF ENVIRONMENTAL IMPACTS

This section analyzes the potential environmental impacts associated with the proposed project. The issue areas evaluated in this Initial Study include:

- Aesthetics
- Agriculture and Forestry Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Geology and Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Mineral Resources
- Noise
- Population and Housing
- Public Services
- Recreation
- Transportation/Traffic
- Utilities and Service Systems

The environmental analysis in this section is patterned after the Initial Study Checklist recommended by the *CEQA Guidelines* and used by the City of Moreno Valley in its environmental review process. For the preliminary environmental assessment undertaken as part of this Initial Study's preparation, a determination that there is a potential for significant effects indicates the need to more fully analyze the development's impacts and to identify mitigation.

For the evaluation of potential impacts, the questions in the Initial Study Checklist are stated and an answer is provided according to the analysis undertaken as part of the Initial Study. The analysis considers the long-term, direct, indirect, and cumulative impacts of the development. To each question, there are four possible responses:

- **No Impact.** The development will not have any measurable environmental impact on the environment.
- **Less Than Significant Impact.** The development will have the potential for impacting the environment, although this impact will be below established thresholds that are considered to be significant.
- **Less Than Significant Impact With Mitigation Incorporated.** The development will have the potential to generate impacts which may be considered as a significant effect on the environment, although mitigation

measures or changes to the development's physical or operational characteristics can reduce these impacts to levels that are less than significant.

- **Potentially Significant Impact.** The development will have impacts which are considered significant, and additional analysis is required to identify mitigation measures that could reduce these impacts to less than significant levels.

Where potential impacts are anticipated to be significant, mitigation measures will be required, so that impacts may be avoided or reduced to a less than significant level.

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4.0 ENVIRONMENTAL ANALYSIS

The following is a discussion of potential project impacts as identified in the Initial Study/Environmental Checklist. Explanations are provided for each item.

4.1 AESTHETICS

| <i>Would the project:</i> | Potentially Significant Impact | Less Than Significant Impact With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--|--------------------------------|---|------------------------------|-----------|
| a. Have a substantial adverse effect on a scenic vista? | | | ✓ | |
| b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? | | | | ✓ |
| c. Substantially degrade the existing visual character or quality of the site and its surroundings? | | | ✓ | |
| d. Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area? | | | ✓ | |

a) *Have a substantial adverse effect on a scenic vista?*

Less Than Significant Impact. *General Plan EIR* Figure 5.11-1, Major Scenic Resources, identifies scenic resources within the General Plan planning area. The majority of the project area is not considered a scenic resource and maintains sporadic long-distance views of significant scenic resources within the area. The eastern-most portion of the project area near Nason Street is located within an identified scenic vista. Views to the northwest from uses to the south of Alessandro Boulevard in this area include distant views of the Foothills.

Future development within this area would occur primarily on vacant and/or underutilized land. The *General Plan EIR* determined that with implementation of recommended Mitigation Measures A1 through A6 (Objective 2-10, Policy 7.7.1, Policy 7.7.2, Policy 7.7.3, Policy 7.7.4, and Policy 7.7.5, respectively), potential aesthetic impacts would be reduced to a less than significant level. Future development within the project area was considered in the *General Plan EIR* analysis, since additional development within the area was assumed. Implementation of the proposed project would be consistent with the analysis presented in the *General Plan EIR* and would result in no new or greater impacts than previously identified.

Future development associated with implementation of the proposed project would be reviewed on a project-by-project basis for consistency with the *General Plan* and Municipal Code. The *General Plan* includes the following Objectives and Policies that pertain to visual quality and views:

Objective 2.10: Ensure that all development within the City of Moreno Valley is of high quality, yields a pleasant living and working environment for existing and future residents, and attracts business as the result of consistent exemplary design. (General Plan EIR Mitigation Measure A1)

Objective 7.7: Where practical, preserve significant visual features significant views and vistas.

Policy 7.7.2 Require new electrical and communication lines to be placed underground. (General Plan EIR Mitigation Measure A2)

Policy 7.7.3 Implement reasonable controls on the size, number and design of signs to minimize degradation of visual quality. (General Plan EIR Mitigation Measure A3)

Projects undergoing major development review would be reviewed to ensure that development proposals do not unnecessarily block scenic views from other buildings or from public ways, or visually dominate their surroundings with respect to mass and scale, to an extent inappropriate to their use, in accordance with *Municipal Code* Section 9.02.030, Development review process. Compliance with the *General Plan* Objectives and Policies and the City's *Municipal Code* would reduce potential impacts to a less than significant level.

Mitigation Measures: No mitigation measures are required.

b) ***Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?***

No Impact. There are no State scenic highways within the City or the project area. Therefore, implementation of the proposed project would not substantially damage scenic resources within a State scenic highway. Thus, no impacts would occur in this regard.

Mitigation Measures: No mitigation measures are required.

c) ***Substantially degrade the existing visual character or quality of the site and its surroundings?***

Less Than Significant Impact. Future development within the project area would occur primarily on vacant and/or underutilized land. The *General Plan EIR* determined that with implementation of recommended Mitigation Measures A1 through A6 (Objective 2-10, Policy 7.7.1, Policy 7.7.2, Policy 7.7.3, Policy 7.7.4, and Policy 7.7.5, respectively), potential aesthetic impacts would be reduced to a less than significant level. Future development within the project area was considered in the *General Plan EIR* analysis, since additional development within the area was assumed. Implementation of the proposed project would be consistent with the analysis presented in the *General Plan EIR* and would result in no new or greater impacts than previously identified.

Future development of the proposed Mixed-Use Overlay Districts, as well as Housing Element Calculation 4 Area and the CC rezone with residential and commercial development would alter the existing visual character or quality of the specific site and its surroundings. However, development of these areas is consistent with and anticipated in the *General Plan*, either through previous long range planning efforts or through recent Zoning and General Plan Amendments within the project area. The visual character of the Alessandro Boulevard corridor lacks design and landscaping consistency and has been shaped by a variety of non-residential uses as well as residential uses with their backyard walls along the corridor and others that front the main corridor. The potential for future development of higher-intensity mixed-uses would alter the existing visual character or quality of the specific site and its surroundings. Housing Element Calculation 4 Area and the CC rezone site are currently vacant and therefore, future development of higher-density residential uses and commercial uses would also alter the existing visual character or quality of the site and its surroundings.

Future development within the project area would have an incremental impact on the loss of vacant or open space; however, development has been anticipated under the *General Plan* for the corridor area and a General Plan Amendment and Zone Change would be processed for Housing Element Calculation 4 Area and the CC rezone site, allowing for intensified residential and commercial development in that area. Future development would be evaluated on a project-by project basis and reviewed to ensure compliance with the development standards established within the Municipal Code, including specific standards for projects within the Mixed-Use Overlay Districts and Commercial area, such as building frontage and open space standards, specific-use development standards, building heights, lighting, and screening to ensure visual impacts from existing developed areas are minimized. Further, all new structures would be reviewed for compliance with the *General Plan* to ensure a high level of architectural design. The creation of the Mixed Use Overlay Districts would implement the *Vision Plan for the*

Alessandro Boulevard Corridor, positively contributing to the overall character and quality of the individual sites and their surroundings. Therefore, future development would not result in the degradation of the existing visual character or quality of the site or its surroundings and impacts would be less than significant in this regard.

Mitigation Measures: No mitigation measures are required.

d) ***Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?***

Less Than Significant Impact. Project implementation would allow for the development of a mixture of land uses at a greater intensity than currently occurs within the project area. New sources of light, including light from building interiors passing through windows and light from building exteriors (i.e., street lighting, building illumination, security lighting, and landscape lighting) would be introduced. Depending upon the location of the light source and its proximity to adjacent light sensitive uses, light introduction can be a nuisance, affecting adjacent areas. Lighting may also cause spillover impacts to nearby sensitive receptors.

Future developments would be subject to review under the City's design and development plan review processes, which would ensure that building materials do not create a substantial source of glare. Residential and commercial uses within the proposed R30 and CC Zoning Districts would be subject to *Municipal Code* Section 9.08.100, Lighting, which specifies lighting restrictions and requirements for non-residential and residential uses. Development in accordance with the Mixed-Use Overlay Districts would be subject to the operational and compatibility standards for mixed-use development. The standards require that lighting shall be incorporated along sidewalks or other pedestrian walkways, plazas, paseos, courtyards, and other common open areas to enhance the pedestrian environment and increase public safety. Additionally, non-residential uses shall be designed, located, and shielded to ensure that they do not adversely impact the residential uses, but shall provide sufficient illumination for access and security purposes consistent with the provisions of *Municipal Code* Section 9.08.100. Therefore, project implementation would not create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area.

Mitigation Measures: No mitigation measures are required.

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4.2 AGRICULTURE AND FORESTRY RESOURCES

| <p><i>In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:</i></p> | Potentially Significant Impact | Less Than Significant Impact With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--|--------------------------------|---|------------------------------|-----------|
| a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? | | | | ✓ |
| b. Conflict with existing zoning for agricultural use, or a Williamson Act contract? | | | | ✓ |
| c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))? | | | | ✓ |
| d. Result in the loss of forest land or conversion of forest land to non-forest use? | | | | ✓ |
| e. Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use? | | | | ✓ |

- a) **Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?**

No Impact. General Plan EIR Figure 5.8-1, Important Farmlands, identifies the location of important farmlands within the City, including Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. None of the parcels proposed for General Plan and Zone Changes are currently in agricultural production, nor are they identified as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. Most of the sites are identified as Urban and Built-Up Land or Other Land. A few of the sites are identified as Farmland of Local Importance or Farmland of Local Potential. However, these sites have previously been taken out of production in preparation of development. Thus, the proposed project would not result in the conversion of an existing agricultural use to a non-agricultural use. No impacts would occur in this regard.

Mitigation Measures: No mitigation measures are required.

b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?

No Impact. According to the *General Plan EIR*, no land within the General Plan planning area is currently under a Williamson Act contract. None of the parcels proposed for General Plan and Zone Changes are currently zoned for agricultural use, however, the City identifies agricultural crops as an allowable use for all of its zoning categories in order to allow for interim agricultural production. However, the project area is not currently being utilized for agricultural production. Thus, the proposed project would not conflict with existing zoning for agricultural use or a Williamson Act contract. No impacts would occur in this regard.

Mitigation Measures: No mitigation measures are required.

c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?

No Impact. None of the parcels proposed for General Plan and Zone Changes are currently zoned for forest use, timberland, or timberland zoned Timberland Production. Therefore, no impacts would occur in this regard.

Mitigation Measures: No mitigation measures are required.

d) Result in the loss of forest land or conversion of forest land to non-forest use?

No Impact. None of the parcels proposed for General Plan and Zone Changes are currently zoned for forest use or contain forest land. Future development of the parcels would not result in the loss of forest land or conversion of forest land to non-forest use. Therefore, no impacts would occur in this regard.

Mitigation Measures: No mitigation measures are required.

e) Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?

No Impact. Refer to Responses 4.2.a and 4.2.d.

Mitigation Measures: No mitigation measures are required.

4.3 AIR QUALITY

| <i>Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:</i> | Potentially Significant Impact | Less Than Significant Impact With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|--------------------------------|---|------------------------------|-----------|
| a. Conflict with or obstruct implementation of the applicable air quality plan? | | ✓ | | |
| b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation? | | ✓ | | |
| c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? | | ✓ | | |
| d. Expose sensitive receptors to substantial pollutant concentrations? | | ✓ | | |
| e. Create objectionable odors affecting a substantial number of people? | | | ✓ | |

The following analysis has been tiered from Section 5.3, Air Quality, of the *City of Moreno Valley General Plan Final Program Environmental Impact Report (General Plan EIR)*, adopted in July 2006.

a) Conflict with or obstruct implementation of the applicable air quality plan?

Less Than Significant Impact With Mitigation Incorporated. The project area is located within the South Coast Air Basin (SCAB), regulated by the South Coast Air Quality Management District (SCAQMD). The United States Environmental Protection Agency (EPA) has classified the SCAB as a non-attainment area for Federal and State air quality standards. The *General Plan EIR* concluded that *General Plan* implementation could violate the existing Federal, State, and local air quality standards and conflict with the SCAQMD’s *2012 Air Quality Management Plan (AQMP)* or the Southern California Association of Governments (SCAG) *Growth Management Plan*. The *General Plan EIR* determined that although *General Plan EIR* Mitigation Measures AQ1 through AQ10 would reduce air quality impacts, air quality impacts would remain significant and unavoidable.

Projects that are consistent with the projections of employment and population forecasts identified in the Growth Management Chapter of SCAG’s *Regional Comprehensive Plan (RCP)* are considered consistent with the AQMP growth projections. This is because the Growth Management Chapter forms the basis of the land use and transportation control portions of the AQMP. Since SCAG’s regional growth forecasts are based upon, among other things, land uses specified in general plans, the development proposed under the City’s existing *General Plan* would also be consistent with SCAG’s regional forecast projections. In turn, this development would also be consistent with the AQMP growth projections. As such, the potential impact that a proposed project would have on implementation of the AQMP can be assessed by comparing the emissions generated from the project’s proposed land uses to those generated by the existing *General Plan*’s proposed land uses.

The proposed project would not be consistent with the current *General Plan* land use designations, as the proposed project would require an amendment to the existing *General Plan* land use map to designate parcels for the “Residential: Maximum 30 dwelling units per acre” designation, consistent with the adopted Housing Element and rezone approximately 21.74 acres of R-5 to Community Commercial. However, the proposed project would be consistent with the *General Plan* upon implementation of the proposed amendment. As compared to the *General Plan EIR*, project implementation would not result in new or more severe impacts involving conflicts or obstruction of

implementation of the AQMP with implementation of *General Plan EIR* mitigation (refer to Responses 4.3.b through 4.3.e, and Mitigation Measures AQ-1 through AQ-10).

Mitigation Measures: Refer to Mitigation Measures AQ-1 through AQ-10.

b) ***Violate any air quality standard or contribute substantially to an existing or projected air quality violation?***

Less Than Significant Impact With Mitigation Incorporated.

Short-Term Impacts

The *General Plan EIR* states that future development in the planning area will generate construction impacts from construction equipment emissions, worker vehicle emissions, and dust from grading and earth-moving operations. Construction emissions for specific development projects will vary depending on the size of the project, amount of grading required, type and quantity of construction equipment, building floor area or number of residential units to be constructed. As such, construction-related emissions cannot be accurately determined at the general plan level of analysis. However, general construction emissions calculations were performed in the *General Plan EIR* to describe typical construction related emissions that would be emitted on a daily basis. The demolition, grading, and building construction emissions calculations were based on a daily development of approximately 4.5 acres within the planning area. According to the *General Plan EIR*, a typical development project allowed under the *General Plan* may result in an average of 18 pounds per day (lbs/day) of PM₁₀, 113 lbs/day of ROG, 154 lbs/day of NO_x, and 141 lbs/day of CO. The *General Plan EIR* notes that PM emissions can be reduced by approximately 50 percent with implementation of SCAQMD Rule 403 (*General Plan EIR* Mitigation Measure AQ1). However, the *General Plan EIR* concluded that construction emissions would remain significant and unavoidable.

The proposed project would result in several construction projects that would generate short-term air emissions similar to the typical development project assumed by the *General Plan EIR*. The proposed project would be required to comply with SCAQMD Rule 403, as stated in *General Plan EIR* Mitigation Measure AQ1 (refer to Mitigation Measure AQ-1). Future construction projects would also be required to comply with SCAQMD Regulation XI, Rule 1113 – Architectural Coating, which provides specifications on painting practices as well as regulates the ROG content of paint. Additionally, the proposed project would implement Mitigation Measure AQ-10, which requires the utilization of the cleanest engines available. Since implementation of *General Plan EIR* Mitigation Measure AQ1 (referenced as Mitigation Measure AQ-1 in this document) and Mitigation Measure AQ-10 are expected to reduce project-related impacts, and since no new significant unavoidable impacts beyond those identified in the *General Plan EIR* would occur, no additional measures are required. Impacts would be less than significant in this regard.

Long-Term Impacts

The *General Plan EIR* states that the major sources of new air pollution would result from the use of natural gas for space heating, cooking and water heating, from vehicles traveling to and from the planning area, from the combustion of fossil fuels at power plants to produce the electricity used within the planning area, and from industrial and commercial uses. The *General Plan EIR* determined that *General Plan* implementation could significantly contribute to existing air quality violations and conflict with the SCAQMD AQMP and SCAG Growth Management Plan. Refer to [Table 4.3-1, General Plan Buildout Long-Term Emissions](#), for a summary of the estimated long-term emissions of each *General Plan* alternative. Although implementation of *General Plan EIR* Mitigation Measures AQ2 through AQ9 would reduce air quality impacts, long-term air quality impacts were concluded to remain significant and unavoidable.

**Table 4.3-1
General Plan Buildout Long-Term Emissions**

| Source | Estimated Emissions (pounds/day) ¹ | | | |
|---|---|-----------------|----------------|------------------|
| | ROG | NO _x | CO | PM ₁₀ |
| Alternative 1 | | | | |
| Stationary Sources | 16,332 | 2852 | 11,345 | 1300 |
| Mobile Sources | 9,864 | 8,886 | 105,563 | 56,538 |
| <i>Total Emissions</i> | <i>26,196</i> | <i>11,738</i> | <i>116,908</i> | <i>57,838</i> |
| Alternative 2 | | | | |
| Stationary Sources | 17,779 | 2,805 | 12,192 | 1,417 |
| Mobile Sources | 8,997 | 8,009 | 95,507 | 51,118 |
| <i>Total Emissions</i> | <i>26,776</i> | <i>10,814</i> | <i>107699</i> | <i>52,535</i> |
| Alternative 3 | | | | |
| Stationary Sources | 17,653 | 2,781 | 12,110 | 1,407 |
| Mobile Sources | 8,731 | 7,773 | 92,653 | 49,570 |
| <i>Total Emissions</i> | <i>26,383</i> | <i>10,554</i> | <i>104,763</i> | <i>50,977</i> |
| Source: City of Moreno Valley, <i>Moreno Valley General Plan Final Program EIR</i> , dated July 2006, Tables 5.3-7 through 5.3-9. | | | | |

The project proposes the development of 7,288 multi-family dwelling units and 1,168,608 square feet of commercial uses generally along the Alessandro Boulevard corridor. Project operations would result in pollutant emissions from two sources: long-term mobile source emissions from vehicles traveling to and from the site, once the project is operational; and long-term stationary source emissions from power and natural gas consumption from the on-site residential uses.

Mobile Source

Mobile sources are emissions from motor vehicles, including tailpipe and evaporative emissions. Depending upon the pollutant being discussed, the potential air quality impact may be of either regional or local concern. For example, ROG, NO_x, SO_x, PM₁₀, and PM_{2.5} are all pollutants of regional concern (NO_x and ROG react with sunlight to form O₃ [photochemical smog], and wind currents readily transport SO_x, PM₁₀, and PM_{2.5}). However, CO tends to be a localized pollutant, dispersing rapidly at the source.

Project-generated vehicle emissions have been estimated using the California Emissions Estimator Model (CalEEMod). This model predicts emissions from motor vehicle traffic associated with new or modified land uses; refer to Appendix A, Air Quality Emissions Data. At full implementation, the proposed project would construct 7,288 multi-family dwelling units and 1,168,608 square feet of commercial uses, which represents a decrease of 46 single-family dwelling units, an increase of 171,501 square feet of commercial/retail uses, a decrease of 31,786 square feet of commercial/office uses, and an increase of 7,160 multi-family dwelling units. According to the *Alessandro Boulevard Corridor Implementation Project Traffic Impact Analysis*, the proposed project would generate a net increase of approximately 45,915 average daily trips (ADT). *Table 4.3-2, Project-Related Operational Air Emissions*, presents the existing, proposed, and anticipated net mobile source emissions associated with the proposed project.

**Table 4.3-2
Project-Related Operational Air Emissions**

| Source | Estimated Emissions (pounds/day) ¹ | | | | | |
|--|---|-----------------|------------------|-----------------|------------------|-------------------|
| | ROG | NO _x | CO | SO _x | PM ₁₀ | PM _{2.5} |
| Existing Emissions | | | | | | |
| Area Sources | 50.48 | 1.02 | 72.08 | 0.14 | 9.28 | 9.28 |
| Energy Sources | 0.19 | 1.67 | 0.98 | 0.01 | 0.13 | 0.13 |
| Mobile Sources | 83.21 | 223.41 | 680.70 | 2.05 | 239.79 | 13.23 |
| <i>Total Emissions</i> | <i>133.88</i> | <i>226.10</i> | <i>753.76</i> | <i>2.20</i> | <i>249.20</i> | <i>22.64</i> |
| Proposed Unmitigated Emissions | | | | | | |
| Area Sources | 984.31 | 42.55 | 3,019.04 | 5.86 | 388.74 | 388.65 |
| Energy Sources | 4.09 | 34.96 | 15.18 | 0.22 | 2.82 | 2.82 |
| Mobile Sources | 237.58 | 598.53 | 2,089.17 | 7.18 | 773.60 | 41.88 |
| <i>Total Emissions</i> | <i>1,225.98</i> | <i>676.04</i> | <i>6,123.39</i> | <i>13.26</i> | <i>1,164.99</i> | <i>433.18</i> |
| Net Increase Over Existing Emissions | +1,092.10 | +449.94 | +5,369.63 | +11.06 | +915.79 | +410.54 |
| Notes: | | | | | | |
| 1 – Based on CalEEMod modeling results, worst-case seasonal emissions for area and mobile emissions have been modeled. | | | | | | |
| Refer to Appendix A, Air Quality Emissions Data, for assumptions used in this analysis. | | | | | | |

General Plan EIR Mitigation Measures AQ3 through AQ9 (restated as Mitigation Measures AQ-3 through AQ-9 below) would help reduce mobile source emissions by implementing regional air quality strategies, encouraging park-and-ride facilities, encouraging express transit, ensuring adequate bus stops and turnout areas are provided, integrating bikeways into the circulation system, and implementing transportation demand management strategies. Future development within the project area was considered in the *General Plan EIR* analysis, since additional development within the area was assumed. Implementation of the proposed project would be consistent with the analysis presented in the *General Plan EIR* and would result in no greater impacts than previously identified. Since implementation of the *General Plan EIR* mitigation measures are expected to reduce project-related impacts, and since no new significant unavoidable impacts beyond those identified in the *General Plan EIR* would occur, no additional measures are required.

Stationary Source Emissions

Stationary source emissions would be generated due to an increased demand for electrical energy and natural gas resulting from project development. This conclusion is based on the supposition that those power plants supplying electricity to the site are utilizing fossil fuels. Electric power generating plants are distributed throughout the SCAB and western United States, and their emissions contribute to the total regional pollutant burden. The primary use of natural gas by the proposed project would be for combustion to produce space, water, and other miscellaneous heating, air conditioning, consumer products, and landscaping. As indicated in *Table 4.3-2*, the proposed project's stationary (energy and area) source emissions would exceed the existing emissions, as well as the SCAQMD thresholds for all criteria pollutants. Implementation of *General Plan EIR* Mitigation Measure AQ2 (restated as Mitigation Measure AQ-2 below) would further reduce area source emissions by requiring construction to comply with the requirements of Title 24. Since implementation of the *General Plan EIR* mitigation measures are expected to reduce project-related impacts, and since no new significant unavoidable impacts beyond those identified in the *General Plan EIR* would occur, no additional measures are required.

Mitigation Measures:

AQ-1 Grading activities shall comply with South Coast Air Quality Management District Rule 403 regarding the control of fugitive dust. Additionally, implementation of the following measures would further reduce short-term fugitive dust impacts on nearby sensitive receptors:

- All active portions of the construction site shall be watered every three hours during daily construction activities and when dust is observed migrating from the project site to prevent excessive amounts of dust;
- Pave or apply water every three hours during daily construction activities or apply non-toxic soil stabilizers on all unpaved access roads, parking areas, and staging areas. More frequent watering shall occur if dust is observed migrating from the site during site disturbance;
- Any on-site stockpiles of debris, dirt, or other dusty material shall be enclosed, covered, or watered twice daily, or non-toxic soil binders shall be applied;
- All grading and excavation operations shall be suspended when wind speeds exceed 25 miles per hour;
- Disturbed areas shall be replaced with ground cover or paved immediately after construction is completed in the affected area;
- Gravel bed trackout aprons (3 inches deep, 25 feet long, 12 feet wide per lane and edged by rock berm or row of stakes) shall be installed to reduce mud/dirt trackout from unpaved truck exit routes;
- On-site vehicle speed shall be limited to 15 miles per hour;
- All on-site roads shall be paved as soon as feasible, watered twice daily, or chemically stabilized;
- Visible dust beyond the property line which emanates from the project shall be prevented to the maximum extent feasible;
- All material transported off-site shall be either sufficiently watered or securely covered/tarped to prevent excessive amounts of dust prior to departing the job site;
- Reroute construction trucks away from congested streets or sensitive receptor areas;
- Track-out devices shall be used at all construction site access points; and
- All delivery truck tires shall be watered down and/or scraped down prior to departing the job site.

(Source: Expanded from *General Plan EIR* Mitigation Measure AQ1)

AQ-2 Building construction shall comply with the energy conservation requirements of Title 24 of the California Administrative Code.

(Source: *General Plan EIR* Mitigation Measure AQ2)

AQ-3 Cooperate with regional efforts to establish and implement regional air quality strategies and tactics.

(Source: *General Plan EIR* Mitigation Measure AQ3)

AQ-4 Encourage the financing and construction of park-and-ride facilities.

(Source: *General Plan EIR* Mitigation Measure AQ4)

AQ-5 Encourage express transit service from Moreno Valley to the greater metropolitan areas of Riverside, San Bernardino, Orange, and Los Angeles Counties.

(Source: *General Plan EIR* Mitigation Measure AQ5)

AQ-6 Coordinate with Caltrans and RCTC regarding the integration of Intelligent Transportation Systems (ITS) consistent with the principles and recommendations referenced in the Inland Empire ITS Strategic Plan.

(Source: *General Plan EIR* Mitigation Measure AQ6)

AQ-7 Ensure that all new developments make adequate provision for bus stops and turnout areas for both public transit and school bus service.

(Source: *General Plan EIR* Mitigation Measure AQ7)

AQ-8 Integrate bikeways, consistent with the Bikeway Plan, with the circulation system and maintain Class II and III bikeways as part of the City's street system.

(Source: *General Plan EIR* Mitigation Measure AQ8)

AQ-9 Implement Transportation demand management (TDM) strategies that reduce congestion in the peak travel hours. Examples include carpooling, telecommuting, and flexible work hours.

(Source: *General Plan EIR* Mitigation Measure AQ9)

AQ-10 The following measures shall be implemented during construction to substantially reduce NO_x related emissions. They shall be included in the Grading Plan, Building Plans, and contract specifications. Contract specification language shall be reviewed by the City prior to issuance of a grading permit.

- Off-road diesel equipment operators shall be required to shut down their engines rather than idle for more than five minutes, and shall ensure that all off-road equipment is compliant with the CARB in-use off-road diesel vehicle regulation and SCAQMD Rule 2449.
- Require the use of 2010 and newer diesel haul trucks (e.g., material delivery trucks and soil import/export) and if the lead agency determines that 2010 model year or newer diesel trucks cannot be obtained the lead agency shall use trucks that meet EPA 2007 model year NO_x emissions requirements
- The following note shall be included on all grading plans: During project construction, all internal combustion engines/construction, equipment operating on the project site shall meet EPA-Certified Tier 3 emissions standards, or higher according to the following:
 - January 1, 2012, to December 31, 2014: All off-road diesel-powered construction equipment greater than 50 hp shall meet Tier 3 off-road 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 off-road 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.
- The contractor and applicant, if the applicant's equipment is used, shall maintain construction equipment engines by keeping them tuned and regularly serviced to minimize exhaust emissions.
- Use low sulfur fuel for stationary construction equipment. This is required by SCAQMD Rules 431.1 and 431.2.
- Utilize existing power sources (i.e., power poles) when available. This measure would minimize the use of higher polluting gas or diesel generators.
- Configure construction parking to minimize traffic interference.
- Minimize obstruction of through-traffic lanes and provide temporary traffic controls such as a flag person during all phases of construction when needed to maintain smooth traffic flow. Construction shall be planned so that lane closures on existing streets are kept to a minimum.
- Schedule construction operations affecting traffic for off-peak hours to the best extent when possible.
- Develop a traffic plan to minimize traffic flow interference from construction activities (the plan may include, but would not be limited to, advance public notice of routing, use of public transportation and satellite parking areas with a shuttle service.)
- Construction-related equipment, including heavy-duty equipment, motor vehicles, and portable equipment, shall be turned off when not in use for more than five minutes.

c) *Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?*

Less Than Significant Impact With Mitigation Incorporated. According to the *General Plan EIR*, General Plan buildout would result in a cumulatively considerable net increase of criteria pollutants (during construction and operations) for which the project region is nonattainment under applicable federal or state ambient air quality standard. The *General Plan EIR* concluded that despite implementation of the recommended mitigation measures (*General Plan EIR* Mitigation Measures AQ1 through AQ9), which would reduce this impact, a significant and unavoidable impact would occur.

Cumulative Construction Impacts

With respect to the proposed project's construction-period air quality emissions and cumulative SCAB-wide conditions, the SCAQMD has developed strategies to reduce criteria pollutant emissions outlined in the AQMP pursuant to Federal Clean Air Act mandates. As such, the proposed project would be subject to compliance with SCAQMD Rule 403 requirements, and implement all feasible mitigation measures (refer to Response 4.3.b). In addition, the proposed project would comply with adopted AQMP emissions control measures. Per SCAQMD rules and mandates, as well as the CEQA requirement that significant impacts be mitigated to the extent feasible, these same requirements (i.e., Rule 403 compliance, the implementation of all feasible mitigation measures, and compliance with adopted AQMP emissions control measures) would also be imposed on construction projects throughout the SCAB, which would include related projects. Therefore, it can be reasonably inferred that the project-related construction emissions, in combination with those from other projects in the area, could substantially deteriorate the local air quality.

While the proposed project could contribute to cumulatively considerable construction-related impacts, the proposed project would be consistent with the conclusions in the *General Plan EIR*, as discussed in Response 4.3.b. Therefore, no new cumulative construction impacts would occur.

Cumulative Operational Impacts

The proposed project's operational emissions would exceed existing emissions as well as SCAQMD thresholds, and could contribute to SCAB-wide regional air quality impacts (refer to Response 4.3.b). Adherence to *General Plan EIR* mitigation measures and SCAQMD rules and regulations would help reduce impacts related to cumulative conditions. While the proposed project could still contribute a cumulatively considerable net increase of any nonattainment criteria pollutant, the proposed project would be consistent with the conclusions within the *General Plan EIR*, and no new cumulative operational impacts would occur.

Mitigation Measures AQ-1 through AQ-10 are required to ensure that cumulative impacts remain consistent with the conclusions in the *General Plan EIR*.

Mitigation Measures: Refer to Mitigation Measures AQ-1 through AQ-10. No additional mitigation measures are required.

d) *Expose sensitive receptors to substantial pollutant concentrations?*

Less Than Significant Impact With Mitigation Incorporated. According to the *General Plan EIR*, future development under the *General Plan* has the potential to increase the exposure of sensitive receptors to increased air pollutant levels associated with CO. Several intersections throughout the City would operate at level of service (LOS) E or worse, resulting in localized CO "hot spots." The *General Plan EIR* determined that impacts to sensitive receptors would be significant and unavoidable.

CO Hotspots

CO emissions are a function of vehicle idling time, meteorological conditions and traffic flow. Under certain extreme meteorological conditions, CO concentrations near a congested roadway or intersection may reach unhealthy levels (i.e., adversely affect residents, school children, hospital patients, the elderly, etc.). To identify CO hotspots, the SCAQMD requires a CO microscale hotspot analysis when a project increases the volume-to-capacity ratio (also called the intersection capacity utilization) by 0.02 (two percent) for any intersection with an existing level of service (LOS) D or worse. Because traffic congestion is highest at intersections where vehicles queue and are subject to reduced speeds, these hot spots are typically produced at intersection locations. However, projected intersection capacity/queuing analyses are unknown, as no specific development proposals have yet been formulated.

The Basin is designated as an attainment area for State and Federal CO standards. There has been a decline in CO emissions even though Vehicle Miles Traveled (VMT) on U.S. urban and rural roads have increased. On-road mobile source CO emissions have declined 24 percent between 1989 and 1998, despite a 23 percent rise in motor vehicle miles traveled over the same 10 years. California trends have been consistent with national trends; CO emissions declined 20 percent in California from 1985 through 1997, while VMT increased 18 percent in the 1990s. Three major control programs have contributed to the reduced per-vehicle CO emissions: exhaust standards, cleaner burning fuels, and motor vehicle inspection/maintenance programs.

A detailed CO analysis was conducted in the *Federal Attainment Plan for Carbon Monoxide (CO Plan)* for the SCAQMD's 2003 *Air Quality Management Plan*. The locations selected for microscale modeling in the CO Plan are worst-case intersections in the Basin, and would likely experience the highest CO concentrations. Of these locations, the Wilshire Boulevard/Veteran Avenue intersection experienced the highest CO concentration (4.6 ppm), which is well below the 35-ppm 1-hr CO Federal standard. The Wilshire Boulevard/Veteran Avenue intersection is one of the most congested intersections in Southern California with an average daily traffic (ADT) volume of approximately

100,000 vehicles per day. As the CO hotspots were not experienced at the Wilshire Boulevard/Veteran Avenue intersection, it can be reasonably inferred that CO hotspots would not be experienced at any locations within the project corridor or at affected intersections in the project area due to the volume of traffic that would occur as a result of the proposed project. Therefore, no new impacts beyond those identified in the *General Plan EIR* would occur.

Other Criteria Pollutants

As shown in Response 4.3.b, project implementation would result in significant short- and long-term emissions for all criteria pollutants except for SO_x, consistent with the conclusions of the *General Plan EIR*. Therefore, it is anticipated that the proposed project would also result in significant localized impacts. However, as the proposed project is consistent with the conclusions with the *General Plan EIR*, no new impacts would occur in this regard. Mitigation Measures AQ-1 through AQ-9 are required to ensure that cumulative impacts remain consistent with the conclusions in the *General Plan EIR*.

Mitigation Measures: Refer to Mitigation Measures AQ-1 through AQ-9. No additional mitigation measures are required.

e) Create objectionable odors affecting a substantial number of people?

Less Than Significant Impact. According to the *General Plan EIR*, future construction activity allowed under the *General Plan* could generate objectionable odors. However, these odors would be short-term in nature. Future industrial and commercial uses could also generate objectionable odors. Existing SCAQMD regulations regarding odor complaints would reduce any potential impacts associated with odors. The *General Plan EIR* concluded that odor impacts would be less than significant.

According to the SCAQMD *CEQA Air Quality Handbook*, land uses associated with odor complaints typically include agricultural uses, wastewater treatment plants, food processing plants, chemical plants, composting, refineries, landfills, dairies, and fiberglass molding. The project proposes the construction of multi-family residential dwelling units and commercial uses. Due to its nature and scope, the proposed project would not involve activities that would create objectionable odors. Project implementation would be consistent with the analysis and conclusions presented in the *General Plan EIR*, and would not result in any additional impacts. Therefore, implementation of the proposed project would not create objectionable odors affecting a substantial number of people.

Mitigation Measures: No mitigation measures are required.

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4.4 BIOLOGICAL RESOURCES

| <i>Would the project:</i> | Potentially Significant Impact | Less Than Significant Impact With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--|--------------------------------|---|------------------------------|-----------|
| a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? | | ✓ | | |
| b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? | | ✓ | | |
| c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? | | ✓ | | |
| d. 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 native wildlife nursery sites? | | | ✓ | |
| e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? | | | ✓ | |
| f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? | | | | ✓ |

- a) ***Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?***

Less Than Significant Impact With Mitigation Incorporated. The project area is located within the geographic areas (sections) identified as “Central” and “East March AFB” in *General Plan EIR* Section 5.9, Biological Resources.

The *General Plan EIR* identifies four regionally sensitive habitats within the General Plan Planning Area: 1) Riparian Habitats/Wetlands (including Open Water and Marsh); 2) Coastal Sage Scrub/Riversidean Alluvial Fan Sage Scrub; 3) Raptor Foraging/Wintering Habitat; and 4) Core Reserves/Designated Critical Habitat. Riparian habitat and Raptor Foraging/Wintering Habitat may occur within the Central section, which includes the project area.

The critical habitat designation for the California Gnatcatcher and the proposed designation for the San Bernardino kangaroo rat include habitat within and/or immediately adjacent to Moreno Valley. These habitat areas are not located within the Central or East March AFB sections.

The Moreno Valley planning area is located within the Multi-Species Habitat Conservation Plan (MSHCP). The MSHCP identifies cores for habitat conservation and linkages for wildlife movement. The Moreno Valley planning area is partially located within Subunits 1, 2, 3, and 4 of the MSHCP, Reche Canyon/Badlands Area Plan. The project area is not located within the Reche Canyon/Badlands Area Plan or any subunits of the MSHCP.

General Plan EIR Table 5.9-5 summarizes the rare, threatened, endangered, endemic, and/or sensitive species known for or with a potential to occur in the planning area, based on existing MSHCP and California Department of Fish and Game Natural Diversity Database data, as well as general knowledge of sensitive species occurrences in the identified habitats. Several species have known and/or expected occurrences within the Central and East March AFB Sections. *General Plan EIR* Table 5.9-7 summarizes potential impacts to sensitive faunal species and wildlife resources within the East March Air Force Base and Central Sections, as well as the primary potential habitat impacts.

Future development within the project area would occur on vacant and/or underutilized land, potentially resulting in significant impacts to candidate, sensitive, or special status species. The *General Plan EIR* determined that with implementation of recommended mitigation measures, potential impacts would be reduced to a less than significant level. Future development within the project area was considered in the *General Plan EIR* analysis, since additional development within the area was assumed. Implementation of the proposed project would be consistent with the analysis presented in the *General Plan EIR* and would result in no new or greater impacts than previously identified.

Due to the conceptual nature of future development, site specific proposals would require individual assessments of potential impacts to biological resources, including impacts to endangered, threatened, rare, or locally designated species and their habitats; refer to Mitigation Measures BIO-1 and BIO-2. If necessary, mitigation would be required on a project-by-project basis to reduce potential biological impacts to a less than significant level. Therefore, the City would continue to promote the protection of sensitive, rare, threatened, and endangered species found in the project area through the required biological assessments. Following compliance with the recommended mitigation, which requires preparation of a Biological Resources Assessment, as well as the policies, regulations, and guidelines set forth in the City's *General Plan*, *Municipal Code*, and development review process, project implementation would result in less than significant impacts to endangered, threatened, rare, or locally designated species and their habitats. Future development would also require further review for compliance with USFWS and CDFG, as applicable.

Mitigation Measures:

- BIO-1 A Biological Resources Assessment shall be conducted for future development projects in known or suspected natural habitat areas by a qualified Biologist, prior to an application being deemed complete, to determine the potential presence/absence of candidate, sensitive, or special status species, as well as the presence/absence of habitat that would support these species.
- BIO-2 If deemed necessary by the site-specific Biological Resources Assessment, a Focused Survey of the proposed development site shall be conducted by a qualified Biologist, prior to any ground disturbance, for sensitive plant and wildlife species that are federally- or state-listed as endangered or threatened, having moderate to high potential for occurrence on the proposed development site.
- BIO-3 Where feasible, projects shall be designed to minimize impacts on sensitive habitat

(Source: *General Plan EIR* Mitigation Measure B3).

- b) **Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?**

Less Than Significant Impact With Mitigation Incorporated. Riparian habitats are limited in the General Plan planning area, restricted to the linear Riparian Scrub areas mapped within the native habitats of the Badlands (Gilman Springs Road-Badlands and Norton-Younglove Sections) and the persisting Riparian Scrub within the more disturbed and developed context of the North-Central and Central Sections. Open water habitats are scattered throughout the General Plan planning area. Marsh occurs only along the extreme southern boundary of the General Plan planning area within the San Jacinto Wildlife Area-Mystic Lake Section, north of the San Jacinto River. The *General Plan EIR* determined that existing federal and state regulations enforce a no net loss policy of wetlands and riparian habitat, which offer a measure of protection and help ensure that impacts are mitigated sufficiently. Additionally, implementation of mitigation would reduce potential impacts wetlands and riparian habitat to a less than significant level. Future development within the project area was considered in the *General Plan EIR* analysis, since additional development within the area was assumed. Implementation of the proposed project would be consistent with the analysis presented in the *General Plan EIR* and would result in no new or greater impacts than previously identified.

Small, isolated pockets of Riparian Scrub have been identified within the Central section; although Riparian Scrub has not been identified within the Alessandro Boulevard Corridor Nodes. However, due to the conceptual nature of the future development, proposals would require individual assessments of potential impacts to biological resources, including impacts to riparian habitats or other sensitive natural communities; refer to Mitigation Measures BIO-1 and BIO-2. Additionally, compliance with *General Plan EIR* mitigation regarding wetlands and riparian vegetation (BIO-4) would further reduce impacts to a less than significant level. Therefore, project implementation would not have an adverse effect on any riparian habitat or other sensitive natural communities with implementation of recommended mitigation. Impacts would be less than significant in this regard.

Mitigation Measures: Refer to Mitigation Measures BIO-1 through BIO-3. In addition, the following mitigation measure is recommended.

BIO-4 Prior to physical disturbance of any natural drainage course or wetland determined to contain riparian vegetation or otherwise qualify as a “jurisdictional” wetland or Non-wetland Water of the U.S., the applicant shall obtain a Streambed Alteration Agreement and/or permit, or written waiver of the requirement for such an agreement or permit, from all resource agencies with jurisdiction over such areas (CDFG and ACOE).

(Source: *General Plan EIR* Mitigation Measure B4).

- c) **Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?**

Less Than Significant Impact With Mitigation Incorporated. The *General Plan EIR* states that existing federal and state regulations provide protection against habitat loss impacts for all jurisdictional wetlands and Non-wetland Waters of the U.S./Streambeds. It is assumed that any potential impacts assessed would be mitigated to a level below significance through compliance with the state and federal statutes regulating these resources. Future development within the project area was considered in the *General Plan EIR* analysis, since additional development within the area was assumed. Implementation of the proposed project would be consistent with the analysis presented in the *General Plan EIR* and would result in no new or greater impacts than previously identified.

No wetlands are known to occur within the Alessandro Boulevard Corridor Nodes. Future development within the project area would be required to comply with *General Plan EIR* mitigation regarding wetlands and riparian vegetation (BIO-4). Therefore, project implementation would not have an adverse effect on any federally protected wetlands with implementation of recommended mitigation. Impacts would be less than significant in this regard.

Mitigation Measures: Refer to Mitigation Measure BIO-4. No additional mitigation measures are required.

- d) ***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 native wildlife nursery sites?***

Less Than Significant Impact. The MSHCP identifies cores for habitat conservation and linkages for wildlife movement within the Moreno Valley planning area. The project area is not located within the Reche Canyon/Badlands Area Plan or any subunits of the MSHCP. Therefore, implementation of the proposed project would not interfere with any corridors or linkages associated with the MSHCP. The project area and surrounding areas are largely developed and/or surrounded by existing development and do not provide for the movement of any species or impede the use of native wildlife nursery sites. Impacts would be less than significant in this regard.

Mitigation Measures: No mitigation measures are required.

- e) ***Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?***

Less Than Significant Impact. *Municipal Code* Chapter 3.48, Western Riverside Multi-Species Habitat Conservation Plan Fee Program Ordinance, requires development projects within the City to pay a local development mitigation fee to assist in providing revenue to acquire and preserve vegetation communities and natural areas within the City and western Riverside County which are known to support threatened, endangered or key sensitive populations of plant and wildlife species. Future development within the project area would be required to pay the applicable fee in place at the time prior to issuance of a building permit. Thus, impacts would be less than significant in this regard.

Mitigation Measures: No mitigation measures are required.

- f) ***Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?***

No Impact. The Moreno Valley planning area is located within the Multi-Species Habitat Conservation Plan (MSHCP). The MSHCP identifies cores for habitat conservation and linkages for wildlife movement. The Moreno Valley planning area is partially located within Subunits 1, 2, 3, and 4 of the MSHCP, Reche Canyon/Badlands Area Plan. The project area is not located within the Reche Canyon/Badlands Area Plan or any subunits of the MSHCP. Thus, project implementation would not conflict with the provisions of the MSHCP, and no impacts would occur in this regard.

Mitigation Measures: No mitigation measures are required.

4.5 CULTURAL RESOURCES

| <i>Would the project:</i> | Potentially Significant Impact | Less Than Significant Impact With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|--------------------------------|---|------------------------------|-----------|
| a. Cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines §15064.5? | | ✓ | | |
| b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines §15064.5? | | ✓ | | |
| c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? | | ✓ | | |
| d. Disturb any human remains, including those interred outside of formal cemeteries? | | | ✓ | |

a) Cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines §15064.5?

Less Than Significant Impact With Mitigation Incorporated. *General Plan EIR* Figure 5.10-1, Locations of Listed Historic Resource Inventory Structures, identifies the historic structures identified as part of a historical survey previously conducted by the Riverside County Historical Commission. None of the sites are located within the project area anticipated for future development. However, it is anticipated that future development within the project area would involve the removal of existing structures to allow for redevelopment of the individual project sites. There is the potential for currently unidentified historic structures to occur within the project area and therefore be impacted by future site-specific development. Any site determined by the City to potentially contain a historical structure would be required to comply with Mitigation Measure CUL-1, which would require preparation a Phase I Cultural Resources Study to determine if implementation of the project being proposed at the time would potentially cause a substantial change to any significant historical resource and identify measures to mitigate the known and potential significant effects of the development being proposed, if any. Compliance with Mitigation Measure CUL-1 would reduce potential impacts to historical resources to a less than significant level.

Mitigation Measures:

CUL-1 Prior to consideration by the City of Moreno Valley, future development or infrastructure projects for properties that are vacant, undeveloped, and/or considered to be sensitive for cultural resources by the City of Moreno Valley Planning Department, shall prepare a Phase I Cultural Resources Study of the subject property in accordance with the protocol of the City of Moreno Valley for review and approval by the City of Moreno Valley Planning Department. The Phase I Cultural Resources Study shall determine whether the proposed development would potentially cause a substantial adverse change to any significant paleontological, archaeological, or historic resources. Measures shall be identified to mitigate the known and potential significant effects of the proposed development project, if any.

b) ***Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines §15064.5?***

Less Than Significant Impact With Mitigation Incorporated. According to the *General Plan EIR*, at least 190 prehistoric archaeological locations have been reported within the City of Moreno Valley. *General Plan EIR* Figure 5.10-2, Locations of Prehistoric Sites, identifies Prehistoric Site Complexes, identifies areas with a high potential of containing prehistoric archaeological resources. One of the sites described as being located near the intersection of Lasselle Street and Brodiaea extends north of Alessandro Boulevard within the project area. The area is identified as an isolated rocky outcrop with five milling stations being previously recorded. Furthermore, the majority of Housing Element Calculation 4 Area and the CC rezone site area located on land that is vacant; it is possible that cultural resources could be unearthed during project construction. Thus, future development within the area could impact an archaeological resource. The area includes parcels proposed for a Zone Change and General Plan Amendment to implement the project. However, site-specific development is not being proposed at this time. Future development within the Prehistoric Site Complex would be required to comply with Mitigation Measure CUL-1, which would require preparation a Phase I Cultural Resources Study to determine if implementation of the project being proposed at the time would potentially cause a substantial change to any significant archaeological resource and identify measures to mitigate the known and potential significant effects of the development being proposed, if any. Compliance with Mitigation Measure CUL-1 would reduce potential impacts to archaeological resources to a less than significant level.

Due to the presence of known prehistoric archaeological sites within the City, there is the potential for future development within the City to impact potential unrecorded archaeological resources. Impacts to unrecorded archaeological resources could be significant without mitigation. Since the project does not currently propose site-specific development, it is not known at this time if or to what extent potential unrecorded archaeological resources would be impacted by future development. Compliance with Mitigation Measure CUL-2, which identifies the required actions in the event an unknown resources is unearthed during future site-specific excavation and grading activities, would reduce potential impacts to a less than significant level.

Mitigation Measures: Refer to Mitigation Measure CUL-1. In addition, the following mitigation measure is recommended.

CUL-2 In the event that cultural resources (archaeological, historical, paleontological) are inadvertently unearthed during excavation and grading activities of any future development project, the contractor shall cease all earth-disturbing activities within a 100-foot radius of the area of discovery. If not already retained due to conditions present pursuant to Mitigation Measure CUL-1, the project proponent shall retain a qualified professional (i.e., archaeologist, historian, architect, paleontologist, Native American Tribal monitor), subject to approval by the City of Moreno Valley to evaluate the significance of the find and appropriate course of action. If avoidance of the resource is not feasible, salvage operation requirements pursuant to Section 15064.5 of the CEQA Guidelines shall be followed. After the find has been appropriately avoided or mitigated, work in the area may resume.

c) ***Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?***

Less Than Significant Impact With Mitigation Incorporated. The Moreno Valley area contains sedimentary rock-units with potential to contain significant nonrenewable paleontological resources which are subject to adverse impacts by ground-disturbing activities. However, much of Moreno Valley is covered with recent alluvium. These sediments overlie fossiliferous sedimentary units of the Mt. Eden Formation and the San Timoteo Formation. According to the *General Plan EIR*, excavation to depths normal for development would probably not penetrate recent alluvial sediments to encounter fossiliferous deposits. *General Plan EIR* Figure 5.10-3, Paleontological Resource Sensitive Areas, displays areas of paleontological resource sensitivity in the Moreno Valley planning area. The project area is located within an area identified as having low potential for paleontological resources. Although it is not anticipated that future development within the project area would impact undiscovered paleontological resources, compliance with Mitigation Measure CUL-2 would reduce potential impacts to a less than significant level.

Mitigation Measures: Refer to Mitigation Measure CUL-2. No additional mitigation measures are required.

d) ***Disturb any human remains, including those interred outside of formal cemeteries?***

Less Than Significant Impact. No conditions exist that suggest human remains are likely to be found within the project area. It is not anticipated that human remains, including those interred outside of formal cemeteries, would be encountered during future earth removal or disturbance activities. If human remains were found, those remains would require proper treatment in accordance with applicable laws. State of California *Public Resources Health and Safety Code* Sections 7050.5-7055 describe the general provisions for human remains. Specifically, *Health and Safety Code* Section 7050.5 describes the requirements if any human remains are accidentally discovered during excavation of a site. As required by State law, the requirements and procedures set forth in Section 5097.98 of the California *Public Resources Code* would be implemented, including notification of the County Coroner, notification of the Native American Heritage Commission, and consultation with the individual identified by the Native American Heritage Commission to be the “most likely descendant.” If human remains are found during excavation, excavation must stop in the vicinity of the find and any area that is reasonably suspected to overlay adjacent human remains until the County Coroner has been called out, and the remains have been investigated and appropriate recommendations have been made for the treatment and disposition of the remains. Following compliance with State regulations, which detail the appropriate actions necessary in the event human remains are encountered, impacts in this regard, would be considered less than significant.

Mitigation Measures: No mitigation measures are required.

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4.6 GEOLOGY AND SOILS

| <i>Would the project:</i> | Potentially Significant Impact | Less Than Significant Impact With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--|--------------------------------|---|------------------------------|-----------|
| a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: | | | | |
| 1) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. | | | | ✓ |
| 2) Strong seismic ground shaking? | | ✓ | | |
| 3) Seismic-related ground failure, including liquefaction? | | ✓ | | |
| 4) Landslides? | | | | ✓ |
| b. Result in substantial soil erosion or the loss of topsoil? | | ✓ | | |
| c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on-or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? | | | | ✓ |
| d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property? | | ✓ | | |
| e. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water? | | | | ✓ |

a) **Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:**

1) **Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.**

No Impact. The Alquist-Priolo Earthquake Fault Zoning Act was passed in 1972 to mitigate the hazard of surface faulting to structures for human occupancy. The Act's main purpose is to prevent the construction of buildings used for human occupancy on the surface trace of active faults. The law requires the State Geologist to establish regulatory zones (known as Earthquake Fault Zones) around the surface traces of active faults and to issue appropriate maps (prior to January 1, 1994, "Earthquake Faults Zones" were called "Special Studies Zones"). The San Jacinto Fault passes through the eastern portion of the City. An Alquist-Priolo Special Fault Zone has been established for the San Jacinto Fault.¹ The project area is not located within the Alquist-Priolo Fault Zone of the San Jacinto Fault. Therefore, future development associated with the proposed project would not expose people or structures to potential substantial adverse effects associated with rupture of a known earthquake fault. No impact would occur in this regard.

¹ State of California Department of Conservation, *Alquist-Priolo Earthquake Fault Zone Maps*, http://www.quake.ca.gov/gmaps/ap/ap_maps.htm, accessed June 18, 2012.

Mitigation Measures: No mitigation measures are required.

2) **Strong seismic ground shaking?**

Less Than Significant Impact With Mitigation Incorporated. The City of Moreno Valley is located within a seismically active region of southern California. According to the *General Plan EIR*, earthquake-generated groundshaking is the most critical and potentially damaging earthquake effect in the City. Three potential sources of strong seismic groundshaking in the area include the San Jacinto Fault, the San Andreas Fault, and the Elsinore Fault. The major source of potential earthquake damage to the area is from activity along the San Jacinto Fault. However, a major earthquake associated with any of these faults could result in moderate to severe groundshaking in the area. Damage to buildings and infrastructure could be expected as a result of groundshaking during a seismic event. The extent and impact of the groundshaking would depend upon several factors, including the particular fault, fault location, distance from the City and magnitude of the earthquake.

The *General Plan EIR* determined that with implementation of recommended mitigation measures, potential impacts associated with geology and soils would be reduced to a less than significant level. Future development within the project area was considered in the *General Plan EIR* analysis, since additional development within the area was assumed. Implementation of the proposed project would be consistent with the analysis presented in the *General Plan EIR* and would result in no new or greater impacts than previously identified.

Future development associated with the proposed project could expose people or structures to adverse effects involving strong seismic ground shaking. In general, the City regulates development (and reduces potential seismic impacts) under the requirements of the *California Building Code (CBC)* (refer to *Municipal Code* Chapter 8.20, California Building Code), the Alquist-Priolo Earthquake Fault Zoning Act, local land use policies, *Municipal Code* Title 9, Planning and Zoning, and project specific mitigation measures. The effects of ground shaking would be sufficiently mitigated for buildings designed and constructed in conformance with current building codes and engineering standards. Compliance with the recommended mitigation measures and the following *General Plan* Policies, which require all new development to comply with seismic safety standards, would be required.

Policy 6.1.1 Reduce fault rupture hazards to a level of acceptable risk through the identification and recognition of potentially hazardous conditions and areas as they relate to the San Jacinto Fault zone and the high and very high liquefaction hazard zones. Require geologic studies and mitigation for fault rupture hazards in accordance with the Alquist-Priolo Special Study Zones Act. Additionally, future geotechnical studies shall contain calculations for seismic settlement on all alluvial sites identified as having high or very high liquefaction potential. Should the calculations show a potential for liquefaction, appropriate mitigation shall be identified and implemented. (General Plan EIR Mitigation Measure GS1)

Policy 6.1.2 Require all new developments, existing critical and essential facilities and structures to comply with the most recent Uniform Building Code seismic design standards. (General Plan EIR Mitigation Measure GS2)

Therefore, future development anticipated by the proposed project would result in less than significant impacts regarding the exposure of people or structures to potential substantial adverse effects involving strong seismic ground shaking.

Mitigation Measures:

GEO-1 Prior to issuance of a Grading Permits, applicants of future developments shall prepare a Geologic and Soils Report addressing site conditions and potential risks involving seismic and geologic hazards, to the satisfaction of the Public Works Department. The Report shall specifically identify potential seismic and

geologic hazards and recommend measures to reduce potential safety impacts. Copies of the Report shall be submitted to Public Works at the time of Grading Plan submittal.

- GEO-2 Future development projects shall be designed and graded in accordance with recommendations set forth in the Geologic and Soils Report. The Grading Plan shall incorporate all recommendations to ensure compliance. These recommendations shall be specified in Grading Plans and verified during Plan check. Compliance with the Geologic and Soils Report shall be accomplished by conditioning the project, specifying measures on the Grading Plans, and conducting field inspections.
- GEO-3 Prior to issuance of a Building Permit, applicants of future developments shall prepare a Geologic Report addressing site conditions and potential risks involving seismic and geologic hazards, to the satisfaction of the Building Department. The Geologic Report shall specifically identify potential seismic and geologic hazards and recommend measures to reduce potential safety impacts. Copies of the Geologic Report shall be submitted to the Building Department at the time of Building Plan submittal.
- GEO-4 Future development projects shall be designed and constructed in accordance with recommendations set forth in the Geologic Report. The Building Plan shall incorporate all recommendations to ensure compliance. These recommendations shall be specified in Building Plans and verified during Plan check. Compliance with the Geologic Report shall be accomplished by conditioning the project, specifying measures on the Construction Plans, and conducting field inspections.

3) ***Seismic-related ground failure, including liquefaction?***

Less Than Significant Impact With Mitigation Incorporated. Liquefaction is a process by which clay-free soil deposits, primarily sands and silts, temporarily lose strength during severe groundshaking and behave as a sticky liquid rather than a solid. Liquefaction occurs primarily in areas of recently deposited sands and silts and in areas of high groundwater levels. Poorly consolidated sediment and high groundwater levels occur most frequently in creekbeds and floodplains. Subsidence involves settlement of under-consolidated soils to form a quicksand-like condition below the ground surface. Subsidence involves settlement of under-consolidated soils that may occur during earthquake shaking. Lurching is the actual displacement or movement of the ground due to the passage of seismic waves.

According to the *General Plan EIR*, the City has seen no evidence of liquefaction events occurring in the community nor has any geotechnical report recently submitted to the City identified liquefaction hazards. However, the Riverside County General Plan has identified a range of liquefaction susceptibility in Moreno Valley from very low with deep groundwater in the northern and eastern portions of the community to very high with shallow groundwater generally west of Perris Boulevard. *General Plan EIR* Figure 5.6-2, Seismic Hazards, identifies areas of potential liquefaction within the City. The area south of Alessandro Boulevard between Heacock Street and Perris Boulevard is identified as having liquefaction potential. This area may include parcels located within the project area. Future development of residential and non-residential uses is anticipated to occur on vacant and underutilized land within the project area, which could expose people or structures to adverse effects involving liquefaction.

The *General Plan EIR* identifies an area in the southeastern portion of the planning area as having experienced subsidence in the past. However, the area is located within the San Jacinto Wildlife Area and/or within the designated floodplain. It was concluded that no significant impact associated with subsidence is anticipated to occur within areas of the City anticipated for future development. Further, the City is not anticipated to experience lurching associated with a seismic event.

As stated, the City regulates development (and reduces potential seismic impacts) under the requirements of the *California Building Code (CBC)* (refer to *Municipal Code* Chapter 8.20, California Building Code), the Alquist-Priolo Earthquake Fault Zoning Act, local land use policies, *Municipal Code* Title 9, Planning and Zoning, and project specific mitigation measures. The effects of liquefaction would be sufficiently mitigated for buildings designed and

constructed in conformance with current building codes and engineering standards. Compliance with Mitigation Measures GEO-1 through GEO-4 and General Plan Policies 6.1.1 and 6.1.2, identified above, would be required. Therefore, future development anticipated by the proposed project would result in less than significant impacts regarding the exposure of people or structures to potential substantial adverse effects involving liquefaction.

Mitigation Measures: Refer to Mitigation Measures GEO-1 through GEO-4. No additional mitigation measures are required.

4) Landslides?

No Impact. Seismically-induced landslides occur in areas where steep slopes, unstable geologic features, and/or seismic activity combine to upset the force of gravity and cause earth to move down a hillside. Due to the project area's flat topography, future development associated with the proposed project is not subject to seismic induced landslides. No impacts would occur in this regard.

Mitigation Measures: No mitigation measures are required.

b) Result in substantial soil erosion or the loss of topsoil?

Less Than Significant Impact. Clearing and grading for construction associated with future developments anticipated by the proposed project could expose soils to minimal short-term erosion by wind and water, and loss of topsoil. Grading plans for proposed residential and non-residential developments would include an approved drainage and erosion control plan to minimize the impacts from erosion and sedimentation during grading. Additionally, project sites encompassing an area of one or more acres would require compliance with a National Pollutant Discharge Elimination System (NPDES) permit and consequently the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP); refer to Response 4.16.d. Given that future developments would be subject to compliance with *Municipal Code* Chapter 8.10, Stormwater/Urban Runoff Management and Discharge Controls, as well as NPDES requirements for erosion control, grading, and soil remediation, less than significant impacts are anticipated in this regard.

Mitigation Measures: No mitigation measures are required.

c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in an on-site or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

No Impact. Landslides, mudslides, rock falls, and soil creep are phenomena earth scientists refer to as "mass wasting." The movement may be rapid (landsliding, rock fall), or gradual (soil creep). These geologic hazards occur in areas where steep slopes, unstable geologic features, heavy rainfall, and/or seismic activity combine to upset the force of gravity and cause earth to move down a hillside. The project area is relatively flat. Thus, impacts resulting from landslides, mudslides, rock falls, and soil creep or not anticipated to occur. Refer to Response 4.6.a.3. regarding liquefaction, subsidence, and/or lurching.

Mitigation Measures: No mitigation measures are required.

d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?

Less Than Significant Impact With Mitigation Incorporated. Expansiveness refers to the potential to swell and shrink with repeated cycles of wetting and drying and is a common feature of fine-grained clayey soils. This wetting and drying causes damage due to differential settlement within buildings and other improvements. According to the *General Plan EIR*, some of the soils within the City have poor to fair stability and are considered to be potentially

expansive. Therefore, future development within the project area could be located on expansive soils, creating risk to life or property, unless proper engineering techniques are implemented. Due to the conceptual nature of the future development, proposals would require individual assessments of potential geological impacts, including expansion potential. The effects of expansive soils would be sufficiently mitigated for buildings designed and constructed in conformance with current building codes and engineering standards. Compliance with General Plan policies and recommended mitigation, which establish requirements for site-specific geologic and soils studies, and use of the most current professional standards in building design, would be required. Therefore, the development anticipated by the proposed project would result in less than significant impacts involving expansive soils.

Mitigation Measures: Refer to Mitigation Measures GEO-1 through GEO-4. No additional mitigation measures are required.

- e) ***Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?***

No Impact. Sewers are available throughout the City for the disposal of wastewater; thus, use of septic tanks or alternative wastewater disposal systems would not occur.

Mitigation Measures: No mitigation measures are required.

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4.7 GREENHOUSE GASES

| <i>Would the project:</i> | Potentially Significant Impact | Less Than Significant Impact With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--|--------------------------------|---|------------------------------|-----------|
| a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? | | ✓ | | |
| b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? | | ✓ | | |

GREENHOUSE GASES

Greenhouse gases (GHGs) are gases in the atmosphere that absorb and emit radiation. The greenhouse effect traps heat in the troposphere through a three-fold process, summarized as follows: short wave radiation emitted by the Sun is absorbed by the Earth; the Earth emits a portion of this energy in the form of long wave radiation; and GHGs in the upper atmosphere absorb this long wave radiation and emit this long wave radiation into space and toward the Earth. This “trapping” of the long wave (thermal) radiation emitted back toward the Earth is the underlying process of the greenhouse effect. The main GHGs in the Earth’s atmosphere are water vapor, carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), ozone (O₃), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and sulfur hexafluoride (SF₆).

Direct GHG emissions include emissions from construction activities, area sources, and mobile (vehicle) sources. Typically, mobile sources make up the majority of direct emissions. Indirect GHG emissions are generated by incremental electricity consumption and waste generation. Electricity consumption is responsible for the majority of indirect emissions.

REGULATORY ENVIRONMENT

State

In June 2005, California’s GHG emissions reduction targets were established in Executive Order S-3-05. The Executive Order established the following goals: GHG emissions should be reduced to 2000 levels by 2010; GHG emissions should be reduced to 1990 levels by 2020; and GHG emissions should be reduced to 80 percent below 1990 levels by 2050. California further solidified its dedication to reducing GHGs by setting a new Low Carbon Fuel Standard for transportation fuels sold within the State in 2007 with Executive Order S-1-07. Executive Order S-1-07 sets a declining standard for GHG emissions measured in CO₂ equivalent gram per unit of fuel energy sold in California.

In response to the transportation sector accounting for more than one-half of California’s CO₂ emissions, Assembly Bill (AB) 1493 (AB 1493, Pavley) was enacted on July 22, 2002. AB 1493 required the California Air Resources Board (CARB) to set GHG emission standards for passenger vehicles, light duty trucks, and other vehicles whose primary use is noncommercial personal transportation in the State. Additionally, the California legislature enacted AB 32 (AB 32, Nuñez) in 2006 to further the goals of Executive Order S-3-05. AB 32 represents the first enforceable statewide program to limit GHG emissions from all major industries, with penalties for noncompliance.

The recommended approach for GHG analysis included in OPR’s *CEQA and Climate Change: Addressing Climate Change Through California Environmental Quality Act Review* (June 19, 2008) release is to: (1) identify and quantify GHG emissions, (2) assess the significance of the impact on climate change, and (3) if significant, identify

alternatives and/or mitigation measures to reduce the impact below a level of significance.¹ Neither the CEQA statute nor the *CEQA Guidelines* prescribe thresholds of significance or a particular methodology for performing an impact analysis; as with most environmental topics, significance criteria are left to the judgment and discretion of the lead agency.

Individual projects incrementally contribute toward the potential for global climate change on a cumulative basis in concert with all other past, present, and probable future projects. While individual projects are unlikely to measurably affect global climate change, each of these projects incrementally contributes toward the potential for global climate change on a cumulative basis, in concert with all other past, present, and probable future projects. The GHG analysis presented below analyzes whether the proposed project's emissions should be considered cumulatively significant.

Local

The City of Moreno Valley adopted their *Final Greenhouse Gas Analysis* in February 2012. The City has also prepared its *Draft Energy Efficiency and Climate Action Strategy (Draft EECAS)*, dated April 2012, which incorporates the *Final Greenhouse Gas Analysis*. The *Draft EECAS* includes and expands upon GHG reduction measures included in the *Final Greenhouse Gas Analysis*. The *Final Greenhouse Gas Analysis* and the *Draft EECAS* indicate that the City aims to reduce GHG emissions to 1990 levels by 2020, following the State's GHG reduction target.

SIGNIFICANCE CRITERIA

At this time, there is no absolute consensus in the State of California among CEQA lead agencies regarding the analysis of global climate change and the selection of significance criteria. In fact, numerous organizations, both public and private, have released advisories and guidance with recommendations designed to assist decision-makers in the evaluation of GHG emissions given the current uncertainty regarding when emissions reach the point of significance. That being said, several options are available to lead agencies.

First, lead agencies may elect to rely on thresholds of significance recommended or adopted by state or regional agencies with expertise in the field of global climate change (see *CEQA Guidelines* Section 15064.7(c)). However, to date, neither CARB nor South Coast Air Quality Management District (SCAQMD) have adopted significance thresholds for GHG emissions for residential or commercial development under CEQA.² CARB has suspended all efforts to develop a threshold, and SCAQMD's threshold remains in draft form. Accordingly, this option (i.e., reliance on an adopted threshold) is not viable.

Second, lead agencies may elect to conclude that the significance of GHG emissions under CEQA is too speculative. However, this option is not viable due to the important focus on global climate change created by the various regulatory schemes and scientific determinations cited in this section.

¹ State of California Governor's Office of Planning and Research, *CEQA and Climate Change: Addressing Climate Change Through California Environmental Quality Act Review*, June 19, 2008.

² Of note, in December 2009, the San Joaquin Valley Unified Air Pollution Control District adopted guidance for use by lead agencies in the valley, in assessing the significance of a project's GHG emissions under CEQA. The guidance relies on the use of performance-based standards, and requires that projects demonstrate a 29 percent reduction in GHG emissions, from business-as-usual, to determine that a project would have a less than significant impact. The guidance is for valley land use agencies and not applicable to areas outside the district. The Bay Area Air Quality Management District (BAAQMD) adopted its own GHG thresholds of significance on June 2, 2010. The threshold is based on quantitative standards including a per capita emission standard and project emission standard as well as a qualitative standard based on compliance with a qualified GHG reduction strategy. The BAAQMD thresholds are based on an analysis of local inventories of GHG emissions and local reduction programs; therefore, they would not be an appropriate basis for a GHG significance threshold in the City of Moreno Valley. Furthermore, On March 5, 2012 the Alameda County Superior Court issued a judgment finding that the BAAQMD had failed to comply with CEQA when it adopted the thresholds and the court issued a writ of mandate ordering the BAAQMD to set aside the thresholds and cease dissemination of them until the BAAQMD had complied with CEQA.

Third, lead agencies may elect to use a zero-based threshold, such that any emission of GHGs is significant and unavoidable. However, the use of this type of threshold would indirectly truncate the analysis provided in CEQA documents and the mitigation commitments secured from new development, and could result in the preparation of extensive environmental documentation for even the smallest of projects, thereby inundating lead agencies and creating an administrative burden. Moreover, because the GHG analysis is a cumulative analysis, a zero based threshold would be inconsistent with *CEQA Guidelines* Section 15130(a)(3), which requires that cumulatively significant impacts, such as GHG emissions, be “cumulatively considerable”, as defined by Section 15065(a)(3).

Fourth, lead agencies may elect to utilize their own significance criteria, so long as such criteria are informed and supported by substantial evidence. Recent amendments to the CEQA Guidelines, and specifically the addition of CEQA Guidelines Section 15064.4, subdivision (b), relate to the determination of a significance criterion:

“A lead agency should consider the following factors, among others, when assessing the significance of impacts from greenhouse gas emissions on the environment:

- (1) The extent to which the project may increase or reduce greenhouse gas emissions as compared to the existing environmental setting;*
- (2) Whether the project emissions exceed a threshold of significance that the lead agency determines applies to the project;*
- (3) The extent to which the project complies with regulations or requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of greenhouse gas emissions. Such requirements must be adopted by the relevant public agency through a public review process and must reduce or mitigate the project’s incremental contribution of greenhouse gas emissions. If there is substantial evidence that the possible effects of a particular project are still cumulatively considerable notwithstanding compliance with the adopted regulations or requirements, an EIR must be prepared for the project.”*

CEQA Guidelines Appendix G has been revised to provide some guidance regarding the criteria that may be used to assess whether a project’s impacts on global climate change are significant. The Appendix G environmental checklist form asks whether a project would: (i) generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment; or (ii) conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of GHGs.

Based on the above factors (and particularly the adopted addition of *CEQA Guidelines* Section 15064.4, subdivisions (b)(2) and (b)(3)), this analysis will rely on AB 32 implementation guidance (such as the CARB Scoping Plan) as a benchmark for purposes of this EIR and use the statute to inform their judgment as to whether the proposed project’s GHG emissions would result in a significant impact (refer to *CEQA Guidelines*, §15064, subdivision [f][1]). Accordingly, the following significance criterion is used to assess impacts:

Will the project’s GHG emissions impede compliance with the GHG emissions reductions mandated in AB 32?

The GHG emission levels will be analyzed to determine whether project approval would impede compliance with the GHG emissions reduction mandate established by the AB 32, which requires that California’s GHG emissions limit be reduced to 1990 levels by 2020. As noted in the Scoping Plan,³ a reduction of 15 percent below today’s “business as usual” (BAU) levels is required to meet the goals of AB 32.⁴ CARB approved the *Final Supplement to the AB 32 Scoping Plan Functional Equivalent Document*, on August 19, 2011, and updates the reduction to 16 percent below existing conditions. Therefore, should the project reduce its GHG emissions by 16 percent or greater from today’s levels, impacts would be less than significant.

³ California Air Resources Board, *Climate Change Proposed Scoping Plan: A Framework for Change*, adopted December 2008.

⁴ “Business as Usual” refers to emissions that would be expected to occur in the absence of GHG reductions. See <http://www.arb.ca.gov/cc/inventory/data/forecast.htm>. Note that there is significant controversy as to what BAU means. In determining the GHG 2020 limit, CARB used the above as the “definition.” It is broad enough to allow for design features to be counted as reductions.

IMPACT ANALYSIS

- a) **Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?**

Less Than Significant Impact With Mitigation Incorporated.

Greenhouse Gas Emissions – Business As Usual General Plan Buildout Year 2030

The BAU GHG emissions for the proposed project under the *General Plan* buildout year (2030) have been calculated. BAU refers to emissions that would be expected to occur in the absence of GHG reduction measures. The proposed project BAU GHG emissions include construction emissions, as well as GHG emissions from operations and forecast trip generation. The California Emissions Estimator Model (CalEEMod) computer model and outputs contained within the Appendix B, Greenhouse Gas Modeling Data, were used to calculate direct and indirect GHG emissions. GHG emissions associated with the proposed project are presented in *Table 4.7-1, Business As Usual GHG Emissions – General Plan Buildout Year 2030*. The SCAQMD currently does not have a GHG emissions significance threshold for construction activities. Additionally, as construction details are not available at this level of analysis, GHG emissions from construction activities have not been calculated.

Direct Sources of Greenhouse Gases

Area Source. Area source GHG emissions associated with operations of the proposed project would directly result in 5,505.65 MTCO₂eq/yr; refer to *Table 4.7-1*.

Mobile Source. The CalEEMod model relies upon specific land use data to calculate mobile source emissions. The proposed project would directly result in 76,694.45 metric tons of carbon dioxide equivalents⁵ per year (MTCO₂eq/yr) of mobile source-generated GHG emissions; refer to *Table 4.7-1*.

**Table 4.7-1
Business As Usual GHG Emissions – General Plan Buildout Year 2030**

| Source | CO ₂ | CH ₄ | | N ₂ O | | Total Metric Tons of CO ₂ eq ³ |
|--|-----------------------------|-----------------------------|--|-----------------------------|--|--|
| | Metric Tons/yr ¹ | Metric Tons/yr ¹ | Metric Tons of CO ₂ eq ² | Metric Tons/yr ¹ | Metric Tons of CO ₂ eq ² | |
| Area Source | 5,418.21 | 2.54 | 53.34 | 0.11 | 34.10 | 5,505.65 |
| Energy | 22,738.43 | 0.82 | 17.22 | 0.39 | 120.90 | 22,876.55 |
| Mobile Source | 76,645.10 | 2.35 | 49.35 | 0.00 | 0.00 | 76,694.45 |
| Solid Waste | 929.60 | 54.94 | 1,153.74 | 0.00 | 0.00 | 2,083.34 |
| Water Demand | 3,271.42 | 17.28 | 362.88 | 0.48 | 148.80 | 3,783.10 |
| Total Emissions³ | 109,002.76 | 77.93 | 1,636.53 | 0.98 | 303.80 | 110,943.09 |
| Notes: | | | | | | |
| 1. Emissions calculated using CalEEMod computer model. | | | | | | |
| 2. CO ₂ Equivalent values calculated using the EPA Website, <i>Greenhouse Gas Equivalencies Calculator</i> , http://www.epa.gov/cleanenergy/energy-resources/calculator.html , accessed January 2013. | | | | | | |
| 3. Totals may be slightly off due to rounding. | | | | | | |
| Refer to Appendix B, Greenhouse Gas Modeling Data, for detailed model input/output data. | | | | | | |

⁵ Carbon Dioxide Equivalent (CO₂eq) – A metric measure used to compare the emissions from various greenhouse gases based upon their global warming potential.

Indirect Sources of Greenhouse Gases

Energy Consumption. Energy consumption emissions were calculated using the CalEEMod model and specific land use data. Electricity would be provided via Southern California Edison. The proposed project would indirectly result in 22,876.55 MTCO₂eq/yr due to energy consumption; refer to [Table 4.7-1](#).

Solid Waste. Solid waste associated with project-related operations would result in 2,083.34 MTCO₂eq/yr; refer to [Table 4.7-1](#).

Water Demand. The water supply would be provided by groundwater and imported sources. Emissions from indirect energy impacts due to water supply would result in 3,783.10 MTCO₂eq/yr; refer to [Table 4.7-1](#).

Total Project-Related Sources of Greenhouse Gases. As shown in [Table 4.7-1](#), the total amount of project-related BAU GHG emissions for *General Plan* buildout year 2030 from direct and indirect sources combined would total 110,943.09 MTCO₂eq/yr.

Greenhouse Gas Emissions – CARB Consistency

Unmitigated GHG emissions (BAU) for the proposed project have been calculated consistent with CARB's updated baseline year noted within CARB's *Final Supplement to the AB 32 Scoping Plan Functional Equivalent Document*. Mitigated GHG emissions have also been calculated in order to determine whether the proposed project would reduce GHG emissions by at least 16 percent from existing condition BAU levels as required by CARB's *Final Supplement to the AB 32 Scoping Plan Functional Equivalent Document*. Mitigated emissions accounted for in the CalEEMod model and in [Table 4.7-2, Greenhouse Gas Emissions – CARB Consistency](#), include the following *Draft EECAS* reduction measures as required by Mitigation Measure GHG-1:

- Install light colored “cool” roofs and cool pavements (*Draft EECAS* Measure C1).
- Require Energy Star equipment and appliances in new construction and renovations (*Draft EECAS* Measure C3).
- Specify no- or low-VOC materials (*Draft EECAS* Measure C4).
- Consider adopting a new energy efficiency ordinance requiring 10 to 15 percent reduction above Title 24 (*Draft EECAS* Measure C5).
- Implement low impact development practices that maintain existing hydrology of the site to manage storm water and protect the environment (*Draft EECAS* Measure C15).
- Integrate reuse and recycling into residential, industrial, institutional, and commercial projects (*Draft EECAS* Measure C24).
- Install water-efficient irrigation systems and devices, such as soil moisture-based irrigation controls and use water-efficient irrigation methods (*Draft EECAS* Measure C27).
- Reduce unnecessary outdoor lighting (*Draft EECAS* Measure C36).
- Promote use of low flow toilets for homes and businesses (*Draft EECAS* Measure C40).
- Review and update the landscape ordinance to continue lowering use of potable water for landscape irrigation (*Draft EECAS* Measure C41).
- Promote incentives for use of water efficient fixtures and fittings (*Draft EECAS* Measure C42).
- Incorporate water-reducing features into building and landscape design (*Draft EECAS* Measure C45).
- Design buildings to be water efficient. Install water-efficient fixtures and appliances (*Draft EECAS* Measure C46).
- Require 50 percent reduction in irrigation water usage. Limit turf use (*Draft EECAS* Measure C49).
- Work with developers to increase housing near transit through recently adopted mixed-use zones (*Draft EECAS* Measure C53).
- Explore reduced parking minimums required for mixed-use developments to encourage transit and non-motorized transportation (*Draft EECAS* Measure C57).

- Explore greater flexibility with shared parking requirements (*Draft EECAS Measure C58*).
- Apply urban planning principles that encourage high density, mixed-use, walkable/bikeable neighborhoods, and coordinate land-use and transportation with open space systems and promote the efficient delivery of services and goods (*Draft EECAS Measure C61*).
- Explore trip reduction programs such as carpools/vanpools and preferential parking areas with City staff and other large employers (*Draft EECAS Measure C73*).
- Promote school rideshare programs to assist parents/students forming carpools (*Draft EECAS Measure C74*).
- Institute teleconference, telecommute and flexible work hour programs to reduce employee trips at the City and the private sector (*Draft EECAS Measure C80*).
- Encourage businesses to offer discounts for customers who use alternative modes of transportation (*Draft EECAS Measure C83*).
- Install energy efficient lighting (e.g., LED), heating and cooling systems, appliances, equipment, and control systems (*Draft EECAS Measure C89*).
- Implement programs to encourage and increase participation of diverted waste from landfills to meet or exceed state regulation requirements (*Draft EECAS Measure C108*).
- Develop shaded, protected, attractive, and accessible pedestrian paths of travel between building entrances and parking lots, sidewalks, adjacent properties, and public transportation stops (*Draft EECAS Measure C121*).

**Table 4.7-2
Greenhouse Gas Emissions – CARB Consistency**

| Source | CO ₂ ¹ | CH ₄ ¹ | | N ₂ O ¹ | | Total Metric Tons of CO ₂ eq ^{1,4} |
|--|------------------------------|------------------------------|--|-------------------------------|--|--|
| | Metric Tons/yr ² | Metric Tons/yr ² | Metric Tons of CO ₂ eq ³ | Metric Tons/yr ² | Metric Tons of CO ₂ eq ³ | |
| Unmitigated Emissions | | | | | | |
| Area Source | 5,418.21 | 2.66 | 55.86 | 0.11 | 34.10 | 5,508.17 |
| Energy | 22,378.43 | 0.82 | 17.22 | 0.39 | 120.90 | 22,516.55 |
| Mobile Source | 103,440.81 | 9.30 | 195.30 | 0.00 | 0.00 | 103,636.11 |
| Solid Waste | 929.60 | 54.94 | 1,153.74 | 0.00 | 0.00 | 2,083.34 |
| Water Demand | 3,271.42 | 17.28 | 362.88 | 0.48 | 148.80 | 3,783.10 |
| <i>Total Emissions⁴</i> | <i>135,438.47</i> | <i>85.00</i> | <i>1,785.00</i> | <i>0.98</i> | <i>303.80</i> | <i>137,527.27</i> |
| Mitigated Emissions | | | | | | |
| Area Source | 4,906.60 | 0.38 | 7.98 | 0.09 | 27.90 | 4,942.48 |
| Energy | 18,579.46 | 0.67 | 14.07 | 0.33 | 102.30 | 18,695.83 |
| Mobile Source | 85,547.23 | 7.92 | 166.32 | 0.00 | 0.00 | 85,713.55 |
| Solid Waste | 464.80 | 27.47 | 576.87 | 0.00 | 0.00 | 1,041.67 |
| Water Demand | 2,775.43 | 13.83 | 290.43 | 0.39 | 120.90 | 3,186.76 |
| <i>Total Emissions⁴</i> | <i>112,273.52</i> | <i>50.27</i> | <i>1,055.67</i> | <i>0.81</i> | <i>251.10</i> | <i>113,580.29</i> |
| Reduction Between Mitigated And Unmitigated Emissions | 17.41 % | | | | | |
| Notes: | | | | | | |
| 1. The calculated emissions differ from those presented in <i>Table 4.7-1, Business As Usual GHG Emissions – General Plan Buildout Year 2013</i> as they have been adjusted to utilize a baseline year that is consistent with CARB's <i>Final Supplement to the AB 32 Scoping Plan Functional Equivalent Document</i> . | | | | | | |
| 2. Emissions calculated using CalEEMod computer model. | | | | | | |
| 3. CO ₂ Equivalent values calculated using the EPA Website, <i>Greenhouse Gas Equivalencies Calculator</i> , http://www.epa.gov/cleanenergy/energy-resources/calculator.html , accessed January 2013. | | | | | | |
| 4. Totals may be slightly off due to rounding. | | | | | | |
| Refer to Appendix B, Greenhouse Gas Modeling Data, for detailed model input/output data. | | | | | | |

Table 4.7-2 depicts the unmitigated (BAU) GHG emissions associated with the proposed project utilizing a baseline year consistent with CARB's *Final Supplement to the AB 32 Scoping Plan Functional Equivalent Document*. As seen in Table 4.7-2, Mitigation Measure GHG-1 would result in a 17.41 percent reduction from today's levels utilizing CARB's baseline year exceeding the required 16 percent requirement. Therefore, impacts would be less than significant in this regard.

Mitigation Measures:

GHG-1 Future development projects shall incorporate the following *Draft EECAS* reduction measures in order to reduce the project's operational GHG emissions to beyond CARB's required 16 percent reduction:

- Install light colored "cool" roofs and cool pavements (*Draft EECAS* Measure C1).
- Require Energy Star equipment and appliances in new construction and renovations (*Draft EECAS* Measure C3).
- Specify no- or low-VOC materials (*Draft EECAS* Measure C4).
- Consider adopting a new energy efficiency ordinance requiring 10 to 15 percent reduction above Title 24 (*Draft EECAS* Measure C5).
- Implement low impact development practices that maintain existing hydrology of the site to manage storm water and protect the environment (*Draft EECAS* Measure C15).
- Integrate reuse and recycling into residential, industrial, institutional, and commercial projects (*Draft EECAS* Measure C24).
- Install water-efficient irrigation systems and devices, such as soil moisture-based irrigation controls and use water-efficient irrigation methods (*Draft EECAS* Measure C27).
- Reduce unnecessary outdoor lighting (*Draft EECAS* Measure C36).
- Promote use of low flow toilets for homes and businesses (*Draft EECAS* Measure C40).
- Review and update the landscape ordinance to continue lowering use of potable water for landscape irrigation (*Draft EECAS* Measure C41).
- Promote incentives for use of water efficient fixtures and fittings (*Draft EECAS* Measure C42).
- Incorporate water-reducing features into building and landscape design (*Draft EECAS* Measure C45).
- Design buildings to be water efficient. Install water-efficient fixtures and appliances (*Draft EECAS* Measure C46).
- Require 50 percent reduction in irrigation water usage. Limit turf use (*Draft EECAS* Measure C49).
- Work with developers to increase housing near transit through recently adopted mixed-use zones (*Draft EECAS* Measure C53).
- Explore reduced parking minimums required for mixed-use developments to encourage transit and non-motorized transportation (*Draft EECAS* Measure C57).
- Explore greater flexibility with shared parking requirements (*Draft EECAS* Measure C58).
- Apply urban planning principles that encourage high density, mixed-use, walkable/bikeable neighborhoods, and coordinate land-use and transportation with open space systems and promote the efficient delivery of services and goods (*Draft EECAS* Measure C61).
- Explore trip reduction programs such as carpools/vanpools and preferential parking areas with City staff and other large employers (*Draft EECAS* Measure C73).
- Promote school rideshare programs to assist parents/students forming carpools (*Draft EECAS* Measure C74).
- Institute teleconference, telecommute and flexible work hour programs to reduce employee trips at the City and the private sector (*Draft EECAS* Measure C80).
- Encourage businesses to offer discounts for customers who use alternative modes of transportation (*Draft EECAS* Measure C83).

- Install energy efficient lighting (e.g., LED), heating and cooling systems, appliances, equipment, and control systems (*Draft EECAS* Measure C89).
- Implement programs to encourage and increase participation of diverted waste from landfills to meet or exceed state regulation requirements (*Draft EECAS* Measure C108).
- Develop shaded, protected, attractive, and accessible pedestrian paths of travel between building entrances and parking lots, sidewalks, adjacent properties, and public transportation stops (*Draft EECAS* Measure C121).

b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

Less Than Significant Impact With Mitigation Incorporated. As previously discussed, the City has prepared its *Final Greenhouse Gas Analysis* and *Draft EECAS*, both of which have been developed to reduce GHG emissions within the City. The *Final Greenhouse Gas Analysis* and the *Draft EECAS* indicate that the City aims to reduce GHG emissions to 1990 levels by 2020, following the State's GHG reduction target.

The City's *Final Greenhouse Gas Analysis* includes a GHG inventory of community wide emissions. Sources of emissions include transportation, electricity and natural gas use, landscaping, water and wastewater pumping and treatment, and treatment and decomposition of solid waste. According to the *Final Greenhouse Gas Analysis*, the City's GHG emissions were estimated to be 939,639 MTCO₂eq in 2007 and 920,712 MTCO₂eq in 2010. The City has projected BAU GHG emissions for 2020 to be approximately 1,298,543 MTCO₂eq. With the implementation of GHG reduction measures, the City is projected to reduce its community-wide emissions to a total of 798,137 MTCO₂eq, which is 556 MTCO₂eq below the 2020 reduction target. The City's *Final Greenhouse Gas Analysis* has been incorporated into the *Draft EECAS*.

The *Draft EECAS* is a policy document which identifies ways that the can reduce energy and water consumption and GHG emissions as an organization (its employees and the operation of its facilities), and outlines the actions that the City can encourage and community members can employ to reduce their own energy and water consumption and GHG emissions.⁶ The *Draft EECAS* contains three components: Energy Efficiency, Climate Action, and Greenhouse Gas Analysis. The Energy Efficiency section's primary focus is to identify potential energy efficiency measures for the City as an organization, both those that have been implemented and those that could be implemented in the future. In addition, the *Draft EECAS* provides direction and policies to ensure the most effective, practical, and affordable, energy use practices are implemented. The focus of the Climate Action section is to promote measures similar to those identified in the Energy Efficiency section and additional measures that can be implemented by the community's residents and businesses to reduce GHG emissions on a community-wide basis. The *Draft EECAS* includes an analysis of existing and future GHG emissions community wide and provides a set of policies to guide efforts to reduce GHG emissions to meet or exceed State requirements without unduly compromising other community goals. The Greenhouse Gas Analysis section provides an overview of the City's *Final Greenhouse Gas Analysis*. The Energy Efficiency section applies to City owned and operated facilities and, therefore, doesn't apply to the proposed project, which would facilitate the development of residential and commercial uses. The focus of the Climate Action Strategy section is to promote measures similar to those identified in the Energy Efficiency section and additional measures that can be implemented by the community's residents and businesses to reduce GHG emissions on a community-wide basis. The Climate Action Strategy section includes an analysis of existing and future GHG emissions community wide and provides a set of policies to guide efforts to reduce GHG emissions to meet or exceed State requirements without unduly compromising other community goals. The reduction measures from the *Draft EECAS* applicable to the proposed project are discussed in Response 4.7.a, and as required by Mitigation Measure GHG-1.

⁶ It is noted that the *Draft EECAS* is in draft form for City Council review and comment, and has not yet been vetted through a public process or fulfilled the requirements of CEQA.

The *Final Greenhouse Gas Analysis* and the *Draft EECAS* indicate that the City aims to reduce GHG emissions to 1990 levels by 2020, following the State's AB 32 GHG reduction target. The proposed project would be required to implement GHG reduction measures contained within the *Final Greenhouse Gas Analysis* and the *Draft EECAS* (refer to Mitigation Measure GHG-1). With implementation of applicable *Greenhouse Gas Analysis* and the *Draft EECAS* GHG reduction measures, as discussed in Response 4.7.a, the proposed project would be consistent with the CARB's 16 percent required GHG reduction necessary to comply with the reduction goals of AB 32. Thus, the proposed project would also be consistent with the reduction goals of the *Greenhouse Gas Analysis* and *Draft EECAS*. Therefore, as the proposed project would be consistent with the City's *Final Greenhouse Gas Analysis* and *Draft EECAS* with implementation of Mitigation Measure GHG-1, impacts would be less than significant in this regard.

Mitigation Measures: Refer to Mitigation Measure GHG-1. No additional mitigation measures are required.

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4.8 HAZARDS AND HAZARDOUS MATERIALS

| <i>Would the project:</i> | Potentially Significant Impact | Less Than Significant Impact With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--|--------------------------------|---|------------------------------|-----------|
| a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? | | | ✓ | |
| b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? | | ✓ | | |
| c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? | | ✓ | | |
| d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? | | | | ✓ |
| e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? | | | | ✓ |
| f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area? | | | | ✓ |
| g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? | | | ✓ | |
| h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? | | | | ✓ |

a) *Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?*

Less Than Significant Impact. Future residential and commercial developments would likely involve the use of limited quantities of hazardous materials such as cleaning and degreasing solvents, fertilizers, pesticides, and other materials used in the regular maintenance of buildings and landscaping. However, no significant amounts of hazardous materials would be utilized, disposed of, or transported in conjunction with future residential developments. With proper use and disposal, household maintenance chemicals are not expected to create hazardous or unhealthful conditions to residents or the public.

Future commercial development may involve the routine transport, use, or disposal of hazardous materials. Due to the conceptual nature of the project, the types and quantities of hazardous substances utilized by the various types of potential future development within the project area would vary and, as a result, the nature of potential hazards would vary. Generally, the exposure of persons to hazardous materials could occur in the following manners: 1) improper handling or use of hazardous materials or hazardous wastes during construction or operation of future developments,

particularly by untrained personnel; 2) an accident during transport; 3) environmentally unsound disposal methods; or 4) fire, explosion or other emergencies.

The proposed project would be subject to compliance with existing regulations, standards, and guidelines established by the EPA, State, County, and the City of Moreno Valley related to the storage, use, and disposal of hazardous materials. Both the Federal and State governments require any business, where the maximum quantity of a regulated substance exceeds the specified threshold quantity, register with the County as a manager of regulated substances and prepare a Risk Management Plan. The Risk Management Plan must contain an off-site consequence analysis, a five-year accident history, an accident prevention program, an emergency response program, and a certification of the truth and accuracy of the submitted information. Businesses would be required to submit their plans to the Certified Unified Program Agency (CUPA), which would make the plans available to emergency response personnel. The Risk Management Plan must identify the type of business, location, emergency contacts, emergency procedures, mitigation plans, and chemical inventory at each location.

While the risk of exposure to hazardous materials cannot be eliminated, measures can be implemented to reduce risk to acceptable levels. Adherence to existing regulations would ensure compliance with safety standards related to the use and storage of hazardous materials, and the safety procedures mandated by applicable Federal, State, and local laws and regulations, which would ensure that risks resulting from the routine transportation, use, storage, or disposal of hazardous materials or hazardous wastes associated with implementation of the proposed project would be less than significant.

Mitigation Measures: No mitigation measures are required.

b) *Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?*

Less Than Significant Impact With Mitigation Incorporated.

Short-Term Impacts

One of the means through which human exposure to hazardous substance could occur is through accidental release. Incidents that result in an accidental release of hazardous substance into the environment can cause contamination of soil, surface water, and groundwater, in addition to any toxic fumes that might be generated. If not cleaned up immediately and completely, the hazardous substances can migrate into the soil or enter a local stream or channel causing contamination of soil and water. Human exposure of contaminated soil or water can have potential health effects on a variety of factors, including the nature of the contaminant and the degree of exposure.

Construction activities associated with future development could release hazardous materials into the environment through reasonably foreseeable upset and accident conditions. There is a possibility of accidental release of hazardous substances such as petroleum-based fuels or hydraulic fluid used for construction equipment. The level of risk associated with the accidental release of hazardous substances is not considered significant due to the small volume and low concentration of hazardous materials utilized during construction. The construction contractor for individual development projects would be required to use standard construction controls and safety procedures that would avoid and minimize the potential for accidental release of such substances into the environment. Standard construction practices would be observed such that any materials released are appropriately contained and remediated as required by local, State, and Federal law.

Demolition of Structures. Since future development would involve urban infill and development/redevelopment of vacant and/or underutilized land, existing structures would likely be demolished prior to construction of new buildings. Although, specific development projects have not been identified, it is assumed that older buildings would be demolished as new residential and commercial uses are developed. Demolition of structures could expose construction personnel and the public to hazardous substances such as asbestos containing materials (ACM) or

lead-based paints (LBP), depending on the age of the structure. Further, the potential exists that construction activities may release potential contaminants that may be present in building materials (e.g., mold, lead, etc.). In addition, the disturbance of soils and demolition of structures could expose construction workers or employees to health or safety risks in the event contaminated structures and/or soils are encountered during construction. Exposure could occur from ACM or LBP in older buildings, or unknown contaminants that have not previously been identified. Federal and State regulations govern the renovation and demolition of structures where ACMs and LBPs are present.

The National Emission Standards for Hazardous Air Pollutants (NESHAP) mandates that building owners conduct an asbestos survey to determine the presence of ACMs prior to the commencement of any remedial work, including demolition (Mitigation Measure HAZ-1). If ACM material is found, abatement of asbestos would be required prior to any demolition activities. Also, if paint is separated from building materials (chemically or physically) during demolition of the structures, the paint waste would be required to be evaluated independently from the building material by a qualified Environmental Professional (HAZ-2). If lead-based paint is found, abatement would be required to be completed by a qualified Lead Specialist prior to any demolition activities. Compliance with Mitigation Measures HAZ-1 and HAZ-2 and SCAQMD Rule 1403 would reduce potential impacts associated with the demolition of structures to less than significant levels.

Current and Historic Uses. Future development within the project area could result in the conversion of vacant and/or underutilized land to residential and non-residential uses. Hazardous materials conditions may exist relating to historic commercial and industrial uses on these properties. Grading and excavation for future development could expose construction workers and the public to unidentified hazardous substances present in the soil or groundwater. Exposure of the public or the environment to hazardous substances is considered a potentially significant impact. Preparation of a formal Phase I Environmental Site Assessment (ESA) would be required on a project-by-project basis for any vacant, commercial, and industrial properties (current or historical) involving hazardous materials or waste (Mitigation Measure HAZ-3). The Phase I ESA would be prepared in accordance with ASTM Standard Practice E 1527-05 or the Standards and Practices for All Appropriate Inquiry (AAI), prior to any land acquisition, demolition, or construction activities. The Phase I ESA would identify specific Recognized Environmental Conditions (RECs), which may require further sampling/remedial activities by a qualified hazardous materials Environmental Professional with Phase II/site characterization experience. The Environmental Professional would identify proper remedial activities, if necessary. Therefore, with implementation of Mitigation Measure HAZ-3, potential construction-related accident conditions involving the release of hazardous materials into the environment, as a result of historic uses within the project area would be reduced to less than significant levels. Although remedial processes are yet to be determined (if necessary), remediation activities could also expose construction workers and the public to a variety of potentially hazardous materials. Site remediation activities are strictly controlled by local, state, and federal requirements. Toxic or hazardous materials would be handled in strict accordance with existing regulations, thus, resulting in less than significant impacts.

Despite compliance with Mitigation Measure HAZ-3, accidental conditions may arise during construction of future projects within the project area, if unknown wastes or suspect materials are discovered. In the event the contractor discovers unknown wastes or suspect materials, which are believed to involve hazardous wastes/materials, the contractor would be required to comply with Mitigation Measure HAZ-4, which instructs the contractor on how to proceed. Compliance with HAZ-4 would reduce potential impacts involving the accidental discovery of unknown wastes or suspect materials during construction to less than significant levels.

Long-Term Operational Impacts

Due to the conceptual nature of the proposed project, the amount of hazardous materials that would be utilized as part of long-term operations cannot be predicted. The analysis examines the potential nature and magnitude of risks associated with the accidental release of hazardous materials often used during operations of typical commercial development projects.

Typical incidents that could result in accidental release of hazardous materials involve:

- Leaking storage tanks;
- Spills during transport;
- Inappropriate storage;
- Inappropriate use; and/or
- Natural disasters.

If not remediated immediately and completely, these and other types of incidents could cause contamination of soil, surface water, and groundwater, and toxic fumes. Depending on the nature and extent of the contamination, groundwater supplies could become unsuitable for use as a domestic water source. Human exposure to contaminated soil or water could have potential health effects depending on a variety of factors, including the nature of the contaminant and the degree of exposure.

Leaking Storage Tanks. Chemicals and wastes stored in aboveground or underground storage tanks would follow guidelines mandated by the Federal and State agencies. Aboveground tanks storing hazardous chemicals would have secondary containment to collect fluids that are accidentally released. Underground storage tanks and connecting piping would be double-walled and would have monitoring devices with alarms installed to constantly monitor for unauthorized releases in accordance with Federal and State standards. Applicable existing standards include the California Environmental Protection Agency's Aboveground Petroleum Storage Act, Cal/OSHA operational requirements, *California Health and Safety Code* Section 25270.7, and Fire Department regulations regarding the installation and operation of aboveground and underground tanks. These existing measures would minimize impacts to a less than significant level.

Off-Site Transport. Transportation of hazardous materials can result in accidental spills, leaks, toxic releases, fire, or explosion. The potential exists for licensed vendors to transport hazardous materials to and from the project area. Accidental releases would most likely occur along transport routes leading to and from the project site. Existing street setback requirements would minimize the direct damage that may occur from transportation-related hazardous waste spills. Additionally, the United States Department of Transportation (USDOT) Office of Hazardous Materials Safety prescribes strict regulations for the safe transportation of hazardous materials, as described in Title 49 of the Code of Federal Regulations, and implemented by Title 13 of the *CCR*. Appropriate documentation would be provided for all hazardous waste that is transported in connection with specific project-site activities, as required by existing hazardous materials regulations.

Future development associated with the proposed project would be subject to compliance with all applicable Federal, State, and local laws (including Title 49 of the *Code of Federal Regulations*) and regulations pertaining to the transport, use, disposal, handling, and storage of hazardous waste. Compliance with these regulations would reduce the likelihood and severity of accidents during transit, thereby ensuring that a less than significant impact would occur in this regard.

Storage and Handling. Hazardous materials must be stored in designated areas designed to prevent accidental release to the environment. *California Building Code (CBC)* requirements prescribe safe accommodations for materials that present a moderate explosion hazard, high fire or physical hazard, or health hazards. Compliance with all applicable Federal and State laws related to the storage of hazardous materials would be required to maximize containment and provide for prompt and effective clean-up, if an accidental release occurs, thereby ensuring that a less than significant impact would occur. As stated above, existing standards applying to the installation and operation of aboveground and underground storage tanks include the California Environmental Protection Agency's Aboveground Petroleum Storage Act, Cal/OSHA operational requirements, *California Health and Safety Code* Section 25270.7, and Fontana Fire Protection District regulations.

Hazardous materials use would present a slightly greater risk of accident than hazardous materials storage. However, for those employees who would work with hazardous materials, the amount of hazardous materials that are handled at any one time are generally relatively small, reducing the potential consequences of an accident during handling. The Fire Department would respond to hazardous materials incidents. Major hazardous materials accidents associated with commercial uses are infrequent and additional emergency response capabilities are not anticipated to be necessary to respond to potential incidents that could result from the proposed project. In addition, the CUPA would require that any business, where the maximum quantity of a regulated substance exceeds the specified threshold quantity, register with the County as a manager of regulated substances and prepare a Risk Management Plan. A Risk Management Plan must contain an off-site consequence analysis, a five-year accident history, an accident prevention program, an emergency response program, and a certification of the truth and accuracy of the submitted information. Businesses submit their plans to the CUPA, which makes the plans available to emergency response personnel. The Risk Management Plan must identify the type of business, location, emergency contacts, emergency procedures, mitigation plans, and chemical inventory at each location.

In summary, compliance with the established regulatory framework and recommended mitigation would ensure that potential impacts are less than significant by requiring compliance with applicable laws and regulations that would reduce the risk of hazardous materials use, transportation, and handling through the implementation of established safety practices, procedures, and reporting requirements.

Mitigation Measures:

- HAZ-1 Prior to demolition and/or rehabilitation activities, an asbestos survey shall be conducted by an Asbestos Hazard Emergency Response Act (AHERA) and Cal OSHA certified building inspector to determine the presence or absence of asbestos containing-materials (ACMs). If ACMs are located, abatement of asbestos shall be completed prior to any activities that would disturb ACMs or create an airborne asbestos hazard. Asbestos removal shall be performed by a State certified asbestos containment contractor in accordance with the South Coast Air Quality Management District (SCAQMD) Rule 1403.
- HAZ-2 If paint is separated from building materials (chemically or physically) during demolition of structures, the paint waste shall be evaluated independently from the building material by a qualified Environmental Professional. If lead-based paint is found, abatement shall be completed by a qualified lead specialist prior to any activities that would create lead dust or fume hazard. Lead-based paint removal and disposal shall be performed in accordance with California Code of Regulation Title 8, Section 1532.1, which specifies exposure limits, exposure monitoring and respiratory protection, and mandates good worker practices by workers exposed to lead. Contractors performing lead-based paint removal shall provide evidence of abatement activities to the City Project Engineer.
- HAZ-3 A formal Phase I Environmental Site Assessment (ESA) shall be prepared on a project-by-project basis for any vacant, commercial, and industrial properties involving hazardous materials or waste. The Phase I ESA shall be prepared in accordance with ASTM Standard Practice E 1527-05 or the Standards and Practices for All Appropriate Inquiry (AAI), prior to any land acquisition, demolition, or construction activities. The Phase I ESA would identify specific Recognized Environmental Conditions (RECs), which may require further sampling/remedial activities by a qualified hazardous materials Environmental Professional with Phase II/site characterization experience prior to land acquisition, demolition, and/or construction. The Environmental Professional shall identify proper remedial activities, if necessary.
- HAZ-4 If unknown wastes or suspect materials are discovered during construction by the contractor that are believed to involve hazardous waste or materials, the contractor shall comply with the following:
- Immediately cease work in the vicinity of the suspected contaminant, and remove workers and the public from the area;
 - Notify the City's Project Engineer;

- Secure the area as directed by the Project Engineer; and
- Notify the implementing agency's Hazardous Waste/Materials Coordinator. The Hazardous Waste/Materials Coordinator shall advise the responsible party of further actions that shall be taken, if required.

c) *Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?*

Less Than Significant Impact With Mitigation Incorporated. There is the potential for future development projects to be located within one-quarter mile of an existing school. As discussed above in Response 4.7.a, future development of vacant and/or underutilized sites could require remediation of existing contamination. Remediation activities, if any, would include the potential transport of hazardous materials to an approved landfill facility. Mitigation Measures HAZ-1 through HAZ-4, and compliance with applicable Federal, State, and local regulatory requirements pertaining to hazardous materials, would reduce potential impacts associated with the handling of hazardous materials during remedial activities (if any) to less than significant levels.

Future commercial developments are expected to utilize commercial products that could be considered hazardous materials. The secondary activities that would occur with residential and commercial developments (e.g., building and landscape maintenance) would also involve the use of hazardous materials. However, none of these activities would result in hazardous emissions or are considered acutely hazardous. Although the use of hazardous materials during project construction and operations has the potential to result in a health risk to the nearby school, the project is subject to compliance with provisions of the EPA, State, County, and the City of Moreno Valley related to the storage, use, and disposal of hazardous materials. As previously noted, both Federal and State governments require all businesses that handle more than a specified amount of hazardous materials to submit a business plan to a regulatory agency. A future development project's routine transport, use, and disposal of hazardous materials would be subject to a wide range of laws and regulations intended to minimize potential health risks associated with their use or accidental release. Compliance with existing regulations would reduce the risks associated with the exposure of sensitive receptors, including schools, to hazardous materials, to less than significant levels.

Mitigation Measures: Refer to Mitigation Measures HAZ-1 through HAZ-4. No additional mitigation measures are required.

d) *Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?*

No Impact. According to the California Department of Toxic Substances Control's EnviroStor database, the project area does not contain any sites on a list of hazardous materials sites compiled pursuant to *Government Code* Section 65962.5.¹ No impact would occur in this regard.

Mitigation Measures: No mitigation measures are required.

e) *For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?*

No Impact. March Air Reserve Base is located southwest of the City, along Interstate 215. Located within two miles of portions of the project area, the Base is a joint-use airport operated by the March Air Reserve Base and the March Inland Port Airport Authority. The Air Force has developed an Air Installation Compatible Use Zone (AICUZ) program

¹ California Department of Toxic Substances Control, *Hazardous Waste and Substance Site List (CORTESE)*, http://www.envirostor.dtsc.ca.gov/public/mandated_reports.asp, accessed January 18, 2013.

to promote compatible land uses in areas around the Base. The AICUZ maps areas of relative potential crashes into four categories: areas on or adjacent to the runway; areas within the clear zone; Accident Potential Zone (APZ) 1 and APZ II. The AICUZ establishes land use limitations within each of these areas.

General Plan EIR Figure 5.5-3, City Areas Affected by Aircraft Hazard Zones, identifies areas of the City located within one of the four AICUZ categories. Existing City zoning regulations limit development within the air crash hazard areas in accordance with the AICUZ program. The project area is not located within areas identified as being affected by aircraft hazards. Thus, future development within the project area would not result in safety hazards for people residing or working in the project area. No impact would occur in this regard.

Mitigation Measures: No mitigation measures are required.

f) ***For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?***

No Impact. The project area is not located within the vicinity of a private airstrip; thus, the proposed project would not result in a safety hazard for people residing or working in the project area. No impact would occur in this regard.

Mitigation Measures: No mitigation measures are required.

g) ***Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?***

Less Than Significant Impact. The City's *Emergency Operations Plan* (EOP) (July 2006) provides guidance for the City's response to extraordinary emergency situations associated with natural, man-made and technological disasters. The EOP has been developed in accordance with the Standardized Emergency Management System (SEMS) and the National Incident Management System (NIMS). The City's Emergency Operations Center (EOC), located within the Public Safety Building, is a centralized location where emergency response actions can be managed and resource allocations and responses can be tracked and coordinated with the field, operational area, and State. The City has capabilities for an Alternative EOC located within the City Council Chambers, Conference and Recreation Center, or Senior Center.

The EOP identifies responsible agencies, emergency action checklists for hazard-specific responses, and operational data, including listings of resources, key personnel, and essential facilities. The unpredictability of the impact of any disaster on existing streets and highways makes evacuation route designation difficult. Although the routes to be used for an evacuation would depend upon the location of the incident, assuming major streets and freeways are functional, generally the routes would include major arterials and regional routes.

The proposed project anticipates the construction of residential and non-residential uses on parcels that are currently vacant and/or underutilized within the project area. Due to the conceptual nature of the future development, proposals would be analyzed individually in order to address changes in traffic patterns and circulation. As conditions for approval, each project would be required to meet all County Fire Department standards and regulations pertaining to emergency response access and evacuation procedures. With the City's continued implementation of the EOP, and upon compliance with Fire Department guidelines, it is anticipated that future development anticipated by the proposed project would not physically interfere with an adopted emergency response plan or emergency evacuation plan.

Mitigation Measures: No mitigation measures are required.

- h) ***Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?***

No Impact. The City of Moreno Valley is subject to wildland fires. The City's *Local Hazard Mitigation Plan* (October 4, 2011) provides a detailed assessment of wildland fire risks within the City. Figure 5.5-2, Moreno Valley High Fire Area Map, identifies areas of the City located with high fire hazard areas. The project area is not located within a High Fire Hazard Area. Thus, future development within the project area would not expose people or structures to significant impacts associated with wildland fires. No impacts would occur in this regard.

Mitigation Measures: No mitigation measures are required.

4.9 HYDROLOGY AND WATER QUALITY

| <i>Would the project:</i> | Potentially Significant Impact | Less Than Significant Impact With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|--------------------------------|---|------------------------------|-----------|
| a. Violate any water quality standards or waste discharge requirements? | | | ✓ | |
| b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? | | | ✓ | |
| c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of stream or river, in a manner which would result in substantial erosion or siltation on- or off-site? | | | ✓ | |
| d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site? | | ✓ | | |
| e. Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff? | | ✓ | | |
| f. Otherwise substantially degrade water quality? | | | ✓ | |
| g. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? | | ✓ | | |
| h. Place within a 100-year flood hazard area structures which would impede or redirect flood flows? | | ✓ | | |
| i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? | | | | ✓ |
| j. Inundation by seiche, tsunami, or mudflow? | | | | ✓ |

a) *Violate any water quality standards or waste discharge requirements?*

Less Than Significant Impact. As part of Section 402 of the Clean Water Act, the U.S. Environmental Protection Agency (EPA) has established regulations under the National Pollution Discharge Elimination System (NPDES) program to control direct storm water discharges. In California, the State Water Resources Control Board (SWRCB) administers the NPDES permitting program and is responsible for developing NPDES permitting requirements. The NPDES program regulates industrial pollutant discharges, which include construction activities. The SWRCB works in coordination with the Regional Water Quality Control Boards (RWQCB) to preserve, protect, enhance, and restore water quality. The City is located in the jurisdiction of the Santa Ana RWQCB.

General Plan Conservation Element, Objectives 7.1 and 7.2 and their associated policies are included to limit potential water quality impacts to surface water and groundwater resources. *General Plan* Policy 7.2.2 requires all projects to comply with the discharge permit requirements of the Regional Water Quality Control Board.

Short-Term Construction. Construction controls are separated from other water quality management because the measures are temporary and specific to the type of construction. Construction of future development projects within the project area has the potential to produce typical pollutants such as nutrients, heavy metals, pesticides and herbicides, toxic chemicals related to construction and cleaning, waste materials including wash water, paints, wood, paper, concrete, food containers and sanitary wastes, fuel, and lubricants. Generally, standard safety precautions for handling and storing construction materials can adequately reduce the potential pollution of stormwater by these materials. These types of standard procedures can be extended to non-hazardous stormwater pollutants such as sawdust, concrete washout, and other wastes.

In addition, grading activities can greatly increase erosion processes, leading to impacts on storm drains and sediment loading to storm runoff flows. Two general strategies are recommended to prevent soil materials from entering local storm drains. First, erosion control procedures should be implemented for those areas that must be exposed, and secondly, any development site should be secured to control off-site transport of pollutants.

Future development within the project area could impact water quality resulting in a significant impact. However, future development within the project area would be required to comply with the NPDES permit program. To obtain authorization for discharges of stormwater from construction sites, a Construction General Permit (99-08-DWQ, Effective July 1, 2010) must be obtained for large and small construction activities that result in a total land disturbance of equal to or greater than one acre. Permit coverage is required from the “commencement of construction activities” until “final stabilization.” The goal of this permit is to minimize the discharge of stormwater pollutants from construction activity.

To comply with the NPDES requirements, a Notice of Intent (NOI) would need to be prepared and submitted to the California State Water Resources Control Board providing notification and intent to comply with the State of California general permit. Prior to construction, a Storm Water Pollution Prevention Plan (SWPPP) is required for the construction activities on-site. A copy of the SWPPP must be available and implemented at the construction site at all times. The SWPPP outlines the source control and/or treatment control BMPs that would avoid or mitigate runoff pollutants at the construction site. The latest permit is a risk based permit with permit requirements increasing with increasing risk. Each project would be required to assess their risk level prior the development of the SWPPP document. BMPs are identified in the California Stormwater Best Management Practice Handbook - Construction Activity.

Individual development projects would be required to comply with *Municipal Code* Section 8.21.170, National Pollutant Discharge Elimination System (NPDES), which is consistent with the NPDES requirements, including implementation of appropriate BMPs to control stormwater runoff so as to prevent any deterioration of water quality. Following compliance with the City’s *General Plan* and requirements of the NPDES and the *Municipal Code*, project implementation would not violate any water quality standards or waste discharge requirements associated with short-term construction activities. Impacts would be less than significant in this regard.

Long-Term Operations. The Municipal Storm Water Permitting Program regulates storm water discharges from municipal separate storm sewer systems (MS4s). MS4 permits were issued in two phases: Under Phase I, for medium (serving between 100,000 and 250,000 people) and large (serving 250,000 people) municipalities, and Phase II, for smaller municipalities. Under Phase I, the RWQCB have adopted NPDES storm water permits for medium and large municipalities, most of which are issued to a group of co-permittees encompassing an entire metropolitan area. The MS4 permits require the discharger to develop and implement a Storm Water Management Plan/Program with the goal of reducing the discharge of pollutants to the maximum extent practicable (MEP). MEP is the performance standard specified in Section 402(p) of the Clean Water Act. The management programs specify what BMPs would be used to address certain program areas.

On January 29, 2010, the Santa Ana RWQCB issued municipal storm water NPDES permit (Order No. R8-2010-0033) to the County of Riverside, including the City of Moreno Valley as Co-Permittee of Riverside County. The newly adopted permit requires the Permittees to update the existing Riverside County Drainage Area Management Plan (DAMP) and incorporate new Low Impact Development (LID) principles and address hydromodification.

Individual developments within the City of Moreno Valley would be required to adhere to the updated DAMP (New Development/Significant Redevelopment Program (Section G) of the Permit), which fulfills the requirements of the Santa Ana Regional Water Quality Board Municipal NPDES Stormwater permit, Order No. R8-2010-0011.

Significant Redevelopment and New Development require the preparation, approval, and implementation of a project-specific Water Quality Management Plan (WQMP). Significant Redevelopment is defined as the addition or creation of 5,000 or more square feet of impervious surface on an existing developed site. Where Significant Redevelopment results in less than a 50 percent increase in existing impervious surfaces, and the existing development site obtained land use approvals before the adoption of the WQMP, the WQMP applies only to the addition and not the entire site. If the redevelopment results in more than a 50 percent increase in impervious area, then a WQMP is required for the entire site. Mitigation for water quality impacts would be required on a project-by-project basis. The new permit would require additional LID measures that address Hydrologic Conditions of Concerns, which would be required on priority projects in addition to identified BMPs.

Future development projects would be required to prepare a WQMP, which would be specific to the expected pollutants that would be present in the stormwater flow from the project site after completion of construction. The WQMP would be required to include site design, source control, and treatment control BMPs to address the specific pollutants anticipated from the project and project site, and would detail the specific operation and maintenance of each BMP. Compliance with an approved Water Quality Management Plan or current analysis/reporting requirements would be a condition of any required planning approval and all additional required items as indicated by the Department of Public Works at the time of submittal.

Following compliance with the City's *General Plan* and requirements of the NPDES and City's *Municipal Code*, project implementation would not violate any water quality standards or waste discharge requirements associated with long-term operations. Impacts would be less than significant in this regard.

Mitigation Measures: No mitigation measures are required.

b) *Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?*

Less Than Significant Impact. The project area is located within the Perris North Groundwater Basin. Groundwater depth ranges from approximately 100 feet to 150 feet below ground surface. There are currently few domestic uses for groundwater in the watershed as the City primarily relies upon imported water.

Future development within the project area would occur on vacant and/or underutilized land, potentially depleting the amount of water that would infiltrate to the groundwater table. The *General Plan EIR* determined that potential impacts to groundwater supplies would be less than significant as domestic water supplies are not reliant on groundwater as a primary source. Future development within the project area was considered in the *General Plan EIR* analysis, since additional development within the area was assumed. Implementation of the proposed project would be consistent with the analysis presented in the *General Plan EIR* and would result in no new or greater impacts than previously identified. Impacts would be less than significant in this regard.

Mitigation Measures: No mitigation measures are required.

- c) ***Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?***

Less Than Significant Impact. Future development within the project area would occur on vacant and/or underutilized land, altering the existing drainage pattern of the site or area. Localized alterations to the existing drainage patterns of the development sites could occur due to project-related grading and increases in the amount of impermeable surfaces on the respective sites from structures and other improvements (i.e., parking lots, driveways, and other hardscapes). The *General Plan EIR* determined that potential drainage impacts would be less than significant with implementation of recommended mitigation (Mitigation Measures HW1 through HW3, Policies 5.4.2, 6.2.5, and 7.2.2, respectively). Future development within the project area was considered in the *General Plan EIR* analysis, since additional development within the area was assumed. Implementation of the proposed project would be consistent with the analysis presented in the *General Plan EIR* and would result in no new or greater impacts than previously identified.

The project area is primarily developed and/or surrounded by existing development. The proposed project is not anticipated to substantially alter the existing drainage pattern of the site, resulting in substantial erosion or siltation on- or off-site or alter the course of a stream or river. Due to the conceptual nature of future development, site specific proposals would require individual assessments of potential drainage impacts associated with the specific site development. Soil disturbance would temporarily occur during project construction due to earth-moving activities such as excavation and trenching for foundations and utilities, soil compaction and moving, cut and fill activities, and grading. Disturbed soils would be susceptible to high rates of erosion from wind and rain, resulting in sediment transport via stormwater runoff from the project sites. Future development projects would be subject to compliance with the requirements set forth in the NPDES Storm Water General Construction Permit for construction activities; refer to Response 4.9.a. Compliance with the NPDES, including preparation of a SWPPP would reduce the volume of sediment-laden runoff discharging from individual sites. Therefore, project implementation would not substantially alter the existing drainage pattern of the site such that substantial erosion or siltation would occur. Impacts would be reduced to a less than significant level.

Mitigation Measures: No mitigation measures are required.

- d) ***Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?***

Less Than Significant Impact With Mitigation Incorporated. Future development within the project area would occur on vacant and/or underutilized land, altering the existing drainage pattern of the site or area. Localized alterations to the existing drainage patterns of the development sites could occur due to project-related grading and increases in the amount of impermeable surfaces on the respective sites from structures and other improvements (i.e., parking lots, driveways, and other hardscapes). The *General Plan EIR* determined that potential drainage impacts would be less than significant with implementation of recommended mitigation. Future development within the project area was considered in the *General Plan EIR* analysis, since additional development within the area was assumed. Implementation of the proposed project would be consistent with the analysis presented in the *General Plan EIR* and would result in no new or greater impacts than previously identified.

Increases in storm runoff could exceed the capacity of the existing drainage system, potentially creating localized flooding. Storm runoff would be augmented by nuisance water flows from development, further contributing to street flooding. The anticipated development would increase the demands on the City's drainage system. In general, the development would increase impervious (paved) surfaces, thus, reducing the amount of water that would normally infiltrate into the soil. Due to the conceptual nature of future development, site-specific proposals would require

individual assessments of potential drainage impacts associated with the specific site development. *General Plan* Policy 6.2.5 requires all components of the City's storm drain system to conform to Riverside County Flood Control and Water Conservation District master drainage plans and the requirements of the Federal Emergency Management Agency (*General Plan EIR* Mitigation Measure HW-2). As part of *General Plan EIR* Mitigation Measure HW2, drainage facilities would be designed and constructed with sufficient capacity to safely convey additional stormwater flows. Thus, compliance with the *Moreno Valley Municipal Code* and Mitigation Measure HW-1 would ensure that drainage system capacity impacts are reduced to a less than significant level.

Mitigation Measures:

HW-1 All components of the City's storm drain system shall conform to Riverside County Flood Control and Water Conservation District master drainage plans and the requirements of the Federal Emergency Management Agency.

(Source: *General Plan EIR* Mitigation Measure HW2)

e) ***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?***

Less Than Significant Impact With Mitigation Incorporated. Refer to Responses 4.8.a. and 4.8.d.

Mitigation Measures: Refer to Mitigation Measure HW-1. No additional mitigation measures are required.

f) ***Otherwise substantially degrade water quality?***

Less Than Significant Impact. Refer to Response 4.8.a.

Mitigation Measures: No mitigation measures are required.

g) ***Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?***

Less Than Significant Impact With Mitigation Incorporated. General Plan Figure 6-4, Flood Hazards, identifies areas of the City within the 100-year flood zone. A small area within the project between Elsworth and Frederick Streets, north of Alessandro Boulevard is identified as being within the 100-year flood zone with no base flood elevation determined.

The *General Plan EIR* determined that potential impacts associated with future development within the 100-year flood hazard area would be less than significant with implementation of mitigation. Future development within the project area was considered in the *General Plan EIR* analysis, since additional development within the area was assumed. Implementation of the proposed project would be consistent with the analysis presented in the *General Plan EIR* and would result in no new or greater impacts than previously identified.

Future development within the 100-year flood hazard area would be required to design and construct drainage facilities with sufficient capacity to safely convey stormwater flows and ensure that no habitable structure would be placed within a 100-year floodplain as shown on the FEMA Insurance Rate Maps consistent with *General Plan* Policy 6.2.5 (*General Plan EIR* Mitigation Measure HW2). Compliance with Mitigation Measure HW-1 would reduce potential impacts to a less than significant level.

Mitigation Measures: Refer to Mitigation Measure HW-1. No additional mitigation measures are required.

h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?

Less Than Significant Impact With Mitigation Incorporated. Refer to Response 4.9.g.

Mitigation Measures: Refer to Mitigation Measure HW-1. No additional mitigation measures are required.

i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?

No Impact. General Plan Figure 6-4, Flood Hazards, identifies areas of the City located within a dam inundation area. The project area is not identified as being located within a potential inundation area due to failure of the Lake Perris Dam. No impact would occur in this regard.

Mitigation Measures: No mitigation measures are required.

j) Inundation by seiche, tsunami, or mudflow?

No Impact. A seiche is an oscillation of a body of water in an enclosed or semi-enclosed basin, such as a reservoir, harbor, lake, or storage tank. A tsunami is a great sea wave, commonly referred to as a tidal wave, produced by a significant undersea disturbance such as tectonic displacement of a sea floor associated with large, shallow earthquakes. Mudflows result from the downslope movement of soil and/or rock under the influence of gravity.

Housing Element Calculation 4 Area and the CC rezone site are located approximately 2.5 miles northwest of Lake Perris. Due to the distance from the project area and intervening landscape, a seiche associated with Lake Perris would not impact the project area. Additionally, the project area is not located within proximity to the ocean and therefore, would not be subject to tsunami impacts. The project area and surrounding areas are relatively flat and the project area is not positioned directly downslope from an area of potential mudflow. No impacts would occur in this regard.

Mitigation Measures: No mitigation measures are required.

4.10 LAND USE AND PLANNING

| <i>Would the project:</i> | Potentially Significant Impact | Less Than Significant Impact With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|--------------------------------|---|------------------------------|-----------|
| a. Physically divide an established community? | | | | ✓ |
| b. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? | | | ✓ | |
| c. Conflict with any applicable habitat conservation plan or natural community conservation plan? | | | ✓ | |

a) *Physically divide an established community?*

No Impact. The proposed project would create Mixed-Use Overlay Districts to implement the Vision Plan for the Alessandro Boulevard Corridor and increase the maximum permitted density to 30 dwelling units per acre in specified areas of the City and Housing Element Calculation 4 Area, while adding commercial square footage on the CC rezone site. Future development and improvements would primarily occur within the Alessandro Boulevard Corridor, with the exception of the Housing Element Calculation 4 Area and the CC rezone site, which are located in the southwestern portion of the City. Within the Alessandro Boulevard corridor, future development would replace vacant and/or underutilized lands with residential and non-residential uses and would involve the redevelopment/reuse of existing developed sites. However, these sites are within developed areas of the City. Implementation of the proposed project would facilitate well-designed mixed-use, development projects that are consistent and compatible with existing neighborhoods and commercial areas and would encourage the development of a unique district character that would provide better connectivity and compatibility of uses throughout the corridor. Future development of Housing Element Calculation 4 Area and the CC rezone site with residential and commercial uses would be consistent with existing residential and intuitional uses within the area. Thus, project implementation would not physically divide an established community or lessen access to community amenities.

Mitigation Measures: No mitigation measures are required.

b) *Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?*

Less Than Significant Impact. The City's General Plan and Zoning Districts currently allow for residential development at a maximum density of 30 dwelling units per acre. Project implementation would amend the General Plan Land Use and Zoning Maps to designate specific parcels for the Residential: Maximum 30 dwelling units per acre designation consistent with the Housing Element Objective 8.13, in compliance with State housing element law and specifically the Regional Housing Needs Assessment (RHNA). The Housing Element includes the following Policy and Program to provide opportunities for higher-density residential development:

Policy 8.13.1: Designate land appropriately zoned for the development of higher density housing.

Program 8.24: Process General Plan Amendment to apply R-30 zoning to designated sites or alternative sites of equivalent acreage.

Project implementation would allow for additional residential development within the project area when compared to the residential development potential allowed under the current General Plan designations. However, development within the project area was anticipated by the *General Plan* and development would be consistent with overall *General Plan* growth projections. Project implementation would allow for the future development of 3,560 residential units within Housing Element Calculation 3, 4, and 5 Areas. The proposed changes in land use and zoning are considered a less than significant impact given that they are necessary in order to meet the City's allocated RHNA needs and the overall growth was anticipated in the *General Plan*.

The proposed Mixed-Use Overlay Districts would implement the Vision Plan for the Alessandro Boulevard Corridor. The Zoning Map would be amended to include the Mixed-Use Overlay classifications and the Zoning code would be amended to add new chapters and revise existing sections and chapters to address the new Mixed-Use Overlay Districts. The Mixed-Use Overlay Districts would allow for a mix of residential and non-residential development, allowing for the future development of 6,375 new residential units and 931,858 square feet of commercial uses. The Mixed-Use Overlay Districts would provide regulations to implement the goals and policies of the *General Plan*, the Alessandro Boulevard Corridor Vision Plan, and other similar long-range planning documents aimed at encouraging mixed-use development within the City.

The Housing Element Calculation 4 Area would allow for the future development of 913 new residential units, while the CC rezone site would convert 21.74 acres from a General Plan Designation of R5 to Commercial with a proposed 236,750 square feet of commercial space; a zone change would also be processed. This newly created commercial acreage could provide amenities to existing and future residents in the area and would also complement the commercial center located at the intersection of Iris Avenue and Perris Boulevard. The proposed commercial designation is also consistent with adjacent General Plan Commercial land use designations at the intersection of Iris Avenue and Perris Boulevard. Thus, impacts would be less than significant in this regard.

Mitigation Measures: No mitigation measures are required.

c) ***Conflict with any applicable habitat conservation plan or natural community conservation plan?***

Less Than Significant Impact. Refer to Response 4.4.f.

Mitigation Measures: No mitigation measures are required.

4.11 MINERAL RESOURCES

| <i>Would the project:</i> | Potentially Significant Impact | Less Than Significant Impact With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|--------------------------------|---|------------------------------|-----------|
| a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? | | | | ✓ |
| b. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? | | | | ✓ |

a) *Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?*

No Impact. According to the *General Plan EIR*, no regionally or statewide significant mineral resources are located within the General Plan planning area. Thus, implementation of the proposed project would not result in the loss of availability of a significant mineral resource, and no impact to mineral resources would occur.

Mitigation Measures: No mitigation measures are required.

b) *Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?*

No Impact. There are no mineral resources located within the City and the City's General Plan Land Use Map does not designate any land for mineral resources. The proposed project would not result in the loss of availability of a locally-important mineral resource recovery site. No impacts would occur in this regard.

Mitigation Measures: No mitigation measures are required.

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4.12 NOISE

| <i>Would the project:</i> | Potentially Significant Impact | Less Than Significant Impact With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|--------------------------------|---|------------------------------|-----------|
| a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? | | ✓ | | |
| b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels? | | ✓ | | |
| c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? | | ✓ | | |
| d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? | | ✓ | | |
| e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? | | ✓ | | |
| f. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? | | ✓ | | |

The following analysis has been tiered from Section 5.4, Noise, of the *City of Moreno Valley General Plan Final Program Environmental Impact Report (General Plan EIR)*, adopted in July 2006.

- a) ***Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?***

Less Than Significant Impact With Mitigation Incorporated.

Construction

According to the *General Plan EIR*, implementation of the General Plan would result in additional development which would generate noise during construction activities. The *General Plan EIR* states that construction would result in noise levels ranging from 70 dBA to 105 dBA at a distance of 50 feet. Although construction activities will result in a noise impact at such locations, this impact will be short-term and will cease upon completion of construction. The temporary nature of the impact in conjunction with existing city regulations on hours of operation will lessen the potential of a significant impact due to construction noise. However, noise sensitive land use located adjacent to construction sites may be significantly impacted by future construction in the planning area as a result of groundborne noise levels and vibration, noise levels that exceed existing standards, and excessive temporary or periodic increases in the ambient noise level. *General Plan EIR* Mitigation Measures N5 and N10 will reduce these impacts to a level less than significant.

Construction associated with the proposed project would likely result in exposure of persons to or generation of noise levels in excess of standards established in the *General Plan* or *Noise Ordinance*. Project implementation would be consistent with the analysis and conclusions presented in the *General Plan EIR*, and future development projects would be required to implement *General Plan EIR* Mitigation Measures N5 and N10 (restated as Mitigation Measures

NOI-2 and NOI-6 below) which limit construction activities and associated noise impacts. Therefore, potential impacts were fully analyzed in the *General Plan EIR* and no new or different impacts would result from the proposed project. Thus, with mitigation and compliance with the Noise Ordinance, project implementation would result in a less than significant impact involving the exposure of persons to or generation of construction-related noise levels.

Vehicular Operations

The *General Plan EIR* indicates that future development would generate additional traffic that will increase noise levels along roadways. According to the *General Plan EIR*, sections of Alessandro Boulevard would generate noise levels in excess of 75 dBA at 50 feet from the roadway. This is considered to be a significant impact, as these noise levels would result in a permanent increase in the ambient noise levels. The *General Plan EIR* concluded that implementation of Mitigation Measures N1, N2, N6, N7, and N9 would reduce mobile source noise impacts to less than significant levels.

According to the *Alessandro Boulevard Corridor Implementation Project Traffic Impact Analysis*, the proposed project would generate a net increase of approximately 45,915 average daily trips (ADT). These additional trips would result in elevated traffic noise levels along Alessandro Boulevard and other roadways within the project vicinity. The additional traffic and associated traffic noise generated by the proposed project has been considered in the *General Plan EIR*. Therefore, it is anticipated that project implementation would result in noise levels in excess of 75 dBA at 50 feet from Alessandro Boulevard, and would result in a permanent increase in the ambient noise levels. Therefore, with implementation of *General Plan EIR* Mitigation Measures N6, N7, and N9 (restated as Mitigation Measures NOI-3 through NOI-5 below) would reduce project-related mobile source noise impacts to less than significant levels by minimizing truck noise, requiring insulation for residential uses, and complying with Title 24 building standards. Note that *General Plan EIR* Mitigation Measures N1 and N2 do not apply to the proposed project, as they are specific to single-family residential uses and residential uses along SR-60, which are not proposed as part of the project.

Stationary Source Operations

The *General Plan EIR* states that *General Plan* implementation may result in excessive noise generated by non-residential projects (i.e., industrial uses, commercial uses, restaurants, and bars). The *General Plan EIR* considers these stationary noise sources to be potentially significant due to the proximity of residents and other sensitive land uses. The *General Plan EIR* requires acoustical analyses to be conducted for projects that could potentially affect residential and other sensitive uses. The *General Plan EIR* concluded that impacts would be reduced to less than significant levels with implementation of *General Plan EIR* Mitigation Measures N4, N7, and N9.

The proposed project would allow for the development of 1,168,608 square feet of commercial uses throughout the corridor. Specific commercial uses to be constructed are not known at this level of planning. However, it is anticipated that some commercial uses could result in substantial noise impacts to adjacent sensitive receptors. Therefore, the proposed project would be required to implement *General Plan EIR* Mitigation Measures N4, N7, and N9 (restated as Mitigation Measures NOI-1, NOI-4, and NOI-5 below), which would reduce noise impacts by evaluating commercial and industrial activities, requiring insulation for residential uses, and complying with Title 24 building standards. Thus, the proposed project would be consistent with the *General Plan EIR* and would not result in new or additional impacts.

Mitigation Measures:

NOI-1 New commercial and industrial activities (including the placement of mechanical equipment) shall be evaluated and designed to mitigate noise impacts on adjacent uses.

(Source: *General Plan EIR* Mitigation Measure N4, *General Plan* Policy 6.5.1)

NOI-2 Construction activities shall be operated in a manner that limits noise impacts on surrounding uses.

(Source: *General Plan EIR* Mitigation Measure N5, *General Plan* Policy 6.5.2)

NOI-3 The City shall reevaluate designated truck routes in terms of noise impact on existing land uses to determine if those established routes and the hours of their use should be adjusted to minimize exposure to truck noise.

(Source: *General Plan EIR* Mitigation Measure N6, *General Plan* Program 6-3)

NOI-4 The following uses shall require mitigation to reduce noise exposure where current or future exterior noise levels exceed 20 CNEL above the desired interior noise level:

- a. New single-family and multiple-family residential buildings shall be insulated to achieve an interior noise level of 45 CNEL or less. Such buildings shall include sound-insulating windows, walls, roofs, and ventilation systems. Sound barriers shall also be installed (e.g. masonry walls or walls with berms) between single-family residences and major roadways.
- b. New libraries, hospitals, and extended medical care facilities, places of worship and office uses shall be insulated to achieve interior noise levels of 50 CNEL or less.
- c. New schools shall be insulated to achieve interior noise levels of 45 CNEL or less.

(Source: *General Plan EIR* Mitigation Measure N7, *General Plan* Policy 6.3.1)

NOI-5 The City shall enforce the California Administrative Code, Title 24 noise insulation standards for new multi-family housing developments, motels, and hotels.

(Source: *General Plan EIR* Mitigation Measure N9, *General Plan* Policy 6.3.5)

NOI-6 Building construction shall be prohibited between 8:00 p.m. and 6:00 a.m. during the week and 8:00 p.m. and 7:00 a.m. weekends and holidays.

(Source: *General Plan EIR* Mitigation Measure N10, *General Plan* Policy 6.3.6)

b) *Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?*

Less Than Significant Impact With Mitigation Incorporated. As discussed in Response 4.12.a, the *General Plan EIR* concluded that noise sensitive land uses located adjacent to construction sites may be significantly impacted by future construction as a result of groundborne noise levels and vibration. The *General Plan EIR* Mitigation Measures N5 and N10 were identified to reduce these impacts to a level less than significant.

The proposed project would also result in construction activities adjacent to sensitive receptors that result in excess groundborne noise levels and vibration. However, the proposed project would implement *General Plan EIR* Mitigation Measures N5 and N10 (restated as Mitigation Measures NOI-2 and NOI-5 above). Therefore, impacts would be reduced to less than significant levels and the proposed project would not result in any new or different impacts than those previously analyzed in the *General Plan EIR*.

Mitigation Measures: Refer to Mitigation Measures NOI-2 and NOI-6. No additional mitigation measures are required.

- c) ***A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?***

Less Than Significant Impact With Mitigation Incorporated. Refer to Response 4.12.a.

Mitigation Measures: Refer to Mitigation Measures NOI-1 and NOI-3 through NOI-5. No additional mitigation measures are required.

- d) ***Result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above the levels existing without the project?***

Less Than Significant Impact With Mitigation Incorporated. Refer to Response 4.12.a.

Mitigation Measures: Refer to Mitigation Measures NOI-2 and NOI-6. No additional mitigation measures are required.

- e) ***For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?***

Less Than Significant Impact With Mitigation Incorporated. Small portions of the southwestern portion of the City are located within the 75, 65, and 60 CNEL noise contour impact areas of the March Reserve Air Base. Uses within those contours are acceptable or conditionally acceptable. To ensure that "conditionally acceptable" land uses are properly designed to avoid significant noise impacts associated with aircraft operations, *General Plan EIR* Mitigation Measures N3 and N8 are proposed. The *General Plan EIR* concluded that implementation of these measures will reduce the impact associated with aircraft operations to a level less than significant.

A portion of the westernmost area of the project area is located within the 60 and 65 CNEL contours. The proposed project would implement *General Plan EIR* Mitigation Measure N3 (Mitigation Measure NOI-7) to ensure less than significant impacts by discouraging residential development within the 65 CNEL contour area. Thus, the proposed project would be consistent with the *General Plan EIR* and would not result in new or additional impacts beyond those previously analyzed. Note that *General Plan EIR* Mitigation Measures N8 does not apply to the proposed project, as the project corridor is not located within the 70 CNEL contour.

Mitigation Measures:

NOI-7 Discourage residential uses where current or projected exterior noise due to aircraft over flights will exceed 65 CNEL.

(Source: *General Plan EIR* Mitigation Measure N3, Policy 6.3.2)

- f) ***For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?***

Less Than Significant Impact With Mitigation Incorporated. Refer to Response 4.12.e.

Mitigation Measures: Refer to Mitigation Measure NOI-7. No additional mitigation measures are required.

4.13 POPULATION AND HOUSING

| <i>Would the project:</i> | Potentially Significant Impact | Less Than Significant Impact With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|--------------------------------|---|------------------------------|-----------|
| a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? | | | ✓ | |
| b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? | | | ✓ | |
| c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? | | | ✓ | |

a) *Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?*

Less Than Significant Impact. A project could induce population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure). Implementation of the proposed project would not induce direct population growth in the City, because the project does not propose site-specific development. However, implementation of the proposed project is intended to accommodate and encourage housing development, in order to meet an existing and projected housing need as established through the Regional Housing Needs Assessment (RHNA) process. The State of California Department of Finance is responsible for developing the total State-wide new housing demand projection. With the State Department of Housing and Community Development, this demand is apportioned to each of the State’s regions. The Southern California Association of Governments (SCAG) is responsible for allocating the region’s projected new housing demand in each of its member jurisdictions through the RHNA process. The allocation takes into account factors such as market demand for housing, employment opportunities, the availability of suitable sites and public facilities, commuting patterns, type, and tenure of housing need, and others. The Housing Element contains policies and implementation programs that provide for housing development to accommodate the City’s share of the regional housing need as identified in the RHNA prepared by SCAG.

The proposed project anticipates a net increase of 7,160 residential units within the project area. Assuming 100 percent occupancy and 3.783 persons per household¹, the population growth associated with the proposed project would be approximately 27,087 persons. This potential population growth would represent an increase of approximately 13.8 percent over the City’s 2012 population estimate of 196,495 persons.

The *General Plan EIR* determined that implementation of the *General Plan* would not induce substantial population growth and impacts would be less than significant. Future development within the project area was considered in the *General Plan EIR* analysis, since additional development within the area was assumed. Implementation of the proposed project would be consistent with the analysis presented in the *General Plan EIR* and would result in no new or greater impacts than previously identified.

¹ State of California, Department of Finance, *E-5 Population and Housing Estimates for Cities, Counties, and the State, 2011 and 2012, with 2010 Benchmark*. Sacramento, California, May 2012.

The *General Plan* anticipates an additional 41,179 dwelling units and increase in population of 161,133 persons over existing conditions. Implementation of the proposed project would represent approximately 17.4 percent of the anticipated housing growth and 16.8 percent of the anticipated population growth identified by the *General Plan*.

Potential growth inducing impacts are also assessed based on a project's consistency with adopted plans that have addressed growth management from a local and regional standpoint. SCAG is the responsible agency for developing and adopting regional housing, population, and employment growth forecasts for local governments. SCAG's six-county region is organized into 14 subregions. The City of Moreno Valley is located within the Western Riverside Council of Governments (WRCOG) subregion.

SCAG's 2035 forecast population for the City of Moreno Valley is 255,200 persons, representing a population growth of approximately 111,187 persons (approximately 77 percent) over existing conditions. Thus, project implementation would be consistent with the growth anticipated for the City by SCAG.

In consideration of the project's consistency with SCAG's growth projections and the RHNA's underlying objective to provide the City's fair share of additional housing, and since the proposed project's growth forecast would not exceed the City's *General Plan* forecasts, the proposed project is consistent with the *General Plan*. A less than significant impact would occur in this regard.

Mitigation Measures: No mitigation measures are required.

b) *Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?*

Less Than Significant Impact. The proposed project anticipates that future development would be accommodated within vacant and/or underutilized land. Project implementation would involve the removal of approximately 46 single-family dwellings. Therefore, future development on underutilized sites could displace existing housing and people, although, it is not anticipated to occur in substantial amounts. Further, the transition of uses from single-family to multi-family and/or non-residential uses would be based on market conditions and would occur over time, given that the project does not propose to acquire these existing residential properties through eminent domain. It is anticipated that existing and future residential development would provide adequate replacement housing within the community. Impacts relative to the displacement of existing housing are considered to be less than significant.

Mitigation Measures: No mitigation measures are required.

c) *Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?*

Less Than Significant Impact. Refer to Response 4.12.b.

Mitigation Measures: No mitigation measures are required.

4.14 PUBLIC SERVICES

| <i>Would the project:</i> | Potentially Significant Impact | Less Than Significant Impact With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|--------------------------------|---|------------------------------|-----------|
| a. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: | | | | |
| 1) Fire protection? | | | ✓ | |
| 2) Police protection? | | | ✓ | |
| 3) Schools? | | | ✓ | |
| 4) Parks? | | | ✓ | |
| 5) Other public facilities? | | | ✓ | |

a) ***Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:***

1) ***Fire protection?***

Less Than Significant Impact. The City of Moreno Valley contracts with the Riverside County Fire Department to provide fire protection, fire prevention, and emergency services to its residents. The Department consists of a Fire Prevention and Administration Bureau located in the Public Safety Building at 22850 Calle San Juan de Los Lagos in the City of Moreno Valley's Civic Center and six fire stations throughout the community.

The *General Plan EIR* determined that potential impacts to fire protection services would be less than significant. Future development within the project area was considered in the *General Plan EIR* analysis, since additional development within the area was assumed. Implementation of the proposed project would be consistent with the analysis presented in the *General Plan EIR* and would result in no new or greater impacts than previously identified.

The City's *General Plan* includes the following Objective and Policies to ensure adequate facilities and services, including fire protection, are provided.

Objective 2.14: Establish and implement comprehensive solutions to the financing of public facilities that adequately distribute costs based on the level of benefit received and the timing of development.

Policy 2.14.1: Conduct periodic review of public facilities impact mitigation fees in accordance with state statutes to ensure that the charges are consistent with the costs of improvements. Utilize the service and mitigation standards contained in the Moreno Valley General Plan as the basis for determining improvement costs.

Policy 2.14.2: Promote the establishment of benefit assessment districts, Mello-Roos Community Facilities Districts, tax increment financing, and other financing mechanisms in combination with programmed capital

improvements to eliminate existing public service and facility gaps, and to provide necessary facilities in advance of the impacts created by development.

Policy 2.14.3: Review development projects for their impacts on public services and facilities including, but not necessarily limited to, roadways, water, sewer, fire, police, parks, and libraries and require public services or facilities to be provided at the standards outlined in the Moreno Valley General Plan and the standards of applicable service agencies.

Future development associated with implementation of the proposed project would increase the demand for fire protection services and may require improvements to existing facilities or increases in staffing and equipment. The environmental impacts associated with the provision of new or physically altered fire protection facilities would depend upon the location and nature of the proposed facilities, and would undergo separate environmental review pursuant to CEQA.

Due to the conceptual nature of future development, site-specific proposals would require individual assessments of potential impacts to fire protection services. The Riverside County Fire Department would review and comment on each individual site plan submitted, prior to approval. As part of the review, the Riverside County Fire Department would impose standard conditions of approval, including recommending mitigation, which would ensure that individual project impacts on fire protection services are reduced to a less than significant level. Additionally, residential and non-residential developments would be required to pay fire facilities development impact fees in accordance with the *Municipal Code*. Chapter 3.38.060, Fire facilities residential development impact fees, and Chapter 3.42.060, Fire facilities commercial and industrial development impact fees, require development projects to pay development impact fees for the purpose of acquiring, designing, constructing, improving, providing and maintaining fire services facilities provided for in the City's *General Plan* and its adopted Capital Improvement Program.

Implementation of *General Plan* Objectives and Policies related to fire protection, adherence to all standards and conditions, and payment of applicable fees would reduce potential impacts to fire protection services and facilities to a less than significant level.

Mitigation Measures: No mitigation measures are required.

2) ***Police protection?***

Less Than Significant Impact. The City of Moreno Valley Police Department provides law enforcement services and coordinates the overall operations of the Police Department including patrol, traffic enforcement, crime prevention, detective unit, and special enforcement. The Police Department is located in the Public Safety Building at 22850 Calle San Juan de Los Lagos in the City of Moreno Valley's Civic Center. The department also uses satellite offices in strategic locations throughout the City.

The *General Plan EIR* determined that potential impacts to police protection services would be less than significant. Future development within the project area was considered in the *General Plan EIR* analysis, since additional development within the area was assumed. Implementation of the proposed project would be consistent with the analysis presented in the *General Plan EIR* and would result in no new or greater impacts than previously identified.

The City's *General Plan* includes Objectives 2.14 and Policies 2.14.1, 2.14.2, and 2.14.3 to ensure adequate facilities and services, including police protection, are provided.

Future development associated with implementation of the proposed project would increase the demand for police protection services and may require improvements to existing facilities or increases in staffing and equipment. The environmental impacts associated with the provision of new or physically altered police protection facilities would

depend upon the location and nature of the proposed facilities, and would undergo separate environmental review pursuant to CEQA.

Due to the conceptual nature of future development, site-specific proposals would require individual assessments of potential impacts to police protection services. Future development projects would be reviewed by the Police Department and would be required to adhere to all standards and conditions. Additionally, residential and non-residential developments would be required to pay police facilities development impact fees in accordance with the *Municipal Code*. Chapter 3.38.070, Police facilities residential development impact fees, and Chapter 3.42.070, Police facilities commercial and industrial development impact fees, require development projects to pay development impact fees for the purpose of acquiring, designing, constructing, improving, providing and maintaining police services facilities provided for in the City's *General Plan* and its adopted Capital Improvement Program.

Implementation of *General Plan* Objectives and Policies related to police protection, adherence to all standards and conditions, and payment of applicable fees would reduce potential impacts to police protection services and facilities to a less than significant level.

Mitigation Measures: No mitigation measures are required.

3) **Schools?**

Less Than Significant Impact. The project area, with the exception of Housing Element Calculation 4 Area, is located within the Moreno Valley Unified School District. Housing Element Calculation 4 Area is located within the Val Verde School District.

The *General Plan EIR* determined that potential impacts to schools would be less than significant. Future development within the project area was considered in the *General Plan EIR* analysis, since additional development within the area was assumed. Implementation of the proposed project would be consistent with the analysis presented in the *General Plan EIR* and would result in no new or greater impacts than previously identified.

Future development of residential units would increase the City's student population, and may require new school facilities and/or improvements to existing facilities. The degree of impacts to schools would depend upon the size and location of the residential development and the existing condition of the school facilities serving the area. The environmental impacts associated with the provision of new or physically altered school facilities would depend upon the location and nature of the proposed facilities, and would undergo separate environmental review pursuant to CEQA.

Due to the conceptual nature of the future residential development, proposals would require individual assessments of potential impacts to public services, including demands on school facilities and services. As part of the development review process school districts assess Developer Fees against developments, in accordance with SB 50, in order to mitigate impacts resulting from the increased demand for school-related facilities and services. Therefore, impacts to school facilities would be mitigated to less than significant through payment of Developer Fees on a project specific basis. If necessary, additional mitigation would be required to reduce potential impacts to a less than significant level at the time of project specific approvals.

Mitigation Measures: No mitigation measures are required.

4) Parks?

Less Than Significant Impact. The City's Parks and Community Services Department manages and provides maintenance services for City parks and facilities, and provides a wide range of recreation activities, programs, and services throughout the community. According to the City's *Parks, Recreation, and Open Space Comprehensive Master Plan* (September 2010), the City maintains 393.44 acres of parkland. Additionally, the City has access to regional recreation facilities and maintains joint-use agreements with the Moreno Valley and Val Verde Unified School Districts.

The City has an established goal of providing 3.0 acres of parkland per 1,000 residents (General Plan Policy 4.2.7). Based on an existing population of 196,495 persons¹, the City's existing parkland need is 589 acres. Thus, the City has a current parkland shortage of approximately 196 acres.

The *General Plan EIR* determined that potential impacts to parks and recreational facilities would be less than significant. Future development within the project area was considered in the *General Plan EIR* analysis, since additional development within the area was assumed. Implementation of the proposed project would be consistent with the analysis presented in the *General Plan EIR* and would result in no new or greater impacts than previously identified.

The City's *General Plan* includes the following Policies, amongst others, to ensure adequate parks and recreational facilities and services are provided.

Policy 2.14.3: Review development projects for their impacts on public services and facilities including, but not necessarily limited to, roadways, water, sewer, fire, police, parks, and libraries and require public services or facilities to be provided at the standards outlined in the Moreno Valley General Plan and the standards of applicable service agencies.

Policy 4.2.3: Employ a multifaceted approach in the financing and acquisition, development and maintenance of parkland, including the financing of parklands through development fees, state and federal grant-in-aid programs, gifts and donations, and other sources.

Policy 4.2.5: Work in conjunction with private and public school districts and other public agencies to facilitate the public use of school grounds and facilities for recreational activities. The City shall also encourage the development of park sites adjacent to school facilities to maximize recreational opportunities in Moreno Valley.

Policy 4.2.7: The City level of service standard is 3 acres of developed parkland for every 1,000 new residents. Exceptions from this ratio may be made in exchange for extraordinary amenities of comparable economic value. Land not suitable for active recreation purposes may not be counted toward fulfilling parkland dedication requirements.

Policy 4.2.11: Emphasize joint planning and cooperation with all public agencies as the preferred approach to meeting the parks and program needs of Moreno Valley citizens.

Policy 4.2.12: Include multi-functional spaces and facilities in parks to facilitate cultural events.

Policy 4.2.17: Require new development to contribute to the park needs of the City.

¹ State of California, Department of Finance, *E-5 Population and Housing Estimates for Cities, Counties, and the State, 2011 and 2012, with 2010 Benchmark*. Sacramento, California, May 2012.

Future housing development associated with implementation of the proposed project would increase the demands for parkland and recreational facilities, and usage of existing facilities. Additionally, future housing development may require new parks or recreational facilities, and/or improvements to existing facilities. The environmental impacts associated with the provision of new or physically altered parks and recreational facilities would depend upon the location and nature of the proposed facilities, and would undergo separate environmental review pursuant to CEQA. Based on a potential population increase of 27,087 persons² associated with the anticipated residential development, the City would need an additional 81 acres of parkland.

Development of future housing, as anticipated by the proposed project, would be subject to compliance with *Municipal Code* Chapter 3.40, Dedication of Land for Park Facilities and Payment of In-Lieu Fees, which requires as a condition of approval of a final subdivision map, parcel map, building permit or occupancy permit, dedication of land, payment of a fee in-lieu thereof, or a combination of both, at the option of the City, for neighborhood and community park or recreational purposes. Future residential development would also be required to compliance with *Municipal Code* Section 3.38.090, Community/recreation center residential development impact fees, which requires any new residential dwelling unit to pay a fee for the purpose of acquiring, designing, constructing, improving, providing and maintaining recreation/community center facilities provided for in the City's *General Plan* and its adopted Capital Improvement Program or an adopted Master Plan of Parks and Recreation Facilities. Dedication of land or payment of in-lieu fees and payment of the community/recreation center development impact fee would reduce potential impacts to a less than significant level. Additionally, compliance with *General Plan* policies would assist in providing parkland and recreational facilities, further reducing potential impacts.

Mitigation Measures: No mitigation measures are required.

5) ***Other public facilities?***

Less Than Significant Impact. The *General Plan EIR* determined that potential impacts to other public facilities would be less than significant. Future development within the project area was considered in the *General Plan EIR* analysis, since additional development within the area was assumed. Implementation of the proposed project would be consistent with the analysis presented in the *General Plan EIR* and would result in no new or greater impacts than previously identified.

Due to the conceptual nature of the future development, proposals would require individual assessments of potential impacts to public services. Additionally, all development projects would be required to comply with Title 3, Revenue and Finance, of the City's *Municipal Code*, which establishes development impact fees for library facilities and materials and City Hall facilities, amongst others. Less than significant impacts to public facilities are anticipated with implementation of the proposed project.

Mitigation Measures: No mitigation measures are required.

² Based upon a net increase of 7,160 housing units and 3,783 persons per household obtained from the State of California, Department of Finance, *E-5 Population and Housing Estimates for Cities, Counties, and the State, 2011 and 2012, with 2010 Benchmark*. Sacramento, California, May 2012.

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4.15 RECREATION

| <i>Would the project:</i> | Potentially Significant Impact | Less Than Significant Impact With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--|--------------------------------|---|------------------------------|-----------|
| a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? | | | ✓ | |
| b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? | | | ✓ | |

- a) *Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?*

Less Than Significant Impact. Refer to Response 4.14.a.4.

Mitigation Measures: No mitigation measures are required.

- b) *Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?*

Less Than Significant Impact. Refer to Response 4.14.a.4.

Mitigation Measures: No mitigation measures are required.

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4.16 TRANSPORTATION/TRAFFIC

| <i>Would the project:</i> | Potentially Significant Impact | Less Than Significant Impact With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|--------------------------------|---|------------------------------|-----------|
| a. Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit? | | ✓ | | |
| b. Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways? | | | | ✓ |
| c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? | | | | ✓ |
| d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? | | | ✓ | |
| e. Result in inadequate emergency access? | | | ✓ | |
| f. Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities? | | | ✓ | |

The following analysis has been tiered from Section 5.2, Traffic/Circulation, of the *City of Moreno Valley General Plan Final Program Environmental Impact Report (General Plan EIR)*, adopted in July 2006.

This section is based upon the *Alessandro Boulevard Corridor Implementation Project Traffic Impact Analysis (Traffic Impact Analysis)*, November 2012, prepared by RBF Consulting for the proposed project; refer to Appendix C, Traffic Impact Analysis. The purpose of the *Traffic Impact Analysis* is to evaluate potential project impacts related to traffic and circulation in the vicinity of the project area. The evaluation considers impacts on local intersections, roadways, and regional transportation facilities. The following analysis scenarios are evaluated in this study:

- Existing Conditions
- Forecast Existing With Project Conditions
- Forecast General Plan Buildout Without Project Conditions
- Forecast General Plan Buildout With Project Conditions

STUDY AREA

This study evaluates operations at the following 34 roadway segments:

1. Alessandro Boulevard between I-215 Frontage Road and Day Street
2. Alessandro Boulevard between Day Street and Elsworth Street
3. Alessandro Boulevard between Elsworth Street and Frederick Street
4. Alessandro Boulevard between Frederick Street and Graham Street

5. Alessandro Boulevard between Graham Street and Heacock Street
6. Alessandro Boulevard between Heacock Street and Indian Street
7. Alessandro Boulevard between Indian Street and Perris Street
8. Alessandro Boulevard between Perris Street and Kitching Street
9. Alessandro Boulevard between Kitching Street and Lasselle Street
10. Alessandro Boulevard between Lasselle Street and Morrison Street
11. Alessandro Boulevard between Morrison Street and Nason Street
12. Alessandro Boulevard between Nason Street and Oliver Street
13. Alessandro Boulevard between Oliver Street and Moreno Beach Drive
14. Alessandro Boulevard between Moreno Beach Drive and Quincy Street
15. Cactus Avenue west of Perris Street
16. Cactus Avenue east of Perris Street
17. Day Street north of Alessandro Boulevard
18. Frederick Street north of Alessandro Boulevard
19. Frederick Street south of Alessandro Boulevard
20. Heacock Street north of Alessandro Boulevard
21. Heacock Street south of Alessandro Boulevard
22. Perris Street north of Alessandro Boulevard
23. Perris Street south of Alessandro Boulevard
24. Perris Street north of Cactus Avenue
25. Perris Street south of Cactus Avenue
26. Perris Street south of Iris Avenue
27. Lasselle Street north of Alessandro Boulevard
28. Lasselle Street south of Alessandro Boulevard
29. Morrison Street north of Alessandro Boulevard
30. Morrison Street south of Alessandro Boulevard (future)
31. Nason Street north of Alessandro Boulevard
32. Nason Street south of Alessandro Boulevard
33. Moreno Beach Drive north of Alessandro Boulevard
34. Moreno Beach Drive south of Alessandro Boulevard

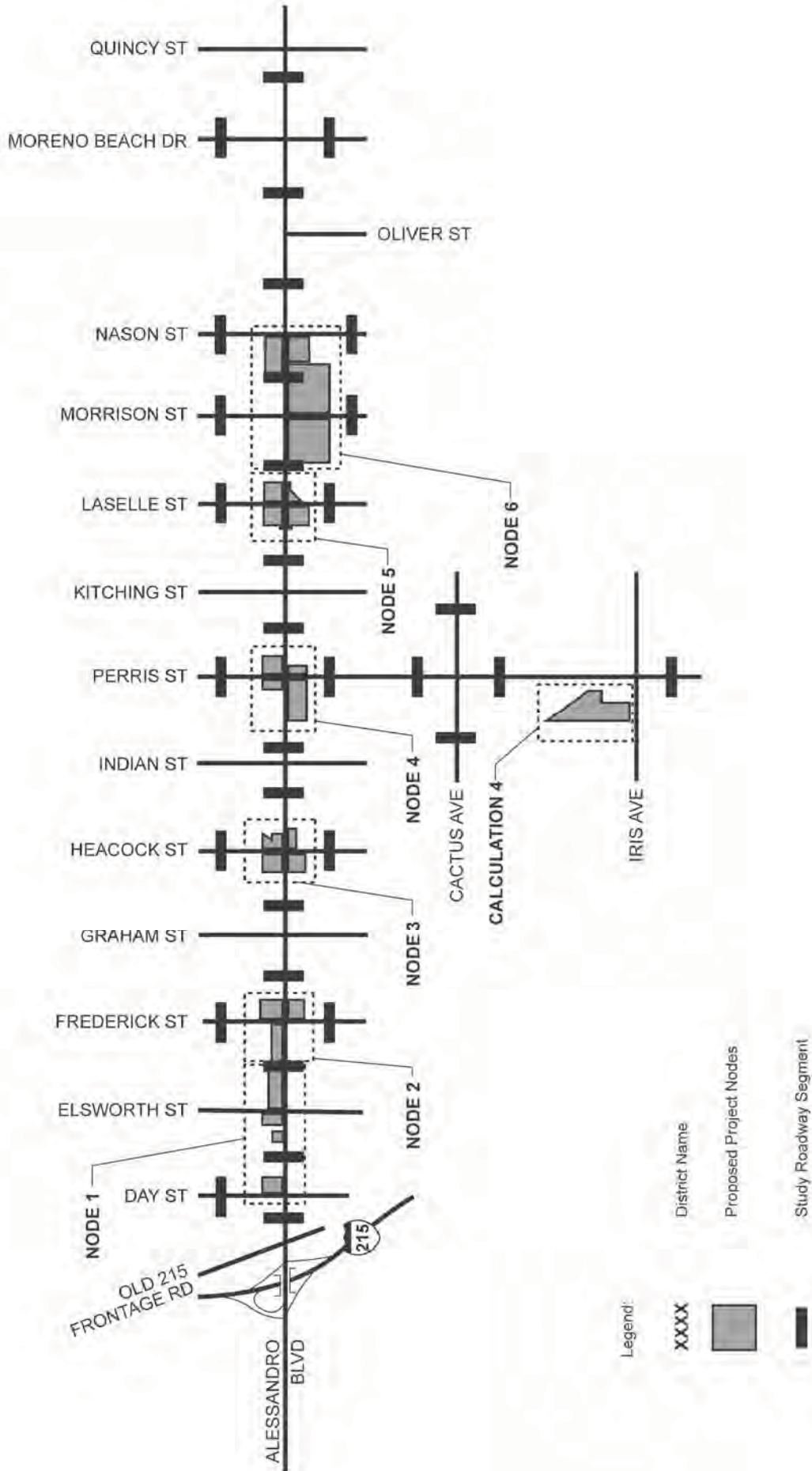
Exhibit 4.16-1, Study Roadway Segment Locations, illustrates the locations of the study intersections analyzed within the *Traffic Impact Analysis*.

ANALYSIS METHODOLOGY

Roadway Segment Analysis Methodology

Level of service (LOS) is commonly used as a qualitative description of roadway segment operation and is based on the capacity of the roadway segment and the volume of traffic using the roadway segment. The City of Moreno Valley utilizes the Volume-to-Capacity (V/C) analysis methodology to determine the operating LOS of the roadway segments.

The V/C analysis methodology describes the operation of a roadway segment using a range of LOS from LOS A (free flow conditions) to LOS F (severely congested conditions), based on the corresponding Volume/Capacity (V/C) ratios shown in *Table 4.16-1, V/C and LOS Ranges*.



Study Roadway Segment Locations

Exhibit 4.16-1

Table 4.16-1
V/C and LOS Ranges

| Roadway Segment | |
|--------------------|-----|
| V/C Ratio | LOS |
| ≤ 0.60 | A |
| $> 0.61 \leq 0.70$ | B |
| $> 0.71 \leq 0.80$ | C |
| $> 0.81 \leq 0.90$ | D |
| $> 0.91 \leq 1.00$ | E |
| > 1.00 | F |

Source: 1990 Transportation Research Board.

The *City of Moreno Valley General Plan Circulation Element* recognizes that an LOS of C is optimal. However, it also allows peak hour levels of service in the LOS “D” range in certain locations. These locations include areas of high employment concentration, north/south roads in the vicinity of SR-60 or other locations in already developed areas of the City with geometric constraints that prevent LOS “C” from being achieved.

Generally, the capacity of a roadway is affected by a number of factors, including the street’s width, the number of crossing arterials and collectors, the amount of green time give to the street at each signal, the presence or absence of on-street parking, the number of turning lanes at each intersection and the number of driveways.

The City of Moreno Valley roadway capacities used in this analysis to determine V/C ratios are shown in Table 4.16-2, City of Moreno Valley Roadway Segment Classification and Capacity.

Table 4.16-2
City of Moreno Valley Roadway Segment Classification and Capacity

| Facility Type | Number of Lanes | LOS E Capacity (vehicles) |
|------------------------|-----------------|---------------------------|
| Divided Major Arterial | 6 | 56,300 |
| Divided Arterial | 6 | 56,300 |
| Divided Arterial | 4 | 37,500 |
| Arterial | 4 | 25,000 |
| Minor Arterial | 4 | 25,000 |
| Collector | 2 | 12,500 |

Source: City of Moreno Valley Traffic Impact analysis Preparation Guide (August 2007).

CITY OF MORENO VALLEY PERFORMANCE CRITERIA

The *City of Moreno Valley Circulation Element* recognizes that a LOS of C is optimal; however, LOS D is the acceptable performance at some locations within the City. The LOS Standards within the City are identified within the Circulation Element by roadway segment and are summarized in Table 4.16-3, Study Roadway Segment Acceptable LOS Target.

Table 4.16-3
Study Roadway Segment Acceptable LOS Target

| Roadway Segment | | Acceptable LOS |
|-----------------|---|----------------|
| 1 | Alessandro Boulevard between Old 215 Frontage Road & Day Street | D |
| 2 | Alessandro Boulevard between Day Street & Elsworth Street | D |
| 3 | Alessandro Boulevard between Elsworth Street & Frederick Street | D |
| 4 | Alessandro Boulevard between Frederick Street & Graham Street | D |
| 5 | Alessandro Boulevard between Graham Street & Heacock Street | D |
| 6 | Alessandro Boulevard between Heacock Street & Indian Street | D |
| 7 | Alessandro Boulevard between Indian Street & Perris Street | D |
| 8 | Alessandro Boulevard between Perris Street & Kitching Street | D |
| 9 | Alessandro Boulevard between Kitching Street & Lasselle Street | D |
| 10 | Alessandro Boulevard between Lasselle Street & Morrison Street | D |
| 11 | Alessandro Boulevard between Morrison Street & Nason Street | D |
| 12 | Alessandro Boulevard between Nason Street & Oliver Street | C |
| 13 | Alessandro Boulevard between Oliver Street & Moreno Beach Drive | C |
| 14 | Alessandro Boulevard between Moreno Beach Drive & Quincy Street | C |
| 15 | Cactus Avenue west of Perris Street | C |
| 16 | Cactus Avenue east of Perris Street | C |
| 17 | Day Street north of Alessandro Boulevard | D |
| 18 | Frederick Street north of Alessandro Boulevard | C |
| 19 | Frederick Street south of Alessandro Boulevard | D |
| 20 | Heacock Street north of Alessandro Boulevard | D |
| 21 | Heacock Street south of Alessandro Boulevard | D |
| 22 | Perris Street north of Alessandro Boulevard | D |
| 23 | Perris Street south of Alessandro Boulevard | D |
| 24 | Perris Street north of Cactus Avenue | D |
| 25 | Perris Street south of Cactus Avenue | D |
| 26 | Perris Street south of Iris Avenue | D |
| 27 | Lasselle Street north of Alessandro Boulevard | D |
| 28 | Lasselle Street south of Alessandro Boulevard | D |
| 29 | Morrison Street north of Alessandro Boulevard | C |
| 30 | Morrison Street south of Alessandro Boulevard (future) | D |
| 31 | Nason Street north of Alessandro Boulevard | C |
| 32 | Nason Street south of Alessandro Boulevard | D |
| 33 | Moreno Beach Drive north of Alessandro Boulevard | D |
| 34 | Moreno Beach Drive south of Alessandro Boulevard | D |

Source: City of Moreno Valley Traffic Impact Analysis Preparation Guide, August 2007.

CITY OF MORENO VALLEY THRESHOLDS OF SIGNIFICANCE

Consistent with the General Plan Circulation Element traffic analysis, a significant impact would occur at roadway segments if implementation of the project would:

- Cause an increase in traffic that results in an LOS exceeding the City's LOS standards.

EXISTING ROADWAY SYSTEM

The project includes areas located along Alessandro Boulevard and near the Perris Boulevard/Iris Avenue. Major regional traffic is served by Interstate 215 (I-215) to the west, and State Route 60 (SR-60) to the north. Access to I-215 in the project vicinity is provided via interchanges at Alessandro Boulevard and Cactus Boulevard. Access to SR-60 in the project vicinity is provided via interchanges at Day Street, Frederik Street, Heacock Street, Perris Boulevard, Nason Street, and Moreno Beach Drive.

Alessandro Boulevard is an east-west roadway connecting the Moreno Valley area to the I-215 Freeway. Currently, Alessandro Boulevard varies in width from a two-lane divided roadway on the east end of the study area to a six-lane divided roadway on the west boundary of the study area near the I-215 Freeway. On-street parking is prohibited along Alessandro Boulevard in the study area. The City of Moreno Valley General Plan Circulation Element classifies Alessandro Boulevard within the study area as a six lane Divided Major Arterial.

EXISTING TRAFFIC CONDITIONS

Existing Conditions Peak Hour Traffic Volumes

To determine existing operation of the study roadways, City of Moreno Valley staff provided year 2006 average daily traffic (ADT) volumes for the study roadway segments. Existing data was not available on Alessandro Boulevard between Old 215 Frontage Road and Day Street, however, this location is analyzed in the General Plan Buildout conditions scenarios.

Exhibit 6 of the *Traffic Impact Analysis* (as provided in Appendix C), illustrates the existing ADT volumes at the study roadways and Exhibit 7 illustrates existing conditions roadway segment geometry.

Existing Conditions Roadway Segment LOS

Table 4.16-4, Existing Conditions Roadway Segment ADT & LOS, summarizes existing conditions roadway segment ADT volumes and corresponding LOS.

As indicated in Table 4.16-4, the study roadway segments are currently operating at an acceptable LOS according to the City of Moreno Valley performance criteria with the exception of the following four study roadway segments:

- Alessandro Boulevard between Kitching Street and Lasselle Street;
- Alessandro Boulevard between Oliver Street and Moreno Beach Drive;
- Moreno Beach Drive north of Alessandro Boulevard; and
- Moreno Beach Drive south of Alessandro Boulevard.

Table 4.16-4
Existing Conditions Roadway Segment ADT & LOS

| Study Roadway Segment | Roadway Geometry | LOS E Capacity | Acceptable LOS | Existing ADT | V/C Ratio | LOS |
|--|------------------|----------------|----------------|--------------|-------------|----------|
| 1. Alessandro Boulevard btwn Old 215 Frontage Road & Day Street | 6D | 56,300 | D | N/A | N/A | N/A |
| 2. Alessandro Boulevard btwn Day Street & Elsworth Street | 5D | 46,875 | D | 35,600 | 0.76 | C |
| 3. Alessandro Boulevard btwn Elsworth Street & Frederick Street | 6D | 56,300 | D | 31,300 | 0.56 | A |
| 4. Alessandro Boulevard btwn Frederick Street Graham Street | 5D | 46,875 | D | 39,000 | 0.83 | D |
| 5. Alessandro Boulevard btwn Graham Street & Heacock Street | 5D | 46,875 | D | 34,500 | 0.74 | C |
| 6. Alessandro Boulevard btwn Heacock Street & Indian Street | 6D | 56,300 | D | 30,000 | 0.53 | A |
| 7. Alessandro Boulevard btwn Indian Street & Perris Street | 6D | 56,300 | D | 23,000 | 0.41 | A |
| 8. Alessandro Boulevard btwn Perris Street & Kitching Street | 4D | 37,500 | D | 18,100 | 0.48 | A |
| 9. Alessandro Boulevard btwn Kitching Street & Lasselle Street | 2D | 12,500 | D | 16,600 | 1.33 | F |
| 10. Alessandro Boulevard btwn Lasselle Street & Morrison Street | 2D | 12,500 | D | 8,000 | 0.64 | B |
| 11. Alessandro Boulevard btwn Morrison Street & Nason Street | 2D | 12,500 | D | 8,400 | 0.67 | B |
| 12. Alessandro Boulevard btwn Nason Street & Oliver Street | 2D | 12,500 | C | 8,800 | 0.70 | B |
| 13. Alessandro Boulevard btwn Oliver Street & Moreno Beach Drive | 2D | 12,500 | C | 10,200 | 0.82 | D |
| 14. Alessandro Boulevard btwn Moreno Beach Drive & Quincy Street | 2D | 12,500 | C | 7,150 | 0.57 | A |
| 15. Cactus Avenue w/o Perris Street | 4D | 37,500 | C | 18,000 | 0.48 | A |
| 16. Cactus Avenue e/o Perris Street | 4D | 37,500 | C | 20,200 | 0.54 | A |
| 17. Day Street n/o Alessandro Boulevard | 2D | 12,500 | D | 8,600 | 0.69 | B |
| 18. Frederick Street n/o Alessandro Boulevard | 4D | 37,500 | C | 17,200 | 0.46 | A |
| 19. Frederick Streets/o Alessandro Boulevard | 4D | 37,500 | D | 8,500 | 0.23 | A |
| 20. Heacock Street n/o Alessandro Boulevard | 4D | 37,500 | D | 18,500 | 0.49 | A |
| 21. Heacock Street s/o Alessandro Boulevard | 4D | 37,500 | D | 16,000 | 0.43 | A |
| 22. Perris Street n/o Alessandro Boulevard | 4D | 37,500 | D | 27,300 | 0.73 | C |
| 23. Perris Streets/o Alessandro Boulevard | 4D | 37,500 | D | 24,800 | 0.66 | B |
| 24. Perris Street n/o Cactus Avenue | 4D | 37,500 | D | 24,800 | 0.66 | B |
| 25. Perris Streets/o Cactus Avenue | 4D | 37,500 | D | 23,600 | 0.63 | B |
| 26. Perris Streets/o Iris Avenue | 6D | 56,300 | D | 25,900 | 0.46 | A |
| 27. Lasselle Street n/o Alessandro Boulevard | 2D | 12,500 | D | 10,100 | 0.81 | D |
| 28. Lasselle Street s/o Alessandro Boulevard | 4D | 37,500 | D | 12,100 | 0.32 | A |
| 29. Morrison Street n/o Alessandro Boulevard | 4D | 37,500 | C | 1,200 | 0.03 | A |
| 30. Morrison Streets/o Alessandro Boulevard (future) | -- | -- | D | N/A | N/A | N/A |
| 31. Nason Street n/o Alessandro Boulevard | 2D | 12,500 | C | 9,000 | 0.72 | C |
| 32. Nason Streets/o Alessandro Boulevard | 4D | 37,500 | D | 10,600 | 0.28 | A |
| 33. Moreno Beach Drive n/o Alessandro Boulevard | 2D | 12,500 | D | 14,900 | 1.19 | F |
| 34. Moreno Beach Drive s/o Alessandro Boulevard | 2D | 12,500 | D | 14,000 | 1.12 | F |

Notes: n/o = north of; s/o = south of; e/o = east of; w/o = west of; btwn = between; Deficient operation shown in **bold**.
N/A = Not Available.

- a) **Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?**

Less Than Significant Impact With Mitigation Incorporated. The proposed project is creating mixed-use overlay districts to implement the Vision Plan for the Alessandro Boulevard Corridor and increasing the maximum permitted density in specified areas of the City to implement the Housing Element. Implementation of the proposed project would allow for the net reduction of 46 single-family residential units and 31,786 square feet of office uses and a net increase of 7,160 multi-family dwelling units and 171,501 square feet of commercial uses within specific areas of the City.

Project Trip Generation

To calculate trips forecast to be generated by the proposed land use, Institute of Transportation Engineers (ITE) trip generation rates were utilized. *Table 4.16-5, ITE Trip Rates for Displaced and Proposed Project Site Uses*, summarizes the ITE trip generation rates used to calculate the number of trips forecast to be generated by uses proposed and displaced by the proposed project.

**Table 4.16-5
ITE Trip Rates for Displaced and Proposed Project Site Uses**

| Land Use (ITE Code) | Units | AM Peak Hour | | | PM Peak Hour | | | Daily Trip Rate |
|---|-------|--------------|------|-------|--------------|------|-------|-----------------|
| | | In | Out | Total | In | Out | Total | |
| Single-Family Detached Housing (210) | Du | 0.19 | 0.56 | 0.75 | 0.64 | 0.37 | 1.01 | 9.57 |
| Apartment (220) | Du | 0.10 | 0.41 | 0.51 | 0.40 | 0.22 | 0.62 | 6.65 |
| Residential Townhouse (230) | Du | 0.07 | 0.37 | 0.44 | 0.35 | 0.17 | 0.52 | 5.81 |
| General Office (710) | tsf | 1.36 | 0.19 | 1.55 | 0.25 | 1.24 | 1.49 | 11.01 |
| Shopping Center (820) | tsf | 0.61 | 0.39 | 1.00 | 1.83 | 1.90 | 3.73 | 42.94 |
| Source: 2008 ITE Trip Generation Manual, 8 th Edition. | | | | | | | | |
| Note: tsf = thousand square feet. du = dwelling unit. | | | | | | | | |

Table 4.16-6, Forecast Trip Generation of Proposed Project, summarizes the net trips forecast to be generated by the proposed project when accounting for proposed and displaced land uses.

As indicated in *Table 4.16-6*, when accounting for proposed and displaced land uses, the proposed project is forecast to generate approximately 45,915 net new daily trips, which includes 3,660 net new AM peak hour trips and 4,154 net new PM peak hour trips. Project trip distribution and assignment are provided in Appendix C.

Forecast Existing With Project Conditions

Forecast Existing With Project Conditions Traffic Volumes

Forecast existing with project conditions traffic volumes were derived by adding trips forecast to be generated by the proposed project to existing conditions traffic volumes. Exhibit 8 of the *Traffic Impact Analysis* (as provided in Appendix C) shows forecast existing with project conditions ADT volumes at the study roadways.

Table 4.16-6
Forecast Trip Generation of Proposed Project

| Location | AM Peak Hour Trips | | | PM Peak Hour Trips | | | Daily Trips |
|---|--------------------|--------------|--------------|--------------------|-------------|--------------|---------------|
| | In | Out | Total | In | Out | Total | |
| Node 1 | | | | | | | |
| - 15 Single Family Dwelling Units | -3 | -8 | -11 | -10 | -6 | -16 | -144 |
| - 177.881-tsf Shopping Center/Retail | -109 | -69 | -178 | -326 | -338 | -664 | -7,638 |
| ITE 34% PM Pass-by Discount for Retail | 0 | 0 | 0 | 111 | 115 | 226 | 226 |
| 542 Apartment Dwelling Units | 54 | 222 | 276 | 217 | 119 | 336 | 3,604 |
| 136 Townhouse Dwelling Units | 10 | 50 | 60 | 48 | 23 | 71 | 790 |
| Node 1 Subtotal | -48 | 195 | 147 | 40 | -87 | -47 | -3,162 |
| Node 2 | | | | | | | |
| 575 Apartment Dwelling Units ¹ | 58 | 236 | 294 | 214 | 118 | 332 | 3,518 |
| 144 Townhouse Dwelling Units ¹ | 10 | 53 | 63 | 46 | 22 | 68 | 770 |
| 14.32-tsf General Office ¹ | 19 | 3 | 22 | 4 | 17 | 21 | 145 |
| 57.283-tsf Shopping Center/Retail ¹ | 35 | 22 | 57 | 98 | 101 | 199 | 2,263 |
| ITE 34% PM Pass-by Discount for Retail | 0 | 0 | 0 | -33 | -34 | -67 | -67 |
| Node 2 Subtotal | 122 | 314 | 436 | 329 | 224 | 553 | 6,629 |
| Node 3 | | | | | | | |
| - 70.677-tsf Shopping Center/Retail | -43 | -28 | -71 | -129 | -134 | -263 | -3,035 |
| ITE 34% PM Pass-by Discount for Retail | 0 | 0 | 0 | 44 | 46 | 89 | 89 |
| 377 Apartment Dwelling Units | 38 | 155 | 193 | 151 | 83 | 234 | 2,507 |
| 94 Townhouse Dwelling Units | 7 | 35 | 42 | 33 | 16 | 49 | 546 |
| Node 3 Subtotal | 2 | 162 | 164 | 99 | 11 | 109 | 107 |
| Node 4 | | | | | | | |
| - 273.757-tsf Shopping Center/Retail | -167 | -107 | -274 | -501 | -520 | -1021 | -11,755 |
| ITE 34% PM Pass-by Discount for Retail | 0 | 0 | 0 | 170 | 177 | 347 | 347 |
| 697 Apartment Dwelling Units | 70 | 286 | 356 | 279 | 153 | 432 | 4,635 |
| 174 Townhouse Dwelling Units | 12 | 64 | 76 | 61 | 30 | 91 | 1,011 |
| Node 4 Subtotal | -85 | 243 | 158 | 9 | -160 | -151 | -5,762 |
| Node 5 | | | | | | | |
| 390 Apartment Dwelling Units ² | 39 | 160 | 199 | 136 | 75 | 211 | 2,283 |
| 97 Townhouse Dwelling Units ² | 7 | 36 | 43 | 30 | 14 | 44 | 496 |
| 24.350-tsf General Office ² | 33 | 5 | 38 | 5 | 26 | 31 | 236 |
| 97.400-tsf Shopping Center/Retail ² | 59 | 38 | 97 | 155 | 161 | 316 | 3,680 |
| ITE 34% PM Pass-by Discount for Retail | 0 | 0 | 0 | -53 | -55 | -108 | -108 |
| Node 5 Subtotal | 138 | 239 | 377 | 273 | 221 | 494 | 6,587 |
| Node 6 | | | | | | | |
| - 21 Single Family Dwelling Units | -4 | -12 | -16 | -13 | -8 | -21 | -201 |
| - 31.786-tsf General Office | -43 | -6 | -49 | -8 | -39 | -47 | -350 |
| 2417 Apartment Dwelling Units ³ | 242 | 991 | 1,233 | 899 | 495 | 1,394 | 14,948 |
| 604 Townhouse Dwelling Units ³ | 42 | 223 | 265 | 196 | 96 | 292 | 3,263 |
| 263.712-tsf Shopping Center/Retail ³ | 161 | 103 | 264 | 449 | 466 | 915 | 10,531 |
| ITE 34% PM Pass-by Discount for Retail | 0 | 0 | 0 | -153 | -158 | -311 | -311 |
| Node 6 Subtotal | 398 | 1,299 | 1,697 | 1,370 | 852 | 2,222 | 27,880 |

**Table 4.16-6 [continued]
Forecast Trip Generation of Proposed Project**

| Location | AM Peak Hour Trips | | | PM Peak Hour Trips | | | Daily Trips |
|--|--------------------|--------------|--------------|--------------------|--------------|--------------|---------------|
| | In | Out | Total | In | Out | Total | |
| Calculation Area 4 | | | | | | | |
| - 10 Single Family Dwelling Units | -2 | -6 | -8 | -6 | -4 | -10 | -96 |
| 730 Apartment Dwelling Units ⁴ | 73 | 299 | 372 | 254 | 140 | 394 | 4,224 |
| 183 Townhouse Dwelling Units ⁴ | 13 | 68 | 81 | 56 | 27 | 83 | 925 |
| 236.750- tsf Shopping Center ⁴ | 144 | 92 | 236 | 377 | 391 | 768 | 8,844 |
| ITE 34% PM Pass-by Discount for Retail | 0 | 0 | 0 | -128 | -133 | -261 | -261 |
| Calculation Area 4 Subtotal | 228 | 453 | 681 | 553 | 421 | 974 | 13,636 |
| Proposed Project Total Forecast Net Trip Generation | 755 | 2,905 | 3,660 | 2,673 | 1,482 | 4,154 | 45,915 |
| Notes: tsf = thousand square feet. 1- Assumes the following internal trip capture reduction as calculated per ITE guidelines: 7% Reduction in p.m. peak hour trips, and 8% reduction in daily trips. 2- Assumes the following internal trip capture reduction as calculated per ITE guidelines: 13% Reduction in p.m. peak hour trips, and 12% reduction in daily trips. 3- Assumes the following internal trip capture reduction as calculated per ITE guidelines: 7% Reduction in p.m. peak hour trips, and 7% reduction in daily trips. 4- Assumes the following internal trip capture reduction as calculated per ITE guidelines: 13% Reduction in p.m. peak hour trips, and 13% reduction in daily trips. | | | | | | | |

Forecast Existing With Project Conditions Roadway Segment LOS

Table 4.16-7, Forecast Existing With Project Conditions Roadway Segment ADT & LOS, summarizes forecast existing with project conditions roadway segment ADT volumes and corresponding LOS.

As indicated in *Table 4.16-7*, with the addition of project-generated trips, the following seven roadway segments are forecast to operate at a deficient LOS according to the City of Moreno Valley performance criteria for forecast existing with project conditions:

- Alessandro Boulevard between Kitching Street and Lasselle Street;
- Alessandro Boulevard between Lasselle Street and Morrison Street;
- Alessandro Boulevard between Oliver Street and Moreno Beach Drive;
- Perris Street south of Cactus Avenue
- Lasselle Street north of Alessandro Boulevard;
- Nason Street north of Alessandro Boulevard;
- Moreno Beach Drive north of Alessandro Boulevard; and
- Moreno Beach Drive south of Alessandro Boulevard.

**Table 4.16-7
Forecast Existing With Project Conditions Roadway Segment ADT & LOS**

| Study Roadway Segment | Roadway Geometry | LOS E Capacity | Acceptable LOS | Existing With Project ADT | V/C Ratio | LOS |
|--|------------------|----------------|----------------|---------------------------|-------------|----------|
| 1. Alessandro Boulevard btwn Old 215 Frontage Road & Day Street | 6D | 56,300 | D | N/A | N/A | N/A |
| 2. Alessandro Boulevard btwn Day Street & Elsworth Street | 5D | 46,875 | D | 37,744 | 0.81 | D |
| 3. Alessandro Boulevard btwn Elsworth Street & Frederick Street | 6D | 56,300 | D | 34,886 | 0.62 | B |
| 4. Alessandro Boulevard btwn Frederick Street Graham Street | 5D | 46,875 | D | 40,930 | 0.87 | D |
| 5. Alessandro Boulevard btwn Graham Street & Heacock Street | 5D | 46,875 | D | 36,430 | 0.78 | C |
| 6. Alessandro Boulevard btwn Heacock Street & Indian Street | 6D | 56,300 | D | 31,892 | 0.57 | A |
| 7. Alessandro Boulevard btwn Indian Street & Perris Street | 6D | 56,300 | D | 24,892 | 0.44 | A |
| 8. Alessandro Boulevard btwn Perris Street & Kitching Street | 4D | 37,500 | D | 23,296 | 0.62 | B |
| 9. Alessandro Boulevard btwn Kitching Street & Lasselle Street | 2D | 12,500 | D | 21,796 | 1.74 | F |
| 10. Alessandro Boulevard btwn Lasselle Street & Morrison Street | 2D | 12,500 | D | 14,112 | 1.13 | F |
| 11. Alessandro Boulevard btwn Morrison Street & Nason Street | 2D | 12,500 | D | 9,786 | 0.78 | C |
| 12. Alessandro Boulevard btwn Nason Street & Oliver Street | 2D | 12,500 | C | 8,974 | 0.72 | C |
| 13. Alessandro Boulevard btwn Oliver Street & Moreno Beach Drive | 2D | 12,500 | C | 10,374 | 0.83 | D |
| 14. Alessandro Boulevard btwn Moreno Beach Drive & Quincy Street | 2D | 12,500 | C | 8,006 | 0.64 | B |
| 15. Cactus Avenue w/o Perris Street | 4D | 37,500 | C | 22,844 | 0.61 | B |
| 16. Cactus Avenue e/o Perris Street | 4D | 37,500 | C | 21,742 | 0.58 | A |
| 17. Day Street n/o Alessandro Boulevard | 2D | 12,500 | D | 8,412 | 0.67 | B |
| 18. Frederick Street n/o Alessandro Boulevard | 4D | 37,500 | C | 20,846 | 0.56 | A |
| 19. Frederick Street s/o Alessandro Boulevard | 4D | 37,500 | D | 9,164 | 0.24 | A |
| 20. Heacock Street n/o Alessandro Boulevard | 4D | 37,500 | D | 18,560 | 0.49 | A |
| 21. Heacock Street s/o Alessandro Boulevard | 4D | 37,500 | D | 16,010 | 0.43 | A |
| 22. Perris Street n/o Alessandro Boulevard | 4D | 37,500 | D | 31,526 | 0.84 | D |
| 23. Perris Street s/o Alessandro Boulevard | 4D | 37,500 | D | 32,328 | 0.86 | D |
| 24. Perris Street n/o Cactus Avenue | 4D | 37,500 | D | 32,328 | 0.86 | D |
| 25. Perris Street s/o Cactus Avenue | 4D | 37,500 | D | 34,644 | 0.92 | E |
| 26. Perris Street s/o Iris Avenue | 6D | 56,300 | D | 29,450 | 0.52 | A |
| 27. Lasselle Street n/o Alessandro Boulevard | 2D | 12,500 | D | 14,712 | 1.18 | F |
| 28. Lasselle Street s/o Alessandro Boulevard | 4D | 37,500 | D | 14,992 | 0.40 | A |
| 29. Morrison Street n/o Alessandro Boulevard | 4D | 37,500 | C | 12,226 | 0.33 | A |
| 30. Morrison Street s/o Alessandro Boulevard (future) | -- | -- | D | N/A | N/A | N/A |
| 31. Nason Street n/o Alessandro Boulevard | 2D | 12,500 | C | 17,490 | 1.40 | F |
| 32. Nason Street s/o Alessandro Boulevard | 4D | 37,500 | D | 13,026 | 0.35 | A |
| 33. Moreno Beach Drive n/o Alessandro Boulevard | 2D | 12,500 | D | 14,900 | 1.19 | F |
| 34. Moreno Beach Drive s/o Alessandro Boulevard | 2D | 12,500 | D | 14,682 | 1.17 | F |

Notes: n/o = north of; s/o = south of; e/o = east of; w/o = west of; btwn = between; Deficient operation shown in **bold**.
N/A = Not Available.

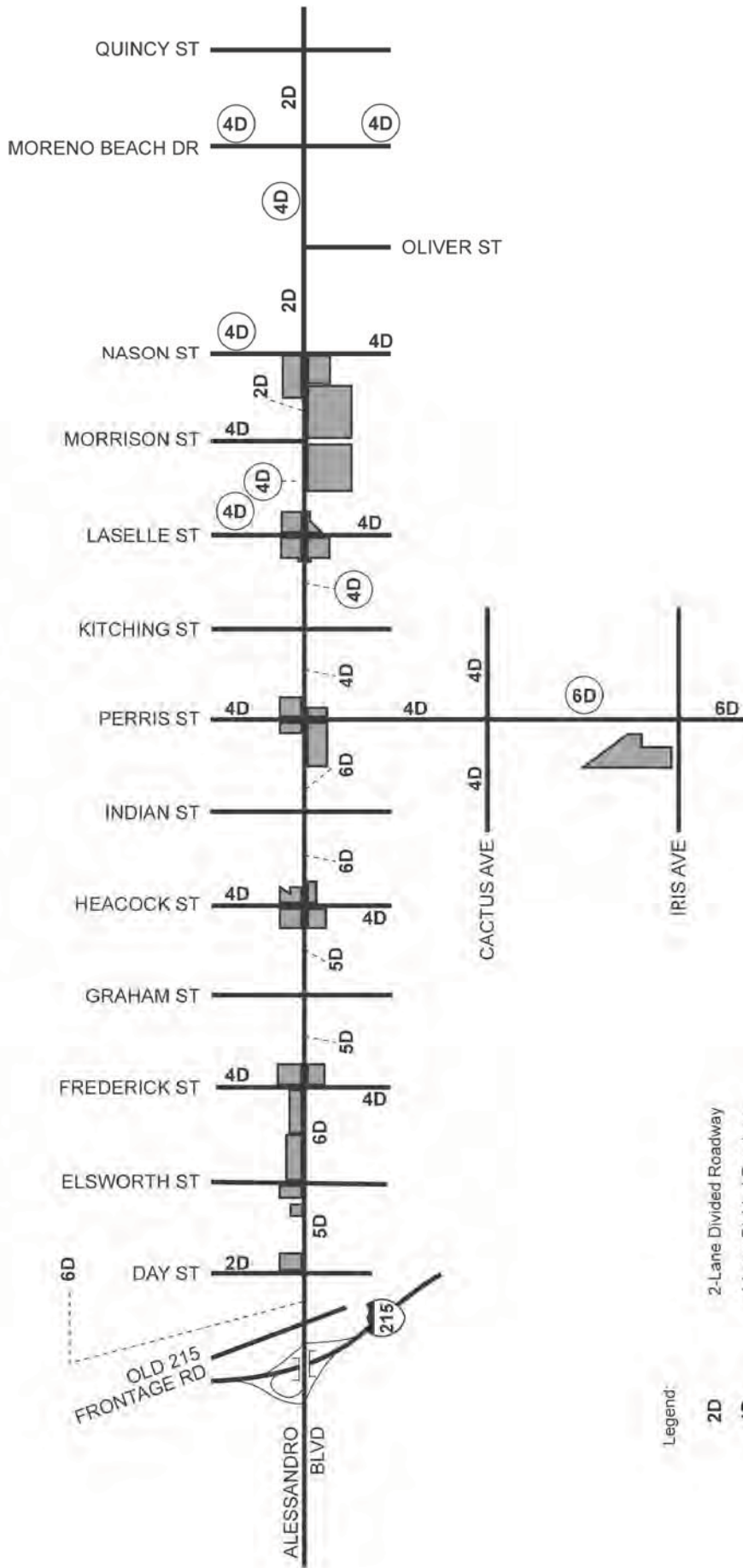
Forecast Existing With Project Conditions Recommended Improvements

The following improvements have been identified to fully reduce the forecast traffic impacts to a less than significant level at the deficient study roadway segments for forecast existing with project conditions:

- Alessandro Boulevard between Kitching Street and Lasselle Street – Widen/restripe Alessandro Boulevard between Kitching Street and Lasselle Street from a two-lane divided roadway to a four-lane Divided Arterial. This study roadway segment is classified as a six-lane Divided Major Arterial in the City of Moreno General Plan Circulation Element.
- Alessandro Boulevard between Lasselle Street and Morrison Street – Widen/restripe Alessandro Boulevard between Lasselle Street and Morrison Street from a two-lane divided roadway to a four-lane Divided Arterial. This study roadway segment is classified as a six-lane Divided Major Arterial in the City of Moreno General Plan Circulation Element.
- Alessandro Boulevard between Oliver Street and Moreno Beach Drive – Widen/restripe Alessandro Boulevard between Oliver Street and Moreno Beach Drive from a two-lane divided roadway to a four-lane Divided Arterial. This study roadway segment is classified as a six-lane Divided Major Arterial in the City of Moreno General Plan Circulation Element.
- Perris Street south of Cactus Avenue – Consistent with the City of Moreno Valley General Plan Circulation Element, widen/restripe Perris Street south of Cactus Avenue from a four-lane divided roadway to a six-lane Divided Major Arterial.
- Lasselle Street north of Alessandro Boulevard – Consistent with the City of Moreno Valley General Plan Circulation Element, widen/restripe Lasselle Street north of Alessandro Boulevard from a two-lane divided roadway to a four-lane Divided Arterial.
- Nason Street north of Alessandro Boulevard – Widen/restripe Nason Street north of Alessandro Boulevard from a two-lane divided roadway to a four-lane Divided Arterial. This study roadway segment is classified as a six-lane Modified Divided Major Arterial in the City of Moreno Valley General Plan Circulation Element.
- Moreno Beach Drive north of Alessandro Boulevard – Widen/restripe Moreno Beach drive north of Alessandro Boulevard from a two-lane divided roadway to a four-lane Divided Arterial. This study roadway segment is classified as a six-lane Divided Major Arterial in the City of Moreno General Plan Circulation Element.
- Moreno Beach Drive south of Alessandro Boulevard – Widen/restripe Moreno Beach drive south of Alessandro Boulevard from a two-lane divided roadway to a four-lane Divided Arterial. This study roadway segment is classified as a six-lane Divided Major Arterial in the City of Moreno General Plan Circulation Element.

Exhibit 4.16-2, Mitigated Forecast Existing With Project Conditions Roadway Segment Geometry, illustrates the mitigated forecast existing with project conditions roadway segment geometry assuming implementation of the recommended improvements.

Table 4.16-8, Mitigated Forecast Existing With Project Conditions Roadway Segment ADT & LOS, summarizes mitigated forecast existing with project conditions roadway segment ADT volumes and corresponding LOS at affected locations assuming implementation of the roadway segment recommended improvements.



- Legend:
- 2D 2-Lane Divided Roadway
 - 4D 4-Lane Divided Roadway
 - 5D 5-Lane Divided Roadway
 - 6D 6-Lane Divided Roadway
 - XX Mitigated Roadway Geometry
 - Proposed Project Nodes

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Mitigated Forecast Existing With Project Conditions Roadway Segment Geometry

Exhibit 4.16-2

**Table 4.16-8
Mitigated Forecast Existing With Project Conditions Roadway Segment ADT & LOS**

| Study Roadway Segment | Mitigated Roadway Geometry | Mitigated LOS E Capacity | Acceptable LOS | Existing With Project ADT | V/C Ratio | LOS |
|--|----------------------------|--------------------------|----------------|---------------------------|-----------|-----|
| 9. Alessandro Boulevard btwn Kitching Street & Lasselle Street | 4D | 37,500 | D | 21,796 | 0.58 | A |
| 10. Alessandro Boulevard btwn Lasselle Street & Morrison Street | 4D | 37,500 | D | 14,112 | 0.38 | A |
| 13. Alessandro Boulevard btwn Oliver Street & Moreno Beach Drive | 4D | 37,500 | C | 10,374 | 0.28 | A |
| 25. Perris Streets/s/o Cactus Avenue | 6D | 56,300 | D | 34,644 | 0.62 | B |
| 27. Lasselle Street n/o Alessandro Boulevard | 4D | 37,500 | D | 14,712 | 0.39 | A |
| 31. Nason Street n/o Alessandro Boulevard | 4D | 37,500 | C | 17,490 | 0.47 | A |
| 33. Moreno Beach Drive n/o Alessandro Boulevard | 4D | 37,500 | D | 14,900 | 0.40 | A |
| 34. Moreno Beach Drive s/o Alessandro Boulevard | 4D | 37,500 | D | 14,682 | 0.39 | A |

Notes: n/o = north of, s/o = south of; btwn = between; Deficient operation shown in **bold**.

As indicated in *Table 4.16-8*, assuming implementation of the recommended roadway segment improvements, the study roadway segments are forecast to operate at an acceptable LOS according to the City of Moreno Valley performance criteria for mitigated forecast existing with project conditions.

Forecast General Plan Buildout Without Project Conditions

Forecast General Plan Buildout Without Project Conditions Peak Hour Traffic Volumes

To determine forecast General Plan Buildout conditions operation of the study roadways, City of Moreno Valley staff provided General Plan Buildout average daily traffic (ADT) volumes for the study roadway segments. Exhibit 10 of the *Traffic Impact Analysis* (as provided in Appendix C) shows forecast General Plan Buildout without project conditions ADT volumes at the study roadways.

The analysis assumes implementation of the General Plan Circulation Element roadway designations identified below:

- Improvement of Day Street north and south of Alessandro Boulevard from a two-lane Industrial Collector to a four-lane Divided Arterial;
- Improvement of Perris Street north and south of Alessandro Boulevard from a four-lane Divided Arterial to a six-lane Divided Major Arterial;
- Improvement of Perris Street north and south of Cactus Avenue from a four-lane Divided Arterial to a six-lane Divided Major Arterial;
- Improvement of Lasselle Street north of Alessandro Boulevard from a two-lane Industrial Collector to a four-lane Divided Arterial;
- Construction of Morrison Street south of Alessandro Boulevard as a four-lane divided Arterial;
- Improvement of Nason Street north of Alessandro Boulevard from a two-lane Industrial Collector to a six-lane Modified Divided Major Arterial;
- Improvement of Nason Street south of Alessandro Boulevard from a four-lane Divided Arterial to a six-lane Modified Divided Major Arterial;
- Improvement of Moreno Beach Drive north and south of Alessandro Boulevard from a two-lane Industrial Collector to a six-lane Divided Major Arterial;

- Improvement of Alessandro Boulevard between I-215 and Old 215 Frontage Road from a four-lane Divided Arterial to a six-lane Divided Major Arterial;
- Improvement of Alessandro Boulevard between Day Street and Elsworth Street from a five-lane divided roadway to a six-lane Divided Major Arterial;
- Improvement of Alessandro Boulevard between Frederick Street and Heacock Street from a five-lane divided roadway to a six-lane Divided Major Arterial;
- Improvement of Alessandro Boulevard between Perris Street and Kitching Street from a four-lane Divided Arterial to a six-lane Divided Major Arterial; and
- Improvement of Alessandro Boulevard Kitching Street and Quincy Street from a two-lane Industrial Collector to a six-lane Divided Major Arterial.

Exhibit 11 of the *Traffic Impact Analysis* (as provided in Appendix C) shows forecast General Plan Buildout without project conditions roadway segment geometry.

Forecast General Plan Buildout Without Project Conditions Roadway Segment LOS

Table 4.16-9, Forecast General Plan Buildout Without Project Conditions Roadway Segment ADT & LOS, summarizes forecast General Plan buildout without project conditions roadway segment ADT volumes and corresponding LOS.

As indicated in Table 4.16-9, the following three roadway segments are forecast to operate at a deficient LOS according to City of Moreno Valley performance criteria for forecast General Plan buildout without project conditions:

- Alessandro Boulevard between I-215 Frontage Road and Day Street;
- Heacock Street north of Alessandro Boulevard; and
- Heacock Street south of Alessandro Boulevard.

Forecast General Plan Buildout With Project Conditions

Forecast General Plan Buildout With Project Conditions Traffic Volumes

Forecast General Plan buildout with project conditions traffic volumes were derived by adding trips forecast to be generated by the proposed project to forecast General Plan buildout without project conditions traffic volumes. Exhibit 12 of the *Traffic Impact Analysis* (as provided in Appendix C) shows forecast General Plan Buildout with project conditions ADT volumes at the study roadways.

Forecast General Plan Buildout With Project Conditions Roadway Segment LOS

Table 4.16-10, Forecast General Plan Buildout With Project Conditions Roadway Segment ADT & LOS, summarizes forecast General Plan buildout with project conditions roadway segment ADT volumes and corresponding LOS.

As indicated in Table 4.16-10, with the addition of project-generated trips, the following three roadway segments are forecast to continue to operate at a deficient LOS according to City of Moreno Valley performance criteria for forecast General Plan buildout with project conditions:

- Alessandro Boulevard between I-215 Frontage Road and Day Street;
- Heacock Street north of Alessandro Boulevard; and
- Heacock Street south of Alessandro Boulevard.

Table 4.16-9
Forecast General Plan Buildout Without Project Conditions Roadway Segment ADT & LOS

| Study Roadway Segment | Roadway Geometry | LOS E Capacity | Acceptable LOS | GP Without Project ADT | V/C Ratio | LOS |
|--|------------------|----------------|----------------|------------------------|-------------|----------|
| 1. Alessandro Boulevard btwn Old 215 Frontage Road & Day Street | 6D | 56,300 | D | 52,800 | 0.94 | E |
| 2. Alessandro Boulevard btwn Day Street & Elsworth Street | 6D | 56,300 | D | 48,000 | 0.85 | D |
| 3. Alessandro Boulevard btwn Elsworth Street & Frederick Street | 6D | 56,300 | D | 46,900 | 0.83 | D |
| 4. Alessandro Boulevard btwn Frederick Street Graham Street | 6D | 56,300 | D | 48,900 | 0.87 | D |
| 5. Alessandro Boulevard btwn Graham Street & Heacock Street | 6D | 56,300 | D | 40,100 | 0.71 | C |
| 6. Alessandro Boulevard btwn Heacock Street & Indian Street | 6D | 56,300 | D | 26,200 | 0.47 | A |
| 7. Alessandro Boulevard btwn Indian Street & Perris Street | 6D | 56,300 | D | 31,100 | 0.55 | A |
| 8. Alessandro Boulevard btwn Perris Street & Kitching Street | 6D | 56,300 | D | 30,300 | 0.54 | A |
| 9. Alessandro Boulevard btwn Kitching Street & Lasselle Street | 6D | 56,300 | D | 25,300 | 0.45 | A |
| 10. Alessandro Boulevard btwn Lasselle Street & Morrison Street | 6D | 56,300 | D | 17,700 | 0.31 | A |
| 11. Alessandro Boulevard btwn Morrison Street & Nason Street | 6D | 56,300 | D | 16,600 | 0.29 | A |
| 12. Alessandro Boulevard btwn Nason Street & Oliver Street | 6D | 56,300 | C | 20,200 | 0.36 | A |
| 13. Alessandro Boulevard btwn Oliver Street & Moreno Beach Drive | 6D | 56,300 | C | 21,600 | 0.38 | A |
| 14. Alessandro Boulevard btwn Moreno Beach Drive & Quincy Street | 6D | 56,300 | C | 17,900 | 0.32 | A |
| 15. Cactus Avenue w/o Perris Street | 4D | 37,500 | C | 23,200 | 0.62 | B |
| 16. Cactus Avenue e/o Perris Street | 4D | 37,500 | C | 26,700 | 0.71 | C |
| 17. Day Street n/o Alessandro Boulevard | 4D | 37,500 | D | 29,700 | 0.79 | C |
| 18. Frederick Street n/o Alessandro Boulevard | 4D | 37,500 | C | 15,300 | 0.41 | A |
| 19. Frederick Streets/o Alessandro Boulevard | 4D | 37,500 | D | 4,300 | 0.11 | A |
| 20. Heacock Street n/o Alessandro Boulevard | 4D | 37,500 | D | 35,900 | 0.96 | E |
| 21. Heacock Street s/o Alessandro Boulevard | 4D | 37,500 | D | 35,000 | 0.93 | E |
| 22. Perris Street n/o Alessandro Boulevard | 6D | 56,300 | D | 30,700 | 0.55 | A |
| 23. Perris Streets/o Alessandro Boulevard | 6D | 56,300 | D | 30,900 | 0.55 | A |
| 24. Perris Street n/o Cactus Avenue | 6D | 56,300 | D | 30,900 | 0.55 | A |
| 25. Perris Streets/o Cactus Avenue | 6D | 56,300 | D | 29,700 | 0.53 | A |
| 26. Perris Streets/o Iris Avenue | 6D | 56,300 | D | 31,300 | 0.56 | A |
| 27. Lasselle Street n/o Alessandro Boulevard | 4D | 37,500 | D | 19,000 | 0.51 | A |
| 28. Lasselle Street s/o Alessandro Boulevard | 4D | 37,500 | D | 11,700 | 0.31 | A |
| 29. Morrison Street n/o Alessandro Boulevard | 4D | 37,500 | C | 17,200 | 0.46 | A |
| 30. Morrison Streets/o Alessandro Boulevard (future) | 4D | 37,500 | D | 23,400 | 0.62 | B |
| 31. Nason Street n/o Alessandro Boulevard | 6D | 56,300 | C | 32,700 | 0.58 | A |
| 32. Nason Streets/o Alessandro Boulevard | 6D | 56,300 | D | 28,900 | 0.51 | A |
| 33. Moreno Beach Drive n/o Alessandro Boulevard | 6D | 56,300 | D | 19,800 | 0.35 | A |
| 34. Moreno Beach Drive s/o Alessandro Boulevard | 6D | 56,300 | D | 20,600 | 0.37 | A |

Notes: n/o = north of; s/o = south of; e/o = east of; w/o = west of; btwn = between; Deficient operation shown in **bold**.
N/A = Not Available.

**Table 4.16-10
Forecast General Plan Buildout With Project Conditions Roadway Segment ADT & LOS**

| Study Roadway Segment | Roadway Geometry | LOS E Capacity | Acceptable LOS | GP With Project ADT | V/C Ratio | LOS |
|--|------------------|----------------|----------------|---------------------|-------------|-----------|
| 1. Alessandro Boulevard btwn Old 215 Frontage Road & Day Street | 6D | 56,300 | D | 54,332 | 0.97 | E' |
| 2. Alessandro Boulevard btwn Day Street & Elsworth Street | 6D | 56,300 | D | 50,144 | 0.89 | D |
| 3. Alessandro Boulevard btwn Elsworth Street & Frederick Street | 6D | 56,300 | D | 50,486 | 0.90 | D |
| 4. Alessandro Boulevard btwn Frederick Street Graham Street | 6D | 56,300 | D | 50,830 | 0.90 | D |
| 5. Alessandro Boulevard btwn Graham Street & Heacock Street | 6D | 56,300 | D | 42,030 | 0.75 | C |
| 6. Alessandro Boulevard btwn Heacock Street & Indian Street | 6D | 56,300 | D | 28,092 | 0.50 | A |
| 7. Alessandro Boulevard btwn Indian Street & Perris Street | 6D | 56,300 | D | 32,992 | 0.59 | A |
| 8. Alessandro Boulevard btwn Perris Street & Kitching Street | 6D | 56,300 | D | 33,920 | 0.60 | A |
| 9. Alessandro Boulevard btwn Kitching Street & Lasselle Street | 6D | 56,300 | D | 28,920 | 0.51 | A |
| 10. Alessandro Boulevard btwn Lasselle Street & Morrison Street | 6D | 56,300 | D | 20,662 | 0.37 | A |
| 11. Alessandro Boulevard btwn Morrison Street & Nason Street | 6D | 56,300 | D | 17,986 | 0.32 | A |
| 12. Alessandro Boulevard btwn Nason Street & Oliver Street | 6D | 56,300 | C | 20,374 | 0.36 | A |
| 13. Alessandro Boulevard btwn Oliver Street & Moreno Beach Drive | 6D | 56,300 | C | 21,774 | 0.39 | A |
| 14. Alessandro Boulevard btwn Moreno Beach Drive & Quincy Street | 6D | 56,300 | C | 18,756 | 0.33 | A |
| 15. Cactus Avenue w/o Perris Street | 4D | 37,500 | C | 28,044 | 0.75 | C |
| 16. Cactus Avenue e/o Perris Street | 4D | 37,500 | C | 29,818 | 0.80 | C |
| 17. Day Street n/o Alessandro Boulevard | 4D | 37,500 | D | 29,512 | 0.79 | C |
| 18. Frederick Street n/o Alessandro Boulevard | 4D | 37,500 | C | 18,946 | 0.51 | A |
| 19. Frederick Streets s/o Alessandro Boulevard | 4D | 37,500 | D | 4,964 | 0.13 | A |
| 20. Heacock Street n/o Alessandro Boulevard | 4D | 37,500 | D | 35,960 | 0.96 | E' |
| 21. Heacock Streets s/o Alessandro Boulevard | 4D | 37,500 | D | 35,010 | 0.93 | E' |
| 22. Perris Street n/o Alessandro Boulevard | 6D | 56,300 | D | 34,926 | 0.62 | B |
| 23. Perris Streets s/o Alessandro Boulevard | 6D | 56,300 | D | 36,854 | 0.65 | B |
| 24. Perris Street n/o Cactus Avenue | 6D | 56,300 | D | 36,854 | 0.65 | B |
| 25. Perris Streets s/o Cactus Avenue | 6D | 56,300 | D | 40,744 | 0.72 | C |
| 26. Perris Streets s/o Iris Avenue | 6D | 56,300 | D | 34,850 | 0.62 | B |
| 27. Lasselle Street n/o Alessandro Boulevard | 4D | 37,500 | D | 23,612 | 0.63 | B |
| 28. Lasselle Streets s/o Alessandro Boulevard | 4D | 37,500 | D | 13,018 | 0.35 | A |
| 29. Morrison Street n/o Alessandro Boulevard | 4D | 37,500 | C | 28,226 | 0.75 | C |
| 30. Morrison Street s/o Alessandro Boulevard (future) | 4D | 37,500 | D | 26,550 | 0.71 | C |
| 31. Nason Street n/o Alessandro Boulevard | 6D | 56,300 | C | 41,190 | 0.73 | C |
| 32. Nason Street s/o Alessandro Boulevard | 6D | 56,300 | D | 31,326 | 0.56 | A |
| 33. Moreno Beach Drive n/o Alessandro Boulevard | 6D | 56,300 | D | 19,800 | 0.35 | A |
| 34. Moreno Beach Drive s/o Alessandro Boulevard | 6D | 56,300 | D | 21,282 | 0.38 | A |

Notes: n/o = north of; s/o = south of; e/o = east of; w/o = west of; btwn = between; Deficient operation shown in **bold**.

N/A = Not Available.

1- Roadway segment was identified to be at an unacceptable level of service in the General Plan and General Plan EIR. The City adopted a Statement of Overriding Considerations for the significant unavoidable impacts on these roadway segments.

The three deficient roadway segments identified above were identified as significant unavoidable impacts in the *General Plan EIR* and a Statement of Overriding Considerations were adopted. The proposed project does not generate any new or greater impacts beyond those already analyzed in the *General Plan EIR*, nor does the proposed project generate any impacts that exceed significance threshold criteria.

Forecast General Plan Buildout With Project Conditions Recommended Measures

Mitigation Measures TR-9 and TR-10 have been identified to ensure that the forecast traffic impacts at the deficient roadway segments remain at or below the LOS shown in the operations table for forecast General Plan buildout with project conditions.

Since implementation of the measures identified above would reduce project-related impacts, and since no new significant unavoidable impacts beyond those identified in the *General Plan EIR* would occur, no additional measures are required. Impacts would be less than significant in this regard.

Mitigation Measures:

The County of Riverside requires transportation and general infrastructure fees paid at the time a certificate of occupancy is issued for a project or upon final inspection, whichever comes first. As applicable for each future development project, the project applicant shall pay applicable fees per the City of Moreno Valley and County of Riverside requirements.

- TR-1 Alessandro Boulevard between Kitching Street and Lasselle Street – Future projects shall make a proportionate contribution to widen/restripe Alessandro Boulevard between Kitching Street and Lasselle Street from a two-lane divided roadway to a four-lane Divided Arterial. This study roadway segment is classified as a six-lane Divided Major Arterial in the City of Moreno General Plan Circulation Element.
- TR-2 Alessandro Boulevard between Lasselle Street and Morrison Street – Future projects shall make a proportionate contribution to widen/restripe Alessandro Boulevard between Lasselle Street and Morrison Street from a two-lane divided roadway to a four-lane Divided Arterial. This study roadway segment is classified as a six-lane Divided Major Arterial in the City of Moreno General Plan Circulation Element.
- TR-3 Alessandro Boulevard between Oliver Street and Moreno Beach Drive – Future projects shall make a proportionate contribution to widen/restripe Alessandro Boulevard between Oliver Street and Moreno Beach Drive from a two-lane divided roadway to a four-lane Divided Arterial. This study roadway segment is classified as a six-lane Divided Major Arterial in the City of Moreno General Plan Circulation Element.
- TR-4 Perris Street south of Cactus Avenue – Consistent with the City of Moreno Valley General Plan Circulation Element, future projects shall make a proportionate contribution to widen/restripe Perris Street south of Cactus Avenue from a four-lane divided roadway to a six-lane Divided Major Arterial.
- TR-5 Lasselle Street north of Alessandro Boulevard – Consistent with the City of Moreno Valley General Plan Circulation Element, future projects shall make a proportionate contribution to widen/restripe Lasselle Street north of Alessandro Boulevard from a two-lane divided roadway to a four-lane Divided Arterial.
- TR-6 Nason Street north of Alessandro Boulevard – Future projects shall make a proportionate contribution to widen/restripe Nason Street north of Alessandro Boulevard from a two-lane divided roadway to a four-lane Divided Arterial. This study roadway segment is classified as a six-lane Modified Divided Major Arterial in the City of Moreno General Plan Circulation Element.

TR-7 Moreno Beach Drive north of Alessandro Boulevard – Future projects shall make a proportionate contribution to widen/restripe Moreno Beach drive north of Alessandro Boulevard from a two-lane divided roadway to a four-lane Divided Arterial. This study roadway segment is classified as a six-lane Divided Major Arterial in the City of Moreno General Plan Circulation Element.

TR-8 Moreno Beach Drive south of Alessandro Boulevard – Future projects shall make a proportionate contribution to widen/restripe Moreno Beach drive south of Alessandro Boulevard from a two-lane divided roadway to a four-lane Divided Arterial. This study roadway segment is classified as a six-lane Divided Major Arterial in the City of Moreno General Plan Circulation Element.

b) ***Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?***

No Impact. The Congestion Management Program (CMP) was established in 1990 under Proposition 111. The intent of the CMP is to more directly link land use, transportation, and air quality thereby prompting reasonable growth management programs that will effectively utilize new transportation funds, alleviate traffic congestion and related impacts, and improve air quality. Riverside County Transportation Commission (RCTC) is the designated Congestion Management Agency (CMA) for Riverside County, and holds responsibility for the development and implementation of the Riverside County CMP. The CMP identifies a network of roadways that serve as regional linkages between Riverside County cities and adjacent counties. Local agencies are required to monitor how new development projects will impact the CMP network. Should a new development project cause a location on the CMP network to fall below a Level of Service (LOS) F, the local agency must prepare a deficiency plan that would outline specific mitigation measures and a schedule for mitigating the deficiency.

Since the City LOS standard is LOS C or LOS D, and is higher than the designated CMP standards for Riverside County, the City LOS standards would govern, and therefore, no CMP impacts are forecast to occur.

Mitigation Measures: No mitigation measures are required.

c) ***Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?***

No Impact. Implementation of the proposed project would not significantly increase the number of people using the airport facilities at March Air Reserve Base, resulting in a change in air traffic patterns or increase in traffic levels. Further, the proposed project would not result in the construction of incompatible development within the airport influence area. No impacts would occur in this regard.

Mitigation Measures: No mitigation measures are required.

d) ***Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?***

Less Than Significant Impact. Future development associated with implementation of the proposed project would increase traffic volumes, potentially requiring circulation infrastructure improvements. All traffic improvements would be constructed according to the City's roadway safety standards. Therefore, transportation/traffic hazards due to a design feature or incompatible uses would not substantially increase. Furthermore, due to the conceptual nature of the future development, proposals would require individual assessments of potential impacts relative to traffic and circulation, including an evaluation of potential traffic hazards. If necessary, mitigation would be required to reduce potential traffic hazards to a less than significant level.

Mitigation Measures: No mitigation measures are required.

e) **Result in inadequate emergency access?**

Less Than Significant Impact. Future development site plans would be required to satisfy the City's traffic and safety regulations that address emergency access. Due to the conceptual nature of the future development, proposals would require individual assessments of potential impacts to traffic patterns, including an evaluation of emergency access routes. If necessary, mitigation would be required to reduce potential impacts to a less than significant level.

Mitigation Measures: No mitigation measures are required.

f) **Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?**

Less Than Significant Impact.

Bicycle Network

The Moreno Valley Bikeway Plan consists of Class I, Class II and Class III routes. Class I bikeways are dedicated trails, separated from vehicular traffic. Class II are designated, striped bikeways generally located along the right shoulder of the roadway. Class III routes are designated bikeways, not striped, and are shared with vehicles. These bikeways provide the opportunity for an alternative mode of transportation for both recreational and commuting uses.

There are currently no bike lanes on Alessandro Boulevard or adjacent to any of the sites within the project area.¹ Iris Avenue, east of Perris Boulevard and Housing Element Calculation 4 Area, is a Class II bike lane. General Plan Figure 9-4, Bikeway Plan, identifies the following future bikeways within and adjacent to the sites within the project area:

- Iris Avenue, between Indian Street and Perris Boulevard – Class II
- Alessandro Boulevard, between Graham Street and Heacock Street – Class II
- Lasselle Street, between Eucalyptus and Iris Avenue – Class II
- Nason street, between Eucalyptus and Iris Avenue – Class I

Future development associated with the proposed project would not conflict with policies or plans regarding bicycle facilities. Individual projects would be evaluated on a project-by-project basis and reviewed to ensure compliance with the General Plan policies that address existing bicycle facilities and the provision of new bicycle facilities in accordance with the Bikeway Plan. Impacts would be less than significant in this regard.

Transit Network

Public transit in the City of Moreno Valley consists primarily of bus service. As noted in the *General Plan*, it is anticipated that Moreno Valley will also have future access to commuter rail and Bus Rapid Transit (BRT) services.

Moreno Valley is working closely with the Riverside County Transportation Commission, the Riverside Transit Agency (RTA) and other local governments to establish efficient transit connections among areas of activity and concentrated development. Fixed bus service on or crossing Alessandro Boulevard is provided via RTA routes 11, 18, 19, 20, and 35. Additionally, Amtrak Thruway service picks up on Alessandro Boulevard just west of Old 215 Frontage Road.

Currently, the RCTC owns a rail line located west of Moreno Valley, parallel to I-215. This is a service line track that carries a low volume of freight trains to and from industrial, commercial, and agricultural areas, south of Moreno

¹ City of Moreno Valley, *City of Moreno Valley Existing Bikeways*, August 2008.

Valley. As a Measure A project, RCTC intends to initiate commuter rail service on this line that would extend initially to Perris. A commuter rail station is planned for the southwest quadrant of the Alessandro Boulevard/I-215 interchange that would provide direct access for Moreno Valley residents. Funding is being collected to implement the new commuter rail service, and design plans are underway for stations along the new spur.

Implementation of the proposed project would not conflict with policies and plans regarding transit facilities and services. It is the intent of the project to accommodate intensities and patterns of development that can support multiple modes of transportation including public transit. Future development projects would be reviewed on a project-by-basis to ensure compliance with policies and plans related to transit facilities. Impacts would be less than significant in this regard.

Pedestrian Network

Sidewalks are discontinuous within the project area based on the pattern of development that has occurred. Sidewalks primarily occur adjacent to developed parcels. Most vacant/undeveloped sites do not have sidewalks. Future development within the project area would be required to provide sidewalk improvements in accordance with the City's standards as identified in the *Municipal Code*. The proposed project encourages pedestrian-oriented uses and pedestrian connections and convenient access between area neighborhoods, housing, employment centers, and retail services. Future improvements would be reviewed to ensure consistency with the *General Plan* and the vision established for the area. Impacts would be less than significant in this regard.

Mitigation Measures: No mitigation measures are required.

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4.17 UTILITIES AND SERVICE SYSTEMS

| <i>Would the project:</i> | Potentially Significant Impact | Less Than Significant Impact With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---|--------------------------------|---|------------------------------|-----------|
| a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? | | | ✓ | |
| b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? | | | ✓ | |
| c. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? | | ✓ | | |
| d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? | | | ✓ | |
| e. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? | | | ✓ | |
| f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? | | | ✓ | |
| g. Comply with federal, state, and local statutes and regulations related to solid waste? | | | | ✓ |

a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?

Less Than Significant Impact. The *General Plan EIR* determined that potential impacts to wastewater services and treatment would be less than significant. Future development within the project area was considered in the *General Plan EIR* analysis, since additional development within the area was assumed. Implementation of the proposed project would be consistent with the analysis presented in the *General Plan EIR* and would result in no new or greater impacts than previously identified.

The City requires NPDES permits, as administered by the Santa Ana RWQCB, according to Federal regulations for both point source discharges (a municipal or industrial discharge at a specific location or pipe) and nonpoint source discharges (diffuse runoff of water from adjacent land uses) to surface waters of the United States. For point source discharges, such as sewer outfalls, each NPDES permit contains limits on allowable concentrations and mass emissions of pollutants contained in the discharge.

New development associated with implementation of the proposed project would continue to comply with all provisions of the NPDES program, as enforced by the RWQCB. Additionally, the NPDES Phase I and Phase II requirements would regulate discharge from construction sites. All future development projects would be required to comply with the wastewater discharge requirements issued by the SWRCB and Santa Ana RWQCB. Therefore, the residential and non-residential development would not result in an exceedance of wastewater treatment requirements of the RWQCB with respect to discharges to the sewer system or stormwater system within the City.

Mitigation Measures: No mitigation measures are required.

- b) **Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?**

Less Than Significant Impact.

Water

The City of Moreno Valley is served by two water purveyors: Eastern Municipal Water District and the Box Springs Mutual Water Company. A majority of the project area is located within the service area of the Eastern Municipal Water District. However, the parcels located north of Alessandro Boulevard, between Day Street and Elsworth Street, are served by the Box Springs Mutual Water Company.

The Eastern Municipal Water District (EMWD) has prepared and adopted its *2010 Urban Water Management Plan* (UWMP) for its service area, which includes Moreno Valley. EMWD obtains its water supply from four sources: imported water from Metropolitan Water District (MWD), recycled water, local groundwater production, and desalted groundwater. The Riverside County Center for Demographic Research (RCCDR) 2010 Projection is used to calculate future population for use in the UWMP. RCCDR considers land use and land agency information to develop projections. The RCCDR projection has been adopted by the Western Riverside Council of Governments. The UWMP identifies population projections from 2015 to 2035.

An Initial Study/Environmental Assessment (IS/EA) for the *City of Moreno Valley Edgemont Water Master Plan Update*, September 2009, was prepared to address the potential impacts associated with the Edgemont Water Master Plan Update (EWMPU), which includes the Water Infrastructure Analysis Study (WIAS). The objective of the WIAS is to analyze the existing Box Springs Mutual Water Company (BSMWC) water system and determine the adequacy of the existing system, determine any necessary system improvements and the associated costs of the improvements to comply with the current *City of Moreno Valley General Plan* and Land Use designations (ultimate development).

According to the IS/EA, BSMWC water system facilities are hydraulically incapable of supplying the necessary fire flow demand to support existing property development conditions. Additionally, the water system is aging and deteriorated and in need of replacement and rehabilitation. In order to meet the water and fire flow demand conditions for the ultimate development associated with the City's *General Plan*, additional water supply must be acquired, and existing BSMWC water infrastructure, including storage, pipeline and pumping facilities, require improvements. Presently, the existing BSMWC water system is not up to City fire protection standards and codes. Furthermore, due to age and deterioration of the existing system, there is a potential for pipeline failure; thus, leading to a shutdown of the entire system and water would not be delivered to the public. Additionally, the BSMWC well water has nitrate levels exceeding the Maximum Contaminant Level (MCL) for drinking water standards and requires blending prior to delivery.

The Water Infrastructure Analysis Study proposed two water system alternatives based on the additional water supply and improvements to water system facilities including storage, pipeline and pumping. The primary difference in the two project alternatives is the source of the water and the need for the storage reservoir/tank and pumps.

Alternative 1

Storage – The existing BSMWC storage capacity is 0.8 million gallon (MG), provided by two 0.4 MG storage tanks. The ultimate required storage is 3.11 MG. Therefore, the construction of an additional 2.3 MG storage tank is proposed to meet ultimate water demand conditions. The proposed 2.3 MG tank will be located within the current property where BSMWC has existing tanks, booster station and pumps, north of Dracaea Avenue and east of Edgemont Street. The new tank will be located adjacent to the two existing storage tanks. The Storage Tank portion of the project will consist of construction of one new 2.3 MG aboveground reservoir, the installation of additional on-site pipeline to connect to existing water system and on-site drainage facilities including drainage and overflow

pipeline to drain to existing Riverside County Flood Control storm drain channel to provide drainage of on- and off-site stormwater, and for reservoir overflow protection.

Activities related to reservoir construction include site clearing and grading, and drainage improvements. Equipment such as valves, controls and appurtenances, and overflow drain pipeline and other drainage related erosion control features will be constructed.

Pipeline – The Water Infrastructure Analysis Study proposes approximately 10 miles of water pipeline within BSMWC. The distribution system consists of very old and undersized water mains. BSMWC has been upgrading waterlines and replacing these old and undersized pipelines, however the depth at which the lines were placed will most likely require reconstruction. The majority of the pipelines will be installed utilizing traditional trenching techniques within existing paved roads and road right-of-way(s).

Additionally, the existing 4-inch metered connection with Western Municipal Water District (WMWD) will be upsized to an 8-inch compound meter to be capable of providing the necessary flows. A proposed 12-inch diameter water pipeline will connect the proposed meter directly to the two 0.4 MG storage tanks. The booster station and hydropneumatic tank will draw water from the two 0.4 MG storage tanks and pump it to the distribution system. The discharge piping will be a 16-inch diameter water pipeline until its connection at Dracaea Avenue for a length of approximately 410 linear feet (L.F.).

Pumping - Pump stations, also known as booster stations, are facilities used to lift water conveyed in pipelines from one pressure zone to another. Pump stations are made up of piping, mechanical, and electrical components housed in an above ground pre-fabricated metal building. The buildings are typically between 20x30 to 20x40 feet in size and 10-12 feet tall. Pump stations are typically surrounded by a chain link fence or block wall. Pump station facilities may require an area of up to 150x100 feet or approximately 1/3-acre in size. The proposed pump station is located at the existing pump station site on the BSMWC tank property northeast of the intersection of Dracaea Avenue and Edgemont Street. Since the maximum fire flow is 4,000 gallons per minute (gpm) and the maximum day demand is 1,491 gpm, the existing pumps have to be replaced with three higher capacity pumps under this alternative.

Water Supply – Current primary water supply is provided via one well (No. 17) located within the BSMWC service area. Additional water supply would be provided through a second well proposed to be within BSMWC service area and supplemental water would continue to be supplied by WMWD as necessary for blending. The location of the proposed well site has not been determined.

Alternative 2

Storage - No additional storage capacity is required for this alternative as BSMWC water system floats off WMWD water system. The existing storage tanks will only be used for blending the high-nitrate water from Well No. 17.

Pipeline - The Water Infrastructure Analysis Study proposes approximately 10 miles of water pipeline within BSMWC. The distribution system consists of very old and undersized water mains. The BSMWC has been upgrading waterlines and replacing these old and undersized pipelines, however the depth at which the lines were placed will most likely require reconstruction. The majority of the pipelines will be installed utilizing traditional trenching techniques within existing paved roads and road right-of-way(s).

Additionally, the existing 4-inch metered connection with WMWD will be upsized to a 12-inch compound meter. A proposed 16-inch and 12-inch diameter water pipeline will connect the proposed meter to the two existing 0.4 MG storage tanks as well as the system. The booster station and hydropneumatic tank will continue to draw water from the two 0.4 MG storage tanks and pump it to the distribution system.

Pumping – Since the ultimate maximum daily demand of 1,491 gpm and the fire flow of 4,000 gpm will be supplied from WMWD, no additional pump improvements are required.

Water Supply – WMWD will supply the water needed to supplement Well No. 17.

The Water Infrastructure Analysis Study indicates the project cost for Alternative 1 is \$15,161,440; the project cost for Alternative 2 is \$14,957,250. The water system facilities identified in Alternative 1 and Alternative 2 are Master Plan facilities and are not funded at this time.

The *General Plan EIR* determined that potential impacts to water service would be less than significant. Future development within the project area was considered in the *General Plan EIR* analysis, since additional development within the area was assumed. Implementation of the proposed project would be consistent with the analysis presented in the *General Plan EIR* and would result in no new or greater impacts than previously identified.

Implementation of the proposed project would increase water consumption, placing greater demands on water facilities. Since future development would occur on vacant infill parcels and/or through development/redevelopment of underutilized sites, project implementation is not anticipated to require significant facility extensions/upgrades to the existing system in order to meet the increased demand beyond those already identified in existing water master plans. Future development may be required to pay their fair-share of costs associated with any facility extensions or upgrades, as applicable.

The UWMP concluded that EMWD has the ability to meet current and projected water demands through 2035 during normal, historic single-dry and historic multiple-dry years using existing supplies and imported water from MWD with existing supply resources. Planned local supplies would supplement imported supplies and improve reliability for EMWD and the region. Since the UWMP uses population projections from the Western Riverside Council of Governments to determine the demand for water and the potential growth associated with the proposed project is consistent with regional growth, potential water demand associated with future development within the project area were anticipated in the UWMP. Implementation of the proposed project would be consistent with the analysis presented in the UWMP. All future development would be subject to compliance with the UWMP's Conservation Programs. Further, compliance with General Plan goals, policies, and associated implementation would ensure that future development would incorporate water conservation measures. All future development would be done in accordance with applicable sections of *Municipal Code* Chapters 8 and 9. If necessary, mitigation would be required to reduce potential impacts to a less than significant level. Conditions of approval would also be attached to discretionary permits. Therefore, project implementation within the EMWD service area would not require the construction of new water facilities or expansion of existing facilities. Impacts would be less than significant in this regard.

Wastewater

Wastewater service in Moreno Valley is provided by the Eastern Municipal Water District (EMWD), which serves most of the City and surrounding areas, and the Edgemont Community Services District (District), which provides service to a small area in southwestern Moreno Valley, including the portion of the project area located north of Alessandro Boulevard, between Day Street and Frederick Street.

EMWD operates over 356 miles of sewer mains and six sewage lift stations to provide wastewater collection services within the General Plan planning area. All wastewater is collected and conveyed to the Moreno Valley Regional Water Reclamation Facility (MVRWRF) located in the southwestern portion of the City and has a capacity to treat 16 million gallons of wastewater per day (mgd) and a capacity to expand to 41 mgd.

The District provides wastewater treatment under contract with the City of Riverside. According to the District, the pipes that transmit sewage to the City of Riverside Water Quality Control Plant are over 50 years old and are in need of repair. Current flow treatment at the facility is approximately 30 mgd.

The *General Plan EIR* determined that potential impacts to wastewater services and treatment would be less than significant. Future development within the project area was considered in the *General Plan EIR* analysis, since additional development within the area was assumed. Implementation of the proposed project would be consistent with the analysis presented in the *General Plan EIR* and would result in no new or greater impacts than previously identified.

Implementation of the proposed project would increase the wastewater generated from the project area, placing greater demands on wastewater conveyance and treatment facilities. Since future development would occur on vacant infill parcels and development/redevelopment of underutilized sites currently developed, project implementation is not anticipated to require significant facility extensions/upgrades to the existing system in order to meet the increased demand.

Due to the conceptual nature of the future residential development, proposals would require individual assessments of potential impacts to wastewater facilities. All future development would be done in accordance with applicable sections of Moreno Valley Municipal Code Chapters 8 and 9. If necessary, mitigation would be required to reduce potential impacts to a less than significant level. Conditions of approval would also be attached to discretionary permits. Therefore, project implementation would result in a less than significant impact.

Mitigation Measures: No mitigation measures are required.

- c) ***Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?***

Less Than Significant Impact With Mitigation Incorporated. Refer to Responses 4.9.d. and 4.9.e.

Mitigation Measures: Refer to Mitigation Measure HW-1. No additional mitigation measures are required.

- d) ***Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?***

Less Than Significant Impact. Refer to Response 4.16.b.

Senate Bills 221 and 610 were signed into law in 2001 and took effect January 1, 2002. The two bills amended State law to better link information on water supply availability to certain land use decisions by cities and counties. The two companion bills provide a regulatory forum that requires more collaborative planning between local water suppliers and cities and counties. All SB 610 and 221 reports are generated and adopted by the public water supplier.

Senate Bill (SB) 610 requires a detailed report regarding water availability and planning for additional water supplies that is included with the environmental document for specified projects. All “projects” meeting any of the following criteria require the assessment:

- A proposed residential development of more than 500 dwelling units (DU);
- A proposed shopping center or business establishment employing more than 1,000 persons or having more than 500,000 square feet (SF) of floor space;
- A proposed commercial office building employing more than 1,000 persons or having more than 250,000 SF of floor space;
- A proposed hotel or motel, or both, having more than 500 rooms;
- A proposed industrial, manufacturing, or processing plant, or industrial park planned to house more than 1,000 persons, occupying more than 40 acres of land, or having more than 650,000 SF of floor area;
- A mixed-use project that includes one or more of the projects specified in this subdivision; or

- A project that would demand an amount of water equivalent to or greater than the amount of water required by a 500-DU project.

While SB 610 primarily affects the Water Code, SB 221 principally applies to the Subdivision Map Act. The primary effect of SB 221 is to condition every tentative map for an applicable subdivision on the applicant by verifying that the public water supplier (PWS) has “sufficient water supply” available to serve it.

Due to the conceptual nature of the future development, proposals would require individual assessments of potential impacts to water supplies. Any future development meeting SB 610 criteria would require a water supply assessment. Similarly, any proposed project involving a subdivision pursuant to SB 221 would require verification of sufficient water supply from the water supplier. Compliance with the existing regulatory framework would further ensure that sufficient water supplies would be available from existing entitlements and resources to serve future development.

Mitigation Measures: No mitigation measures are required.

- e) ***Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project’s projected demand in addition to the provider’s existing commitments?***

Less Than Significant Impact. Refer to Response 4.16.b.

Mitigation Measures: No mitigation measures are required.

- f) ***Be served by a landfill with sufficient permitted capacity to accommodate the project’s solid waste disposal needs?***

Less Than Significant Impact. Solid waste generated within the General Plan planning area is primarily deposited in the Riverside County Waste Management Department’s (RCWMD) Badlands Landfill, located approximately 1.5 miles north of SR-60 near Ironwood Avenue and Theodore Street. However, the City’s trash hauler can also use other County landfills in the area such as the Lamb Canyon Landfill and El Sobrante landfill. All Riverside County landfills are Class III disposal sites permitted to receive non-hazardous municipal solid waste.

The City has adopted a Source Reduction and Recycling Element (SRRE) in compliance with the requirements of AB 939. Pursuant to AB 939, the California Integrated Waste Management Board required all cities and counties within the State to prepare integrated waste management plans to attain solid waste reduction of 50 percent by the end of year 2000. All future development projects within the City are required to comply with the SRRE program for diverting solid waste.

The *General Plan EIR* determined that potential impacts to solid waste facilities would be less than significant. Future development within the project area was considered in the *General Plan EIR* analysis, since additional development within the area was assumed. Implementation of the proposed project would be consistent with the analysis presented in the *General Plan EIR* and would result in no new or greater impacts than previously identified.

Future development anticipated by the proposed project would generate additional solid waste, placing an increased demand on solid waste disposal services and ultimately require disposal at a landfill. Without specific project details, it is not possible to precisely determine the volume of solid waste that would be generated by future development. All future development projects within the City would be required to comply with the SRRE program for diverting solid waste. Continued compliance with the SRRE program would ensure that the impacts to the capacities of the landfill serving the City are minimized, thus, a less than significant impact would occur in this regard.

Mitigation Measures: No mitigation measures are required.

g) ***Comply with federal, state, and local statutes and regulations related to solid waste?***

Less Than Significant Impact. Refer to Response 4.16.f. Future development anticipated by the proposed project would comply with all Federal, State, and local statutes and regulations related to solid waste.

Mitigation Measures: No mitigation measures are required.

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4.18 MANDATORY FINDINGS OF SIGNIFICANCE

| <i>Would the project:</i> | Potentially Significant Impact | Less Than Significant Impact With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--|--------------------------------|---|------------------------------|-----------|
| a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? | | ✓ | | |
| b. Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)? | | | ✓ | |
| c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? | | | ✓ | |

- a) ***Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?***

Less Than Significant Impact With Mitigation Incorporated. Based on the analysis contained in this Initial Study, the proposed project would not have a significant impact on biological resources, or historic, archaeological, or paleontological resources, with the implementation of Mitigation Measures BIO-1 through BIO-4 and CUL-1 and CUL-2; refer to Responses 4.4 and 4.5, respectively. Therefore, the proposed project would not potentially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory.

- b) ***Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?***

Less Than Significant Impact. Based on the analysis contained in this Initial Study, it is not anticipated that implementation of the proposed project would have cumulatively considerable impacts with implementation of project mitigation measures. However, due to the conceptual nature of the future development, proposals would require individual assessments of potential cumulative impacts. If necessary, mitigation would be required to reduce potential impacts to a less than significant level.

- c) ***Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?***

Less Than Significant Impact. Previous sections of this Initial Study reviewed the proposed project's potential impacts related to aesthetics, air pollution, noise, hazards and hazardous materials, traffic, and other issues. As concluded in these previous discussions, the proposed project would result in less than significant environmental impacts with implementation of the recommended mitigation measures. Therefore, the proposed project would not result in environmental impacts that would cause substantial adverse effects on human beings.

4.19 REFERENCES

The following references were utilized during preparation of this Initial Study/Environmental Checklist. These documents are available for review at the City of Moreno Valley located at 14177 Frederick Street, Moreno Valley, California 92552.

1. Atkins, *Final City of Moreno Valley Greenhouse Gas Analysis*, February 2012.
2. California Air Resources Board, *Climate Change Proposed Scoping Plan*, October 2008.
3. California Air Resources Board, *Final Supplement to the AB 32 Scoping Plan Functional Equivalent Document*, August 19, 2011.
4. California Department of Toxic Substances Control, *Hazardous Waste and Substance Site List (CORTESE)*, http://www.envirostor.dtsc.ca.gov/public/mandated_reports.asp, accessed June 19, 2012.
5. City of Moreno Valley, *City of Moreno Valley Emergency Operations Plan*, March 2009.
6. City of Moreno Valley Planning Division and the Energy Efficiency and Conservation Task Force, *City of Moreno Valley Energy Efficiency and Climate Action Strategy*, April 2012.
7. City of Moreno Valley, *City of Moreno Valley General Plan*, July 11, 2006.
8. City of Moreno Valley, *Moreno Valley General Plan Final Program EIR*, July 2006.
9. City of Moreno Valley, *City of Moreno Valley Housing Element 2008-2014*, February 2011.
10. City of Moreno Valley Municipal Code.
11. City of Moreno Valley, *Initial Study/Environmental Assessment for City of Moreno Valley Edgemont Water Master Plan Update*, September 2009.
12. Governor's Office of Planning and Research, *CEQA and Climate Change: Addressing Climate Change Through California Environmental Quality Act (CEQA) Review*, 2008.
13. Moreno Valley Fire Department Office of Emergency Management, *City of Moreno Valley Local Hazard Mitigation Plan*, October 4, 2011.
14. South Coast Air Quality Management District, *2007 Air Quality Management Plan for the South Coast Air Basin*, 2007.
15. South Coast Air Quality Management District, *CEQA Air Quality Handbook*, November 1993.
16. State of California Department of Conservation, *Alquist-Priolo Earthquake Fault Zone Maps*, http://www.quake.ca.gov/gmaps/ap/ap_maps.htm, accessed June 18, 2012.
17. State of California, Department of Finance, *E-5 Population and Housing Estimates for Cities, Counties, and the State, 2011 and 2012, with 2010 Benchmark*. Sacramento, California, May 2012.

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4.20 REPORT PREPARATION PERSONNEL

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Alex Tabrizi, Traffic Analyst
Linda Bo, Graphic Artist

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5.0 CONSULTANT RECOMMENDATION

Based on the information and environmental analysis contained in the Initial Study/Environmental Checklist, we recommend that the City of Moreno Valley prepare a mitigated negative declaration for the Alessandro Boulevard Corridor Implementation Project. We find that the proposed project could have a significant effect on a number of environmental issues, but that mitigation measures have been identified that reduce such impacts to a less than significant level. We recommend that the second category be selected for the City of Moreno Valley's determination (see Section 6.0, Lead Agency Determination).

March 7, 2013
Date



Collette L. Morse, AICP, Project Manager
RBF Consulting

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6.0 LEAD AGENCY DETERMINATION

On the basis of this initial evaluation:

I find that the proposed use COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

—

I find that although the proposal could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described in Section 4.0 have been added. A MITIGATED NEGATIVE DECLARATION will be prepared.

✓

I find that the proposal MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

—

I find that the proposal MAY have a significant effect(s) on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets, if the effect is a “potentially significant impact” or “potentially significant unless mitigated.” An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

—

Signature: _____

Title: _____

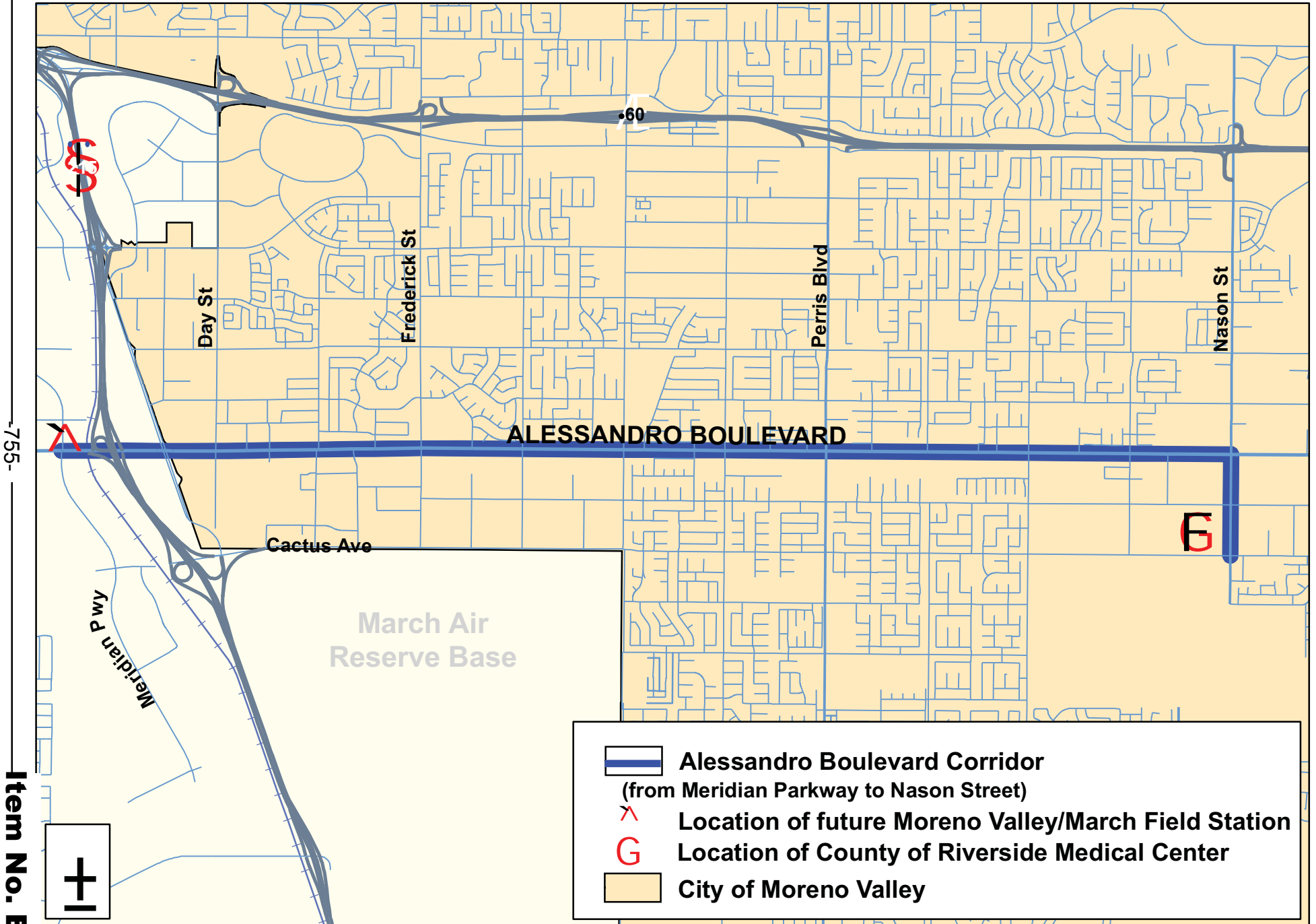
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Agency: _____

Date: _____





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Location of Proposed Project - Alessandro Boulevard Corridor



755-

Item No. E.2

-  Alessandro Boulevard Corridor
(from Meridian Parkway to Nason Street)
-  Location of future Moreno Valley/March Field Station
-  Location of County of Riverside Medical Center
-  City of Moreno Valley

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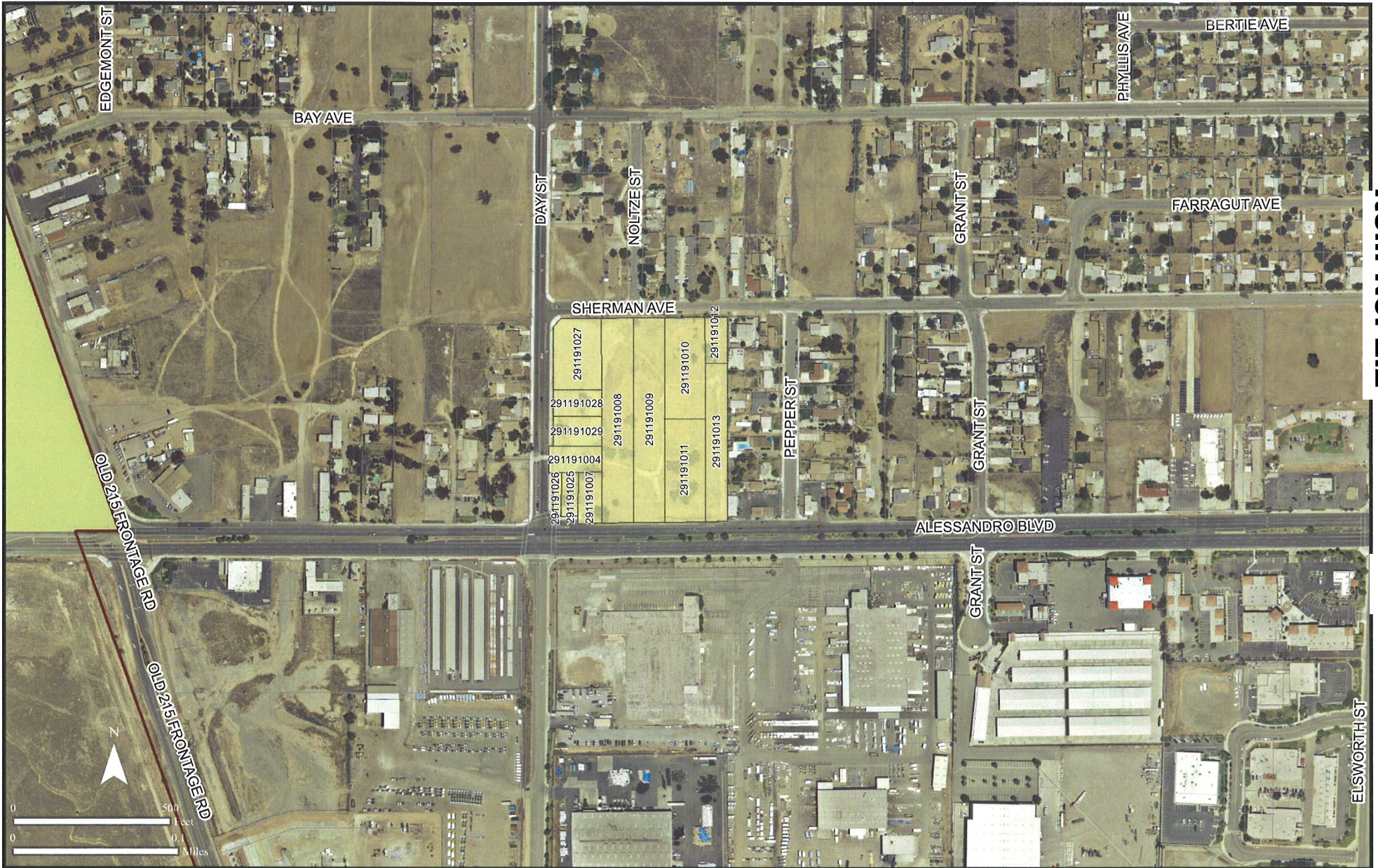


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CITY OF MORENO VALLEY RESIDENTIAL 30 (R30) REZONING

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Map Legend

- Area #1 Parcels
- Moreno Valley

Location Map





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Map Status: DRAFT

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Print Date: March 5, 2013

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Map Legend

Area #2 Parcels



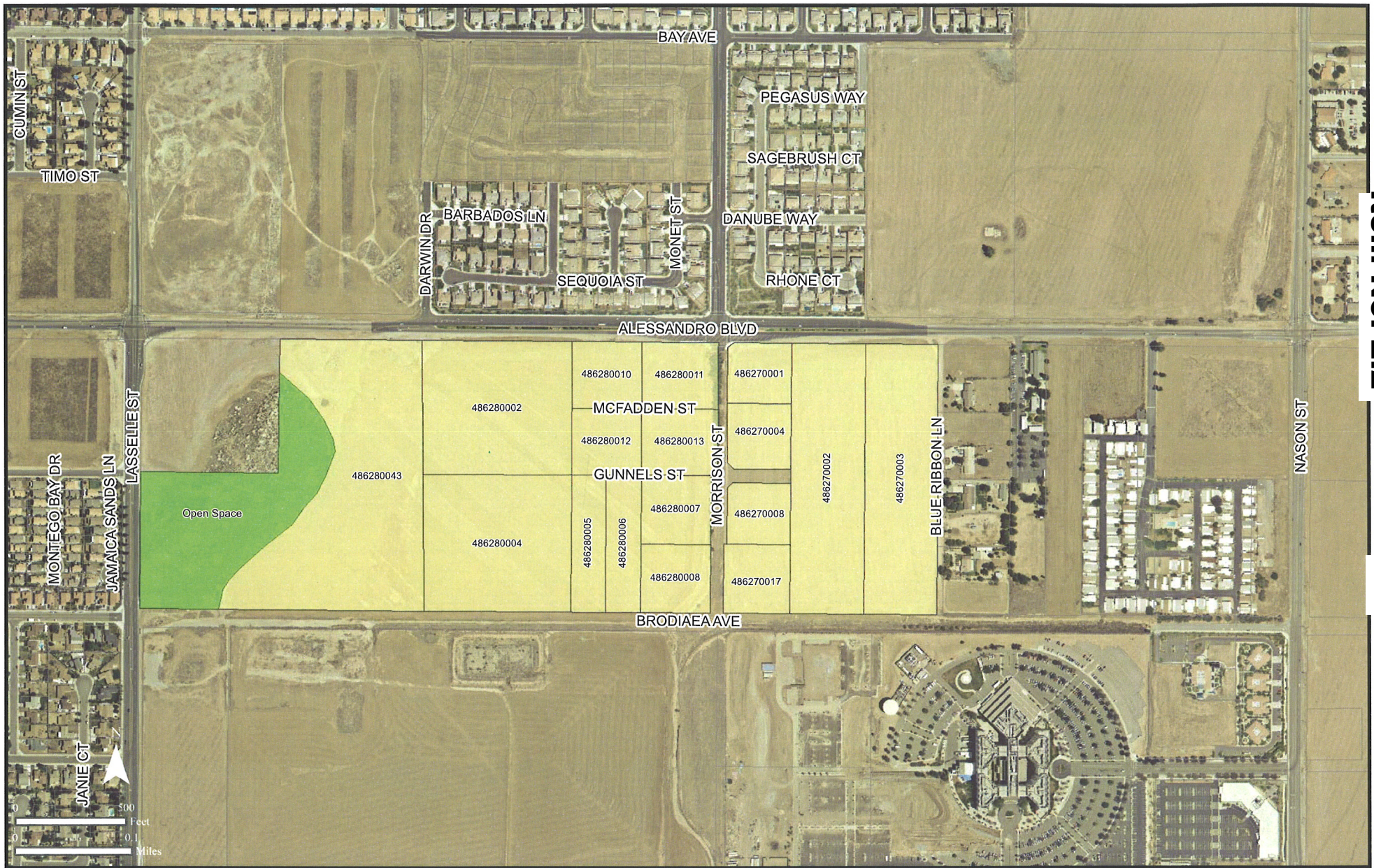


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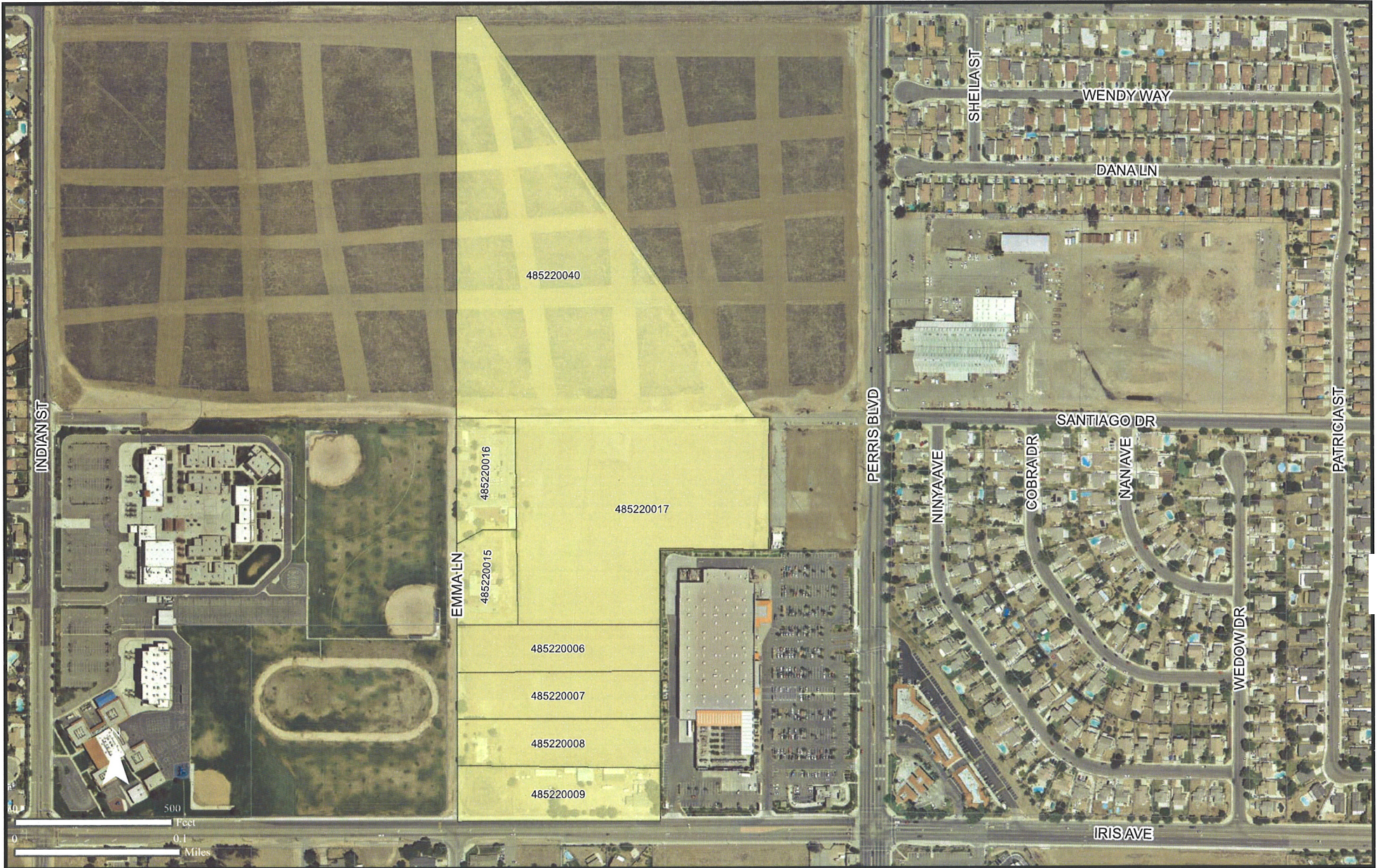
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Map Legend
 Area #3 Parcels
 Open Space





-760-

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Map Produced by Moreno Valley Geographic Information System

Map Legend

Area #4 Parcels



Location Map

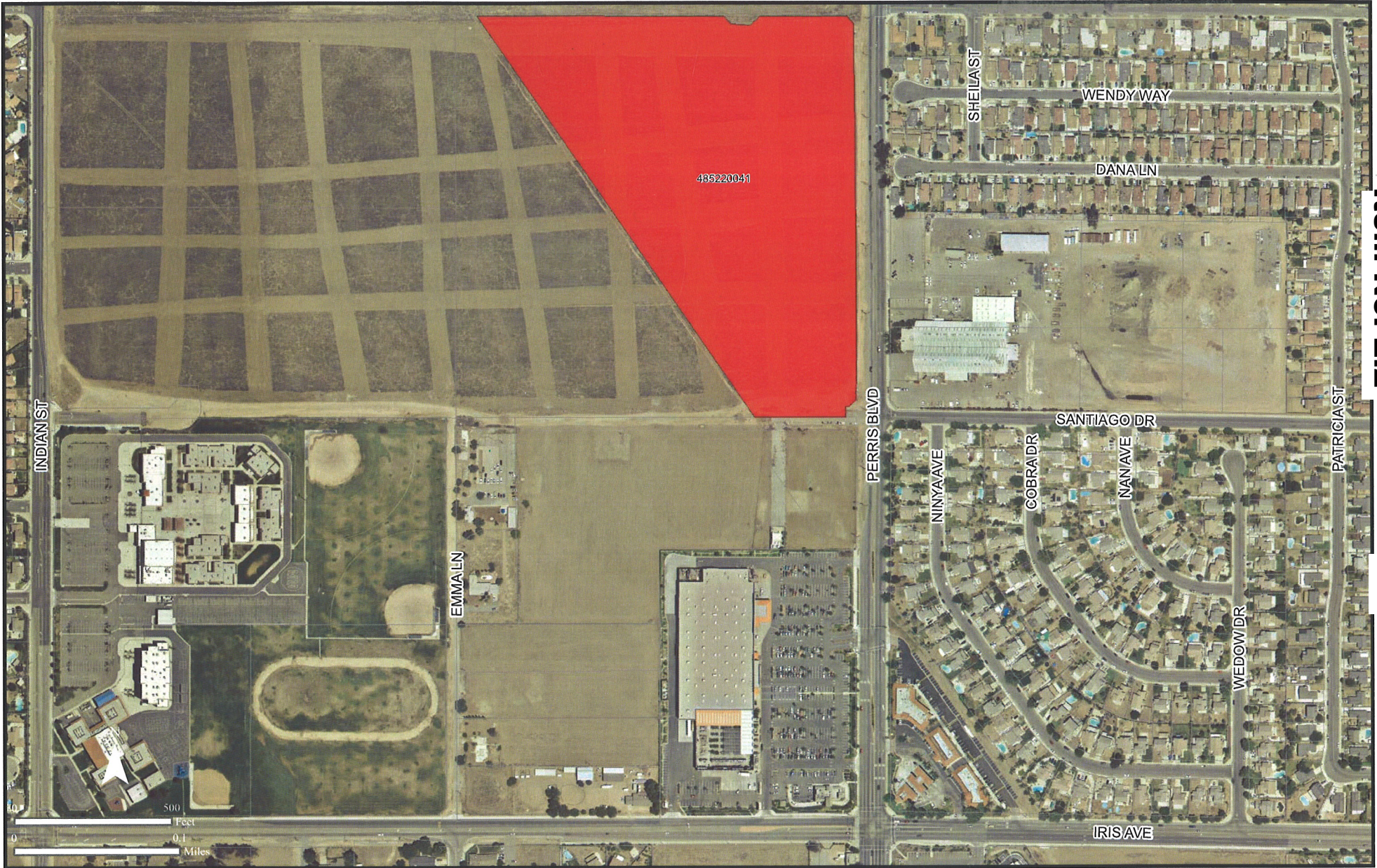


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**CITY OF MORENO VALLEY
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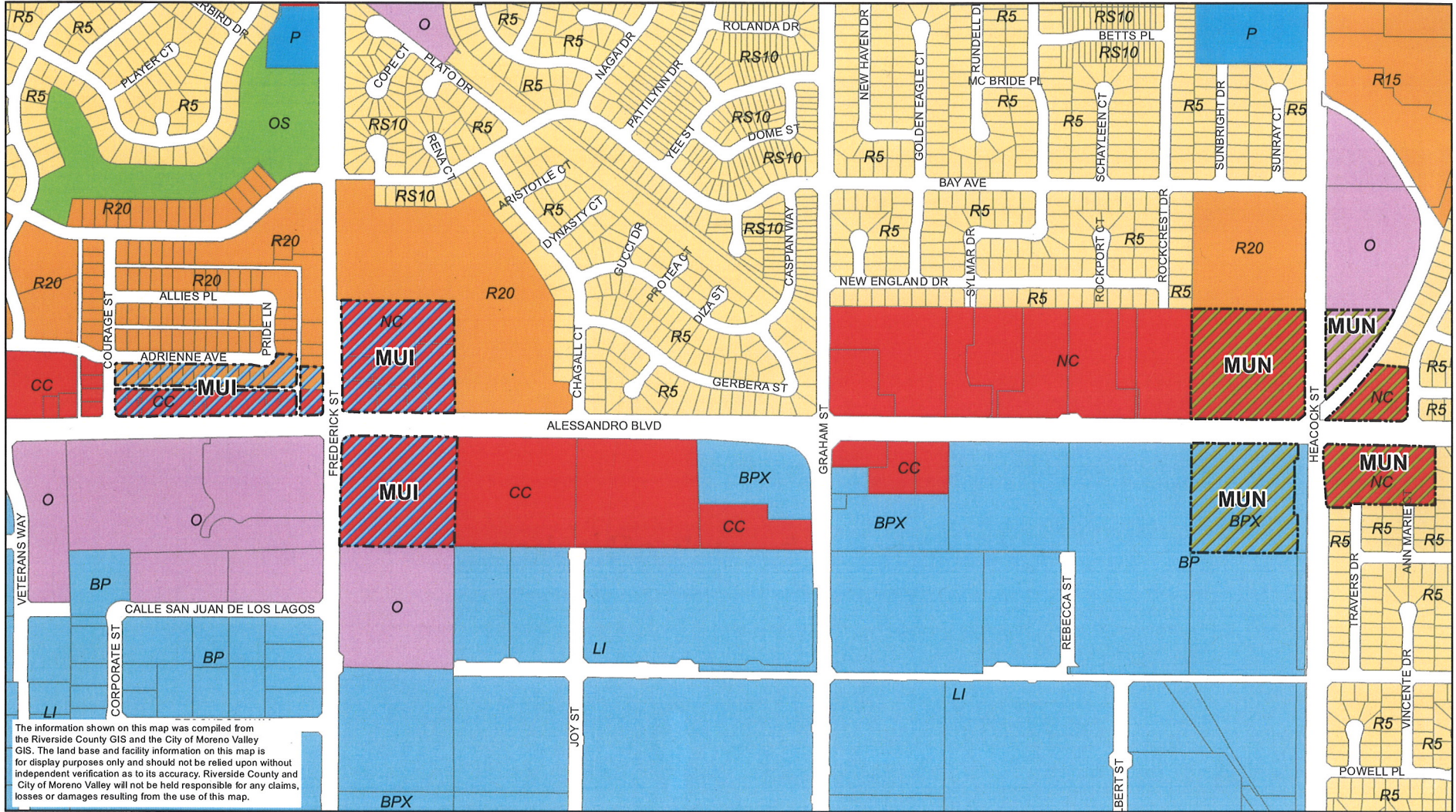
Map Legend
 Area #5 Parcels



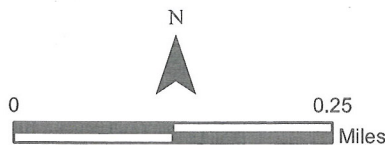
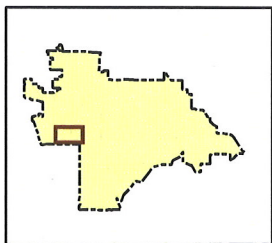
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Alessandro Boulevard Corridor Plan

Proposed Mixed Use Overlay (Frederick St/Heacock St)



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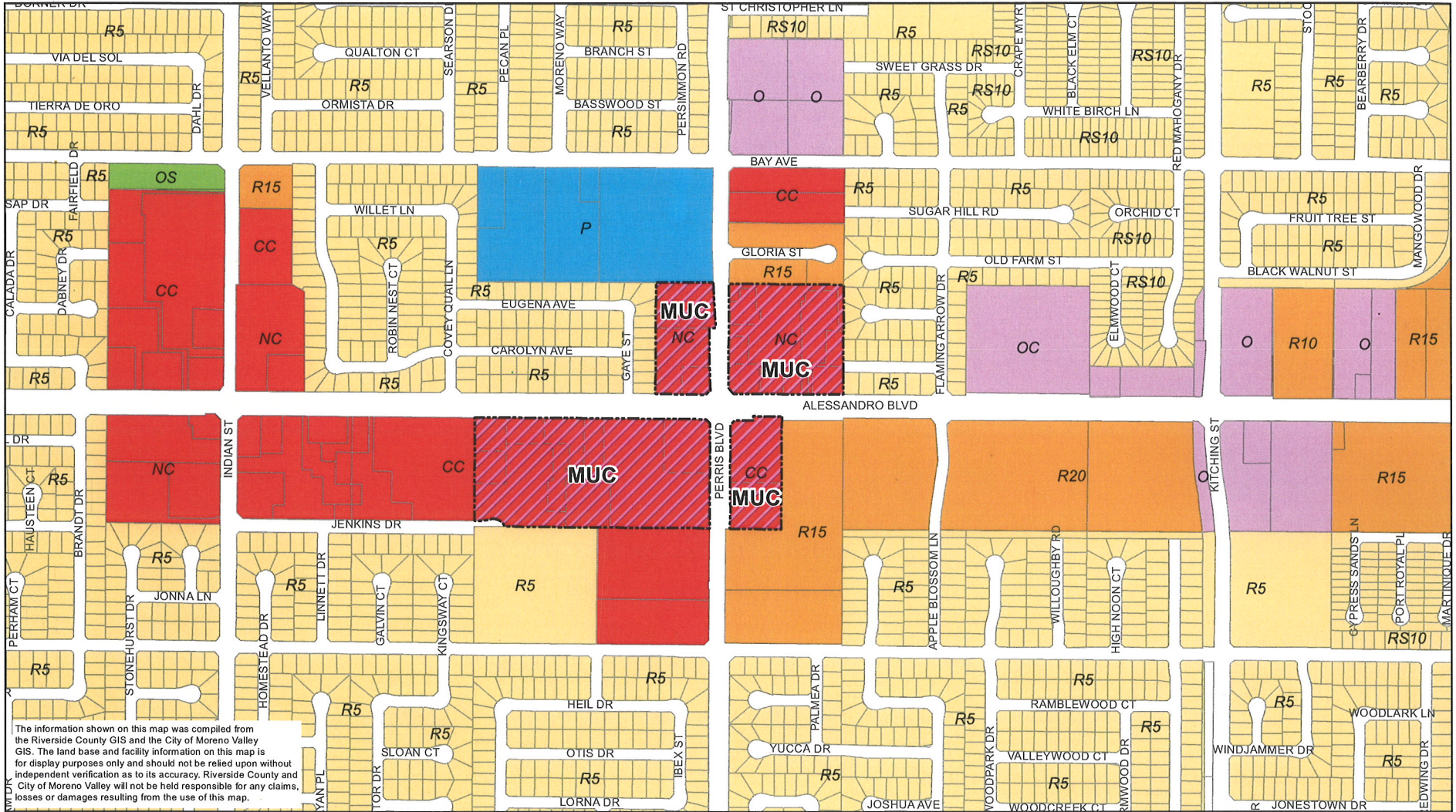


- | | | |
|---------------------------|---------------------------------|----------------------|
| Mixed Use District | Public Facilities | Residential 2 DU/AC |
| MUI | Office | Suburban Residential |
| MUN | Planned Development | Multi-family |
| Zoning | Large Lot Residential | Open Space/Park |
| Commercial | Residential Agriculture 2 DU/AC | |
| Industrial/Business Park | | |

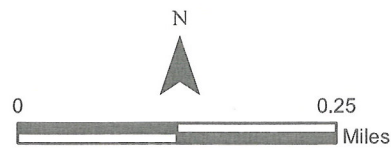
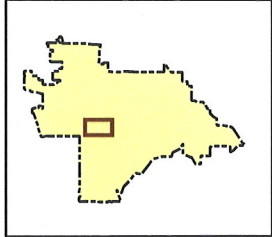


Alessandro Boulevard Corridor Plan

Proposed Mixed Use Overlay (Perris Blvd)



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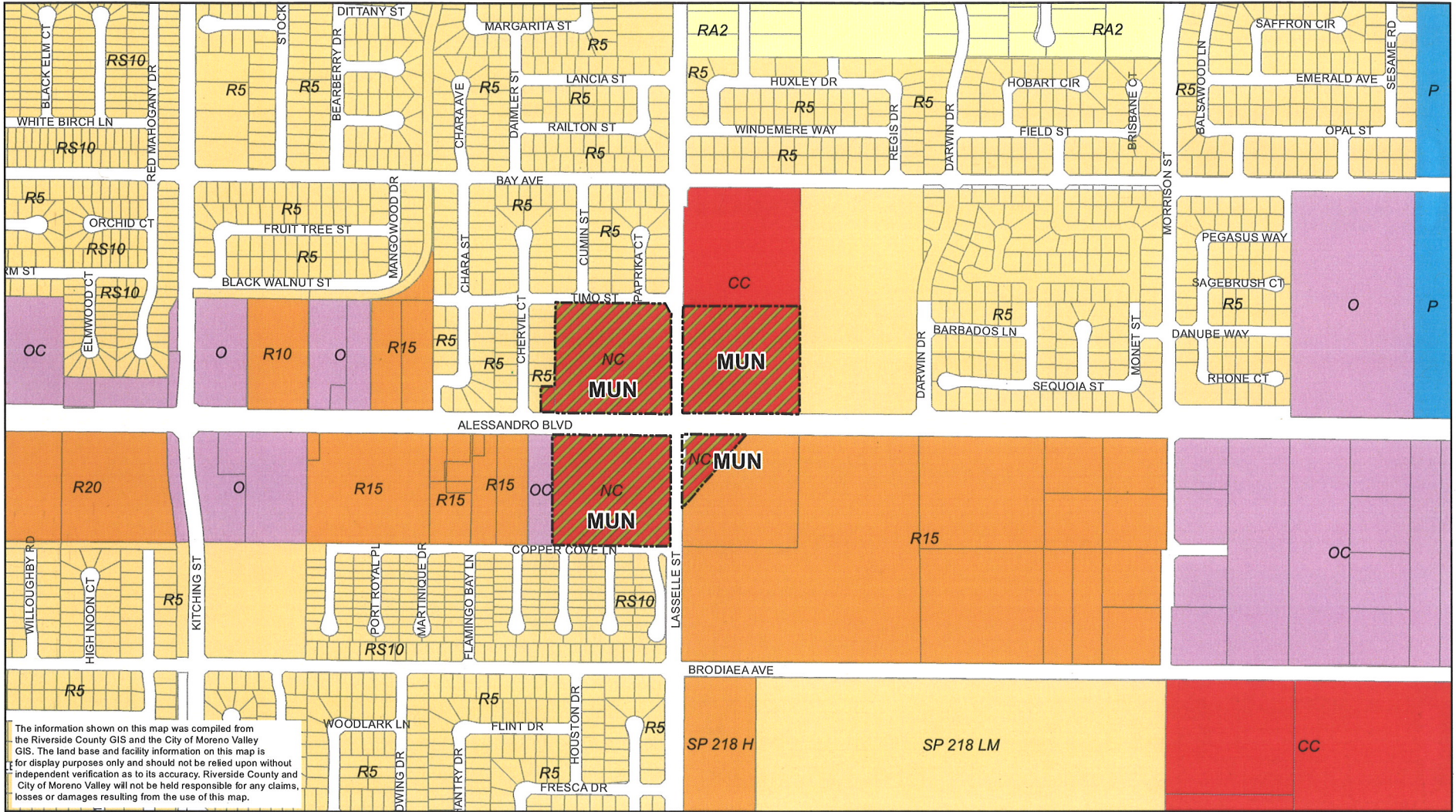


- | | | |
|---------------------------|---------------------------------|----------------------|
| Mixed Use District | Public Facilities | Residential 2 DU/AC |
| MUC | Office | Suburban Residential |
| Zoning | Planned Development | Multi-family |
| Commercial | Large Lot Residential | Open Space/Park |
| Industrial/Business Park | Residential Agriculture 2 DU/AC | |

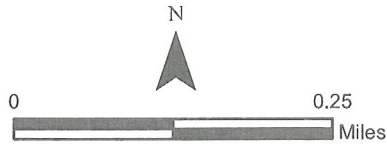
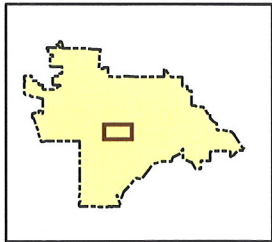


Alessandro Boulevard Corridor Plan

Proposed Mixed Use Overlay (Lasselle St)



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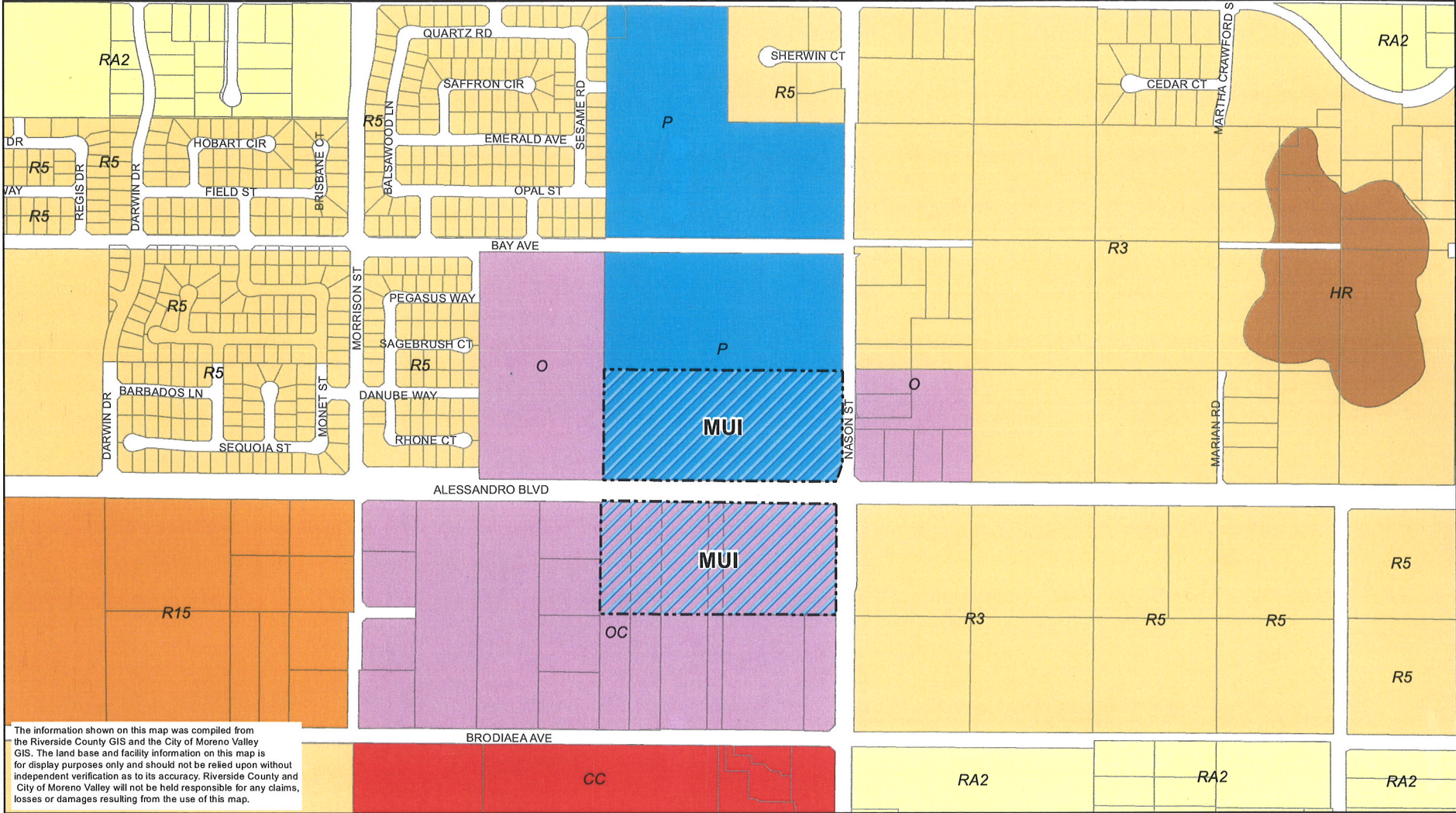


- | | | |
|---------------------------|---------------------------------|----------------------|
| Mixed Use District | Public Facilities | Residential 2 DU/AC |
| MUN | Office | Suburban Residential |
| Zoning | Planned Development | Multi-family |
| Commercial | Large Lot Residential | Open Space/Park |
| Industrial/Business Park | Residential Agriculture 2 DU/AC | |

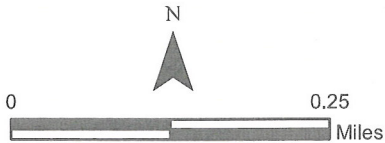
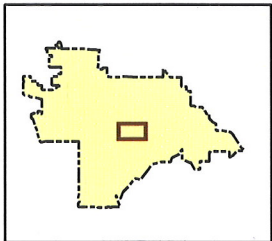


Alessandro Boulevard Corridor Plan

Proposed Mixed Use Overlay (Nason St)



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- | | | |
|---------------------------|---------------------------------|----------------------|
| Mixed Use District | Public Facilities | Residential 2 DU/AC |
| MUI | Office | Suburban Residential |
| Zoning | Planned Development | Multi-family |
| Commercial | Large Lot Residential | Open Space/Park |
| Industrial/Business Park | Residential Agriculture 2 DU/AC | |



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Chapter 9.02 – Permits and Approvals [Addition]

Sections:

9.02.090 – Administrative Variances

9.02.090 – Administrative variances.

- C. Limitations on Administrative Variances. Only the following variances may be granted by the community development director and subject to the following limitations:
5. Decrease in building frontage requirements. In any mixed-use overlay district, the community development director may authorize up to a ten (10) percent decrease in the distance threshold established to specify the required percentage of a building frontage to be built to the Build-To-Zone, as indicated in Table 9.075.050-10 (Mixed-Use Overlay District Development Standards) (i.e., the distance threshold from street intersections for the purposes of calculating building frontage length may be reduced from 300 feet to 270 feet). The community development director is not authorized to reduce the percentage of the building frontage that is required to be built to the Build-To-Zone.

Chapter 9.07.090 – Mixed-Use Overlay Districts [New]

Sections:

9.07.091 – Purpose and Intent
9.07.092 – Applicability
9.07.093 – Purposes of Mixed-Use Overlay District
9.07.094 – Permitted Uses in Mixed-Use Overlay Districts
9.07.095 – Mixed-Use Site Development Standards
9.07.096 – Building Frontage Type Standards
9.07.097 – Open Space Standards – Publicly-Accessible Open Space
9.07.098 – Open Space Standards – Private/Common Open Space
9.07.099 – Lot Area Requirements and Lot Consolidation Incentives

9.07.091 – Purpose and Intent

- A. **Purpose.** The purpose of this Chapter to provide regulations that implement the goals and policies of the General Plan, the Alessandro Boulevard Corridor Vision Plan (accepted by the Moreno Valley City Council on June 30, 2010), and other similar long-range planning documents aimed at encouraging mixed-use development within the City.
- B. **Intent.** The Mixed-Use Overlay Districts are intended to:

1. Stimulate economic development and reinvestment through regulations based upon recognized urban design principles that allow property owners to respond with flexibility to market forces;
2. Create specific development nodes at street intersections with a pedestrian-oriented mix of uses with convenient access between area neighborhoods, housing, employment centers, and retail services;
3. Accommodate intensities and patterns of development that can support multiple modes of transportation including public transit, bicycles, and walking;
4. Facilitate well-designed new mixed-use development projects that combine residential and nonresidential uses (e.g., office, retail, business services, personal services, public spaces and uses, other community amenities, etc.) to promote a better balance of jobs and housing;
5. Ensure compatibility with adjacent existing single-family neighborhoods and harmonious integration with existing commercial areas;
6. Encourage the development of unique district character through a streetscape that provides attractive features (e.g., landscaping, street furniture, niche or linear parks, public places, courtyards, public transportation shelters; etc.) designed to integrate the public realm (e.g., streets, sidewalks, etc.) with adjacent development on private property; and
7. Provide additional property rights while preserving existing property rights. This intent is achieved by providing additional development rights in compliance with this Chapter, which property owners may exercise under certain conditions, while retaining all development rights conferred by the underlying district to property owners in the mixed-use overlay districts. Incentives and advantages include allowing a greater range and mix of uses; more permissive dimensional specifications (e.g., greater floor area ratio, lot coverage ratio, and height; reduced setbacks; etc.); exemption from certain design review requirements; and fee reductions or waivers.

9.07.092 – Applicability

This Section describes the applicability of mixed-use overlay district standards to a property when the property is located within two districts – a base district (e.g., Commercial (C), Office (O), Business Park/Light Industrial (BP), etc.) and a mixed-use overlay district.

A. Relationship between overlay district standards and base district standards. For property within a mixed-use overlay district, the regulations in this Chapter allow mixed-use development as an alternative to the type of development allowed under the base (underlying) district standards.

B. Base district standards.

1. The provisions in this Chapter shall apply to all properties within their respective mixed-use overlay districts, but the provisions do not supersede the underlying base district provisions until a property is developed in compliance with the provisions of this Chapter.
2. New projects may be developed in compliance with the existing underlying base district, provided that all standards and requirements of the underlying base district are met.

3. Regulations, development standards, and requirements in the underlying base district shall continue to apply to those projects that are currently developed according to the existing standards.
4. For legal non-conforming uses (i.e., uses that do not comply with the provisions of the base district or this Chapter), the provisions in Section 9.02.180 (Legal Nonconforming Uses, Improvements, and Parcels) shall apply.

C. Option to apply mixed-use overlay district standards.

1. The owner or developer of any property within any mixed-use overlay district may choose to develop in compliance with the standards and procedures in this Chapter that apply to the particular mixed-use overlay district in which the property is located.
2. In order to exercise the option to develop under the provisions in this Chapter, approval of a development review application shall be required in compliance with Chapter 9.02.030 (Development Review Process). In granting the approval, the review authority shall find that:
 - a. The proposed development is in compliance with the provisions in this Chapter; and
 - b. Approval of the project will not reduce the amount of land available in mixed-use overlay zone areas to a point where the City's affordable housing needs under the Regional Housing Needs Assessment (RHNA) cannot be met.

D. Other applicable regulations. Other applicable regulations can be found in Section 9.09.250 (Live-Work Development) and Section 9.09.260 (Mixed-Use Development).

E. Applicable regulations after completion of development. Once a property is developed in compliance with the provisions in this Chapter, the provisions of this Chapter completely supersede the provisions of the underlying base district. Whenever the requirements of the overlay district impose a more or less restrictive standard than the provisions of the underlying base district, the requirements of the overlay district shall govern.

F. Use of photographs. Photographs and illustrations are included in this Chapter for illustrative purposes only. Specific development standards in this Chapter are the controlling language for purposes of development regulation.

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9.07.093 – Purposes of Mixed-Use Overlay Districts

This Section describes the purpose and intent of each mixed-use overlay district.

- A. Mixed-Use Institutional Anchor (MUI) Overlay District.** The Mixed-Use Institutional Anchor (MUI) Overlay District applies to areas around prominent anchor institutions, such as civic centers, medical centers, and educational campuses. The intent is to build upon the role of the institutions by providing opportunities for urban, high-intensity development that serves the needs of visitors, employees, and residents affiliated with the anchor institution and the surrounding region. Development is allowed up to five stories in height with building frontages near or at the sidewalk, wide sidewalks, and parking under or behind buildings. Vertical mixed-use development (ground-floor retail with offices or housing above) is required at important street intersections. Horizontally-integrated or vertically-integrated mixed-use development, with no requirement for ground-floor retail, is allowed in other locations. The overlay district name may be expanded to include the name of the type of anchor institution (e.g., “MUI – Medical Center”). See Figure 9.07.093-1 (Examples of Development in Mixed-Use Institutional Anchor (MUI) Overlay District).
- B. Mixed-Use Community (MUC) Overlay District.** The Mixed-Use Community (MUC) Overlay District applies to areas along major arterials and arterials. The intent is to provide opportunities for the development of pedestrian-oriented blocks with medium-intense development that serves the needs of residents, visitors, and employees from the surrounding community. Development is allowed up to four stories in height with building frontages near or at the sidewalk, wide sidewalks, and parking under or behind buildings. Vertical mixed-use development (ground-floor retail with offices or housing above) is required at important street intersections. Horizontally-integrated or vertically-integrated mixed-use development, with no requirement for ground-floor retail, is allowed in other locations. The overlay district name may be expanded to include the community name (e.g., “MUC – East Alessandro”). See Figure 9.07.093-2 (Examples of Development in Mixed-Use Community (MUC) Overlay District).
- C. Mixed-Use Neighborhood (MUN) Overlay District.** The Mixed-Use Neighborhood (MUN) Overlay District applies to areas along arterials and minor arterials. The intent is to provide an area for low-rise mixed-use development that serves the needs of residents, visitors, and employees from the surrounding immediate neighborhood. Development is allowed up to three stories in height with building frontages near or at the sidewalk, wide sidewalks, and parking under or behind buildings. Vertical mixed-use development (ground-floor retail with offices or housing above) is required at important street intersections. Horizontally-integrated or vertically-integrated mixed-use development, with no requirement for ground-floor retail, is allowed in other locations. The overlay district name may be expanded to include the neighborhood name (e.g., “MUN – Lasselle Crossing”). See Figure 9.07.093-3 (Examples of Development in Mixed-Use Neighborhood (MUN) Overlay District).

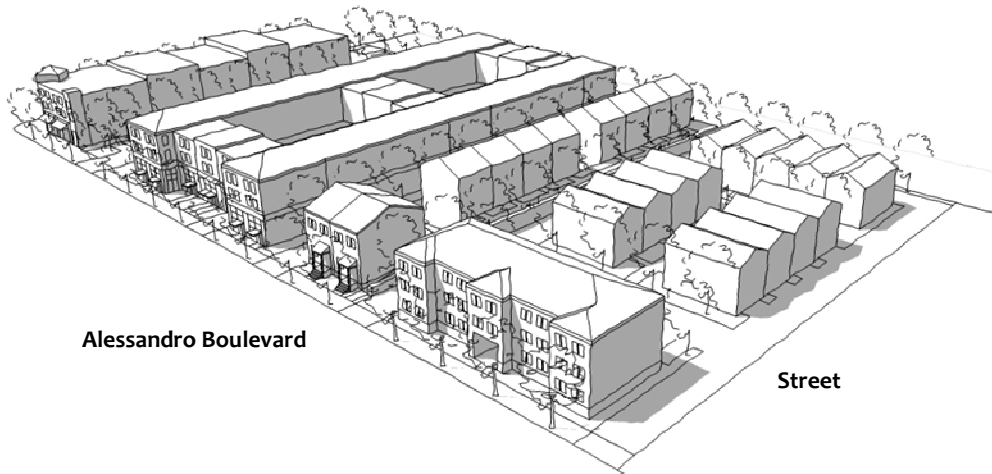
Figure 9.07.093-1
Examples of Development in Mixed-Use Institutional Anchor (MUI) Overlay District



Alessandro Boulevard

Street

Figure 9.07.093-2
Examples of Development in Mixed-Use Community (MUC) Overlay District



Alessandro Boulevard

Street

Figure 9.07.093-3
Examples of Development in Mixed-Use Neighborhood (MUN) Overlay District

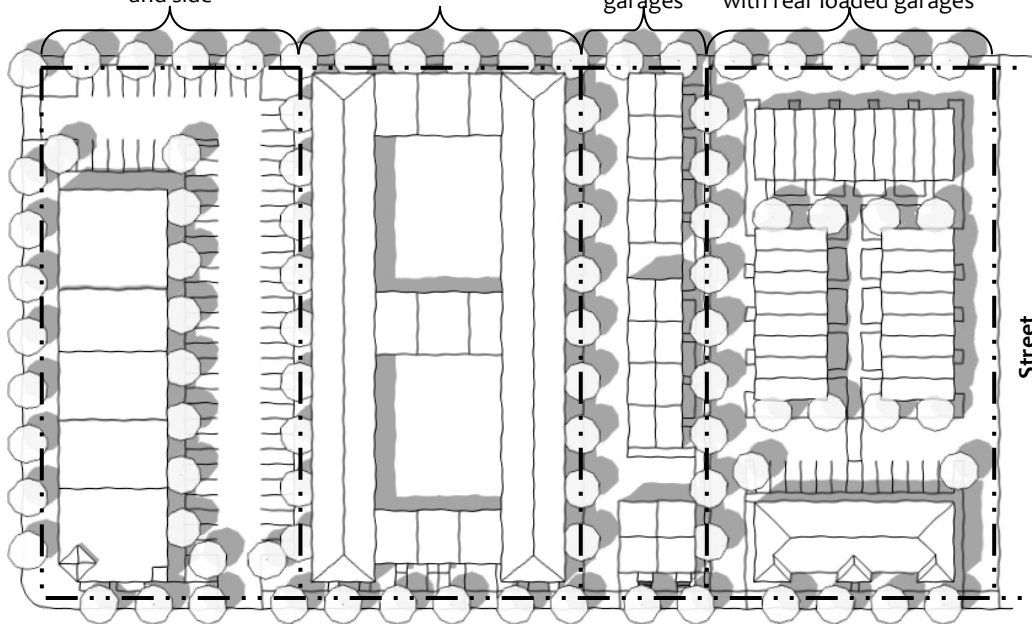


Mixed-Use Building with surface parking to rear and side

Mixed-Use Building with podium parking

Townhomes with rear loaded garages

Apartments (with surface parking to the rear) and townhomes with rear loaded garages



Alessandro Boulevard

9.07.094 – Permitted Uses in Mixed-Use Overlay Districts

For the mixed-use overlay districts, 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 (Permitted Uses) of this Title. Any use not listed in Table 9.02.020-1 as a permitted use, conditional use, or accessory use shall be prohibited.

9.07.095 – Mixed-Use Overlay District Site Development Standards

This Section provides standards that govern development on properties located in the Mixed-Use Overlay Districts. See Table 9.07.095-10 (Mixed-Use Overlay District Development Standards) and related illustrations. For the purpose of this Zoning Code, mixed-use projects shall comply with nonresidential standards when no mixed-use standards exist.

Table 9.07.095-10: Mixed-Use Overlay District Development Standards

| <i>Development Features</i> | <i>MUI</i> | <i>MUC</i> | <i>MUN</i> |
|-----------------------------|---|--------------|--------------|
| Density Standards | <i>Maximum density for residential uses expressed as dwelling units per net acre. See § 9.08.060 (Development Density)</i> | | |
| Residential Uses | 40 du/ac | 30 du/ac | 30 du/ac |
| Intensity Standards | <i>Maximum floor area ratio (FAR) for nonresidential uses.</i> | | |
| Nonresidential Uses (1) | 1.0 (less than 50% residential) 1.25 (greater than 50% residential) | 1.0 | 1.0 |
| Block Standards | <i>Maximum dimensions required for each newly created block as measured from edge of right-of-way line. See “Block” in § 9.15.030 (Definitions). See Figure 9.07.095-4.</i> | | |
| Block Length (A) | 600 ft (max) | 500 ft (max) | 500 ft (max) |
| Block Perimeter (B) | 1,800 ft | 1,600 ft | 1,500 ft |

Notes:

(1) Podium and underground parking is not counted toward floor area ratio (FAR). Includes residential FAR.

Table continued on next page

Table 9.07.095-10: Mixed-Use Overlay District Development Standards (continued)

| Development Features | MUI | MUC | MUN |
|--|---|--|--|
| Building Placement Standards | | | |
| Build-to-Zone | <i>The area between the minimum and maximum setbacks within which the principal building’s front façade (building façade line) is to be located. See “Build-to-Zone” in § 9.15.030 (Definitions). See Figure 9.07.095-5</i> | | |
| Front (C) Along Alessandro Blvd | 0 - 15 ft | 0 - 10 ft | 0 - 10 ft |
| Front (D) All other Streets | 0 - 15 ft | 0 - 10 ft | 0 - 10 ft |
| Street Side Setback (E) | 0 - 15 ft | 0 - 10 ft | 0 - 10 ft |
| Setback | <i>Minimum and maximum required setbacks. See § 9.08.030 (Accessory Structures) for allowed projections into setbacks. See Figure 9.07.095-6</i> | | |
| Front Setback (F) Along Alessandro Blvd | 0 ft (min); 15 ft (max) | 0 ft (min); 10 ft (max) | 0 ft (min); 10 ft (max) |
| Front Setback (G) All other Streets | 0 ft (min); 15 ft (max) | 0 ft (min); 10 ft (max) | 0 ft (min); 10 ft (max) |
| Street Side Setback (H) | 0 ft (min); 15 ft (max) | 0 ft (min); 10 ft (max) | 0 ft (min); 10 ft (max) |
| Interior Side Setback (2) (I) | 5 ft (min); No max | 5 ft (min); No max | 5 ft (min); No max |
| Rear Setback (2) (J) | 10 ft (min); No max | 10 ft (min); No max | 10 ft (min); No max |
| Building Frontage Length | <i>% of building built to BTZ. See “Build-to-Zone” in § 9.15.030 (Definitions). See Figure 9.07.095-7.</i> | | |
| Within 300 ft of street intersections (K) | 65% | 65% | 65% |
| Over 300 ft from street intersections (L) | 50% | 50% | 50% |
| Building Standards | <i>See “Underground Levels” and “Mezzanines/Lofts” in § 9.15.030 (Definitions). See Figure 9.07.095-8.</i> | | |
| Number of Stories (3) (M) | 5 max | 4 max | 3 max |
| Maximum Height (3) (N) | 60 ft | 55 ft | 45 ft |
| Underground Levels (O) | Allowed | Allowed | Allowed |
| Mezzanines/Lofts (4) (P) | Allowed | Allowed | Allowed |
| Building Frontage Types | <i>See § 9.07.096 (Frontage Type Standards).</i> | | |
| Along Alessandro Boulevard within 300 ft of Intersections (Q) | Live-Work Office Storefront | Live-Work Office Residential Storefront | Live-Work Office Residential Storefront |
| Elsewhere (R) | Live-Work Office Residential Storefront | Live-Work Office Residential Storefront | Live-Work Office Residential Storefront |

Notes:

- (2) Wherever a lot abuts a lot in any single-family residential district, a minimum setback equal to the building height, but not less than 10 feet shall be required.
- (3) Wherever a lot abuts a lot in any single-family residential district, a 15-foot upper story stepback is required for those portions of buildings that are above 30 feet from finished grade.
- (4) Mezzanines and lofts shall not be counted as a floor if less than 1/3 of the unit’s floor area.

Table continued on next page

Table 9.07.095-10: Mixed-Use Overlay District Development Standards (continued)

| Development Features | MUI | MUC | MUN | |
|---|--|--|--|--------------------|
| Site Planning Standards | | | | |
| Parking Standards | See § 9.11 (Parking Standards) and Figure 9.07.095-9. | | | |
| Surface Parking (S) | 20 ft min setback from front lot line; 15 ft min setback from side lot line | 20 ft min setback from front lot line; 15 ft min setback from side lot line | 20 ft min setback from front lot line; 15 ft min setback from side lot line | |
| Garage / Tuck-Under Parking (T) | Prohibited along front lot lines | Prohibited along front lot lines | Prohibited along front lot lines | |
| Underground / Podium Parking (U) | Allowed beneath building footprint | Allowed beneath building footprint | Allowed beneath building footprint | |
| Above-Ground Parking Structure (5) (V) | Allowed if screened from views from public right-of-way and adjacent single-family residential districts | Allowed if screened from views from public right-of-way and adjacent single-family residential districts | Allowed if screened from views from public right-of-way and adjacent single-family residential districts | |
| Open Space Standards | | | | |
| Publicly Accessible Open Space (nonresidential) | See § 9.07.098 (Open Space Standards – Publicly Accessible Open Space). | | | |
| | 15% of net lot area | 10% of net lot area | 10% of net lot area | |
| Private Open Space (multi-family residential) | See § 9.07.099 (Open Space Standards – Private/Common Open Space). | | | |
| | 1 st floor | 150 sq ft per unit | 150 sq ft per unit | 150 sq ft per unit |
| | Upper floors | 100 sq ft per unit | 100 sq ft per unit | 100 sq ft per unit |
| Common Open Space (multi-family residential) | 300 sq ft per unit | 300 sq ft per unit | 300 sq ft per unit | |

Notes:

- (5) Minimum interior depth of building liner space that wraps above-ground parking structures facing Alessandro Boulevard shall be 30 feet from the building façade line, as defined in Section 9.15.030 (Definitions).

Figure 9.07.095-4: Block Standards

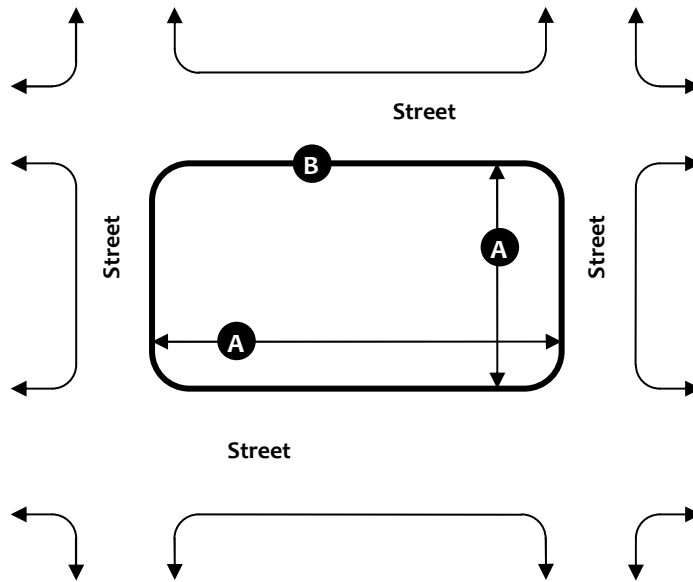


Figure 9.07.095-5: Build-to-Zone Standards

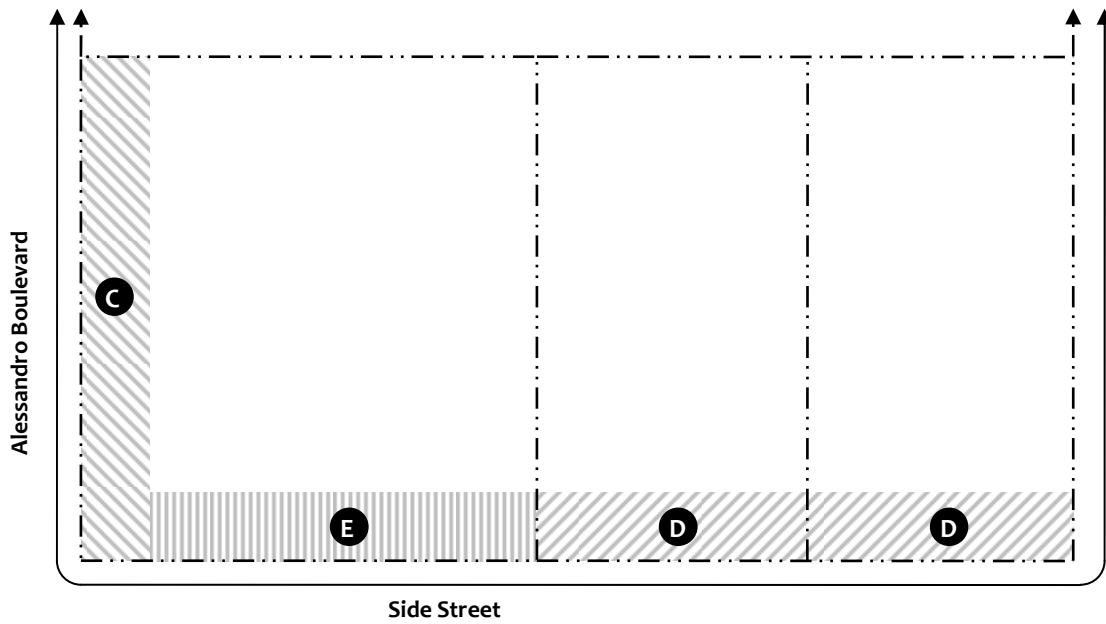


Figure 9.07.095-6: Setback Standards

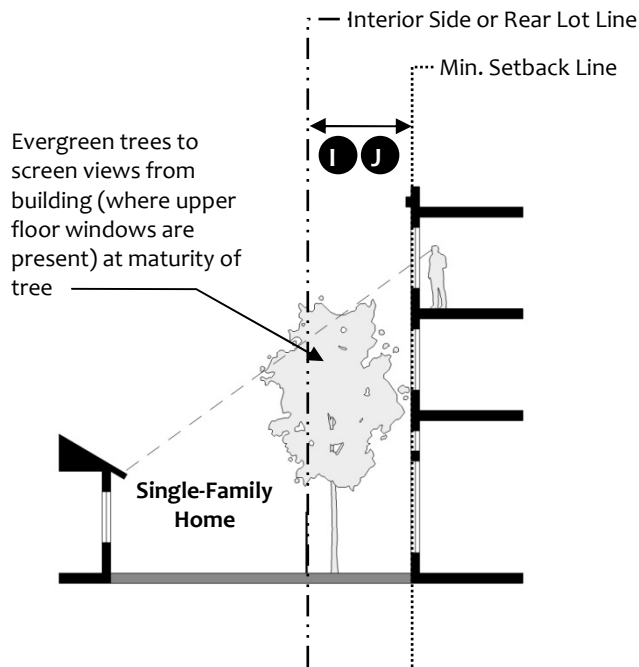
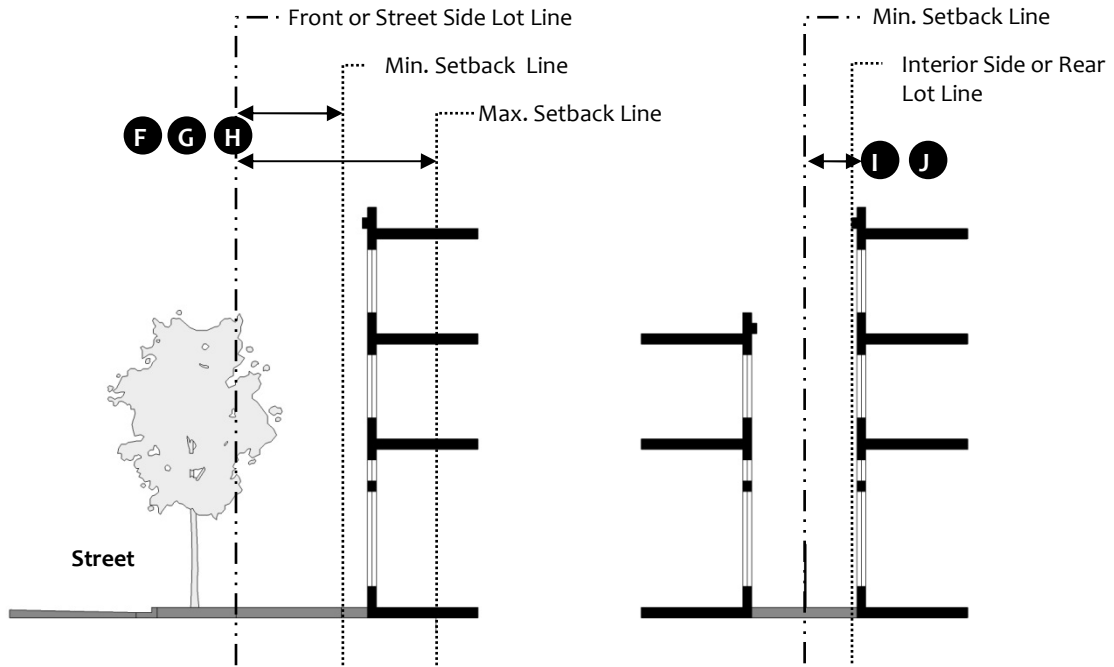


Figure 9.07.095-7: Building Frontage Length

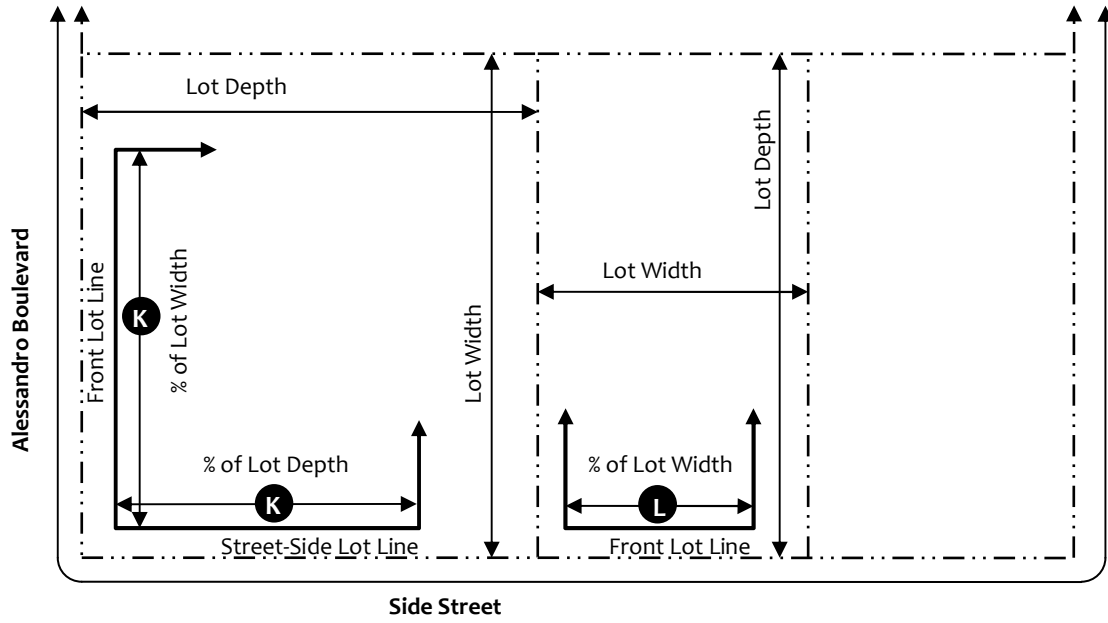


Figure 9.07.095-8: Building Standards and Building Frontage Types

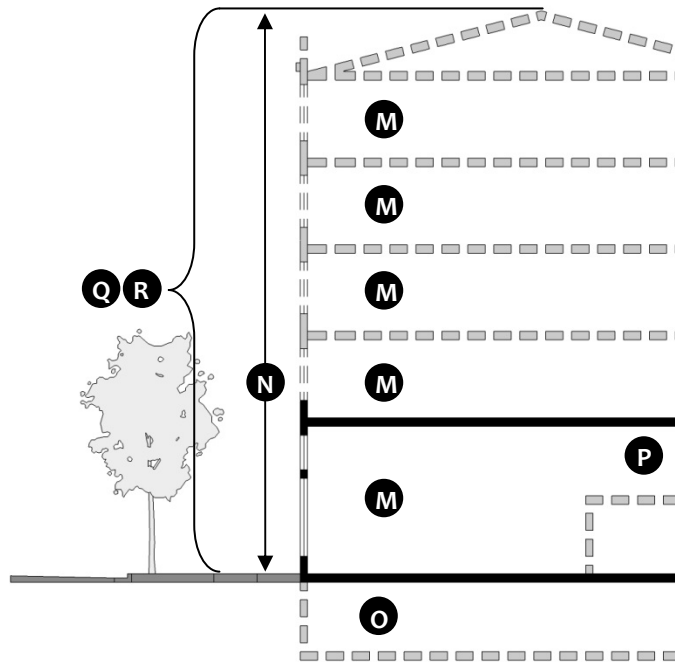
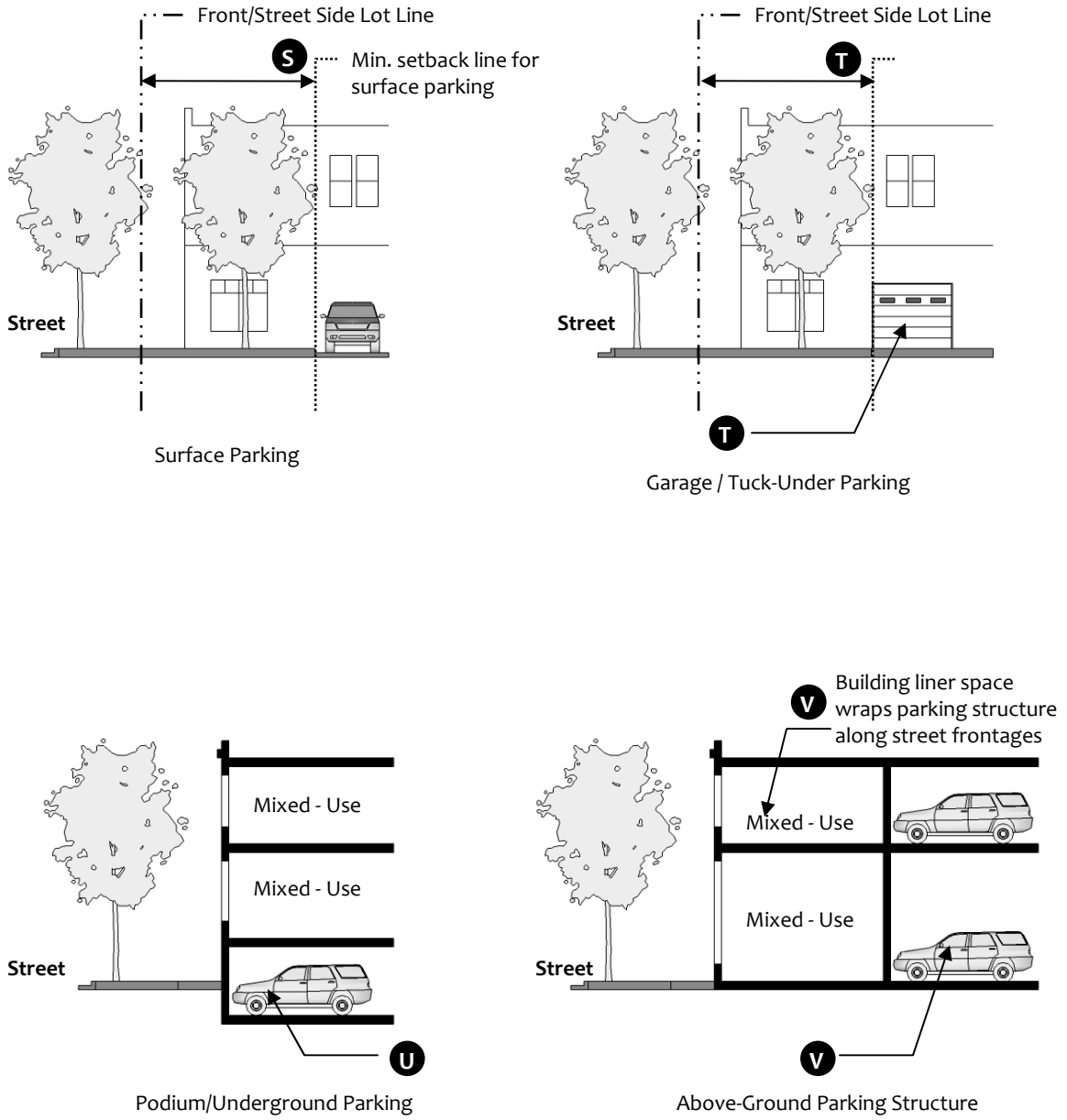


Figure 9.07.095-9: Parking Standards



9.07.096 – Building Frontage Type Standards

This Section provides frontage type standards for buildings in the mixed-use overlay districts. Table 9.075.050-10 specifies allowable building frontage types for each mixed-use overlay district.

A. Types of building frontages.

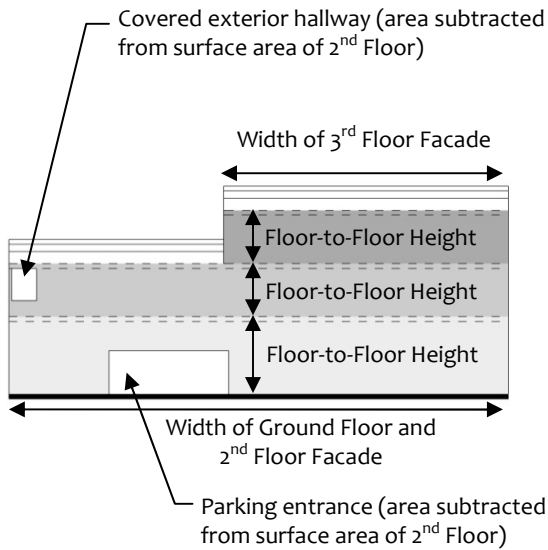
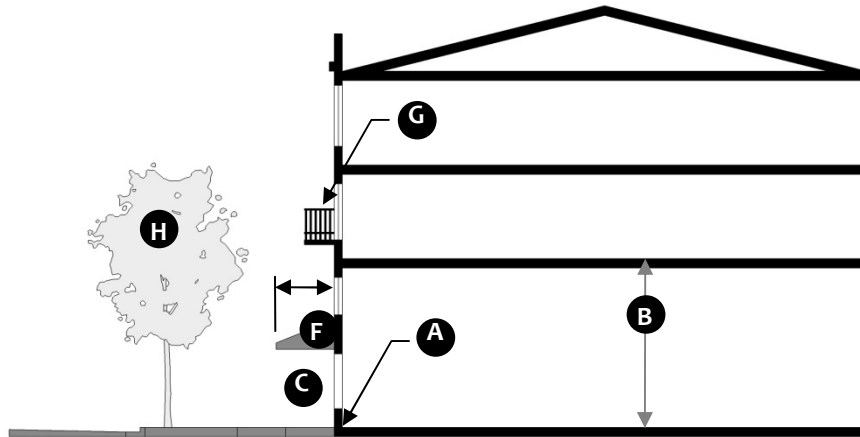
1. **Live-Work/Office Fronts:** A frontage that reinforces both residential and work activities that can occur in the building. The elevation of the ground floor is located at or near the grade of sidewalk to provide direct public access to the building. Entrances and windows are provided on the front of the facade to provide eyes on the street and direct sidewalk access to commercial and office uses. The front setback (if provided) may be improved with landscaping or as an extension of the public sidewalk to create a more pedestrian-friendly environment. See also Section 9.09.250 (Live-Work Development).
2. **Residential Fronts:** A frontage that reinforces the residential character and use of the building. The elevation of the ground floor is elevated above the grade of the lot to provide privacy for residences by preventing direct views into the home from the sidewalk. Entrances and windows are provided on the front of the facade to provide eyes on the street and direct sidewalk access to the building. Stoops are allowed to project into the front setback to enhance entrances. The front setback is primarily improved with landscaping.
3. **Storefronts:** A frontage that reinforces the commercial character and use of the ground floor of the building. The elevation of the ground floor is located at or near the grade of sidewalk to provide direct public access into the building. Large storefronts display windows are provided on the front of the facade to encourage visual access to merchandise displays and to encourage window shopping. Awnings or marquees are provided over storefront windows and entrances. The front setback (if provided) is primarily improved as an extension of the public sidewalk to create a more pedestrian friendly environment.

| B. Live-Work/Office Frontage Standards (1) | | Figure 9.07.096-10 |
|---|--|---|
| A | Elevation of Ground Floor | The ground floor elevation shall be located near the elevation of the sidewalk to minimize the need for external steps and external ADA ramps at public entrances. |
| B | Minimum Ground Floor Interior Height | 12 feet minimum (floor-to-floor height) (Commercial Ready) |
| C | Ground Floor Unit Entrances | All ground floor tenant spaces that have street frontage shall have entrances on a facade fronting a street. All other ground floor uses may have a common lobby entrance along the front facade or private entrances along other facades. |
| | Upper Floor Unit Entrances | Entrances to upper floor units may be provided through a common lobby entrance and/or by a common entrance along a facade fronting a street. |
| | Recessed Entrances | Entrances may be recessed into the facade. |
| D | Ground Floor Windows | At least 40% of the surface area of the ground floor facade (2) shall be occupied by windows (3). |
| E | Upper Floor Windows | At least 25% of the surface area of each upper floor facade (2) shall be occupied by windows (3). |
| F | Awnings and Marquees | Awnings or marquees may be provided over storefront windows and entrances. Awning and marquees may project up to 6 feet from the facade and extend over the sidewalk provided that at least 8 feet of vertical clearance is provided. |
| G | Projecting Elements (Balconies, Roof Overhangs, Shade Structures, and Bay Windows) | Projecting Elements on upper floors may project three feet from the facade and project into the setback. |
| H | Sidewalk and Setback Treatment | The public sidewalk shall be improved with street trees with an average spacing of 30' on-center and pedestrian-scaled street lights (no taller than 14 feet). If the front facade is setback from the public sidewalk, the setback shall be landscaped and/or improved as an extension of the public sidewalk. |

Notes:

- (1) See Section 9.09.250 (Live-Work Development).
- (2) As measured by multiplying the width of the facade by the floor-to-floor height. Opening in the facade (such as entrances to parking facilities or covered outdoor hallways/entrances) shall be subtracted from the surface area calculation.
- (3) All parts of the window (e.g. head, jamb, frame, sash, sill, muntin bars, and panes) that are visible on the elevation drawing shall be included as “window” in the calculation. Portions of the window that are not visible on the elevation drawing (such as a window that is blocked by a solid balcony wall) shall not be included in the calculation).

Figure 9.o.096-10: Live-Work/Office Frontage Standards



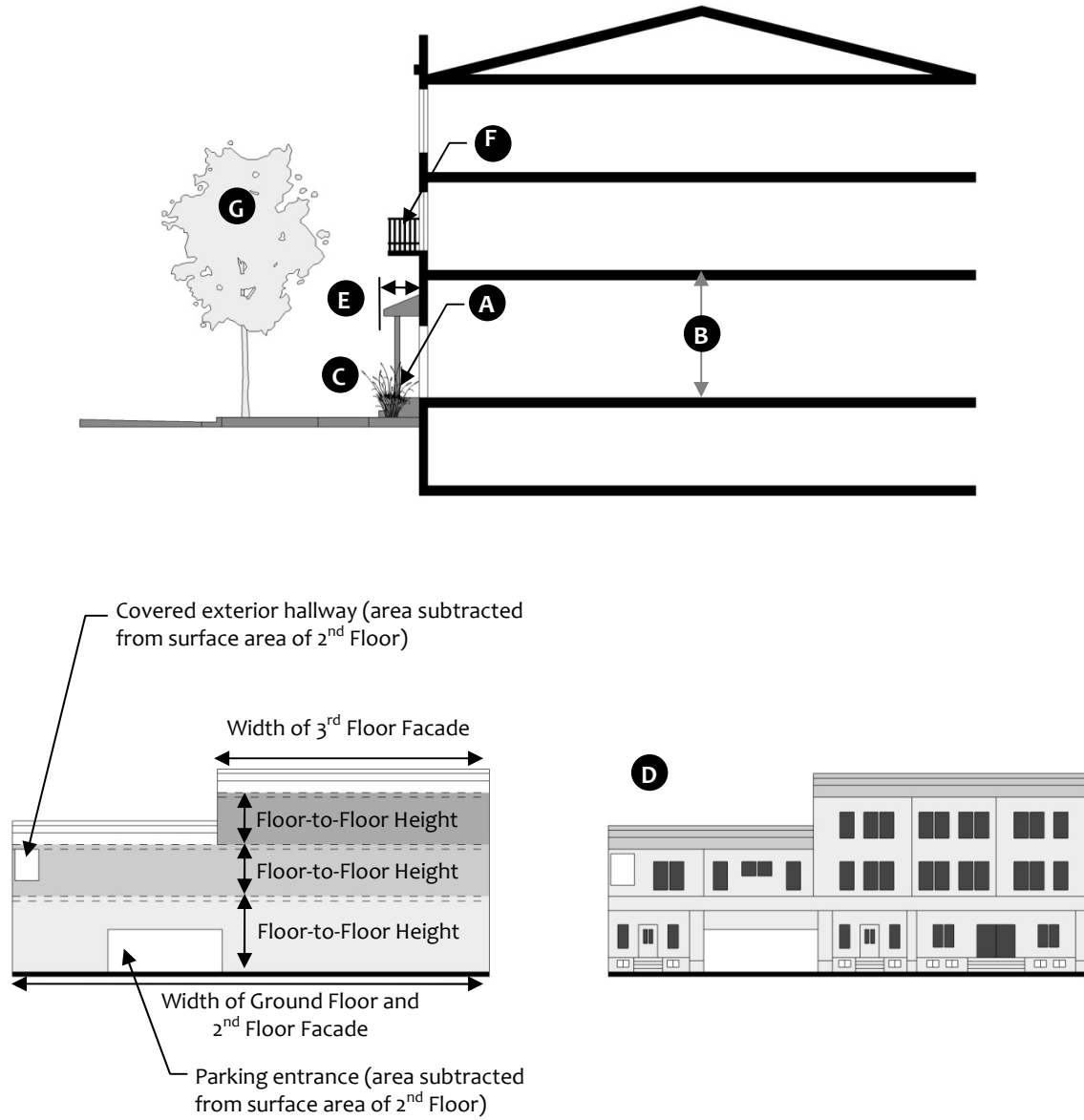
Examples of Live-Work Frontages

| C. Residential Frontage Standards | | Figure 9.07.096-11 |
|-----------------------------------|--|---|
| A | Elevation of Ground Floor | The ground floor elevation shall be located within 6 feet of the ground surface of the adjacent sidewalk or walkway. |
| B | Minimum Ground Floor Ceiling Height | 10 feet minimum (floor-to-floor height) |
| C | Ground Floor Unit Entrances | Entrances to ground floor units that have street frontage may be provided through a common lobby entrance and/or by private entrances from the adjacent sidewalk. |
| | Upper Floor Unit Entrances | Entrances to upper floor units may be provided through a common lobby entrance and/or by a common entrance along a facade fronting a street. |
| | Recessed Entrances | Entrances may be recessed into the facade. |
| D | Ground and Upper Floor Windows | At least 25% of the surface area of the ground and upper floor façade (1) shall be occupied by windows (2) . |
| E | Stoops and Front Porches | Stoops and front porches may be provided in front of building and unit entrances. Stoops and front porches may project up to 5 feet from the facade and project into the setback. |
| F | Projecting Elements (Balconies, Roof Overhangs, Shade Structures, and Bay Windows) | Projecting Elements on upper floors may project 3 feet from the facade and project into the setback. |
| G | Sidewalk and Setback Treatment | The public sidewalk shall be improved with street trees with an average spacing of 30 feet on-center and pedestrian-scaled street lights (no taller than 14 feet). If the front facade is setback from the public sidewalk, the setback shall be landscaped (excluding stoops/front porches and paved paths to building entrances). |

Notes:

- (1)** As measured by multiplying the width of the facade by the floor-to-floor height. Opening in the facade (such as entrances to parking facilities or covered outdoor hallways/entrances) shall be subtracted from the surface area calculation.
- (2)** All parts of the window (e.g. head, jamb, frame, sash, sill, muntin bars, and panes) that are visible on the elevation drawing shall be included as “window” in the calculation. Portions of the window that are not visible on the elevation drawing (such as a window that is blocked by a solid balcony wall) shall not be included in the calculation).

Figure 9.07.096-11: Residential Frontage Standards



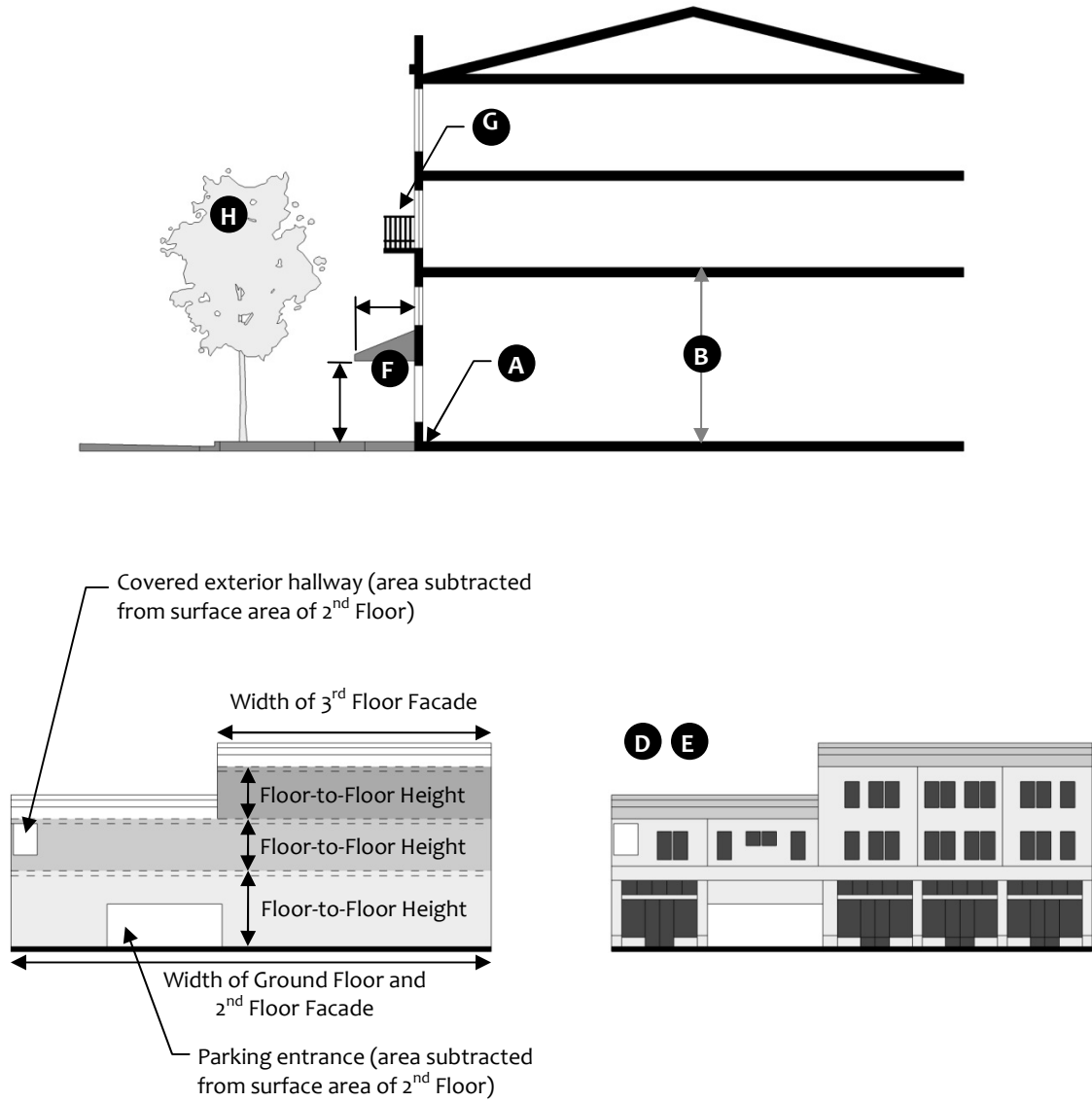
Examples of Residential Frontages

| D. Storefront Standards | | Figure 9.07.096-12 |
|--------------------------------|--|---|
| A | Elevation of Ground Floor | The ground floor elevation shall be located near the elevation of the sidewalk to minimize the need for external steps and external ADA ramps at public entrances. |
| B | Minimum Ground Floor Ceiling Height | 15 feet minimum (floor-to-floor height) (Commercial Ready) |
| C | Storefront Entrances | All ground floor tenant spaces that have street frontage shall have storefront entrances on the facade fronting a street. |
| | Lobby Entrances | Lobby entrances to upper floor uses shall be located on a facade fronting a street. |
| | Recessed Entrances | Storefront and lobby entrances may be recessed into the facade. |
| D | Ground Floor Windows | At least 50% of the surface area of the ground floor façade (1) shall be occupied by windows (2) . |
| E | Upper Floor Windows | At least 25% of the surface area of each upper floor facade ¹ shall be occupied by windows ² . |
| F | Awnings and Marquees | Awnings or marquees are required over storefront windows and entrances. Awning and marquees may project up to 6 feet from the facade and extend over the sidewalk provided that at least 8 feet of vertical clearance is provided. |
| G | Projecting Elements (Balconies, Shade Structures, and Bay Windows) | Projecting Elements on upper floors may project 3 feet from the facade and project into the setback. |
| H | Sidewalk and Setback Treatment | The public sidewalk shall be improved with street trees with an average spacing of 30 feet on-center and pedestrian-scaled street lights (no taller than 14 feet). If the front facade is setback from the public sidewalk, the setback shall be improved as an extension of the public sidewalk. |

Notes:

- (1)** As measured by multiplying the width of the facade by the floor-to-floor height. Opening in the facade (such as entrances to parking facilities or covered outdoor hallways/entrances) shall be subtracted from the surface area calculation.
- (2)** All parts of the window (e.g. head, jamb, frame, sash, sill, muntin bars, and panes) that are visible on the elevation drawing shall be included as “window” in the calculation. Portions of the window that are not visible on the elevation drawing (such as a window that is blocked by a solid balcony wall) shall not be included in the calculation).

Figure 9.07.096-12: Storefront Standards



Examples of Storefronts

9.07.097 – Open Space Standards – Publicly-Accessible Open Space

This Section provides standards for publicly accessible open space areas in order to ensure a high level of pedestrian connectivity and activity between the public realm and the private realm, as defined in Chapter 9.15 (Definitions).

- A. Minimum size.** All new nonresidential development shall provide publicly accessible open spaces as a percentage of the total development site area as indicated in Table 9.075.050-10 (Mixed-Use Site Development Standards).
- B. Eligible areas.** Publicly accessible open space areas shall not include parking, driveway, or rear setback areas, but may include front and side setback areas provided that they are integrated into the overall design of the project.
- C. Ground-level installation.** Plazas, courtyards, or other similar publicly accessible open space areas shall be installed at ground level and shall be incorporated into the design of the development.
- D. Visibility and accessibility.** Public open space areas shall be visible and accessible from the public rights-of-way to engage the interest of pedestrians and encourage public use.
- E. Landscaping and hardscapes.** Landscaping shall comply with Chapter 9.17 (Landscape and Water Efficiency Requirements). In addition, a combination of landscape and hardscape materials shall be used in the design of these areas and shall include the following components:
 - 1. Hardscape paving may include brick, stone, interlocking concrete pavers, textured concrete, and/or impressed patterned concrete. Hardscape elements may include, but are not limited to, seating areas, potted plant materials, water features, and public art installations.
 - 2. The balance of the open space areas shall be landscaped with turf, shrubs, or groundcover, and trees. All plant materials shall be in proportion to the height and mass of the building and shall be permanently maintained.
- F. Minimum height to width ratios.** In order to achieve sunlight and air circulation in required publicly accessible open space areas, the following minimum height to width ratios shall be provided:
 - 1. Enclosed Open Space (i.e., open space that is enclosed on four sides, such as a courtyard): 2 to 1 ratio. The required open space shall have a width of at least one-half the height of the adjacent building façade (measured perpendicularly from the façade). This requirement shall apply to all sides of the required open space.
 - 2. Open Space that is open on one or more sides: 3 to 1 ratio. The required open space shall have a width of at least one-third the height of the adjacent building facade (measured perpendicularly from the façade). This requirement shall apply to all sides of the required open space.

G. Design configuration.

1. In the Mixed-Use Institutional Anchor (MUI) Overlay District, sharing of the required publicly-accessible open space (“quasi-public space”) for nonresidential uses and the required common open space for residential uses, indicated in Table 9.07.095-10 (Mixed-Use Overlay District Site Development Standards), may be allowed by the applicable review authority when it is clear that the open space will provide direct benefit to residents of the project and the public in general subject to the following limitations:
 - a. Up to 30 percent of the required open space for residential uses in a horizontal mixed use project may be provided as quasi-public open space within the nonresidential component of the project; or
 - b. Up to 50 percent of the required open space for residential uses in a vertical mixed use project may be provided as quasi-public open space within the nonresidential component of the project.
 - c. The minimum dimension (length and width) of shared common open space areas shall be 20 feet. These areas shall be located at grade and shall be accessible for use by the general public.
 - d. Quasi-public open space areas shall not include outdoor dining areas or other outdoor activity areas for exclusive use by an individual business.
 - e. Quasi-public open space areas are areas located on private property and accessible to the general public. These areas shall include pedestrian oriented amenities, including enhanced seating, lighting, paving, landscaping, public art, water features, and other similar features deemed appropriate by the Community Development Director.
2. Publicly accessible open space areas shall be located and configured as any one of the following:
 - a. Forecourt: The publicly accessible open space area is located along a recessed center section of the front façade of the building as illustrated in Figure 9.07.098-13 (Publicly Accessible Open Space – Forecourt).
 - b. Front: The publicly accessible open space area is located along the street facing frontage of the building as illustrated in Figure 9.07.098-13 (Publicly Accessible Open Space – Front).
 - c. “L” Shaped: The publicly accessible open space area is located along the front and side of the lot as illustrated in Figure 9.07.098-13 (Publicly Accessible Open Space – “L” Shaped).
 - d. Paseo or Central Courtyard: The publicly accessible open space area is located on the side of the building or along a center pedestrian paseo or courtyard as illustrated in Figure 9.07.098-13 (Publicly Accessible Open Space – Paseo or Central Courtyard).

Figure 9.07.098-13
Publicly Accessible Open Space – Forecourt



Figure 9.07.098-13
Publicly Accessible Open Space – Front



Figure 9.07.098-13
Publicly Accessible Open Space – “L” Shaped

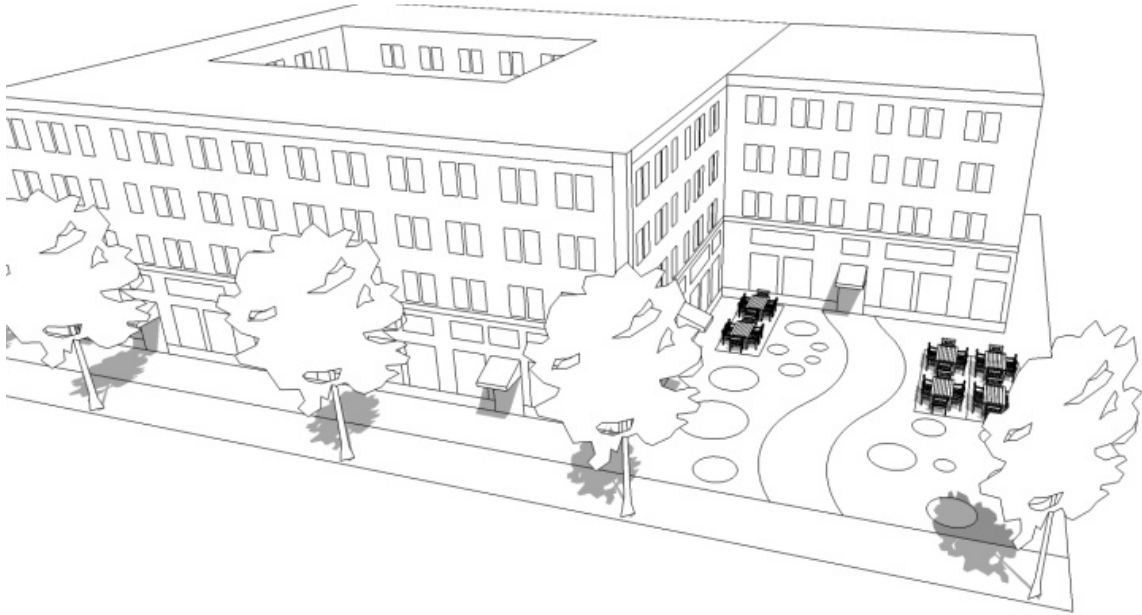


Figure 9.07.098-13
Publicly Accessible Open Space – Paseo or Central Courtyard



9.07.098 – Open Space Standards – Private/Common Open Space

This Section provides standards for private and/or common open space for residential uses. Private and/or common open space shall be provided in addition to the required publicly accessible open space in Section 9.07.098 (Open Space Standards – Publicly-Accessible Open Space).

A. Required amount of open space.

1. **Minimum required open space.** Private open space and common open space shall be provided in the amounts indicated in Table 9.07.095-10 (Mixed-Use Site Development Standards).
2. **Residential developments.** Private open space and common open space shall be provided on a per unit basis for residential projects and shall be a combination of the total required space divided between private areas (e.g., balconies, patios, etc.) and common areas (e.g., courtyards, playgrounds, recreation facilities, multi-purpose rooms, etc.) designed for the common use of residents as specified below.
3. **Nonresidential or mixed-use developments.** Private open space and common open space shall be provided as a percentage of the total lot area for nonresidential projects and may be used to provide site amenities such as rooftop decks, courtyards, or similar features. Mixed use developments shall combine the residential standards and the nonresidential standard to satisfy this provision.

C. Exclusive use. Private and common open space areas shall be located and designed for the exclusive use of the residents or tenants of the property and their guests and shall not be publicly accessible, except in the Civic Center Mixed-Use (CVMU) Overlay District and the Medical Center Mixed-Use (MDMU) Overlay District where sharing of the required publicly accessible open space (“quasi-public space”) for nonresidential uses and the required common open space for residential uses may be allowed in compliance with Subsection 9.07.098.G. (Open Space Standards – Publicly Accessible Open Space – Design configuration).

D. Types of open space. A combination of private and common open space shall be provided to satisfy the following requirements:

1. Common open space amenities shall include, but are limited to, one or more of the following amenities: courtyards, plazas, tennis courts, swimming pools, spas, permanently equipped gym/exercise rooms, or other permanent amenity. Rooftop decks and terraces may be used to satisfy this requirement, however, these areas shall be easily accessible to all residents within the building, and face the public rights-of-way where possible.
2. Private open space areas may include balconies, patios, terraces, or rooftop decks. These areas shall be integrated into the overall architectural design of the building. Architectural elements (e.g., railings, trellises, short walls, roof-top enclosures, etc.) shall be consistent with the architectural style of the structure to which they are attached.

E. Materials and design. Open space areas shall be constructed of permanent materials and be permanently integrated into the design of the building.

F. Building height to open space width ratios. In order to achieve sunlight and air circulation in outdoor common open space areas, the following building height to open space width ratios are required:

1. Enclosed Open Space (i.e., open space that is enclosed on four sides, such as a courtyard): 1 to 1 ratio.
The required open space shall have a width of at least one-half the height of the adjacent building façade (measured perpendicularly from the façade). This requirement shall apply to all sides of the required open space.
2. Open Space that is open on one or more sides: 2 to 1 ratio. The required open space shall have a width of at least one-third the height of the adjacent building facade (measured perpendicularly from the façade). This requirement shall apply to all sides of the required open space.

9.07.099 – Lot Area Requirements and Lot Consolidation Incentives

A. Lot area requirements. In addition to the lot area requirements provided in Table 9.07.095-10 (Mixed-Use Site Development Standards), the size and shape of each newly created lot shall be adequate to allow the full development of the allowed uses in a manner consistent with the following:

1. Adequate provision shall be made to promote safe and orderly access and circulation of pedestrian and vehicular traffic within the site and from public streets and adjacent developments;
2. Adequate provision shall be made for buildings to be sited to allow for functional use of space between structures and to provide areas for parking, access, and landscaping;
3. Adequate provision shall be made to ensure the compatibility of the site development with surrounding development in regard to size, scale, building and site design, and limitation of overshadowing effects; and
4. The proposed development shall not limit or adversely affect the growth and development potential of adjacent properties or the general area in which the proposed development will be located.

B. Lot consolidation incentives.

1. **Allowable incentives for lot consolidation.** In order to encourage the assembly of smaller existing lots into larger lots that can be more efficiently developed into a mixed-use project, the following incentives are offered:
 - a. Reduction in required parking for a mixed-use project when approved in compliance with Section 9.11.070 (Adjustments to Off-Street Parking requirements).
 - b. Increase in maximum floor area ratio (FAR), up to a maximum of 10 percent.
 - c. Reduction in common and/or private open space requirements, up to a maximum of 10 percent.

2. Eligibility for incentives.

- a. Consolidation of existing small lots into a development project site of one acre or greater up to two acres shall be eligible for any two of the allowable incentives identified above.
- b. Consolidation of existing small lots into a development project site of two acres or greater shall be eligible for any four of the allowable incentives identified above.

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Chapter 9.09 – Specific Use Development Standards [New]

Sections:

- 9.09.250 – Live-Work Development
- 9.09.260 – Mixed-Use Development
- 9.09.270 – Outdoor Dining

9.09.250 – Live-Work Development

This Section provides operational and compatibility standards for the development of live/work units. These standards are in addition to the standards for live-work development provided in Chapter 9.07.090 (Mixed-Use Overlay Districts).

A. Allowed Uses.

1. The nonresidential component of a live/work unit shall only be a nonresidential use allowed within a mixed-use overlay district, except that certain uses are determined to be not appropriate within a residential environment and are therefore prohibited as provided in subsection B, below.
2. The residential component of a live/work unit shall only be a residential use allowed within a mixed-use overlay district.

B. Prohibited Uses. A live/work unit shall not be used for any of the following activities or similar activities as determined by the Community Development Director:

1. Adult-oriented businesses;
2. Animal care or boarding;
3. Classroom instruction (e.g., art/music lessons, tutoring, and similar uses) involving five or more students at any one time;
4. Commercial food preparation activities;
5. Industrial uses;
6. Vehicle maintenance or repair (e.g., body or mechanical work, including boats and recreational vehicles), vehicle detailing and painting, upholstery, etc.;
7. Storage of flammable liquids or hazardous materials beyond that normally associated with a residential use;

8. Medical and dental offices, clinics, and laboratories (not including chiropractors or counselors/psychotherapists);
9. Activities or uses that are not compatible with residential activities or that would clearly conflict with other live/work activities or the character of the surrounding neighborhood as determined by the Community Development Director; and
10. Activities or uses that would adversely affect the health or safety of live/work unit residents, because of dust, glare, heat, noise, noxious gases, odor, smoke, traffic, vibration, or other impacts, or that would be hazardous because of materials, processes, products, or wastes.

C. Site Planning and Design Standards.

1. Each live/work unit fronting a public right-of-way shall have a pedestrian-oriented frontage that allows views into the interior of the nonresidential areas of the unit.
2. Each live/work unit shall have a clearly identified, separate access from other live/work units within the structure or development. Access to individual units shall be from common access areas, parking lots, or walkways. Access to each unit shall be clearly identified to provide for emergency services.
3. The living space within the live/work unit shall be contiguous with the working space, with direct access between the two areas.

D. Operational standards.

1. No portion of a live/work unit shall be separately sold or rented.
2. The owner or developer of a structure containing live/work units shall provide written notice to all occupants, tenants, and users that the surrounding area may be subject to higher impacts associated with nonresidential uses (e.g., noise) than exist in more predominantly residential areas. Performance standards for live/work units shall be those applicable to nonresidential uses allowed in the zoning district in which the live/work units are located.
3. All activities related to the "work" component of a live/work unit shall be conducted within a completely enclosed building.
4. Up to two additional persons who do not reside in the live/work unit may work in the unit.
5. Client and customer visits to live/work units are allowed.
6. Parking for each live/work unit shall be provided in compliance with Chapter 9.11 (Parking, Pedestrian, and Loading Requirements).
7. A live/work unit shall not be converted to either entirely residential use or entirely nonresidential use.
8. A live/work use may display a window or building-mounted sign up to a maximum of five percent of the building frontage area used for commercial purposes. Signs shall not be illuminated, including neon signs.

9.09.260 – Mixed-Use Development

This Section provides operational and compatibility standards for mixed-use development. These standards are in addition to the standards provided in Chapter 9.07.090 (Mixed-Use Overlay Districts).

A. Operational standards.

1. **Hours of operation.** Outdoor nonresidential uses in mixed-use projects shall be prohibited from operating between the hours of 10:00 p.m. and 7:00 a.m. These hours may be modified through approval of a Conditional Use Permit in compliance with Section 9.02.060 (Conditional Use Permits).
2. **Joint tenants and owners association.**
 - a. A joint tenants and owners association shall be formed to ensure the well-being of each tenant and owner in a mixed-use project.
 - b. The association bylaws, including voting rights, shall be subject to review by the City Attorney and approval by the Director. The association's bylaws shall include the following:
 - (1) Assignment of parking spaces per each use.
 - (2) Identification of maintenance responsibilities for landscaping, parking facilities, and recycling and refuse storage facilities.
 - (3) Noise notification procedures.
 - (4) Relationship between uses regarding association representation.
 - (5) Voting procedures.
 - (6) Procedures for solving problems that may arise between the different types of uses or residents.
3. **Loading and unloading activities.** Where applicable, the covenants, conditions, and restrictions of a mixed-use project shall indicate the times when the loading and unloading of goods may occur on the street, provided that in no event shall loading or unloading take place after 10:00 p.m. or before 7:00 a.m. on any day of the week.
4. **Noise notification.**
 - a. Residents, whether owners or tenants, of a mixed-use development project shall be notified in writing before taking up residence that they will be living in an urban type of environment and that the noise levels may be higher than a typical residential area.
 - b. The covenants, conditions, and restrictions of a mixed-use project shall require that the residents acknowledge their receipt of the written noise notification. Their signatures shall confirm receipt and understanding of this information.

- B. Fences and walls.** In addition to the regulations in Section 9.08.070 (Fences and Walls), fences and walls shall be subject to the following regulations:
- 1. Separation wall required.** A masonry separation wall shall be constructed on all property lines adjacent to any single-family residential district. Pedestrian access points are encouraged and may be allowed subject to approval of the Community Development Director. The separation wall shall be six feet in height, as measured from the highest elevation of land contiguous to the wall, except in a required front setback area and in a required exterior side setback area for a corner, reverse corner or key lot, where the wall shall be limited to 36 inches in height.
 - 2. Other fences and walls.** Fences and walls are allowed in any yard area subject to the following height regulations:
 - a. Front yard area. In the front yard area, the height shall be limited to 36 inches.
 - b. Street side yard. In street side yard areas, the height shall be limited to 36 inches.
 - c. All other areas. In all other areas, the height shall be limited to six feet, as measured from the side of the fence or wall with the highest grade.
 - 3. Location.** All perimeter fences and walls shall be constructed on the property line unless a different location is permitted by the Community Development Director. No parallel wall or fence shall be constructed less than five feet from an existing wall or fence, unless approved by the Community Development Director.
 - 4. Materials.**
 - a. Chain link fencing shall not be erected between a primary or accessory structure and a public or private street, except that chain link fencing may be used for security purposes for public utility structures and for temporary fencing needs (construction sites, special events, vacant lots, etc.).
 - b. Barbed wire and concertina wire are prohibited, except at public utility structures.
- C. Landscaping.** Landscaping shall comply with Chapter 9.17 (Landscape and Water-Efficiency Requirements).
- D. Screening and buffering standards.** Mechanical and air-conditioning equipment shall be screened and buffered in compliance with Section 9.10.130 (Mechanical and Electrical equipment).
- E. Signs.** Signs shall comply with Chapter 9.12 (Sign Regulations). In addition, in a mixed-use overlay district where both residential and nonresidential uses are allowed, the signage rights and responsibilities applicable to a particular use shall be determined as follows: residential uses shall be treated as if they were located in the residential area where that type of use would be allowed as a matter of right, and nonresidential uses shall be treated as if they were located in a district where that particular use would be allowed, either as a matter of right or subject to a discretionary process.

I. Trash and recycling enclosures.

1. Recycling and refuse storage facilities shall be located as far away as possible from residential units and shall be completely screened from view from adjacent residential portions of the project or another adjacent residential uses in compliance with Section 9.08.150 (Screening Requirements).
2. The location and design of recycling and refuse storage facilities shall mitigate nuisances from odors when residential uses might be impacted.
3. The location and design of recycling and refuse storage facilities shall be integrated into and be compatible with the architectural design and details of the overall project.

J. Sound mitigation. Residential dwelling units shall be designed to be sound attenuated against present and future project noise. New projects or new nonresidential uses in existing projects shall provide an acoustical analysis report, by an acoustical engineer, describing the acoustical design features of the structure required to satisfy the exterior and interior noise standards.**K. Design criteria.**

1. A mixed-use development project shall be designed and constructed to:
 - a. Be pedestrian in its focus by:
 - i. Providing direct pedestrian linkages to adjacent public sidewalks.
 - ii. Creating enhanced pedestrian connections throughout the project between residential and nonresidential uses and parking areas.
 - iii. Providing enhanced pedestrian amenities throughout the project, including seating, pedestrian area lighting, special paving, public art, water features, common open space, directories, and similar items to create a pleasant pedestrian experience.
 - iv. Incorporating architectural design elements and materials that relate to a pedestrian scale.
 - b. Locate uses in proximity to one another without large intervening parking lots so that it is convenient for people to walk between the various uses and park their vehicles only once.
 - c. Create a pedestrian scale and character of development along the street by providing significant wall articulation and varying roof heights, incorporating pedestrian scale elements (e.g., doors, windows, lighting, landscaping), and locating storefronts and common open space areas (e.g., plaza, courtyard, outdoor dining) near the public sidewalk to contribute to an active street environment.
 - d. Provide a transition to adjacent residential uses –in compliance with the standards provided in Table 9.075.050-10 (Mixed-Use Overlay District Development Standards).
2. Consistent use of architectural details and materials. Architectural style and use of quality materials shall be compatible and consistent throughout an entire mixed-use project.

However, differences in architectural details and materials may occur to differentiate between the residential and nonresidential portions of the project. The overall project design and site layout shall be one that promotes a strong pedestrian environment and active street frontage. This can be accomplished by incorporating features into the project as outlined in Paragraph 3, below.

3. Features.
 - a. Street level features. Variations in the front building plane shall be incorporated through the use of varying building setbacks, variations in wall planes, and the inclusion of pedestrian amenities (e.g., plaza, courtyard, outdoor dining, landscaping). Long expanses of blank walls shall be prohibited.
 - b. Pedestrian-oriented features. At least 75 percent of the building frontage facing a public street, primary pedestrian way, or parking lot shall be devoted to pedestrian-oriented features (e.g., storefronts, pedestrian entrances to nonresidential uses; transparent display windows; landscaping).
 - c. Upper level features. Upper floor balconies, bays, and windows shall be provided whenever opportunities exist for these types of features.
 - d. Entrances. When nonresidential and residential uses are located in a vertical mixed use structure, separate pedestrian entrances shall be provided for each use. The entrances for nonresidential uses shall be designed to be visually distinct from the entrances for residential uses. Entrances to individual residential units in a vertical mixed use project shall not be allowed along a street frontage. Instead shared entrances to residential units located above the ground floor shall be from lobbies that serve multiple units.
 - e. Neighborhood interface. The design of new infill development shall be sensitive to the scale and design characteristics of established structures in abutting residential neighborhoods, with the objective of achieving a harmonious transition between the new development and existing neighborhood. Consideration shall be given to factors including, but not limited to, orientation of architectural features, building articulation, and exterior building treatments.
 - f. Lighting. Lighting shall be incorporated along sidewalks or other pedestrian walkways, plazas, paseos, courtyards, and other common open areas to enhance the pedestrian environment and increase public safety. Lighting for nonresidential uses shall be designed, located, and shielded to ensure that they do not adversely impact the residential uses, but shall provide sufficient illumination for access and security purposes consistent with the provisions of Section 9.08.100 (Lighting).
 - g. Security. Projects shall be designed to minimize security risks to residents and to minimize the opportunities for vandalism and theft. This may be accomplished by:
 - i. Maximizing visibility to common open space areas, internal walkways, and public sidewalks. Use opportunities for natural surveillance to increase visibility.
 - ii. Using walkways, low fences, lighting, signage, and landscaping to clearly guide people and vehicles to and from the proper entrances.

- iii. Eliminating areas of concealment, hiding places, and dead spaces.
- iv. Using lighting to improve the visibility of common areas while enhancing the pedestrian environment. Lighting should not be overly bright and should provide a uniform level of light over the subject area to eliminate dark spaces.

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9.09.270 – Outdoor Dining

This Section provides standards for outdoor dining areas.

- A. Public property.** Outdoor dining on public property shall require approval of an encroachment permit by the Public Works Director and compliance with the standards of the Public Works Department.
- B. Private property.** Outdoor dining on private property shall comply with the following standards:
 - 1. Coordinated design scheme.** The design and appearance of proposed improvements or furniture (e.g., tables, chairs, benches, umbrellas, planters, menu boards, etc.) to be placed in an outdoor dining area shall present a coordinated theme and shall be compatible with the appearance and design of the primary structure, as determined by the Director.
 - 2. Hours of operation.** Hours of operation for outdoor dining areas shall coincide with those of the associated indoor restaurant.
 - 3. Property maintenance.** The operator shall maintain the outdoor dining area(s) in a neat, clean, and orderly condition at all times. This shall include all tables, benches, chairs, displays, or other related furniture. An adequate number of trash receptacles shall be provided to serve the outdoor dining area.
 - 4. Outdoor bar prohibited.** A bar designed and/or operated to sell or dispense any alcoholic beverages shall not be allowed in the outside dining area.
 - 5. Location.** Outdoor dining areas may be allowed to locate in required setback areas but shall not encroach into required parking areas. They may be allowed to encroach into a public right-of-way with an approved Encroachment Permit issued by the City Engineer.
 - 6. Noise.** Amplified sound (e.g., music, television, etc.) shall not be audible beyond the lot line.
- C. Review criteria.** When reviewing an application to allow outdoor dining, the review authority shall consider the relation of outdoor dining areas to sensitive noise receptors (e.g., hospitals, schools, and residential uses). Mitigation measures shall be applied to eliminate potential impacts related to glare, light, loitering, and noise.

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Chapter 9.11 – Parking, Pedestrian, and Loading Requirements [New/Revised]

9.11.030 – General Regulations

H. Rear Parking. Parking in the rear of buildings and service area shall be limited to five percent of the total required off-street parking, except in the mixed-use overlay districts identified in Chapter 9.075 (Mixed-Use Overlay Districts).

9.11.040 – Off-Street Parking Requirements

Table 9.11.040A-12: Off-Street Parking Requirements

| Use | Requirement | Covered Parking | Notes |
|---|--|--|---|
| Residential Uses | | | |
| Live-Work Units (residential component) | 2/unit | 2 covered/unit | Guest parking is required for all units at 0.25 spaces/unit. Guest parking is NOT included in the minimum required parking standard and can be shared with the business aspect of the "Live-Work" parking standard. |
| Residential Component of Mixed-Use Project | See Multiple-Family requirements in Table 9.11.040A-12 | See Multiple-Family requirements in Table 9.11.040A-12 | Guest parking is required for all units at 0.25 spaces/unit. Guest parking is included in the minimum required parking standard and may be shared with the non-residential component. Alternate parking requirements may be permitted subject to approval of a parking study pursuant to Section 9.11.070(A) of this chapter. |

Table 9.11.040B-12: Off-Street Parking Requirements

| Commercial Uses | Minimum Requirement | Notes |
|--|---|--|
| Eating and Drinking Establishments | 1/100 sq. ft. of gross floor area up to 6,000 sq. ft. 1/75 sq. ft. of gross floor area over 6,000 sq. ft. | A minimum of 10 spaces required for stand-alone use. No additional parking required if outdoor dining area comprises no more than 15 percent of the interior gross floor area of the primary food service use; If outdoor dining area is over 15%, 1 space for every 60 sq ft or 1 space for every 3 seats, whichever is greater. |
| Eating and drinking establishments within shopping centers of 25,000 square feet of building area or greater. | 1/225 sq. ft. of gross floor area up to 15% of the shopping center gross building square footage. | Eating and drinking establishments within shopping centers of 25,000 square feet of building area or greater. |

9.11.060 – Off-Street Bicycle Parking Requirements**A. Type of Facilities.**

1. Class 1 Facilities. Class 1 bicycle facilities required pursuant to the provisions of this chapter are intended for long-term parking, and shall be protected against theft of the entire bicycle and of its components and accessories.
2. Class 2 Facilities. Class 2 facilities are intended for short-term parking, and shall include a stationary object to which the owner or operator can lock the frame and both wheels with a user-provided lock. The facility shall be designed so as to protect the lock from physical assault.
3. Class 3 Facilities. Class 3 facilities are also intended for short-term parking, and shall include a stationary object to which the user can lock the frame and both wheels with a user-provided six-foot cable (or chain) and lock.

B. Number of Parking Spaces Required.

1. Bicycle parking spaces shall be provided in all commercial, office and industrial districts equal to five percent of the required automobile parking spaces, with a minimum of two bicycle parking stalls required for any one use.
2. Single-family residences are exempt from this section.
3. Multiple-family residences shall comply with the following:
 - a. General, multiple-family-dwelling (e.g., apartments, condominiums, townhouses, etc.) - One Class 1 per 3 units and one Class 2 per 15 units;
 - b. Primarily for students & low-income families, multiple-family-dwelling - One Class 1 per 2 units and one Class 2 per 15 units; and
 - c. Primarily for residents 62 and older, multiple-family-dwelling - One Class 1 per 30 units and one Class II per 30 units.

C. Class Requirements. All required bicycle parking spaces shall include a Class 2 or 3 facility, except elementary and junior high schools, which shall include an enclosed Class 1 facility.**D. General Requirements.**

1. All bicycle spaces shall be located as close as possible to the entrance(s) of the use that they are intended to serve, but situated as not to obstruct primary pedestrian circulation. If this is not possible, signs should be posted to direct bicyclists to the bike parking.
2. All bicycle facilities shall be located in highly visible areas to minimize theft and vandalism.
3. All bicycle parking and storage areas shall be surfaced so as to keep the area in a dust-free condition. Pervious pavement is recommended.

4. A minimum aisle width of five feet shall be provided between and adjacent to rows of bicycle racks or spaces for access and pedestrian pathways.
5. Bicycle parking areas shall be separated from automobile parking areas by a physical barrier of sufficient identification and distance to protect parked bicycles from damage by cars.
6. Signage should be posted to direct bicyclists to the locations of bicycle racks that may not be readily apparent. Similarly, signs indicating the location of bicycle parking should be posted wherever a NO BICYCLE PARKING sign is posted.

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Chapter 9.15 – Definitions [New]

9.15.030 – Definitions

The following terms shall be added to Chapter 9.15 (Definitions).

Block. The aggregate of lots, pedestrian passages, and rear alleys, circumscribed on all sides by streets.

Block Length. The linear dimension of a block along one of its street frontages.

Block Perimeter. The aggregate dimension of a block along all of its street frontages.

Build-to-Zone. The area between the minimum and maximum setbacks within which the principal building's front façade (building façade line) is to be located. See Figure 9.15.030-1 (Build-to-Zone).

**Figure 9.15.030-1
Build-To-Zone**

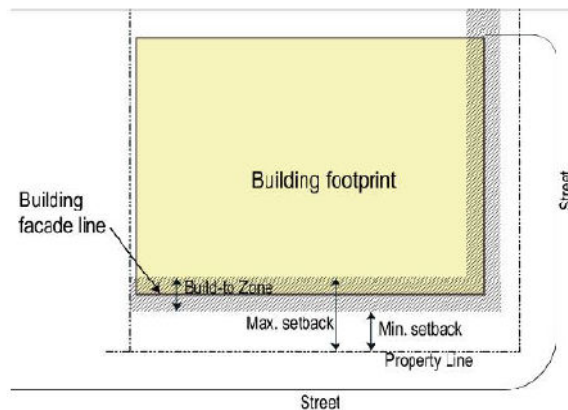


Illustration indicating the location of the build-to zone relative to the minimum and maximum setbacks and the building façade line

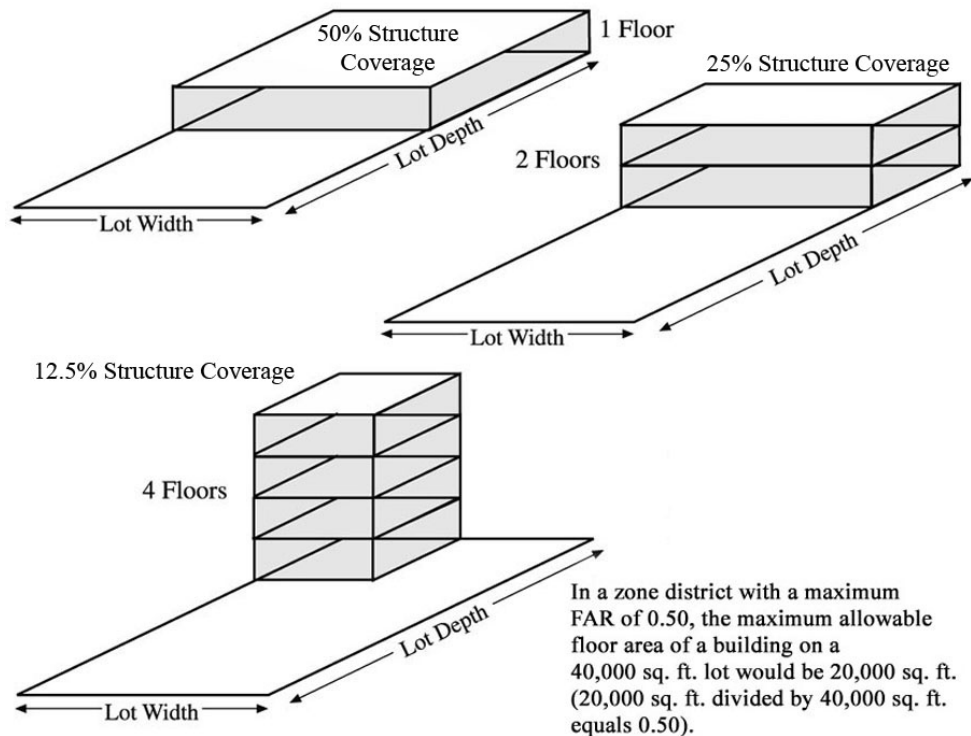
Building Façade Line. The vertical plane along a lot where the building's front façade is actually located. See Figure 9.15.030-1 (Build-to-Zone).

Commercial-Ready Space. Ground floor interior space constructed with a minimum height as established in Section 9.075.060 (Building Frontage Type Standards) that may be used for either residential or nonresidential uses. The intent of Commercial-Ready space is to provide flexibility so that a space can be converted between residential and nonresidential uses in response to market demand.

Floor Area Ratio (FAR). The mathematical relation between volume of building and unit of land expressed as the ratio of gross floor area of all structures on a lot to total lot area. See Table 9.075.050-10 (Mixed-Use Development Standards) for FAR figures applicable to the mixed-use overlay districts. See Figure 9.15.030-2 (Floor Area Ratio).

Figure 9.15.030-2: Floor Area Ratio

Possible Building Configurations for 0.50 FAR



NOTE: Variations may occur if upper floors are stepped back from ground level lot coverage.

$$\text{Floor Area Ratio (FAR)} = \frac{\text{Gross Building Area (All Floors)}}{\text{Lot Area}}$$

Integration of uses. Potential ways to integrate uses allowed in mixed-use development include:

1. Vertical integration. A mix of nonresidential uses (i.e., commercial, retail, and/or office) located on the ground floor with residential dwelling units located above.
2. Horizontal integration. A mix of nonresidential uses located on the primary street frontage of a lot and residential uses located at the rear of a lot.

Live-Work. A structure or complex of structures that integrates space for both residential and nonresidential uses within individual units.

Live/Work Unit. A unit with both residential and nonresidential uses and where neither use is subordinate to the other.

Mezzanine. An intermediate floor between main floors of a building. The floor often projects from the walls and does not completely close the view of the ceiling from the floor immediately below. A mezzanine floor and the floor below it share the same ceiling.

Mixed-Use Vertical Development. Development that combines two or more types of land uses (e.g., residential, commercial, office, industrial, institutional, or recreation) in a single building in a vertical configuration, typically with residential uses located above nonresidential uses.

Mixed-Use Horizontal Development. Development that combines two or more types of land uses (e.g., residential, commercial, office, industrial, institutional, or recreation) on a single development site, but not necessarily in the same building, typically nonresidential uses are located adjacent to the street and residential uses are located away from major streets behind nonresidential uses.

Mixed-Use Overlay District. A land use designation (zoning district) that allows a combination of uses, which may include residential, commercial, office, industrial, institutional, or recreational uses.

Podium Parking. Parking spaces that are covered by the ground floor of a building and are completely enclosed by walls. Podium parking may occur at or below the grade of the adjacent sidewalk.

Private Realm. Any privately-owned property.

Public Realm. Any publicly owned streets, roadways, sidewalks, parks, plazas, and other open spaces that comprise the shared space of a city for its visitors, employees and residents. It is the space between buildings where civic interaction occurs and is defined in contrast to private property.

Surface Parking. Parking spaces that are not covered by a building and are not enclosed by walls. Surface parking is also known as a “parking lot”.

Tuck-Under Parking. Parking spaces that are covered by the upper floor of a building, but are otherwise open.

Underground Level. That portion of a structure between the floor and ceiling which is wholly or partly below grade and having more than one half of its height below grade.

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Permitted Uses Table 9.02.020-1

| <p>X - Indicates stated use is permitted subject to district requirements. C - Indicates stated use is allowed with a conditional use permit. ♦ - Indicates a use is permitted unless the use is located three hundred (300) feet or less from a residential zone or use, in which case the use is allowed with a conditional use permit. However, the expansion of an existing general manufacturing use is allowed without a conditional use permit regardless of its distance from residential zones or residential uses. A - Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.</p> | | | | | | | | | | | | | | | | | | | | | | | | | | |
|---|-------------------|----|----|-----|----|----|----|------|-----|-----|-----|-----|-------------------|------------|---------------|---------------------------|----|----|----|---|---|------------------|----|----|----|-----|
| | Residential Zones | | | | | | | | | | | | Mixed Use Overlay | | | Commercial & Office Zones | | | | | | Industrial Zones | | | OS | |
| | HR | RR | R1 | RA2 | R2 | R3 | R5 | RS10 | R10 | R15 | R20 | R30 | MUN (9,11) | MUC (9,11) | MUI (8,10,11) | NC | CC | VC | OC | O | P | I | LI | BP | | BPX |
| Adult Businesses | | | | | | | | | | | | | | | | | A | | A | A | | A | A | A | A | |
| Agricultural Uses—Crops Only | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X |
| Agricultural (involving structures) | | | | | | | | | | | | | | | | | | | | | | X | | | | |
| Aircraft Landing Facilities | | | | | | | | | | | | | | | | | C | | C | C | C | C | | | | |
| Ambulance Service | | | | | | | | | | | | | | | | | ♦ | | | | ♦ | X | X | X | X | |
| Amusement Parks, Fairgrounds | | | | | | | | | | | | | | | | | ♦ | | | | | X | | | | |
| Animal Raising (see Section 9.09.090 of this title) | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X |
| Appliance and Electronic Repair Shops | | | | | | | | | | | | X | X | X | X | X | | | | | | X | X | | X | |
| Arcades, Video Machines | | | | | | | | | | | | | | | | ♦ | X | ♦ | | | | | | | | |
| Athletic Clubs, Gymsnasiums and Spas | | | | | | | | | | | | X | X | X | X | X | | | X | | | X | X | X | X | |
| Auction Houses | | | | | | | | | | | | | | | | | X | | | | | | | | X | |
| Auditoriums | | | | | | | | | | | | ♦ | ♦ | ♦ | | | ♦ | ♦ | ♦ | ♦ | ♦ | ♦ | ♦ | ♦ | ♦ | ♦ |
| Auto Electronic Accessories and Installation | | | | | | | | | | | | | | | | | X | | | | | X | X | | X | |
| Automobile Fleet Storage | | | | | | | | | | | | | | | | | | | | | | X | X | | | |
| Automobile, Motorcycle, Truck, Golf Cart, Recreational Vehicle | | | | | | | | | | | | | | | | | ♦ | | | | | X | X | | | |

Permitted Uses Table 9.02.020-1

X - Indicates stated use is permitted subject to district requirements.
 C - Indicates stated use is allowed with a conditional use permit.
 ♦ - Indicates a use is permitted unless the use is located three hundred (300) feet or less from a residential zone or use, in which case the use is allowed with a conditional use permit. However, the expansion of an existing general manufacturing use is allowed without a conditional use permit regardless of its distance from residential zones or residential uses.
 A - Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

| | Residential Zones | | | | | | | | | | | | Mixed Use Overlay | | | Commercial & Office Zones | | | | | Industrial Zones | | | | OS |
|--|-------------------|----|----|-----|----|----|----|------|-----|-----|-----|-----|-------------------|------------|---------------|---------------------------|----|----|----|---|------------------|---|----|----|----|
| | HR | RR | R1 | RA2 | R2 | R3 | R5 | RS10 | R10 | R15 | R20 | R30 | MUN (9,11) | MUC (9,11) | MUI (8,10,11) | NC | CC | VC | OC | O | P | I | LI | BP | |

| | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|--|
| Boat Sales New and Used Including Repairs and Accessory Installation | | | | | | | | | | | | | | | | | ♦ | | | | | | X | | | | | |
| Boarding and Rooming Houses | | | | | | | | | X | X | X | X | X | X | | | | | | | | | | | | | | |
| Bowling Alley | | | | | | | | | | | | | ♦ | ♦ | ♦ | X | X | | | | | | | | | | | |
| Building Material Sales | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| With outdoor storage | | | | | | | | | | | | | | | | | | | | | | | X | X | | | | |
| Building Material Storage Yards | | | | | | | | | | | | | | | | | | | | | | | X | | | | | |
| Bus, Rail and Taxi Stations | | | | | | | | | | | | | | | | | | ♦ | | | | | | | | | | |
| Business Equipment Sales (includes repairs) | | | | | | | | | | | | | X | X | X | X | X | X | X | X | | | | | | | X | |
| Business Schools | | | | | | | | | | | | | X | X | X | X | X | X | X | X | | | | X | X | X | X | |
| Business Supply Stores | | | | | | | | | | | | | X | X | X | X | X | | X | | | | X | X | | X | | |
| Cabinet Shop | | | | | | | | | | | | | | | | | | | | | | | X | X | X | X | | |
| Caretakers Residence ¹ | | | | | | | | | | | | | | | | | ♦ | ♦ | C | ♦ | ♦ | ♦ | ♦ | ♦ | ♦ | ♦ | ♦ | |
| Car Wash | | | | | | | | | | | | | | | | | X | X | | | | | X | | | | | |
| Accessory to auto related use | | | | | | | | | | | | | | | | | ♦ | ♦ | | | | | X | | | | | |
| Catering Service | | | | | | | | | | | | | X | X | X | X | X | X | | | | | | | X | X | | |
| Cemetery (Human or Pet) With or Without Accessory Mortuary and Cremation Services (Minimum 10-acre site required) | C | C | C | C | C | C | C | C | C | C | C | C | | | | | | | | | | | | | | | | |
| Churches ² | C | C | C | C | C | C | C | C | C | C | C | C | ♦ | ♦ | ♦ | ♦ | ♦ | C | ♦ | ♦ | ♦ | ♦ | ♦ | ♦ | ♦ | ♦ | ♦ | |

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| | | | | | | | | | | | | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Clubs | | | | | | | | ♦ | ♦ | ♦ | ♦ | ♦ | ♦ | ♦ | ♦ | ♦ | ♦ | ♦ | ♦ | ♦ | | | | | | C |
| Commercial Radio or Television Stations | | | | | | | | | | | | | | | | | | | | | | | | | | |
| With on-site antenna | | | | | | | | | | | | | | | | | | | | | | ♦ | ♦ | ♦ | ♦ | |
| Without on-site antenna | | | | | | | | | | | | | | | | | | | | | | X | X | X | X | |
| Communications Facilities (See Section 9.09.040 of this title) | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Computer Sales and Repairs | | | | | | | | | | | | X | X | X | X | X | | | X | | | X | X | X | X | |
| Contractors Storage Yard | | | | | | | | | | | | | | | | | | | | | | X | | | | |
| Convalescent Homes/Assisted Living | | | | | | | C | C | C | C | C | C | ♦ | ♦ | ♦ | ♦ | ♦ | ♦ | ♦ | ♦ | ♦ | | | | | |
| Convenience Stores | | | | | | | | | | | | | | | | | | | | | | | | | | |
| With drive-through | | | | | | | | | | | | | | | | X | X | | | | | | | | | |
| Without drive-through | | | | | | | | | | | | X | X | X | X | X | | | | | | | | | | |
| With alcohol sales | | | | | | | | | | | | ♦ | ♦ | ♦ | ♦ | ♦ | | | | | | | | | | |
| Convention Hall, Trade Show, Exhibit Building with Incidental Food Services | | | | | | | | | | | | | | | C | | ♦ | | ♦ | | ♦ | | | ♦ | ♦ | |
| Copy Shops | | | | | | | | | | | | X | X | X | X | X | X | X | X | X | | X | X | X | X | |
| Country Club | C | C | C | C | C | C | C | C | C | C | C | C | | | | | | | | | | | | | | |
| Dancing, Art, Music and Similar Schools | | | | | | | | | | | | X | X | X | X | X | X | X | X | | | | X | X | X | |
| Day Care Centers | C | C | C | C | C | C | C | C | C | C | C | ♦ | ♦ | ♦ | ♦ | ♦ | ♦ | ♦ | ♦ | ♦ | ♦ | ♦ | ♦ | ♦ | ♦ | C |
| Delicatessens | | | | | | | | | | | | X | X | X | X | X | X | X | | | | | X | X | X | |
| Diaper Supply Service | | | | | | | | | | | | | | | | | | | | | | X | | | | |
| Laundry with fleet | | | | | | | | | | | | | | | | | | | | | | X | | | | |

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| | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|--|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| storage | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Disposal company | | | | | | | | | | | | | | | | | | | | | | X | | | | | |
| Drapery Shops | | | | | | | | | | | | | X | X | X | X | X | X | | | | | | | | | |
| Dressmaking Shops | | | | | | | | | | | | | X | X | X | X | X | X | | | | | | | | | |
| Driving School | | | | | | | | | | | | | X | X | X | X | X | | | X | X | | | X | X | X | |
| Drug Stores | | | | | | | | | | | | | X | X | X | X | X | X | | | | | | | | | |
| Dry Cleaning or Laundry | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| a. Dry Cleaning | | | | | | | | | | | | | X | X | X | X | X | X | X | | | | | | | X | |
| b. Laundromat | | | | | | | | | | | | | X | X | X | X | X | X | | | | | | | | | |
| c. Laundry Commercial | | | | | | | | | | | | | | | | | | | | | | X | X | | | | |
| Equestrian Centers, Riding Academies, Commercial Stables (including incidental sales of feed and tack) | C | C | C | C | | | | | | | | | | | | | ♦ | | | | | | | | | | C |
| Exterminators | | | | | | | | | | | | | | | | | C | | | | | X | X | X | X | | |
| Feed and Grain Stores | | | | | | | | | | | | | | | | X | X | X | | | | | | | | | |
| Fire and Police Stations | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X |
| Floor Covering Stores (may include incidental repairs with installation service) | | | | | | | | | | | | | X | X | X | X | X | | | | | | X | | | | |
| Fraternity/Sorority | | | | | | | | C | C | C | C | C | | | | | | | | | | | | | | | |
| Frozen Food Locker | | | | | | | | | | | | | | | | | | | | | | X | X | | | | |
| Gasoline Dispensing - Non-retail accessory to an auto-related use | | | | | | | | | | | | | | | | | | X | | | | | X | X | X | X | |
| Glass Shops and Glass | | | | | | | | | | | | | | | | X | X | | | | | X | X | | X | | |

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| | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| Studios—Stained, etc. | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Golf Courses or Golf Driving Ranges with Incidental Commercial Uses | C | C | C | C | C | C | C | C | C | C | C | C | | | | | | | | | | | | | | | ♦ |
| Handicapped Housing | | | | | | | | X | X | X | X | X | X | X | | | | | | | | | | | | | |
| Heavy Equipment Sales and Rentals | | | | | | | | | | | | | | | | | X | | | | | | X | X | | | |
| Homeless Shelters | | | | | | | | | | | | | | | | | C | | C | C | X | C | | | C | C | C |
| Hospitals | | | | | | | | | | | | | | | | | ♦ | | ♦ | ♦ | ♦ | | | C | C | C | C |
| Hotels | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| a. With 20% or less of the units containing kitchens | | | | | | | | | | | | | X | X | X | | X | | C | | | | X | X | X | | |
| b. With over 20% of the units containing kitchens | | | | | | | | | | | | | C | C | C | | C | | C | | | | C | C | C | | |
| Ice Cream Stores—Including Yogurt Sales | | | | | | | | | | | | | X | X | X | X | X | X | X | | | | | | | X | |
| Impound Yards | | | | | | | | | | | | | | | | | | | | | | X | | | | | |
| Jewelry Stores | | | | | | | | | | | | | X | X | X | X | X | X | | | | | | | | | |
| Kennel and Catteries | C | C | C | C | C | C | C | C | C | C | C | C | C | C | C | C | C | | ♦ | ♦ | ♦ | ♦ | C | | | | |
| Laboratories (medical and dental) | | | | | | | | | | | | | X | X | X | X | X | | X | X | | X | X | X | X | | |
| Libraries | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | | X | X | X | X | |
| Liquor Stores | | | | | | | | | | | | | ♦ | ♦ | | ♦ | ♦ | | | | | | | | | | |
| Live/Work Unit (12) | | | | | | | | | | | | | X | X | X | | | | | | | | | | | | |
| Locksmith Shops | | | | | | | | | | | | | X | X | X | X | X | | | | | X | X | X | X | | |
| Lodge Halls and Similar Facilities | | | | | | | | | | | | | ♦ | ♦ | ♦ | ♦ | ♦ | | ♦ | | | | | ♦ | ♦ | | |
| Lumberyards | | | | | | | | | | | | | | | | | X | | | | | X | | | | | |

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| | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|--|--|--|--|--|--|--|--|--|--|--|--|--|---|---|---|---|---|--|--|---|---|--|---|---|---|---|--|
| Mail Order House | | | | | | | | | | | | | | | | | X | | | | | | X | X | X | X | |
| Manufacturing and Assembly | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| a. Custom and light manufacturing indoor uses only (50,000 square feet or less), with light truck traffic, on-site and wholesaling of goods produced | | | | | | | | | | | | | | | | | | | | | | | X | X | X | X | |
| b. Custom and light manufacturing indoor uses only (more than 50,000 square feet), with light truck traffic, on-site and wholesaling of goods produced | | | | | | | | | | | | | | | | | | | | | | | X | X | | | |
| c. General manufacturing with frequent truck traffic and/or outdoor equipment or storage | | | | | | | | | | | | | | | | | | | | | | | X | X | | | |
| d. Retail sales of goods produced or warehoused on-site ³ | | | | | | | | | | | | | | | | | | | | | | | X | X | X | X | |
| Medical Clinics/Medical Care | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Inpatient care | | | | | | | | | | | | | X | X | X | X | X | | | X | X | | X | X | X | X | |
| Urgent care | | | | | | | | | | | | | X | X | X | X | X | | | X | X | | | | | | |
| Medical device services | | | | | | | | | | | | | | | X | X | X | | | X | | | | | | | |

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| | | | | | | | | | | | | | | | | | | | | | | | | | | |
|--|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| and sales (retail), including, but not limited to, fittings for and sale of prosthetic and orthotic devices | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Medical equipment supply, including retail sales for in-home medical care, such as wheelchairs, walkers, and respiratory equipment | | | | | | | | | | | | | | | X | X | X | | X | | | | | | | |
| Mobile Home Parks | C | C | C | C | C | C | C | C | C | C | C | C | | | | | | | | | | | | | | |
| Mobile Home Sales or Rentals (outdoor display) | | | | | | | | | | | | | | | | | C | | | | | | | | | |
| Mortuaries | | | | | | | | | | | | | | | | | | | | | | | | | | |
| With cremation services | | | | | | | | | | | | | | | | | | | | | | | X | X | | |
| No cremation services | | | C | C | C | C | C | C | C | C | C | C | | | ♦ | ♦ | ♦ | | | | | | X | X | | |
| Museums | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X |
| Newspaper and Printing Shops | | | | | | | | | | | | | X | X | X | X | X | | | | | X | X | X | X | |
| Nursery, (Plant), Wholesale and Distribution | X | X | X | X | | | | | | | | | | | | | | | | | | X | X | | | X |
| Offices (administrative and professional) | | | | | | | | | | | | | X | X | X | X | X | X | X | X | | | X | X | X | |
| Open Air Theaters | | | | | | | | | | | | | | | C | | | | | | C | | | | | C |
| Orphanages | C | C | C | C | C | C | C | C | C | C | C | C | | | | | | | | | | | | | | |
| Painting Contractor | | | | | | | | | | | | | | | | | | | | | | X | X | | | |

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| | | | | | | | | | | | | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|--|
| (Private) such as Tennis Club, Polo Club, with Limited Associated Incidental Uses | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Recycling, Large Collection Facility ⁵ | | | | | | | | | | | | | | | | | ♦ | | | | | X | X | | | |
| Recycling, Small Collection Facility | | | | | | | | | | | | X | X | X | X | X | X | | | | | | | | | |
| Recycling Processing Centers | | | | | | | | | | | | | | | | | | | | | | X | X | X | X | |
| Refreshment Stands | | | | | | | | | | | | X | X | X | X | X | X | X | X | X | X | X | X | X | X | |
| Rental Service | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Within an enclosed structure (furniture, office, party supplies) | | | | | | | | | | | | X | X | X | X | X | X | | | | | X | X | X | X | |
| With outdoor storage and display (vehicles, equipment, etc.) | | | | | | | | | | | | | | | | ♦ | ♦ | | | | | X | X | | | |
| Research and Development | | | | | | | | | | | | X | X | X | | | | | X | X | | X | X | X | X | |
| Residential | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Single-Family | X | X | X | X | X | X | X | X | | | | | | | | | | | | | | | | | | |
| Multiple-Family | | | | | | | | | X | X | X | X | X | X | X | | | | | | | | | | | |
| Manufactured home park (see mobile home parks) | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Residential Care Facility (for seven or more persons) | C | C | C | C | C | C | C | C | C | C | C | C | C | X | | | | | | | | | | | | |

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| | | | | | | | | | | | | | | | | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|----------------|---|---|---|---|---|--|
| Restaurants (Eating and Drinking Establishments) | | | | | | | | | | | | | | | | | | | | | | | | | | |
| With entertainment | | | | | | | | | | | | | C | C | C | | ♦ | | | | | | | | | |
| Without entertainment | | | | | | | | | | | | | X | X | X | X | X | X | X | | | | | | X | |
| With alcoholic beverage sales | | | | | | | | | | | | | X | X | X | X | X | X | X | | | | | | X | |
| With outdoor seating ¹³ | | | | | | | | | | | | | X | X | X | X | X | X | X | | | | | | X | |
| Restaurants (fast-food) | | | | | | | | | | | | | | | | | | | | | | | | | | |
| With drive-through | | | | | | | | | | | | | | | | ♦ | ♦ | | | | | | | | ♦ | |
| Without drive-through | | | | | | | | | | | | | X | X | X | X | X | | | | | | | | X | |
| Retails Sales | | | | | | | | | | | | | X | X | X | X | X | | | | | | | | | |
| Support Retail Sales | | | | | | | | | | | | | X | X | X | | | | X | | | | | | | |
| Sandwich Shops ⁶ | | | | | | | | | | | | | X | X | X | X | X | X | X | X ⁶ | | | | | | |
| Schools, Private | C | C | C | C | C | C | C | C | C | C | C | C | ♦ | ♦ | ♦ | ♦ | ♦ | | | ♦ | ♦ | | | ♦ | ♦ | |
| Senior Housing | X | X | X | X | X | X | X | X | X | X | X | X | X | X | X | | | | X | X | | | | | | |
| Shoe Shine Stands | | | | | | | | | | | | | X | X | X | X | X | | X | X | | | | X | X | |
| Shoe Repair Shop | | | | | | | | | | | | | X | X | X | X | X | X | | | | | | | | |
| Sign Shop | | | | | | | | | | | | | X | X | X | X | X | X | | | | X | X | X | X | |
| Skating Rinks | | | | | | | | | | | | | | X | | | X | | | | | | | | | |
| Stationery Stores | | | | | | | | | | | | | X | X | X | X | X | X | X | | | | | X | X | |
| Statue Shop -Outdoor display | | | | | | | | | | | | | | | | | ♦ | | | | | X | X | | | |
| Storage Lots and Mini-Warehouses | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Indoor | | | | | | | | | | | | | | | | | | | | | | X | | | | |
| Outdoor | | | | | | | | | | | | | | | | | | | | | | X | | | | |
| Swim Schools/Center with Incidental Commercial Uses | C | C | C | C | C | C | C | C | C | C | C | C | | | | | X | | | | | | | | | |

Permitted Uses Table 9.02.020-1

X - Indicates stated use is permitted subject to district requirements.
 C - Indicates stated use is allowed with a conditional use permit.
 ◆ - Indicates a use is permitted unless the use is located three hundred (300) feet or less from a residential zone or use, in which case the use is allowed with a conditional use permit. However, the expansion of an existing general manufacturing use is allowed without a conditional use permit regardless of its distance from residential zones or residential uses.
 A - Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

| | Residential Zones | | | | | | | | | | | | Mixed Use Overlay | | | Commercial & Office Zones | | | | | Industrial Zones | | | | |
|--|-------------------|----|----|-----|----|----|----|------|-----|-----|-----|-----|-------------------|------------|---------------|---------------------------|----|----|----|---|------------------|---|----|----|-----|
| | HR | RR | R1 | RA2 | R2 | R3 | R5 | RS10 | R10 | R15 | R20 | R30 | MUN (9,11) | MUC (9,11) | MUI (8,10,11) | NC | CC | VC | OC | O | P | I | LI | BP | BPX |

| | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|---|--|--|--|--|--|--|--|--|--|--|--|--|---|---|---|---|---|---|---|---|--|--|---|---|---|---|--|
| Taxidermist | | | | | | | | | | | | | | | | | X | | | | | | X | X | | | |
| Theaters (excludes open air) | | | | | | | | | | | | | X | X | X | X | X | X | | | | | | | | | |
| Tire Recapping | | | | | | | | | | | | | | | | | | | | | | | X | | | | |
| Trade and Vocational Schools | | | | | | | | | | | | | X | X | X | | X | | X | X | | | | X | X | X | |
| Transfer, Moving and Storage Facilities | | | | | | | | | | | | | | | | | | | | | | | X | X | | | |
| Truck Wash | | | | | | | | | | | | | | | | | | | | | | | X | X | | | |
| Upholstery Shops | | | | | | | | | | | | | | | | | X | | | | | | X | X | | X | |
| Vehicle Storage Yards | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Indoor | | | | | | | | | | | | | | | | | X | | | | | | X | X | | | |
| Outdoor | | | | | | | | | | | | | | | | | C | | | | | | X | X | | | |
| Vending Machine Service and Repair | | | | | | | | | | | | | | | | | | | | | | | X | X | X | X | |
| Veterinarian (including animal hospital) | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| All activities within an enclosed structure | | | | | | | | | | | | | X | X | X | X | X | | | | | | | | X | X | |
| With outdoor activities | | | | | | | | | | | | | | | | | ◆ | | X | X | | | | | ◆ | ◆ | |
| Weight Reduction Center | | | | | | | | | | | | | X | X | X | X | X | X | X | | | | | | | | |
| Wholesale, Storage, and Distribution | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| All activities indoors (50,000 square feet or less) | | | | | | | | | | | | | | | | | | | | | | | X | X | X | X | |
| All activities indoors (more than 50,000 square feet) | | | | | | | | | | | | | | | | | | | | | | | X | X | | | |

Permitted Uses Table 9.02.020-1

X - Indicates stated use is permitted subject to district requirements.
 C - Indicates stated use is allowed with a conditional use permit.
 ♦ - Indicates a use is permitted unless the use is located three hundred (300) feet or less from a residential zone or use, in which case the use is allowed with a conditional use permit. However, the expansion of an existing general manufacturing use is allowed without a conditional use permit regardless of its distance from residential zones or residential uses.
 A - Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

| | Residential Zones | | | | | | | | | | | Mixed Use Overlay | | | Commercial & Office Zones | | | | | Industrial Zones | | | | | | |
|--|-------------------|----|----|-----|----|----|----|------|-----|-----|-----|-------------------|------------|------------|---------------------------|----|----|----|----|------------------|---|---|----|----|-----|----|
| | HR | RR | R1 | RA2 | R2 | R3 | R5 | RS10 | R10 | R15 | R20 | R30 | MUN (9,11) | MUC (9,11) | MUI (8,10,11) | NC | CC | VC | OC | O | P | I | LI | BP | BPX | OS |

| | | | | | | | | | | | | | | | | | | | | | | | | | | |
|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|---|---|---|--|--|
| All activities outdoors | | | | | | | | | | | | | | | | | | | | | | X | | | | |
| Retail sale of goods warehoused on-site ⁷ | | | | | | | | | | | | | | | | | | | | | | X | X | X | | |
| Wrecking Yard | | | | | | | | | | | | | | | | | | | | | | ♦ | | | | |

Notes:

- Do not consider residential use per distance requirement.
- The administrative plot plan process may be used to establish these uses in an existing building within any commercial or industrial zone, even if the project is located adjacent to residential uses or zones.
- Retail is limited to fifteen (15) percent of gross floor area (see Section 9.05.040 of this title).
- Permitted in the OC and VOR districts only as a support medical office facility.
- Large collection facilities may be established within an existing building through the “tenant improvement” process if such building or tenant space occupied by the use is not located adjacent to a residential use or zone.
- Sandwich shops shall not have cooking hoods, nor shall they exceed five percent of the gross floor area of the complex where they are located.
- Retail is limited to fifteen (15) percent of gross floor area (see Section 9.05.040 of this title).
- In the MUI district, mixed use (commercial uses on first floor with office uses or residential uses on upper floors) are (a) required to on lots at street intersections and within 300 feet in any direction from a street intersection, as measured from the corner formed by the lot’s property lines, and (b) are allowed, but not required on the other lots.
- In the MUC and MUN districts, mixed use (commercial uses on first floor with office uses or residential uses on upper floors) are (a) required to on lots at street intersections and within 150 feet in any direction from a street intersection, as measured from the corner formed by the lot’s property lines, and (b) are allowed, but not required on the other lots.
- See Section 9.07.40 (Medical Use Overlay District)
- See Section 9.09.260 (Mixed Use Development)
- See Section 9.09.250 (Live-Work Development)
- See Section 9.09.270 (Outdoor Dining)

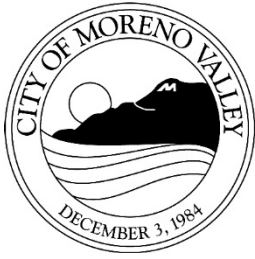
Permitted Uses Table 9.02.020-1

- X - Indicates stated use is permitted subject to district requirements.
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- ◆ - Indicates a use is permitted unless the use is located three hundred (300) feet or less from a residential zone or use, in which case the use is allowed with a conditional use permit. However, the expansion of an existing general manufacturing use is allowed without a conditional use permit regardless of its distance from residential zones or residential uses.
- A - Indicates a use is permitted with an adult business use permit, providing the requirements of Section 9.09.030 of this title are met.

| Residential Zones | | | | | | | | | | | | Mixed Use Overlay | | | Commercial & Office Zones | | | | | Industrial Zones | | | | | |
|-------------------|----|----|-----|----|----|----|------|-----|-----|-----|-----|-------------------|------------|---------------|---------------------------|----|----|----|---|------------------|---|----|----|-----|----|
| HR | RR | R1 | RA2 | R2 | R3 | R5 | RS10 | R10 | R15 | R20 | R30 | MUN (9,11) | MUC (9,11) | MUI (8,10,11) | NC | CC | VC | OC | O | P | I | LI | BP | BPX | OS |

Zoning District Key

| | | | |
|------------|--|-----------|-----------------------------------|
| HR | Hillside Residential District | MU | Mixed Use Overlay District |
| RR | Rural Residential District | NC | Neighborhood Commercial District |
| R1 | Residential 1 District (40,000 square feet minimum lot size) | CC | Community Commercial District |
| RA2 | Residential Agriculture 2 (20,000 square feet minimum lot size) | VC | Village Commercial District |
| R2 | Residential 2 District (20,000 square feet minimum lot size) | OC | Office Commercial District |
| R3 | Residential 3 District (10,000 square feet minimum lot size) | O | Office District |
| R5 | Residential 5 District (7,200 square feet minimum lot size) | P | Public District |
| RS10 | Residential Single-Family 10 District (4,500 square feet minimum lot size) | I | Industrial District |
| R10 | Residential 10 District (Up to 10 Dwelling Units per net acre) | LI | Light Industrial |
| R15 | Residential 15 District (Up to 15 Dwelling Units per net acre) | BP | Business Park District |
| R20 | Residential 20 District (Up to 20 Dwelling Units per net acre) | BPX | Business Park-Mixed Use District |
| R30 | Residential 30 District (Up to 30 Dwelling Units per net acre) | OS | Open Space District |
| | | | |



PLANNING COMMISSION STAFF REPORT

Case: PA11-0028 (General Plan Amendment)
 PA11-0029 (Change of Zone)
 PA11-0030 (Municipal Code Amendment)
 PA12-0046 (General Plan Amendment)
 PA12-0047 (Change of Zone)

Date: March 14 , 2013

Applicant: City of Moreno Valley

Representative: City of Moreno Valley

Location: City-Wide

Proposal: The Alessandro Boulevard Corridor Project
 – Phase II : Implementation

Recommendation: Approval

SUMMARY

The City of Moreno Valley used grant funds rewarded by SCAG’s Compass Blueprint for “Phase II of the implementation of the Alessandro Boulevard Corridor Demonstration Project” (The Alessandro Boulevard Corridor Vision Plan - Phase I was funded by SCAG’s Compass Blueprint program in February 2010). Phase II includes rezoning areas along Alessandro Boulevard and northeast of Perris Boulevard and Iris Avenue to Residential 30 (R30), commercial rezoning of a parcel at the southwest corner of Perris Boulevard and Gentian Avenue and the creation an overlay district, including parcels along Alessandro Boulevard that were identified suitable for inclusion in the Mixed Use Overlay Districts in Phase I’s Vision Plan.

PROJECT DESCRIPTION

Background

The proposed “Alessandro Boulevard Corridor Project - Phase II Implementation” is based on the prior “Alessandro Boulevard Corridor Demonstration Project” (Phase I - SCAG sponsored Demonstration Project completed in June 2010) and promotes the Compass Principles by encouraging strategies to integrate transportation and community (housing, shopping, entertainment, etc.). The “Alessandro Boulevard Corridor Demonstration Project” (Phase I) explored opportunities for mixed use transit-oriented development along Alessandro Boulevard, an important regional transportation link for Moreno Valley. The City of Moreno Valley through Phase II has further promoted 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.

To assist the City in the implementation of a vision for the Alessandro Boulevard area, Phase II includes:

- Creation an overlay district for the Alessandro Boulevard corridors to identify areas suited for Mixed Use Districts;
- Creation of requirements for selecting Mixed Use Districts sites;
- Creation urban design strategies to intensify land uses;
- Rezoning of areas along Alessandro Boulevard and northeast of Perris Boulevard and Iris Avenue to Residential 30 (R30) as identified in the February 2011 General Plan Housing Element Update;
- Rezoning of a 21.47 acre parcel at the southwest corner of Gentian Avenue and Perris Boulevard (APN: 485-220-041) to Commercial (C);
- And amending the Municipal Code to include all the new standards.

Planning staff has been working with RBF Consulting through the second SCAG Compass Blueprint grant to complete the required CEQA documentation (Mitigated Negative Declaration) and the overlay district design standards.

Site/Corridor

The project area is located in the southern portion of the City of Moreno Valley in western Riverside County. The project area includes an approximately 5.5-mile stretch of Alessandro Boulevard from the Old 215 Frontage Road on the west to Nason Street on the east (Attachment #5). The project area has direct access to and from the I-215 Freeway at the Alessandro Boulevard interchange. An additional area funded locally includes R30 and Commercial zoning northeast of Perris Boulevard and Iris Avenue.

Surrounding Area

At 5.5 miles in length, the corridor is the longest of Moreno Valley's five corridors. It serves as an important transportation corridor that connects Interstate 215 and the nearby future planned Metrolink Station at the western end with the Riverside County Regional Medical Center approximately 5.5 miles to the east along Nason Street.

Existing physical conditions on the corridor are typical and characteristic to many suburban corridors – low intensity, automobile-oriented uses such as warehouses, office parks, drive-through restaurants and pharmacies, and multiple strip malls and community-oriented shopping centers. The roadway itself lacks consistent landscaping and an overall positive image. Buildings along the corridor tend to be located behind parking lots. Some new buildings have been built closer to the corridor, but are located behind drainage swales that are visually pleasant but tend to disconnect the building from the environment it its shaping. In some areas, established single-family neighborhoods are north and south of the corridor and present their backyard walls along the corridor. Multiple family apartments and townhomes are located in lesser amounts in the area. Some homes are located directly fronting Alessandro Boulevard, with direct driveway access along the corridor.

PROJECT

Section 1: Residential 30 Rezoning (General Plan Amendment and Change of Zone)

The goal of the “Alessandro Boulevard Corridor Demonstration Project – Phase I” was to identify opportunities for mixed use transit-oriented development along Alessandro Boulevard. With implementation of the Corridor Project, the City Moreno Valley will be able to provide additional Multiple Family housing in areas near existing or emerging employment and shopping centers along Alessandro Boulevard.

The areas noted in the Alessandro Boulevard Corridor Project to be rezoned to Residential 30 (R30) were also identified in the February 2011 General Plan Housing Element Update along with parcels near the northwest corner of Iris Avenue and Perris Boulevard. The Residential 30 (R30) rezoning proposed with the Alessandro Boulevard Corridor Project will allow the City of Moreno Valley to meet its 2008-2014 State-mandated Regional Housing Needs Assessment (RHNA) numbers, as well as provide a wider range of housing choices for the burgeoning Moreno Valley workforce.

The Regional Housing Needs Assessment (RHNA) and the R30 Zone Creation

In compliance with State Law, the February 2011 Housing Element Update include text dedicated to documenting the City's compliance with its Regional Housing Needs Assessment(RHNA) allocation. Through the RHNA process, the Southern California Association of Governments (SCAG) projects each city's demand for future housing and allocates new housing units to be planned for in order for each city to meet projected demand. The total number of projected housing units is further divided into

income categories to properly address the housing need across various income levels. SCAG requires (and the State approved has approved) that forty percent of the total RHNA allocation is dedicated to producing housing for low and very low income residents.

During the planning period from 2008 through 2014, Moreno Valley’s assigned RHNA number was 7,474 units. Please note: the City is not required to build the housing units assigned in the RHNA. However, the City must ensure that it has sufficient, appropriately-zoned residential sites to accommodate the RHNA allocation.

As required by SCAG, the 7,474 units have been further allocated to the four required income categories based on the relationship to the Area Median Income (AMI), which in 2010 is \$65,000 per year for a family of four. In compliance with SCAG’s requirement, forty percent of the City’s RHNA allocation is dedicated to producing housing for low and very low income residents.

Table 1: City of Moreno Valley, RHNA 2008-2014

| Moreno Valley Regional Housing Needs Allocation 2008-2014 | | |
|--|--------------|----------------|
| Income Category | Units | Percent |
| Very Low-Income | 1,806 | 24.2% |
| Low-Income | 1,239 | 16.6% |
| Moderate-Income | 1,362 | 18.2% |
| Above Moderate-Income | 3,068 | 41.0% |
| Total Construction Need | 7,474 | 100% |

Source: Southern California Association of Governments (SCAG) Proposed Final RHAN Plan- Planning Period January 1, 2006 - June 30, 2014.4.2

State Housing Element Law Article 10.6 of the Government Code Section 65583.2 establishes guidelines under which counties and municipalities undertake the Vacant Land Inventory for Housing Elements. In particular, Section 65583.2(B) prescribes densities that the State deems appropriate to accommodate housing for lower income households. For jurisdictions in metropolitan counties with a local population in excess of 100,000 persons, the State considers a density of thirty (30) units per acre as adequate to accommodate units affordable to low and very low income households. Consequently, vacant sites zoned at thirty (30) units per acre will automatically be counted as meeting the very low and low income RHNA categories, whether the units are ever built or whether the unit rents are in actuality affordable.

The HCD-approved Housing Element for Moreno Valley proposed to create the R30 zoning designation and then process a General Plan Amendment to apply the R30 zoning to the identified locations. The Residential 30 (R30) rezoning proposed with the Alessandro Boulevard Corridor Project is that General Plan Amendment and allows the City of Moreno Valley to meet its 2008-2014 RHNA numbers.

Citizen Participation and City Council Approval of Residential 30 (R30)

The City of Moreno Valley made a diligent effort to elicit participation from the community in developing its housing element for the planning period of 2008-2014.

In an effort to facilitate public input, staff held three community meetings in October 2007 (Senior Center, Towngate Center and Moreno Valley Ranch Golf Club). The three community meetings had a large number of attendees. Staff also met with fifteen housing advocates and developers who provide housing services to residents in the City of Moreno Valley.

The overwhelming majority of owners with properties located in areas proposed for residential density increases were in support of a possible zone change and resultant increase in density. Owners viewed the proposed density increase as enhancing the value of their properties and allowing them greater flexibility for the future development of their properties. It was also evident that the idea of areas with mixed uses, such as housing, commercial and office uses, appealed to people who voted for increased housing density. People also seemed to want to provide housing in areas near existing or emerging employment centers, such as the area near the regional medical center.

On November 20, 2007 the City Council and Planning Commission held a joint study session to evaluate staff's proposals to increase zoning densities in various areas of the city. The intent of staff's proposals was to plan for the Regional Housing Needs Assessment (RHNA) allocation for the period between 2008 and 2014 and to plan for future population growth and housing needs beyond 2014.

Staff compiled a parcel by parcel inventory of vacant land in the city, providing acreage, zoning, and the number of units that could potentially be developed on each parcel. Based on the inventory, it became evident that the City would fall short of its RHNA requirements in the "Very Low and "Low" income categories, but would exceed its requirements in the "Moderate" and "Above Moderate" income categories.

In an effort to make up the shortfall, and to plan for future growth and housing needs beyond the most recent RHNA, staff presented a proposal to increase residential densities in various areas of the city. The areas chosen were on major streets, near shopping and employment and some were within the redevelopment project area.

On February 22, 2011, the Moreno Valley City Council approved the 2008-2014 Housing Element to the General Plan, in compliance with State law. The Housing Element was certified by the California Department of Housing and Community Development (HCD), and was found to be in full compliance with State housing element law on October 13, 2010.

In order to maintain its compliance with State housing element law, the City of Moreno Valley is in the process of implementing programs set forth in the 2008-2014 Housing Element. Accordingly, amendments to the Moreno Valley General Plan and Moreno Valley Zoning Code are required to increase the City's maximum housing density in certain limited areas of the City. The following objective, policies, and programs are pertinent to the proposed project.

Related Background to the General Plan Amendment

On September 22, 2009, the City Council approved the creation of the Residential 30 (R30) zoning district (PA09-0018 – General Plan Amendment) and the creation of Residential 30 (R30) multiple family development standards (PA08-0099 - Municipal Code Amendment).

The General Plan Amendment added to Section 9.2.2 (Community Development Element Objectives and Policies) of the City of Moreno Valley’s General Plan the following definition of Residential 30 (R30):

2.2.11 The primary purpose of areas designated *Residential 30* is to provide a range of high density multi-family housing types in an urban setting. Developments within Residential 30 areas shall also provide amenities, such as common open spaces and recreational facilities. The maximum density shall be 30 dwelling units per acre.

Residential 30 (R30) Sites

The proposed locations for rezoning to Residential 30 (R30) were addressed in the February 2011 General Plan Housing Element Update (2008-2014 Housing Element), including the parcels owned by the City of Moreno Valley’s Housing Authority at the corner of Alessandro Boulevard and Day Street (Section 8.4.8 of the Housing Element on page 46). These parcels (Alessandro Boulevard and Day Street) have not been rezoned, unlike what is stated in Table 8-23 on page 46 of the Housing Element.

Propose general plan amendment to R-30 for sites are:

- Area #1 - Alessandro Boulevard and Day Street,
- Area #2 - Alessandro Boulevard & Elsworth Street (referred as “Cal 5” in the Housing)
- Area #3 - Alessandro Boulevard & Morrison Street (referred as “Cal 3” in the Housing Element)
- Area #4 - Perris Boulevard & Iris Avenue (referred as “Cal 4” in the Housing Element).

General Plan Amendment (PA11-0028)

An application for a General Plan Amendment has been submitted in order to change the land use designation for the four R30 areas.

| Current Land Use | Proposed Land Use | Acreage |
|--------------------------|----------------------|---------|
| Commercial (C) | Residential 30 (R30) | 20.79 |
| Residential/Office (R/O) | Residential 30 (R30) | 88.03 |
| Residential 15 (R15) | Residential 30 (R30) | 22.31 |
| Residential 5 (R5) | Residential 30 (R30) | 15.06 |

| | | |
|--|-----------------|--------|
| | | |
| | Total Acreage = | 146.19 |

The Alessandro Boulevard Corridor Project and its proposed General Plan Amendment will meet the requirements of the 2008-2014 Housing Element and is consistent with the General Plan and would not be in conflict with the goals, objectives, policies or programs of the General Plan.

The proposed Residential 30 (R30) land use and zoning changes are shown on Attachments #6.

Change of Zone (PA11-0029)

An application for a Change of Zone has also been submitted in order to change the zoning designation for the four R30 areas.

| Current Zoning | Proposed Zoning | Acreage |
|---------------------------|----------------------|---------|
| Community Commercial (CC) | Residential 30 (R30) | 20.79 |
| Office Commercial (OC) | Residential 30 (R30) | 44.36 |
| Residential 15 (R15) | Residential 30 (R30) | 65.98 |
| Residential 5 (R5) | Residential 30 (R30) | 15.06 |
| | Total Acreage = | 146.19 |

The Alessandro Boulevard Corridor Project and its proposed Change of Zone will meet the requirements of the 2008-2014 Housing Element and is consistent with the General Plan and would not be in conflict with the goals, objectives, policies or programs of the General Plan.

The proposed Residential 30 (R30) land use and zoning changes are shown on Attachment #6.

Meeting the RHNA 2008-2014 Numbers

The 146.19 acres rezoned to Residential 30 (R30) could potentially provide up to 4,385 units if fully built out at the density of 30 units per acre. The Housing Element noted that based on historical development patterns, it will be assumed that the majority of sites would be developed at 80% of the maximum residential density, which would be 3,508 units.

Income categories of housing required by the 2008-2014 RHNA total 1,806 of “Very Low” units and 1,239 of “Low” units for a total of 3,045 units. The rezoning of 146.19 acres to Residential 30 (R30) is required in order for the City of Moreno Valley to maintain its compliance with State housing element law.

Section 2: Community Commercial Rezoning (General Plan Amendment PA12-0046 and Change of Zone PA12-0047)

The 21.47 acre parcel at the southwest corner of Gention Avenue and Perris Boulevard (APN: 485-220-041) is proposes to change the General Plan and Zoning designation from Residential 5 (R5) to Community Commercial (CC).

The parcels directly to the west and southwest are part of the request for rezoning to Residential 30 (R30). The parcels directly south are currently zoned Community Commercial and included an approved shopping center (PA06-0123), Home Depot and a Farmer Boys restaurant.

There is no development application associated with the proposed land use change. The proposed zoning would permit development of a commercial shopping center, which would support the neighboring proposed high density housing.

The rezoning of 21.47 acres to commercial uses along Perris Boulevard consistent the goals of the Alessandro Boulevard Corridor Plan though was not an original part of the vision plan. Perris Boulevard is a similar to Alessandro Boulevard as an important regional transportation link for Moreno Valley. Perris Boulevard is ideal to provide a mix of retail and multiple density housing opportunities to promote pedestrian-oriented development. The rezoning to Community Commercial is also consistent with the General Plan and would not be in conflict with the goals, objectives, policies or programs of the General Plan.

The proposed Commercial (C) land use and zoning changes are shown on Attachment #7.

Section 3: The Mixed Use Overlay (PA11-0030)

Background

The General Plan currently references and encourages the concept of mixed use development. At this time, only limited specific plan areas within the City (Village at Sunnymead – Specific Plan 204 and the expired Moreno Highlands – Specific Plan 208) are zoned for mixed use development.

General Plan Objective 2.4 states that the City shall “Provide commercial areas within the City that are conveniently located, efficient, attractive, and have safe and easy pedestrian and vehicular circulation in order to serve the retail and service commercial needs of Moreno Valley residents and businesses.”

This portion of the General Plan describes mixed use development in the following sub-sections:

- Objective 2.4.5 – The primary purpose of locations designated Mixed-Use on the Moreno Valley General Plan Land Use map is to provide for the establishment of commercial and office uses and/or residential developments of up to 20 dwelling units per acre. The

zoning regulations shall identify the particular uses and type of development permitted on each parcel. Overall development intensity should not exceed a floor area ratio of 1.00.

- Objective 2.4.6 – The primary purpose of areas designated Residential/Office on the Moreno Valley General Plan Land Use map is to provide areas for the establishment of office-based working environments or residential developments of up to 30 dwelling units per acre. The zoning regulations shall identify the particular uses and type of residential development permitted on each parcel of land. Overall development intensity should not exceed a Floor Area Ratio of 1.00.

On April 23, 2010, the City Council approved Municipal Code Amendment (PA07-0005); creating two new mixed use districts (MUD1 and MUD2) to provide opportunities for future development that would achieve the objectives of the City of Moreno Valley's General Plan.

Planning staff developed the two mixed use zoning districts (MUD1 and MUD2) using the two existing mixed use districts in the Village Specific Plan – VOR (Village Office Residential) and VCR (Village Commercial Residential) as a starting point. Staff also reviewed mixed use districts from Riverside, Redlands, Claremont and other cities for added perspective and ideas. The result is a hybrid that is similar but enhanced version of the Village districts.

Mixed use development provides additional lifestyle options for current and future residents of the City. Surveys by the Western Riverside Council of Governments indicate a significant interest in the more urban lifestyles provided in mixed use projects, especially among young adults and senior citizens, two groups that will expand in size as the City adds employment and the general population ages. Mixed use development also supports the viability of transit corridors by providing more activity and potential riders within close proximity.

Mixed Used development of the type intended under the MUD1 and MUD2 is allowed under the VOR and VCR zones of the Village Specific Plan. Mixed use can occur both horizontally (side by side) or vertically (one on top of the other). At this point in time, there has not been any mixed use project submitted to the City.

The City of Moreno Valley has been awarded two grants through Southern California Association of Governments' (SCAG) Demonstration Projects for Compass Blueprint Planning Services. The first was "Alessandro Boulevard Corridor Demonstration Project – Phase 1" in 2009/2010, which provided consultant funding to develop a vision plan for the Alessandro Boulevard Corridor. The second is "The Alessandro Boulevard Corridor Project – Phase II: Implementation", which was awarded in 2011/2012. With Phase II and assistance through RBF Consulting, Staff has developed urban design strategies to intensify land uses along the Alessandro Boulevard Corridor. The strategies have been combined into the "Mixed Use Districts Overlay". It is the intent to replace MUD1 and MUD2, with the enhanced districts developed under Phase II of the Alessandro Boulevard Corridor Project and later

expand the “Mixed Use Districts Overlay” to other areas of the City that meet the requirements.

Mixed Use Districts Overlay:

The first step was to create the requirements for selecting sites and then identify areas suited for inclusion in the “Mixed Use Districts Overlay” along the Alessandro Boulevard Corridor.

The Vision Plan (Phase 1) proposed an overall Community Form that included Activity Nodes linked by Primary and Secondary Corridor Zones located in between along Alessandro Boulevard. Both the Activity Nodes and the Corridor Zones are surrounded by Corridor-Adjacent Zones that are unlikely to change. Each Activity Node is located at a major street intersection and projects outward from the intersection for approximately a ¼-mile walking radius. The Activity Nodes range in intensity from regional-level attractions, such as the Moreno Valley Town Center, to community-level collections of retail and services, such as the shops along Sunnymead Boulevard. In total, four types of nodes were identified: Regional, Medical Center, Community, and Neighborhood.

The Alessandro Boulevard Corridor was then divided up as a series of independent, but related nodes. These nodes work in concert with Moreno Valley’s existing nodes to provide a complete and strategically dispersed set of places aimed at regional, community, or neighborhood retail and services. Five nodes along the Alessandro Boulevard Corridor have been identified for inclusion within the “Multiple Use Districts Overlay”:

- Alessandro Boulevard & Frederick Street (MUI)
- Alessandro Boulevard & Heacock Street (MUN)
- Alessandro Boulevard & Perris Boulevard (MUC)
- Alessandro Boulevard & Lasselle Street (MUN)
- Alessandro Boulevard & Nason Street (MUI)

With the “Multiple Use Districts Overlay”, there are three classifications. This Section describes the purpose and intent of each mixed-use overlay district:

A. *Mixed-Use Institutional Anchor (MUI) Overlay District.* The Mixed-Use Institutional Anchor (MUI) Overlay District applies to areas around prominent anchor institutions, such as civic centers, medical centers, and educational campuses. The intent is to build upon the role of the institutions by providing opportunities for urban, high-intensity development that serves the needs of visitors, employees, and residents affiliated with the anchor institution and the surrounding region. Development is allowed up to five stories in height with building frontages near or at the sidewalk, wide sidewalks, and parking under or behind buildings. Vertical mixed-use development (ground-floor retail with offices or housing above) is required at important street intersections. Horizontally-integrated or vertically-integrated mixed-use development, with no requirement for ground-floor retail, is allowed in other locations. The overlay district name may be

expanded to include the name of the type of anchor institution (e.g., “MUI – Medical Center”).

B. *Mixed-Use Community (MUC) Overlay District.* The Mixed-Use Community (MUC) Overlay District applies to areas along major arterials and arterials. The intent is to provide opportunities for the development of pedestrian-oriented blocks with medium-intense development that serves the needs of residents, visitors, and employees from the surrounding community. Development is allowed up to four stories in height with building frontages near or at the sidewalk, wide sidewalks, and parking under or behind buildings. Vertical mixed-use development (ground-floor retail with offices or housing above) is required at important street intersections. Horizontally-integrated or vertically-integrated mixed-use development, with no requirement for ground-floor retail, is allowed in other locations. The overlay district name may be expanded to include the community name (e.g., “MUC – East Alessandro”).

C. *Mixed-Use Neighborhood (MUN) Overlay District.* The Mixed-Use Neighborhood (MUN) Overlay District applies to areas along arterials and minor arterials. The intent is to provide an area for low-rise mixed-use development that serves the needs of residents, visitors, and employees from the surrounding immediate neighborhood. Development is allowed up to three stories in height with building frontages near or at the sidewalk, wide sidewalks, and parking under or behind buildings. Vertical mixed-use development (ground-floor retail with offices or housing above) is required at important street intersections. Horizontally-integrated or vertically-integrated mixed-use development, with no requirement for ground-floor retail, is allowed in other locations. The overlay district name may be expanded to include the neighborhood name (e.g., “MUN – Lasselle Crossing”).

Attachment #8 shows the proposed parcels for inclusion in the “Mixed Use Districts Overlay”.

Municipal Code Amendment

Issue 1 – Removal of MUD1 & MUD2 Information and Addition of Mixed-Use Overlay Districts (Municipal Code)

Both Section 9.07.090 Mixed Use Development 1 (MUD1) and Section 9.07.100 Mixed Use Development 2 (MUD2) will be deleted and replaced by “9.07.090 Mixed-Use Overlay Districts”. The new Chapter 9.07.090– Mixed-Use Overlay Districts will include the following sections:

- 9.07.091 – Purpose and Intent
- 9.07.092 – Applicability
- 9.07.093 – Purposes of Mixed-Use Overlay Districts
- 9.07.094 – Permitted Uses in Mixed-Use Overlay Districts
- 9.07.095 – Mixed-Use Overlay District Site Development Standards
- 9.07.096 – Building Frontage Type Standards
- 9.07.097 – Open Space Standards – Publicly-Accessible Open Space

- 9.07.098 – Open Space Standards – Private/Common Open Space
- 9.07.099 – Lot Area Requirements and Lot Consolidation Incentives

The purpose of the Mixed-Use Overlay Districts is to provide regulations that implement the goals and policies of the General Plan, the Alessandro Boulevard Corridor Vision Plan (accepted by the Moreno Valley City Council on June 30, 2010), and other similar long-range planning documents aimed at encouraging mixed-use development within the City.

The Mixed-Use Overlay Districts are intended to provide the following:

1. Stimulate economic development and reinvestment through regulations based upon recognized urban design principles that allow property owners to respond with flexibility to market forces;
2. Create specific development nodes at street intersections with a pedestrian-oriented mix of uses with convenient access between area neighborhoods, housing, employment centers, and retail services;
3. Accommodate intensities and patterns of development that can support multiple modes of transportation including public transit, bicycles, and walking;
4. Facilitate well-designed new mixed-use development projects that combine residential and nonresidential uses (e.g., office, retail, business services, personal services, public spaces and uses, other community amenities, etc.) to promote a better balance of jobs and housing;
5. Ensure compatibility with adjacent existing single-family neighborhoods and harmonious integration with existing commercial areas;
6. Encourage the development of unique district character through a streetscape that provides attractive features (e.g., landscaping, street furniture, niche or linear parks, public places, courtyards, public transportation shelters; etc.) designed to integrate the public realm (e.g., streets, sidewalks, etc.) with adjacent development on private property; and
7. Provide additional property rights while preserving existing property rights. This intent is achieved by providing additional development rights in compliance with this Chapter, which property owners may exercise under certain conditions, while retaining all development rights conferred by the underlying district to property owners in the mixed-use overlay districts. Incentives and advantages include allowing a greater range and mix of uses; more permissive dimensional specifications (e.g., greater floor area ratio, lot coverage ratio, and height; reduced setbacks; etc.); exemption from certain design review requirements; and fee reductions or waivers.

Owners or developers of any property within any mixed-use overlay district may choose to develop in compliance with the standards and procedures in the proposed Chapter 9.07.090 - Mixed-Use Overlay Districts that apply to the particular mixed-use overlay district in which the property is located. If the owners or developers chose not to develop a mixed-use project, the underlying zoning will be enforced.

Issue 2 – Addition to Chapter 9.02 Permits and Approvals (Municipal Code)

The purpose of administrative variances is to allow for an administrative procedure for limited adjustments to the provisions of this title in order to prevent unnecessary hardships that might result from a strict or literal interpretation and enforcement of certain regulations prescribed by this title. It is also intended that, with respect to accessory structures for existing single-family residential uses, certain adjustments shall be subject to the director's review procedures, rather than an administrative variance.

Staff proposes to add the following section to Chapter 9.02.090 under "C - Limitations on Administrative Variances":

5. Decrease in building frontage requirements. In any mixed-use overlay district, the community development director may authorize up to a ten (10) percent decrease in the distance threshold established to specify the required percentage of a building frontage to be built to the Build-To-Zone, as indicated in Table 9.07.095-10 (Mixed Use Overlay District Development Standards) (i.e., the distance threshold from street intersections for the purposes of calculating building frontage length may be reduced from 300 feet to 270 feet). The community development director is not authorized to reduce the percentage of the building frontage that is required to be built to the Build-To-Zone.

Issue 3 – Additions to Chapter 9.09 - Specific Use Development (Municipal Code)

Chapter 9.09 - Specific Use Development covers certain activities and uses, due to their nature, may have the opportunity to create more significant impacts upon the community than others. As a result, specific regulation of these activities and uses is warranted. The purpose of this chapter is to identify and regulate such uses in districts permitting those uses, in order to ensure the maintenance of the public health, safety and welfare in accordance with the goals, objectives, policies and implementation programs of the general plan.

Staff proposes to add the following three new uses to Chapter 9.09 - Specific Use Development:

- 9.09.250 – Live-Work Development
- 9.09.260 – Mixed-Use Development
- 9.09.270 – Outdoor Dining

The Live-Work Development section provides operational and compatibility standards for the development of live/work units. These standards are in addition to the standards for live-work development provided in Chapter 9.07.090 (Mixed-Use Overlay Districts). The Mixed-Use Development section provides operational and compatibility standards for mixed-use development. These standards are in addition to the standards provided in Chapter 9.07.090 (Mixed Use Overlay Districts). The last additional section to Chapter 9.09 - Specific Use Development is Outdoor Dining and this section provides standards for outdoor dining areas. Unlike the two previous uses, outdoor dining is not restricted to only the Mixed Use Overlay District.

Issue 4 – Additions/Revisions to Chapter 9.11- Parking, Pedestrian, and Loading Requirement (Municipal Code)

The purpose of this chapter is to ensure the adequate provision of parking, loading and bicycle facilities proportionate to the needs created by the various land uses within the city.

- 9.11.030 – General Regulations
- 9.11.040 – Off-Street Parking Requirements
- 9.11.060 – Off-Street Bicycle Parking Requirements

Staff proposes to add to 9.11.030 – General Regulations the following:

H. Rear Parking. Parking in the rear of buildings and service area shall be limited to five percent of the total required off-street parking, except in the mixed-use overlay districts identified in Chapter 9.07.090 (Mixed-Use Overlay Districts).

Staff proposes to add parking standard information for “Live-Work Units (residential component)” and “Residential Component of Mixed-Use Projects” to Table 9.11.040A-12 in Section 9.11.040 – Off-Street Parking Requirements for Residential Uses. The additions to the table will appear as follows:

Table 9.11.040A-12: Off-Street Parking Requirements

| Use | Requirement | Covered Parking | Notes |
|--|-------------|-----------------|---|
| Residential Uses | | | |
| Live-Work Units (residential component) | 2/unit | 2 covered/unit | Guest parking is required for all units at 0.25 spaces/unit. Guest parking is NOT included in the minimum required parking standard and can be shared with the business aspect of the "Live-Work" parking standard. |

| | | | |
|---|--|--|---|
| Residential Component of Mixed-Use Project | See Multiple-Family requirements in Table 9.11.040A-12 | See Multiple-Family requirements in Table 9.11.040A-12 | Guest parking is required for all units at 0.25 spaces/unit. Guest parking is included in the minimum required parking standard and may be shared with the non-residential component. Alternate parking requirements may be permitted subject to approval of a parking study pursuant to Section 9.11.070(A) of this chapter. |
|---|--|--|---|

Staff proposes to add parking standard information for “Eating and Drinking Establishments” to Table 9.11.040B-12 in Section 9.11.040 – Off-Street Parking Requirements for Commercial Uses. The addition to the table will appear as follows:

Table 9.11.040B-12: Off-Street Parking Requirements

| Commercial Uses | Minimum Requirement | Notes |
|--|---|--|
| Eating and Drinking Establishments | 1/100 sq. ft. of gross floor area up to 6,000 sq. ft. 1/75 sq. ft. of gross floor area over 6,000 sq. ft. | A minimum of 10 spaces required for stand-alone use. No additional parking required if outdoor dining area comprises no more than 15 percent of the interior gross floor area of the primary food service use; If outdoor dining area is over 15%, 1 space for every 60 sq ft or 1 space for every 3 seats, whichever is greater. |
| Eating and drinking establishments within shopping centers of 25,000 square feet of building area or greater. | 1/225 sq. ft. of gross floor area up to 15% of the shopping center gross building square footage. | Eating and drinking establishments within shopping centers of 25,000 square feet of building area or greater. |

Staff proposes to revise Section 9.11.060-B of the Off-street bicycle parking requirements by deleting the current wording shown below:

~~—B.— Number of Parking Spaces Required. Bicycle parking spaces shall be provided in all commercial, office and industrial districts equal to five percent of the required automobile parking spaces, with a minimum of two bicycle parking stalls required for any one use. Single family and multiple family residences, senior housing complexes, mobile home parks and model home complexes are exempt from this section.~~

The revised Section 9.11.060-B of the Off-street bicycle parking requirements will now read as follows:

B. Number of Parking Spaces Required.

1. Bicycle parking spaces shall be provided in all commercial, office and industrial districts equal to five percent of the required automobile parking

spaces, with a minimum of two bicycle parking stalls required for any one use.

2. Single and Multiple-family residences are exempt from this section.

Staff proposes to revise Section 9.11.060-D of the General Requirements of the Off-street bicycle parking requirements by adding the following:

6. Signage should be posted to direct bicyclists to the locations of bicycle racks that may not be readily apparent. Similarly, signs indicating the location of bicycle parking should be posted wherever a NO BICYCLE PARKING sign is posted.

Issue 5 – Addition to Chapter 9.15.030 – Definitions (Municipal Code)

The purpose of the definitions chapter is to ensure precision in interpretation of the City of Moreno Valley's Municipal Code. The meaning and construction of words and phrases defined in this chapter applies throughout the Municipal Code. The addition of the Mixed-Use Overlay District has provided new development terms to the Municipal Code. The list below will be added into the current definitions section in alphabetic order:

“Block” means the aggregate of lots, pedestrian passages, and rear alleys, circumscribed on all sides by streets.

“Block Length” means the linear dimension of a block along one of its street frontages.

“Block Perimeter” means the aggregate dimension of a block along all of its street frontages.

“Build-to-Zone” means the area between the minimum and maximum setbacks within which the principal building's front façade (building façade line) is to be located. See Figure 9.15.030-1 (Build-to-Zone).

**Figure 9.15.030-1
Build-To-Zone**

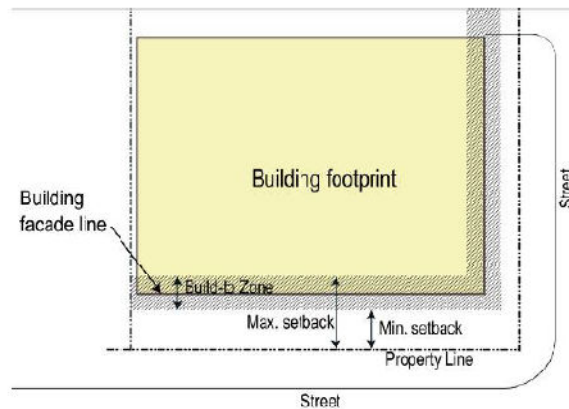


Illustration indicating the location of the build-to zone relative to the minimum and maximum setbacks and the building façade line

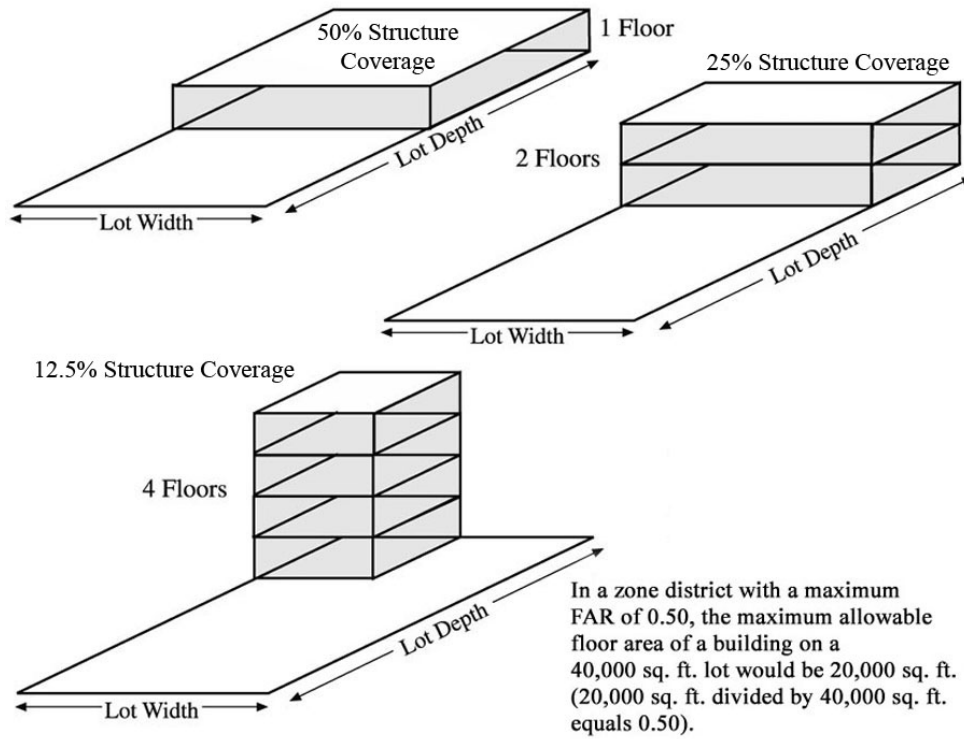
“Building Façade Line” means the vertical plane along a lot where the building’s front façade is actually located. See Figure 9.15.030-1 (Build-to-Zone).

“Commercial-Ready Space” means the ground floor interior space constructed with a minimum height as established in Section 9.075.060 (Building Frontage Type Standards) that may be used for either residential or nonresidential uses. The intent of Commercial-Ready space is to provide flexibility so that a space can be converted between residential and nonresidential uses in response to market demand.

“Floor Area Ratio (FAR)” means the mathematical relation between volume of building and unit of land expressed as the ratio of gross floor area of all structures on a lot to total lot area. See Table 9.075.050-10 (Mixed-Use Development Standards) for FAR figures applicable to the mixed-use overlay districts. See Figure 9.15.030-2 (Floor Area Ratio).

Figure 9.15.030-2: Floor Area Ratio

Possible Building Configurations for 0.50 FAR



NOTE: Variations may occur if upper floors are stepped back from ground level lot coverage.

$$\text{Floor Area Ratio (FAR)} = \frac{\text{Gross Building Area (All Floors)}}{\text{Lot Area}}$$

“Integration of uses” means potential ways to integrate uses allowed in mixed-use development including:

1. Vertical integration. A mix of nonresidential uses (i.e., commercial, retail, and/or office) located on the ground floor with residential dwelling units located above.
2. Horizontal integration. A mix of nonresidential uses located on the primary street frontage of a lot and residential uses located at the rear of a lot.

“Live-Work” means a structure or complex of structures that integrates space for both residential and nonresidential uses within individual units.

“Live/Work Unit” means a unit with both residential and nonresidential uses and where neither use is subordinate to the other.

“Mezzanine” means an intermediate floor between main floors of a building. The floor often projects from the walls and does not completely close the view of the ceiling from the floor immediately below. A mezzanine floor and the floor below it share the same ceiling.

“Mixed-Use Vertical Development” means development that combines two or more types of land uses (e.g., residential, commercial, office, industrial, institutional, or recreation) in a single building in a vertical configuration, typically with residential uses located above nonresidential uses.

“Mixed-Use Horizontal Development” means development that combines two or more types of land uses (e.g., residential, commercial, office, industrial, institutional, or recreation) on a single development site, but not necessarily in the same building, typically nonresidential uses are located adjacent to the street and residential uses are located away from major streets behind nonresidential uses.

“Mixed-Use Overlay District” means a land use designation (zoning district) that allows a combination of uses, which may include residential, commercial, office, industrial, institutional, or recreational uses.

“Podium Parking” means parking spaces that are covered by the ground floor of a building and are completely enclosed by walls. Podium parking may occur at or below the grade of the adjacent sidewalk.

“Private Realm” means any privately-owned property.

“Public Realm” means any publicly owned streets, roadways, sidewalks, parks, plazas, and other open spaces that comprise the shared space of a city for its visitors, employees and residents. It is the space between buildings where civic interaction occurs and is defined in contrast to private property.

“Surface Parking” means parking spaces that are not covered by a building and are not enclosed by walls. Surface parking is also known as a “parking lot”.

“Tuck-Under Parking” means parking spaces that are covered by the upper floor of a building, but are otherwise open.

“Underground Level” means that portion of a structure between the floor and ceiling which is wholly or partly below grade and having more than one half of its height below grade.

Issue 6 - Modification of the Permitted Uses Table (Municipal Code)

Chapter 9.02.020 - Permitted uses includes a table (Permitted Uses Table 9.02.020-1) which contains columns with headings identifying zoning districts, and list uses by indicating the zoning district or districts in which each use is permitted or allowed and whether the stated use is permitted subject to district requirements, or whether the stated use is allowed only after obtaining a conditional use permit.

The Permitted Uses Table will be modified to remove both the MUD1 & MUD2 columns.

| | |
|-----------------|--|
| MUD1 | Mixed Use District 1 (Up to 15 Dwelling Units per net acre) |
| MUD2 | Mixed Use District 2 (Up to 30 Dwelling Units per net acre) |

Add a column for Residential 30 (R30), which was not done when the Residential 30 (R30) Zoning District was created. For the list of approved uses under the Residential 30 (R30) Zoning District please see Attachment # 10.

Add a column for Mixed Use (MU), which will replace the MUD1 and MUD2 designations. For the list of approved uses under the Mixed Use Overlay District please see Attachment # 10.

The following items will be added to the “Zoning District Key” below the Permitted Uses Table 9.02.020-1:

| | |
|-----|--|
| R30 | Residential 30 District (Up to 30 Dwelling Units per net acre) |
| MU | Mixed Use Overlay |

And remove the following from the “Zoning District Key” below the Permitted Uses Table 9.02.020-1:

| | |
|-----------------|--|
| MUD1 | Mixed Use District 1 (Up to 15 Dwelling Units per net acre) |
| MUD2 | Mixed Use District 2 (Up to 30 Dwelling Units per net acre) |

With the addition of the new Mixed Use Overlay, the following will be added to the “Notes” section at the end of the Permitted Use Table:

| |
|---|
| (8) In the MUI district, mixed use (commercial uses on first floor with office uses or residential uses on upper floors) are (a) required to on lots at street intersections and within 300 feet in any direction from a street intersection, as measured from the corner formed by the lot’s property lines, and (b) are allowed, but not required on the other lots. |
| (9) In the MUC and MUN districts, mixed use (commercial uses on first floor with office uses or residential uses on upper floors) are (a) required to on lots at street intersections and within 150 feet in any direction from a street intersection, as measured from the corner formed by the lot’s property lines, and (b) are allowed, but not required on the other lots. |
| (10) See Section 9.07.040 (Medical Use Overlay District). |
| (11) See Section 9.09.260 (Mixed-Use Development). |
| (12) See Section 9.09.250 (Live-Work Development). |
| (13) See Section 9.09.270 (Outdoor Dining). |

All the above Mixed Use District Overlay Guidelines are included in one document as Attachment #9. These will be merged into Chapter 9 of the Municipal Code after approval by the City Council.

Mixed Use Overlay District User’s Guide

Staff has created a User’s Guide to address the potential questions from property owners/developers within the proposed Mixed Use Overlay District (Attachment #11). This User’s Guide will provide an overview of the process for determining which regulations apply when a property is located within the boundaries of two districts at the same time – for example, a commercial (base) district and a mixed-use overlay district. When this situation occurs, the property owner/developer has the option to develop under either set of standards, but not both. The choice is entirely up to the property owner/developer.

REVIEW PROCESS

With the development of the Alessandro Boulevard Corridor Focus Study - Phase I, stakeholder meetings were held in 2010 with groups ranging from the Mayor and City staff to local property owners and developers. Two Community Workshops were also held on April 22, 2010 and May 6, 2010 to allow the public to provide input and comment on the selecting Mixed Use District sites and parcels to be rezoned as Residential 30 (R30). The five nodes selected along the Alessandro Boulevard Corridor for inclusion within the “Multiple Use Districts Overlay” are based on these meetings.

Planning staff has been working with RBF Consulting through the second SCAG Compass Blueprint grant (Phase II) to complete the required CEQA documentation (Mitigation Negative Declaration) and the overlay district design standards. A public informational meeting was scheduled one week prior to the Planning Commission Hearing (March 7, 2013).

ENVIRONMENTAL

The proposed Alessandro Boulevard Corridor Project – Phase II Implementation, is a City initiated project to: 1) create the Mixed Use Overlay Districts to implement the Vision Plan for Alessandro Boulevard Corridor, 2) increase the maximum permitted density to 30 dwelling units per acre in specified areas of the City, and 3) amend the general plan and zoning for approximately 21.74 acres of R-5 to Community Commercial. The proposed changes affect approximately 315 acres along, adjacent to, or in close proximity to Alessandro Boulevard. The project involves an amendment to the General Plan Land Use Map, as well as an amendment to the Moreno Valley Zoning Code and Zoning Map. Following a preliminary review of the proposed project, the City of Moreno Valley has determined that it is subject to the guidelines and regulations of the California Environmental Quality Act (CEQA). This Initial Study addresses the direct, indirect, and cumulative environmental effects of the project, as proposed.

In accordance with the *California Code of Regulations (CCR)* Sections 15051 and 15367, the City of Moreno Valley is identified as the Lead Agency for the proposed project. Under the *California Environmental Quality Act (CEQA)* (*Public Resources Code* Section 21000-21177) and pursuant to CCR Section 15063, the City is required to undertake the preparation of an Initial Study to determine if the proposed project would have a significant environmental impact. If, as a result of the Initial Study, the Lead Agency finds that there is evidence that any aspect of the project may cause a significant environmental effect, the Lead Agency shall further find that an Environmental Impact Report (EIR) is warranted to analyze project-related and cumulative environmental impacts. Alternatively, if the Lead Agency finds that there is no evidence that the project, either as proposed or as modified to include the mitigation measures identified in the Initial Study, may cause a significant effect on the environment, the Lead Agency shall find that the proposed project would not have a significant effect on the environment and shall prepare a Negative Declaration. Such determination can be made only if “there is no substantial evidence in light of the whole record before the Lead Agency” that such impacts may occur (*Public Resources Code* Section 21080(c)).

The environmental documentation, which is ultimately selected by the City in accordance with *CEQA*, is intended as an informational document undertaken to provide an environmental basis for subsequent discretionary actions upon the project. The resulting documentation is not, however, a policy document and its approval and/or certification neither presupposes nor mandates any actions on the part of those agencies from whom permits and other discretionary approvals would be required.

The environmental documentation and supporting analysis is subject to a public review period. During this review, public agency comments on the document relative to

environmental issues should be addressed to the City of Moreno Valley. Following review of any comments received, the City will consider these comments as a part of the project's environmental review and include them with the Initial Study documentation for consideration by the City.

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 published in the local newspaper.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission take the following action:

APPROVE Resolution No. 2013-XX and thereby:

1. RECOMMEND that the City Council adopt a Mitigated Negative Declaration for PA11-0028 (General Plan Amendment), PA11-0029 (Change of Zone), PA11-0030 (Municipal Code Amendment), PA12-0046 (General Plan Amendment) and PA12-0047 (Change of Zone) pursuant to the California Environmental Quality Act (CEQA) Guidelines; and
2. RECOMMEND that the City Council approve PA11-0028 (General Plan Amendment), PA11-0029 (Change of Zone), PA11-0030 (Municipal Code Amendment), PA12-0046 (General Plan Amendment) and PA12-0047 (Change of Zone) subject to the attached conditions of approval included as Exhibits A and B.

Prepared by:

Approved by:

Claudia Manrique
Associate Planner

John C. Terell, AICP
Planning Official

ATTACHMENTS:

1. Public Hearing Notice
2. Planning Commission Resolution No. 2013-08
3. Mitigated Negative Declaration
4. Initial Study
5. Map of the Alessandro Boulevard Corridor Project Study Area
6. Residential 30 (R30) Rezoning Maps
7. Commercial Rezoning - Area 5
8. Mixed Use Overlay District Maps
9. Mixed Use Districts Overlay Guidelines
10. Permitted Use Table
11. Mixed Use User's Guide (Counter Hand-out)

Planning Commission Minutes of
March 14, 2013

To be provided under separate cover

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| APPROVALS | |
|----------------|--------------------|
| BUDGET OFFICER | <i>[Signature]</i> |
| CITY ATTORNEY | <i>[Signature]</i> |
| CITY MANAGER | <i>[Signature]</i> |

Report to City Council

TO: Mayor and City Council

FROM: Abdul Ahmad, Fire Chief

AGENDA DATE: April 23, 2013

TITLE: PUBLIC HEARING FOR DELINQUENT NUISANCE ABATEMENT ACCOUNTS

RECOMMENDED ACTION

Recommendations: That the City Council:

1. Conduct a public hearing and accept public testimony on delinquent nuisance abatement accounts.
2. Adopt Resolution No. 2013-27 of the City of Moreno Valley, California, confirming assessments on certain real properties as outlined in the Property Assessment List for the abatement of nuisances.
3. Approve placing the submitted Property Assessment List of delinquent nuisance abatement accounts on the Fiscal Year (FY) 2013/2014 Riverside County property tax roll for collection.
4. Direct the City Clerk to file with the Riverside County Assessor's office a certified copy of Resolution No. 2013-27 and the Property Assessment List as required by Section 6.04.120 of the City of Moreno Valley Municipal Code.

ADVISORY BOARD/COMMISSION RECOMMENDATION

N/A

BACKGROUND

Since 2009, the City of Moreno Valley's Fire Prevention Bureau has been assigned the responsibility of ensuring all vacant parcels in Moreno Valley are compliant with the provisions of the City of Moreno Valley Municipal Code Chapter 6.04, in order to protect

and preserve the health, safety, and general welfare of the public. Should property owners not voluntarily abate their own property after receiving all appropriate notices from the Fire Prevention Bureau, the City Manager or his designee will direct the abatement of various public nuisances and the recovery of costs associated with said abatements. Cost recovery may be obtained by recording a Notice of Special Assessment with the County Recorder's Office.

DISCUSSION

In April of each year, the Fire Prevention Bureau sends each vacant parcel owner as identified by the last equalized assessment roll a Weed and Nuisance Abatement letter. This letter states that all weeds, dry vegetation, rubble, junk, trash, debris, objects, discarded auto bodies, parts and other waste matter upon the premises is a public nuisance and must be abated per Moreno Valley Municipal Code 6.04 by April 15.

After April 15, each vacant parcel in Moreno Valley is inspected to determine if the property owner has voluntarily complied with the request in the letter. If the parcel is non-compliant, a notice of violation is then mailed to the property owner advising them that they have 10 days to perform the required abatement. The property is then reinspected for compliance. Should the vacant parcel still require the removal of all weeds, dry vegetation, rubble, junk, trash, debris, objects, discarded auto bodies, parts and other waste matter, then a final notice of violation is mailed to the property owner giving the parcel owner 7 additional days to comply.

Once the period of time has passed as identified in the final notice, then per Municipal Code 6.04 the property is scheduled for abatement by city contractor. This section of the municipal code also allows for recovery of costs associated with said abatements.

The Property Assessment List for general nuisance and weed abatements is hereby submitted for review and consideration by the City Council. A statement of costs was mailed to the legal owner of record for each property requiring abatement action. The County of Riverside equalized tax assessment roll was utilized to determine property ownership. A summary of each abatement is included in the statement of costs, along with the owner's name(s), property description, and the cost for the abatement action. A copy of the statement of costs shall remain on file in the Fire Prevention Bureau.

The Property Assessment List is a current listing of unpaid abatement costs incurred during 2012. Costs approved by the City Council Resolution will result in a special assessment and will become a levy on the FY 2013/2014 tax bill if not paid directly to the City by July 1, 2013. The Notices of Special Assessment will be recorded at the Riverside County Recorder's Office following approval by the City Council.

ALTERNATIVES

1. Approve and authorize the recommended action as presented in this staff report.
This alternative will facilitate cost recovery for those costs incurred by the City for

the abatement of public nuisance and hazard reduction work performed as outlined in the attached Property Assessment List.

2. Do not approve and authorize the recommended actions as presented in this staff report. *This will result in costs for contract abatement work being absorbed by the City for all costs that remain unpaid by the property owners.*

FISCAL IMPACT

Adoption of the resolution would facilitate cost recovery for those costs incurred by the City for public nuisance and hazard reduction work performed as outlined in the attached Property Assessment List.

As detailed in Exhibit A, the costs incurred by the City for contractual abatements are outlined below. An additional \$13.80 Special Districts Administration (S.D.A.) fixed charge will be added for each parcel at the time the assessment is placed on the County of Riverside Tax Roll for FY 2013/2014.

Fire Prevention Bureau

| | |
|--|-------------|
| Contractual, Inspection, and Administrative | \$49,110.66 |
| S.D.A. Fixed Charge Fee: (79 @ \$13.80 each) | \$1,090.20 |
| Total: | \$50,200.86 |

The Property Assessment List, as approved by City Council, is subject to amendment as necessary to reflect any payments subsequently received from property owners. Costs not paid in full by July 1, 2013, will be processed as special assessments and cost recovery will occur through the payment of taxes. The Statement of Costs and Notices of Special Assessment for each property shall remain on file in the Fire Prevention Bureau. If payment, or partial payment, is received from property owners, that portion of the Exhibit(s) will be revised as appropriate.

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.

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 that will result in quality development, enhanced neighborhood preservation efforts, including home rehabilitation and neighborhood restoration.

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 Fire Prevention Bureau performed public nuisance abatements during 2012. These abatements were to remove hazardous and other nuisance conditions from properties. After having been served with a “Notice to Abate” and given a reasonable time for compliance, the property owners failed to voluntarily abate the conditions.

Property owners were served with a Statement of Costs and billed, requesting payment for all costs associated with the City-performed abatement action, by regular mail. Staff is requesting that the City Council authorize the placement of unpaid abatement costs as a special assessment (tax lien) against the properties.

NOTIFICATION

Moreno Valley Municipal Code Section 6.04.060 – Notification of Nuisance provides that written notice of nuisance conditions **may** be given to property owners in the following manner:

By regular mail addressed to the owner or person in charge and control of the property; at the address shown on the last available equalized assessment roll of the County of Riverside; or as otherwise known, by posting a “Notice to Abate” on the property where the nuisance condition(s) exists thereby allowing ten days to comply.

Notification of weed abatement conditions was specifically met by:

1. Mailing a “Notice to Abate” to property owners by regular mail.
2. Telephone contact with property owners, when possible (i.e., phone number on file).

Furthermore, a “Notice of Public Hearing” was published on April 3, 2013 and April 9, 2013, in The Press Enterprise in accordance with Section 6066 of the Government Code. A public posting of Council’s action will also be done in accordance with section 6066 of the Government Code. In addition, the Fire Prevention Bureau mailed a Statement of Cost to each property owner in March 2013 indicating the amount owed for the nuisance abatement services performed by the City as well as the date of the City Council meeting at which this Public Hearing would occur. An official list of the submitted delinquent accounts was submitted to Special Districts and indicates the maximum charges which can be placed on the property tax roll for FY 2013/2014.

ATTACHMENTS

Attachment 1: Proposed Resolution confirming assessments on certain real properties as outlined in the Property Assessment List for the abatement of nuisances

Prepared By:
Cynthia Owens
Management Assistant

Department Head Approval:
Abdul Ahmad
Fire Chief

Concurred By:
Randall Metz
Fire Marshal

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

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RESOLUTION NO. 2013-27

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, CONFIRMING STATEMENTS OF COSTS AGAINST REAL PROPERTY LOCATED IN THE CITY OF MORENO VALLEY, FOR ABATEMENTS OF PUBLIC NUISANCES AND DIRECTION THAT SAID STATEMENT OF COSTS CONSTITUTE A LIEN UPON SAID PROPERTIES

WHEREAS, pursuant to the provisions of the City of Moreno Valley Municipal Code Chapter 6.04, the City of Moreno Valley, State of California, in order to protect and preserve the public health, safety and general welfare, has conducted and completed the abatement of certain public nuisances on real properties located within the City of Moreno Valley, State of California; and

WHEREAS, in accordance with the provisions of the City of Moreno Valley Municipal Code, the City of Moreno Valley has submitted Statement of Costs; and

WHEREAS, having received and considered said Statement of Costs and having notified the affected property owners and given them an opportunity to be heard.

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

1. That the Statements of Costs, Notice of City Council Meeting, and Notices of Special Assessments, copies of which are on file with the Fire Prevention Bureau, and incorporated herein by this reference, are confirmed.
2. That the Property Assessment List, attached hereto as Exhibit A and incorporated herein by this reference, is also confirmed.
3. That the Notices of Special Assessments shall be recorded with the Riverside County Recorder's Office and copies transmitted to the Assessor and Tax Collector of the County of Riverside and after recordation shall constitute special assessments against the property to which they relate, and shall constitute liens on the property in the amount of the assessment to be added to the tax bill next levied against the property.

1
Resolution No. 2013-27
Date Adopted: April 23, 2013

APPROVED AND ADOPTED this 23rd day of April, 2013.

Mayor of the City of Moreno Valley

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

Resolution No. 2013-27²
Date Adopted: April 23, 2013

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. 2013-27 was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the 23rd day of April, 2013 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

CITY CLERK

(SEAL)

3
Resolution No. 2013-27
Date Adopted: April 23, 2013

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Annual Fire Prevention Weed Abatement Report

Exhibit A

Property Abatement List (PAL)

April 23, 2013 City Council Meeting

FY 12/13

| Parcel | Owner | Owner Address | Summary of Work | Abate Date | Contractor Cost | Reinspection Fees | Admin Cost | Special Dist Fee | Total | |
|--------|-----------|------------------------------|---|--|-----------------|-------------------|------------|------------------|-------|----------|
| 1 | 316030014 | 2TES FAMILY TRUST | P O BOX 7000 318 ROLLING HILLS ESTATE CA, 90274 | Weeds have not been properly abated according to the lot size requirements. Handwork/cleanup required along perimeter of property. Insufficient firebreak(s). Substantial re-growth of weeds or other vegetation has occurred making necessary to repeat the abatement/cleaning of premises. | 7/29/2012 | 363.00 | 157.00 | 240.00 | 13.80 | 7 |
| 2 | 316210009 | PIERCE HARDY LTD PARTNERSHIP | 1019 RTE 519 BLDG 5 EIGHTY FOUR PA, 15330 | Weeds have not been properly abated according to the lot size requirements. Insufficient firebreak(s). Substantial re-growth of weeds or other vegetation has occurred making necessary to repeat the abatement/cleaning of premises. | 7/31/2012 | 619.00 | 157.00 | 240.00 | 13.80 | 1,029.80 |
| 3 | 316210064 | IPARAGURRIE, JENNIE | 775 N SANDERSON AVE SAN JACINTO CA, 92582 | Weeds have not been properly abated according to the lot size requirements. Insufficient firebreak(s). Substantial re-growth of weeds or other vegetation has occurred making necessary to repeat the abatement/cleaning of premises. | 7/31/2012 | 359.00 | 157.00 | 240.00 | 13.80 | 769.80 |

Item No. E.3

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Property Abatement List (PAL)

April 23, 2013 City Council Meeting

FY 12/13

| Parcel | Owner | Owner Address | Summary of Work | Abate Date | Contractor Cost | Reinspection Fees | Admin Cost | Special Dist Fee | Total Cost | |
|--------|-----------|------------------|---|---|-----------------|-------------------|------------|------------------|------------|--------|
| 4 | 473150058 | WOLVERINE PROP | 3512 CEDAR RIDGE LN CORONA CA, 92881 | Weeds have not been properly abated according to the lot size requirements. Handwork/cleanup required along perimeter of property. Insufficient firebreak(s). Junk, trash, debris, and/or rubble has not been removed. Substantial re-growth of weeds or other vegetation has occurred making necessary to repeat the abatement/cleaning of premises. | 8/1/2012 | 298.00 | 157.00 | 240.00 | 13.80 | 708.80 |
| 5 | 473150059 | WOLVERINE PROP | 3512 CEDAR RIDGE LN CORONA CA, 92881 | Weeds have not been properly abated according to the lot size requirements. Handwork/cleanup required along perimeter of property. Insufficient firebreak(s). Junk, trash, debris, and/or rubble has not been removed. | 8/1/2012 | 233.00 | 157.00 | 240.00 | 13.80 | 643.80 |
| 6 | 473210005 | BRISENO, JUAN | 1567 WOOD RD RIVERSIDE CA, 92508 | Weeds have not been properly abated according to the lot size requirements. Handwork/cleanup required along perimeter of property. Tree branches have not been cleared 8 feet from ground. | 8/1/2012 | 389.00 | 157.00 | 240.00 | 13.80 | 799.80 |
| 7 | 474120045 | MCFARLAND, RANDY | 24379 WILLIS LN MORENO VALLEY CA, 92557 | Weeds have not been properly abated according to the lot size requirements. Handwork/cleanup required along perimeter of property. | 8/2/2012 | 103.00 | 157.00 | 240.00 | 13.80 | 513.80 |

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Property Abatement List (PAL)

April 23, 2013 City Council Meeting

FY 12/13

| Parcel | Owner | Owner Address | Summary of Work | Abate Date | Contractor Cost | Reinspection Fees | Admin Cost | Special Dist Fee | Total Cost | |
|--------|-----------|-------------------|--|--|-----------------|-------------------|------------|------------------|------------|--------|
| 8 | 474120046 | MCFARLAND, RANDY | 24379 WILLIS LN MORENO VALLEY CA, 92557 | Weeds have not been properly abated according to the lot size requirements. Handwork/cleanup required along perimeter of property. Tree branches have not been cleared 8 feet from ground. | 8/1/2012 | 103.00 | 157.00 | 240.00 | 13.80 | 513.80 |
| 9 | 474120047 | MCFARLAND, RANDY | 24379 WILLIS LN MORENO VALLEY CA, 92557 | Weeds have not been properly abated according to the lot size requirements. Handwork/cleanup required along perimeter of property. | 8/2/2012 | 103.00 | 157.00 | 240.00 | 13.80 | 513.80 |
| 10 | 475050040 | JIAQI INC | P O BOX 93723 CITY OF INDUSTRY CA, 91715 | Weeds have not been properly abated according to the lot size requirements. Handwork/cleanup required along perimeter of property. | 8/2/2012 | 356.00 | 157.00 | 240.00 | 13.80 | 766.80 |
| 11 | 475160056 | CAMPUS REALTY | 28391 AVD LA MANCHA SAN JUAN CAPO CA, 92675 | Weeds have not been properly abated according to the lot size requirements. Handwork/cleanup required along perimeter of property. | 8/1/2012 | 104.00 | 157.00 | 240.00 | 13.80 | 514.80 |
| 12 | 475160065 | CAMPUS REALTY | 28391 AVD LA MANCHA SAN JUAN CAPO CA, 92675 | Weeds have not been properly abated according to the lot size requirements. Handwork/cleanup required along perimeter of property. | 8/2/2012 | 174.00 | 157.00 | 240.00 | 13.80 | 584.80 |
| 13 | 475250075 | BOSQUES, CORNELIO | 24346 GROVEN LN MORENO VALLEY CA, 92555 | Weeds have not been properly abated according to the lot size requirements. Junk, trash, debris, and/or rubble has not been removed. | 8/1/2012 | 103.00 | 157.00 | 240.00 | 13.80 | 513.80 |

Item No. E.3

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Property Abatement List (PAL)

April 23, 2013 City Council Meeting

FY 12/13

| Parcel | Owner | Owner Address | Summary of Work | Abate Date | Contractor Cost | Reinspection Fees | Admin Cost | Special Dist Fee | Total Cost | |
|--------|-----------|------------------|---|--|-----------------|-------------------|------------|------------------|------------|--------|
| 14 | 475280078 | MCFARLAND, RANDY | 24379 WILLIS LN MORENO VALLEY CA, 92557 | Weeds have not been properly abated according to the lot size requirements. Handwork/cleanup required along perimeter of property. Junk, trash, debris, and/or rubble has not been removed. | 8/1/2012 | 103.00 | 157.00 | 240.00 | 13.80 | 513.80 |
| 15 | 475280079 | MCFARLAND, RANDY | 24379 WILLIS LN MORENO VALLEY CA, 92557 | Weeds have not been properly abated according to the lot size requirements. Handwork/cleanup required along perimeter of property. Insufficient firebreak(s). Substantial re-growth of weeds or other vegetation has occurred making necessary to repeat the abatement/cleaning of premises. | 8/1/2012 | 103.00 | 157.00 | 240.00 | 13.80 | 513.80 |
| 16 | 256150025 | EASLEY, ROY C | 3223 RIVER DR EDEN UT, 84310 | Handwork/cleanup required along perimeter of property. Substantial re-growth of weeds or other vegetation has occurred making necessary to repeat the abatement/cleaning of premises. | 7/30/2012 | 129.00 | 157.00 | 240.00 | 13.80 | 538.80 |
| 17 | 256150026 | MENDOZA, DANIEL | 21060 JENNINGS CT. MORENO VALLEY, 92557 | Weeds have not been properly abated according to the lot size requirements. Handwork/cleanup required along perimeter of property. Substantial re-growth of weeds or other vegetation has occurred making necessary to repeat the abatement/cleaning of premises. | 7/30/2012 | 128.00 | 157.00 | 240.00 | 13.80 | 538.80 |

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Property Abatement List (PAL)

April 23, 2013 City Council Meeting

FY 12/13

| Parcel | Owner | Owner Address | Summary of Work | Abate Date | Contractor Cost | Reinspection Fees | Admin Cost | Special Dist Fee | Total Cost | |
|--------|-----------|------------------|--|---|-----------------|-------------------|------------|------------------|------------|--------|
| 18 | 256150031 | RODRIGUEZ, PEDRO | 17345 MERRIL AVE FONTANA CA, 92335 | Weeds have not been properly abated according to the lot size requirements. Handwork/cleanup required along perimeter of property. Substantial re-growth of weeds or other vegetation has occurred making necessary to repeat the abatement/cleaning of premises. | 7/30/2012 | 106.00 | 157.00 | 240.00 | 13.80 | 516.80 |
| 19 | 256150035 | EASLEY, ROY C | 3223 RIVER DR EDEN UT, 84310 | Weeds have not been properly abated according to the lot size requirements. Handwork/cleanup required along perimeter of property. | 7/30/2012 | 103.00 | 157.00 | 240.00 | 13.80 | 5 |
| 20 | 259240048 | JW CAPITAL PP | 1875 E CENTURY PARK 1490 LOS ANGELES CA, 90007 | Weeds have not been properly abated according to the lot size requirements. Handwork/cleanup required along perimeter of property. Insufficient firebreak(s). Tree branches have not been cleared 8 feet from ground. | 8/1/2012 | 300.00 | 157.00 | 240.00 | 13.80 | 710.80 |
| 21 | 263132028 | AMUNDSON, DAVID | 68125 VERANO RD CATHEDRAL CY CA, 92234 | Weeds have not been properly abated according to the lot size requirements. Handwork/cleanup required along perimeter of property. Tree branches have not been cleared 8 feet from ground. | 7/30/2012 | 133.00 | 157.00 | 240.00 | 13.80 | 543.80 |
| 22 | 263132031 | NGUYEN, THANG | 1565 GRAPEVINE LN VISTA CA, 92083 | Weeds have not been properly abated according to the lot size requirements. Handwork/cleanup required along perimeter of property. | 7/30/2012 | 165.00 | 157.00 | 240.00 | 13.80 | 575.80 |

Item No. E.3

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Property Abatement List (PAL)

April 23, 2013 City Council Meeting

FY 12/13

| Parcel | Owner | Owner Address | Summary of Work | Abate Date | Contractor Cost | Reinspection Fees | Admin Cost | Special Dist Fee | Total Cost | |
|--------|-----------|----------------------------|---|---|-----------------|-------------------|------------|------------------|------------|----------|
| 23 | 263160002 | SLCW INV | 29217 LAKEVIEW LN HIGHLAND CA, 92346 | Weeds have not been properly abated according to the lot size requirements. Handwork/cleanup required along perimeter of property. Junk, trash, debris, and/or rubble has not been removed. Tree branches have not been cleared 8 feet from ground. | 7/31/2012 | 108.00 | 157.00 | 240.00 | 13.80 | 518.80 |
| 24 | 263160008 | SLCW INV | 29217 LAKEVIEW LN HIGHLAND CA, 92346 | Weeds have not been properly abated according to the lot size requirements. Handwork/cleanup required along perimeter of property. Junk, trash, debris, and/or rubble has not been removed. Tree branches have not been cleared 8 feet from ground. | 7/31/2012 | 740.00 | 157.00 | 240.00 | 13.80 | 1,150.80 |
| 25 | 263160015 | INDIO SECURITY STORAGE INC | 45800 FLOWER ST INDIO CA, 92201 | Weeds have not been properly abated according to the lot size requirements. Handwork/cleanup required along perimeter of property. | 7/30/2012 | 103.00 | 157.00 | 240.00 | 13.80 | 51 |
| 26 | 263160028 | SLCW INV | 29217 LAKEVIEW LN HIGHLAND CA, 92346 | Handwork/cleanup required along perimeter of property. Tree branches have not been cleared 8 feet from ground. | 7/31/2012 | 313.00 | 157.00 | 240.00 | 13.80 | 723.80 |
| 27 | 263210030 | OSTEEN, JAMES | 11701 PERRIS BLV MORENO VALLEY CA, 92557 | Weeds have not been properly abated according to the lot size requirements. Junk, trash, debris, and/or rubble has not been removed. | 7/31/2012 | 196.39 | 157.00 | 240.00 | 13.80 | 607.19 |
| 28 | 263220016 | ALQUZAH, MONTHER | 3700 TYLER ST UNT 10 RIVERSIDE CA, 92503 | Weeds have not been properly abated according to the lot size requirements. | 7/29/2012 | 99.00 | 157.00 | 240.00 | 13.80 | 509.80 |

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Property Abatement List (PAL)

April 23, 2013 City Council Meeting

FY 12/13

| Parcel | Owner | Owner Address | Summary of Work | Abate Date | Contractor Cost | Reinspection Fees | Admin Cost | Special Dist Fee | Total Cost | |
|--------|-----------|---------------------|--|---|-----------------|-------------------|------------|------------------|------------|--------|
| 29 | 263220018 | ALQUZAH, MONTHER | 3700 TYLER ST NO 10 RIVERSIDE CA, 92503 | Weeds have not been properly abated according to the lot size requirements. Junk, trash, debris, and/or rubble has not been removed. Substantial re-growth of weeds or other vegetation has occurred making necessary to repeat the abatement/cleaning of premises. | 7/29/2012 | 243.00 | 157.00 | 240.00 | 13.80 | 653.80 |
| 30 | 263220025 | ALQUZAH, MONTHER | 3700 TYLER ST NO 10 RIVERSIDE CA, 92503 | Weeds have not been properly abated according to the lot size requirements. Handwork/cleanup required along perimeter of property. Junk, trash, debris, and/or rubble has not been removed. | 7/29/2012 | 133.00 | 157.00 | 240.00 | 13.80 | 5 |
| 31 | 263230020 | ESCONDIDO PLAZA INC | PO BOX 460055 ESCONDIDO CA, 92046 | Weeds have not been properly abated according to the lot size requirements. Junk, trash, debris, and/or rubble has not been removed. | 7/29/2012 | 146.00 | 157.00 | 240.00 | 13.80 | 556.80 |
| 32 | 478171010 | RAHMON, HENRI J | 333 W ORANGE HEIGHTS LN CORONA CA, 92882 | Tree branches have not been cleared 8 feet from ground. | 8/1/2012 | 510.24 | 157.00 | 240.00 | 13.80 | 921.04 |
| 33 | 478174019 | KAYMAZ, JANET | 1603 BROOKSIDE AVE REDLANDS CA, 92373 | Weeds have not been properly abated according to the lot size requirements. Handwork/cleanup required along perimeter of property. Substantial re-growth of weeds or other vegetation has occurred making necessary to repeat the abatement/cleaning of premises. | 7/31/2012 | 97.00 | 157.00 | 240.00 | 13.80 | 507.80 |

Item No. E.3

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Property Abatement List (PAL)

April 23, 2013 City Council Meeting

FY 12/13

| Parcel | Owner | Owner Address | Summary of Work | Abate Date | Contractor Cost | Reinspection Fees | Admin Cost | Special Dist Fee | Total Cost | |
|--------|-----------|----------------------|---|---|-----------------|-------------------|------------|------------------|------------|--------|
| 34 | 478174020 | KAYMAZ, JANET | 1603 BROOKSIDE AVE REDLANDS CA, 92373 | Weeds have not been properly abated according to the lot size requirements. Handwork/cleanup required along perimeter of property. Substantial re-growth of weeds or other vegetation has occurred making necessary to repeat the abatement/cleaning of premises. | 7/31/2012 | 97.00 | 157.00 | 240.00 | 13.80 | 507.80 |
| 35 | 478174021 | KAYMAZ, JANET | 1603 BROOKSIDE AVE REDLANDS CA, 92373 | Weeds have not been properly abated according to the lot size requirements. Handwork/cleanup required along perimeter of property. Substantial re-growth of weeds or other vegetation has occurred making necessary to repeat the abatement/cleaning of premises. | 7/31/2012 | 97.00 | 157.00 | 240.00 | 13.80 | 507.80 |
| 36 | 478175002 | RODRIGUES, FAUSTO P | 31875 FLOSSIE WAY WINCHESTER CA, 92596 | Weeds have not been properly abated according to the lot size requirements. Handwork/cleanup required along perimeter of property. Junk, trash, debris, and/or rubble has not been removed. | 8/1/2012 | 308.16 | 157.00 | 240.00 | 13.80 | 719.06 |
| 37 | 478202053 | ROBERTSON, RICHARD M | P O BOX 677 SUN CITY CA, 92586 | Weeds have not been properly abated according to the lot size requirements. Handwork/cleanup required along perimeter of property. Substantial re-growth of weeds or other vegetation has occurred making necessary to repeat the abatement/cleaning of premises. | 8/1/2012 | 116.00 | 157.00 | 240.00 | 13.80 | 526.80 |

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Property Abatement List (PAL)

April 23, 2013 City Council Meeting

FY 12/13

| Parcel | Owner | Owner Address | Summary of Work | Abate Date | Contractor Cost | Reinspection Fees | Admin Cost | Special Dist Fee | Total Cost | |
|--------|-----------|---------------------|-------------------------------------|--|-----------------|-------------------|------------|------------------|------------|----------|
| 38 | 479090003 | MONJAZI, JOHN DAVID | P O BOX 4220 OCEANSIDE CA, 92052 | Weeds have not been properly abated according to the lot size requirements. Handwork/cleanup required along perimeter of property. Junk, trash, debris, and/or rubble has not been removed. Tree branches have not been cleared 8 feet from ground. | 7/31/2012 | 105.00 | 157.00 | 240.00 | 13.80 | 515.80 |
| 39 | 479230018 | LAI, PAUL CH | 1141 RODEO RD ARCADIA CA, 91006 | Weeds have not been properly abated according to the lot size requirements. Tree branches have not been cleared 8 feet from ground. Substantial re-growth of weeds or other vegetation has occurred making necessary to repeat the abatement/cleaning of premises. | 7/31/2012 | 720.00 | 157.00 | 240.00 | 13.80 | 1,110.80 |
| 40 | 481171046 | BYLES & MAS DEV | P O BOX 77372 CORONA CA, 92877 | Weeds have not been properly abated according to the lot size requirements. Handwork/cleanup required along perimeter of property. Junk, trash, debris, and/or rubble has not been removed. | 7/31/2012 | 103.00 | 157.00 | 240.00 | 13.80 | 513.80 |
| 41 | 481171048 | BYLES & MAS DEV | P O BOX 77372 CORONA CA, 92877 | Weeds have not been properly abated according to the lot size requirements. Handwork/cleanup required along perimeter of property. | 8/2/2012 | 103.00 | 157.00 | 240.00 | 13.80 | 513.80 |
| 42 | 481171050 | BYLES & MAS DEV | P O BOX 77372 CORONA CA, 92877 | Weeds have not been properly abated according to the lot size requirements. Tree branches have not been cleared 8 feet from ground. | 8/2/2012 | 104.00 | 157.00 | 240.00 | 13.80 | 514.80 |

Item No. E.3

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Property Abatement List (PAL)

April 23, 2013 City Council Meeting

FY 12/13

| Parcel | Owner | Owner Address | Summary of Work | Abate Date | Contractor Cost | Reinspection Fees | Admin Cost | Special Dist Fee | Total Cost | |
|--------|-----------|----------------------------|--|--|-----------------|-------------------|------------|------------------|------------|--------|
| 43 | 481200013 | NEJAD, M J R | 310 N COTA NO J CORONA CA, 92880 | Weeds have not been properly abated according to the lot size requirements. Handwork/cleanup required along perimeter of property. | 8/2/2012 | 103.00 | 157.00 | 240.00 | 13.80 | 513.80 |
| 44 | 481200044 | NEJAD, M J R | 310 N COTA NO J CORONA CA, 92880 | Weeds have not been properly abated according to the lot size requirements. Handwork/cleanup required along perimeter of property. Tree branches have not been cleared 8 feet from ground. | 8/2/2012 | 103.00 | 157.00 | 240.00 | 13.80 | 513.80 |
| 45 | 481270008 | NANDINO, HENRY | 7290 ASHLEY ST COLTON CA, 92324 | Weeds have not been properly abated according to the lot size requirements. Handwork/cleanup required along perimeter of property. Tree branches have not been cleared 8 feet from ground. | 8/2/2012 | 134.00 | 157.00 | 240.00 | 13.80 | 544.80 |
| 46 | 263230022 | ESCONDIDO PLAZA INC | PO BOX 460055 ESCONDIDO CA, 92046 | Weeds have not been properly abated according to the lot size requirements. Junk, trash, debris, and/or rubble has not been removed. | 7/29/2012 | 104.00 | 157.00 | 240.00 | 13.80 | 513.80 |
| 47 | 291191004 | ODUFALU, EKINOMO AHIMIE | 14124 ASHTON LN RIVERSIDE CA, 92508 | Weeds have not been properly abated according to the lot size requirements. Tree branches have not been cleared 8 feet from ground. Substantial re-growth of weeds or other vegetation has occurred making necessary to repeat the abatement/cleaning of premises. | 7/29/2012 | 129.00 | 157.00 | 240.00 | 13.80 | 539.80 |
| 48 | 292032011 | JURUPA LAND & INV INC | 6865 AIRPORT DR RIVERSIDE CA, 92504 | Weeds have not been properly abated according to the lot size requirements. | 7/31/2012 | 341.00 | 157.00 | 240.00 | 13.80 | 751.80 |

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Property Abatement List (PAL)

April 23, 2013 City Council Meeting

FY 12/13

| Parcel | Owner | Owner Address | Summary of Work | Abate Date | Contractor Cost | Reinspection Fees | Admin Cost | Special Dist Fee | Total Cost | |
|--------|-----------|-------------------|--|---|-----------------|-------------------|------------|------------------|------------|--------|
| 49 | 292191022 | ONTIVEROS, LUIS A | 4415 CAMINITO TECERA DEL MAR CA, 92014 | Junk, trash, debris, and/or rubble has not been removed. Tree branches have not been cleared 8 feet from ground. | 7/30/2012 | 149.00 | 157.00 | 240.00 | 13.80 | 559.80 |
| 50 | 292280018 | NOVAL, VICTORINO | 12032 VISTA DE CERR PMB278 MORENO VALLEY CA, 92557 | Weeds have not been properly abated according to the lot size requirements. Handwork/cleanup required along perimeter of property. | 7/31/2012 | 301.00 | 157.00 | 240.00 | 13.80 | 7 |
| 51 | 297100006 | NOA ASSOCIATES | 8121 VAN NUYS BLV STE 300 PANORAMA CITY CA, 91402 | Weeds have not been properly abated according to the lot size requirements. Insufficient firebreak(s). Junk, trash, debris, and/or rubble has not been removed. Tree branches have not been cleared 8 feet from ground. | 7/30/2012 | 682.75 | 157.00 | 240.00 | 13.80 | 1,0 |
| 52 | 297130043 | TAKUMA | 333 W PASEO DE CRISTOBAL SAN CLEMENTE CA, 92672 | Weeds have not been properly abated according to the lot size requirements. Substantial re-growth of weeds or other vegetation has occurred making necessary to repeat the abatement/cleaning of premises. | 7/31/2012 | 233.00 | 157.00 | 240.00 | 13.80 | 643.80 |
| 53 | 297150031 | R&H HOTEL DEV | 16278 MENAHKA RD APPLE VALLEY CA, 92307 | Weeds have not been properly abated according to the lot size requirements. | 7/29/2012 | 261.00 | 157.00 | 240.00 | 13.80 | 671.80 |
| 54 | 297180006 | SAMBRAY, AMEET Y | 21830 DEVERON COVE YORBA LINDA CA, 92887 | Weeds have not been properly abated according to the lot size requirements. Substantial re-growth of weeds or other vegetation has occurred making necessary to repeat the abatement/cleaning of premises. | 7/31/2012 | 454.17 | 157.00 | 240.00 | 13.80 | 864.97 |

Item No. E.3

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Property Abatement List (PAL)

April 23, 2013 City Council Meeting

FY 12/13

| Parcel | Owner | Owner Address | Summary of Work | Abate Date | Contractor Cost | Reinspection Fees | Admin Cost | Special Dist Fee | Total Cost | |
|--------|-----------|---------------------------|--|---|-----------------|-------------------|------------|------------------|------------|--------|
| 55 | 297220001 | MORENO VALLEY GATEWAY | 30448 RANCHO VIEJO RD 110 SAN JUAN CAPISTRANO CA, 92765 | Weeds have not been properly abated according to the lot size requirements. Handwork/cleanup required along perimeter of property. | 7/29/2012 | 194.00 | 157.00 | 240.00 | 13.80 | 604.80 |
| 56 | 297220010 | MORENO VALLEY GATEWAY | 30448 RANCHO VIEJO RD 110 SAN JUAN CAPISTRANO CA, 92765 | Weeds have not been properly abated according to the lot size requirements. Handwork/cleanup required along perimeter of property. | 7/29/2012 | 179.00 | 157.00 | 240.00 | 13.80 | 589.80 |
| 57 | 308040050 | CONTINENTAL EAST FUND III | 1250 CORONA POINT STE 302 CORONA CA, 92879 | Weeds have not been properly abated according to the lot size requirements. Handwork/cleanup required along perimeter of property. Insufficient firebreak(s). Junk, trash, debris, and/or rubble has not been removed. Substantial re-growth of weeds or other vegetation has occurred making necessary to repeat the abatement/cleaning of premises. | 8/1/2012 | 366.00 | 157.00 | 240.00 | 13.80 | 776.80 |
| 58 | 475280080 | MCFARLAND, RANDY | 24379 WILLIS LN MORENO VALLEY CA, 92557 | Weeds have not been properly abated according to the lot size requirements. Handwork/cleanup required along perimeter of property. Junk, trash, debris, and/or rubble has not been removed. Substantial re-growth of weeds or other vegetation has occurred making necessary to repeat the abatement/cleaning of premises. | 8/1/2012 | 103.00 | 157.00 | 240.00 | 13.80 | 513.80 |

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Property Abatement List (PAL)

April 23, 2013 City Council Meeting

FY 12/13

| Parcel | Owner | Owner Address | Summary of Work | Abate Date | Contractor Cost | Reinspection Fees | Admin Cost | Special Dist Fee | Total Cost |
|--------|------------------|---|--|------------|-----------------|-------------------|------------|------------------|------------|
| 59 | MCFARLAND, RANDY | 24379 WILLIS LN MORENO VALLEY CA, 92557 | Weeds have not been properly abated according to the lot size requirements. Handwork/cleanup required along perimeter of property. Junk, trash, debris, and/or rubble has not been removed. Substantial re-growth of weeds or other vegetation has occurred making necessary to repeat the abatement/cleaning of premises. | 8/2/2012 | 103.00 | 157.00 | 240.00 | 13.80 | 513.80 |
| 60 | MCFARLAND, RANDY | 24379 WILLIS LN MORENO VALLEY CA, 92557 | Weeds have not been properly abated according to the lot size requirements. Handwork/cleanup required along perimeter of property. Insufficient firebreak(s). Substantial re-growth of weeds or other vegetation has occurred making necessary to repeat the abatement/cleaning of premises. | 8/1/2012 | 185.00 | 157.00 | 240.00 | 13.80 | 595.80 |
| 61 | MCFARLAND, RANDY | 9087 ARROW RTE STE 200 RANCHO CUCAMONGA CA, 91730 | Weeds have not been properly abated according to the lot size requirements. Handwork/cleanup required along perimeter of property. Junk, trash, debris, and/or rubble has not been removed. Substantial re-growth of weeds or other vegetation has occurred making necessary to repeat the abatement/cleaning of premises. | 8/2/2012 | 109.00 | 157.00 | 240.00 | 13.80 | 519.80 |

Item No. E.3

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Property Abatement List (PAL)

April 23, 2013 City Council Meeting

FY 12/13

| Parcel | Owner | Owner Address | Summary of Work | Abate Date | Contractor Cost | Reinspection Fees | Admin Cost | Special Dist Fee | Total Cost | |
|--------|-----------|------------------|---|--|-----------------|-------------------|------------|------------------|------------|--------|
| 62 | 475280084 | MCFARLAND, RANDY | 24379 WILLIS LN MORENO VALLEY CA, 92557 | Weeds have not been properly abated according to the lot size requirements. Handwork/cleanup required along perimeter of property. Junk, trash, debris, and/or rubble has not been removed. Substantial re-growth of weeds or other vegetation has occurred making necessary to repeat the abatement/cleaning of premises. | 8/2/2012 | 103.00 | 157.00 | 240.00 | 13.80 | 513.80 |
| 63 | 475280085 | MCFARLAND, RANDY | 24379 WILLIS LN MORENO VALLEY CA, 92557 | Weeds have not been properly abated according to the lot size requirements. Handwork/cleanup required along perimeter of property. | 8/2/2012 | 103.00 | 157.00 | 240.00 | 13.80 | 513.80 |
| 64 | 478120003 | SP CCI | 43255 VIA SIENA INDIAN WELLS CA, 92210 | Weeds have not been properly abated according to the lot size requirements. Insufficient firebreak(s). Junk, trash, debris, and/or rubble has not been removed. Substantial re-growth of weeds or other vegetation has occurred making necessary to repeat the abatement/cleaning of premises. | 7/31/2012 | 296.00 | 157.00 | 240.00 | 13.80 | 706.80 |

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Property Abatement List (PAL)

April 23, 2013 City Council Meeting

FY 12/13

| Parcel | Owner | Owner Address | Summary of Work | Abate Date | Contractor Cost | Reinspection Fees | Admin Cost | Special Dist Fee | Total Cost | |
|--------|-----------|--------------------|--|--|-----------------|-------------------|------------|------------------|------------|--------|
| 65 | 478120004 | SP CCI | 43255 VIA SIENA INDIAN WELLS CA, 92210 | Weeds have not been properly abated according to the lot size requirements. Handwork/cleanup required along perimeter of property. Junk, trash, debris, and/or rubble has not been removed. Substantial re-growth of weeds or other vegetation has occurred making necessary to repeat the abatement/cleaning of premises. | 7/31/2012 | 164.00 | 157.00 | 240.00 | 13.80 | 574.80 |
| 66 | 481270039 | LOZANO, ALFREDO | 12900 HEACOCK ST MORENO VALLEY, 92553 | Weeds have not been properly abated according to the lot size requirements. Handwork/cleanup required along perimeter of property. | 8/1/2012 | 38.00 | 157.00 | 240.00 | 13.80 | 448.80 |
| 67 | 481270059 | LOZANO, ALFREDO | 12900 HEACOCK ST MORENO VALLEY CA, 92553 | Weeds have not been properly abated according to the lot size requirements. Handwork/cleanup required along perimeter of property. Tree branches have not been cleared 8 feet from ground. | 8/1/2012 | 32.00 | 157.00 | 240.00 | 13.80 | 442.80 |
| 68 | 481270060 | NEJAD, M J RAHMANI | 3380 LA SIERRA AVE #104 RIVERSIDE CA, 925035225 | Weeds have not been properly abated according to the lot size requirements. Handwork/cleanup required along perimeter of property. Junk, trash, debris, and/or rubble has not been removed. Tree branches have not been cleared 8 feet from ground. | 8/1/2012 | 203.00 | 157.00 | 240.00 | 13.80 | 613.80 |

Item No. E.3

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Property Abatement List (PAL)

April 23, 2013 City Council Meeting

FY 12/13

| Parcel | Owner | Owner Address | Summary of Work | Abate Date | Contractor Cost | Reinspection Fees | Admin Cost | Special Dist Fee | Total Cost | |
|--------|-----------|--------------------|---|---|-----------------|-------------------|------------|------------------|------------|--------|
| 69 | 482060041 | MANSELL, HARNETHIA | 10947 OAK RUN CIR MORENO VALLEY CA, 92557 | Weeds have not been properly abated according to the lot size requirements. Handwork/cleanup required along perimeter of property. Tree branches have not been cleared 8 feet from ground. Substantial re-growth of weeds or other vegetation has occurred making necessary to repeat the abatement/cleaning of premises. | 8/2/2012 | 232.00 | 157.00 | 240.00 | 13.80 | 642.80 |
| 70 | 482230013 | LIANG, HUO YOU | 16015 PHOENIX RD CITY OF INDUSTRY CA, 91745 | Weeds have not been properly abated according to the lot size requirements. Insufficient firebreak(s). Substantial re-growth of weeds or other vegetation has occurred making necessary to repeat the abatement/cleaning of premises. | 7/31/2012 | 526.78 | 157.00 | 240.00 | 13.80 | 937.58 |
| 71 | 482582040 | F & T GROUP | 16015 PHOENIX DR CITY OF INDUSTRY CA, 91745 | Weeds have not been properly abated according to the lot size requirements. Tree branches have not been cleared 8 feet from ground. Substantial re-growth of weeds or other vegetation has occurred making necessary to repeat the abatement/cleaning of premises. | 7/29/2012 | 164.00 | 157.00 | 240.00 | 13.80 | 57 ... |

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Property Abatement List (PAL)

April 23, 2013 City Council Meeting

FY 12/13

| Parcel | Owner | Owner Address | Summary of Work | Abate Date | Contractor Cost | Reinspection Fees | Admin Cost | Special Dist Fee | Total Cost | |
|--------|-----------|---|---|---|-----------------|-------------------|------------|------------------|------------|--------|
| 72 | 486091002 | QUINTANILLA, AMERICA | 5564 AGRA ST BELL GARDENS CA, 90201 | Weeds have not been properly abated according to the lot size requirements. Handwork/cleanup required along perimeter of property. Substantial re-growth of weeds or other vegetation has occurred making necessary to repeat the abatement/cleaning of premises. | 7/31/2012 | 307.17 | 157.00 | 240.00 | 13.80 | 717.97 |
| 73 | 486250021 | CONTINENTAL EAST FUND VII | 1250 CORONA POINT STE 302 CORONA CA, 92879 | Weeds have not been properly abated according to the lot size requirements. Insufficient firebreak(s). Substantial re-growth of weeds or other vegetation has occurred making necessary to repeat the abatement/cleaning of premises. | 8/1/2012 | 294.00 | 157.00 | 240.00 | 13.80 | 717.97 |
| 74 | 486290029 | AKMAKJIAN CHRISTINA HEIDER LIVING TRUST | 2225 DA VINCI DR RIVERSIDE CA, 92506 | Weeds have not been properly abated according to the lot size requirements. Handwork/cleanup required along perimeter of property. Substantial re-growth of weeds or other vegetation has occurred making necessary to repeat the abatement/cleaning of premises. | 7/31/2012 | 296.00 | 157.00 | 240.00 | 13.80 | 708.80 |
| 75 | 487250006 | MONSON DOROTHY C ESTATE OF | 3777 LYNWOOD DR HIGHLAND CA, 92346 | Weeds have not been properly abated according to the lot size requirements. Handwork/cleanup required along perimeter of property. | 8/1/2012 | 298.00 | 157.00 | 240.00 | 13.80 | 708.80 |

Item No. E.3

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Property Abatement List (PAL)

April 23, 2013 City Council Meeting

FY 12/13

| Parcel | Owner | Owner Address | Summary of Work | Abate Date | Contractor Cost | Reinspection Fees | Admin Cost | Special Dist Fee | Total Cost | |
|--------|-----------|--------------------------------|--|---|-----------------|-------------------|-------------|------------------|------------|-------------|
| 76 | 488080003 | LCTH INV | 1000 DOVE ST NO 100 NEWPORT BEACH CA, 92660 | Weeds have not been properly abated according to the lot size requirements. Handwork/cleanup required along perimeter of property. Insufficient firebreak(s). Tree branches have not been cleared 8 feet from ground. | 8/2/2012 | 532.00 | 157.00 | 240.00 | 13.80 | 942.80 |
| 77 | 488190032 | PRESTON, DONALD E | 27389 COTTONWOOD AVE MORENO VALLEY CA, 92555 | Weeds have not been properly abated according to the lot size requirements. Junk, trash, debris, and/or rubble has not been removed. Tree branches have not been cleared 8 feet from ground. Substantial re-growth of weeds or other vegetation has occurred making necessary to repeat the abatement/cleaning of premises. | 8/1/2012 | 253.00 | 157.00 | 240.00 | 13.80 | 663.80 |
| 78 | 488200024 | MORENO VALLEY CHURCH OF CHRIST | P O BOX 9633 MORENO VALLEY CA, 92552 | Weeds have not been properly abated according to the lot size requirements. Substantial re-growth of weeds or other vegetation has occurred making necessary to repeat the abatement/cleaning of premises. | 7/31/2012 | 294.00 | 157.00 | 240.00 | 13.80 | 70 |
| 79 | 488220005 | LIN, KEVIN C H | 519 N BEDFORD DR BEVERLY HILLS CA, 90210 | Weeds have not been properly abated according to the lot size requirements. Insufficient firebreak(s). Substantial re-growth of weeds or other vegetation has occurred making necessary to repeat the abatement/cleaning of premises. | 7/31/2012 | 359.00 | 157.00 | 240.00 | 13.80 | 769.80 |
| | | | | | | \$17,747.66 | \$12,403.00 | \$18,960.00 | \$1,090.20 | \$50,200.86 |

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| APPROVALS | |
|----------------|--------------------|
| BUDGET OFFICER | <i>[Signature]</i> |
| CITY ATTORNEY | <i>[Signature]</i> |
| CITY MANAGER | <i>[Signature]</i> |

Report to City Council

TO: Mayor and City Council

FROM: Barry Foster, Community & Economic Development Director

AGENDA DATE: April 23, 2013

TITLE: PUBLIC HEARING FOR THE CDBG AND HOME PROGRAMS TO ADOPT THE CONSOLIDATED PLAN FOR FISCAL YEARS 2013-2018. THE ANNUAL ACTION PLAN FOR FISCAL YEAR 2013-2014 AND THE ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE AND FAIR HOUSING ACTION PLAN

RECOMMENDED ACTION

Recommendations: That the City Council:

1. Conduct a Public Hearing for the Community Development Block Grant (CDBG) and HOME programs to allow the public an opportunity to comment on, 1) the proposed FY 2013-2018 Consolidated Plan, 2) the FY 2013-2014 Annual Action Plan, and 3) the Analysis of Impediments to Fair Housing Choice and Fair Housing Action Plan.
2. Adopt, 1) the FY 2013-2018 Consolidated Plan, 2) the FY 2013-2014 Annual Action Plan, and 3) the Analysis of Impediments to Fair Housing Choice and Fair Housing Action Plan.

BACKGROUND

Consolidated Plan and Annual Action Plan

The U.S. Department of Housing and Urban Development (HUD) requires that grantee cities, such as Moreno Valley, prepare both a Consolidated Plan and an Annual Action Plan as a condition to receiving Federal funding under the Community Development Block Grant (CDBG) and HOME Investment Partnerships Program (HOME). The Consolidated Plan is a planning document that covers a five year period between July 1, 2013 and June 30, 2018, and establishes the City's strategies for addressing low and moderate income needs of the community, as defined by HUD regulations.

The Annual Action Plan is prepared prior to the start of each fiscal year within a Consolidated Plan period. The attached Annual Action Plan details the specific activities and projects the City of Moreno Valley will undertake in FY 2013-2014 using CDBG and HOME funds.

Analysis of Impediments to Fair Housing Choice and Fair Housing Action Plan

Prior to the start of each Consolidated Plan period, HUD requires that grantees prepare an Analysis of Impediments (AI) to Fair Housing Choice Report as part of the Community Development Block Grant (CDBG) program. The AI is a review of impediments or barriers that affect the public's right of fair housing choice and it serves as a basis for fair housing planning. It provides detailed information to policy makers, administrative staff, housing providers, lenders, and fair housing advocates to assist in building public support for fair housing efforts. The City's current AI was last updated in 2008. Data contained in this report is a synthesis of the most recent US Census Data, information collected by the Fair Housing Council of Riverside County (FHCRC) and a series of community meetings conducted in October of 2012. In addition, the City in partnership with the FHCRC published an online survey to solicit additional community input regarding fair housing issues.

DISCUSSION

Consolidated Plan

Attachment 1 to this report is the proposed Consolidated Plan for Fiscal Years 2013-2018. The Consolidated Plan provides the City with a Five-Year Strategic Plan for addressing housing, homelessness, special needs and community and economic development activities in the City. The Consolidated Plan document provides four functions including, 1) the development of a planning document that encourages citizen participation, 2) a consolidated application to HUD, 3) a strategy to be followed in carrying out HUD programs, and 4) an Action Plan that provides a basis for assessing performance. The Consolidated Plan matches the community needs with identified implementation strategies and available resources to address those needs.

Annual Action Plan

Attachment 2 to this report is the proposed Annual Action Plan for FY 2013-2014. The Action Plan details the specific projects and allocated funding for the upcoming program year. In March of 2013, HUD notified the City that it should anticipate a 10% reduction in funding as a result of the federal sequester. Sequestration is a term used to describe the practice of using mandatory spending cuts in the federal budget if the cost of running the government exceeds either an arbitrary amount or the gross revenue it brings in during the fiscal year. For budget estimation purposes, City staff utilized the FY 2012-2013 allocation of \$1,858,467 as the basis to begin the 10% reduction. Therefore, staff estimates the new CDBG funding allocation to be \$1,672,620. Of this, 15% or \$250,893 of the total CDBG allocation can be made available for social services. In addition, \$902,576 in previous year project surplus is available for reallocation. Surplus funding is created when a project is either completed under the originally estimated

budget or when a project is canceled and funds are reprogrammed and returned to the grant credit line. This provides for a total anticipated CDBG budget for the next fiscal year of \$2,575,196.

The FY 2013-2014 HOME allocation is anticipated to be \$422,077. Historically the City has utilized the HOME Program to fund HOME program administration (capped at 10% or \$42,207 of the total HOME allocation), City-sponsored housing rehabilitation programs, first time homebuyer down payment assistance, and the HUD-mandated 15% set-aside (\$63,312) for Community Housing Development Organizations (CHDO) that must be used to increase the supply of affordable housing for low-income families.

On March 26, 2013 a Public Hearing was conducted to discuss staff's recommendations for CDBG and HOME projects for FY 2013-2014. The City Council approved staff recommendations as submitted.

The following tables detail the proposed budget for the CDBG and HOME programs for FY 2013-2014. These budgets are included in the Annual Action Plan and will be approved once the documents are adopted.

ANTICIPATED FY 2013-14 CDBG BUDGET

| PROGRAM ADMINISTRATION (20% CAP - \$334,524) | |
|--|-----------|
| CDBG Program Administration | \$314,524 |
| Fair Housing Services | \$20,000 |
| PUBLIC SERVICES (15% CAP - \$250,893) | |
| Community Assistance Program (CAP) Food Program | \$33,062 |
| Friends of the Moreno Valley Senior Center (MoVan) Transportation | \$31,062 |
| Fair Housing Council of Riv County - Landlord Tenant Mediation Program | \$17,892 |
| PW Enhancement Center - Emergency Services Outreach | \$17,062 |
| Lutheran Social Services (MARB) Homeless Shelter | \$16,912 |
| Path of Life Transitional Family Shelter (MARB) | \$16,912 |
| Catholic Charities - Case Worker | \$16,062 |
| CASA for Riverside County Foster Youth Program | \$11,062 |
| Assistance League/Operation School Bell - Clothes/School Supplies | \$11,062 |
| Fair Housing Council of Riv County - Foreclosure Mitigation Counseling Program | \$10,000 |
| Operation Safehouse Shelter for Youth | \$9,062 |
| Alternatives to Domestic Violence Emergency Shelter & Services | \$8,562 |
| Riverside Area Rape Crisis Center - Child Abuse Prevention Program | \$8,562 |
| Salvation Army -Food Program | \$8,562 |
| ARC of Riverside - Disabled Adult Day Care Facility | \$6,062 |
| US VETS Transportation Assistance Program | \$6,062 |
| Smooth Transition Literacy/Job Readiness/Life Skills Trng. | \$6,062 |

| | |
|---|--------------------|
| Lighthouse Treatment Center for Vets | \$6,062 |
| 211' Telephone Referral Service | \$6,062 |
| MV PD Christmas Program | \$4,753 |
| PUBLIC FACILITIES AND IMPROVEMENTS | |
| Sunnymead Blvd. Stormdrain between Indian & SR-60 Perris Blvd. off-ramp | \$800,000 |
| Edgemont Improvement Program - Exterior Rehab. | \$300,000 |
| REHABILITATION | |
| Habitat for Humanity | \$10,000 |
| CODE ENFORCEMENT | |
| Code & Neighborhood Enforcement Program (CDBG Target Areas) | \$284,767 |
| Code Enforcement - Foreclosure 'Strike Team' | \$98,042 |
| ECONOMIC DEVELOPMENT | |
| Business Incubator (formerly New Business Incentive Program) | \$273,754 |
| Recruitment Assistance (based at the ERC) | \$173,216 |
| Small Business Development Center | \$50,000 |
| TOTAL CDBG FUNDING ALLOCATIONS | \$2,575,196 |

ANTICIPATED FY 2013-14 HOME BUDGET

| | |
|---|------------------|
| PROGRAM ADMINISTRATION (10% CAP - \$42,207) | |
| HOME Program Administration | \$42,207 |
| COMMUNITY HOUSING DEVELOPMENT ORGANIZATION (15% MINIMUM) | |
| Community Housing Development Organization (CHDO) | \$63,312 |
| HOUSING PROGRAMS | |
| New Affordable Housing Project(s) | \$796,558 |
| TOTAL HOME FUNDING ALLOCATIONS | \$902,077 |

Changes to CDBG Eligible Target Areas

HUD requires cities to establish CDBG Target Areas so that they may concentrate their programs in areas determined to contain residents of which at least 51% earn low-to-moderate incomes. Since the last Consolidated Plan cycle, several census tract block groups have been added to the City's eligible CDBG target area. The new map of Moreno Valley's CDBG Target Areas is included as part of the Consolidated Plan.

Analysis of Impediments to Fair Housing Choice and Fair Housing Action Plan

Attachment 3 is the proposed Analysis of Impediments (AI) to Fair Housing Choice and Fair Housing Action Plan. Because the recommendations of this report are included in both the Action Plan and Consolidated Plan, all documents were noticed together and were made available for concurrent public review from March 22, 2013 through April 21, 2013. The report details the current conditions existing in the City using data from the Census Bureau and other sources. The report also provides actions that the City will undertake in order to alleviate fair housing discrimination and other impediments to fair housing choice. These actions will continue over the course of the five-year period of the Consolidated Plan.

The following summarizes the fair housing impediments identified and the recommended actions that the City should undertake during the five years of the Consolidated Plan. The recommended private sector actions apply to ways in which the City can encourage outside entities to further fair housing while the public sector actions refer to actions that the City can directly implement to further fair housing.

1. Public Sector Actions

Action 1.1 In order to affirmatively further fair housing, the City will establish a specific disability definition that is identical to the one in the Federal Fair Housing Act. The definition will be included in the Reasonable Accommodation Procedure.

Action 1.2 The Planning and Zoning Code will be revised to define transitional and supportive housing and to indicate the residential zones in which such housing is permitted.

Action 1.3 The City will adopt a reasonable accommodation procedure.

Action 1.4 The City will address special needs populations through the policies of the Consolidated Plan and Housing Element. In the Housing Element Update (to be adopted by October 2013), the City must address the needs of the developmentally disabled population. The City also will consider amending the Planning and Zoning Code to include a definition and development standards for special needs housing.

Action 1.5 The City will amend the Planning and Zoning Code by adding a senior housing definition.

2. Private Sector Actions

Action 2.1 The City and Fair Housing Council of Riverside County, Inc. will continue to offer fair housing services to Moreno Valley residents.

Action 2.2 The City and Fair Housing Council of Riverside County, Inc. will arrange a meeting with the Inland Valley Association of Realtors' (IVAR) Fair Housing Committee, which meets the third Tuesday of every month, to explore fair housing topics.

Action 2.3 The Fair Housing Council - as part of its home buyer counseling services – will provide examples of how to detect “steering” during the home search process and how to detect “loan steering.”

Action 2.4 The Fair Housing Council will add “how to read an appraisal report” to its homebuyer counseling services.

Action 2.5 The City and Fair Housing Council will annually monitor the Home Mortgage Disclosure Act (HMDA) data to establish long-term trends in loan denial rates.

Action 2.6 The City and Fair Housing Council will maintain an inventory of Federal Housing Administration (FHA) and low down payment financed homes.

Action 2.7 The City and Fair Housing Council will monitor on a regular schedule the notices of default by address made available by the County Recorder’s Office or through a subscription service.

Action 2.8 The City and Fair Housing Council will match the notices of default by address to the addresses of the low down payment financed homes.

Action 2.9 The Fair Housing Council will contact the borrowers in default and inform them of default and foreclosure counseling services available to homeowners at risk of losing their homes.

Citizen Participation

Citizen participation for the development of the Consolidated Plan, the Annual Action Plan, and the Analysis of Impediments to Fair Housing (AI) was accomplished through a series of meetings, public notices and announcements. City staff conducted meetings with area residents, non-profit organizations and surrounding jurisdictions to solicit input on community needs. Two public meetings were conducted to determine community needs. In addition, several focused meetings with local agencies, surrounding jurisdictions and City committees were also conducted. Information and notification of these meetings was distributed through correspondence, flyers and public notices. The information compiled from the meetings was used in determining the needs in the community and the development of strategies.

In addition, three public hearings were conducted to solicit input from the general public. The first public hearing took place on December 11, 2012 and residents were given the opportunity to provide comments regarding priority needs in the community. A second public hearing was held on March 26, 2013 to discuss the proposed projects to be funded with CDBG and HOME for the upcoming fiscal year. A final public hearing to be conducted on April 23, 2013 will allow the public an opportunity to comment on the proposed Consolidated Plan, Annual Action Plan, and AI before adoption by the City Council. All adopted documents must be submitted to HUD by May 9, 2013.

ALTERNATIVES

Alternative 1 – The City Council may adopt the Consolidated Plan for Fiscal Years 2013-2018, the Annual Action Plan for Fiscal Year 2013-2014 and the Analysis of Impediments to Fair Housing Choice and Fair Housing Action Plan. **Staff recommends this alternative as being the most compliant with HUD’s requirements.**

Alternative 2 – City Council may choose not to adopt the Consolidated Plan for Fiscal Years 2013-2018, the Annual Action Plan for Fiscal Year 2013-2014, or the Analysis of Impediments to Fair Housing Choice Report. **Staff does not recommend this alternative because it would result in not meeting HUD’s established deadline for submission of these documents.**

FISCAL IMPACT

In FY 2013-2014 there is an estimated total of \$1,672,620 in new CDBG funding to allocate to projects and an estimated \$422,077 in new HOME funds available to allocate to new projects. Together, these funds will provide funding for affordable housing projects and a variety of community improvements, economic development, rehabilitation and public services.

The Analysis of Impediments to Fair Housing Choice Report is required by the U.S. Department of Housing and Urban Development (HUD) as part of the Community Development Block Grant (CDBG) and Home Investment Partnership (HOME) programs. Grant funding could be impacted if the City does not have an updated report.

CITY COUNCIL GOALS

1. REVENUE DIVERSIFICATION & PRESERVATION

By utilizing CDBG, HOME and ADDI funds, the City will enhance its ability to create a stable revenue base and fiscal policies that will support essential City improvement services.

2. PUBLIC SAFETY

Many of the proposed CDBG and HOME projects and programs will directly or indirectly help to provide a secure environment for people and property in the community.

3. PUBLIC FACILITIES & CAPITAL PROJECTS

The majority of CDBG dollars will be used to construct needed public facilities, roadway improvements and other infrastructure improvements.

4. POSITIVE ENVIRONMENT

A positive environment for the development of Moreno Valley's future will be created through a variety of community-based CDBG and HOME programs and projects.

5. COMMUNITY IMAGE, NEIGHBORHOOD PRIDE & CLEANLINESS

CDBG and HOME programs such as: Code Enforcement, Neighborhood Policing, Public Infrastructure Improvements and Housing Rehabilitation will help to preserve, rehabilitate and improve existing neighborhoods.

NOTIFICATION

Notice of this meeting was published in the local edition of the Press-Enterprise newspaper on March 9, 2013.

ATTACHMENTS

ATTACHMENT 1
ATTACHMENT 2
ATTACHMENT 3

Consolidated Plan for Fiscal Years 2013-2018
 Annual Action Plan for Fiscal Year 2013-2014
 Analysis of Impediments to Fair Housing
 Choice Report and Fair Housing Action Plan

Prepared By:
 Dante Hall
 Business Support & 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: |



CITY OF MORENO VALLEY

Consolidated Plan

2013 - 2018

Plan Effective: July 1, 2013 – June 30, 2018

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MA-35 Special Needs Facilities and Services

MA-40 Barriers to Affordable Housing

MA-45 Non-housing Community Development Assets

MA-50 Needs and Market Analysis Discussion

ES-05 Executive Summary

1. Introduction

The Consolidated Plan is a five-year community development plan covering the period July 1, 2013 to June 30, 2018. The plan outlines the community's needs, the strategies for addressing those needs, citizen participation and a one-year action plan (which will be updated annually).

As a recipient of both Community Development Block Grant (CDBG) and HOME Investment Partnership (HOME), funds the City is required to prepare a Consolidated Plan. The plan must be submitted to the U.S. Department of Housing and Urban Development (HUD).

The Consolidated Plan serves four functions. These functions include the development of a planning document that encourages citizen participation, a consolidated application to HUD, a strategy to be followed in carrying out HUD programs, and an action plan that provides a basis for assessing performance.

2. Summary of the objectives and outcomes identified in the Plan Needs Assessment Overview

The overall goals of the CDBG and HOME Programs, as included in the Consolidated Plan, are to develop viable urban communities by providing (1) decent housing, (2) a suitable living environment and (3) expanded economic opportunities principally for low and moderate-income persons.

(1). Decent housing includes assisting homeless persons, retention of the affordable housing stock, increasing the availability of permanent housing in standard condition and affordable cost to low-income and moderate-income persons.

(2). A suitable living environment includes improving the safety and livability of neighborhoods, increasing access to quality public and private facilities and services, and the revitalization of deteriorating or deteriorated neighborhoods.

(3). Expanded economic opportunities include job creation and retention, as well as establishment, stabilization and expansion of small businesses.

The primary means towards this end is to extend and strengthen partnerships among all levels of government and the private sector, including for-profit and non-profit organizations, in the production and operation of affordable housing.

3. Evaluation of past performance

The City of Moreno Valley exceeded all of its goals established under the 2008-2013 Consolidated Plan. At the time this document was being prepared, the City was mid-way through the final year (2013) of the previous Consolidated Plan, and therefore information regarding the first four years of the plan are being referred to herein.

At the end of Year 4 of the Plan the City was successful in accomplishing the following:

1. Homeless Strategy - Assisted 2,350 homeless or at risk homeless individuals with housing and public services.
2. Special Needs Strategy - Assisted 17,948 special needs persons, including the elderly and disabled, with housing and public services.
3. Housing Strategy - Rehabilitated or constructed 192 housing units. In addition, utilizing NSP1 funding the City rehabilitated 45 single family homes, and 27 affordable rental units. The City also provided 30 households with the opportunity to become first time home buyers. Proactive code enforcement in the CDBG target areas was provided to 7,898 households. Finally, 3,569 households were provided with fair housing services.
4. Community and Economic Development Strategy - The City was successful in creating/retaining 163 jobs for local small business and providing job training to 93 low and moderate income individuals. Infrastructure improvements were made to 610 parcels within the CDBG target area. 177,498 Low and moderate income residents received public services.

4. Summary of citizen participation process and consultation process

During the Consolidated Plan process, the City took an aggressive approach to ensure and encourage citizen participation. HUD regulations require that cities consult with public and private community-based non-profit organizations to obtain input on the housing and non-housing needs of low- and moderate-income and homeless members of the community. Those with special needs are included as well. To meet this requirement, the City prepared a Citizen Participation Plan which outlines the process for encouraging citizen participation in the development of the Consolidated Plan.

Citizen participation was accomplished through a series of meetings, public notices and announcements. City staff conducted meetings with area residents, non-profit organizations and surrounding jurisdictions to solicit input on community needs. Public meetings to determine needs were held in two of the CDBG Target Areas. One meeting took place at the Moreno Valley City Council Chamber and the other at the Moreno Valley Conference and Recreation Center. In addition, several focused meetings with local agencies, surrounding jurisdictions and City committees were also conducted.

Information and notification of these meetings was distributed through correspondence, flyers and public notices published in the Riverside Press Enterprise. The information compiled from the meetings was used in determining the needs in the community and the development of strategies. Citizen comments are included as an attachment to this document.

Three public hearings were conducted to solicit input from the public. The first public hearing took place on December 11, 2012 and residents were given the opportunity to provide comments regarding priority needs in the community. A second public hearing was held on March 26, 2013 to discuss the proposed Consolidated Plan goals and objectives and the proposed projects for the upcoming fiscal year. After receiving input from the community, the proposed Consolidated Plan was available for a 30-day public examination and comment period from March 22, 2013 through April 22, 2013. The Plan was available at four locations (Library, City Corporate Yard, City Hall and Senior Center) within the City. A final public hearing was conducted on May 23, 2013 after the close of the public review period. The final public hearing allowed the public an opportunity to comment on the proposed Consolidated Plan before adoption by the City Council.

5. Summary of public comments

The following is a summary of the types of needs identified by citizens during public meetings:

- Affordable rental housing
- Programs for at risk youth
- Increased need for telephone social service referral program
- Housing for homeless veterans
- Utility assistance
- Drug and gang intervention services
- Infrastructure improvements
- Financial counseling
- Improvements to the Edgemont neighborhood
- Homeless shelters and emergency motel vouchers
- Services for mentally ill homeless individuals

6. Summary of comments or views not accepted and the reasons for not accepting them

All public comments were taken into consideration when developing the Consolidated Plan.

The Process

PR-05 Lead & Responsible Agencies

1. Agency/entity responsible for preparing/administering the Consolidated Plan

The following are the agencies/entities responsible for preparing the Consolidated Plan and those responsible for administration of each grant program and funding source.

| Agency Role | Name | Department/Agency |
|-------------|---------------|---|
| Lead Agency | MORENO VALLEY | Community & Economic Development Department |

Table 1 – Responsible Agencies

Narrative

The City of Moreno Valley Community and Economic Development Department's, Business Support and Neighborhood Programs Division is responsible for the development of the Consolidated Plan. The Consolidated Plan was prepared with the cooperation of local non-profit agencies, social service organizations, and interested members of the public.

Consolidated Plan Public Contact Information

The primary contact for matters regarding this plan is: Dante G. Hall, Business Support & Neighborhood Programs Administrator, 951-413-3450

PR-10 Consultation

1. Introduction

The City coordinated efforts and consulted with several public agencies to prepare the Consolidated Plan. The Riverside County Public Housing Authority provided information regarding public and assisted housing in Moreno Valley; the Riverside County Department of Public Social Services works closely with the City to assist homeless persons through the Continuum of Care (CoC). The Riverside County Department of Mental Health also provided information on the coordination of efforts to assist mentally ill homeless persons.

Summary of the jurisdiction's activities to enhance coordination between public and assisted housing providers and private and governmental health, mental health and service agencies

Community and Economic Development Department staff work closely with outside agencies in both the public and private sectors. Through working with nonprofit agencies and other public institutions, the City hopes to achieve all the goals set forth in the Consolidated Plan.

The City enjoys a cooperative relationship with surrounding jurisdictions and agencies, as well as nonprofit organizations. The City meets on a regular basis with the Riverside County Department of Public Social Services as part of the Continuum of Care process. The City utilizes a variety of nonprofit organizations to address community needs, such as homelessness, special needs, fair housing and food distribution services. In addition, the City also works with state and federal agencies through several grant programs to facilitate services and programs, which meet housing and safety needs in the community.

As a result of cooperation with surrounding jurisdictions, the City has been able to address a wide variety of community needs including housing rehabilitation, housing programs, public services, and public safety. To facilitate the coordination and cooperation, the City will continue to work with these entities through meetings, correspondence, and joint endeavors.

The City has been and will continue to be supportive of direct applications for funds from housing providers as well as local Community Housing and Development Organizations (CHDO's) and other entities. In addition, the City will continue to support funding applications for local nonprofit service providers.

There are a limited number of businesses to assist with housing development. However, the City hopes to work with resources available through affordable housing financial institutions. These private businesses will be included in the annual plans as applicable. Also, the City will work with businesses that provide loans to high risk small businesses for the purpose of creating and/or retaining low income jobs.

Describe coordination with the Continuum of Care and efforts to address the needs of homeless persons (particularly chronically homeless individuals and families, families with children, veterans, and unaccompanied youth) and persons at risk of homelessness

The City participates in the Riverside County Continuum of Care (CoC). The CoC consists of local government agencies as well as non-profit agencies that work together to address homeless issues in the region. Funding is provided to local public and non-profit agencies to provide homeless services and shelter. Monthly and quarterly meetings provide an opportunity for networking and working towards the common goal. Moreno Valley staff are part of the Continuum of Care working group charged with developing and implementing the County’s 10 Year Plan to End Homelessness. In addition, the City continues to locally organize the Riverside County Homeless count. Participating in these counts provides staff with a firsthand knowledge of homeless needs through direct interaction with potential recipients of homeless services. Data from the homeless count is utilized to determine homeless service needs and levels in the City.

Describe consultation with the Continuum(s) of Care that serves the jurisdiction's area in determining how to allocate ESG funds, develop performance standards and evaluate outcomes, and develop funding, policies and procedures for the administration of HMIS

The City staff serves as a representative on the Board of Governance for the Continuum of Care (CoC). The Board provides governance and strategic oversight to the CoC, monitors the established goals of the 10 Year Plan to End Homelessness, and serves as the planning body for the County's submission of the Riverside County Consolidated Application for HUD funds such as ESG. City staff has historically participated in rating grantee applications for ESG funding and have been instrumental in helping making determinations for the allocation of funds. The CoC developed an HMIS working group to develop policies and procedures for the administration of the HMIS in the region. The working group has been instrumental in gaining compliance from HMIS users throughout the region. In 2012, City staff attended the regional HMIS conference hosted by the CoC and Riverside County Department of Social Services.

2. Agencies, groups, organizations and others who participated in the process and consultations

| Agency/Group/ Organization | Agency/Group/ Organization Type | What section of the Plan was addressed by Consultation? | How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination? |
|---------------------------------------|--|--|--|
| PW Enhancement Center | Services-homeless Services-Education Services-Employment Neighborhood Organization | Housing Need Assessment Homelessness Strategy Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Economic Development | The organization participated in Community Needs Meetings as well as individual one-on-one meetings with City administration regarding local needs. |
| RIVERSIDE COUNTY HOUSING AUTHORITY | PHA Other government - County | Housing Need Assessment Public Housing Needs Non-Homeless Special Needs HOPWA Strategy | Throughout the year, the City reviews proposed development sites, the comprehensive plan of the PHA, and any proposed demolition or disposition of public housing developments. In reviewing PHA comprehensive plan the City is able to determine regional housing needs as established by the PHA. It is anticipated this continued |

| Agency/Group/ Organization | Agency/Group/ Organization Type | What section of the Plan was addressed by Consultation? | How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination? |
|--|--|---|---|
| | | Anti-poverty Strategy | relationship with the PHA will allow the City to identify needs and gaps in services in order to improve service delivery. |
| Habitat for Humanity Riverside | Housing | Housing Need Assessment Homelessness Strategy Non-Homeless Special Needs Anti-poverty Strategy | The City had several meetings with the organization to discuss the coordination of local housing programs for low/moderate income and special needs populations (elderly and disabled). The meetings have been helpful in identify potential future programs to be implemented during the Consolidated Plan period. |
| Fair Housing Council of Riverside County, Inc., | Service-Fair Housing Neighborhood Organization | Housing Need Assessment | Several meetings were conducted with the Fair Housing Council of Riverside County (FHCRC) to assist the City in the development of the Housing Strategy as well as the Analysis of Impediments to Fair Housing report contained in the Con Plan. The City and FHCRC held meetings with apartment managers and residents on fair housing laws, rights and responsibilities during the Con Plan development process. FHCRC was also instrumental in helping the City to develop a fair housing survey which was posted online for the public to complete. |
| COACHELLA VALLEY HOUSING COALITION | Housing | Housing Need Assessment Homelessness Strategy | Coachella Valley Housing Coalition participated in the City's community needs meetings and provided valuable feedback on regional housing needs. The City has previously partnered with the |

| Agency/Group/ Organization | Agency/Group/ Organization Type | What section of the Plan was addressed by Consultation? | How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination? |
|---|---|--|--|
| | | Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth Non-Homeless Special Needs Anti-poverty Strategy | organization to create housing opportunities within the city and is open to discussing future affordable housing opportunities that arise. |
| FAMILY SERVICE ASSOCIATION OF WESTERN RIVERSIDE COUNTY (FSA) | Services-Children Services-Elderly Persons Services-Persons with Disabilities Services-Persons with HIV/AIDS Services-Victims of Domestic Violence Services-homeless Services-Health Services-Education | Housing Need Assessment Homelessness Strategy Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness | The City has had a long term relationship with Family Service Association (FSA) and meets with the organization periodically to discuss community needs. FSA staff attended one of the community needs meetings hosted by the City and provided valuable feedback. It is anticipated that the City will continue to collaborate with FSA on meeting the needs of Moreno Valley residents. |

| Agency/Group/ Organization | Agency/Group/ Organization Type | What section of the Plan was addressed by Consultation? | How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination? |
|--|--|--|--|
| | Services-Employment Neighborhood Organization | Needs - Veterans Homelessness Needs - Unaccompanied youth Non-Homeless Special Needs Anti-poverty Strategy | |
| COMMUNITY INVESTMENT CORPORATION | Services - Economic Development Community Development Financial Institution | Economic Development | Staff from Community Investment Corporation participated in the City's community needs meeting. |
| LIGHTHOUSE TREATMENT CENTERS, INC. | Housing Services-homeless | Housing Need Assessment Homelessness Strategy Homelessness Needs - Veterans Anti-poverty Strategy | City staff met with the organization to discuss their housing program for disabled veterans located in the City of Moreno Valley. Staff from Lighthouse Treatment Center also attend community needs meetings and provided valuable input regarding the needs of veterans in our community. The City will continue to support the activities of the organization in the future. |

Table 2 – Agencies, groups, organizations who participated

Other local/regional/state/federal planning efforts considered when preparing the Plan

| Name of Plan | Lead Organization | How do the goals of your Strategic Plan overlap with the goals of each plan? |
|-------------------|--|--|
| Continuum of Care | Riverside County Department of Social Services | The CoC plan and the City's Consolidated Plan are very consistent in their goals for the region and are in agreement that regional coordination is required. |

Table 3 – Other local / regional / federal planning efforts

Describe cooperation and coordination with other public entities, including the State and any adjacent units of general local government, in the implementation of the Consolidated Plan (91.215(I))

The City coordinated efforts and consulted with several public agencies to prepare the Consolidated Plan. The Riverside County Public Housing Authority provided information regarding public and assisted housing in Moreno Valley; the Riverside County Department of Public Social Services works closely with the City to assist homeless persons through the Continuum of Care Consortium; and the Riverside County Department of Mental Health also coordinates efforts to assist mentally ill homeless persons.

PR-15 Citizen Participation

1. **Summary of citizen participation process/Efforts made to broaden citizen participation**
Summarize citizen participation process and how it impacted goal-setting

Citizen Participation Outreach

| Mode of Outreach | Target of Outreach | Summary of response/attendance | Summary of comments received | Summary of comments not accepted and reasons | URL (If applicable) |
|------------------|---|--|--|---|---------------------|
| Public Meeting | Minorities Non-English Speaking - Specify other language: Spanish Persons with disabilities | This Community Needs Meeting was held on October 29, 2012 at the Moreno Valley Council Chambers. Eighteen individuals attended the meeting and were representing 13 organizations. Concerned residents also attended. | Attendees provided comments regarding the need for the following:-Affordable Housing-Homeless services-Veterans services-Social service referrals-Gang intervention-Senior and disabled services-Financial literacy for homeowners | All comments were considered in developing the Consolidated Plan. | |
| Public Meeting | Minorities Non-English Speaking - Specify other language: Spanish Persons with disabilities | This Community Needs Meeting was held on October 30, 2012 at the Moreno Conference and Recreation Center. Four individuals attended the meeting. Of the attendees three were concerned citizens and one was representing a community organization. | Comments received addressed the following concerns/needs: City's CDBG project selection process. Fair Housing definition. Edgemont neighborhood improvements and water quality improvements to Old Highway 215. Need for more homeless shelters, and motel vouchers. | All comments were considered in developing the Consolidated Plan. | |
| Public Meeting | Minorities | This public hearing was conducted at the Moreno Valley City Council | No public comments were received. | N/A | |

| Mode of Outreach | Target of Outreach | Summary of response/attendance | Summary of comments received | Summary of comments not accepted and reasons | URL (If applicable) |
|------------------|---|--|------------------------------|--|---------------------|
| | Non-English Speaking - Specify other language: Spanish Persons with disabilities | meeting on December 11, 2012. The purpose of the meeting was to provide the public an opportunity to comment on the proposed CDBG/HOME objectives and policies for FY 2013/14. The meeting was advertised by a public notice published in the Press Enterprise newspaper on November 25, 2012. | | | |
| Public Meeting | Minorities Non-English Speaking - Specify other language: Spanish Persons with disabilities | This public hearing was conducted at the Moreno Valley City Council meeting on March 26, 2013. The purpose of the meeting was to provide the public an opportunity to comment on the proposed CDBG/HOME funded projects for FY 2013/14. The meeting was advertised by a public notice published in the Press Enterprise newspaper on March 9, 2013. | No comments were received. | N/A | |
| Public Meeting | Minorities Non-English Speaking - Specify other language: Spanish Persons with Disabilities | This public hearing was conducted at the Moreno Valley City Council meeting on April 23, 2013. The purpose of the meeting was to provide the public an opportunity to comment on the proposed Consolidated Plan, FY 2013/14 Action Plan Update, and the Analysis of Impediments to Fair Housing. The meeting was advertised by a public notice published in the Press Enterprise newspaper on March 7, 2013. | No comments were received. | N/A | |
| Newspaper Ad | Non-targeted/broad | Notice of Community Needs Meeting to be held on October 29, 2012 published | No comments received | N/A | |

| Mode of Outreach | Target of Outreach | Summary of response/attendance | Summary of comments received | Summary of comments not accepted and reasons | URL (If applicable) |
|-------------------------|------------------------------|---|-------------------------------------|---|----------------------------|
| | community | in Riverside Press Enterprise on October 13, 2012. | | | |
| Newspaper Ad | Non-targeted/broad community | Notice of Community Needs Meeting to be held on October 30, 2012. Notice was published in the Riverside Press Enterprise on October 13, 2012. | No comments were received | N/A | |
| Newspaper Ad | Non-targeted/broad community | Notice of Public Hearing held on December 11, 2012. Notice was published in the Riverside Press Enterprise on November 25, 2012. | No comments were received | N/A | |
| Newspaper Ad | Non-targeted/broad community | Notice of Public Hearing to be held on March 26, 2013. Notice was published in the Riverside Press Enterprise on March 9, 2013. | No comments were received. | N/A | |
| Newspaper Ad | Non-targeted/broad community | Notice of Public Hearing to be held on May 9, 2013. Notice was published in the Riverside Press Enterprise on April 8, 2013. | No comments were received. | N/A | |
| Newspaper Ad | Non-targeted/broad community | This ad was published to announce the 30 day public review period of the Consolidated Plan. The review period was from March 15, 2013 to April 15, 2013. The ad was published in the Riverside Press Enterprise on March 7, 2013. | No comments were received | N/A | |

Table 4 – Citizen Participation Outreach

Needs Assessment

NA-05 Overview

Needs Assessment Overview

Housing needs were determined by analyzing housing problems by income level, tenure, and households with special needs. The Consolidated Plan uses the Comprehensive Housing Affordability Strategy (CHAS) data developed by the Census Bureau for HUD. CHAS data is based on the 2005-2009 American Community Survey (ACS) Census and analyzes households with one or more housing problems (those experiencing overcrowding, lacking adequate kitchen or plumbing facilities), and those experiencing cost burden (paying more than 30 percent of household income for housing costs) and extreme cost burden (spending over 50 percent of household income for housing costs). The number and types of households needing assistance includes those in the racial and ethnic groups of African Americans, American Indians, Asians, Alaska Natives and Pacific Islanders. According to the ACS, the population of the City of Moreno Valley was 184,039 and was comprised of 48,702 households with a median household income of \$57,720. ACS data indicates that there are a total of 52,985 market rate residential units in the City of Moreno Valley. Of these units 6,100 (or 11.5%) are affordable to renters and 5,970 (or 11%) are affordable to owners with incomes below 100% of the area median income. Therefore, the data indicates that approximately 77.5% of all market rate units in the city are unaffordable to Moreno Valley residents earning less than 100% of the area median income. This also reveals that approximately 41,063 households may need some form of affordable housing assistance or assistance with creating more income opportunities. According to data in the City's Implementation Plan, between 2005 and 2010 the City created a total of 4,518 affordable units. Even when the City created affordable housing units are taken into consideration, a significant affordability gap remains evident. Within the City certain subpopulations appear to have an increased risk of housing problems (particularly cost burden) and risk for homelessness. These groups include: Hispanics, Blacks/African Americans, small related households (renters and owners) and single female head of households. High housing costs reduce economic opportunities, limit access to jobs and services, and restrict the ability of lower-income households, including the elderly and persons with disabilities, to live in the communities and neighborhoods of their choice. The affordability gap results in a concentration of lower-income households and overcrowding.

NA-10 Housing Needs Assessment

Summary of Housing Needs

Demographic Information

- Moreno Valley – with a population of almost 200,000 persons - is the 2nd largest city in Riverside County.
- The Southern California Association of Governments (SCAG) forecasts the City's population to reach about 255,100 people in 2035, an increase by about 61,500 people between 2010 and 2035.
- Between 2000 and 2012, the housing stock grew from about 41,400 to almost 55,800 housing units, an increase of about 14,400 housing units.
- Moreno Valley's housing stock is comprised of 55,800 housing units of which 81% are single-family detached homes.
- Moreno Valley's homeownership rate is almost 65% which is slightly lower than that of Riverside County.
- About 51,600 households live in Moreno Valley, of which 42% have lower incomes, meaning less than 80% of Riverside County's median household income.
- Three groups comprise most of the minority population – Hispanics (54.4%), Blacks (17.2%), and Asians (5.9%)
- About 48,000 people are foreign born, mainly in Latin America (77%) and Asia (18%).
- There are an estimated 43,200 *family* households, which comprise about 84% of all households. About 24,100 family households have children.
- Disabilities affect about 15,500 people. The elderly (65 years +) comprise about 44% of all disabled people.
- The poverty rates by race and ethnicity range from a low of 4.4% (Native Hawaiian and Other Pacific Islander) to a high of 35.8% (Asian). The Black (27.1%) and Hispanic (18.5%) poverty rates also are relatively high. It must be noted that the margin of error for the Asian poverty rate was +/-18%.
- Female heads of households both with and without children under 18 experience the highest poverty income rates. About 2,000 female householders with children live in poverty, or about 36% of all such household types.
- Crowding is a condition that disproportionately impacts Native Hawaiian and Other Pacific Islander households. Hispanic households, however, comprise about 82% of all crowded households.
- The City has about 33,400 owner and 18,200 renter households.

| Demographics | 2000 Census (Base Year) | 2005-2009 ACS (Most Recent Year) | % Change |
|---------------|-------------------------|----------------------------------|----------|
| Population | 142,381 | 184,039 | 29% |
| Households | 41,431 | 48,702 | 18% |
| Median Income | \$47,387.00 | \$57,720.00 | 22% |

Table 5 - Housing Needs Assessment Demographics

Data

Source: 2005-2009 ACS Data
2000 Census (Base Year)
2005-2009 ACS (Most Recent Year)

Number of Households Table

| | 0-30% HAMFI | >30-50% HAMFI | >50-80% HAMFI | >80- 100% HAMFI | >100% HAMFI |
|--|------------------------|-----------------------------|-----------------------------|-----------------------------------|---------------------------|
| Total Households * | 5,120 | 5,400 | 9,245 | 5,630 | |
| Small Family Households * | 2,305 | 2,425 | 3,995 | 15,990 | |
| Large Family Households * | 1,075 | 1,445 | 3,355 | 6,510 | |
| Household contains at least one person 62-74 years of age | 790 | 698 | 935 | 770 | 2,815 |
| Household contains at least one person age 75 or older | 495 | 485 | 804 | 385 | 1,305 |
| Households with one or more children 6 years old or younger * | 1,810 | 2,020 | 3,510 | 7,205 | |
| * the highest income category for these family types is >80% HAMFI | | | | | |

Table 6 - Total Households Table

Data

Source: 2005-2009 CHAS

Housing Needs Summary Tables for several types of Housing Problems

1. Housing Problems (Households with one of the listed needs)

| | Renter | | | | | Owner | | | | |
|---|-----------|-------------|-------------|--------------|-------|-----------|-------------|-------------|--------------|-------|
| | 0-30% AMI | >30-50% AMI | >50-80% AMI | >80-100% AMI | Total | 0-30% AMI | >30-50% AMI | >50-80% AMI | >80-100% AMI | Total |
| Substandard Housing - Lacking complete plumbing or kitchen facilities | 20 | 0 | 85 | 0 | 105 | 20 | 0 | 60 | 10 | 90 |
| Severely Overcrowded - With >1.51 people per room (and complete kitchen and plumbing) | 175 | 170 | 265 | 175 | 785 | 20 | 85 | 170 | 105 | 380 |
| Overcrowded - With 1.01-1.5 people per room (and none of the above problems) | 565 | 250 | 580 | 180 | 1,575 | 220 | 495 | 500 | 215 | 1,430 |
| Housing cost burden greater than 50% of income (and none of the above problems) | 1,800 | 1,410 | 595 | 40 | 3,845 | 1,590 | 1,330 | 2,165 | 770 | 5,855 |
| Housing cost burden greater than 30% of income (and none of the above problems) | 75 | 510 | 1,460 | 610 | 2,655 | 75 | 510 | 1,590 | 1,540 | 3,715 |
| Zero/negative Income (and none of the above problems) | 110 | 0 | 0 | 0 | 110 | 170 | 0 | 0 | 0 | 170 |

Table 7 – Housing Problems Table

Data

Source: 2005-2009 CHAS

2. Housing Problems 2 (Households with one or more Severe Housing Problems: Lacks kitchen or complete plumbing, severe overcrowding, severe cost burden)

| | Renter | | | | | Owner | | | | |
|---|-----------|-------------|-------------|--------------|-------|-----------|-------------|-------------|--------------|-------|
| | 0-30% AMI | >30-50% AMI | >50-80% AMI | >80-100% AMI | Total | 0-30% AMI | >30-50% AMI | >50-80% AMI | >80-100% AMI | Total |
| Having 1 or more of four housing problems | 2,565 | 1,830 | 1,520 | 395 | 6,310 | 1,840 | 1,915 | 2,890 | 1,105 | 7,750 |
| Having none of four housing problems | 280 | 695 | 1,955 | 1,230 | 4,160 | 150 | 965 | 2,870 | 2,895 | 6,880 |
| Household has negative income, but none of the other housing problems | 110 | 0 | 0 | 0 | 110 | 170 | 0 | 0 | 0 | 170 |

Table 8 – Housing Problems 2
 Data
 Source: 2005-2009 CHAS

3. Cost Burden > 30%

| | Renter | | | | Owner | | | |
|----------------------|-----------|-------------|-------------|-------|-----------|-------------|-------------|-------|
| | 0-30% AMI | >30-50% AMI | >50-80% AMI | Total | 0-30% AMI | >30-50% AMI | >50-80% AMI | Total |
| Small Related | 1,300 | 1,280 | 1,100 | 3,680 | 800 | 960 | 2,025 | 3,785 |
| Large Related | 500 | 500 | 855 | 1,855 | 419 | 870 | 1,570 | 2,859 |
| Elderly | 355 | 85 | 174 | 614 | 380 | 450 | 335 | 1,165 |
| Other | 355 | 460 | 565 | 1,380 | 295 | 135 | 280 | 710 |
| Total need by income | 2,510 | 2,325 | 2,694 | 7,529 | 1,894 | 2,415 | 4,210 | 8,519 |

Table 9 – Cost Burden > 30%
 Data
 Source: 2005-2009 CHAS

4. Cost Burden > 50%

| | Renter | | | | Owner | | | |
|----------------------|-----------|-------------|-------------|-------|-----------|-------------|-------------|-------|
| | 0-30% AMI | >30-50% AMI | >50-80% AMI | Total | 0-30% AMI | >30-50% AMI | >50-80% AMI | Total |
| Small Related | 1,275 | 855 | 320 | 2,450 | 755 | 725 | 1,230 | 2,710 |
| Large Related | 490 | 340 | 215 | 1,045 | 415 | 560 | 920 | 1,895 |
| Elderly | 315 | 20 | 4 | 339 | 345 | 250 | 105 | 700 |
| Other | 340 | 390 | 140 | 870 | 295 | 120 | 135 | 550 |
| Total need by income | 2,420 | 1,605 | 679 | 4,704 | 1,810 | 1,655 | 2,390 | 5,855 |

Table 10 – Cost Burden > 50%

Data

Source: 2005-2009 CHAS

5. Crowding (More than one person per room)

| | Renter | | | | | Owner | | | | |
|---------------------------------------|-----------|-------------|-------------|--------------|-------|-----------|-------------|-------------|--------------|-------|
| | 0-30% AMI | >30-50% AMI | >50-80% AMI | >80-100% AMI | Total | 0-30% AMI | >30-50% AMI | >50-80% AMI | >80-100% AMI | Total |
| Single family households | 660 | 320 | 605 | 190 | 1,775 | 180 | 395 | 400 | 215 | 1,190 |
| Multiple, unrelated family households | 60 | 75 | 215 | 165 | 515 | 60 | 185 | 275 | 115 | 635 |
| Other, non-family households | 20 | 25 | 25 | 0 | 70 | 0 | 0 | 0 | 0 | 0 |
| Total need by income | 740 | 420 | 845 | 355 | 2,360 | 240 | 580 | 675 | 330 | 1,825 |

Table 11 – Crowding Information

Data

Source: 2005-2009 CHAS

What are the most common housing problems?

Cost Burden

HUD defines a cost burden as “the extent to which gross housing costs, including utility costs, exceed 30 percent of gross income, based on data available from the U.S. Census Bureau” and a severe cost burden as “the extent to which gross housing costs, including utility costs, exceed 50 percent of gross income, based on data available from the U.S. Census Bureau”. HUD has found a correlation between cost burden and risks for homelessness. The higher the cost burden, the higher the risk.

Although obviously related, housing cost burden is a distinctly different measure than the affordability indexes that are based on the typical housing cost and the median income. The Housing Affordability Index and related affordability indexes measure affordability based on the ratio of median income to median housing cost. The indexes reflect the affordability of the average unit for the average household consumer. Even though the average unit might be affordable to the average household, this does not mean that individual households might not face significant problems with housing affordability. The housing cost burden measure provides the actual “affordability outcome” of the housing choices made by individual households.

Data tables in this section indicate that nearly 30% of all renter households (under 100% ami) experience a 30% (or greater) cost burden while over 33% of owner households below 100% ami experience the same. Nearly 19% of renters 23% of owners experience a 50% cost burden. Renter households at the 0% to 30% ami category experience the highest 50% (or greater) cost burden while renters in the 50% - 80% ami category experience the highest 30% (or greater) cost burden. For owner households, those in the 50% - 80% ami category experience both the highest 30% and 50% cost burden.

Overcrowding

Overcrowding is a measurement of the adequacy of housing units to accommodate residents. Overcrowding is determined by a standard based on the number of persons per room within a unit. The standard is established at 1 person per room or less. Housing units are considered slightly overcrowded when the occupancy per room is 1.01 to 1.50 persons per room. Units are considered severely overcrowded when occupancy per room is 1.51 persons or more.

Based on CHAS data, there were a total of 2,360 renter households (under 100% a.m.i) who were classified as living in overcrowded conditions, or 9% of all renter households in Moreno Valley. Among owner households 1,825 were classified as living in overcrowded conditions or 7% of all households in the city. When renters and owners are combined, the total number of households (under 100% a.m.i.) living in overcrowded conditions totaled 16% of all households. Single families households are most impacted by the problem of overcrowding.

Are any populations/household types more affected than others by these problems?

Households classified as “small related” are most impacted by housing problems. Specifically 0% - 30% ami renters are most at risk for cost burden at both the 30% and 50% cost burden level, while owners in the 50% - 80% ami are most at risk of having both a 30% and 50% cost burden.

Hispanics have the highest disproportionate need in regards to housing problems amongst all races/ethnicities. This need is consistent across all Hispanic income brackets. Black/African Americans show disproportionate need in regards to both severe and regular housing problems at the 0% - 30% and 80% - 100% ami categories. In the 80% - 100% ami category Whites have a disproportionate need in relation to severe housing problems.

Crowding is a condition that disproportionately impacts Native Hawaiian and Other Pacific Islander households. Hispanic households, however, comprise about 82% of all crowded households.

See also “Disproportionate Need” section.

Describe the characteristics and needs of Low-income individuals and families with children (especially extremely low-income) who are currently housed but are at imminent risk of either residing in shelters or becoming unsheltered 91.205(c)/91.305(c)). Also discuss the needs of formerly homeless families and individuals who are receiving rapid re-housing assistance and are nearing the termination of that assistance

Persons at risk of homelessness generally live in poverty, have few familial or community supports, and may have increasing drug and alcohol dependencies. Among those at risk of homelessness, the following groups will be addressed: cost burdened households, families living in poverty, victims of domestic violence, persons diagnosed with HIV/AIDS, and persons with disabilities.

Poverty Status

Although there are different types of poverty, the most common meaning refers to “income poverty,” or the lack of sufficient income to meet minimum consumption needs. Poverty then refers to persons who are income poor and, perhaps, have no income at all. According to the U.S. Census Bureau, the poverty thresholds are dollar amounts used to determine poverty status.

In 2010 a mother with two children would be considered poor if her annual income was less than \$17,568. A husband-wife family with two children would be classified as poor if their annual income was less than \$22,113.

About one in five householders have poverty incomes. Poverty rates by race and ethnicity range from a low of 4.4% (Native Hawaiian or Other Pacific Islander) to a high of 35.8% (Asian). The Black population also has a high poverty rate (27.1%). Although poverty rates differ, any household with such low incomes – regardless of race or ethnicity – would be unable to afford market rate housing. Their freedom to attain their housing of choice is severely restricted. (The margin of error for the Asian poverty rate was +/- 18%.)

Female householders with children often confront bias in the rental housing market. Their access to decent housing also is made more difficult by poverty. Female households have significantly higher poverty rates than other household types. Female heads of households both with and without children under 18 experience the highest poverty income rates. About 2,000 female householders with children live in poverty, or about 36% of all such household types.

If a jurisdiction provides estimates of the at-risk population(s), it should also include a description of the operational definition of the at-risk group and the methodology used to generate the estimates:

The Riverside County Continuum of Care utilizes data captured through the Homeless Information Management System (HMIS). This system is required for regions that receive HUD funds, which defines homelessness as meeting one of the following conditions: Has moved because of economic reasons two or more times during the 60 days immediately preceding the application for homelessness prevention assistance; is living in the home of another because of economic hardship; has been notified in writing that their right to occupy their current housing or living situation will be terminated within 21 days of the date of application for assistance; Lives in a hotel or motel and the cost of the hotel or motel stay is not paid by charitable organizations or by federal, State, or local government programs for low-income individuals; lives in a single-room occupancy or efficiency apartment unit in which there reside more than two persons, or lives in a larger housing unit in which there reside more than 1.5 people per room, as defined by the U.S. Census Bureau; is exiting a publicly funded institution, or system of care (such as a health-care facility, a mental health facility, foster care or other youth facility, or correction program or institution); or otherwise lives in housing that has characteristics associated with instability and an increased risk of homelessness, as identified in the recipient's approved consolidated plan.

Specify particular housing characteristics that have been linked with instability and an increased risk of homelessness

The characteristics most commonly linked with housing instability and an increased risk of homelessness include high cost burden, lack of jobs and high unemployment rate, personal circumstances, and a tight rental market (due, in part, to the foreclosure rate forcing former owner households into rental housing, and shrinking public subsidies).

NA-15 Disproportionately Greater Need: Housing Problems

Assess the need of any racial or ethnic group that has disproportionately greater need in comparison to the needs of that category of need as a whole.

Introduction

Disproportionately greater need exists when the percentage of persons in a category of need who are members of a particular racial or ethnic group in a category of need is at least 10% greater than the percentage of persons in the category as a whole.

0%-30% of Area Median Income

| Housing Problems | Has one or more of four housing problems | Has none of the four housing problems | Household has no/negative income, but none of the other housing problems |
|--------------------------------|--|---------------------------------------|--|
| Jurisdiction as a whole | 4,555 | 280 | 280 |
| White | 690 | 80 | 140 |
| Black / African American | 1,215 | 15 | 75 |
| Asian | 305 | 25 | 25 |
| American Indian, Alaska Native | 4 | 0 | 0 |
| Pacific Islander | 0 | 0 | 0 |
| Hispanic | 2,240 | 155 | 30 |

Table 12 - Disproportionally Greater Need 0 - 30% AMI

Data

Source: 2005-2009 CHAS

*The four housing problems are:

1. Lacks complete kitchen facilities, 2. Lacks complete plumbing facilities, 3. More than one person per room, 4. Cost Burden greater than 30%

30%-50% of Area Median Income

| Housing Problems | Has one or more of four housing problems | Has none of the four housing problems | Household has no/negative income, but none of the other housing problems |
|--------------------------------|--|---------------------------------------|--|
| Jurisdiction as a whole | 4,765 | 635 | 0 |
| White | 795 | 210 | 0 |
| Black / African American | 1,040 | 85 | 0 |
| Asian | 215 | 50 | 0 |
| American Indian, Alaska Native | 0 | 0 | 0 |
| Pacific Islander | 0 | 0 | 0 |

| Housing Problems | Has one or more of four housing problems | Has none of the four housing problems | Household has no/negative income, but none of the other housing problems |
|------------------|--|---------------------------------------|--|
| Hispanic | 2,670 | 285 | 0 |

Table 13 - Disproportionally Greater Need 30 - 50% AMI

Data

Source: 2005-2009 CHAS

*The four housing problems are:

1. Lacks complete kitchen facilities, 2. Lacks complete plumbing facilities, 3. More than one person per room, 4. Cost Burden greater than 30%

50%-80% of Area Median Income

| Housing Problems | Has one or more of four housing problems | Has none of the four housing problems | Household has no/negative income, but none of the other housing problems |
|--------------------------------|--|---------------------------------------|--|
| Jurisdiction as a whole | 7,465 | 1,775 | 0 |
| White | 1,380 | 480 | 0 |
| Black / African American | 1,500 | 130 | 0 |
| Asian | 255 | 110 | 0 |
| American Indian, Alaska Native | 30 | 0 | 0 |
| Pacific Islander | 30 | 0 | 0 |
| Hispanic | 4,165 | 1,015 | 0 |

Table 14 - Disproportionally Greater Need 50 - 80% AMI

Data

Source: 2005-2009 CHAS

*The four housing problems are:

1. Lacks complete kitchen facilities, 2. Lacks complete plumbing facilities, 3. More than one person per room, 4. Cost Burden greater than 30%

80%-100% of Area Median Income

| Housing Problems | Has one or more of four housing problems | Has none of the four housing problems | Household has no/negative income, but none of the other housing problems |
|--------------------------|--|---------------------------------------|--|
| Jurisdiction as a whole | 3,645 | 1,980 | 0 |
| White | 770 | 530 | 0 |
| Black / African American | 710 | 405 | 0 |

| Housing Problems | Has one or more of four housing problems | Has none of the four housing problems | Household has no/negative income, but none of the other housing problems |
|--------------------------------|--|---------------------------------------|--|
| Asian | 210 | 170 | 0 |
| American Indian, Alaska Native | 10 | 0 | 0 |
| Pacific Islander | 0 | 0 | 0 |
| Hispanic | 1,870 | 820 | 0 |

Table 15 - Disproportionally Greater Need 80 - 100% AMI

Data

Source: 2005-2009 CHAS

*The four housing problems are:

1. Lacks complete kitchen facilities, 2. Lacks complete plumbing facilities, 3. More than one person per room, 4. Cost Burden greater than 30%

Discussion

Hispanic households have a disproportionately greater need as it relates to standard and severe housing problems in all four income categories. This disparity is also found when discussing “severe housing problems” as Black/African American and Hispanic Households are also overrepresented in this category.

In regards to housing cost burden for income brackets at either: 1) below 30%, 2) 30% - 50%, or 3) higher than 50% burden, Black/African American, and Hispanics had a disproportionately greater need for affordable housing as compared to Asian, American Indian/Alaska Natives, or Pacific Islanders. In the 50% - 80% ami bracket Whites showed some disproportionate need.

Poverty and Disproportionate Need

The amount of income available to a household appears to have a correlation to cost burden and housing problems. The 2010 American Community Survey 1 – Year Estimates revealed that as a group, Black/African Americans had the lowest median income (\$31,929) with a 27.1% of the group living below the poverty line. According to the same data source, the average median household income of Hispanics was \$44,939 with 18.5% of the group living below the poverty line. Peculiarly, although Asians had the highest poverty rate (35.8%) of all races/ethnicities citywide, the group does not have a disproportionately greater need in any area.

NA-20 Disproportionately Greater Need: Severe Housing Problems

Assess the need of any racial or ethnic group that has disproportionately greater need in comparison to the needs of that category of need as a whole.

Introduction

This section analyses housing problems by income level, tenure, and households with special needs and uses data from the Comprehensive Housing Affordability Strategy (CHAS) developed by the Census Bureau for HUD. CHAS data is based on the 2005-2009 American Community Survey (ACS) Census and analyzes households with one or more housing problems as defined below:

Housing Problems: 1) lacking complete kitchen facilities; 2) lacking complete plumbing facilities; 3) more than one person per room, and 4) Cost burden greater than 30%.

Severe Housing Problems: 1) lacking complete kitchen facilities; 2) lacking complete plumbing facilities; 3) more than 1.5 persons per room, and 4) Cost burden greater than 50%.

0%-30% of Area Median Income

| Housing Problems | Has one or more of four housing problems | Has none of the four housing problems | Household has no/negative income, but none of the other housing problems |
|--------------------------------|--|---------------------------------------|--|
| Jurisdiction as a whole | 4,405 | 430 | 280 |
| White | 655 | 120 | 140 |
| Black / African American | 1,175 | 50 | 75 |
| Asian | 300 | 30 | 25 |
| American Indian, Alaska Native | 4 | 0 | 0 |
| Pacific Islander | 0 | 0 | 0 |
| Hispanic | 2,175 | 225 | 30 |

Table 16 – Severe Housing Problems 0 - 30% AMI

Data

Source: 2005-2009 CHAS

*The four severe housing problems are:

1. Lacks complete kitchen facilities, 2. Lacks complete plumbing facilities, 3. More than 1.5 persons per room, 4. Cost Burden over 50%

30%-50% of Area Median Income

| Housing Problems | Has one or more of four housing problems | Has none of the four housing problems | Household has no/negative income, but none of the other housing problems |
|--------------------------------|--|---------------------------------------|--|
| Jurisdiction as a whole | 3,745 | 1,665 | 0 |
| White | 555 | 445 | 0 |
| Black / African American | 870 | 255 | 0 |
| Asian | 150 | 120 | 0 |
| American Indian, Alaska Native | 0 | 0 | 0 |
| Pacific Islander | 0 | 0 | 0 |
| Hispanic | 2,140 | 815 | 0 |

Table 17 – Severe Housing Problems 30 - 50% AMI

Data

Source: 2005-2009 CHAS

*The four severe housing problems are:

1. Lacks complete kitchen facilities, 2. Lacks complete plumbing facilities, 3. More than 1.5 persons per room, 4. Cost Burden over 50%

50%-80% of Area Median Income

| Housing Problems | Has one or more of four housing problems | Has none of the four housing problems | Household has no/negative income, but none of the other housing problems |
|--------------------------------|--|---------------------------------------|--|
| Jurisdiction as a whole | 4,415 | 4,825 | 0 |
| White | 500 | 1,365 | 0 |
| Black / African American | 805 | 825 | 0 |
| Asian | 195 | 165 | 0 |
| American Indian, Alaska Native | 15 | 15 | 0 |
| Pacific Islander | 15 | 15 | 0 |
| Hispanic | 2,815 | 2,360 | 0 |

Table 18 – Severe Housing Problems 50 - 80% AMI

Data

Source: 2005-2009 CHAS

*The four severe housing problems are:

1. Lacks complete kitchen facilities, 2. Lacks complete plumbing facilities, 3. More than 1.5 persons per room, 4. Cost Burden over 50%

80%-100% of Area Median Income

| Housing Problems | Has one or more of four housing problems | Has none of the four housing problems | Household has no/negative income, but none of the other housing problems |
|--------------------------------|---|--|---|
| Jurisdiction as a whole | 1,495 | 4,125 | 0 |
| White | 270 | 1,030 | 0 |
| Black / African American | 425 | 690 | 0 |
| Asian | 130 | 245 | 0 |
| American Indian, Alaska Native | 0 | 10 | 0 |
| Pacific Islander | 0 | 0 | 0 |
| Hispanic | 670 | 2,020 | 0 |

Table 19 – Severe Housing Problems 80 - 100% AMI

Data

Source: 2005-2009 CHAS

*The four severe housing problems are:

1. Lacks complete kitchen facilities, 2. Lacks complete plumbing facilities, 3. More than 1.5 persons per room, 4. Cost Burden over 50%

Discussion

CHAS data reveals that in the City of Moreno Valley, of all households (under 100% of the area median income), nearly 25% of all renter households and nearly 31% of owner households have at least one of the four identified housing problems listed above. Of renter households the income category most impacted by housing problems are those at the 0% - 30% a.m.i income, while within owner households, those at the >50 – 80% a.m.i. level are most effected by housing problems. This suggest a need for additional outreach and resources to 0-30% a.m.i renters and >50 -80% a.m.i. owners.

NA-25 Disproportionately Greater Need: Housing Cost Burdens

Assess the need of any racial or ethnic group that has disproportionately greater need in comparison to the needs of that category of need as a whole.

Introduction

HUD defines a cost burden as “the extent to which gross housing costs, including utility costs, exceed 30 percent of gross income, based on data available from the U.S. Census Bureau” and a severe cost burden as “the extent to which gross housing costs, including utility costs, exceed 50 percent of gross income, based on data available from the U.S. Census Bureau”. HUD has found a correlation between cost burden and risks for homelessness. The higher the cost burden, the higher the risk.

Housing Cost Burden

| Housing Cost Burden | <=30% | 30-50% | >50% | No / negative income (not computed) |
|--------------------------------|--------|--------|--------|-------------------------------------|
| Jurisdiction as a whole | 21,920 | 14,030 | 12,375 | 375 |
| White | 8,725 | 3,590 | 2,060 | 165 |
| Black / African American | 3,000 | 3,115 | 3,070 | 95 |
| Asian | 1,535 | 695 | 775 | 25 |
| American Indian, Alaska Native | 60 | 25 | 20 | 0 |
| Pacific Islander | 115 | 65 | 0 | 0 |
| Hispanic | 8,000 | 6,235 | 6,270 | 65 |

Table 20 – Greater Need: Housing Cost Burdens AMI

Data

Source: 2005-2009 CHAS

Discussion

Although obviously related, housing cost burden is a distinctly different measure than the affordability indexes that are based on the typical housing cost and the median income. The Housing Affordability Index and related affordability indexes measure affordability based on the ratio of median income to median housing cost. The indexes reflect the affordability of the average unit for the average household consumer. Even though the average unit might be affordable to the average household, this does not mean that individual households might not face significant problems with housing affordability. The housing cost burden measure provides the actual “affordability outcome” of the housing choices made by individual households.

In the Moreno Valley population as a whole, nearly 30% of renters and nearly 34% of owner households experience a 30% cost burden. When taking into account family composition, 14.5% of renters and nearly 15% of owners in “small related” households were 30% cost burden (higher than any other family composition type in the 30% burden category). In the population as a whole. Nearly 30% of renter households and nearly 34% of owner households were experiencing a 50% cost burden. Again, the family composition type impacted most in this category are those classified as “small related”, regardless of renter and owner status.

NA-30 Disproportionately Greater Need: Discussion

Income categories in which a racial or ethnic group has disproportionately greater need.

Hispanic households have a disproportionately greater need as it relates to standard and severe housing problems in all four income categories. This disparity is also found when discussing “severe housing problems” as Black/African American and Hispanic Households are also overrepresented in this category.

Disproportionately greater need exists when the percentage of persons in a category of need who are members of a particular racial or ethnic group in a category of need is at least 10% greater than the percentage of persons in the category as a whole.

In regards to housing cost burden for income brackets at either: 1) below 30%, 2) 30% - 50%, or 3) higher than 50% burden, Black/African American, and Hispanics had a disproportionately greater need for affordable housing as compared to Asian, American Indian/Alaska Natives, or Pacific Islanders. In the 50% - 80% ami bracket Whites showed some disproportionate need.

Poverty and Disproportionate Need

The amount of income available to a household appears to have a correlation to cost burden and housing problems. The 2010 American Community Survey 1 – Year Estimates revealed that as a group, Black/African Americans had the lowest median income (\$31,929) with a 27.1% of the group living below the poverty line. According to the same data source, the average median household income of Hispanics was \$44,939 with 18.5% of the group living below the poverty line. Peculiarly, although Asians had the highest poverty rate (35.8%) of all races/ethnicities citywide, the group does not have a disproportionately greater need in any area.

Needs not previously identified

N/A

NA-35 Public Housing

Introduction

The Housing Authority of the County of Riverside (HACR) owns and operates 469 public housing units within Riverside County. The physical condition of the public housing units varies however the HACR has plans to modernize selected units within the stock of public housing units. Examples of such modernization projects include the replacement of evaporative coolers with centralized air conditioning, kitchen cabinet upgrades, and door replacements.

There are currently 63,436 persons on the waiting list for public housing, and 44,216 persons on the waiting list for Section 8 tenant-based assistance. Based on the large numbers of families waiting for assistance, the HACR goal is to:

- Apply for additional rental vouchers by annually competing for the U.S. Department of Housing and Urban Development (HUD) affordable housing funding available to Public Housing Authorities.
- Reduce public housing vacancies.
- Leverage private or other public funds to create additional housing opportunities.

To this end, the HACR has successful collaborations with the City of Riverside as the project sponsor for the Housing Opportunities for Persons with AIDS (HOPWA) Program and a new Tenant Based Rental Assistance Program for the Homeless.

Section 8 and Public Housing Programs

The Housing Authority of the County of Riverside administers and manages several programs to address the housing needs of residents county-wide. The annual estimated operating budget of \$84 million is allocated to fund Housing Authority projects and programs. The Public Housing Program provides decent, safe, and sanitary housing to low and moderate-income families, seniors, and persons with disabilities. These multi-family developments were constructed or purchased with funding provided by HUD. The property units are operated and maintained by the Housing Authority with funding subsidies from HUD. The Rental Assistance Programs are tenant based utilizing Section 8 (Voucher) Rental Assistance Payments. The Section 8 (Voucher) program assists lower income households with rental assistance to provide an opportunity to live in affordable, decent, safe, and sanitary housing.

Totals in Use

| | Program Type | | | | | | | | |
|---|--------------|-----------|----------------|-------|-----------------|----------------|-------------------------------------|----------------------------|------------|
| | Certificate | Mod-Rehab | Public Housing | Total | Project - based | Tenant - based | Special Purpose Voucher | | |
| | | | | | | | Veterans Affairs Supportive Housing | Family Unification Program | Disabled * |
| # of units vouchers in use | 0 | 79 | 456 | 8,748 | 36 | 8,364 | 135 | 178 | 19 |
| *includes Non-Elderly Disabled, Mainstream One-Year, Mainstream Five-year, and Nursing Home Transition | | | | | | | | | |

Table 21 - Public Housing by Program Type

Data Source: PIC (PIH Information Center)

Characteristics of Residents

| | Program Type | | | | | | | | |
|---|--------------|-----------|----------------|--------|-----------------|----------------|-------------------------------------|----------------------------|------------|
| | Certificate | Mod-Rehab | Public Housing | Total | Project - based | Tenant - based | Special Purpose Voucher | | |
| | | | | | | | Veterans Affairs Supportive Housing | Family Unification Program | Disabled * |
| Average Annual Income | 0 | 12,664 | 13,261 | 13,870 | 10,805 | 13,850 | 13,465 | 14,983 | 13,154 |
| Average length of stay | 0 | 6 | 4 | 6 | 2 | 6 | 0 | 5 | 7 |
| Average Household size | 0 | 1 | 3 | 2 | 1 | 2 | 1 | 3 | 1 |
| # Homeless at admission | 0 | 2 | 331 | 205 | 1 | 197 | 2 | 5 | 0 |
| # of Elderly Program Participants (>62) | 0 | 67 | 38 | 3,249 | 9 | 3,211 | 15 | 10 | 1 |
| # of Disabled Families | 0 | 12 | 70 | 2,587 | 26 | 2,422 | 82 | 33 | 18 |
| # of Families requesting accessibility features | 0 | 79 | 456 | 8,748 | 36 | 8,364 | 135 | 178 | 19 |
| # of HIV/AIDS program participants | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| # of DV victims | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| *includes Non-Elderly Disabled, Mainstream One-Year, Mainstream Five-year, and Nursing Home Transition | | | | | | | | | |

Table 22 – Characteristics of Public Housing Residents by Program Type

Data Source: PIC (PIH Information Center)

Race of Residents

| Race | Program Type | | | | | | | | |
|---|--------------|-----------|----------------|-------|-----------------|----------------|-------------------------------------|----------------------------|------------|
| | Certificate | Mod-Rehab | Public Housing | Total | Project - based | Tenant - based | Special Purpose Voucher | | |
| | | | | | | | Veterans Affairs Supportive Housing | Family Unification Program | Disabled * |
| White | 0 | 66 | 318 | 5,469 | 26 | 5,195 | 79 | 144 | 15 |
| Black/African American | 0 | 10 | 126 | 2,967 | 8 | 2,867 | 55 | 29 | 3 |
| Asian | 0 | 1 | 9 | 209 | 2 | 203 | 0 | 2 | 1 |
| American Indian/Alaska Native | 0 | 0 | 2 | 80 | 0 | 76 | 1 | 3 | 0 |
| Pacific Islander | 0 | 2 | 1 | 23 | 0 | 23 | 0 | 0 | 0 |
| Other | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| *includes Non-Elderly Disabled, Mainstream One-Year, Mainstream Five-year, and Nursing Home Transition | | | | | | | | | |

Table 23 – Race of Public Housing Residents by Program Type

Data Source: PIC (PIH Information Center)

Ethnicity of Residents

| Race | Program Type | | | | | | | | |
|---|--------------|-----------|----------------|-------|-----------------|----------------|-------------------------------------|----------------------------|------------|
| | Certificate | Mod-Rehab | Public Housing | Total | Project - based | Tenant - based | Special Purpose Voucher | | |
| | | | | | | | Veterans Affairs Supportive Housing | Family Unification Program | Disabled * |
| Hispanic | 0 | 29 | 250 | 2,318 | 7 | 2,220 | 13 | 74 | 1 |
| Not Hispanic | 0 | 50 | 206 | 6,430 | 29 | 6,144 | 122 | 104 | 18 |
| *includes Non-Elderly Disabled, Mainstream One-Year, Mainstream Five-year, and Nursing Home Transition | | | | | | | | | |

Table 24 – Ethnicity of Public Housing Residents by Program Type

Data Source: PIC (PIH Information Center)

Section 504 Needs Assessment

Most immediate needs of residents of Public Housing and Housing Choice voucher holders

There are currently 63,436 persons on the waiting list for public housing, and 44,216 persons on the waiting list for Section 8 tenant-based assistance.

The widespread poverty found among residents of assisted housing and/or voucher holders suggests a need for both traditional safety net programs to help residents/clients avoid hunger and meet basic health care needs as well as innovative initiatives to help them build assets, increase earnings, and make progress toward economic security. Income increases allow families to move up and out of assisted housing; spaces then become available to assist other needy families. Boosting residents'/clients' earnings can also be an effective way to widen the mix of incomes in public housing developments and increase the proportion of residents who are employed, which in turn may enhance community stability and expand the number of working role models for youth and other residents.

NA-40 Homeless Needs Assessment

Introduction

The City of Moreno Valley is a very active member of the Riverside Continuum of Care (CoC). The Riverside County Department of Public Social Services (DPSS) serves as the lead agency for the CoC. DPSS conducts a homeless census and survey biannually as part of the Continuum of Care planning process. The City of Moreno Valley has completed in all homeless census conducted by the County. The census consists of a one day “point-in-time count” (PIT) of homeless persons countywide during the last week of January. To gather more comprehensive data, DPSS also administers a survey during the 90 days following the census which provides information on household income, disability status, and serves to identify significant subpopulations. The results of the census and survey are published in a detailed report and made available to the public.

The most recent census/survey was conducted in 2011 and a detailed report, *The 2011 Riverside County Homeless Survey*, can be obtained on the Continuum of Care’s website at www.riversidehomeless.org.

DPSS also strives to address the needs of “at-risk” individuals and families who are imminent risk of homelessness due to income level and housing costs. The Continuum of Care defines “at-risk” households as households whose incomes fall at or below 50% of the area median income as defined by HUD and spend 30% or more of their income on basic housing costs such as rent/mortgage and utilities. This operational definition is found in the *Riverside County 10 Year Strategy to End Homelessness* which was also published in 2011 and serves as the strategic plan for the Continuum of Care.

The 2011 PIT homeless count found a total of 6,203 homeless (sheltered and unsheltered) individuals throughout the County. In 2011 there were a total of 237 homeless individuals counted in the City of Moreno Valley. This number is significantly higher than the 2009 count which showed 28 homeless individuals. The 2009 and 2011 counts were conducted utilizing a significantly different count methodology however, and the 2011 Count is not widely accepted as valid. In January 2013 the City participated in another PIT and preliminary data shows that just over 40 homeless individuals were counted.

The Department of Public Social Services has established chronically homeless persons as the highest need priority. The Riverside County *10 Year Strategy to End Homelessness* has called for the development of 500 units of permanent supportive housing dedicated to chronically homeless persons over the next five years. To facilitate this goal, all new projects seeking Continuum of Care funding must be permanent supportive housing projects.

Homeless Needs Assessment

| Population | Estimate the # of persons experiencing homelessness on a given night | | Estimate the # experiencing homelessness each year | Estimate the # becoming homeless each year | Estimate the # exiting homelessness each year | Estimate the # of days persons experience homelessness |
|--|--|-------------|--|--|---|--|
| | Sheltered | Unsheltered | | | | |
| Persons in Households with Adult(s) and Child(ren) | 518 | 31 | 549 | 1,165 | 0 | 0 |
| Persons in Households with Only Children | 0 | 0 | 0 | 0 | 0 | 0 |
| Persons in Households with Only Adults | 612 | 2,731 | 3,343 | 3,343 | 0 | 0 |
| Chronically Homeless Individuals | 70 | 2,445 | 2,515 | 2,515 | 0 | 0 |
| Chronically Homeless Families | 3 | 2 | 5 | 5 | 0 | 0 |
| Veterans | 76 | 90 | 166 | 166 | 0 | 0 |
| Unaccompanied Child | 16 | 109 | 125 | 125 | 0 | 0 |
| Persons with HIV | 28 | 152 | 180 | 180 | 0 | 0 |

Table 25 - Homeless Needs Assessment

Data Source
 Comments:

Population includes Rural none
 Homeless:

Jurisdiction's Rural Homeless Population

Nature and Extent of Homelessness by Racial and Ethnic Group

The two largest racial/ethnic groups among 2011 survey respondents were White/Caucasian (45%) and Hispanic/Latino (27%).

19% of survey respondents identified as Black/African American, which was the third largest racial/ethnic group.

Compared to the County of Riverside's general population, there were greater percentages of Whites/Caucasians and Blacks/African Americans in the 2011 homeless survey population, and a lower percentage of Hispanics/Latinos.

Nature and Extent of Unsheltered and Sheltered Homelessness, including Rural Homelessness

The homeless count had two components: a point-in-time enumeration of unsheltered homeless individuals and families (those sleeping outdoors, on the streets, in parks, vehicles, etc.) and a point-in-time enumeration of homeless individuals and families who have temporary shelter (those staying in emergency shelters and transitional housing, and those using motel vouchers).

- Of the homeless persons counted, the majority (82%) were unsheltered (5,090 individuals). This included individuals counted on the streets, as well as the number of people estimated to be living in cars, vans, RVs, abandoned buildings, and encampments
- 18% of the homeless persons enumerated were sheltered (1,113). This included individuals who were residing in emergency shelters and transitional housing facilities.
- Of the sheltered population, 50% were living in emergency shelters and 50% were living in transitional housing facilities.
- Single individuals (2,603) made up 42% of the point-in-time homeless population, while persons in families (549) made up 9% and persons of unknown family status (3,051) made up 49%.
- Persons in families made up less than 1% of the unsheltered homeless population (31), and 47% of the sheltered population (518).
- A total of 169 family units were identified during the homeless count (10 families unsheltered, 53 families sheltered in emergency shelters, and 106 families sheltered in transitional housing facilities).

NA-45 Non-Homeless Special Needs Assessment

Introduction

Special needs populations include persons with disabilities, persons with HIV/AIDS, individuals fleeing from domestic violence, individuals with who suffer from alcohol and drug addiction, and female-headed households (single female households). These groups have special needs for services and housing. In addition, many often have lower incomes as a result of their condition.

Characteristics of Special Needs Populations

Disabled

About 15,500 residents have one or more disabilities, according to data from the 2010 Census and 2010 American Community Survey. The elderly experience the highest disability prevalence rate – that is, about 44% of all persons 65 years of age and older have one or more disability.

Elderly Households

Elderly persons make up a relatively small percentage (8.5%) of the City's population. The 2006 American Community Survey indicates that the Moreno Valley population of persons 60 years of age and over is 15,265. The number of elderly residents within Moreno Valley is increasing, and is expected to continue doing so as the community matures.

Persons with substance abuse problems

The Riverside County Department of Mental Health indicated that there were 17,623 individuals in its substance abuse outpatient programs in fiscal year 2007 to 2008. Of that number, 922 youth under age 18 participated in these substance abuse programs.

Persons diagnosed with HIV/AIDS and related diseases

Housing Opportunities for People with AIDS (HOPWA) funds, currently allocated to the two counties of San Bernardino and Riverside, are being used to provide housing assistance to person with HIV/AIDS, home care, clinic-based primary care, shelter, case management, and housing placement.

Domestic Violence

In September 2010, 92 percent of identified local domestic violence programs in California participated in the 2010 National Census of Domestic Violence Services. Since domestic violence often goes unreported, accurate analysis of housing needs is difficult to estimate.

Single Female Head of Household

In Moreno Valley about 4,300 female householders live alone or with nonrelatives, which represent about 30% (4,310/14,300) of all female householders. Single female heads of household access to decent housing also is made more difficult by poverty. Female heads of households both with and without children under 18 experience the highest poverty income rates. About 2,000 female householders with children live in poverty, or about 36% of all such household types

Housing and Supportive Service Needs and Determination

Housing and supportive services needs for special needs populations have been determined by analyzing available data sources.

Disabled

The major housing and service needs identified for households with disabled members are generally related to affordability and access. The needs identified include development of affordable handicapped accessible rental units and rehabilitation of housing units to make them handicapped accessible.

Elderly

The most significant factors related to the needs of the elderly include an environment that offers a combination of housing, retail and medical facilities in proximity.

Persons with substance abuse problems

While several local organizations do assist persons in this category with housing, the need for additional facilities for rehabilitation and housing are needed to serve area residents with alcohol or other addictions.

Persons diagnosed with HIV/AIDS and related diseases

For persons living with HIV/AIDS, access to safe, affordable housing is nearly as important to their general health and well-being as access to quality health care. For many persons with HIV/AIDS, the persistent shortage of stable housing can be the primary barrier to consistent medical care and treatment. Persons with HIV/AIDS also require a broad range of services, including counseling, medical care, in-home care, transportation, food, in addition to stable housing. Today, persons with HIV/AIDS live longer and require longer provision of services and housing.

Domestic Violence

A primary need for victims of domestic violence is emergency shelter in a safe and confidential location. Affordable housing options are important to provide victims with options for housing once they leave the shelter, to avoid having them return to an unsafe home.

Single Female Head of Household

Without access to affordable housing, many of these households may be at risk of becoming homeless. Affordable housing with childcare centers or in close proximity to schools, public transportation, and recreation facilities can address critical needs of lower-income single-parent families

Public Size and Characteristics of Population with HIV / AIDS

From 1997 to 2007, 2,394 AIDS cases were reported in Riverside County. Ninety-one percent of all newly reported cases are male. Eastern Riverside County continues to have the highest rates of both HIV and AIDS case reporting in the County. HIV incidence rates for eastern Riverside County were 3 times greater than rates for other regions in the County.

Discussion

HOUSING FOR SPECIAL NEEDS POPULATIONS

Housing to Serve People With Disabilities

Ability First (formerly Crippled Children) provides persons with disabilities living environments adapted to meet their needs. The Moreno Valley Apartments are one such example. Ability First has provided a suitable living environment by reserving 25 units solely for use by disabled persons and their families.

Housing to Serve Persons with HIV/AIDS

The Inland AIDS Project has a six-bed residential care facility for the chronically ill. The home is located in the city of Hesperia, approximately 50 miles from Moreno Valley. This California State Licensed facility is staffed by a team of Licensed nurses, home health attendants and social workers who provide an array of services for persons living with AIDS including but not limited to meal preparation, hospice/end stage care, case management, counseling & transportation. Admission to this facility is arranged through the client's case manager. In addition, the Inland AIDS Project has two licensed residential substance abuse treatment facilities located in the cities of Ontario and Riverside; and low rent housing units located in San Bernardino, Ontario, and Riverside.

HOPWA funds currently allocated to San Bernardino and Riverside counties are being used to provide housing assistance to person with HIV/AIDS, home care, clinic-based primary care, shelter, case management, and housing placement. The City of Riverside administers the HOPWA program for both counties.

Housing to Serve the Elderly

Senior Cooperative Services: Affordable housing with supportive services are needed to allow senior citizens options for independent living situations. The City assisted Cooperative Services Inc. (a non-profit organization) with development of a 70-unit housing project for low-income senior citizens.

Assisted Living Center: The City facilitated issuance of Housing Revenue Bonds for the construction of an Assisted Living Center by assist California Drug Consultants.

Telacu Senior Housing: Provides affordable independent living housing opportunities for senior citizens. The project was constructed in previous years using RDA funding.

NA-50 Non-Housing Community Development Needs

HUD Community Planning and Development funds (CDBG, HOME, and ESG) can be used for a variety of supportive services and community development activities. These include: economic development; public and infrastructure improvements; community facilities; and community services.

Moreno Valley has a wide range of community development issues, particularly in older neighborhoods where the housing stock, public improvements and community facilities are deteriorating, and businesses are declining.

Many of the programs and strategies for Community and Economic Development are centered in the CDBG Target Areas. Infrastructure improvements are needed in the Target Areas which include some of the oldest areas in the City. To improve public safety and facilitate pedestrian traffic, the City plans to continue the development of public facilities within the CDBG Target Areas utilizing a combination of CDBG and city General Funds.

Public Facilities Need Determination

Public facility needs were determined utilizing the City's Capital Improvement Plan which identifies needed public facilities and improvements throughout the city.

Public Improvements

The Americans with Disabilities Act (ADA) of 1990 is federal civil rights legislation that makes it illegal to discriminate against persons with disabilities. Title II of the ADA requires elimination of discrimination in all public services and the elimination of architectural barriers in all publicly owned improvements and facilities. It is important that public improvements are ADA compliant to facilitate participation among disabled residents in the community planning and decision making processes.

Public improvements are needed in the Target Areas which include some of the oldest areas in the City. To improve public safety and facilitate pedestrian traffic, the City plans to complete several street and sidewalk improvements with a combination of CDBG and other available funding.

Public Services

CDBG funds are a primary funding source for community services for low-income persons and persons with special needs. Up to 15% of CDBG funds may be allocated to public service activities. Included in the Community and Economic Development Strategy are public services that assist low income residents (in addition to those identified in the other strategies such as homelessness, special needs, fair housing, etc.). Public services such as education, food distribution and youth services all provide much needed services in the community.

The City will continue to provide grant funding to various public service providers to assist low income individuals and households, special needs population, and the homeless population with

access to critical services. These programs provide City residents opportunities to utilize programs at little or no cost, thereby reducing financial burden. See also Special Needs section.

Housing Market Analysis

MA-05 Overview

Housing Market Analysis Overview:

Moreno Valley's existing housing stock (January 2012) is comprised of about 55,784 housing units. The basic distribution of housing types is essentially unchanged from 12 years ago – the clear majority (80+ %) of the housing stock consists of single family detached homes. Multi-family housing (5+units) increased from 8.5% to 12.2% of the housing stock. While not large in percentage terms, mobile homes continue to be an important resource as they account for almost 1,400 housing units.

In 2000, the City had a somewhat higher ownership rate than Riverside County. In 2010, however, the reverse was the case, which may be caused by the number of foreclosed homes that became renter-occupied by the time of the decennial Census.

During the last decade the City's home ownership rate decreased by 6.4%. The increase in the vacancy rate and decrease in the ownership rate may indicate that there are unoccupied and rented single family homes that could become owner occupied over time.

Moreno Valley's median household income in 2010 was \$48,907 compared to \$47,387 in 2000, an increase of 3.2%. Between 2000 and 2010, the number of households with annual incomes of less than \$50,000 increased by about 5,500. The percentage of households with incomes of less than \$50,000 was about the same in 2000 (52.9%) and 2010 (50.8%). These data reveal the lack of substantial income gains between 2000 and 2010, which could be the result of underemployment – that is, households adjusting from full- to part-work or working in jobs with wages lower than their previous jobs.

The percentage of households with incomes between \$50,000 and \$99,999 decreased from 37.2% to 33.9%. On the other hand, households with incomes of \$100,000 or more increased from 9.9% to 15.3%

Housing prices in Moreno Valley, though affordable for the region, are out of reach for the earnings of the average worker in Moreno Valley. An additional market force that keeps housing from being affordable is the supply of housing that households can afford to rent or purchase.

The supply of affordable housing is a crucial component of affordability. Even if housing is not earmarked as affordable, a large supply of housing will drive housing prices down and result in affordable housing as vacancies increase and prices decline. However, once vacancies decrease, prices increase again and only housing developments with affordability covenants remain affordable despite the changes in housing supply.

MA-10 Number of Housing Units

All residential properties by number of units

INTRODUCTION

Moreno Valley's existing housing stock (January 2012) is comprised of 55,784 housing units. The basic distribution of housing types is essentially unchanged from 12 years ago – the clear majority (80+ %) of the housing stock consists of single family detached homes. Multi-family housing (5+units) increased from 8.5% to 12.2% of the housing stock. While not large in percentage terms, mobile homes continue to be an important resource as they account for almost 1,400 housing units.

| Property Type | Number | % |
|----------------------------------|---------------|-------------|
| 1-unit detached structure | 42,843 | 81% |
| 1-unit, attached structure | 976 | 2% |
| 2-4 units | 1,512 | 3% |
| 5-19 units | 3,816 | 7% |
| 20 or more units | 2,197 | 4% |
| Mobile Home, boat, RV, van, etc. | 1,641 | 3% |
| Total | 52,985 | 100% |

Table 28 – Residential Properties by Unit Number

Data Source: 2005-2009 ACS Data

Unit Size by Tenure

| | Owners | | Renters | |
|--------------------|---------------|-------------|---------------|-------------|
| | Number | % | Number | % |
| No bedroom | 108 | 0% | 707 | 5% |
| 1 bedroom | 288 | 1% | 2,000 | 14% |
| 2 bedrooms | 2,796 | 8% | 4,465 | 31% |
| 3 or more bedrooms | 30,875 | 91% | 7,463 | 51% |
| Total | 34,067 | 100% | 14,635 | 101% |

Table 29 – Unit Size by Tenure

Data Source: 2005-2009 ACS Data

Describe the Number and Targeting of Units assisted with federal state and local programs

Since 1988 the City of Moreno Valley has created 1381 affordable housing units of which 1117 have affordability covenants recorded on them to ensure they remain affordable to low and moderate income households. In addition, the City has three proposed affordable housing projects consisting of 383 units, of which 379 will have affordability covenants. The table below

provides a break down the number of units available (or projected) by household income category. Unit sizes available include studios and 1-4 bedrooms. These units were created utilizing either (or a combination) of prior Redevelopment Agency funds and HUD HOME Investment Partnership Program funds.

City of Moreno Valley

Rental Units with Affordability Covenants

| Income Category | # of Completed Units | # of Projected Units |
|-----------------|----------------------|----------------------|
| <30% ami | 73 | 8 |
| 30% - 50% ami | 533 | 44 |
| 50% - 60% ami | 339.5 | 26 |
| 60% - 80% | 7.5 | 0 |
| 80% - 120% ami | 80.5 | 0 |
| Totals | 1033.5 | 78 |

Units Expected to be lost from Inventory

The majority of all affordable housing units within the City of Moreno Valley have 50 year affordability covenants placed on their operations. Therefore, within the period of this Consolidated Plan, no units are expected to be lost.

Does the availability of housing units meet the needs of the population?

The Regional Housing Needs Assessment (RHNA) is supposed to project future population and household growth for the planning period from 2008-2014. For the City of Moreno Valley, the RHNA forecasts a total housing need 7,474 units that must be accommodated through available sites with appropriate zoning, for the planning period from 2008-2014. The RHNA classifies the total housing need into income categories (see the table below). The City of Moreno Valley's 2008-2014 Housing Element states:

"In order to meet the projected housing need for all income categories, 1,246 units would need to be added to the housing stock on an annual basis. A look at Moreno Valley building activity between 2004 and 2007 (see table 8-10) indicates that building activity in the city has significantly declined. In 2004, a total of 3,655 units were permitted, in 2005 the number of units permitted declined by 43% to 2,061. Subsequently, in 2006 permit activity for multi-family units increased and 2,111 units were permitted for an increase 2% from 2005. However, in 2007 total units permitted totaled 755, a decrease of 79% from the city's high in 2004 and 64% decrease from 2006. In the current climate of diminished housing activity, it is unlikely that 1,200 units will be produced annually to meet the RHNA. However, despite the significant reduction in permit activity, the City is funding the construction of several projects that will provide dedicated

affordable housing to low and very low income households. Table 8-19 provides a listing of currently pending affordable projects and affordable projects that were built or approved between January of 2006 and July 2008. In addition, the market has been providing multi-family housing on small underutilized sites in the Target Area, with the construction and/or approval of 189 units.

| Moreno Valley Regional Housing Needs Allocation 2008-2014 | | |
|--|--------------|----------------|
| Income Category | Units | Percent |
| <i>Very Low-Income</i> | 1,806 | 24.2% |
| Low-Income | 1,239 | 16.6% |
| Moderate-Income | 1,362 | 18.2% |
| Above Moderate-Income | 3,068 | 41.0% |
| Total Construction Need | 7,474 | 100% |

Need for Specific Types of Housing

Special Needs housing designated for persons with HIV/AIDS is needed since individuals with HIV/AIDS are more likely to become homeless due to health care costs, deteriorated health, frequent medical treatments, hospitalization, and potential discrimination. Persons with HIV/AIDS require a broad range of services, including counseling, medical care, in-home care, transportation, and food. The preservation of the current housing and bed inventory and the ability to expand the inventory over the next several years remains critical. Affordable housing for low-income and extremely low-income households is needed because market rents in the jurisdictions covered by the Consolidated Plan often translate into housing costs burden for low-income families. Special Needs handicapped accessible housing assistance continues to be needed, especially for the frail elderly and physically disabled population. With the abolishment of California Redevelopment and the subsequent loss of revenue for new housing projects, continued access to HUD CDBG and HOME funding will be important. Likewise, affordable housing for families with children or unaccompanied children remains a need throughout the community.

DISCUSSION

The continual challenge for the City of Moreno Valley will be to preserve and increase the supply of affordable housing for all the groups identified above during a period of highly constrained resources. As mentioned above, the City anticipates being able to produce 383 multifamily affordable units during the period of this Consolidated Plan

MA-15 Cost of Housing

INTRODUCTION

The recent recession and economic downturn has had a marked impact on Moreno Valley's housing. The region has been burdened with an unusually high number of forced sales and foreclosures and this has affected both the ownership and rental markets. The over supply of homes on the market in recent years has driven down the median home value to a level not seen in the area in over a decade. However, market housing inventory and property values have begun to stabilize and in FY 2011/12 there was a small gain (since the year 2000) of 3.9% as reported by MDA Data Quick in 2012. With many foreclosed homes on the market at low values, cash investors are again purchasing large numbers of units as rentals. Between 2007 and 2012 there were a total of 13,034 foreclosures in the City. The percentage of homeowners in the City decreased from 71.1% in 2000 to 64.4% in 2012 and the number of renters increased from 28.9% in 2000 to 35.6% in 2012. The rental market has generally been stable over the last several years due to owners who have lost their homes seeking rental units and high local unemployment. Competition for ownership units has spiked due to cash investors directly competing with homebuyers entering the market to purchase affordable units with currently very affordable mortgage interest rates.

The "Local Housing Element Assistance: Existing Housing Needs Data Report" for Moreno Valley, created by Southern California Association of Governments (based on 2005-2009) ACS data states that 62.8% (18,334 households) of renters and 53.8% (9204 households) of owners were paying over 30% of their income towards rent/mortgage and were therefore "cost burdened". In addition, ACS data indicates that approximately 77.5% of all market rate units in the city are unaffordable to Moreno Valley residents earning less than 100% of the area median income. The data indicates that a large percentage of households in Moreno Valley may need some form of affordable housing assistance or assistance with creating more income opportunities.

Cost of Housing

| | 2000 Census (Base Year) | 2005-2009 ACS (Most Recent Year) | % Change |
|----------------------|-------------------------|----------------------------------|----------|
| Median Home Value | 117,800 | 329,800 | 180% |
| Median Contract Rent | 641 | 1,102 | 72% |

Table 30 – Cost of Housing

Data 2005-2009 ACS Data

Source:

2000 Census (Base Year)

2005-2009 ACS (Most Recent Year)

| Rent Paid | Number | % |
|-----------------|---------------|---------------|
| Less than \$500 | 1,043 | 7.1% |
| \$500-999 | 5,110 | 34.9% |
| \$1,000-1,499 | 5,998 | 41.0% |
| \$1,500-1,999 | 2,178 | 14.9% |
| \$2,000 or more | 306 | 2.1% |
| Total | 14,635 | 100.0% |

Table 31 - Rent Paid

Data 2005-2009 ACS Data

Source:

Housing Affordability

| % Units affordable to Households earning | Renter | Owner |
|--|--------------|--------------|
| 30% HAMFI | 400 | No Data |
| 50% HAMFI | 950 | 800 |
| 80% HAMFI | 4,750 | 2,085 |
| 100% HAMFI | No Data | 3,085 |
| Total | 6,100 | 5,970 |

Table 32 – Housing Affordability

Data 2005-2009 CHAS
Source:

Monthly Rent

| Monthly Rent (\$) | Efficiency (no bedroom) | 1 Bedroom | 2 Bedroom | 3 Bedroom | 4 Bedroom |
|-------------------|-------------------------|-----------|-----------|-----------|-----------|
| Fair Market Rent | 763 | 879 | 1,116 | 1,577 | 1,924 |
| High HOME Rent | 739 | 793 | 954 | 1,094 | 1,200 |
| Low HOME Rent | 583 | 625 | 751 | 867 | 967 |

Table 33 – Monthly Rent

Data HUD FMR and HOME Rents
Source:

Availability of Sufficient Housing

See Section MA-10 “Number of Housing Units”

Expected Change of Housing Affordability

The housing market is showing signs of normalizing and as housing continues to recover in the coming years it is likely costs will begin to rise. Likewise, until unemployment levels decline incomes will not increase significantly. It is likely that affordability will stay the same or get worse over the next several years until such time that employment and income increase to a level that changes the current market direction.

Rent Comparison

Between 2000 and 2009 median contract rent in the City increased by 72% to \$1,102 per month. However between 2000 and 2010 the median household income only increased by 3.2%. The fair market rent (FMR) for a two bedroom unit is \$1,116, in comparison to a High HOME Rent of \$954 and a Low HOME Rent of \$751. It is critical to the provision of affordable rents in the area that the City continue to receive HOME and CDBG funding. Historically, the City has not utilized CDBG funding for affordable housing creation, however, moving forward the City may need to consider utilizing this funding source to increase the availability of affordable housing.

MA-20 Condition of Housing

Introduction

The housing stock in Moreno Valley is relatively new, with 84% of the housing built after 1980. According to the City's 2008-2014 Housing Element, between 1998 and 2007, 29 single family homes were rehabilitated via the citywide Home Improvement Loan Program (HILP). Fifty-five multi-family units were rehabilitated under the Rental Rehabilitation Program. All of the single family units rehabilitated were built between 1939 and 1970, while the multi-family units were built between 1960 and 1969.

According to the 2005-2009 ACS Five Year Estimates, the City of Moreno Valley's overall vacancy rate was 8.1%. The vacancy rate for owners was 3.3% and for renters 5.9%. As a standard, a vacancy rate lower than 6% indicates that demand for housing is healthy, while a vacancy rate in excess of 10% is an indicator of oversupply in the housing market. Rental vacancy rates are currently low but they could increase with more home purchases in an improving low interest rate buyer market, however down-payment requirements will keep a cap on this activity.

According to the 2000 census there were 23,297 disabled persons in Moreno Valley. A person is considered to have a disability if he or she has difficulty performing certain functions (seeing, hearing, talking, walking, climbing stairs, and lifting and carrying), or has difficulty with certain social roles (children doing school work, adults working at a job and around the house). A person unable to carry out one or more activities, or who uses an assistance device to get around, or needs assistance from another person to perform basic activities is considered to have a severe disability.

Based on data maintained by Community Care Licensing of Riverside County, there is a variety of housing options for disabled persons in Moreno Valley and surrounding communities. As of March 2013 there were 64 licensed adult residential facilities, (often referred to as board and care homes), in Moreno Valley. Adult residential care facilities provide care and supervision to adults, ages 18-59 who have a mental illness. As of the same date there were 11 group homes in the city. Group homes provide housing for special populations in need of a supervised living arrangement. Individuals residing in group homes may be mentally or physically disabled, teenage mothers, victims of domestic violence or sexual abuse, or persons recovering from substance abuse.

There were 3 adult day care facilities in Moreno Valley. Adult day care facilities provide services on a daily or regular basis, but not overnight, to four or more elderly or handicapped persons with functional impairments. There were 38 residential care facilities exclusively for the elderly. These facilities provide group housing arrangements for residents over 60 years of age, who are provided non-medical care and supervision specific to their individual needs. The number of small family homes decreased to zero in March 2013 (from 5 in 2008). Small family homes provide care to minor children under the age of 18.

Affordable and stable housing with the appropriate supportive services is a primary need among disabled persons. As a result of a partnership between Ability First, formerly the Crippled

Children's Society of Los Angeles and the Redevelopment Agency of the City of Moreno Valley, there are twenty-five affordable apartments for disabled adults in the City of Moreno Valley.

The project allows disabled adults to live independently in apartments designed with their needs in mind and in a setting that provides social, physical and social opportunities that might not be available to them in another setting.

Definitions

Standard Condition – Meets HUD Housing Quality Standards (HQS).

Substandard Condition – The unit is in poor condition and it is both structurally and financially feasible to rehabilitate.

Condition of Units

| Condition of Units | Owner-Occupied | | Renter-Occupied | |
|--------------------------------|----------------|-------------|-----------------|-------------|
| | Number | % | Number | % |
| With one selected Condition | 17,221 | 51% | 8,139 | 56% |
| With two selected Conditions | 1,579 | 5% | 1,823 | 12% |
| With three selected Conditions | 24 | 0% | 28 | 0% |
| With four selected Conditions | 0 | 0% | 0 | 0% |
| No selected Conditions | 15,243 | 45% | 4,645 | 32% |
| Total | 34,067 | 101% | 14,635 | 100% |

Table 34 - Condition of Units

Data 2005-2009 ACS Data

Source:

Year Unit Built

| Year Unit Built | Owner-Occupied | | Renter-Occupied | |
|-----------------|----------------|-------------|-----------------|-------------|
| | Number | % | Number | % |
| 2000 or later | 5,979 | 18% | 3,259 | 22% |
| 1980-1999 | 22,383 | 66% | 6,880 | 47% |
| 1950-1979 | 5,318 | 16% | 4,061 | 28% |
| Before 1950 | 387 | 1% | 435 | 3% |
| Total | 34,067 | 101% | 14,635 | 100% |

Table 35 – Year Unit Built

Data 2005-2009 CHAS

Source:

Risk of Lead-Based Paint Hazard

| Risk of Lead-Based Paint Hazard | Owner-Occupied | | Renter-Occupied | |
|---|----------------|-----|-----------------|-----|
| | Number | % | Number | % |
| Total Number of Units Built Before 1980 | 5,705 | 17% | 4,496 | 31% |
| Housing Units build before 1980 with children present | 3,200 | 9% | 1,340 | |

Table 36 – Risk of Lead-Based Paint

Data 2005-2009 ACS (Total Units) 2005-2009 CHAS (Units with Children present)
Source:

Need for Owner and Rental Rehabilitation

Describe the need for owner and rental rehabilitation based on the condition of the jurisdiction's housing

Since the majority of the housing stock in Moreno Valley was built after 1980, and given that the units assisted by the City of Moreno Valley rehabilitation programs, were built prior to 1970, it is reasonable to assume that a disproportionate number of units needing rehabilitation would be units built between 1940 and 1969. Units built between 1940 and 1969 comprised 9.5% of the housing stock in 2000. By comparison, based on the number of units rehabilitated by the citywide rehabilitation programs, a total of 84, which represents .002% of the total housing stock in 2000, staff estimates that as many as ten times that number, or 840 units require rehabilitation citywide, or 2% of the city's housing stock in 2006. Since 91% of the city's housing stock was built since 1970 (see the assumption that no more than 2% of the housing stock would be in need of rehabilitation is a fair estimate. Units rehabilitated under the city programs were those of owners that were willing to rehabilitate their homes and had equity in their homes on which to borrow. Unfortunately, not all owners of units needing rehabilitation are willing to embark on a rehabilitation process or have the equity needed to borrow funds for the rehabilitation.

Estimated Number of Housing Units Occupied by Low or Moderate Income Families with LBP Hazards

NATIONAL HOUSING STUDIES

In 1989 and 1990, HUD performed a nationwide study of lead levels in housing. The HUD results revealed a high prevalence of lead-based paint in housing. Seventy-four percent of houses built before 1980 contained lead-based paint somewhere in the building.

ESTIMATED NUMBER OF HOUSING UNITS WITH LEAD-BASED PAINT HAZARDS

The majority of housing units that contain lead-based paint hazards are located in older areas of the City. These areas are readily identifiable based upon the City's growth patterns. However, there may be additional units which may need to be identified by a survey, due to the rural development which took place prior to 1979. Despite the fact that the majority of housing units in the City were recently constructed, the City recognizes that a majority of the affordable housing units were constructed prior to 1978 and should therefore be evaluated for lead-based paint hazards. By using HUD's estimate that 74% of pre-1980 houses contain lead-based paint, this would mean that out of the total of 9,862 housing units constructed in the City prior to 1979, the estimated number of housing units that contain lead-based paint hazards could potentially be as high as 7,300. In the CDBG Target Areas, which encompass the older portions of the City's housing stock, the average percentage of low and moderate income families is 70%. It

can be estimated that 70% of the housing units (5,100) with potential lead-based paint hazards are occupied by low and moderate income families.

CALIFORNIA HOUSING STUDIES

Childhood Lead Poisoning in California: Extent, Causes, and Prevention (DHS, 1992) is the report of targeted studies that was mandated by the Legislature in 1986. It assessed environmental lead contamination in the homes of children in three urban locations. Paint, soil and dust lead levels, as well as children's blood lead levels, were measured, and a questionnaire was administered. Applying survey results to the state as a whole, an estimated three million homes in California (27 percent) may have exterior paint lead levels at or above the USEPA/HUD action level of 5000 ppm and 1.3 million homes (12 percent) may have interior paint lead levels at or above 5000 ppm. Age of housing was found to be the best predictor of lead in soil and dust; homes built before 1920 were ten times more likely to have soil lead levels above 5000 ppm. This study confirmed the need for additional examination of lead hazards to children. More information regarding the State's efforts to address lead-based paint hazards for children can be found at the following website: <http://www.dhs.cahwnet.gov/ps/deodc/childlead/schools/bkgnd.htm>

Due to funding cuts, the City discontinued its four consumer loan and grant programs that were impacted by the requirements of lead based paint disclosure. The City is in hopes that within the 5 year term of this consolidated plan, it will be able to re-implement the City's Mobile Home Grant, the Homebuyers Assistance Program (HAP), Home Improvement Loan Program, and the Homeowners Assistance for Minor Rehabilitation. Participants in these programs are given a lead-based paint disclosure booklet and sign acknowledgment that is included in the loan application. If the home was constructed prior to 1978, the City contracts with Home Safe for a lead-based paint inspection of the property. If the property is found to contain lead-based paint, mitigation measures are incorporated as a part of the revitalization work. Since the HAP loan is down payment assistance, the lead-based paint mitigations are the responsibility of the Seller prior to title transfer. Both Buyer and Seller receive the disclosure materials as a part of the loan application process.

MA-25 Public and Assisted Housing

Introduction

The Housing Authority of the County of Riverside administers and manages several programs to address the housing needs of residents countywide. The Public Housing Program provides decent, safe, and sanitary housing to low and moderate-income families, seniors, and persons with disabilities. These multi-family developments were constructed or purchased with funding provided by HUD. The property units are operated and maintained by the Housing Authority with funding subsidies from HUD. Countywide the Housing Authority owns 469, of which 66 are located in the City of Moreno Valley. In FY 2007 the City of Moreno Valley purchased (on behalf of the City's CHDO) two duplexes previously owned by the Housing Authority. The units are located on Adrienne Avenue and Allies Street in the City of Moreno Valley. The physical condition of these units is that they are generally well maintained.

Each year, the HACR receives an annual grant from HUD's Capital Fund Program which provides funds for development, financing, modernization, and management improvements. The funds may not be used for luxury improvements, direct social services, cost funded by other HUD programs, and ineligible activities as determined by HUD on a case-by-case basis. With this grant, the HACR strategically plans for the modernization and rehabilitation needs of its 469 units. Although funding is only provided annually, the HACR plans for a 5 year period on the modernization and rehabilitation needs of its public housing developments. As a result of this funding source, all of the Housing Authorities remain in good condition and comply with all the required HUD Housing Quality Standards (HQS).

According to the Section 504 needs assessment, all units have been made accessible according to regulations and additional accommodations are made when necessary. The PHA's strategy for improving the management and operation of such public housing and for improving the living environment of low-and moderate-income families residing in public housing is that they are making efficient use of their limited subsidy, providing more energy efficient units, minimum vacancies and the enforcement of lease provisions.

There are about 1,500 Moreno Valley residents who receive Housing Choice Vouchers (Section 8). All Voucher recipients are below 50% of the area median income and approximately 80% are below 30% of area median income. As of March 2013 the waiting list for Section 8 was closed and not taking new applications. Unfortunately, the assistance provided under its two primary affordable housing programs is limited. A review of the County Agency Five Year Plan (2009) showed an extensive Section 8 (Housing Choice Voucher) County-wide waiting list of 50,751 families and 66,663 families on the Public Housing waiting list.

Totals Number of Units

| | Program Type | | | | | | | | |
|-------------------------------|--------------|-----------|----------------|----------|-----------------|----------------|-------------------------------------|----------------------------|------------|
| | Certificate | Mod-Rehab | Public Housing | Vouchers | | | | | |
| | | | | Total | Project - based | Tenant - based | Special Purpose Voucher | | |
| | | | | | | | Veterans Affairs Supportive Housing | Family Unification Program | Disabled * |
| # of units vouchers available | 0 | 77 | 469 | 8,681 | 48 | 8,633 | 819 | 1,759 | 342 |
| # of accessible units | | | 2 | | | | | | |
| # of FSS participants* | | | | | | | | | |
| # of FSS completions* | | | | | | | | | |

***includes Non-Elderly Disabled, Mainstream One-Year, Mainstream Five-year, and Nursing Home Transition**

Table 38 – Total Number of Units by Program Type

*Family Self Sufficiency Program

Data Source: PIC (PIH Information Center)

Supply of Public Housing Development

The total number of public housing units in the City of Moreno Valley is 66. The following table describes the general location of the public housing units and the number of units in each complex. In FY 2007 the City of Moreno Valley purchased (on behalf of the City's CHDO) two duplexes previously owned by the Housing Authority. The units are located on Adrienne Avenue and Allies Street in the City of Moreno Valley. The physical condition of these units is that they are generally well maintained. All units were in good condition and complied with HUD Housing Quality Standards and 504 accessibility requirements.

| <u>Location</u> | <u>Number of Units</u> |
|-----------------|------------------------|
| Dracaea Street | 28 units |
| Gloria Street | 34 units |
| Sherman Avenue | 4 units |

Altogether there are about 1,500 Moreno Valley families obtaining rental assistance through Section 8 Housing Choice Vouchers. According to the Housing Authority of Riverside County:

Thus, Section 8 assisted households/housing units are not situated in permanent locations. Families receiving Section 8 assistance may move to another apartment unit (where the landlord accepts Section 8) located in Moreno Valley or move to another City. Usually, the initial lease term must be for at least one year.

The table below shows the number of Section 8 Vouchers by zip code location, information that was transmitted to the City by the Housing Authority.

**City of Moreno Valley
Distribution of Section 8 Housing Choice Vouchers by Zip Code**

| Zip Code | Number of Section 8 Vouchers | Percent |
|-----------------|-------------------------------------|----------------|
| 92551 | 235 | 15.6% |
| 92553 | 703 | 46.8% |
| 92555 | 105 | 7.0% |
| 92557 | 459 | 30.6% |
| Total | 1,502 | 100.0% |

Note: Total excludes one voucher in zip code 92552
 Source: Housing Authority of the County of Riverside, January 12, 2013
 Table construction by Castañeda & Associates

Restoration and Revitalization Needs

All Housing Authority properties remain in good condition and comply with all the required HUD Housing Quality Standards (HQS). According to the Section 504 needs assessment, all units have been made accessible according to regulations and additional accommodations are made when necessary.

Strategy of Improving the Living Environment of low- and moderate Income Families

The PHA's strategy for improving the management and operation of such public housing and for improving the living environment of low- and moderate-income families residing in public housing is that they are making efficient use of their limited subsidy, providing more energy efficient units, minimum vacancies and the enforcement of lease provisions.

MA-30 HOMELESS FACILITIES

INTRODUCTION

One of the City's highest priorities for the use of CDBG funds is to address the emergency shelter and transitional housing needs of homeless persons. The City will continue to fund applications for homeless shelters that serve the Moreno Valley homeless population. The City will assist homeless persons make the transition to permanent housing and independent living through continued support of affordable housing developments that will provide long term affordability covenants.

There are several programs administered by Riverside County that aid in the prevention of homelessness. For example, the Emergency Food and Shelter Program meets the needs of the hungry and homeless by providing funds to provide the following housing assistance, as determined by the Local Board in funded jurisdictions: lodging in a mass shelter or hotel; one month's rent or mortgage payment; one month's utility bill; and minimal repairs to allow a sheltering facility to function during the program year.

Several service providers provide shelter and services to Moreno Valley homeless. Although there are no homeless shelters located within the City limits, the City continues to provide CDBG assistance to three homeless housing programs located on March Air Reserve Base (MARB). In the past, the City has provided CDBG funding to the following organizations to assist the homeless:

- Community Assistance Program (Food Distribution)
- Lutheran Social Services (Transitional Living Program) – located on MARB
- Riverside County (Cold Weather Shelter)
- God's Helping Hand (Food Distribution)
- PW Enhancement Center (Emergency Motel Vouchers)
- Operation Safehouse (Emergency Youth Shelter)
- Alternatives to Domestic Violence (Emergency Shelter)
- God's Helping Hand (Food Distribution)
- Path of Life Shelter (Emergency and Transitional Housing) – located on MARB
- US Vets (Transitional Housing for Homeless Veterans) – located on MARB

Facilities Targeted to Homeless Persons

| | Emergency Shelter Beds | | Transitional Housing Beds | Permanent Supportive Housing Beds | |
|---|---------------------------------|------------------------------------|---------------------------|-----------------------------------|-------------------|
| | Year Round Beds (Current & New) | Voucher / Seasonal / Overflow Beds | Current & New | Current & New | Under Development |
| Households with Adult(s) and Child(ren) | 237 | 72 | 487 | 27 | 0 |
| Households with Only Adults | 377 | 0 | 374 | 218 | 0 |
| Chronically Homeless Households | 0 | 0 | 24 | 283 | 0 |
| Veterans | 0 | 0 | 50 | 0 | 0 |
| Unaccompanied Child(ren) | 17 | 0 | 0 | 0 | 0 |

Table 40 - Facilities Targeted to Homeless Persons

Describe mainstream services, such as health, mental health, and employment services to the extent those services are used to complement services targeted to homeless persons

The Emergency Shelter Grant (ESG) program is designed to be the first step in a continuum of assistance to prevent homelessness and to enable homeless individuals and families to move toward independent living. Homeless Prevention became an eligible ESG activity category in FY 1989 – adding a new population and a new dimension to the program. ESG grantees may allocate up to 30% of their total ESG award to homeless prevention. The City of Moreno Valley does not receive ESG funds, however often refers residents to ESG providers in the County.

To help prevent the incidence of homelessness in a community, ESG funds can be used to support a variety of activities, including:

- Short-term subsidies to defray rent and utility debts for families that have received eviction or utility termination notices
- Security deposits or first month's rent to permit individuals or families at-risk of homelessness to obtain permanent housing
- Mediation programs for landlord-tenant disputes
- Legal services programs for the representation of indigent tenants in eviction proceedings
- Payments to prevent foreclosure on a home; and
- Other innovative programs and activities designed to prevent the incidence of homelessness.

The primary agency that coordinates the linkages of mainstream resources between other groups to implement the County's "Ending Homelessness in Ten Years" Plan is the Riverside County Department of Public Social Services (DPSS), the "umbrella" anti-poverty agency for the region. The goal is self-sufficiency accomplished by moving poor families out of poverty. DPSS interacts with people on many levels, thereby impacting their daily lives through child care, education, employment, training, health and human services, homelessness and housing.

Other available mainstream resources include:

1. CalWORKs: Funds are available to families on public assistance to provide rent and utility payments, which are funded through TANF. CalWORKs also offers the Welfare-to-Work Program that provides job training and supportive services.
2. Child Protective Services (CPS): Funds are available to provide emergency rent and utility assistance for families with children who have an open case.
3. Fair Housing Council of Riverside County: Provides fair housing services, including discrimination counseling, mediation, and dispute resolution to residents.
4. IHEAP: Funds are available on a limited basis for individuals who are in danger of losing utility service.
5. Riverside County Economic Development Agency & Workforce Development Center: Partners with community agencies and local jurisdictions to provide job training and placement services.

6. Moreno Valley Employment Resource Center: Partners with Riverside County EDA to provide job training, placement services, and job search assistance.
7. CalFresh Program (formerly called Food Stamps): Electronic Benefit Transfer cards issued to people on public assistance to fund food and other essential items.
8. Riverside County Department of Public Social Services and Mental Health and Public Health: provide assistance to individuals and families needing senior services, physical health, behavioral health, dentistry services, and public health. Homeless services are housed under the umbrella of DPSS.
9. Community Connect – 211 Referral Line: A telephone social service information directory on how to get food, income, jobs and training, housing, healthcare, legal advice, and other important help from local, state and federal programs and community services across Riverside County.

List and describe services and facilities that meet the needs of homeless persons, particularly chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth. If the services and facilities are listed on screen SP-40 Institutional Delivery Structure or screen MA-35 Special Needs Facilities and Services, describe how these facilities and services specifically address the needs of these populations.

The City was an active participant in the development of the Homeless Assistance Plan (HAP) at March Air Reserve Base (ARB). March ARB was closed, in part, during a base realignment. Portions of the base will be used to benefit the homeless in Riverside County. The City of Moreno Valley participates in the March Joint Powers Authority (JPA) to determine what projects will be implemented. The Joint Powers Commission approved the following homeless programs: the Volunteer Center of Riverside to provide counseling services and to coordinate homeless services at the base; the First Apostolic Faith Church of Moreno Valley to provide education, job training, and child care; Path of Life Shelter to provide emergency and transitional shelter, counseling services and training for families; Lutheran Social Services to provide transitional housing for families; and Harvest Food Bank for food distribution services. The city fully supports these programs because they will benefit the homeless in Moreno Valley.

The county has worked toward dealing with the chronic homeless population for a number of years through the Mental Health Homeless Intervention Team (HIT) program. The HIT Teams actively seek out homeless in the streets environment and other places where the homeless congregate. The teams work in areas of high homeless concentration. Support workers are trained to recognize the symptoms of mental illness and substance abuse. They also possess the interpersonal skills necessary to solicit and provide information in a friendly, respectful, non-threatening manner. They are familiar with all community resources that serve the homeless population, both public and private. At a minimum, all homeless persons contacted on the streets are provided with information and referral to program relevant to their particular needs.

Once the chronic homeless persons have been identified, and if mentally ill and willing to participate, they are enrolled into a series of programs by the Department of Mental Health. Those suffering from substance abuse are referred to the existing programs, such as those provided by ABC Recovery, Phoenix House, Whiteside Manor, Cedar House and County Mental Health. Some of the mentally ill are referred to programs offered by Whiteside Manor and mental health clinics. All of these programs provide treatment and transitional housing. A

number of these homeless service providers have applications up for renewal in the county's Continuum of Care application.

The City also supports, through the use of CDBG funds, various homeless programs that provide general services in addition to shelter. Food distribution, counseling, and domestic violence services are some of the outreach activities which provide much needed support services to homeless persons.

Persons Fleeing Domestic Violence

Often, victims of domestic violence, and their children, who leave an abusive situation need emergency shelter. If adequate resources are not available to the family, then transitional shelter would be necessary. Alternative to Domestic Violence (ADV) provides shelter for domestic violence victims in addition to having a toll-free crisis line and counseling services.

Unaccompanied Youth

A portion of this sub-population is youth who have been emancipated from foster care. Many of these youth become homeless due to limited education and training, lack of financial resources, and a limited support system. Reaching out and serving these homeless youth is undertaken in a number of ways including street canvassing, hotlines and referrals. There is one agency that provides services for runaway and emancipated youth, Operation Safehouse. The City has granted CDBG funding to Operation Safehouse for nearly ten (10) years.

MA-35 SPECIAL NEEDS FACILITIES AND SERVICES

Including the elderly, frail elderly, persons with disabilities (mental, physical, developmental), persons with alcohol or other drug addictions, persons with HIV/AIDS and their families, public housing residents and any other categories the jurisdiction may specify, and describe their supportive housing needs

Housing to Serve People With Disabilities

Ability First (formerly Crippled Children) provides persons with disabilities living environments adapted to meet their needs. The Moreno Valley Apartments are one such example. Ability First has provided a suitable living environment by reserving 25 units solely for use by disabled persons and their families.

Housing to Serve Persons with HIV/AIDS

The Inland AIDS Project has a six-bed residential care facility for the chronically ill. The home is located in the city of Hesperia, approximately 50 miles from Moreno Valley. This California State Licensed facility is staffed by a team of Licensed nurses, home health attendants and social workers who provide an array of services for persons living with AIDS including but not limited to meal preparation, hospice/end stage care, case management, counseling & transportation. Admission to this facility is arranged through the client's case manager. In addition, the Inland AIDS Project has two licensed residential substance abuse treatment facilities located in the cities of Ontario and Riverside; and low rent housing units located in San Bernardino, Ontario, and Riverside.

HOPWA funds currently allocated to San Bernardino and Riverside counties are being used to provide housing assistance to person with HIV/AIDS, home care, clinic-based primary care, shelter, case management, and housing placement. The City of Riverside administers the HOPWA program for both counties.

Housing to Serve the Elderly

Senior Cooperative Services: Affordable housing with supportive services are needed to allow senior citizens options for independent living situations. The City assisted Cooperative Services Inc. (a non-profit organization) with development of a 70-unit housing project for low-income senior citizens.

Assisted Living Center: The City facilitated issuance of Housing Revenue Bonds for the construction of an Assisted Living Center by assist California Drug Consultants.

Telacu Senior Housing: Provides affordable independent living housing opportunities for senior citizens. The project was constructed in previous years using RDA funding.

Describe programs for ensuring that persons returning from mental and physical health institutions receive appropriate supportive housing.

As part of the City's involvement with the Continuum of Care, a Discharge Planning Policy, was established to ensure that all appropriate local and State government entities that discharge persons from publicly-funded institutions or systems of care participate in the Discharge Policy Committee. The Policy strengthens discharge planning with major institutions to limit the number of chronically homeless persons discharged into homelessness and connects the homeless and those persons threatened with homelessness with supported housing and community-based resources upon discharge. The overall objective of the Discharge Coordination Policy and Practices is to reduce the number of persons being released and discharged into homeless shelters, unsuitable accommodations, or homelessness.

For entitlement/consortia grantees: Specify the activities that the jurisdiction plans to undertake during the next year to address the housing and supportive services needs identified in accordance with 91.215(e) with respect to persons who are not homeless but have other special needs. Link to one-year goals. (91.220(2))

N/A

MA-40 BARRIERS TO AFFORDABLE HOUSING

Negative Effects of Public Policies on Affordable Housing and Residential Investment

The table below provides a summary of the public sector impediments and Fair Housing Action Plan as included in the City's updated Analysis of Impediments (AI) to Fair Housing Choice and Fair Housing Action Plan 2013 -2018. The AI document was completed per a consultant contract with Casteneda and Associates.

Summary of Public Sector Impediments Action Plan Recommendations and Action Plan Schedule

| Impediments | Action Plan Recommendations | Action Plan Schedule |
|--|---|--|
| Housing for Disabled Persons – Disability Definition | | |
| HUD encourages cities to provide a definition of “disability” in its planning and zoning codes. | In order to affirmatively further fair housing, the City will establish a specific disability definition that is identical to the one in the Federal Fair Housing Act. The definition will be included in the Reasonable Accommodation Procedure. | The disability definition will be added to the Planning and Zoning Code in Program year 2013-2014. |
| Housing for Disabled Persons – Supportive Services | | |
| HUD encourages cities to make provisions for housing with supportive services in the planning and zoning codes. The City's zoning regulations do not explicitly prohibit or permit transitional and supportive housing in residential zones. | The Planning and Zoning Code will be revised to define transitional and supportive housing and to indicate the residential zones in which such housing is permitted. | The Planning and Zoning Code will be amended in Program Year 2013-2014. |
| Housing for Disabled Persons – Reasonable Accommodation Procedure | | |
| HUD, the Federal Department of Justice and the California Attorney General's Office all encourage cities to adopt a reasonable accommodation procedure. This procedure provides a means for disabled persons to requests exceptions from the development standards of a planning and zoning code and the standards of a building code. | The City will adopt a reasonable accommodation procedure. | The reasonable accommodation procedure will be adopted in Program Year 2013-2014. |

| Special Needs Populations | | |
|--|--|---|
| <p>HUD encourages cities to address special needs populations through provisions in their planning and zoning codes and policies contained in their planning documents.</p> | <p>The City will address special needs populations through the policies of the Consolidated Plan and Housing Element. In the Housing Element Update (to be adopted by October 2013), the City must address the needs of the developmentally disabled population. The City also will consider amending the Planning and Zoning Code to include a definition and development standards for special needs housing.</p> | <p>The special needs populations will be addressed annually as part of the Consolidated Plan's Annual Action Plans.</p> <p>A definition and development standards for special needs housing will be considered in Program year 2014-2015.</p> |
| Senior Housing | | |
| <p>Under federal law housing discrimination against families with children is permitted only in housing in which all the residents are 62 years of age or older or where at least 80% of the occupied units have one person who is 55 years of age or older. Generally, California law states that a housing provider using the lower age limitation of 55 years must have at least 35 units to use the familial status discrimination exemption. Also, California law, with narrow exceptions, requires all residents to be "senior citizens" or "qualified permanent residents", pursuant to Civil Code §51.3.</p> <p>The Planning and Zoning Code needs to be amended to contain a more precise definition of "senior housing."</p> | <p>The City will amend the Planning and Zoning Code by adding a senior housing definition. Many cities define senior housing as follows:</p> <p style="padding-left: 40px;">Senior citizen housing shall mean a housing development consistent with the California Fair Employment and Housing Act (Government Code Section 12900 et. seq., including 12955.9 in particular), which has been "designed to meet the physical and social needs of senior citizens," and which otherwise qualifies as "housing for older persons" as that phrase is used in the Federal Fair Housing Amendments Act (42 U.S.C. 3607(b)) and implementing regulations and as that phrase is used in California Civil Code Section 51.2 and 51.3.</p> | <p>A senior housing definition and other senior housing topics will be considered in Program Year 2014-2015.</p> |

MA-45 Non-Housing Community Development Assets

Economic Development Market Analysis

INTRODUCTION

According to the 2000 and 2010 census data, between 2000 and 2012, Moreno Valley's labor force grew by about 29,300 workers. The employer work force increased by about 19,400 workers. On the other hand, the number of unemployed workers increased by 10,140 which resulted in a 12.8% unemployment rate (not seasonally adjusted) as of December 2012. According to the 2005-2009 ACS there are 74,949 employed residents occupying approximately 25,958 jobs located in Moreno Valley. Of the employed residents, 21% were employed in the educational services, health care and social assistance industry while about 14% of employed residents had jobs in the retail trade industry. Major employers are government/education related, medical and hospital facilities, and the Moreno Valley Mall. Of employed residents: 25% work within the City and 75% have a job located outside the City limits; less than 2% of the workers use public transportation as a means to work; about 98% of all workers drive to work alone.

Business Activity

| Business by Sector | Number of Workers | Number of Jobs | Share of Workers % | Share of Jobs % | Jobs less workers % |
|---|-------------------|----------------|--------------------|-----------------|---------------------|
| Agriculture, Mining, Oil & Gas Extraction | 358 | 62 | 0 | 0 | 0 |
| Arts, Entertainment, Accommodations | 5,224 | 2,905 | 7 | 11 | 4 |
| Construction | 7,815 | 744 | 10 | 3 | -8 |
| Education and Health Care Services | 15,651 | 5,943 | 21 | 23 | 2 |
| Finance, Insurance, and Real Estate | 3,614 | 1,688 | 5 | 7 | 2 |
| Information | 1,244 | 74 | 2 | 0 | -1 |
| Manufacturing | 8,238 | 1,156 | 11 | 4 | -7 |
| Other Services | 3,462 | 1,347 | 5 | 5 | 1 |
| Professional, Scientific, Management Services | 6,063 | 860 | 8 | 3 | -5 |
| Public Administration | 4,277 | 790 | 6 | 3 | -3 |
| Retail Trade | 10,745 | 8,206 | 14 | 32 | 17 |
| Transportation and Warehousing | 5,294 | 549 | 7 | 2 | -5 |
| Wholesale Trade | 2,964 | 1,634 | 4 | 6 | 2 |
| Total | 74,949 | 25,958 | -- | -- | -- |

Table 42 - Business Activity

Data Source: 2005-2009 ACS (Workers), 2010 ESRI Business Analyst Package (Jobs)

Labor Force

| | |
|--|--------|
| Total Population in the Civilian Labor Force | 82,632 |
| Civilian Employed Population 16 years and over | 74,949 |
| Unemployment Rate | 9.30 |
| Unemployment Rate for Ages 16-24 | 24.90 |
| Unemployment Rate for Ages 25-65 | 4.95 |

Table 43 - Labor Force

Data 2005-2009 ACS Data
Source:

Occupations by Sector

| | |
|--|--------|
| Management, business, and financial | 19,264 |
| Farming, fisheries and forestry occupations | 125 |
| Service | 12,362 |
| Sales and office | 20,525 |
| Construction, extraction, maintenance and repair | 9,855 |
| Production, transportation and material moving | 12,818 |

Table 44 – Occupations by Sector

Data 2005-2009 ACS Data
Source:

Travel Time

| Travel Time | Number | Percentage |
|--------------------|--------|------------|
| < 30 Minutes | 31,908 | 45% |
| 30-59 Minutes | 24,738 | 35% |
| 60 or More Minutes | 14,506 | 20% |
| Total | 71,152 | 100% |

Table 45 - Travel Time

Data 2005-2009 ACS Data
Source:

Education

Educational Attainment by Employment Status (Population 16 and Older)

| Educational Attainment | In Labor Force | | Not in Labor Force |
|---|-------------------|------------|--------------------|
| | Civilian Employed | Unemployed | |
| Less than high school graduate | 12,685 | 1,224 | 7,996 |
| High school graduate (includes equivalency) | 16,673 | 1,201 | 6,880 |
| Some college or Associate's degree | 21,669 | 1,485 | 5,706 |

| Educational Attainment | In Labor Force | | Not in Labor Force |
|-----------------------------|-------------------|------------|--------------------|
| | Civilian Employed | Unemployed | |
| Bachelor's degree or higher | 10,838 | 490 | 1,756 |

Table 46 - Educational Attainment by Employment Status

Data 2005-2009 ACS Data
Source:

Educational Attainment by Age

| | Age | | | | |
|---|-----------|-----------|-----------|-----------|---------|
| | 18-24 yrs | 25-34 yrs | 35-44 yrs | 45-65 yrs | 65+ yrs |
| Less than 9th grade | 662 | 1,751 | 3,003 | 5,329 | 2,398 |
| 9th to 12th grade, no diploma | 4,541 | 4,294 | 4,372 | 3,156 | 1,175 |
| High school graduate, GED, or alternative | 6,919 | 8,597 | 7,086 | 9,091 | 3,049 |
| Some college, no degree | 6,337 | 6,637 | 5,897 | 9,131 | 2,079 |
| Associate's degree | 1,052 | 2,204 | 2,214 | 2,973 | 662 |
| Bachelor's degree | 865 | 2,421 | 2,383 | 4,407 | 979 |
| Graduate or professional degree | 83 | 812 | 847 | 2,253 | 392 |

Table 47 - Educational Attainment by Age

Data 2005-2009 ACS Data
Source:

Educational Attainment – Median Earnings in the Past 12 Months

| Educational Attainment | Median Earnings in the Past 12 Months |
|---|---------------------------------------|
| Less than high school graduate | 24,049 |
| High school graduate (includes equivalency) | 29,638 |
| Some college or Associate's degree | 37,035 |
| Bachelor's degree | 47,024 |
| Graduate or professional degree | 67,534 |

Table 48 – Median Earnings in the Past 12 Months

Data 2005-2009 ACS Data
Source:

Based on the Business Activity table above, what are the major employment sectors within your jurisdiction?

According to the 2005 -2009 ACS there are 74,949 employed residents occupying approximately 25,958 jobs located in Moreno Valley. Of employed residents, 21% were employed in the educational services, health care and social assistance industry while about 14% of employed residents had jobs in the retail trade industry. Major employers are government/education related, medical and hospital facilities, and the Moreno Valley Mall. Of employed residents, 25% work within the City and 75% have a job located outside the City limits. Less than 2% of the workers use public transportation as a means to work. About 78% of all workers drive to work alone. The table below provides information of the City's largest employers.

City of Moreno Valley
Major Employers (400+) 2011

| Business | Type of Business | No. of Employees | Location |
|--|---------------------------|-------------------------|--------------------------------------|
| March Air Reserve Base | Military Reserve Base | 9,000 | March Air Force Base |
| Moreno Valley Unified School District | Public Schools | 3,490 | 25634 Alessandro Boulevard |
| Riverside County Regional Medical Center | County Hospital | 2,416 | 26520 Cactus Avenue |
| Moreno Valley Mall | Retail Mall | 1,760 | 22500 Town Circle |
| Ross Dress for Less | Retail Distribution | 1,500 | 17800 Perris Blvd. |
| City of Moreno Valley Including Police & Fire Depts. | Municipal Government | 762 | 22850 Calle San Juan De Los Lagos |
| Walgreens Co. | Distribution | 694 | 17500 Perris Blvd. |
| Val Verde Unified School District | Public Schools | 667 | Public Schools |
| Moreno Valley College | Higher Education | 555 | 16130 Lasselle St. |
| Sketchers USA | Retail Distribution | 550 | 29800 Eucalyptus St. |
| Phillips Consumer Electronics | Electronics Distribution | 484 | 25300 Globe St. |
| Kaiser Permanente Community Hospital/Office | Hospital/Medical Services | 452 | 12815 Heacock St. |

Source: City of Moreno Valley, *Major Employers*, November 2011

Table construction by Castañeda & Associates

Describe the workforce and infrastructure needs of the business community:

In the spring of 2011, the City Council established their Economic Development prioritized goals, and a corresponding action plan. The prioritized goals were approved on June 14, 2011 and are directed in five key areas:

1. Job Development, including maximizing vacant land in support of this goal
2. Focus on Medical Corridor and Health Services/Educational Opportunities
3. Maximize Transportation and Infrastructure Opportunities
4. Economic and Tax Base Development
5. Enhance City Image

The City Council approved a two-year Economic Development Action Plan that established actions through June 2013 focusing on both job development and tax base growth. Action items included re-sequencing and advancing capital projects to create the infrastructure and environment to attract and facilitate commercial and retail development in the Central and Easterly parts of the City. The plan includes actions that focus on continuing to build commercial and retail growth and stability in existing centers. This plan is designed to leverage current economic development efforts and deliver projects within the next two to three year period and beyond as businesses develop along the improved corridor. The primary goals of the Council-approved Two-year Economic Development Action Plan action plan are:

1. Focus on business development and attraction in a range of commercial and retail locations
2. Enhance retail and restaurant development in the Towngate area
3. Advance development on projects in the Centerpointe Business Park
4. Facilitate development of projects in the South Moreno Valley Industrial Specific Plan
5. Re-evaluate land uses in eastern Moreno Valley
6. Re-sequence and fast-track three Capital Improvement Projects in the City Center area

The two markets that are seeking to expand currently include logistics/distribution centers and health care. The City is prepared to be in position to take advantage of opportunities in the healthcare industry through capital improvements in a healthcare corridor. While the Two-year Economic Development Action Plan was a critical tool to focus the City on a solid direction immediately, a Three Year Economic Develop Action Plan is being developed to address the period of July 2013 through June 2016.

Given the city's high unemployment rate, the highest priority workforce need is increased job creation and retention. Many of the programs and strategies for Community and Economic Development are centered in the CDBG Target Areas. Infrastructure improvements are needed in the Target Areas which include some of the oldest areas in the City. To improve public safety and facilitate pedestrian traffic, the City plans to complete several street and sidewalk improvements with a combination of CDBG funds and City general funds.

The strategic plan for economic development activities includes small business counseling services, infrastructure improvements, and property rehabilitation programs in the Edgemont Area. There is a continual need for infrastructure improvement along major commercial corridors, for job-skills training, for parks and youth facilities and services, for community

facilities and for accessibility improvements. The City will contract with non-profit agencies to provide technical assistance and training to local small business owners. In addition, the City will implement a business incubator program to assist small businesses.

The goal of these economic development activities is to create and/or retain low and moderate income jobs in the community.

The objectives of the community and economic development strategy are to:

1. Promote expanded economic opportunities in order to create or retain low and moderate income jobs
2. Provide infrastructure improvements in CDBG Target Areas to create a suitable living environment by increasing access to quality public facilities
3. Support public service programs available to serve low and moderate income residents

The City will use a combination of CDBG funds, City General Funds, and other available grant resources to pursue programs that meet these objectives.

Describe any major changes that may have an economic impact, such as planned local or regional public or private sector investments or initiatives that have affected or may affect job and business growth opportunities during the planning period. Describe any needs for workforce development, business support or infrastructure these changes may create.

The most significant changes to the City in regards to economic impact is the state dissolution of redevelopment in February 2012. Redevelopment was a critical tool for the financing and development of housing, infrastructure and commercial/industrial facilities in Moreno Valley since the Agency was activated in 1986. In addition to the loss of redevelopment, the economic downturn also impacted City general fund revenues which had adverse impacts of the City's ability to perform needed public infrastructure improvements. The future availability of CDBG and HOME funds from HUD will be essential to ensure low and moderate income individuals receive critical programs and services.

As a result of the 2011 RDA Dissolution Act, ABx1 26 and, in particular, Section 34171(j) thereof, the City became the Successor Agency to Moreno Valley's RDA upon dissolution of the RDA. The 2011 Dissolution Act also provides, at Section 34176, for the disposition of housing assets of a former redevelopment agency. The City Council of the City of Moreno Valley designated the Moreno Valley Housing Authority as the recipient of the former Redevelopment Agency by its Resolution No. 2012-25 as adopted by the City Council on March 8, 2011 and the Oversight Board confirmed and approved the disposition of the housing assets of the former Redevelopment Agency to the Housing Authority.

The City formed the Housing Authority to carry out responsibilities as delineated under the Housing Authority Law. The Housing Authority provides the community with the appropriate legal tools to conduct housing activities, such as ongoing monitoring of covenanted units for compliance as to income limits and affordability, the maintenance of properties, the ability to enter into agreements with developers for the maintenance, construction and operation of housing developments, to enter into contracts, and to provide such other services and provide for such other activities as are authorized under the Housing Authority Law.

How do the skills and education of the current workforce correspond to employment opportunities in the jurisdiction?

There has been considerable erosion in the traditional labor market in the City and many of the former jobs in construction, manufacturing, government, and other sectors have dwindled and may not return soon. In addition, there is a disconnect between the existing skills of the labor pool and the skills required to compete for the remaining jobs or the new jobs that will emerge at some point. To compete successfully, workers will need to update their education and job skills in order to make themselves more skilled and flexible in order to successfully compete for the available jobs. Analysis of the data indicates that in every sector of the economy there are more workers than jobs.

Describe any current workforce training initiatives, including those supported by Workforce Investment Boards, community colleges and other organizations. Describe how these efforts will support the jurisdiction's Consolidated Plan

The Riverside County Workforce Investment Board is one of 600 private-sector led Workforce Investment Boards (WIBs) in the Country. WIBs are transforming the nation's workforce system to be responsive to the demands of a global economy. Through strong strategic partnerships with private-sector businesses, local government, community-based organizations, institutions of higher education and K-12 education, WIBs remain in a prime position to serve as the pipeline for a skilled labor force necessary for economic recovery and long-term growth.

The Riverside County Workforce Investment Board provides oversight for the Workforce Investment Act program, acts as a catalyst to provide seamless services among various workforce programs, and provides community leadership around workforce issues. This task is accomplished through comprehensive one-stop career centers.

The City, in collaboration with the Riverside County Workforce Development Center, operates a One-Stop Career Center in the City of Moreno Valley. One stop centers are available throughout the County and serve as a hub of the county-wide service delivery vehicle for workforce/education/business services. Workforce funds allocated to Local Boards support the job training, placement, and business services delivered through the One-Stop Career Centers. These Centers, through partnerships with other local, state and federal agencies, education and economic development organizations provide access to job, skill development and business services vital to the social and economic well-being of Riverside County communities.

There are five ways that the Workforce Development Center carries out its role:

- **CONVENER** - Bringing together business, labor, education, and economic development to focus on community workforce issues
- **WORKFORCE ANALYST** - Developing, disseminating and understanding current labor market and economic information and trends
- **BROKER** - Bringing together systems to solve common problems, or broker new relationships with businesses and workers
- **COMMUNITY VOICE** - Advocating for the importance of workforce policy, providing perspective about the need for skilled workers

- **CAPACITY BUILDER** - Enhancing the region's ability to meet the workforce needs of local employers

Does your jurisdiction participate in a Comprehensive Economic Development Strategy (CEDS)?

The City of Moreno Valley is a participating jurisdiction in the County of Riverside's Comprehensive Economic Development Strategy. The strategy is intended to create new jobs, foster stable and diversified economies with high wages and increase capital investment, thereby improving the living conditions throughout each of these various regions of Riverside County. In addition, the CED tries to coordinate the efforts of organizations, local governments, and private industry involved with economic and workforce development.

If so, what economic development initiatives are you undertaking that may be coordinated with the Consolidated Plan? If not, describe other local/regional plans or initiatives that impact economic growth.

In 2011, the City Council approved a two-year Economic Development Action Plan that established actions through June 2013 focusing on both job development and tax base growth. The Economic Development Action Plan is intended to align with the goals of the City's Consolidated Plan and the County of Riverside Comprehensive Economic Development Strategy. The action items in the Economic Development Action Plan include re-sequencing and advancing capital projects to improve the infrastructure and environment to attract and facilitate commercial and retail development in the Central and Easterly parts of the City to create sustainable jobs. The plan will also focus on continuing to build commercial and retail stability in existing centers in an effort to retain jobs. Working together, all three plans will leverage current economic development efforts and deliver programs and projects to promote economic growth along major corridors and other key areas in the City. A new Economic Development Action Plan is currently being developed to identify activities to be undertaken through 2016.

MA-50 Needs and Market Analysis Discussion

Are there any populations or households in areas or neighborhoods that are more affected by multiple housing problems?

Within Moreno Valley's geographic Priority Areas (Map: SP-10 Geographic Priorities) there are discrete areas where the highest density of very-low income households is found and these households experience multiple housing problems to a much greater degree than the population in general.

Are there areas in the Jurisdiction where these populations are concentrated?

In 2010, the City's population was 193,365 of which 81.1% belonged to a racial or minority group. At the census tract level, the minority population ranges from a low of 53.3% (424.01) to a high of 91.1% (424.12).

To be identified as an area of minority concentration, a census tract's minority population percentage should exceed the citywide percentage of 81.1%. The Consolidated Plan regulations do not establish a criterion that defines "concentration" but instead allow cities to establish their own standard. The one standard that the regulations do explicitly establish pertains to "disproportionate housing needs" which is defined as 10% above the average for a specific community housing need. Therefore, an area of minority population concentration can be defined as a census tract having 91.1% or more of its population belonging to a minority racial or ethnic group. The only census tract having a minority population of at least 91.1% is 424.12.

What are the characteristics of the market in these areas/neighborhoods?

The characteristics of the market are discussed in detail in Sections MA-05 through MA-25 and most of the same characteristics as described in those discussions apply to the market in these areas. The biggest differences would be that, as expected, there are a greater number of more substantial housing issues related to both housing costs and housing conditions, including multiple housing problems in both ownership and owner rental and multifamily rentals, in these areas.

Are there any community assets in these areas/neighborhoods?

Community assets generally include facilities such as schools, libraries, community centers, parks, and access to commercial establishments such as grocery stores, general merchandise stores, and pharmacy retailers, among others. In these specific areas, there are a number of local parks, elementary, middle and high schools, library, and senior center.

Are there other strategic opportunities in any of these areas?

The City's CDBG strategic priorities for all low to moderate income neighborhoods encourage: economic development through public facility and infrastructure investments in very low-and low-income areas; revitalizing existing commercial areas by investing in infrastructure and public amenities that will draw private investors into the area to develop and remove blighting influences and ultimately increase jobs; traditional programs that rehabilitate existing substandard housing for income-qualified owners or owners who rent to income-qualified tenants; affordable housing opportunities for renters and first-time homebuyers, including seniors and the disabled; rehabilitation of or new affordable housing units that include handicap accessibility for seniors or the disabled; rehabilitation of community center, neighborhood parks and amenities, including those in conjunction with affordable housing projects; and comprehensive homeless and homeless prevention programs in eligible neighborhoods.

Strategic Plan

SP-05 Overview

Strategic Plan Overview

The City of Moreno Valley plans to implement a Five-Year Strategic Plan by directing a variety of efforts and resources toward the creation and retention of affordable housing, housing related programs, homeless assistance, special needs and non-housing community development needs. Achievement of the strategy will be facilitated by coordination with private developers, non-profit organizations, lending institutions, City and Federal funding resources and other governmental jurisdictions. The City is committed to maximizing existing resources and opportunities to achieve a better quality of life for every resident. This includes the general priorities for allocating investment geographically within the jurisdiction and defining priority needs. The Strategic Plan will incorporate priorities in the following areas: Homeless, Special Needs, Housing/Fair Housing, Community and Economic Development. In establishing priorities, the City utilized the needs assessment, public input, resources available and the ability of the City to address the need. These priorities also incorporate the following HUD goals:

- (1) Decent housing - Includes assisting homeless persons to obtain appropriate housing and assisting persons at risk of becoming homeless; retention of the affordable housing stock; and increasing the availability of permanent housing in standard condition and affordable cost to low-income and moderate-income families, particularly to members of disadvantaged minorities, without discrimination on the basis of race, color, religion, sex, national origin, familial status, or disability. Decent housing also includes increasing the supply of supportive housing, which combines structural features and services needed to enable persons with special needs, including persons with HIV/ AIDS and their families, to live with dignity and independence; and providing housing affordable to low-income persons accessible to job opportunities.
- (2) A suitable living environment - Includes improving the safety and livability of neighborhoods; increasing access to quality public and private facilities and services; reducing the isolation of income groups within a community or geographical area through the spatial de-concentration of housing opportunities for persons of lower income and the revitalization of deteriorating or deteriorated neighborhoods; restoring and preserving properties of special historic, architectural, or aesthetic value; and conservation of energy resources.
- (3) Expanded economic opportunities - Includes job creation and retention; establishment, stabilization and expansion of small businesses (including micro-businesses); the provision of public services concerned with employment; the provision of jobs involved in carrying out activities under programs covered by this plan to low-income persons living in areas affected by those programs and activities; availability of mortgage financing for low-income persons at reasonable rates using nondiscriminatory lending practices; access to capital and credit for development activities that promote the long-term economic and social viability of the community; and empowerment and self-sufficiency opportunities for low-income persons to reduce generational poverty in federally assisted and public housing.

SP-10 Geographic Priorities

General Allocation Priorities

Describe the basis for allocating investments geographically within the state.

For many years, Moreno Valley has opted to have CDBG Target Areas represented by census tracts within the City that contain at least 51% of residents who qualify as low and moderate income. There are sixteen (16) low and moderate census tracts or CDBG Target Areas located within four Moreno Valley Council Districts. These areas encompass neighborhoods mostly in the central and western portions of the City.

A list of CDBG Target Areas/census tracts is included below. The list provides for the low and moderate income Census Tract numbers first, followed by the percentage of low and moderate population who reside within that tract (Source: CPD Mapping, 2006-2009 CHAS).

1. 042515, 80.53%
2. 042504, 69.91%
3. 042505, 75.68%
4. 042515, 80.53%
5. 042505, 75.68%
6. 042508, 52.09%
7. 042519, 67.68%
8. 042514, 58.95%
9. 042516, 58.12%
10. 042509, 58.28%
11. 042405, 60.27%
12. 042512, 54.89%
13. 042520, 58.26%
14. 042509, 58.28%
15. 042504, 69.91%
16. 042516, 58.12%

When determining the geographic locations where Moreno Valley will allocate their investments, staff will consider if the project or program will physically be located within a designated CDBG Target Area, and whether the program will be directly benefitting the low-to-moderate income population in that area. The City will consider the current level of poverty for an area. Poverty levels will act as a measure of 'need', providing staff with insight on the state of the population within that area and allow staff to fund services accordingly. Staff will also take into account need based on public demand, recommendations of city departments (such as Code Enforcement, Capital Projects, or the Police Department), reports from CDBG subgrantees which track referrals and measure trends in service levels, recommendations of other local entities (the CoC, DPSS, HARC, EDA) and those of area non-profits.

Moreno Valley utilizes geographic distribution designations that further describe where the City will focus its programs. A program can be designated as serving either: (1) 'Citywide', or (2) 'in the CDBG Target Areas'. 'Citywide' is a designation used for programs that offer services to the entire community regardless of income status. Many Public Services provide services to the entire city, but because of the nature of its services exclusively serve low-to- moderate income persons (i.e., food banks). If a program is designated for the 'CDBG Target Area' it is confined exclusively to the CDBG Target Area. For example, Code Enforcement funded by CDBG can only occur within the boundaries of the Target Areas.

In general, CDBG Target Areas typically include older sections of the City where much of the building stock and infrastructure is deteriorated or fails to meet current standards. Many structures are in need of minor or major rehabilitation with some structures in need of extensive reconstruction. The areas lack adequate drainage systems, water lines, street lighting, and street improvements. The CDBG Target Area Map is included as an attachment or an appendix to the Consolidated Plan.

SP-25 Priority Needs

Priority Needs

| Priority Need Name | Priority Level | Population | Goals Addressing |
|----------------------------------|----------------|--|---|
| Community & Economic Development | High | Extremely Low Low Moderate Middle Large Families Families with Children Elderly Public Housing Residents Rural Chronic Homelessness Individuals Families with Children Mentally Ill Chronic Substance Abuse veterans Persons with HIV/AIDS Victims of Domestic Violence Unaccompanied Youth Elderly Frail Elderly Persons with Mental Disabilities Persons with Physical Disabilities Persons with Developmental Disabilities Persons with Alcohol or Other Addictions Persons with HIV/AIDS and their Families Victims of Domestic Violence Non-housing Community Development | Community & Economic Development Strategy |

| | | | |
|-------------------------|------|--|------------------------|
| Homeless | High | Extremely Low Large Families Families with Children Elderly Rural Chronic Homelessness Individuals Families with Children Mentally Ill Chronic Substance Abuse veterans Persons with HIV/AIDS Victims of Domestic Violence Unaccompanied Youth | Homeless Strategy |
| Affordable/Fair Housing | High | Extremely Low Low Moderate Middle Large Families Families with Children Elderly Public Housing Residents | Housing Strategy |
| Special Needs | High | Extremely Low Low Elderly Frail Elderly Persons with Mental Disabilities Persons with Physical Disabilities Persons with Developmental Disabilities Persons with Alcohol or Other Addictions Persons with HIV/AIDS and their Families Victims of Domestic Violence Non-housing Community Development | Special Needs Strategy |

Table 2 – Priority Needs Summary

Narrative (Optional)

In establishing the Priority Needs the City considers the overall program objectives at the Federal and those at the local level. Moreno Valley seeks to meet Federal national objectives of providing benefit to the low and moderate income, removing area slum and blight, and meeting urgent or emergency community needs. The City also seeks to prioritize in a way that can assist goals set by the City Council including: Revenue Diversification & Preservation, Public Safety, Positive Environment Community Image, and Neighborhood Pride & Cleanliness. Every year, in accordance with HUD's requirements, Moreno Valley's re-evaluates and updates its program specific Objectives and Policies to ensure they adequately reflect the current needs of the community. The updated Objectives and Policies must then be adopted at the local level by the City Council for the upcoming CDBG and HOME program year. CDBG and HOME Objectives and Policies primarily focus on: (1) defining the City's funding priorities, (2) offering project selection criteria, and (3) providing guidance for staff when reviewing and recommending programs and projects for funding.

For Consolidated Planning purposes, the City has chosen to develop its priorities based on the following general priority categories which would primarily assist low-income families and individuals within the community: Homelessness, Special Needs, Affordable/Fair Housing, and Community and Economic Development. Each category has been assigned a relative priority level and goals. A "High" priority means that the jurisdiction and its community partners will be addressing this need by allocating funds during the five-year period of the Strategy. A "Low" priority means that only a limited amount or in some cases no funding is available or intended to be allocated to projects for addressing this need during the life of the strategy.

SP-30 Influence of Market Conditions

Influence of Market Conditions

| Affordable Housing Type | Market Characteristics that will influence the use of funds available for housing type |
|---------------------------------------|---|
| Tenant Based Rental Assistance (TBRA) | In determining whether to undertake TBRA programs, the City will take into consideration: documented local need, documented local demand, existing services offering that type of assistance currently provided by the City and/or it's sub grantees, existing services offering that type of assistance currently provided by other regional organizations (i.e., County and State programs), the possibility of expansion of financial education programs, evaluation of the area rents, costs of utilities, degree of need based on other pertinent community needs, available funding and how many persons the funding is able to assist. |
| TBRA for Non-Homeless Special Needs | In determining whether to undertake TBRA for non-homeless/ Special Needs programs, the City will take into consideration: documented local need, documented local demand, degree of need based on other pertinent community needs, existing services offering that type of assistance currently provided by the City and/or it's sub grantees, existing services offering that type of assistance currently provided by other regional organizations (i.e., County and State programs), area statistics for special needs populations, evaluation of changing trends. |
| New Unit Production | The City will evaluate individual projects/proposals with an emphasis on availability of adequate amount of funding to subsidize the new project and/or the availability of other (funding) resources in which to leverage projects with such as State MHP. The City will consider the land values, analysis of the overall construction costs and 'cost per door' as per industry standards. It will compare costs to past City projects, and research to ensure reasonable development fees are imposed. |
| Rehabilitation | At the City level, sufficient amount of city entitlement is avail to offer rehab program, there is sufficient staff capacity to adequately carry-out/manage rehab programs. At the market level, characteristics that would influence the use of housing funds toward a rehab activity include: home values, homeowner's ability and willingness to borrow money, construction costs, public need and demand, evaluation of housing types in need of rehab and specific circumstances and types of repairs needed for those housing units, availability of other funding sources in which to leverage projects. |
| Acquisition, including preservation | Prior to any acquisition, the city would consider the following market characteristics: a full evaluation of parcel size, zoning & allowable land uses, proximity to Target Areas, current land values, costs of maintenance (current and long term), projection of how quickly a project would be completed, availability of monies in which to purchase land. |

Table 3 – Influence of Market Conditions

SP-35 Anticipated Resources

Introduction

The City of Moreno Valley utilizes a variety of Federal, State, and local funding sources to achieve identified community and housing strategies. Specific funding resources are based upon availability, opportunities, and constraints of each particular project or program. The City is committed to utilizing each funding source to its highest and best use, therefore, the City leveraged the resources identified in this section to facilitate various programs and projects. Specific resources available to address the needs identified in the Consolidated Plan are included under each program description. The following represents a list of resources the Neighborhood Preservation Division utilizes to address the Consolidated Plan goals.

Anticipated Resources

| Program | Source of Funds | Uses of Funds | Expected Amount Available Year 1 | | | | Expected Amount Available Reminder of ConPlan \$ | Narrative Description |
|---------|------------------|--|----------------------------------|--------------------|--------------------------|-----------|--|---|
| | | | Annual Allocation: \$ | Program Income: \$ | Prior Year Resources: \$ | Total: \$ | | |
| CDBG | public - federal | Acquisition Admin and Planning Economic Development Housing Public Improvements Public Services | 1,672,620 | 0 | 902,576 | 2,575,196 | 0 | CDBG funding is intended to address the needs of low income person's areas within the City. |

| Program | Source of Funds | Uses of Funds | Expected Amount Available Year 1 | | | | Expected Amount Available Reminder of ConPlan \$ | Narrative Description |
|--|------------------|---|----------------------------------|--------------------|--------------------------|-----------|--|--|
| | | | Annual Allocation: \$ | Program Income: \$ | Prior Year Resources: \$ | Total: \$ | | |
| HOME | public - federal | Acquisition Homebuyer assistance Homeowner rehab Multifamily rental new construction Multifamily rental rehab New construction for ownership TBRA | 422,077 | 0 | 480,000 | 902,077 | 0 | HOME funds are intended to address affordable housing and related needs. |
| Neighborhood Stabilization Program 1 & 3 | Public – Federal | Acquisition Homebuyer assistance Homeowner rehab Multifamily rental new construction Multifamily rental rehab New | | (being calculated) | | | | NSP Funds are intended to address affordable housing issues and related needs. |

| Program | Source of Funds | Uses of Funds | Expected Amount Available Year 1 | | | | Expected Amount Available Reminder of ConPlan \$ | Narrative Description |
|---------|-----------------|----------------------------|----------------------------------|--------------------|--------------------------|-----------|--|-----------------------|
| | | | Annual Allocation: \$ | Program Income: \$ | Prior Year Resources: \$ | Total: \$ | | |
| | | construction for ownership | | | | | | |

Table 4 - Anticipated Resources

Explain how federal funds will leverage those additional resources (private, state and local funds), including a description of how matching requirements will be satisfied.

Moreno Valley will directly administer and oversee programs for CDBG, HOME, and NSP 1 and 3 as listed above. There are outside resources/programs offered by local and state entities. These additional resources include:

Emergency Solutions Grant (ESG) - Grant awarded by HUD to implement a broad range of activities that serve homeless persons. In FY 2012, Riverside County will be receiving approximately \$696,668 in ESG funds from HUD. Program administered by the County for potential shelter renovation, shelter operation, Social Services, Homeless Prevention, and HMIS.

Housing Choice Vouchers - Rental assistance payments to owners of private market rate units on behalf of low income (50 percent MFI) tenants. Administered by the Housing Authority of the City of Riverside (HACR). Over 1,400 City households currently receive Section 8 housing vouchers.

Section 108 Loan - Provides loan guarantee to CDBG entitlement jurisdictions for pursuing large capital improvements or other projects. Jurisdiction must pledge future CDBG allocations for loan repayment. Loan amount can be up to five times jurisdiction's annual CDBG entitlement and may be used for: Acquisition, Rehabilitation, Homebuyer Assistance, Economic Development, Public Infrastructure

Mortgage Credit Certificate Program - Income tax credits available to first-time homebuyers to buy new or existing single family housing. Riverside County administers program on behalf of jurisdictions in the County.

Homebuyer Assistance Housing for Persons with AIDS (HOPWA) - Only federal housing program specifically designed to meet needs of people living with HIV/AIDS. The City of Riverside serves as local grantee. HOPWA is used for new shelter construction, rehabilitation, and acquisition.

Shelter Plus Care Program - Grants for rental assistance that are offered with support services to homeless with disabilities. Rental Assistance, Homeless Assistance, Support Services.

Supportive Housing Program (SHP) - Grants for development of supportive housing and support services to assist homeless persons in the transition from homelessness. Transitional Housing, Permanent Housing for Disabled, Supportive Housing, Support Services, Safe Havens.

State Programs

Low-income Housing Tax Credit (LIHTC) - Tax credits are available to persons and corporations that invest in low-income rental housing. Proceeds from the sale are typically used to create new housing.

Multi-Family Housing Program (MHP) - Deferred payment loans to local governments, non-profit developers and for-profit developers for new construction, rehabilitation and preservation of

permanent and transitional rental housing for lower income households. New Construction, Rehabilitation, Preservation

California Housing Finance Agency (CalHFA) Multi-Family Programs - Below market rate permanent financing for the acquisition/rehabilitation, preservation or new construction of rental housing that includes a portion of the units affordable to lower income households. New Construction, Rehabilitation, Acquisition of properties from 20 to 150 units, Preservation

California Housing Finance Agency (CalHFA) Home Mortgage Purchase Program - CalHFA sells tax-exempt bonds to make below market loans to first-time homebuyers. Program operates through participating lenders who originate loans for CalHFA.

Homebuyer Assistance CalHome Program - Grants to municipalities and nonprofit developers to assist first-time homebuyers in home purchase. Project loans for development of multi-unit homeownership projects. Homebuyer Assistance New Construction (owner)

Matching Requirement

Entitlement cities receiving HOME funds are required to contribute a 25% match of non-HOME funds for every dollar of HOME funds spent. In general, as cities draw their HOME funds, they will incur a match liability, which must be satisfied by the end of each fiscal year. The HOME statute also provides a reduction of the matching contribution under three conditions: 1. fiscal distress, 2. severe fiscal distress, and 3. presidential disaster declarations. Moreno Valley has been identified by HUD as a fiscally distressed jurisdiction for several consecutive years and has been granted a 100-percent match reduction. The City anticipates that the 'fiscally distressed' classification to continue through the entire Consolidated Plan period.

In the past, Moreno Valley has actively leveraged its affordable housing projects, mostly with Redevelopment Set-aside funds. They city will continue its efforts to leverage projects with other available resources.

If appropriate, describe publically owned land or property located within the jurisdiction that may be used to address the needs identified in the plan

| APN | APPROX. ACREAGE | USE | SITE ADDRESS |
|-------------|------------------------|-------------|---------------------|
| 291-191-027 | 0.88 | Vacant Land | Alessandro and Day |
| 291-191-028 | 0.33 | Vacant Land | Alessandro and Day |
| 291-191-029 | 0.37 | Vacant Land | Alessandro and Day |
| 291-191-026 | 0.14 | Vacant Land | Alessandro and Day |
| 291-191-025 | 0.23 | Vacant Land | Alessandro and Day |
| 291-191-007 | 0.29 | Vacant Land | Alessandro and Day |
| 291-191-008 | 1.57 | Vacant Land | Alessandro and Day |
| 291-191-009 | 1.55 | Vacant Land | Alessandro and Day |
| 291-191-010 | 1.00 | Vacant Land | Alessandro and Day |
| 291-191-011 | 1.00 | Vacant Land | Alessandro and Day |
| 291-191-012 | 0.24 | Vacant Land | Alessandro and Day |
| 291-191-013 | 0.82 | Vacant Land | Alessandro and Day |
| 481-270-058 | 1.30 | Vacant Land | Eucalyptus |
| 481-130-022 | 0.50 | Vacant Land | 24108 Fir Avenue |
| 481-130-023 | 0.42 | Vacant Land | 24124 Fir Avenue |

| | | | |
|-------------|------|-------------|-----------------------|
| 481-250-002 | 0.46 | Vacant Land | 24265 Meyers |
| 481-250-003 | 0.91 | Vacant Land | 24265 Meyers |
| 482-020-064 | 1.32 | Vacant Land | 24176 Atwood |
| 482-161-021 | 4.01 | Vacant Land | Cottonwood and Indian |
| 482-161-022 | 1.18 | Vacant Land | Cottonwood and Indian |
| 482-161-024 | 2.30 | Vacant Land | Cottonwood and Indian |
| 482-161-023 | 1.13 | Vacant Land | Cottonwood and Indian |
| 485-032-013 | 0.20 | Vacant Land | 24181 John F. Kennedy |
| 486-084-006 | 0.10 | Vacant Land | Sheila Neighborhood |
| 486-084-011 | 0.10 | Vacant Land | Sheila Neighborhood |

Discussion

In 2011, the California Legislature passed AB 1X26 to dissolve all redevelopment agencies (RDA(s)) in the state. After a period of litigation, RDAs were officially dissolved as of February 1, 2012. Prior to the dissolution on January 10, 2012, the City of Moreno Valley elected to serve as the successor agency to the RDA and approved a resolution providing that upon dissolution of the RDA all housing assets and functions of the RDA with regard to the Low and Moderate Income Housing Program would be transferred to the Moreno Valley Housing Authority (MVHA). On February 1, 2012, all housing assets of the former RDA were transferred by operation of law to the MVHA, along with all title and interest of the subject assets. The MVHA has the ability to engage in transactions which will promote the utilization of existing affordable housing resources and to pursue the development of potential additional affordable housing resources. One of the assets transferred to the MVHA is approximately 1.37 acres of land located at 24265 Myers Street. The MVHA has initiated discussions with a Habitat for Humanity for the construction of 10 single family dwelling units on this in-fill parcel. Once constructed the dwelling units will be sold at an affordable price to income qualified homebuyers. Land Banking of Vacant Property the City has developed a revitalization strategy around the Western-Central portion of Moreno Valley, commonly known as the Edgemont Area Revitalization Plan, to create

affordable housing opportunities and support ongoing revitalization efforts. The Edgemont Area is located within the NSP 3 target area and consists of multiple properties currently under a number of public and private ownerships. A majority of the area currently is either vacant or generally under-developed. The City plans to identify several vacant properties to acquire with NSP 3 funds through the land banking activity in an effort to assemble land for larger affordable housing projects.

SP-40 Institutional Delivery Structure

Assess of Strengths and Gaps in the Institutional Delivery System

The institutional delivery system requires a diverse set of organizations in order to accomplish the Consolidated Plan goals. Coordination with other public and private agencies is necessary. The establishment of solid working relationships is key in being able to assist and enable service providers to better assist those in need. The City has worked to build cooperative relationships with surrounding jurisdictions and agencies, as well as nonprofit organizations. This has proven to be strength for Moreno Valley.

Availability of services targeted to homeless persons and persons with HIV and mainstream services

| Homelessness Prevention Services | Available in the Community | Targeted to Homeless | Targeted to People with HIV |
|---|----------------------------|----------------------|-----------------------------|
| Homelessness Prevention Services | | | |
| Counseling/Advocacy | X | X | |
| Legal Assistance | X | X | |
| Mortgage Assistance | X | | |
| Rental Assistance | X | | |
| Utilities Assistance | X | | |
| Street Outreach Services | | | |
| Law Enforcement | X | | |
| Mobile Clinics | | | |
| Other Street Outreach Services | | X | |
| Supportive Services | | | |
| Alcohol & Drug Abuse | | X | |
| Child Care | X | X | |
| Education | X | X | X |
| Employment and Employment Training | X | X | |
| Healthcare | | X | X |
| HIV/AIDS | | | X |
| Life Skills | X | X | |
| Mental Health Counseling | | X | X |
| Transportation | X | X | |
| Other | | | |
| | | | X |

Table 6 - Homeless Prevention Services Summary

Describe how the service delivery system including, but not limited to, the services listed above meet the needs of homeless persons (particularly chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth)

Several service providers provide shelter and services to Moreno Valley homeless. In the past, the City has provided CDBG funding to the following organizations to assist the homeless: Community Assistance Program (Food Distribution), Lutheran Social Services (Transitional Living Program), Riverside County (Cold Weather Shelter), Gods Helping Hand (Food Distribution), PW Enhancement Center (Emergency Motel Vouchers), Operation Safehouse (Emergency Youth Shelter), Alternatives to Domestic Violence (Emergency Shelter), God's Helping Hand (Food Distribution), Path of Life Shelter (Emergency and Transitional Housing) In addition, the City also participates in Riverside County's Continuum of Care Application.

The County has worked toward dealing with the chronic homeless population for a number of years through the Mental Health Homeless Intervention Team (HIT) program. The HIT Teams actively seek out homeless in the streets environment and other places where the homeless congregate. The teams work in areas of high homeless concentration. Support workers are trained to recognize the symptoms of mental illness and substance abuse. They also possess the interpersonal skills necessary to solicit and provide information in a friendly, respectful, non-threatening manner. They are familiar with all community resources that serve the homeless population, both public and private. At a minimum, all homeless persons contacted on the streets are provided with information and referral to program relevant to their particular needs. Once the chronic homeless persons have been identified, and if mentally ill and willing to participate, they are enrolled into a series of programs by the Department of Mental Health. Those suffering from substance abuse are referred to the existing programs, such as those provided by ABC Recovery, Phoenix House, Whiteside Manor, Cedar House and County Mental Health. Some of the mentally ill are referred to programs offered by Whiteside Manor and mental health clinics. All of these programs provide treatment and transitional housing. A number of these homeless service providers have applications up for renewal in the county's Continuum of Care application. In addition to County outreach services, CDBG funds public service providers who assist homeless persons with food distribution, counseling, or emergency voucher programs are often the primary source for referrals and assistance to homeless persons. Service providers provide homeless persons with referrals to emergency shelter programs and other service providers who can assist them with other issues such as substance abuse or mental illness. For unsheltered homeless persons, service providers are often the primary contact for assistance if the individual is not participating in a shelter program.

Describe the strengths and gaps of the service delivery system for special needs population and persons experiencing homelessness, including, but not limited to, the services listed above

The City has cooperative relationships with surrounding jurisdictions, diverse types of agencies, and nonprofits in order to meet consolidated plan goals. This coordination has led to solid working relationships that assisted to enable all service providers to better assist those in need.

Non-Profit Organizations: The City utilizes a variety of nonprofit organizations to address community needs, such as homelessness, special needs, fair housing and food distribution services.

Public Housing Authority: The Riverside County Housing Authority continues to administer public housing and the Housing Choice Voucher Program (Section 8) for Moreno Valley residents. Issues relating to public housing are included in the Consolidated Plan for Riverside County. The City will work with the Riverside County Housing Authority when possible to improve the living environment of residents. The City will work with the Riverside County Housing Authority when possible to address the use of resident initiatives in public housing.

JPA: The City is a member of the March Joint Powers Authority (JPA). The JPA is a public entity created for the purpose of addressing the use, reuse, and joint use of realigned March ARB. The JPA approved a Homeless Assistance Program and is the location of 2 local transitional homeless facilities.

Coordination with those listed has led to solid working relationships that assisted to enable all service providers to better assist those in need and created a strong network of individual agencies working toward a common goal.

With the economic downturn, various organizations have experienced budget cuts, leading to decline in staff and hence services. This leads to gaps not only for the individual agency but also in the delivery system for the community. Staff cuts also translate to lost contacts and weakened working relationships between agencies.

Provide a summary of the strategy for overcoming gaps in the institutional structure and service delivery system for carrying out a strategy to address priority needs

With resources becoming more and more limited, the City proposes to overcome gaps in institutional structure by:

- 1) Maintaining open communication with subgrantees and other consolidated planning partners;
- 2) Utilizing technology to share, distribute information, foster and maintain constant contact with community planning partners; and
- 3) Recommending and assisting to coordinate the use of volunteers (volunteer based organizations) in which to fill gaps where it logically makes sense.

SP-45 Goals Summary

Goals Summary Information

| Goal Name | Start Year | End Year | Category | Geographic Area | Needs Addressed | Funding | Goal Outcome Indicator |
|------------------------|------------|----------|----------------------------|-----------------|-------------------------|---------|---|
| Homeless Strategy | 2013 | 2018 | Homeless | | Homeless | | Homeless Person Overnight Shelter: 2250 Persons Assisted Homelessness Prevention: 250 Persons Assisted |
| Special Needs Strategy | 2013 | 2018 | Non-Homeless Special Needs | | Special Needs | | Public service activities other than Low/Moderate Income Housing Benefit: 15000 Persons Assisted |
| Housing Strategy | 2013 | 2018 | Affordable Housing | | Affordable/Fair Housing | | Public service activities for Low/Moderate Income Housing Benefit: 2500 Households Assisted Rental units constructed: 87 Household Housing Unit Rental units rehabilitated: 88 Household Housing Unit Direct Financial Assistance to Homebuyers: 5 Households Assisted |

| Goal Name | Start Year | End Year | Category | Geographic Area | Needs Addressed | Funding | Goal Outcome Indicator |
|---|------------|----------|-----------------------------------|-----------------|----------------------------------|---------|---|
| | | | | | | | Housing Code Enforcement/Foreclosed Property Care: 5000 Household Housing Unit |
| Community & Economic Development Strategy | 2013 | 2018 | Non-Housing Community Development | | Community & Economic Development | | Public Facility or Infrastructure Activities for Low/Moderate Income Housing Benefit: 250 Households Assisted Public service activities other than Low/Moderate Income Housing Benefit: 50000 Persons Assisted Jobs created/retained: 125 Jobs |

Table 7 – Goals Summary

SP-50 Public Housing Accessibility and Involvement

Need to Increase the Number of Accessible Units (if Required by a Section 504 Voluntary Compliance Agreement)

The Housing Authority of the County of Riverside addresses the public housing needs of the cities within the region. Unfortunately, the assistance provided under its two primary affordable housing programs is limited. A review of the County Agency Five Year Plan (2009) showed an extensive Section 8 (Housing Choice Voucher) County-wide waiting list of 50,751 families and 66,663 families on the general Public Housing Countywide waiting list. The City of Moreno Valley will continue to coordinate for a review of the County's Agency Plan, and monitor the affordable housing needs of the area.

Activities to Increase Resident Involvements

Through its Public Housing Resident Initiatives (PHRI) and the Resident Opportunity and Self-Sufficiency funds (ROSS), the Riverside County Housing Authority seeks to facilitate the successful transition of residents from public housing residency to economic independence and/or from welfare-dependence to increased earning capacity or sustained work. These Initiatives build upon the efforts of the local welfare plan and other self-sufficiency efforts of the Housing Authority and target public housing residents who are receiving welfare assistance. The goals of the PHRI are to: reduce welfare dependence by assisting residents in returning to the work force in a job commensurate with their abilities; reduce poverty by assisting residents in increasing their self-sufficiency by enhancing their employment or earning potential; and to increase homeownership among public housing residents. Local partners including public agencies and community-based nonprofits, as well as faith-based organizations provide self-sufficiency services including: job training, employment opportunities, computer instruction, etc.

To assist first-time homebuyers, the Housing Authority has established a Homeownership Program (HP). The HP assists eligible participants in the Section 8 program, who are also participants of the FSS program by offering a single down payment assistance grant. In order to maximize the use of resources available to home seekers, the Housing Authority's program also targets families who take part in the Riverside County Economic Development Agency's (EDA) First Time Home Buyer Program (FTHB). In combination, the HP/FTHB partnership enables families to realize their dream of becoming homeowners by providing them with financial and other resources that they would not normally have access to. The new program for 2004 is optional only for FSS participants.

The Family-Self Sufficiency Program (FSS) was established to assist Section 8 residents and enables families to gain economic independence from all governmental assistance. There are currently 635 participating families. Supportive services offered to participating families include: Remedial Education and Classroom Training; Employment Training and Placement; Counseling/Case Management; Credit Counseling and Money Management; Child Care; and Transportation. For residents that require temporary loans, the Revolving Loan Fund (RLF) enables those program participants to obtain financial assistance for repairs of vehicles, the purchase of bus passes, childcare costs, and special educational needs such as scholarships.

Is the public housing agency designated as troubled under 24 CFR part 902?

No

Plan to remove the 'troubled' designation

The Housing Authority of the County of Riverside is not a "Troubled" PHA. The true and current rating for Public Housing is as a Standard Performer with applied strategies and policies to reach the goal of High Performer status. The true and current rating for Section 8 is as a High Performer with applied strategies and policies to maintain status as a high performer.

SP-55 Barriers to Affordable Housing

Barriers to Affordable Housing

Strategy to Remove or Ameliorate the Barriers to Affordable Housing

The City has identified barriers to affordable housing both in the public and in the private sectors. Moreno Valley plans to address each specific barrier as follows:

1. Public Sector Actions

Action 1.1 In order to affirmatively further fair housing, the City will establish a specific disability definition that is identical to the one in the Federal Fair Housing Act. The definition will be included in the Reasonable Accommodation Procedure.

Action 1.2 The Planning and Zoning Code will be revised to define transitional and supportive housing and to indicate the residential zones in which such housing is permitted.

Action 1.3 The City will adopt a reasonable accommodation procedure.

Action 1.4 The City will address special needs populations through the policies of the Consolidated Plan and Housing Element. In the Housing Element Update (to be adopted by October 2013), the City must address the needs of the developmentally disabled population. The City also will consider amending the Planning and Zoning Code to include a definition and development standards for special needs housing.

Action 1.5 The City will amend the Planning and Zoning Code by adding a senior housing definition.

2. Private Sector Actions

Action 2.1 The City and Fair Housing Council of Riverside County, Inc. will continue to offer to its residents fair housing services

Action 2.2 The City and Fair Housing Council of Riverside County, Inc. will arrange a meeting with IVAR's Fair Housing Committee, which meets the third Tuesday of every month, to explore fair housing topics.

Action 2.3 The Fair Housing Council - as part of its home buyer counseling services – will provide examples of how to detect “steering” during the home search process and how to detect “loan steering.”

Action 2.4 The Fair Housing Council will add “how to read an appraisal report” to its homebuyer counseling services.

Action 2.5 The City and Fair Housing Council will annually monitor the HMDA data to establish long-term trends in loan denial rates.

Action 2.6 The City and Fair Housing Council will maintain an inventory of FHA and low down payment financed homes.

Action 2.7 The City and Fair Housing Council will monitor on a regular schedule the notices of default by address made available by the County Recorder's Office or through a subscription service.

Action 2.8 The City and Fair Housing Council will match the notices of default by address to the addresses of the low down payment financed homes.

Action 2.9 The Fair Housing Council will contact the borrowers in default and inform them of default and foreclosure counseling services available to homeowners at risk of losing their homes.

SP-60 Homelessness Strategy

Reaching out to homeless persons (especially unsheltered persons) and assessing their individual needs

The County has worked toward dealing with the chronic homeless population for a number of years through the Mental Health Homeless Intervention Team (HIT) program. The HIT Teams actively seek out homeless in the streets environment and other places where the homeless congregate. The teams work in areas of high homeless concentration. Support workers are trained to recognize the symptoms of mental illness and substance abuse. They also possess the interpersonal skills necessary to solicit and provide information in a friendly, respectful, non-threatening manner. They are familiar with all community resources that serve the homeless population, both public and private. At a minimum, all homeless persons contacted on the streets are provided with information and referral to program relevant to their particular needs. Once the chronic homeless persons have been identified, and if mentally ill and willing to participate, they are enrolled into a series of programs by the Department of Mental Health. Those suffering from substance abuse are referred to the existing programs, such as those provided by ABC Recovery, Phoenix House, Whiteside Manor, Cedar House and County Mental Health. Some of the mentally ill are referred to programs offered by Whiteside Manor and mental health clinics. All of these programs provide treatment and transitional housing. A number of these homeless service providers have applications up for renewal in the county's Continuum of Care application. In addition to County outreach services, CDBG funds public service providers who assist homeless persons with food distribution, counseling, or emergency voucher programs are often the primary source for referrals and assistance to homeless persons. Service providers provide homeless persons with referrals to emergency shelter programs and other service providers who can assist them with other issues such as substance abuse or mental illness. For unsheltered homeless persons, service providers are often the primary contact for assistance if the individual is not participating in a shelter program.

Addressing the emergency and transitional housing needs of homeless persons

Several service providers provide shelter and services to Moreno Valley homeless. In the past, The City provides CDBG funding to the following organizations to assist the homeless:

- Community Assistance Program (Food Distribution)
- Lutheran Social Services (Transitional Living Program)
- PW Enhancement Center (Emergency Motel Vouchers)
- Operation Safehouse (Emergency Youth Shelter)
- Alternatives to Domestic Violence (Emergency Shelter)
- Path of Life Shelter (Emergency and Transitional Housing).

In addition, the City also participates in Riverside County's Continuum of Care.

Helping homeless persons (especially chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth) make the transition to permanent housing and independent living, including shortening the period of time that individuals and families experience homelessness, facilitating access for homeless individuals and families to affordable housing units, and preventing individuals and families who were recently homeless from becoming homeless again.

One of the City's highest priorities for the use of CDBG funds is to address the emergency shelter and transitional housing needs of homeless persons. The City will continue to fund applications for homeless shelters that serve the Moreno Valley homeless population. The City will assist homeless persons make the transition to permanent housing and independent living through continued support of affordable housing developments that will provide long term affordability covenants. Moreno Valley will sponsor programs such as Lutheran Social Services and Path of Life provide their participants with long term shelter under their transitional living programs but have been known to assist those threatened with homelessness by providing referrals and coordinating with other agencies to locate assistance for the families or individuals. The City also funded Alternatives to Domestic Violence Program which provides emergency shelter to persons who flee their homes due to domestic violence situations and Operation Safehouse, which houses runaway or endangered youth in various circumstances; providing a safe haven for children therefore keeping them off the streets. Emergency Rental/Mortgage Assistance is offered by: Catholic Charities and PW Enhancement. Emergency Shelters are located at: Alternatives to Domestic Violence and Operation Safehouse. Transitional Living Shelters are operated by: Lutheran Social Services and Path of Life.

Help low-income individuals and families avoid becoming homeless, especially extremely low-income individuals and families who are likely to become homeless after being discharged from a publicly funded institution or system of care, or who are receiving assistance from public and private agencies that address housing, health, social services, employment, education or youth needs

Moreno Valley does everything in its power to mitigate low-income families in need of assistance from becoming homeless. During the recession, many low-income families live paycheck to paycheck, which makes it difficult for them to pay for the basic necessities when an unexpected expense arises. Catholic Charities and PW Enhancement Center (PWEC) will provide residents with one-time emergency rental/mortgage assistance paid for through other grants funding sources that also helped prevent homelessness of families who missed a rent/mortgage payment due to extenuating circumstances. There are several programs administered by Riverside County that aid in the prevention of homelessness. For example, the Emergency Food and Shelter Program meets the needs of the hungry and homeless by providing funds to provide the following housing assistance, as determined by the Local Board in funded jurisdictions: lodging in a mass shelter or hotel; one month's rent or mortgage payment; one month's utility bill; and minimal repairs to allow a sheltering facility to function during the program year. On a regular basis the City provides referrals to persons in need. In cases where assistance was not available via City program, staff would often refer the inquiring party about the Riverside County offices and to their 211 Telephone Referral Program.

SP-65 Lead Based Paint Hazards

Actions to address LBP hazards and increase access to housing without LBP hazards

To help evaluate and reduce the number of housing units containing lead based paint hazards the City has two main courses of action: (1) the City has integrated evaluation and reduction activities into its housing programs, and (2) the City also provides public information and education concerning lead-based paint.

How are the actions listed above related to the extent of lead poisoning and hazards?

According to the 2005-2009 CHAS data, 20.98% of houses built in Moreno Valley before 1980 and are thereby in danger of containing lead based paint somewhere within the building.

How are the actions listed above integrated into housing policies and procedures?

Lead based paint issues are addressed via Moreno Valley's consumer loan/grant products: the City's Mobile Home Grant, the Homebuyers Assistance Program, Home Improvement Loan Programs, Neighborhood Stabilization Program 1, as well as within the HPRP Program. Participants of the consumer housing programs are all provided the 'Renovate Right Informational Booklet' (EPA740-K-10-001, dated April 2010) from the United States Environmental Protection Agency (U.S. EPA). Each participant signs a certification that they received and reviewed the booklet. A City staff member (Housing Specialist) who is assigned a project will make themselves available to answer any questions a participant may have concerning the lead based paint. During the course of a Home Improvement Loan Project, a City Building Inspector also discussed any issues found in a dwelling with the homeowner, and initiated further evaluation as necessary. If a home is participating in one of the referenced programs and was constructed prior to 1978, the City contracts with Home Safe for a lead-based paint inspection of the property. If the property is found to contain lead-based paint, mitigation measures are incorporated as a part of the revitalization work. Since a HAP loan is down payment assistance, the lead-based paint mitigations are the responsibility of the Seller prior to the transfer title. Both Buyer and Seller received the disclosure materials as a part of the loan application process. Under the HPRP program, the City and/or its non-profit subgrantees were required to become Certified Lead Based Paint Inspectors. As required by the Recovery Act, prior to a participant locating to a specific dwelling, information about the unit and the occupants is gathered and risks are assessed. If there is no apparent danger to the tenant, the unit is considered suitable and approved for habitat. If hazards are found, an alternate unit would need to be identified.

SP-70 Anti-Poverty Strategy

Jurisdiction Goals, Programs and Policies for reducing the number of Poverty-Level Families

The City has established several goals to reduce poverty among its population:

1. Economic Development and Job Creation/Retention. The City partners with the Inland Empire Small Business Development Center (SBDC) to provide small business counseling services to local businesses with the goal that the services will create and/or retain low and moderate income jobs. The Small Business Consultant holds temporary offices one day per week within the City to provide increased access to Moreno Valley residents. The City began a job training program in 2007 to train youth (18-22 years old) in the manufacturing and logistics industry. The provision of job training is seen as a critical component to encouraging economic self-sufficiency. During the term of the Consolidated Plan it is anticipated that employment training opportunities be expanded to include adults from older age groups.

2. Housing Programs. The City plans to offer programs in its strategy to produce and preserve affordable housing. The implementation of City programs such as the Homebuyer Assistance Program, the Home Improvement Loan Programs, and the Mobile Home Grant Program will assist in maintaining livable conditions for lower income persons. In addition, the City will continue to partner with Community Housing Development Organizations (CHDO) such as Habitat for Humanity and Riverside Housing Development Corporation (RHDC). Habitat for Humanity will assist in the development of new single-family houses for very low-income persons. The partnership with RHDC will be utilized to continue acquisition and rehabilitation of affordable rental housing units for low and very low income households. The development of additional senior housing is also anticipated during the term of the Strategic Plan. The City will also continue to explore relationships with for profit and non-profit housing developers to increase the supply of affordable multi-family housing units.

3. Public Service Providers. The City will continue to provide grant funding to various public service providers to assist low income individuals and households, special needs population, and the homeless population with access to critical services. These programs provide City residents opportunities to utilize programs at little or no cost, thereby reducing financial burden.

4. Coordination Efforts. The City's goal is to continue to collaborate with governmental and other social service agencies to assure the effective delivery of such services to low-income individuals. One example is the Riverside County Continuum of Care. The Continuum of Care group consists of several local non-profit agencies along with governmental agencies, such as the City of Moreno Valley, who meet periodically to share information, coordinate efforts to assist homeless persons and plan future activities. While the City's ability to directly reduce the number of households with incomes below the poverty line is limited, by utilizing multiple programs and working with county, private and non-profit agencies, the City will endeavor to reduce the number of households with incomes below the poverty line.

How is the Jurisdiction poverty reducing goals, programs, and policies coordinated with this affordable housing plan?

The City's Anti-Poverty Strategy has a direct correlation to its Housing Strategy. Stable affordable housing enhances a family's ability to transition from poverty to self-sufficiency.

SP-80 Monitoring

Describe the standards and procedures that the jurisdiction will use to monitor activities carried out in furtherance of the plan and will use to ensure long-term compliance with requirements of the programs involved, including minority business outreach and the comprehensive planning requirements

Monitoring serves as an effective tool to ensure that expenditures of funds are consistent with Federal requirements, CDBG National Objectives, and achieve program/project goals. The following outlines monitoring requirements for Moreno Valley CDBG program:

1) Subrecipients. When an organization becomes a City subrecipient, they must sign a contract with the City in which the various scopes of work, time lines, and documentation requirements are outlined. On a monthly basis, each Subrecipient must submit detailed information regarding the number, ethnicity, and income level of individuals benefiting from CDBG funds. Quarterly summary reports are required of some agencies in which further information is provided on activities accomplished during that quarter. The City conducts an on-site inspection of each agency at least once per year, preferably toward the end of the funding cycle.

2) Construction Projects. All construction projects comply with Federal Labor and Procurement Procedures as well as the various affirmative action, equal opportunity, and Section 3 requirements mandated by various federal and state laws. A Department Management Analyst oversees and reviews contract preparation at each step from bid preparation, contract document preparation, pre-construction meetings, and ongoing project inspections. All public notices that solicit bids for capital projects are submitted to minority newspapers such as El Chicano, the San Bernardino American and the Precinct Reporter in order to give minority-owned businesses the opportunity to bid on the CDBG capital projects. Multi-Family Affordable Housing Programs. The City requires property owners who have received HOME funds to recertify their tenant's eligibility annually. They report information and provide documentation related to the property, unit occupancy, tenant information and financial reporting. Forms and applicable documentation such as Federal income tax returns are to be completed by tenants of reserved (affordable) units and submitted with the report. If the unit was occupied by multiple tenants, then a copy of the application, rental agreement and the dates of residency must be provided. In addition, a copy of 'Determining Affordable Rent' is provided to the owner for the reserved units. A City building inspector will conduct a property inspection to determine if the property is in compliance with code requirements and in good condition. The City will work with a recertification consulting service to ensure that the information is accurate and complete.

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CITY OF MORENO VALLEY

**Annual Action Plan Update of the
Consolidated Plan**

July 1, 2013 – June 30, 2014

Expected Resources

AP-15 Expected Resources

Introduction

The City of Moreno Valley utilizes a variety of Federal, State, and local funding sources to achieve identified community and housing strategies. Specific funding resources are based upon availability, opportunities, and constraints of each particular project or program. The City is committed to utilizing each funding source to its highest and best use. Therefore, the City leveraged the resources identified in this section to facilitate various programs and projects. Specific resources available to address the needs identified in the Consolidated Plan are included under each program description. The following represents a list of resources the Neighborhood Preservation Division utilizes to address the Consolidated Plan goals. FEDERAL RESOURCES: Community Development Block Grant Program (CDBG), HOME Investment Partnership Program (HOME), Neighborhood Stabilization Program 1 (NSP1), Neighborhood Stabilization Program 3 (NSP3) NON-FEDERAL RESOURCES: General Funds.

Anticipated Resources

| Program | Source of Funds | Uses of Funds | Expected Amount Available Year 1 | | | | Expected Amount Available Reminder of ConPlan \$ | Narrative Description |
|---------|------------------|--|----------------------------------|--------------------|--------------------------|-----------|--|--|
| | | | Annual Allocation: \$ | Program Income: \$ | Prior Year Resources: \$ | Total: \$ | | |
| CDBG | public - federal | Acquisition Admin and Planning Economic Development Housing Public Improvements Public Services | 1,672,620 | 0 | 902,576 | 2,575,196 | 0 | CDBG funding is intended to address the needs of low income persons areas within the City. |
| | | | | | | | | |

| Program | Source of Funds | Uses of Funds | Expected Amount Available Year 1 | | | | Expected Amount Available Reminder of ConPlan \$ | Narrative Description |
|---------|------------------|---|----------------------------------|--------------------|--------------------------|-----------|--|--|
| | | | Annual Allocation: \$ | Program Income: \$ | Prior Year Resources: \$ | Total: \$ | | |
| HOME | public - federal | Acquisition Homebuyer assistance Homeowner rehab Multifamily rental new construction Multifamily rental rehab New construction for ownership TBRA | 422,077 | 0 | 480,000 | 902,077 | 0 | HOME funds are intended to address affordable housing and related needs. |

Table 1 - Expected Resources – Priority Table

Explain how federal funds will leverage those additional resources (private, state and local funds), including a description of how matching requirements will be satisfied

Entitlement cities receiving HOME funds are required to contribute a 25% match of non-HOME funds for every dollar of HOME funds spent. In general, as cities draw their HOME funds, they will incur a match liability, which must be satisfied by the end of each fiscal year. The HOME statute also provides a reduction of the matching contribution under three conditions: 1. fiscal distress, 2. severe fiscal distress, and 3. presidential disaster declarations. Moreno Valley has been identified by HUD as a fiscally distressed jurisdiction for several consecutive years and has been granted a 100-percent match reduction. The City anticipates that the ‘fiscally distressed’ classification will continue through the entire Consolidated Plan period.

In the past, Moreno Valley has actively leveraged its affordable housing projects, mostly with Redevelopment Set-aside funds. Due to the fact that Redevelopment has been eliminated, these funds are no longer available. The City will continue its efforts to leverage projects with other available resources.

If appropriate, describe publically owned land or property located within the jurisdiction that may be used to address the needs identified in the plan

In 2011, the California Legislature passed AB 1X26 to dissolve all redevelopment agencies (RDA(s)) in the state. After a period of litigation, RDAs were officially dissolved as of February 1, 2012. Prior to the dissolution on January 10, 2012, the City of Moreno Valley elected to serve as the successor agency to the RDA and approved a resolution providing that upon dissolution of the RDA all housing assets and functions of the RDA with regard to the Low and Moderate Income Housing Program would be transferred to the Moreno Valley Housing Authority (MVHA). On February 1, 2012, all housing assets of the former RDA were transferred by operation of law to the MVHA, along with all title and interest of the subject assets. The MVHA has the ability to engage in transactions which will promote the utilization of existing affordable housing resources and to pursue the development of potential additional affordable housing resources.

The following parcels were transferred from the former RDA to the Moreno Valley Housing Authority and will be used to provide affordable housing:

| Redevelopment Agency-Owned Parcels for Affordable Housing Use | | | | |
|--|------------------------|-------------|---------------------|--------------------------------------|
| APN | APPROX. ACREAGE | USE | SITE ADDRESS | DISPOSITION |
| 291-191-027 | 0.88 | Vacant Land | Alessandro and Day | Housing Asset Transferred to MVHA |
| 291-191-028 | 0.33 | Vacant Land | Alessandro and Day | Housing Asset Transferred to MVHA |
| 291-191-029 | 0.37 | Vacant Land | Alessandro and Day | Housing Asset Transferred to MVHA |
| 291-191-026 | 0.14 | Vacant Land | Alessandro and Day | Housing Asset Transferred to MVHA |
| 291-191-025 | 0.23 | Vacant Land | Alessandro and Day | Housing Asset Transferred to MVHA |
| 291-191-007 | 0.29 | Vacant Land | Alessandro and Day | Housing Asset Transferred to MVHA |
| 291-191-008 | 1.57 | Vacant Land | Alessandro and Day | Housing Asset Transferred to MVHA |
| 291-191-009 | 1.55 | Vacant Land | Alessandro and Day | Housing Asset Transferred to MVHA |
| 291-191-010 | 1.00 | Vacant Land | Alessandro and Day | Housing Asset Transferred to MVHA |
| 291-191-011 | 1.00 | Vacant Land | Alessandro and Day | Housing Asset Transferred to MVHA |
| 291-191-012 | 0.24 | Vacant Land | Alessandro and Day | Housing Asset Transferred to MVHA |
| 291-191-013 | 0.82 | Vacant Land | Alessandro and Day | Housing Asset Transferred to MVHA |
| 481-130-022 | 0.50 | Vacant Land | 24108 Fir Avenue | Housing Asset Transferred to MVHA |

| | | | | |
|----------------------|--------------|-------------|-----------------------|--------------------------------------|
| 481-130-023 | 0.42 | Vacant Land | 24124 Fir Avenue | Housing Asset Transferred to MVHA |
| 482-020-064 | 1.32 | Vacant Land | 24176 Atwood | Housing Asset Transferred to MVHA |
| 485-032-013 | 0.20 | Vacant Land | 24181 John F. Kennedy | Housing Asset Transferred to MVHA |
| 486-084-011 | 0.10 | Vacant Land | Sheila Neighborhood | Housing Asset Transferred to MVHA |
| Total Acreage | 10.96 | | | |

Land Banking of Vacant Property

The City has developed a revitalization strategy around the Western-Central portion of Moreno Valley, commonly known as the Edgemont Area Revitalization Plan, to create affordable housing opportunities and support ongoing revitalization efforts. The Edgemont Area is located within the NSP 3 target area and consists of multiple properties currently under a number of public and private ownerships. A majority of the area currently is either vacant or generally under-developed. The City plans to identify several vacant properties to acquire with NSP 3 funds through the land banking activity in an effort to assemble land for larger affordable housing projects.

Annual Goals and Objectives

AP-20 Annual Goals and Objectives

Goals Summary Information

| Goal Name | Start Year | End Year | Category | Geographic Area | Needs Addressed | Funding | Goal Outcome Indicator |
|------------------------|------------|----------|----------------------------|-----------------|----------------------------------|---------|---|
| Homeless Strategy | 2013 | 2018 | Homeless | | Homeless | | Homeless Person Overnight Shelter: 450 Persons Assisted Homelessness Prevention: 50 Persons Assisted |
| Special Needs Strategy | 2013 | 2018 | Non-Homeless Special Needs | | Community & Economic Development | | Public service activities other than Low/Moderate Income Housing Benefit: 3000 Persons Assisted |
| Housing Strategy | 2013 | 2018 | Affordable Housing | | Affordable/Fair Housing | | Public Facility or Infrastructure Activities for Low/Moderate Income Housing Benefit: 500 Households Assisted Rental units constructed: 17 Household Housing Unit Rental units rehabilitated: 18 Household Housing Unit Direct Financial Assistance to Homebuyers: 1 Households Assisted Housing Code Enforcement/Foreclosed Property Care: 1000 Household Housing Unit |

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| Goal Name | Start Year | End Year | Category | Geographic Area | Needs Addressed | Funding | Goal Outcome Indicator |
|---|------------|----------|-----------------------------------|-----------------|----------------------------------|---------|--|
| Community & Economic Development Strategy | 2013 | 2018 | Non-Housing Community Development | | Community & Economic Development | | Public Facility or Infrastructure Activities for Low/Moderate Income Housing Benefit: 50 Households Assisted Public service activities other than Low/Moderate Income Housing Benefit: 10000 Persons Assisted Jobs created/retained: 16 Jobs |

Table 2 – Goals Summary

Estimate the number of extremely low-income, low-income, and moderate-income families to whom the jurisdiction will provide affordable housing as defined by HOME 91.215(b)

The City anticipates providing a minimum of 35 units of affordable housing to extremely low, low and moderate income families during the upcoming program year. Currently under construction, the Hemlock Family Apartments will provide seventy seven new affordable multi-family units at full occupancy.

Projects

AP-38 Project Summary Project Summary Information

| Project Name | Target Area | Goals Supported | Needs Addressed | Funding |
|--|-------------|---|----------------------------------|-----------------|
| Lutheran Social Services - Amelia's Light Transitional Shelter | | Homeless Strategy | Homeless | CDBG: \$16,912 |
| CDBG Program Administration | | Community & Economic Development Strategy | Community & Economic Development | CDBG: \$314,524 |
| Fair Housing Services | | Housing Strategy | Affordable/Fair Housing | CDBG: \$20,000 |
| Domestic Violence Services | | Community & Economic Development Strategy | Community & Economic Development | CDBG: \$8,562 |
| Community Assistance Program (CAP) Food Pantry | | Community & Economic Development Strategy | Community & Economic Development | CDBG: \$33,062 |
| The MoVan Senior Van Transportation Program | | Special Needs Strategy | Special Needs | CDBG: \$31,062 |
| Operation Safehouse Shelter | | Homeless Strategy | Homeless | CDBG: \$9,062 |
| P.W. Enhancement Center Emergency Services Program | | Homeless Strategy | Homeless | CDBG: \$17,062 |
| Child Abuse Prevention & Education Program | | Community & Economic Development Strategy | Community & Economic Development | CDBG: \$8,562 |
| Path of Life Shelter Program | | Homeless Strategy | Homeless | CDBG: \$16,912 |
| The Salvation Army Food Pantry | | Community & Economic Development Strategy | CEDD | CDBG: \$8,562 |

| | | | | |
|---|--|---|----------------------------------|-----------------|
| The Assistance League's "Operation School Bell" Program | | Community & Economic Development Strategy | Community & Economic Development | CDBG: \$11,062 |
| ARC of Riverside County's Moreno Valley Resource Center | | Special Needs Strategy | Special Needs | CDBG: \$6,062 |
| CASA - Court Appointed Special Advocates Program | | Community & Economic Development Strategy | Community & Economic Development | CDBG: \$11,062 |
| Foreclosure Prevention & Mitigation Counseling | | Community & Economic Development Strategy | Community & Economic Development | CDBG: \$10,000 |
| 211 of Riverside County | | Community & Economic Development Strategy | Community & Economic Development | CDBG: \$6,062 |
| Smooth Transitions Pre-Employment Job Readiness Program | | Community & Economic Development Strategy | Community & Economic Development | CDBG: \$6,062 |
| Lighthouse Treatment Center for Homeless Veterans | | Homeless Strategy | Homeless | CDBG: \$6,062 |
| U.S. Veteran's Initiative | | Homeless Strategy | Homeless | CDBG: \$6,062 |
| Fair Housing Council Landlord-Tenant Mediation Program | | Community & Economic Development Strategy | Community & Economic Development | CDBG: \$17,892 |
| Catholic Charities Emergency Services Program | | Homeless Strategy | Community & Economic Development | CDBG: \$16,062 |
| Moreno Valley Police Department Holiday Cheer Program | | Community & Economic Development Strategy | Community & Economic Development | CDBG: \$4,753 |
| Habitat for Humanity Mobile Home Rehab | | Housing Strategy | CEDD | CDBG: \$10,000 |
| Neighborhood Code Enforcement | | Housing Strategy | Community & Economic Development | CDBG: \$284,767 |
| Code Enforcement Foreclosure Team | | Housing Strategy | Community & Economic Development | CDBG: \$98,042 |

| | | | | |
|--|--|---|----------------------------------|--------------------|
| Recruitment Assistance at the Employment Resource Center (ERC) | | Community & Economic Development Strategy | Community & Economic Development | CDBG: \$173,216 |
| Moreno Valley Business Incubator | | Community & Economic Development Strategy | Community & Economic Development | CDBG: \$273,754 |
| Inland Empire Small Business Development Center | | Community & Economic Development Strategy | Community & Economic Development | CDBG: \$50,000 |
| Sunnymead Boulevard Storm Drain (Between Indian and SR60 Perris Blvd Off ramp) | | Community & Economic Development Strategy | Community & Economic Development | CDBG: \$800,000 |
| Edgemont (Exterior Rehab) Beautification Program | | Housing Strategy | Community & Economic Development | CDBG: \$300,000 |
| HOME Program Administration | | Community & Economic Development Strategy | Community & Economic Development | HOME: \$42,207 |
| Future Multi Family Affordable Housing Project | | Housing Strategy | Affordable/Fair Housing | HOME: \$796,558 |
| CHDO Set Aside Funding | | Housing Strategy | Affordable/Fair Housing | HOME: \$63,312 |

Table 3 – Project Summary

AP-35 Projects

Introduction

The City of Moreno Valley has selected a variety of projects aimed at meeting the goals and priority needs established in the Consolidated Plan. The City has allocated the maximum 15% Public Service cap for a total of 20 public service projects funded for FY 13/14. The 20% Administration cap will be utilized for staffing, administration, and Fair Housing activities. The remaining 65% will fund a variety of Economic Development, Code Enforcement and Rehabilitation activities.

| # | Project Name |
|----|---|
| 1 | CDBG Program Administration |
| 2 | Lutheran Social Services - Amelia's Light Transitional Shelter |
| 3 | Fair Housing Services |
| 4 | Domestic Violence Services |
| 5 | Community Assistance Program (CAP) Food Pantry |
| 6 | The MoVan Senior Van Transportation Program |
| 7 | Operation Safehouse Shelter |
| 8 | P.W. Enhancement Center Emergency Services Program |
| 9 | Child Abuse Prevention & Education Program |
| 10 | Path of Life's King Hall Transitional Shelter Program |
| 11 | The Salvation Army Food Pantry |
| 12 | The Assistance League's "Operation School Bell" Program |
| 13 | ARC of Riverside County's Moreno Valley Resource Center |
| 14 | CASA - Court Appointed Special Advocates Program |
| 15 | Foreclosure Prevention & Mitigation Counseling |
| 16 | 211 of Riverside County |
| 17 | Smooth Transitions Pre-Employment Job Readiness Program |
| 18 | Lighthouse Treatment Center for Homeless Veterans |
| 19 | U.S. Veteran's Initiative |
| 20 | Fair Housing Council Landlord-Tenant Mediation Program |
| 21 | Catholic Charities Emergency Services Program |
| 22 | Moreno Valley Police Department Holiday Cheer Program |
| 23 | Habitat for Humanity Helping Hands Mobile home Rehab Program |
| 24 | Neighborhood Code Enforcement |
| 25 | Code Enforcement Foreclosure Team |
| 26 | Recruitment Assistance at the Employment Resource Center (ERC) |
| 27 | Moreno Valley Business Incubator |
| 28 | Inland Empire Small Business Development Center |
| 29 | Sunnymead Boulevard Storm Drain (Between Indian and SR60 Perris Blvd Off ramp |
| 30 | Edgemont (Exterior Rehab) Beautification Program |

| # | Project Name |
|----|--|
| 31 | HOME Program Administration |
| 32 | Future Multi Family Affordable Housing Project |
| 33 | CHDO Set Aside Funding |

Table 4 – Project Information

Describe the reasons for allocation priorities and any obstacles to addressing underserved needs

In establishing the Priority Needs the City considered the overall program objectives at the Federal and local levels. Moreno Valley seeks to meet the Federal national objective of providing benefit to the low and moderate income, removing area slum and blight, and meeting urgent or emergency community needs. The City also seeks to prioritize in a way that can assist goals set by the City Council including: Revenue Diversification & Preservation, Public Safety, Positive Environment Community Image, Neighborhood Pride & Cleanliness. Every year, in accordance with HUD's requirements, Moreno Valley re-evaluates and updates its program specific Objectives & Policies to ensure they adequately reflect the current needs of the community.

The City chose to develop priorities that would primarily assist low-income families and individuals within the Community - Homelessness, Special Needs, Affordable/Fair Housing, and community & Economic Development. Based on needs assessment and community input, the priorities are assigned a level from High to Low. Funding allocations are then directed towards high level priorities.

AP-50 Geographic Distribution

Description of the geographic areas of the entitlement (including areas of low-income and minority concentration) where assistance will be directed

There are sixteen (16) low and moderate census tracts or CDBG Target Areas located within four Moreno Valley City Council Districts. Each census tract contains at least 51% of residents who qualify as low and moderate income. The areas encompass neighborhoods mostly in the central and western portions of the City and are locally referred to as Central Sunnymead, Edgemont, Eastgate and Warner Ranch.

Rationale for the priorities for allocating investments geographically

Prior to allocating funding, staff will consider if a project or program will physically be located within a designated CDBG Target Area, and whether the program will directly benefit the low to moderate income population that lives in the area. The City will consider the current poverty level of each area, which will act as a measure of "Need". Staff will also take into account need based on public demand or outcry, recommendations of City departments (such as Code Enforcement, Capital Projects or the Police Department), reports from CDBG Subgrantees which track referrals and measure trends in service levels, and recommendations of other local entities (Continuum of Care, Department of Social Services, Housing Authority, etc.).

Discussion

In general, CDBG Target Areas are the focus of funding priority because they typically include the older sections of the City where much of the building stock and housing stock, as well as infrastructure, is deteriorated or fails to meet current standards. Many structures are in need of minor or major rehabilitation with some structures in need of extensive reconstruction. The areas tend to lack adequate drainage systems, water lines, street lighting, and street improvement.

Affordable Housing

AP-55 Affordable Housing

Introduction

| One Year Goals for the Number of Households to be Supported Through | |
|---|----|
| Homeless | 0 |
| Non-Homeless | 35 |
| Special-Needs | 0 |
| Total | 35 |

Table 6 - One Year Goals for Affordable Housing by Support Requirement

| One Year Goals for the Number of Households Supported Through | |
|---|----|
| Rental Assistance | 0 |
| The Production of New Units | 35 |
| Rehab of Existing Units | 0 |
| Acquisition of Existing Units | 0 |
| Total | 35 |

Table 7 - One Year Goals for Affordable Housing by Support Type

Discussion

The Hemlock Family Apartments are currently under construction and will provide 77 new affordable multi-family units for very-low to moderate income families. This project does not specifically target the homeless or special needs categories.

AP-60 Public Housing

Introduction

The Housing Authority of Riverside County addresses the public housing needs of the cities within Riverside County. Unfortunately, the assistance provided under its two primary affordable housing programs is limited. A review of the County Agency Five Year Plan (2009) showed an extensive Section 8 (Housing Choice Voucher) Countywide waiting list of 50,751 families and 66,663 families on the general public housing countywide waiting list. There are currently 66 public housing units within the City.

Actions planned during the next year to address the needs to public housing

The City of Moreno Valley will continue to coordinate for a review of the County Agency's Plan, and monitor the affordable housing needs of the area. The City reviews proposed development sites, the comprehensive plan, and any proposed demolition or disposition of public housing developments.

Actions to encourage public housing residents to become more involved in management and participate in homeownership

Several activities are conducted by the Housing Authority to encourage public housing residents to become more involved in management and to participate in homeownership opportunities. Through its Public Housing Resident Initiatives (PHRI) and the Resident Opportunity and Self-Sufficiency funds (ROSS), the Housing Authority seeks to facilitate the successful transition of residents from public housing residency to economic independence and/or from welfare-dependence to increased earning capacity or sustained work. The goals of the PHRI are to reduce welfare dependence by assisting residents in returning to the work force in a job commensurate with their abilities, reduce poverty by assisting residents in increasing their self-sufficiency by enhancing their employment or earning potential, and to increase homeownership among public housing residents.

The Housing Authority has established a Homeownership Program (HP) that assists eligible Section 8 program participants by offering a single down payment assistance grant. In order to maximize the use of resources available to home seekers, the Housing Authority's program also targets families who take part in the Riverside County Economic Development Agency's (EDA) First Time Home buyer Program (FTHP). In combination, the HP/FTHB partnership enables families to realize their dream of becoming homeowners .

If the PHA is designated as troubled, describe the manner in which financial assistance will be provided or other assistance

The PHA is not designated as troubled. The true and current rating for Public Housing is as a Standard Performer with applied strategies and policies to reach the goal of High Performer status. The true and current rating for Section 8 is as a High Performer with applied strategies and policies to maintain the current status.

AP-65 Homeless and Other Special Needs Activities

Describe the jurisdictions one-year goals and actions for reducing and ending homelessness including reaching out to homeless persons (especially unsheltered persons) and assessing their individual needs

Riverside County has worked toward dealing with the chronic homeless population for a number of years through the Mental Health Homeless Intervention Team (HIT) program. The HIT Team actively seek out homeless living on the streets and in unsheltered locations of congregation. The teams work in areas of high homeless concentration. Support workers are trained to recognize the symptoms of mental illness and substance abuse. They also possess the interpersonal skills necessary to solicit and provide information in a friendly, respectful, non-threatening manner. They are familiar with all community resources that serve the homeless population, both public and private. At a minimum, all homeless persons contacted on the streets are provided with information and referrals to programs relevant to their particular needs. Once the chronic homeless persons have been identified, and if mentally ill and willing to participate, they are enrolled into a series of programs by the Department of Mental Health. Those suffering from substance abuse are referred to the existing programs, such as those provided by ABC Recovery, Phoenix House, Whiteside Manor, Cedar House, and County Mental Health. All of the noted programs provide treatment and transitional housing. A number of these homeless service providers have applications up for renewal in the County's Continuum of Care application. In addition to County outreach services, CDBG funds a variety of public service providers who assist homeless persons with food distribution, counseling, or emergency voucher programs. These social service programs are often the primary source for referrals and assistance to homeless persons. For unsheltered homeless persons, service providers are often the primary contact for assistance if the individual is not participating in a shelter program.

Addressing the emergency shelter and transitional housing needs of homeless persons

Several service providers provide shelter and services to Moreno Valley homeless. In the past, the City has provided CDBG funding to the following organizations to assist the homeless:

Community Assistance Program (food distribution); Lutheran Social Services (transitional living program); Riverside County DPSS (cold weather shelter); God's Helping Hand (food distribution); P.W. Enhancement Center (motel vouchers); Operation Safehouse (youth shelter); Alternatives to Domestic Violence (emergency shelter); and Path of Life Ministries (transitional shelter). In addition, the City also participates in Riverside County's Continuum of Care Application. The City's entitlement contribution toward the Countywide program is approximately \$220,000 per year.

Helping homeless persons (especially chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth) make the transition to permanent housing and independent living, including shortening the period of time that individuals and families experience homelessness, facilitating access for homeless individuals and families to affordable housing units, and preventing individuals and families who were recently homeless from becoming homeless again

One of the City's highest priorities for the use of CDBG funds is to address the emergency shelter and transitional housing needs of homeless persons. The City will continue to fund applications for homeless shelters that serve the Moreno Valley homeless population. The City will assist homeless persons make the transition to permanent housing and independent living through continued support of affordable programs such as Lutheran Social Services and Path of Life, both of which provide their participants with long term shelter under their transitional living programs. Additionally, the aforementioned frequently assist those threatened with homelessness by providing referrals and coordinating with other agencies to locate assistance for the family or individual. The City also funds Alternatives to Domestic Violence, which provides emergency shelter to victims of domestic abuse, and Operation Safehouse, which provides shelter to run-away and/or homeless youth. Emergency rental assistance and first month's rent assistance is available through Catholic Charities and P.W. Enhancement Center.

Helping low-income individuals and families avoid becoming homeless, especially extremely low-income individuals and families and those who are: being discharged from publicly funded institutions and systems of care (such as health care facilities, mental health facilities, foster care and other youth facilities, and corrections programs and institutions); or, receiving assistance from public or private agencies that address housing, health, social services, employment, education, or youth needs.

Moreno Valley does everything in its power to mitigate low-income families in need of assistance from becoming homeless. During and since the recession, many low-income families live paycheck to paycheck, which makes it difficult for them to pay for the basic necessities when an unexpected expense arises. Catholic Charities and P.W. Enhancement Center provide residents with one-time emergency rental assistance paid for through other grant funding sources that also helped prevent homelessness of families who missed a rent/mortgage payment due to extenuating circumstances. There are several programs administered by Riverside County that aid in the prevention of homelessness. For example, the Emergency Food and Shelter Program meets the needs of the hungry and homeless by providing funds to provide the following housing assistance: lodging in a mass shelter or hotel; one month's rent or mortgage payment; one month's utility bill payment; minimal repairs to allow a sheltering facility to function during the program year. On a regular basis, the City provides referrals to persons in need. In cases where assistance was not available via City program, staff would often refer the inquiring party to 211 Riverside County.

AP-75 Barriers to affordable housing

Introduction

Actions it planned to remove or ameliorate the negative effects of public policies that serve as barriers to affordable housing such as land use controls, tax policies affecting land, zoning ordinances, building codes, fees and charges, growth limitations, and policies affecting the return on residential investment

The City plans to address identified barriers to affordable housing as follows:

1. Housing for Disabled Persons - Disability Definition. In order to affirmatively further fair housing, the City will establish a specific disability definition that is identical to the one in the Federal Fair Housing Act. The definition will be included in the Reasonable Accommodation Procedure.
2. Housing for Disabled Persons - Supportive Services. The Planning and Zoning Code will be revised to define transitional and supportive housing and to indicate the residential zones in which such housing is permitted.
3. Housing for Disabled Persons - Reasonable Accommodation Procedure. The City will adopt a reasonable accommodation procedure.
4. Special Needs Populations - The City will address special needs populations through the policies of the Consolidated Plan and Housing Element. In the Housing Element Update (to be adopted by October, 2013), the City must address the needs of the developmentally disabled population. The City will also consider amending the Planning and Zoning Code to include a definition and development standards for special needs housing.
5. Senior Housing Impediment - The City will amend the Planning and Zoning Code by adding a senior housing definition. Many cities define senior housing as follows: Senior citizen housing shall mean a housing development consistent with the California Fair Employment and Housing Act (Government Code Section 12900 et. seq., including 12955.9 in particular), which has been "designed to meet the physical and social needs of senior citizens:, and which otherwise qualifies as "housing for older persons" as that phrase is used in the Federal Fair Housing Amendments Act (42 U.S.C. 3608(b)) and implementing regulations and as that phrase is used in California Civil Code Section 51.2 and 51.3.

AP-85 Other Actions

Actions planned to foster and maintain affordable housing

All of the City assisted affordable housing projects have long term (40-50) year covenants which protect and preserve the affordability period for low income persons. The City does not anticipate a loss to the existing affordable housing inventory.

Actions planned to reduce lead-based paint hazards

To address lead paint hazards, the city has 2 main courses of action: (1) the City has integrated evaluation and reduction activities into its housing programs, and (2) the City also provides public information and education concerning lead-based paint. Participants of consumer loan/rehab programs are provided with the Renovate Right Informational Booklet (EPA740-K-10-001, dated April 2010) from the EPA. Each participant must sign an acknowledgement that they have received and read the booklet. Homes built prior to 1978 will receive a lead-based paint hazards inspection prior to the rehabilitation, and any remediation will be required as part of the rehabilitation project. For homebuyer projects, both the buyer and seller are provided with information on lead hazards and any mitigation are made the responsibility of the seller.

Actions planned to reduce the number of poverty-level families

Moreno Valley's Anti-Poverty Strategy includes the utilization of a variety of programs that, when coupled with other community programs and resources, and working with local agencies (County, private, and nonprofit) can help reduce the number of persons with incomes below the poverty line. The City aims to provide opportunities to reduce the financial burden for the lower income population and assist to maintain livable conditions through economic development and job creation, the provision of affordable housing, the use of nonprofit organizations providing basic needs services, and a coordination of efforts

Actions planned to develop institutional structure

The City of Moreno Valley benefits from a solid institutional structure and relationships with various local public and private agencies. In the upcoming year, City staff will continue to work at strengthening its dialogue with Riverside County agencies such as the Departments of Mental Health and Public Social Services, specifically to address regional homeless issues. Staff will continue to serve on the Steering Committee for the Continuum of Care Consortium which provides opportunities to network with local public and non-profit agencies. The City will also remain a member of the March Joint Powers Authority, created for the repurposing of the March Air Reserve Base. The base currently housed 3 transitional housing programs for homeless persons and families. The City also participates with the Moreno Valley Multi Agency Collaborative which is organized through the local school district and has members from the community, faith based organizations, health care industries, transportation industries and nonprofit social service programs. Finally, the City will maintain open dialogue with the Riverside County Housing Authority and focus on the use of resident initiatives in public housing.

Actions planned to enhance coordination between public and private housing and social service agencies

The City's goal is to continue to establish collaborative relationships between governmental and social service agencies to assure the effective delivery of services to low-income individuals. One example is the Riverside County Continuum of Care. The Continuum of Care group consists of several local non-profits and local governmental agencies, such as the City of Moreno Valley, who meet periodically to share information, coordinate efforts to assist homeless persons and plan future activities. While the City's ability to directly reduce the numbers of household with incomes below the poverty line is limited, the City will attempt to reduce the number by utilizing multiple programs and working with the county, private and non-profit agencies.

Program Specific Requirements

AP-90 Program Specific Requirements

Introduction

Community Development Block Grant Program (CDBG) Reference 24 CFR 91.220.(I)(1)

Projects planned with all CDBG funds expected to be available during the year are identified in the Projects Table. The following identifies program income that is available for use that is included in projects to be carried out.

| | |
|--|----------|
| 1. The total amount of program income that will have been received before the start of the next program year and that has not yet been reprogrammed | 0 |
| 2. The amount of proceeds from section 108 loan guarantees that will be used during the year to address the priority needs and specific objectives identified in the grantee's strategic plan. | 0 |
| 3. The amount of surplus funds from urban renewal settlements | 0 |
| 4. The amount of any grant funds returned to the line of credit for which the planned use has not been included in a prior statement or plan | 0 |
| 5. The amount of income from float-funded activities | 0 |
| Total Program Income: | 0 |

Other CDBG Requirements

| | |
|---|---------|
| 1. The amount of urgent need activities | 0 |
| 2. The estimated percentage of CDBG funds that will be used for activities that benefit persons of low and moderate income. Overall Benefit - A consecutive period of one, two or three years may be used to determine that a minimum overall benefit of 70% of CDBG funds is used to benefit persons of low and moderate income. Specify the years covered that include this Annual Action Plan. | 100.00% |

HOME Investment Partnership Program (HOME)
Reference 24 CFR 91.220.(I)(2)

1. A description of other forms of investment being used beyond those identified in Section 92.205 is as follows:
Not applicable.
2. A description of the guidelines that will be used for resale or recapture of HOME funds when used for homebuyer activities as required in 92.254, is as follows:
The City of Moreno Valley will not be utilizing HOME funds during FY 13/14 for homebuyer activities.
3. A description of the guidelines for resale or recapture that ensures the affordability of units acquired with HOME funds? See 24 CFR 92.254(a)(4) are as follows:
4. Plans for using HOME funds to refinance existing debt secured by multifamily housing that is rehabilitated with HOME funds along with a description of the refinancing guidelines required that will be used under 24 CFR 92.206(b), are as follows:
The City has no plans to refinance existing debt secured by multifamily housing rehabilitated with HOME funds during the upcoming program year FY 13/14.



CITY OF MORENO VALLEY

**Analysis of Impediments to Fair Housing
Choice and Fair Housing Action Plan**

July 1, 2013 through June 30, 2018

Section 1

SECTION 1 - INTRODUCTION

A. AFFIRMATIVELY FURTHERING FAIR HOUSING (AFFH) CERTIFICATION..... 1-1

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SECTION 1 - INTRODUCTION

A. AFFIRMATIVELY FURTHERING FAIR HOUSING (AFFH) CERTIFICATION

An Affirmatively Furthering Fair Housing (AFFH) certification is required of communities that administer the following U.S. Department of Housing and Urban Development (HUD) Community Planning and Development (CPD) programs:

- Community Development Block Grants (CDBG)
- Home Investments Partnership Program (HOME)
- Emergency Shelter Grants (ESG)
- Housing Opportunities for People with AIDS Program (HOPWA)

The AFFH certification states that the community receiving HUD funds:

"...will affirmatively further fair housing ... by conducting an analysis to identify impediments to fair housing choice within its jurisdiction, taking appropriate actions to overcome the effects of any impediments identified through the analysis, and maintaining records reflecting the analysis and actions in this regard."

The City of Moreno Valley annually receives CDBG and HOME funds. The AFFH certification is one of several certifications that are included in the City's Consolidated Plan and Annual Action Plans, which are submitted to HUD for approval prior to receipt of the CDBG and HOME funds.

HUD interprets the board objectives of the AFFH obligation to mean:

- Analyze and eliminate housing discrimination in the jurisdiction.
- Promote fair housing choice for all persons.
- Provide opportunities for inclusive patterns of occupancy regardless of race, color, religion, sex, familial status, disability and national origin.
- Promote housing that is structurally accessible to, and usable by, all persons, particularly persons with disabilities.
- Foster compliance with the nondiscrimination provisions of the Fair Housing Act.

The first requirement of the AFFH certification is satisfied by the following:

- Conducting an analysis of impediments to fair housing choice. This is commonly called the AI.
- Identify appropriate actions to overcome the effects of identified impediments. This is accomplished through preparation of a fair housing action plan.

It is the responsibility of the City to "take" the actions identified in the fair housing action plan and to "maintain records on the actions taken".

HUD's Consolidated Plan Review Guidance (i.e., Checklist) explains that the following guidance should be used by HUD Community Planning and Development (CPD) representatives to determine if the Certification is *not* satisfactory:

- Disregard of regulatory requirements to conduct an analysis of impediments to fair housing choice, take appropriate actions to address identified impediments, or maintain adequate records on the steps taken to affirmatively further fair housing in the jurisdiction.

SECTION 1 - INTRODUCTION

- Lack of action taken on outstanding findings regarding performance under affirmatively furthering fair housing certification requirements of the Consolidated Plan or the Community Development Block Grant Program.

More specifically, HUD has issued the following guidance:

HUD can require the submission of an AI in the event of a complaint or as part of routine monitoring. If, after reviewing all documents and data, HUD concludes that

- (1) the jurisdiction does not have an AI;
- (2) an AI was substantially incomplete;
- (3) no actions were taken to address identified impediments;
- (4) the actions taken to address identified impediments were plainly inappropriate; or
- (5) the jurisdiction has no records

the Department would notify the jurisdiction that it believes the certification to be inaccurate, or, in the case of certifications applicable to the CDBG program, the certification is not satisfactory to the Secretary.

Source: Memorandum from Nelson R. Bregon, General Deputy Assistant Secretary for Community Planning and Development to CPD Office Directors, FHEO HUB Directors, FHEO Program Center Directors and FHEO Equal Opportunity Specialists, September 2, 2004, page 2

HUD also has stated:

Rejection of the certification provides the basis for HUD to disapprove the jurisdiction's Consolidated Plan.

Source: U.S. Department of Housing and Urban Development, Office of Community Planning and Development, *Fair Housing for HOME Participants*, May 2005, page 1

The way HUD determines compliance with the AFFH Certification is through a review of the City's Consolidated Annual Performance and Evaluation Report (CAPER). In the CAPER, City submits a narrative statement on actions taken to affirmatively further fair housing during the prior program year (July 1 to June 30).

HUD has issued the following guidance:

Once the jurisdiction completes the AI, it must report on its implementation by summarizing the impediments identified in the analysis and describing the actions taken to overcome the effects of the impediments identified through the analysis in its Consolidated Annual Performance and Evaluation Report (CAPER). Although AIs are not submitted or approved by HUD, each jurisdiction should maintain its AI and update the AI annually where necessary. Jurisdictions may also include actions the jurisdiction plans to take to overcome the effects of impediments to fair housing choice during the coming year in the Annual Plan that is submitted as part of the Consolidated Plan submission.

Source: Memorandum from Nelson R. Bregon, General Deputy Assistant Secretary for Community Planning and Development to CPD Office Directors, FHEO HUB Directors, FHEO Program Center Directors and FHEO Equal Opportunity Specialists, September 2, 2004, page 2

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B. MEANING AND SCOPE OF FAIR HOUSING IMPEDIMENTS

What is an impediment? According to HUD, impediments are --

*Any actions, omissions, or decisions taken **because of** race, color, religion, sex, disability, familial status, or national origin which restrict housing choices or the availability of housing choices. (Intent)*

*Any actions, omissions, or decisions which **have the effect** of restricting housing choices or the availability of housing choices **because of** race, color, religion, sex, disability, familial status, or national origin. (Effect)*

A lack of affordable housing in and of itself, HUD has pointed out, is not an impediment to fair housing choice, unless it creates an impediment to housing choice *because* of membership in a protected class.

Impediments may exist due to one or more of the following:

- Saying or doing something openly discriminatory.
- Treating some people differently than others because of their protected class.
- A policy that on its face seems neutral, but has a disparate impact on members of a protected class.

There are two types of impediments – private and public impediments. The nature and scope of private sector impediments are essentially actions or practices that are prohibited by the following fair housing laws:

- 1968 Federal Fair Housing Act
- 1988 Federal Fair Housing Act
- 1974 Federal Equal Credit Opportunity Act
- 1959 State Unruh Civil Rights Act
- 1977 Housing Financial Discrimination Act
- 1980 State Fair Employment and Housing Act

These laws prohibit housing discrimination, discriminatory advertising, blockbusting, steering, denial of reasonable accommodations, redlining, and other unlawful practices.

California's Fair Employment and Housing Act states it is unlawful:

To discriminate through *public* or private *land use practices, decisions, and authorizations* because of race, color, religion, sex, sexual orientation, familial status, marital status, disability, national origin, source of income, or ancestry. Discrimination includes, but is not limited to, restrictive covenants, *zoning laws, denials of use permits, and other actions authorized under the Planning and Zoning Law* (Title 7 (commencing with Section 65000)), that make housing opportunities unavailable. [Emphasis added]

Examples of public sector impediments include a definition of "family" inconsistent with fair housing laws, conditional use permit requirements for housing for the disabled, and the lack of a reasonable accommodation procedure.

SECTION 1 - INTRODUCTION

C. PARTICIPANTS IN THE AI

The lead agency for preparation of the *AI* and *Fair Housing Action Plan* is the Business Support and Neighborhood Programs Division of the Community and Economic Development Department. Valuable input to the AI/FHAP was provided by:

- Building & Safety Division
- Planning Department
- Fair Housing Council of Riverside County, Inc.

The Fair Housing Council will have the primary responsibility for addressing many of the private sector impediments. The City will amend its agreement with the Fair Housing Council in order to describe the actions to be accomplished by the Council.

The Planning Department will address many of the public sector impediments. Some of these impediments were identified in the City's *2008-2014 Housing Element of the General Plan*.

D. PUBLIC PARTICIPATION

HUD has stated that because fair housing planning is a component of the Consolidated Plan, the citizen participation requirements for the Consolidated Plan (24 CFR 91) applies to the preparation of the AI and Fair Housing Action Plan.

Source: U.S. Department of Housing and Urban Development, Office of Fair Housing and Equal Opportunity, *Fair Housing Planning Guide*, Volume 1, March 1996, page 4-3.

1. Fair Housing Workshops

Fair housing workshops were held on October 29, 2012 and November 14, 2012. The first workshop was attended by residents and public service agencies. An overview of the scope and purpose of the AI was given to the attendees. Housing concerns mentioned at the workshop primarily pertained to the great need for rental assistance. On-site apartment resident managers were invited to the second focus group workshop. The Fair Housing Council distributed information on fair housing training to those in attendance. The main concern raised at the focus group workshop was reasonable accommodations, particularly the issue of reasonable accommodation requests to smoke marijuana and cultivate it on the site.

A third workshop was held at City Hall on February 27, 2013. At this workshop, the Fair Housing Council provided training to resident apartment managers. Additional workshops will be conducted in the future to address the impediments identified in the *AI*. During the course of completing the AI, the City has assembled the names, addresses, phone numbers and e-mail addresses of the resident apartment managers. As a result, the City and Fair Housing Council will be able to directly inform the managers on how to address fair housing impediments such as the lack of a written policy on the accommodation of service and companion animals for disabled persons. Additionally, information on emerging fair housing issues will be provided to the managers on an as-needed basis.

SECTION 1 - INTRODUCTION

2. Resident Fair Housing Survey

A major effort was undertaken by the City and Fair Housing Council to obtain public participation through the completion of a fair housing survey. The purpose of the survey was to obtain resident opinions on housing discrimination. Respondents, for instance, were asked whether they thought housing discrimination exists in Moreno Valley and to give examples of discriminatory practices. Additionally, information was obtained on the characteristics of the respondents in order to compare them to those of City's entire population.

The Fair Housing Council administered the survey by posting it on its website, through telephone surveys and talking with visitors to its offices, and also at events located in the City. The survey results will be available in March 2013. The survey instrument is reproduced on pages 7 and 8.

E. REPORT FORMAT

Besides this Introduction, the Report includes the following Sections:

Section 2 – Fair Housing Progress Report: The prior *Analysis of Impediments to Fair Housing Choice* contained actions that were scheduled to be taken during the 2008-2013 time period. Section 2 describes the actions taken during the past five years to eliminate or ameliorate the identified impediments.

Section 3 – Fair Housing Action Plan: This Section presents a new multi-year *Fair Housing Action Plan*. There are two impediment categories – public sector and private sector impediments. A summary description is given of each identified impediment. The actions the City plans to have its fair housing provider undertake are described in the *Fair Housing Action Plan*. Additionally, actions to be taken by the City are described in Section 3. Finally, actions are described to address affirmatively furthering fair housing through the location of affordable housing.

Appendix A – Fair Housing Community Profile: This Appendix presents demographic information on general housing and population characteristics, population growth in Moreno Valley, demographics of the protected classes, household income for different racial groups and Hispanic households, and other information.

Appendix B – Private Sector Fair Housing Analysis: This Appendix presents information on private sector impediments such as housing discrimination, blockbusting, discriminatory advertising, denial of reasonable accommodations or modifications, hate crimes and unfair lending.

Appendix C - Public Sector Fair Housing Analysis: This Appendix describes the public sector impediments. These impediments were identified through a survey regarding local governmental codes or policies and practices that may result in the creation or perpetuation of one or more impediments to fair housing choice. The survey has a particular focus on land use and zoning regulations, practices and procedures that can act as barriers to the siting, development, or use of housing for individuals with disabilities. It also touches on areas that may affect fair housing choice for families with children or otherwise serve as impediments to full fair housing choice.

SECTION 1 - INTRODUCTION

Appendix D – AFFH Through the Location of Affordable Housing: A lack of affordable housing in and of itself, HUD has pointed out, is not an impediment to fair housing choice, unless it creates an impediment to housing choice *because* of membership in a protected class. However, recent court cases and recent events have demonstrated that the location of affordable housing is regarded as a means of AFFH. This Appendix describes the characteristics of the census tracts in which affordable housing is located.

Appendix E – Persons Consulted and Data Sources: The Appendix lists all the persons consulted and the data sources which were used to prepare the *AI and Fair Housing Action Plan*.

SECTION 1 - INTRODUCTION

City of Moreno Valley - Resident Fair Housing Survey

Please check the appropriate box.

1. What is your living situation?

- I own a home
- I rent

2. What is your type of household?

- Married couple with children
- Married couple without children
- Female householder with children
- Male householder with children
- Other

3. Do you or any member of your household have a disability?

- Yes
- No

4. Have you ever experienced housing discrimination while a resident of Moreno Valley?

- Yes, I have
- I think I may have
- No, I have not (if you check this box go to questions 8-11)
- I don't know (if you check this box go to questions 8-11)

5. Why do you believe you were discriminated against? Because of your -

- | | | |
|---|--|-------------------------------------|
| <input type="checkbox"/> Race | <input type="checkbox"/> Color | <input type="checkbox"/> Religion |
| <input type="checkbox"/> National Origin | <input type="checkbox"/> Ancestry | <input type="checkbox"/> Gender |
| <input type="checkbox"/> Marital Status | <input type="checkbox"/> Family Status (because of your children) | <input type="checkbox"/> Disability |
| <input type="checkbox"/> Sexual Orientation | <input type="checkbox"/> Source of Income (i.e., welfare) | <input type="checkbox"/> Age |
| <input type="checkbox"/> Other | | |

6. Which of the following best describes the person who discriminated against you?

- My landlord/property manager
- A real estate agent
- A mortgage loan officer
- A home owner's insurance agent
- City staff

Other: _____

SECTION 1 - INTRODUCTION

7. What did that person do to discriminate against you?

- Would not allow me to modify my apartment unit to meet my needs.
- Would not allow me to have my service (or companion) animal even though I need one.
- Manager would not rent to me because I have children.
- Told me the apartment unit was not available when I called even though I later found out it was.
- Showed me homes to buy in neighborhoods that I did not want to see.
- Told me that certain people were moving into the neighborhood and suggested that I sell my home.
- Manager made negative comments about my race.
- Manager told me the 2-bedroom unit I wanted to rent was too small because each of my kids needs a separate bedroom.
- Offered me loans at too high an interest rate.
- Offered me home owner's insurance at too high a cost.

Other: _____

8. Do you know to whom you would report housing discrimination?

- Yes
- No
- Not sure

9. If yes, who would you report the housing discrimination to? (you may check more than box)

- Police
- City Staff
- Fair Housing Council of Riverside County, Inc.
- Mayor
- U.S. Department of Housing and Urban Development (HUD)
- Inland Fair Housing and Mediation Board
- State of California
- Fair Housing Foundation
- Other: _____

10. Please check the box that best describes your ethnicity:

- Of Hispanic, Latino or Spanish Origin No, not of Hispanic, Latino or Spanish Origin

11. Please check the box that best describes your race:

Race

- | | |
|---|--|
| <input type="checkbox"/> White | <input type="checkbox"/> Native Hawaiian, Other Pacific Islander |
| <input type="checkbox"/> Black/African American | <input type="checkbox"/> Some Other Race |
| <input type="checkbox"/> American Indian or Alaska Native | <input type="checkbox"/> Two or More Races |
| <input type="checkbox"/> Asian | |

Section 2

SECTION 2 - FAIR HOUSING PROGRESS REPORT

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SECTION 2 – FAIR HOUSING PROGRESS REPORT

A. INTRODUCTION

The study required by HUD regulations is known as the *Analysis of Impediments to Fair Housing Choice* or *AI*. The City's prior *AI* was adopted in 2008. HUD's guidelines suggest that an *AI* should document the progress made on implementing the recommended actions of the prior *AI*. In this way, the City can document impediments that have been ameliorated or removed. Impediments that have been removed do not need to be considered in the *2013-2018 AI and Fair Housing Action Plan*.

B. PROGRESS ON IMPLEMENTING THE 2008-2013 FAIR HOUSING ACTION PLAN

Table 2-1 describes the following:

- Ten actions recommended to ameliorate or remove private sector impediments
- Seven actions recommended to ameliorate or remove public sector impediments
- Accomplishments achieved between 2008 and 2013

**Table 2-1
City of Moreno Valley
Progress Report: Fair Housing Action Plan –
Program Year 2008-2009 to Program Year 2012-2013**

| Private Sector Actions | Accomplishments |
|---|---|
| Support fair housing services in order to ameliorate the impacts of housing discrimination. | During the period from PY 2008/2009 through PY 2012-2013, the City contracted for fair housing services with the Fair Housing Council of Riverside County, Inc. |
| Provide access to home improvement financing through low interest and deferred loans. | Access to financing is provided through the Home Improvement Loan Program (HILP), Mobile Home Grant Program, and Habitat for Humanity Mobile Home Rehabilitation Program |
| Support fair housing services in order to inform residents on how to recognize and avoid predatory lending, blockbusting/panic selling, and steering. | The Fair Housing Council of Riverside County provides fair housing services to residents. Fair housing workshops are periodically conducted on a range of topics |
| Develop a directory of hate victim services and establish protocol for having the Police Department refer hate crime victims to available services. | The City supports a "211 Telephone Public Service" which maintains a directory of victim services and provides victims with referrals to service providers. |
| Continue to maintain an awareness of professional organizations that guide the day-to-day practice of real estate agents and property management companies. | The City continues to maintain an awareness of these organizations and how they affect housing in Moreno Valley. These organizations include the Inland Valley Association of REALTORS, California Apartment Association, Apartment Association of the Greater Inland Empire, and the Apartment Association of San Bernardino County. |

SECTION 2 – FAIR HOUSING PROGRESS REPORT

**Table 2-1 continued
City of Moreno Valley
Progress Report: Fair Housing Action Plan –
Program Year 2008-2009 to Program Year 2012-2013**

| Private Sector Actions | Accomplishments |
|---|--|
| Encourage the Riverside Press-Enterprise to identify in its Fair Housing Notice the agencies that can respond to fair housing questions. | The Press-Enterprise has not yet amended its Fair Housing Notice to include the name and telephone number of the Fair Housing Council of Riverside County, Inc. In March 2013, the FHCRC and City transmitted a letter to the Press-Enterprise suggesting that the Fair Housing Notice identify the Fair Housing Council as an agency that can respond to reader questions regarding fair housing. |
| Encourage the Riverside Press-Enterprise to publish a “no pets” disclaimer that indicates rental housing owners must provide reasonable accommodations, including “service animals” and “companion animals” for disabled persons. | The Press-Enterprise has not yet published a written “no pets” disclaimer. In March, the City and Fair Housing Council transmitted a letter to the Press-Enterprise suggesting the text that should be added to the Fair Housing Notice. |
| Prepare a summary of reasonable accommodation requirements and transmit this information to the owners and managers of large apartment communities. | This information was transmitted to the manager of the Ironwood Villas Apartments on November 14, 2012. The information also was provided to property managers who attended a FHCRC Training Workshop on February 27, 2013. |
| Provide a link to the State Department of Fair Employment and Housing video on reasonable accommodations. | The City will provide the following link www.dfeh.ca.gov to the DFEH. At the Department’s website the video Fair Housing and Disability: Reasonable Accommodations can be accessed as well as videos on other fair housing subjects. The City will post the link before the end of Program Year 2012-2013. |
| Produce a directory of accessible apartment housing. | The City conducted apartment surveys in 2007 and 2012. A question was asked of local property managers on the number of accessible apartment units. The data was not conclusive as many managers were unsure of the number. As a result information is being collected on the number of apartment complexes built for first occupancy after March 13, 1991, which is the date the Fair Housing Act’s accessibility guidelines took effect. |

SECTION 2 – FAIR HOUSING PROGRESS REPORT

**Table 2-1 continued
City of Moreno Valley
Progress Report: Fair Housing Action Plan –
Program Year 2008-2009 to Program Year 2012-2013**

| Public Sector Actions | Accomplishments |
|---|--|
| Augment FHCRC services to provide foreclosure counseling. | In 2008, the Fair Housing Council of Riverside County, Inc. added a comprehensive Foreclosure Prevention/Loss Mitigation Program to the service offered residents. The program provides homeowners that are either at risk of foreclosure or already in the foreclosure process with no cost assistance in negotiating with lenders in order to avoid losing their homes. |
| Transmit to the County of Riverside Housing Authority information on areas of minority and low-income concentrations. | The City has analyzed the 2010 Census in regard to the minority population in each census tract. However, HUD plans to release information on low and moderate income areas by the summer of 2014. The City will transmit minority population data to the Housing Authority by the end of Program Year 2012-2013. Low and moderate income data will be transmitted to the Housing Authority by the summer of 2014. |
| Transmit to the County of Riverside Housing Authority an inventory of rental housing communities located outside areas of minority and low income concentrations. | The City is in the process of identifying apartment communities located outside areas of minority and low income concentrations. The City will transmit this information to the Housing Authority before the end of PY 2012-2013. |
| Amend the Development Code to include a specific disability definition that is consistent with the one in the Fair Housing Act. | The Development Code was not amended to add a “disability” definition. This action will be implemented in the first year of the PY 2013-2018 Fair Housing Action Plan. |
| Revise the Development Code to permit on-site supportive services to meet the non-housing needs of the disabled populations. | The City’s Housing Element indicates that transitional and supportive housing is allowed in all residential zones. |
| Amend the Development Code to include a reasonable accommodation procedure as a means of enabling disabled persons to request a modification from zoning, building and land use rules, standards, and policies. | The Development Code was not amended to include a “reasonable accommodation procedure.” This action will be implemented in the first year of the FY 2013-2018 Fair Housing Action Plan. |
| Provide a link to the State Department of Fair Employment and Housing’s (DFEH) six-minute video on reasonable accommodations for tenants. | The City will provide the following link www.dfeh.ca.gov to the DFEH. At the website residents will be able to access information on reasonable accommodations and other fair housing topics. |

Section 3

SECTION 3 - FAIR HOUSING ACTION PLAN

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SECTION 3 – FAIR HOUSING ACTION PLAN

A. INTRODUCTION

Public sector and private sector impediments to fair housing choice are described in detail in Appendices B and C. Section 3 describes the actions to be taken between mid-year 2013 and mid-year 2018 to remove or ameliorate impediments to fair housing choice and, thereby, affirmatively further fair housing.

B. PUBLIC SECTOR IMPEDIMENTS AND ACTIONS TO BE TAKEN

Table 3-1 describes the following:

- Public sector impediments, which are described greater detail in Appendix B
- Actions which will be taken to ameliorate or remove the impediment
- Time schedule for completion of the actions

The City will be responsible for implementing the recommended actions which address public sector impediments.

Appendix B describes in more detail the public sector impediments and recommended actions.

C. PRIVATE SECTOR IMPEDIMENTS AND ACTIONS TO BE TAKEN

Table 3-2 describes the following:

- Private sector impediments, which are described greater detail in Appendix C
- Actions which will be taken to ameliorate or remove the impediment
- Time schedule for completion of the actions

Many of the actions will be the responsibility of the Fair Housing Council of Riverside County, Inc. The Fair Housing Council is Moreno Valley's fair housing provider. Annually, the City allocates CDBG funds to support the services of the Fair Housing Council

Appendix C describes in more detail the private sector impediments and recommended actions.

SECTION 3 – FAIR HOUSING ACTION PLAN

**Table 3-1
City of Moreno Valley
Summary of Public Sector Impediments
Action Plan Recommendations and Action Plan Schedule**

| Impediments | Action Plan Recommendations | Action Plan Schedule |
|--|---|--|
| Housing for Disabled Persons – Disability Definition | | |
| HUD encourages cities to provide a definition of “disability” in its planning and zoning codes. | In order to affirmatively further fair housing, the City will establish a specific disability definition that is identical to the one in the Federal Fair Housing Act. The definition will be included in the Reasonable Accommodation Procedure. | The disability definition will be added to the Planning and Zoning Code in Program year 2013-2014. |
| Housing for Disabled Persons – Supportive Services | | |
| HUD encourages cities to make provisions for housing with supportive services in the planning and zoning codes. The City’s zoning regulations do not explicitly prohibit or permit transitional and supportive housing in residential zones. | The Planning and Zoning Code will be revised to define transitional and supportive housing and to indicate the residential zones in which such housing is permitted. | The Planning and Zoning Code will be amended in Program Year 2013-2014. |
| Housing for Disabled Persons – Reasonable Accommodation Procedure | | |
| HUD, the Federal Department of Justice and the California Attorney General’s Office all encourage cities to adopt a reasonable accommodation procedure. This procedure provides a means for disabled persons to requests exceptions from the development standards of a planning and zoning code and the standards of a building code. | The City will adopt a reasonable accommodation procedure. | The reasonable accommodation procedure will be adopted in Program Year 2013-2014. |

SECTION 3 – FAIR HOUSING ACTION PLAN

**Table 3-1 - continued
City of Moreno Valley
Summary of Public Sector Impediments
Action Plan Recommendations and Action Plan Schedule**

| Impediments | Action Plan Recommendations | Action Plan Schedule |
|--|--|---|
| Special Needs Populations | | |
| <p>HUD encourages cities to address special needs populations through provisions in their planning and zoning codes and policies contained in their planning documents.</p> | <p>The City will address special needs populations through the policies of the Consolidated Plan and Housing Element. In the Housing Element Update (to be adopted by October 2013), the City must address the needs of the developmentally disabled population. The City also will consider amending the Planning and Zoning Code to include a definition and development standards for special needs housing.</p> | <p>The special needs populations will be addressed annually as part of the Consolidated Plan's Annual Action Plans.</p> <p>A definition and development standards for special needs housing will be considered in Program Year 2014-2015.</p> |
| Senior Housing | | |
| <p>Under federal law housing discrimination against families with children is permitted only in housing in which all the residents are 62 years of age or older or where at least 80% of the occupied units have one person who is 55 years of age or older. Generally, California law states that a housing provider using the lower age limitation of 55 years must have at least 35 units to use the familial status discrimination exemption. Also, California law, with narrow exceptions, requires all residents to be "senior citizens" or "qualified permanent residents", pursuant to Civil Code §51.3.</p> <p>The Planning and Zoning Code needs to be amended to contain a more precise definition of "senior housing."</p> | <p>The City will amend the Planning and Zoning Code by adding a senior housing definition. Many cities define senior housing as follows:</p> <p style="padding-left: 40px;">Senior citizen housing shall mean a housing development consistent with the California Fair Employment and Housing Act (Government Code Section 12900 et. seq., including 12955.9 in particular), which has been "designed to meet the physical and social needs of senior citizens," and which otherwise qualifies as "housing for older persons" as that phrase is used in the Federal Fair Housing Amendments Act (42 U.S.C. 3607(b)) and implementing regulations and as that phrase is used in California Civil Code Section 51.2 and 51.3.</p> | <p>A senior housing definition and other senior housing topics will be considered in Program Year 2014-2015.</p> |

SECTION 3 – FAIR HOUSING ACTION PLAN

**Table 3-2
City of Moreno Valley
Summary of Private Sector Impediments
Action Plan Recommendations and Action Plan Schedule**

| Impediments | Action Plan Recommendations | Action Plan Schedule |
|--|---|---|
| Housing Discrimination | | |
| Based on past trends, about 165 housing discrimination complaints will be filed during the five year period between 2013 and 2018. The bases for most of these complaints are likely to be race/color and disability. | <p>The City and Fair Housing Council of Riverside County, Inc. will continue to offer to its residents fair housing services</p> <p>The Fair Housing Council will post on its website a page where residents can input their fair housing questions.</p> | Ongoing; Program Year 2013-2014 to Program Year 2017-2018 |
| Brokerage Services | | |
| No impediment was found. Brokerage services as defined by the Federal Fair Housing Act pertain to the MLS and real estate organizations. However, fair housing and real estate practices are of interest because of the number of homes that will be sold and bought in Moreno Valley over the next five years. | The City and Fair Housing Council of Riverside County, Inc. will arrange a meeting with IVAR's Fair Housing Committee, which meets the third Tuesday of every month, to explore fair housing topics. | Two meetings: Program Year 2014-2015 and Program Year 2017-2018 |
| Steering | | |
| <p>Steering may adversely impact homebuyers in their search process and when they apply for a loan. Steering also may adversely impact renters when they seek an apartment.</p> <p>Corrective actions have been taken regarding loan steering so that abuse may not happen in the future as frequently as it occurred in the early to mid- 2000s.</p> <p>However, the steering of apartment seekers is likely to continue, although it is not possible to measure its frequency.</p> | <p>The Fair Housing Council - as part of its home buyer counseling services – will provide examples of how to detect "steering" during the home search process and how to detect "loan steering."</p> <p>The Fair Housing Council will offer information to renters attending workshops on how to detect steering behavior by resident property managers.</p> | Ongoing: Program Year 2014-2015 to Program Year 2017-2018 |

SECTION 3 – FAIR HOUSING ACTION PLAN

**Table 3-2 - continued
City of Moreno Valley
Summary of Private Sector Impediments
Action Plan Recommendations and Action Plan Schedule**

| Impediments | Action Plan Recommendations | Action Plan Schedule |
|--|---|---|
| Appraisal Practices | | |
| <p>Complaints regarding appraisal discriminatory practices are not routinely collected by local, State or Federal agencies. It may occur but would-be homebuyers are in the best position to detect potentially discriminatory practices.</p> | <p>The Fair Housing Council will add "how to read an appraisal report" to its homebuyer counseling services.</p> | <p>Program Year 2014-2015 to Program Year to Program Year 2017-2018</p> |
| Lending Practices | | |
| <p>The potential for a high percentage of FHA loans becoming seriously delinquent will disproportionately affect Hispanic home buyers as 70% bought their homes with FHA/VA financing.</p> <p>As the FHA/VA reduces its market share of mortgage credit, fewer minorities will be able to obtain loans to purchase a home.</p> <p>Disparities exist among the loan denial rates experienced by minority loan applicants compared to White loan applicants.</p> <p>Bank of America has a loan denial rate considerably higher than other major lenders.</p> | <p>The City and Fair Housing Council will annually monitor the HMDA data to establish long-term trends in loan denial rates.</p> <p>The City and Fair Housing Council will maintain an inventory of FHA and low down payment financed homes.</p> <p>The City and Fair Housing Council will monitor on a regular schedule the notices of default by address made available by the County Recorder's Office or through a subscription service.</p> <p>The City and Fair Housing Council will match the notices of default by address to the addresses of the low down payment financed homes.</p> <p>The Fair Housing Council will contact the borrowers in default and inform them of default and foreclosure counseling services available to homeowners at risk of losing their homes.</p> | <p>Ongoing: Program Year 2013-2014 to Program Year 2017-2018</p> |

SECTION 3 – FAIR HOUSING ACTION PLAN

**Table 3-2 - continued
City of Moreno Valley
Summary of Private Sector Impediments
Action Plan Recommendations and Action Plan Schedule**

| Impediments | Action Plan Recommendations | Action Plan Schedule |
|---|---|--|
| Homeowner's Insurance | | |
| <p>As Moreno Valley has the second lowest home owners insurance premiums of the eight areas studied, there are no major impediments. However, without adequate knowledge consumers could pay more than they need to for appropriate insurance coverage.</p> | <p>The Fair Housing Council will add "homeowners insurance" and "CLUE Reports" to its homebuyer counseling services.</p> <p>The Fair Housing Council will provide educational services to home buyers and borrowers so they understand the impact of CLUE Reports and can compare homeowner's premium rates.</p> | <p>Ongoing: Program Year 2014-2015 to Program Year 2017-2018</p> |
| Property Management Practices | | |
| <p>Property management practices pertaining to service and companion animals; reasonable accommodations; and modifications can pose impediments to fair housing choice.</p> | <p>The Fair Housing Council will update the list of the names and e-mail addresses of the resident apartment managers.</p> <p>The City and Fair Housing Council will arrange an "informational session" between the fair housing counselors and resident managers to exchange insights on a variety of fair housing issues.</p> <p>The City and Fair Housing Council will continue to inform resident managers by transmitting information to their e-mail and/or physical addresses.</p> | <p>Informational Session to be held PY 2013-2014</p> <p>Transfer information to resident managers; ongoing: Program Year 2014-2015 to Program Year 2017-2018</p> |

SECTION 3 – FAIR HOUSING ACTION PLAN

**Table 3-2 - continued
City of Moreno Valley
Summary of Private Sector Impediments
Action Plan Recommendations and Action Plan Schedule**

| Impediments | Action Plan Recommendations | Action Plan Schedule |
|--|--|--|
| Reasonable Modifications or Accommodations | | |
| A fair housing impediment is the practice of apartment managers to refuse disabled renters either a reasonable modification or reasonable accommodation. | <p>The City and Fair Housing Council will transmit to the resident apartment managers a model written policy regarding reasonable accommodations and modifications.</p> <p>The City and Fair Housing Council will continue outreach to resident apartment managers through training sessions, workshops, correspondence and other means.</p> <p>As new information becomes available, the City and Fair Housing Council will transmit it the resident apartment managers' e-mail and/or physical addresses.</p> | <p>Transmit model written policy: Program Year 2014-2015</p> <p>Continue Outreach: 2014-2015 to Program Year 2017-2018</p> |
| Discriminatory Advertising | | |
| Ads containing discriminatory words or phrases are infrequently published. However, ads with discriminatory words or phrases may be published in the future. Additionally, ads stating "no pets" may discourage disabled persons from applying for the apartment housing advertised in print publications. | <p>The City and Fair Housing Council of Riverside County, Inc. will continue to work with the Press-Enterprise to amend its fair housing notice with regard to: 1) placing the notice closer to the for rent ads; 2) add the protected classes per State law; 3) explain that service and companion animals are not pets; and 4) add the Fair Housing Council phone number.</p> <p>The Fair Housing Council will semi-annually review ads published in newspapers, on-line apartment search sites, and craigslist. When discriminatory words or phrases are found, the Council will notify the entities placing the ads of the need to remove those words and phrases.</p> | <p>Press Enterprise Fair Housing Notice: Program Year 2012-2013 and Program Year 2013-2014</p> |

SECTION 3 – FAIR HOUSING ACTION PLAN

| Hate Crimes | | |
|--|---|-------------------------------|
| <p>Hate crimes occur infrequently. When they do occur they can devastate families who believe they must move from the home and neighborhood of their choice.</p> <p>During the five-year period of the AI (2013-2018), about 20 to 25 hate crime events may occur with a home being the location of six to seven.</p> <p>There is a need for a resource directory so victims can be referred to community resources.</p> | <p>The City should prepare a Hate Crime Victims Resource Directory.</p> <p>When that Directory is deemed complete, it should be transmitted to the Police Department to use as a referral resource.</p> | <p>Program Year 2015-2016</p> |

Appendix A

APPENDIX A - FAIR HOUSING COMMUNITY PROFILE

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APPENDIX A – FAIR HOUSING COMMUNITY PROFILE

A. INTRODUCTION AND SUMMARY

1. Introduction

The *Fair Housing Community Profile* presents information on Moreno Valley's housing, population and demographic characteristics with a focus on the Fair Housing Act's protected classes. More specifically, information is presented on:

- Population growth trends in Riverside County and Moreno Valley
- City housing, demographic and economic characteristics
- Comparison of City and County demographic and economic characteristics
- Characteristics of fair housing groups residing in Moreno Valley
- Comparison of the status and well-being of the fair housing protected groups

The demographic profile of the protected classes includes information on:

- Race and color
- Sex of households
- National origin/ancestry
- Familial status
- Handicap/disability
- Marital status

The comparison of status and well-being of fair housing protected groups explores:

- Income
- Poverty
- Homeownership
- Crowding

The *Fair Housing Community Profile* data sources include:

- Census 2000
- Census 2010
- American Community Survey
- California Department of Employment
- Fair Housing Council of Riverside County
- California Department of Fair Employment and Housing
- U.S. Department of Housing and Urban Development

The American Community Survey (ACS) data is based on a sample and are subject to sampling variability. The degree of uncertainty for an estimate arising from sampling variability is represented through the use of a margin of error. The value shown in the ACS data is the 90% margin of error. The margin of error can be interpreted roughly as providing a 90% probability that the interval defined by the estimate minus the margin of error and the estimate plus the margin of error (the lower and upper confidence bounds) contains the true value. The tables presented in the *Fair Housing Community Profile* which are based on the ACS sometimes describe the margin when they are unusually high such as the Asian poverty rate and median household income by race and ethnicity. For the most part, the ACS percentage values are applied to the 2010 Census population and household counts to estimate conditions at that time without documenting the margin of error.

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2. Summary

The list below and on pages A-2 and A-3 provides a summary of the information presented in the *Fair Housing Community Profile*:

- Riverside County's population is projected to reach 2,626,200 people by 2020, 3,146,000 people by 2030 and 3,678,100 people by 2040.
- In a few short years, the Hispanic population will comprise more than one-half of Riverside County's population.
- Moreno Valley – with a population of almost 200,000 persons - is the 2nd largest city in Riverside County.
- SCAG forecasts the City's population to reach about 255,100 people in 2035, an increase by about 61,500 people between 2010 and 2035.
- Between 2000 and 2012, the housing stock grew from about 41,400 to almost 55,800 housing units, an increase of about 14,400 housing units.
- Moreno Valley's housing stock is comprised of 55,800 housing units of which 81% are single-family detached homes.
- Moreno Valley's homeownership rate is almost 65% which is slightly lower than that of Riverside County.
- About 51,600 households live in Moreno Valley, of which 42% have lower incomes, meaning less than 80% of Riverside County's median household income.
- Between 2000 and 2010, the labor force grew by about 29,300 workers. The employed work force increased by about 19,400 workers. On the other hand, the number of unemployed workers increased by 10,140 which resulted in a 16.9% jobless rate.
- There are about 75,800 employed residents. Almost 23% of the employed residents work in the educational services, health care and social assistance industry. About 15% of employed residents had jobs in the retail trade industry.
- There are almost 21,700 jobs located in Moreno Valley. Almost 7,100 local jobs are found in the education services and healthcare and social assistance sectors.
- Major employers are government/education related, medical and hospital facilities, and the Mall.
- Of the 75,800 employed residents, 25% work within the City and 75% have a job located outside the City limits.
- About 19% of the almost 193,400 people calling Moreno Valley home are White Alone and about 81% identify with a minority population group.

APPENDIX A – FAIR HOUSING COMMUNITY PROFILE

- Three groups comprise most of the minority population –
 - ✓ Hispanics 54.4%
 - ✓ Blacks 17.2%
 - ✓ Asians 5.9%
- Almost 50% of the Hispanic population identifies with a racial group other than White.
- Excluding married couples, there are an estimated 22,592 householders of which 63% (14,300) are female and 37% (8,292) are male.
- About 48,000 people are foreign born, mainly in Latin America (77%) and Asia (18%).
- There are an estimated 43,200 *family* households, which comprise about 84% of all households. About 24,100 family households have children; therefore, about 47% of all households have children less than 18 years of age (24,115/51,592).
- Disabilities affect about 15,500 people. The elderly (65 years +) comprise about 44% of all disabled people.
- About 47% of the population 15 years of age or older are married and 37.5% have never married.
- Less than 2% of the workers use public transportation as a means to work. About 78% of all workers drive to work alone.
- The poverty rates by race and ethnicity range from a low of 4.4% (Native Hawaiian and Other Pacific Islander) to a high of 35.8% (Asian). The Black (27.1%) and Hispanic (18.5%) poverty rates also are relatively high. It must be noted that the margin of error for the Asian poverty rate was +/-18%.
- Female heads of households both with and without children under 18 experience the highest poverty income rates. About 2,000 female householders with children live in poverty, or about 36% of all such household types.
- The City has about 33,400 owner and 18,200 renter households. Hispanic or Latino renters comprise about 8,000 of the 18,200 renters. The City's 2010 homeownership rate was almost 65%. Homeownership rates ranged from a low of 48.2% (Native Hawaiian and Other Pacific Islander) to a high of 76% (White Alone). Only two groups – Asians and White Alone – had home ownership rates higher than the City's average.
- Crowding is a condition that disproportionately impacts Native Hawaiian and Other Pacific Islander households. Hispanic households, however, comprise about 82% of all crowded households.

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B. POPULATION GROWTH IN RIVERSIDE COUNTY AND MORENO VALLEY

1. Population Growth in Riverside County

a. Population Trends and Change by Race and Ethnicity

The racial and ethnic composition of Riverside County’s population has been experiencing dramatic change for the past few decades. It passed a major milestone in the 2010 when Riverside County became a majority-minority county. Table A-1 shows in percentage terms the population trends of the White and minority populations.

Table A-1
Riverside County: Population Trends – 2000 and 2010

| Year | White | Hispanic | Black | Asian |
|------|-------|----------|-------|-------|
| 2000 | 51.6% | 36.2% | 6.0% | 3.8% |
| 2010 | 39.7% | 45.5% | 6.0% | 6.0% |

Source: Census 2000, Summary File 1 Table P004 - Hispanic or Latino, and Not Hispanic or Latino by Race
American FactFinder, Census 2010, Summary File 1, Table P9: Hispanic or Latino and Not Hispanic or Latino by Race
Table construction by Castañeda & Associates

Table A-2 shows the population change between 2000 and 2010. Although the White population numerically increased by about 80,300 people, it now comprises about 40% of the 2010 County population compared to almost 52% in 2000.

Table A-2
Riverside County: Population Change – 2000-2010

| Race/Ethnicity | 2000 | 2010 | Population Change |
|----------------------------------|------------------|------------------|-------------------|
| White | 788,831 | 869,068 | 80,237 |
| Hispanic | 559,575 | 995,257 | 435,682 |
| Black | 92,403 | 130,823 | 38,420 |
| Asian & Pacific Islander | 58,483 | 131,770 | 73,287 |
| American Indian & Alaskan Native | 10,135 | 10,931 | 796 |
| All Other Races | 35,960 | 51,792 | 15,832 |
| Total | 1,545,387 | 2,189,641 | 644,254 |

Source: Southern California Association of Governments from Census 2000 SF1 and Census 2010 PL 94
Table construction by Castañeda & Associates

The Hispanic population now numbers almost 1 million people, having increased by about 435,700 persons between 2000 and 2010. The Hispanic population accounted for almost 68% of the growth in the past decade.

APPENDIX A – FAIR HOUSING COMMUNITY PROFILE

The Asian population has also experienced tremendous growth having increased by about 73,300 people between 2000 and 2010. In 2000, the Asian population stood at about 58,500 representing 3.8% of Riverside County's population and by the time of 2010 Census, reached 131,770 representing 6.0% of the County's population. The Black population grew by about 38,500 persons and continues to represent about 6.0% of Riverside County's population.

b. Projected Population Growth

Table A-3 shows the projected population growth to 2040. The County's population is projected to reach 2,626,200 people by 2020, 3,146,000 people by 2030 and 3,678,100 people by 2040. Sometime between 2010 and 2020, the Hispanic population will comprise more than one-half of the County's population.

Table A-3
Riverside County Population Projections: 2010-2040

| Year | Population | Incremental Increase | Cumulative Increase |
|------|------------|----------------------|---------------------|
| 2010 | 2,191,449 | | |
| 2015 | 2,381,548 | 190,099 | 190,099 |
| 2020 | 2,626,222 | 244,674 | 434,773 |
| 2025 | 2,881,356 | 255,134 | 689,907 |
| 2030 | 3,145,948 | 264,592 | 954,499 |
| 2035 | 3,415,040 | 269,092 | 1,223,591 |
| 2040 | 3,678,119 | 263,079 | 1,486,670 |

Source: State of California, Department of Finance, *Interim Population Projections for California and Its Counties 2010-2050*, Sacramento, California, May 2012
Table construction by Castañeda & Associates

Population projections by race and ethnicity are currently unavailable. The Demographic Research Unit of the State Department of Finance will develop full population projections with greater detail, such as age, sex, and race/ethnicity, for California and California counties through 2050 by January 2013. The final projections will encompass more complete sets of assumptions and will reflect the 2010 Census Modified Age Race Sex (MARS) file. These full projections will replace the Interim Projections.

c. Housing Needs

It is expected that most of the immigrants settling in Riverside County will come from the same areas of the globe as those that now reside in the county: Asia and Latin America. They will probably share similar characteristics as today's immigrants. Those from Central America will be younger, have lower levels of education, have higher poverty rates, and have lower levels of English proficiency. Thus, the need for programs that assist immigrants in helping to provide safe and adequate housing will still persist, including fair housing services. There will also be a tremendous demand for housing as the large population born in the 1990s and the first decade of the 21st century become adults and form new households.

2. Population Growth in Moreno Valley

Moreno Valley is located in western Riverside County, about 66 miles east of Los Angeles and 100 miles north of San Diego. Nestled in a valley with mountains serving as a physical boundary from other neighboring communities, the City consists of 50 square miles and is served by the Moreno Valley Freeway (Route 60) and Interstate 215. It has the second largest population of all cities located within Riverside County.

Table A-4 shows that in the past 20 years, the City’s population has increased by about 63%, increasing from about 118,800 people in 1990 to about 193,400 people in 2010. Between 2000 and 2010 the City experienced a population increased of almost 51,000 people.

**Table A-4
City of Moreno Valley
Population Growth Trends - 1990 to 2010**

| Year | Population | Incremental Increase | Incremental % Increase | Cumulative Increase | Cumulative % Increase |
|-------------|-------------------|-----------------------------|-------------------------------|----------------------------|------------------------------|
| 1990 | 118,779 | | | | |
| 2000 | 142,381 | 23,602 | 19.9% | 23,602 | 19.9% |
| 2010 | 193,365 | 50,984 | 35.8% | 74,586 | 62.8% |

Source: U.S. Census of Population and Housing for years 1990, 2000 and 2010
Table construction by Castañeda & Associates

Key characteristics of the population include:

- About 81% of the population belongs to a minority group
- About 54% of the population is Hispanic or Latino
- About 19% of the population is White, Alone

SCAG’s RTP 2012 forecasts a population increase of about 61,500 people by the year 2035.

C. MORENO VALLEY’S KEY HOUSING, DEMOGRAPHIC AND ECONOMIC CHARACTERISTICS

1. Housing Supply and Occupancy

Table A-5 on the next page shows the occupancy status of the housing stock in 2000 and 2010. Between 2000 and 2010, the housing stock grew from 41,431 to 55,559 housing units, an increase of 14,128 housing units. Between 2000 and 2010 the number of vacant housing units increased by almost 1,800 dwelling units. As a consequence, the vacancy rate grew from 5.3% to 7.1%. The increase in vacancies may be a result of the economic downturn and an increase in the number of foreclosed and vacant bank-owned homes.

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Table A-5
City of Moreno Valley
Housing Stock by Occupancy Status – April 2000 and April 2010

| Occupancy Status | Number of Housing Units 2000 | Number of Housing Units 2010 |
|-------------------------|-------------------------------------|-------------------------------------|
| Occupied | 39,225 | 51,592 |
| Vacant | 2,206 | 3,967 |
| Total | 41,431 | 55,559 |
| Percent Vacant | 5.3% | 7.1% |

Source: Census 2000 Summary File 1 Table H003 - Occupancy Status (Housing Units)

U.S. Census Bureau, DP-1 Profile of General Population and Housing Characteristics: 2010, Housing Tenure

Table construction by Castañeda & Associates

With regard to the vacancy estimate, the Demographic Research Unit of the Department of Finance states the following:

Occupied housing units are estimated by applying a derived civilian vacancy rate, based on 2010 benchmark data, to the estimated civilian housing units. Adjustments to the census vacancy rates are made periodically; however, exact data on foreclosures and other housing market indicators were not available to adjust vacancy rates.

An estimated 225 housing units were added to the housing stock between April 1, 2010 and December 31, 2011, according to the Demographic Research Unit (DRU) of the State Department of Finance.

2. Housing Types (Units in Structure)

Table A-6 shows Moreno Valley's housing types in 2000 and 2012. Moreno Valley's existing housing stock (January 2012) is comprised of about 55,800 housing units. The basic distribution of housing types is essentially unchanged from 12 years ago – the clear majority (80+ %) of the housing stock consists of single family detached homes. Multi-family housing (5+units) increased from 8.5% to 12.2% of the housing stock. While not large in percentage terms, mobile homes continue to be an important resource as they account for almost 1,400 housing units.

With respect to the 2012 estimate, the DRU of the Department of Finance states the following:

American Community Survey (ACS) data were used to distribute 2010 census housing units into our standard housing types (single detached units, single attached units, two to four units, five plus or apartment units, and mobile homes). Housing units are estimated by adding new construction and annexations and subtracting demolitions and conversions starting from the 2010 benchmark or based on the prior year's estimate. Housing unit changes are supplied by local jurisdictions and the U.S. Census Bureau.

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**Table A-6
City of Moreno Valley
Units in Structure: 2000 and 2012**

| Units in Structure | 2000 | | 2012 | |
|-----------------------------------|-----------------|-------------------------|-----------------|-------------------------|
| | Number of Units | Percentage Distribution | Number of Units | Percentage Distribution |
| Single Family, Detached | 34,594 | 83.4% | 44,997 | 80.7% |
| Single Family, Attached | 892 | 2.2% | 1,127 | 2.0% |
| 2 to 4 Units | 1,390 | 3.4% | 1,505 | 2.7% |
| 5 Units+ | 3,543 | 8.5% | 6,791 | 12.2% |
| Mobile Homes, Boat, RV, Van, etc. | 1,043 | 2.5% | 1,364 | 2.4% |
| Total | 41,462 | 100.0% | 55,784 | 100.0% |

Sources: Census 2000, Summary File 3 Table DP-4 Profile of Profile of Selected Housing Characteristics: 2000, Units in Structure. California Department of Finance (DOF) Series E-5 City/County Population and Housing Estimates, 1/1/12
Table construction by Castañeda & Associates

3. Homeownership

Homeownership is a key indicator of community well being. Increases or decreases in the percentage of owner-occupied housing, especially in communities that are not high growth, indicates a change in the balance of renter-occupied to owner-occupied housing.

Table A-7 shows the 2000 and 2010 homeownership rates for Moreno Valley, Riverside County, California and the nation. In 2000, the City had a somewhat higher ownership rate than Riverside County. In 2010, however, the reverse was the case, which may be caused by the number of foreclosed homes that became renter-occupied by the time of the decennial Census.

**Table A-7
Comparison of Homeownership Rates by Year**

| Area | 2000 | 2010 |
|------------------|-------|-------|
| Moreno Valley | 71.1% | 64.7% |
| Riverside County | 68.9% | 67.4% |
| California | 56.9% | 55.9% |
| Nation | 66.2% | 65.1% |

Source: 2000 Census Summary File 1, Table H15 Tenure by Household Size
2010 Census DP-1 Profile of Population and Housing Characteristics: 2010, Housing Tenure
Table construction by Castañeda & Associates

During the last decade the City's home ownership rate decreased by 6.4%. The increase in the vacancy rate and decrease in the ownership rate may indicate that there are unoccupied and rented single family homes that could become owner occupied over time.

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4. Household Income

'Fair housing choice', according to HUD, means the ability of persons of *similar income levels* regardless of race, color, religion, sex, national origin, handicap and familial status to have available to them the same housing choices. This means, for instance, that households of different races but with similar income levels should have available to them the same housing choices. Another example is that female householders, male householders and married couples with similar income levels should have available to them the same housing choices. A housing market that treats female and male householders with incomes of \$60,000 *differently* would not be providing fair housing choice.

Household income is the key determinant of ability to pay for housing. For many households, their income is too limited to afford existing housing. A larger number of households have incomes too low to afford new housing, as new housing is usually more expensive than existing housing.

Between 2000 and 2010 household incomes have obviously increased. So, too, has the cost of living. Data are too limited to determine whether the economic well being of the City's householders has been enhanced since Census 2000.

Table A-8 shows the number and percentage of households in ten income groups. Moreno Valley's median household income in 2010 was \$48,907 compared to \$47,387 in 2000, an increase of 3.2%. Between 2000 and 2010, the number of households with annual incomes of less than \$50,000 increased by about 5,500. The percentage of households with incomes of less than \$50,000 was about the same in 2000 (52.9%) and 2010 (50.8%). These data reveal the lack of substantial income gains between 2000 and 2010, which could be the result of underemployment – that is, households adjusting from full- to part-work or working in jobs with wages lower than their previous jobs.

The percentage of households with incomes between \$50,000 and \$99,999 decreased from 37.2% to 33.9%. On the other hand, households with incomes of \$100,000 or more increased from 9.9% to 15.3%

The City's CDBG and HOME programs as well as state and federal affordable housing programs are directed at addressing the needs of lower income households – those having incomes less than 80% of the Riverside County median income.

Table A-9 shows the number and percentage of households in five income groups, based on each group's percentage of the County median household income. About 21,700 households have annual incomes below 80% of Riverside County's median household income. This number represents about 42% of all households. Most communities in Riverside County have about 40% of their households in the lower income group (<80%).

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Table A-8
City of Moreno Valley
Household Income Distribution: 2000 and 2010

| Household Income | 2000 | Percent | 2010 | Percent |
|------------------------|---------------|---------------|---------------|---------------|
| Less than \$10,000 | 2,550 | 6.5% | 2,838 | 5.5% |
| \$10,000 to \$14,999 | 1,805 | 4.6% | 3,199 | 6.2% |
| \$15,000 to \$24,999 | 4,590 | 11.7% | 5,778 | 11.2% |
| \$25,000 to \$34,999 | 4,551 | 11.6% | 6,294 | 12.2% |
| \$35,000 to \$49,999 | 7,257 | 18.5% | 8,100 | 15.7% |
| \$50,000 to \$74,999 | 9,337 | 23.8% | 10,318 | 20.0% |
| \$75,000 to \$99,999 | 5,257 | 13.4% | 7,171 | 13.9% |
| \$100,000 to \$149,999 | 3,099 | 7.9% | 5,314 | 10.3% |
| \$150,000 to \$199,999 | 510 | 1.3% | 1,857 | 3.6% |
| \$200,000 or more | 275 | 0.7% | 722 | 1.4% |
| Total | 39,229 | 100.0% | 51,592 | 100.0% |

Note: Occasionally, the tables will have slightly different counts of the number of households because for some the source is SF 1 (complete count) while for others it may be SF 3 (sample).

Source: Census 2000 Summary File 3 (SF3) Table P052: Household Income in 1999 and American Community Survey (ACS), 2010 1-Year Estimates, DP03, Selected Economic Characteristics, Income and Benefits (in 2010 Inflation-Adjusted Dollars)

Table construction by Castañeda & Associates

Table A-9
City of Moreno Valley: Income Groups by Tenure: 2010

| Income Group | Tenure | | | | All Households | Percent |
|----------------------------|---------------|---------------|---------------|---------------|----------------|---------------|
| | Owner | Percent | Renter | Percent | | |
| Extremely Low 0-30% AMI | 2,137 | 6.4% | 3,676 | 20.2% | 5,813 | 11.3% |
| Very Low 30-50% AMI | 2,838 | 8.5% | 3,130 | 17.2% | 5,968 | 11.6% |
| Low 50-80% AMI | 5,643 | 16.9% | 4,313 | 23.7% | 9,956 | 19.3% |
| Above Low 80-100% AMI | 3,907 | 11.7% | 2,020 | 11.1% | 5,927 | 11.5% |
| Above Median 100%+ | 18,868 | 56.5% | 5,060 | 27.8% | 23,928 | 46.3% |
| Total | 33,393 | 100.0% | 18,199 | 100.0% | 51,592 | 100.0% |
| Percent | 64.7% | | 35.3% | | 100.0% | |

Note: AMI refers to Area Median Income

Source: U.S. Department of Housing and Urban Development, 2005-2009 CHAS data for number and percentage of renter and owner households by income group

U.S. Census Bureau, DP-1 Profile of General Population and Housing Characteristics: 2010, Housing Tenure for total owners and renters; ACS tenure/income group percentages applied to 2010 Census tenure distribution

Table construction by Castañeda & Associates

5. Labor Force/Employment Characteristics

a. Labor Force, Employment and Unemployment Trends

Another key to people's ability to exercise housing choice is employment. This means both jobs within the City as well as the number of local residents that are employed. Employment generates income, which leads to effective housing demand and housing choice.

Table A-10 shows Moreno Valley's labor force and employment characteristics in 2000 and 2010. During the 10-year span, the labor force grew by about 29,300 workers. The employed work force increased by about 19,400 workers. On the other hand, the number of unemployed workers increased by 10,140 which resulted in a 16.9% jobless rate. The increase in the number of unemployed workers and the unemployment rate helps to explain the less than robust income gains which transpired between 2000 and 2010.

Housing choice for all racial and ethnic groups has been diminished by a variety of economic conditions, including the lack of job growth and unemployment.

b. Employed Residents by Industry of Employment

The 75,787 employed residents have jobs in a variety of industries as shown in Table A-11. Almost 23% of the employed residents work in the educational services, health care and social assistance industry. This industry includes jobs at schools, doctor offices, hospitals, nursing care facilities, family and emergency services, child day care and other similar organizations.

About 15% of employed residents had jobs in the retail trade industry. This industry includes jobs at auto dealers, furniture, appliance, grocery and clothing stores, gasoline stations, and other direct selling establishments.

6. Jobs Located in Moreno Valley by Industry

a. Jobs by Industry Sector

There are almost 21,700 jobs located in Moreno Valley. Table A-12 shows the number and types of jobs located within the City limits. There are almost 7,100 local jobs in the education services and healthcare and social assistance sectors. It appears that many employed residents (Table A-11) are employed at local jobs (Table A-12)

b. Major Employers

There is a variety of large businesses, institutions, and agencies that provide both local and regional employment opportunities. The City's major employers are government/education related, medical and hospital facilities, and the Mall.

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**Table A-10
City of Moreno Valley
Civilian Labor Force and Employment Characteristics
for Population 16 Years and Over: 2000 and 2010**

| Employment Status | 2000 | 2010 |
|--------------------------|-------------|-------------|
| Population 16 Years + | 95,754 | 138,930 |
| In the Labor Force | 61,878 | 91,161 |
| Employed | 56,429 | 75,787 |
| Unemployed | 5,234 | 15,374 |
| Unemployment Rate | 8.5% | 16.9% |

Source: 2000 Census, Table DP-3 Profile of Selected Economic Characteristics: 2000, Employment Status Population 16 Years and Over
 2010 Census, Table DP-1 Profile of General Population and Housing Characteristics: Sex and Age
 2010 American Community Survey 1-Year Estimates, Table DP03 Selected Economic Characteristics, Employment Status Population 16 Years and Over
 Table construction by Castañeda & Associates

**Table A-11
City of Moreno Valley
Employed Residents 16 Years and Older
by Industry**

| Industry | Number Employed | Percent |
|--|------------------------|----------------|
| Agriculture, forestry, fishing and hunting, and mining | 606 | 0.8% |
| Construction | 6,139 | 8.1% |
| Manufacturing | 5,154 | 6.8% |
| Wholesale trade | 3,638 | 4.8% |
| Retail trade | 11,595 | 15.3% |
| Transportation and warehousing, and utilities | 5,684 | 7.5% |
| Information | 1,440 | 1.9% |
| Finance and insurance, and real estate and rental and leasing | 3,638 | 4.8% |
| Professional, scientific, and management, and administrative and waste management services | 6,290 | 8.3% |
| Educational services, and health care and social assistance | 17,355 | 22.9% |
| Arts, entertainment, and recreation, and accommodation and food services | 6,063 | 8.0% |
| Other services, except public administration | 3,941 | 5.2% |
| Public administration | 4,244 | 5.6% |
| Total | 75,787 | 100.0% |

Source: American FactFinder American Community Survey (ACS) 1-Year Estimates, Table DP03 Selected Economic Characteristics
 Table construction by Castañeda & Associates

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Table A-12
Number of Jobs Located in Moreno Valley: 2009

| Industry Sector | Number of Jobs |
|--|-----------------------|
| Retail Trade | 4,482 |
| Educational Services | 3,579 |
| Healthcare and Social Assistance | 3,495 |
| Accommodations and Food Services | 1,985 |
| Other Services (excluding Public Administration) | 1,259 |
| Public Administration | 1,011 |
| All Other Jobs | 5,870 |
| Total | 21,681 |

Source: Riverside County Center for Demographic Research, 2011 Progress Report, Moreno Valley
Table construction by Castañeda & Associates

The two School Districts provide 4,157 jobs:

- The Moreno Valley Unified School District has 23 elementary schools, 6 middle schools, 5 high schools, 2 special education schools, 1 community day school, and 1 continuation school with a total of 35,868 students enrolled in the 2011/2012 school year.
- Val Verde Unified School District has 4 preschools, 13 elementary schools, 6 middle schools, 4 high schools and 1 virtual high school with a total of 19,800 students enrolled.

The City also is home to the Moreno Valley College, which has an enrollment of 11,000 students in the 2010/2011 school year.

The hospital and medical facilities provide about 2,900 jobs.

The Moreno Valley Mall, which opened in October of 1992, is another large employer. The Mall built on 87 acres and has anchor tenants of Macy's, Sears and J.C. Penny.

Many other retail centers have also been built such as Alessandro Plaza, Canyon Springs Plaza, Merchant's Square, the Sunnymead Shopping Center, the Festival at Moreno Valley, and the Moreno Valley Auto Mall that provide a variety of retail jobs.

Three other major employers are retail distribution: Ross Dress for Less, Walgreens and Sketchers.

Most major employers are located along or near transit routes. However, access to some of the comparatively smaller businesses requires private transportation.

Table A-13 identifies the major employers with 400 or more employees.

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**Table A-13
City of Moreno Valley
Major Employers (400+)-2011**

| Business | Type of Business | No. of Employees | Location |
|--|---------------------------|-------------------------|-----------------------------------|
| March Air Reserve Base | Military Reserve Base | 9,000 | March Air Force Base |
| Moreno Valley Unified School District | Public Schools | 3,490 | 25634 Alessandro Boulevard |
| Riverside County Regional Medical Center | County Hospital | 2,416 | 26520 Cactus Avenue |
| Moreno Valley Mall | Retail Mall | 1,760 | 22500 Town Circle |
| Ross Dress for Less | Retail Distribution | 1,500 | 17800 Perris Blvd. |
| City of Moreno Valley Including Police & Fire Depts. | Municipal Government | 762 | 22850 Calle San Juan De Los Lagos |
| Walgreens Co. | Distribution | 694 | 17500 Perris Blvd. |
| Val Verde Unified School District | Public Schools | 667 | Public Schools |
| Moreno Valley College | Higher Education | 555 | 16130 Lasselle St. |
| Sketchers USA | Retail Distribution | 550 | 29800 Eucalyptus St. |
| Phillips Consumer Electronics | Electronics Distribution | 484 | 25300 Globe St. |
| Kaiser Permanente Community Hospital/Office | Hospital/Medical Services | 452 | 12815 Heacock St. |

Source: City of Moreno Valley, *Major Employers*, November 2011
Table construction by Castañeda & Associates

D. TRANSPORTATION PROFILE

1. Place of Work

Almost 76,000 residents are employed. The 2011 American Community Survey found that 25% of the employed residents worked within the City and 75% had a job located outside the city limits.

2. Transportation to Work

Table A-14 reports on transportation to work trends in 1999 and 2010. Key trends are noted below:

- In both time periods, about three of every four workers drove alone to work.
- Workers carpooling have declined both numerically and relatively.
- Workers using public transportation has increased in numbers but declined slightly relatively.
- Of the workers using public transportation, 77% take a bus and another 23% take a train to work.

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Table A-14
City of Moreno Valley: Transportation to Work — 1999 and 2010

| Means of Transportation | Number of Workers-1999 | Percent | Number of Workers-2010 | Percent |
|------------------------------|------------------------|---------------|------------------------|---------------|
| Drove alone | 40,866 | 74.2% | 59,418 | 78.4% |
| Carpool | 10,424 | 18.9% | 10,080 | 13.3% |
| Public transportation | 1,044 | 1.9% | 1,364 | 1.8% |
| Bicycle | 138 | 0.3% | 0 | 0.0% |
| Walked | 398 | 0.7% | 1,288 | 1.7% |
| Taxicab, Motorcycle or other | 564 | 1.0% | 1,970 | 2.6% |
| Worked at Home | 1,655 | 3.0% | 1,667 | 2.2% |
| Total | 55,089 | 100.0% | 75,787 | 100.0% |

Source: Census 2000, Summary File 3, Table P30, Means of Transportation to Work for Workers 16 Years and Over.

American Community Survey (ACS) Table B08101 "Means of Transportation to Work by Age," 2008-2010 American Community Survey 3-Year Estimates

Table construction by Castañeda & Associates

Public transportation services are discussed in Technical Appendix C – Public Sector Impediments Analysis.

E. DEMOGRAPHIC PROFILE COMPARISON TO RIVERSIDE COUNTY

Table A-15 compares Moreno Valley to Riverside County with regard to:

- Protected group characteristics
- Well-being indicators

1. Protected Group Characteristics

The demographic characteristics of Moreno Valley's protected classes are described in detail in Part F. Here a comparison is made between the City's characteristics and those of the entire Riverside County, including all cities and the unincorporated area.

Moreno Valley has a higher minority population percentage than Riverside County as a whole. The percentage of female householders and foreign born populations is almost the same. Moreno Valley is more family oriented than the County as a higher percentage of households are family households and family households with children. The City has a lower percentage of disabled people compared to the County. The City and County have similar percentages of married persons.

Homeownership rates are similar between the City and the County except that the City's Hispanic population enjoys a higher ownership rate. Moreno Valley's All Other Races population has a homeownership rate lower than the County's.

The County's poverty rates by race and ethnicity are lower than the City's except for the Hispanic population. The County's poverty rates for families with children are lower than Moreno Valley's. The City is less affluent than the County. Overcrowding in the City is somewhat less than the County except for all households and Asian households.

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**Table A-15
Key Indicators: Comparison of Moreno Valley to Riverside County**

| | Riverside County | Moreno Valley |
|--|-------------------------|----------------------|
| Protected Group Indicators | | |
| Race/Color - % Minority | 60.3% | 81.1% |
| Sex - % Female Householders | 26.6% | 27.7% |
| National Origin - % Foreign Born | 22.4% | 24.8% |
| Familial Status - % Family Households | 74.4% | 83.7% |
| Familial Status - % Family HHs w/ Children | 37.5% | 46.7% |
| Disabled - % Disabled | 10.1% | 8.0% |
| Marital Status - % Married Persons | 49.9% | 46.8% |
| Well-Being Indicators | | |
| <i>Homeownership Rates</i> | | |
| All Households | 67.4% | 64.7% |
| White Alone, Not Hispanic or Latino | 74.8% | 75.9% |
| Hispanic | 58.3% | 64.0% |
| Black | 51.3% | 50.9% |
| Asian | 72.1% | 72.9% |
| All Other Races | 59.6% | 53.2% |
| <i>Poverty Income</i> | | |
| All Persons | 16.3% | 19.4% |
| White Alone, Not Hispanic or Latino | 9.3% | 13.2% |
| Hispanic | 22.7% | 18.5% |
| Black | 20.4% | 27.1% |
| Asian | 12.2% | 35.8% |
| <i>By Familial Status with Children Under 18</i> | | |
| All Families | 18.2% | 21.4% |
| Married Couple Family | 12.4% | 17.1% |
| Female Householder No Husband Present | 35.1% | 35.9% |
| <i>Affluence</i> | | |
| % of households \$100K + | 22.0% | 15.3% |
| % of households \$150K + | 8.3% | 5.0% |
| % of households \$200K + | 3.3% | 1.4% |
| <i>Overcrowding</i> | | |
| All Households | 7.6% | 8.7% |
| White Alone, Not Hispanic or Latino | 1.6% | 1.6% |
| Hispanic | 18.2% | 16.3% |
| Black | 2.6% | 0.5% |
| Asian | 5.8% | 14.2% |

Table construction by Castañeda & Associates

F. PROFILE OF MORENO VALLEY'S FAIR HOUSING PROTECTED CLASSES

1. Introduction

The Fair Housing Act, 42 U.S.C. 3601 et. seq., prohibits discriminatory practices which make housing unavailable to persons because of:

- Race
- Color
- Religion
- Sex
- National Origin
- Familial Status
- Handicap/Disability

The California Fair Employment and Housing Act (Article 2, Section 12955) makes it unlawful:

to discriminate against or harass any person because of the race, color, religion, sex, sexual orientation, marital status, national origin, ancestry, familial status, source of income, or disability of that person.

Under the provisions of Civil Code Section 51.2 et. seq. age is a protected class.

Hence, the California law has added the following to the group of protected classes:

- Sexual Orientation
- Marital Status
- Ancestry
- Source of Income
- Age

California law also prohibits discrimination based on arbitrary factors.

Attachment A provides definitions of the fair housing protected classes.

2. Race/Color

Housing discrimination complaint data made on the bases of race or color are noted below:

- 27.6% of all complaints filed with the FHCRC between 2007 and 2012
- 19.7% of all cases filed with the DFEH between 2001 and 2010

a. Race and Ethnic Categories

The Fair Housing Act does not define race. Data on race is required for many federal programs and the Census Bureau collects race data in accordance with guidelines provided by the U.S. Office of Management and Budget (OMB) and these data are based on *self-identification*. The racial categories included in the census form generally reflect a *social definition* of race recognized in this country, and are not an attempt to define race biologically, anthropologically or genetically. In addition, the Census Bureau recognizes that the categories of the race item

APPENDIX A – FAIR HOUSING COMMUNITY PROFILE

include both racial and national origin or socio-cultural groups. Census 2010 and the *American Community Survey* provide for six race categories:

- White Alone
- Black, African American or Negro Alone
- American Indian or Alaska Native Alone
- Asian Alone
- Native Hawaiian or Other Pacific Islander Alone
- Some Other Race Alone

Individuals who chose more than one of the six race categories are referred to as the *two or more races* population, or as the group that reported *more than one* race. All respondents who indicated more than one race can be collapsed into the *two or more races* category, which combined with the six *alone* categories, yields seven mutually exclusive and exhaustive categories. Thus, the six race *alone* categories and the *two or more races* category sum to the total population. Attachment B contains definitions of each race and ethnic category.

The 2000 Census [and 2010 Census] race and ethnic categories follow the OMB Policy Directive No. 15 (May 12, 1977) and the 1997 revisions. The OMB's efforts are to standardize the racial and ethnic categories so that federal government agencies can monitor discrimination, as required by the Civil Rights Act of 1964, the Voting Rights Act of 1965, the Fair Housing Act of 1968, the Equal Credit Opportunity Act of 1974, and the Home Mortgage Disclosure Act of 1975. Source: Victoria Hattam, "Ethnicity & the American Boundaries of Race: Rereading Directive 15," *Daedalus* – Journal of the American Academy of the Arts & Sciences, Winter 2005, pgs. 61-62

b. Non-Hispanic White and Minority Population Characteristics

1) *Definitions of Minority Populations:* The populations comprising "minority" groups are defined in essentially the same way by the Federal Office of Management and Budget, Department of Transportation, Federal Financial Institutions Examination Council (HMDA data), and Council on Environmental Quality (environmental justice guidelines). The Federal Department of Transportation and Office of Management and Budget both define the minority populations as Black, Hispanic (regardless of race), Asians (including Pacific Islanders) and American Indian and Alaskan Native. The FFIEC, for purposes of Home Mortgage Disclosure Act (HMDA) data collection, states that:

"...the percentage minority population means, for a particular census tract, the percentage of persons of minority races and whites of Hispanic or Latino Origin, in relation to the census tract's total population.

The CEQ environmental justice guidelines provide the following definition:

"Minority individuals – Individuals who are members of the following population groups: Hispanic or Latino, American Indian or Alaska Native, Asian, Black or African American, Native Hawaiian or Other Pacific Islander, multiracial minority (two or more races, at least one of which is a minority race)."

The non-minority population is White, Non-Hispanic or Latino.

Ethnicity means being of Hispanic or Latino Origin or not being of such origin.

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2) *Population by Race and Ethnicity:* Table A-16 shows the 2000 and 2010 population by Hispanic/Latino ethnicity and seven race categories. During the 10-year period, the City's population increased by nearly 51,000 persons. With the exception of the White Alone population, all other groups increased. The Hispanic population nearly doubled, increasing from about 54,700 to about 105,200 people. It now constitutes about 54% of the total population.

Table A-16
City of Moreno Valley
Total Population by Race and Ethnicity – April 2000 and April 2010

| Race/Ethnicity | 2000 | Percent Distribution | 2010 | Percent Distribution |
|--|---------------|-----------------------------|----------------|-----------------------------|
| White Alone | 45,881 | 32.2% | 36,573 | 18.9% |
| Hispanic or Latino | 54,689 | 38.4% | 105,169 | 54.4% |
| Black or African American Alone | 27,536 | 19.3% | 33,195 | 17.2% |
| American Indian and Alaska Native Alone | 567 | 0.4% | 573 | 0.3% |
| Asian Alone | 8,214 | 5.8% | 11,423 | 5.9% |
| Native Hawaiian and Other Pacific Islander Alone | 650 | 0.5% | 990 | 0.5% |
| Some Other Race Alone | 295 | 0.2% | 388 | 0.2% |
| Two or More Races | 4,549 | 3.2% | 5,054 | 2.6% |
| Total Population | 142,381 | 100.0% | 193,365 | 100.0% |
| Minority Population | 96,500 | | 156,792 | |
| Percent Minority | 67.80% | | 81.10% | |

Source: Census 2000, Summary File 1 Table P004 - Hispanic or Latino, and Not Hispanic or Latino by Race. American FactFinder, Census 2010, Summary File 1, Table P9: Hispanic or Latino and Not Hispanic or Latino by Race.

Table construction by Castañeda & Associates

3) *Race of Hispanic Or Latino and Not Hispanic or Latino Populations:* Table A-17 shows the 2010 Hispanic or Latino and not Hispanic or Latino populations by race.

When the April 2010 Census was taken, 105,169 persons identified themselves as being of Hispanic or Latino Origin. With respect to race –

- About 42% of the Hispanic population said that their race was White Alone
- About 49% said they belonged to Some Other Race
- About 6% identified themselves as having Two or More Races

Thus, many Hispanic or Latino people do not identify with the White Race Category but rather consider themselves as belonging to Some Other Race. Indeed, 99.3% (51,353/51,741) of the Some Other Race population is Hispanic or Latino. Moreno Valley is not unusual in terms of the racial identification of the Hispanic or Latino population.

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Table A-17
City of Moreno Valley
Race of Hispanic or Latino and Non Hispanic or Latino Populations: 2010

| Race | Hispanic or Latino | Percent Distribution | Not Hispanic or Latino | Percent Distribution | Total | Percent Distribution |
|--|---------------------------|-----------------------------|-------------------------------|-----------------------------|----------------|-----------------------------|
| White Alone | 44,396 | 42.2% | 36,573 | 41.5% | 80,969 | 41.9% |
| Black or African American Alone | 1694 | 1.6% | 33,195 | 37.6% | 34,889 | 18.0% |
| Asian Alone | 444 | 0.4% | 11,423 | 13.0% | 11,867 | 6.1% |
| American Indian or Alaska Native Alone | 1,148 | 1.1% | 573 | 0.6% | 1,721 | 0.9% |
| Hawaiian or Other Pacific Islander Alone | 127 | 0.1% | 990 | 1.1% | 1,117 | 0.6% |
| Some Other Race Alone | 51,353 | 48.8% | 388 | 0.4% | 51,741 | 26.8% |
| Two or More Races | 6,007 | 5.7% | 5,054 | 5.7% | 11,061 | 5.7% |
| Total | 105,169 | 100.0% | 88,196 | 100.0% | 193,365 | 100.0% |

Source: 2010 Census, DP-1 Profile of General Population and Housing Characteristics: 2010, Hispanic or Latino and Race
 Table construction by Castañeda & Associates

A research study of the 2000 Census found:

Almost 6 million Californians departed from the federal government's racial categories by selecting "some other race." Of these respondents, 99 percent were Latinos. In effect, this pattern of response converted the residual "some other race" category into a de facto Latino racial category. This conversion occurred not because of administrative need; indeed, the Hispanic ethnicity question satisfies all legal mandates. Nor did it take place because Latinos petitioned the government for change. Rather, it emerged spontaneously from a subset of Americans whose racial perceptions differed from those codified by the federal government. In the long run, this pattern of response may lead to changes in the federal government's racial and ethnic classification system.

Source: Sonya M. Tafoya, *Latinos and Racial Identification in California*, Public Policy Institute of California. Volume 4, Number 4, May 2003, page 12

- 4) *Origins of the Hispanic or Latino Populations:* There are an estimated 105,169 Hispanic or Latino persons residing in Moreno Valley, according to the 2010 Census. Table A-18 shows that 85.6% of the Hispanic or Latino population is of Mexican origin.

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**Table A-18
City of Moreno Valley
Persons of Hispanic Origin — 2000 and 2010**

| Hispanic Origin | 2000 | | 2010 | |
|-------------------------|---------------|---------------|----------------|---------------|
| | Number | Percent | Number | Percent |
| Mexican | 46,485 | 79.5% | 90,054 | 85.6% |
| Puerto Rican | 1,177 | 2.2% | 1,636 | 1.6% |
| Cuban | 417 | 0.8% | 606 | 0.6% |
| Other Spanish/Hispanic* | 9,610 | 17.6% | 12,873 | 12.2% |
| Total | 54,689 | 100.0% | 105,169 | 100.0% |

*The Census 2000 category is "Other Hispanic or Latino"
 Census 2000, Table DP-1, Profile of General Demographic Characteristics, Hispanic or Latino and Race
 Census 2010 Summary File 1 Table QT-P10
 Table construction by Castañeda & Associates

5) *Asian Population by Sub-Group:* Table A-19 shows the Asian population by sub-group. Almost one half of the Asian population is Filipino. All other sub-groups comprise a relatively small percentage of the Asian population.

**Table A-19
City of Moreno Valley
Asian Population by Sub-Group**

| Sub-Group | Number | Percentage |
|--------------------------|---------------|---------------|
| Asian Indian | 794 | 6.7% |
| Chinese | 922 | 7.8% |
| Filipino | 5,437 | 45.8% |
| Japanese | 362 | 3.1% |
| Korean | 678 | 5.7% |
| Vietnamese | 1,394 | 11.7% |
| Other Asian ¹ | 2,280 | 19.2% |
| Total | 11,867 | 100.0% |

¹Other Asian Alone, or two or more Asian Categories
 Source: 2010 Census, Table DP-1 Profile of General Population and Housing Characteristics: 2010
 Table construction by Castañeda & Associates

c. School District Enrollment Trends

The trends that the Census and ACS data show are re-enforced by the Moreno Valley Unified School District's estimates of the racial/ethnic composition of school-age children. Table A-20 shows that between 2007 and 2011, there was an increase in the Hispanic share of the total school age children. Further, there was an 18% decrease in the number of White children and nearly a 10% decrease in the number of Black or African American children.

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**Table A-20
City of Moreno Valley
School Enrollment by Race/Ethnicity**

| Race/Ethnicity | School Year | | | | 4-Year Numerical Change | 4-Year Percent Change |
|----------------------------------|-------------|-----------|-----------|-----------|-------------------------|-----------------------|
| | 2007-2008 | 2008-2009 | 2009-2010 | 2010-2011 | | |
| American Indian or Alaska Native | 196 | 178 | 156 | 142 | (54) | -27.6% |
| Asian | 819 | 822 | 805 | 804 | (15) | -1.8% |
| Native Hawaiian/Pacific Islander | 242 | 263 | 256 | 265 | 23 | 9.5% |
| Filipino | 736 | 696 | 711 | 659 | (77) | -10.5% |
| Hispanic or Latino | 22,653 | 22,161 | 23,255 | 23,638 | 985 | 4.3% |
| Black or African American | 7,302 | 6,942 | 6,855 | 6,583 | (719) | -9.8% |
| White | 4,813 | 4,476 | 4,301 | 3,945 | (868) | -18.0% |
| Two or More Races/No Response | 365 | 554 | 470 | 579 | 214 | 58.6% |
| Total | 37,126 | 36,092 | 36,809 | 36,615 | (511) | -1.4% |

Source: California Department of Education, Education Data Partnership.
Table construction by Castañeda & Associates

Important characteristics include:

- Hispanic youth comprise 64.5% of all students
- Black youth comprise 18% of all students
- White youth comprise 10.8% of all students

d. Areas of Minority Population Concentration (Population by Race and Ethnicity by Census Tract)

The Consolidated Plan regulations state that the City must identify and describe any areas within Moreno Valley -

with concentrations of racial/ethnic minorities...stating how it defines...area of minority concentration. The locations and degree of these concentrations must be identified, either in a narrative or on one or more maps. [CFR 91.210]

In 2010, the City's population was 193,365 of which 81.1% belonged to a racial or minority group. Table A-21 shows the City's population by race and ethnicity by census tract. At the census tract level, the minority population ranges from a low of 53.3% (424.01) to a high of 91.1% (424.12).

To be identified as an area of minority concentration, a census tract's minority population percentage should exceed the citywide percentage of 81.1%. The Consolidated Plan regulations do not establish a criterion that defines "concentration" but instead allow cities to establish their own standard. The one standard that the regulations do explicitly establish pertains to "disproportionate housing needs" which is defined as 10% above the average for a specific community housing need. Therefore, an area of minority population concentration can be defined as a census tract having 91.1% or more of its population belonging to a minority racial or ethnic group. Table A-21 shows that the only census tract having a minority population of at least 91.1% is 424.12.

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**Table A-21
City of Moreno Valley
Race/Ethnicity by Census Tract-2010**

| Census Tract | White alone | Hispanic or Latino | Black or African American alone | American Indian and Alaska Native alone | Asian alone | Native Hawaiian and Other Pacific Islander alone | Some Other Race alone | Two or More Races | Total | Percent Minority |
|---------------------|--------------------|---------------------------|--|--|--------------------|---|------------------------------|--------------------------|--------------|-------------------------|
| 422.12 | 1,811 | 3,088 | 1,097 | 22 | 468 | 24 | 11 | 206 | 6,727 | 73.1% |
| 422.14 | 1,742 | 2,203 | 687 | 5 | 412 | 16 | 5 | 169 | 5,239 | 66.7% |
| 424.01 | 972 | 779 | 173 | 6 | 92 | 3 | 5 | 50 | 2,080 | 53.3% |
| 424.02 | 1,322 | 2,522 | 547 | 20 | 222 | 11 | 14 | 122 | 4,780 | 72.3% |
| 424.03 | 1,157 | 1,996 | 575 | 21 | 207 | 24 | 4 | 87 | 4,071 | 71.6% |
| 424.03 | 344 | 1,176 | 367 | 2 | 71 | 6 | 2 | 70 | 2,038 | 83.1% |
| 424.04 | 725 | 2,436 | 1,539 | 27 | 113 | 22 | 8 | 127 | 4,997 | 85.5% |
| 424.05 | 961 | 2,348 | 573 | 6 | 133 | 21 | 4 | 104 | 4,150 | 76.8% |
| 424.06 | 1,022 | 1,653 | 353 | 28 | 104 | 9 | 2 | 91 | 3,262 | 68.7% |
| 424.07 | 848 | 1,632 | 384 | 15 | 122 | 44 | 13 | 94 | 3,152 | 73.1% |
| 424.08 | 794 | 1,725 | 577 | 7 | 103 | 14 | 5 | 74 | 3,299 | 75.9% |
| 424.09 | 1,344 | 1,892 | 1,070 | 15 | 375 | 8 | 4 | 174 | 4,882 | 72.5% |
| 424.10 | 889 | 932 | 489 | 10 | 122 | 10 | 5 | 83 | 2,540 | 65.0% |
| 424.11 | 1,800 | 1,204 | 618 | 8 | 254 | 4 | 7 | 175 | 4,070 | 55.8% |
| 424.12 | 321 | 2,892 | 245 | 8 | 67 | 21 | 10 | 48 | 3,612 | 91.1% |
| 425.05 | 1,324 | 4,743 | 2,023 | 28 | 999 | 25 | 14 | 327 | 9,483 | 86.0% |
| 425.06 | 741 | 2,944 | 869 | 19 | 288 | 15 | 7 | 128 | 5,011 | 85.2% |
| 425.07 | 480 | 3,540 | 597 | 8 | 125 | 34 | 11 | 93 | 4,888 | 90.2% |
| 425.08 | 594 | 2,071 | 317 | 2 | 139 | 3 | 0 | 67 | 3,193 | 81.4% |
| 425.09 | 638 | 3,323 | 723 | 12 | 230 | 46 | 2 | 74 | 5,048 | 87.4% |
| 425.10 | 472 | 2,129 | 524 | 5 | 97 | 9 | 5 | 67 | 3,308 | 85.7% |
| 425.11 | 313 | 2,258 | 437 | 8 | 64 | 41 | 1 | 78 | 3,200 | 90.2% |
| 425.12 | 595 | 2,144 | 346 | 3 | 141 | 69 | 7 | 74 | 3,379 | 82.4% |
| 425.13 | 466 | 1,913 | 521 | 6 | 158 | 4 | 2 | 95 | 3,165 | 85.3% |
| 425.14 | 352 | 2,691 | 587 | 21 | 90 | 5 | 5 | 52 | 3,803 | 90.7% |
| 425.15 | 438 | 2,809 | 632 | 18 | 137 | 41 | 15 | 87 | 4,177 | 89.5% |
| 425.16 | 520 | 2,053 | 465 | 2 | 144 | 23 | 20 | 51 | 3,278 | 84.1% |
| 425.17 | 576 | 1,994 | 801 | 10 | 206 | 8 | 7 | 68 | 3,670 | 84.3% |
| 425.18 | 190 | 1,087 | 322 | 6 | 53 | 6 | 1 | 41 | 1,706 | 88.9% |
| 425.19 | 573 | 3,245 | 499 | 16 | 208 | 20 | 14 | 94 | 4,669 | 87.7% |
| 425.20 | 637 | 3,176 | 737 | 15 | 195 | 52 | 11 | 99 | 4,922 | 87.1% |
| 425.21 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0.0% |
| 426.20 | 934 | 3,562 | 1,205 | 25 | 611 | 21 | 23 | 175 | 6,556 | 85.8% |
| 426.21 | 749 | 1,816 | 740 | 11 | 631 | 8 | 12 | 140 | 4,107 | 81.8% |
| 426.22 | 1,197 | 1,100 | 835 | 8 | 383 | 22 | 13 | 124 | 3,682 | 67.5% |
| 426.23 | 1,188 | 1,675 | 471 | 10 | 220 | 15 | 12 | 140 | 3,731 | 68.2% |
| 426.24 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0.0% |

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**Table A-21 continued
City of Moreno Valley
Race/Ethnicity by Census Tract-2010**

| Census Tract | White alone | Hispanic or Latino | Black or African American alone | American Indian and Alaska Native alone | Asian alone | Native Hawaiian and Other Pacific Islander alone | Some Other Race alone | Two or More Races | Total | Percent Minority |
|--------------|-------------|--------------------|---------------------------------|---|-------------|--|-----------------------|-------------------|---------|------------------|
| 438.22 | 317 | 2,298 | 482 | 3 | 77 | 26 | 2 | 75 | 3,280 | 90.3% |
| 467.00 | 1,063 | 3,748 | 1,001 | 26 | 323 | 37 | 10 | 157 | 6,365 | 83.3% |
| 468.00 | 831 | 3,288 | 1,701 | 16 | 595 | 17 | 5 | 196 | 6,649 | 87.5% |
| 483.00 | 776 | 1,826 | 1,216 | 32 | 450 | 15 | 24 | 150 | 4,489 | 82.7% |
| 487.00 | 489 | 2,702 | 860 | 3 | 330 | 18 | 11 | 99 | 4,512 | 89.2% |
| 489.01 | 748 | 2,274 | 553 | 14 | 103 | 17 | 3 | 93 | 3,805 | 0.3% |
| 489.02 | 837 | 3,954 | 806 | 12 | 174 | 48 | 15 | 111 | 5,957 | 85.9% |
| 490.00 | 1,523 | 3,420 | 1,999 | 15 | 978 | 58 | 16 | 236 | 8,245 | 81.5% |
| 509.00 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0.0% |
| 511.00 | 960 | 2,908 | 1,632 | 19 | 409 | 50 | 21 | 189 | 6,188 | 84.5% |
| Total | 36,573 | 105,169 | 33,195 | 573 | 11,423 | 990 | 388 | 5,054 | 193,365 | 81.1% |

Source: American FactFinder, Census 2010, Summary File 1, Table P9, Hispanic or Latino by Race
Table construction by Castañeda & Associates

3. Sex (of Householder)

In the sale and rental of housing, fair housing laws protect several “classes” from discrimination. State and federal fair housing laws prohibit discrimination based on a person’s sex. The United States Department of Justice (DOJ) has stated:

The Fair Housing Act makes it unlawful to discriminate in housing on the basis of sex. In recent years, the Department’s focus in this area has been to challenge *sexual harassment* in housing. Women, particularly those who are *poor*, and with limited housing options, often have little recourse but to tolerate the humiliation and degradation of sexual harassment or risk having their families and themselves removed from their homes.

In addition, *pricing discrimination* in mortgage lending may also adversely affect women, particularly minority women. This type of discrimination is unlawful under both the Fair Housing Act and the Equal Credit Opportunity Act. [Emphasis added]

Source: United States Department of Justice, Civil Rights Division, Housing and Civil Enforcement Section, *The Fair Housing Act*, July 25, 2008, pages 2 and 3

Housing discrimination complaint data made on the bases of sex or gender are noted below:

- 2.4% of all complaints filed with the FHCRC between 2007 and 2012
- 6.9% of all cases filed with the DFEH between 2001 and 2010

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Table A-22 presents data on the number of male and female householders. The counts *exclude* married couple families as homes are typically owned or rented in both spouses' names. Excluding married couples, there are an estimated 22,592 householders of whom about 63% (14,300) are female and 37% (8,292) are male. About 4,300 female householders live alone or with nonrelatives, which represent about 30% (4,310/14,300) of all female householders.

Table A-22
City of Moreno Valley
Sex of Householder: 2010

| Sex of Householder | Number | Percentage |
|--|---------------|-------------------|
| Male Householder, No Wife Present | 4,191 | 18.5% |
| Male Householder Living Alone | 2,754 | 12.2% |
| Male Householder Living with Others | 1,347 | 6.0% |
| Subtotal | 8,292 | 36.7% |
| Female Householder, No Husband Present | 9,990 | 44.2% |
| Female Householder Living Alone | 3,340 | 14.8% |
| Female Householder Living with Others | 970 | 4.3% |
| Subtotal | 14,300 | 63.3% |
| Total | 22,592 | 100.0% |

Source: Census 2010, Table QT-H3: Tenure, Household Size and Age of Householder

Table construction by Castañeda & Associates

Poor women, as noted above by the DOJ, are often the victims of sexual harassment. About 36% of female householders with children have poverty incomes.

4. National Origin/Ancestry

The Fair Housing Act and California Fair Employment and Housing Act prohibit discrimination based upon national origin. According to the United States Department of Justice, such discrimination can be based either upon the country of an individual's birth or where his or her ancestors originated.

Housing discrimination complaint data made on the bases of national origin are noted below:

- 2.4% of all complaints filed with the FHCRC between 2007 and 2012
- 9.8% of all cases filed with the DFEH between 2001 and 2010

According to the 2010 Census the foreign born population consisted of about 48,000 persons or almost 25% of the City's total population. Of the foreign born population –

- 77.2% were born in Latin America
- 18.2% were born in Asia

Table A-23 shows the place of birth of the foreign born population.

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**Table A-23
City of Moreno Valley
Place of Birth of the Foreign Born Population**

| Place of Birth | Number | Percent |
|-----------------------|---------------|----------------|
| Europe | 911 | 1.9% |
| Asia | 8,728 | 18.2% |
| Africa | 719 | 1.5% |
| Oceania | 240 | 0.5% |
| Latin America | 37,021 | 77.2% |
| North America | 336 | 0.7% |
| Total | 47,955 | 100.0% |

Source: American FactFinder, American Community Survey 2006-2010 5-Year Estimates. Table S0502: Selected Characteristics of the Foreign-Born Population by Period of Entry into the United States

Note: The percentage of the foreign-born population ($46,427/187,428=24.8\%$) was obtained from ACS data and applied to Census 2010 population counts of 193,365 to obtain foreign born population estimate of 47,955

Table construction by Castañeda & Associates

Table A-24 shows that the race and ethnicity of the foreign born population reflects the place of birth or country of origin: 74.7% Hispanic or Latino and 16.8% Asian.

**Table A-24
City of Moreno Valley
Race of the Foreign-Born Population**

| Race | Number | Percent |
|--|---------------|----------------|
| One Race | 47,332 | 98.7% |
| White | 18,607 | 38.8% |
| Black or African American | 1,151 | 2.4% |
| American Indian and Alaska Native | 192 | 0.4% |
| Asian | 8,056 | 16.8% |
| Native Hawaiian and Other Pacific Islander | 48 | 0.1% |
| Some Other Race | 19,278 | 40.2% |
| Two or More Races | 623 | 1.3% |
| Total | 47,955 | 100.0% |
| Hispanic or Latino of Any Race | 35,822 | 74.7% |

Source: American Fact Finder, American Community Survey 2006-2010 5-Year Estimates. Table S0502: Selected Characteristics of the Foreign-Born Population by Period of Entry into the United States

Table construction by Castañeda & Associates

5. Familial Status

The Fair Housing Amendments Act of 1988 prohibits discriminatory housing practices based on familial status. In most instances, according to the United States Department of Justice, the Act prohibits a housing provider from refusing to rent or sell to families with children. However, housing may be designated as housing for older persons (55 years + of age). This type of housing, which meets the standards set forth in the Housing for Older Persons Act of 1995, may operate as "senior housing" and exclude families with children.

The Act protects families with children less than 18 years of age, pregnant women, or families in the process of securing custody of a child under 18 years of age. The Department of Justice has stated:

In addition to prohibiting the outright denial of housing to families with children, the Act also prevents housing providers from imposing any special requirements or conditions on tenants with children. For example, landlords may not locate families with children in any single portion of a complex, place an unreasonable restriction on the number of persons who may reside in a dwelling, or limit their access to recreational services provided to other tenants.

Source: United States Department of Justice, Civil Rights Division, Housing and Civil Enforcement Section, *The Fair Housing Act*, July 25, 2008, page 3

Housing discrimination complaint data made on the bases of familial status are noted below:

- 7.2% of all complaints filed with the FHCRC between 2007 and 2012
- 15.1% of all cases filed with the DFEH between 2001 and 2010

The DOJ points out that would be renters can be denied access to housing because of prohibited discriminatory practices while in-place renters can face housing discrimination due to the practices of housing providers.

Table A-25 shows there are an estimated 43,200 *family* households, which comprise about 84% of all households. About 24,100 family households have children; therefore, about 47% of all households have children less than 18 years of age (24,115/51,592). Families with children represent a significant number of all households. Most families with children are husband-wife, two parent families. But about 5,700 female householders have children less than 18 years of age.

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**Table A-25
City of Moreno Valley
Families With and Without Children: 2010**

| Type of Family | With Children < 18 Years | Percent | Without Children <18 Years | Percent | Total | Percent |
|---------------------------------------|------------------------------------|----------------|--------------------------------------|----------------|---------------|----------------|
| Husband-Wife Families | 16,210 | 55.9% | 12,790 | 44.1% | 29,000 | 100.0% |
| Female Householder No Husband Present | 5,687 | 56.9% | 4,303 | 43.1% | 9,990 | 100.0% |
| Male Householder No Wife Present | 2,218 | 52.9% | 1,973 | 47.1% | 4,191 | 100.0% |
| Total | 24,115 | 55.8% | 19,066 | 44.2% | 43,181 | 100.0% |

Source: Census 2010, DP-1: Profile of General Population and Housing Characteristics 2010
Table construction by Castañeda & Associates

6. Handicap/Disability

a. Background

The Fair Housing Amendments Act of 1988 prohibits discriminatory housing practices based on handicap/disability status in all types of housing transactions. Among other prohibitions, the Act is intended to prohibit the application of special restrictive covenants and conditional or special use permits that have the effect of limiting the ability of such individuals to live in the residence of their choice. Fair housing laws, therefore, make it illegal to deny a housing opportunity on the basis of disabilities.

In addition, the law prohibits applying one standard to one class of individuals while applying a different standard to another class of individuals. For example, it would be illegal to ask a disabled individual applying for an apartment to provide a credit report if non-disabled applicants do not have to provide one.

Housing discrimination complaint data made on the bases of handicap/disability are noted below:

- 47.3% of all complaints filed with the FHCRC between 2007 and 2012
- 26.1% of all cases filed with the DFEH between 2001 and 2010

Housing opportunities for disabled persons are impeded by practices in both the private and public sectors. For instance, “denied reasonable modification/accommodation” is often cited as an alleged act in housing discrimination complaints. Additionally, apartment rental ads often state “no pets allowed,” even though disabled persons may have service or companion animals. In the public sector, housing opportunities can be impeded because a community has not adopted a reasonable accommodation procedure, or if adopted has not made the procedure widely known in the community.

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The United States Department of Justice has indicated a major focus of its efforts is on public sector impediments that may restrict housing opportunities for disabled persons. The Department has stated:

The Division's enforcement of the Fair Housing Act's protections for persons with disabilities has concentrated on two major areas. One is insuring that zoning and other regulations concerning land use are not employed to hinder the residential choices of these individuals, including unnecessarily restricting communal, or congregate, residential arrangements, such as group homes. The second area is insuring that newly constructed multifamily housing is built in accordance with the Fair Housing Act's accessibility requirements so that it is accessible to and usable by people with disabilities, and, in particular, those who use wheelchairs.

Source: United States Department of Justice, Civil Rights Division, Housing and Civil Enforcement Section, *The Fair Housing Act*, July 25, 2008, page 4

b. Estimates of People with Disabilities and Types of Disabilities

About 15,500 residents have one or more disabilities, according to data from the 2010 Census and 2010 American Community Survey. Table A-26 shows the number of disabled persons by age group. The elderly experience the highest disability prevalence rate – that is, about 44% of all persons 65 years of age and older have one or more disability.

**Table A-26
City of Moreno Valley
Disability Status of Civilian Non-institutionalized
Population by Age Group – April 2010**

| Age Group | Total Population | Disabled Population | Percent Disabled |
|-------------|------------------|---------------------|------------------|
| < 5 years | 16,175 | 0 | 0.0% |
| 5-17 years | 46,285 | 1,527 | 3.3% |
| 18-64 years | 118,695 | 8,546 | 7.2% |
| 65 years + | 12,127 | 5,384 | 44.4% |
| Total | 193,282 | 15,457 | 8.0% |

Note: Total population by age group is based on the 2010 Census. Also excluded is the institutionalized population of 83 persons. 36 institutionalized persons less than 18 years of age are subtracted from the 5-17 age group, 40 institutionalized persons are subtracted from the 18-64 years of age total population and 7 are subtracted from the 65+ age group total.

Sources: 2010 Census Summary File 1, Table P12 Sex by Age (total population by age group)

2010 Census Summary File 1, Table QT-P13 Group Quarters Population by Sex, Age, and Type of Group Quarters: 2010 (institutionalized population by age group)

Source: American FactFinder, U.S. Census Bureau, 2010 American Community Survey 1-Year Estimates, Table S1810, Disability Characteristics

Table construction by Castañeda & Associates

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The 2010 American Community Survey asks respondents about six different types of disabilities:

- Hearing difficulty – “deaf or [had] serious difficulty hearing.”
- Vision difficulty – “blind or [had] serious difficulty even when wearing glasses.”
- Cognitive difficulty – “serious difficulty concentrating, remembering, or making decisions.”
- Ambulatory difficulty – “serious difficulty walking or climbing stairs.”
- Self-care difficulty – “difficulty dressing or bathing.”
- Independent living difficulty – difficulty doing errands alone such as visiting a doctor’s office or shopping.”

Table A-27 shows that the most prevalent disabilities are “ambulatory difficulty” and “independent living difficulty.” Elderly people experience both of these difficulties.

**Table A-27
City of Moreno Valley
Types of Disabilities by Age Group**

| Types of Disability | <5 Yrs of Age | 5 to 17 Yrs of Age | 18 to 64 Yrs of Age | 65 Yrs of Age+ | Total |
|---------------------------------------|-------------------------|---------------------------|----------------------------|-----------------------|--------------|
| With a hearing difficulty | 0 | 93 | 1,306 | 2,062 | 3,461 |
| With a vision difficulty | 0 | 185 | 1,662 | 291 | 2,138 |
| With a cognitive difficulty | 0 | 1,203 | 2,611 | 1,734 | 5,548 |
| With a ambulatory difficulty | 0 | 139 | 4,629 | 3,614 | 8,382 |
| With a self-care difficulty | 0 | 370 | 1,780 | 1,613 | 3,763 |
| With an independent living difficulty | 0 | 0 | 3,323 | 3,020 | 6,343 |
| Total disabilities | 0 | 1,990 | 15,311 | 12,334 | 29,635 |
| People with one or more disability | 0 | 1,527 | 8,546 | 5,384 | 15,457 |
| Disabilities per disabled person | 0 | 1.3 | 1.79 | 2.29 | 1.92 |

Sources: 2010 Census Summary File 1, Table P12 Sex by Age (total population by age group)
 2010 Census Summary File 1, Table QT-P13 Group Quarters Population by Sex, Age, and Type of Group Quarters: 2010 (institutionalized population by age group)
 Source: American FactFinder, U.S. Census Bureau, *2010 American Community Survey 1-Year Estimates, Sex By Disability Status*.
 Table construction by Castañeda & Associates

About 2,470 elderly households – 2,065 owners and 405 renters - have disabilities, sometimes two or more disabilities. Elderly disabled owners may need home modifications as they age in place and permission from the City to make exterior modifications such as constructing ramps in the side yard. Elderly disabled renters may need permission for reasonable modifications and accommodations from their landlord.

About 1,658 elderly households – 1,386 owners and 272 renters – experience ambulatory difficulties, which is an indicator of the need for accessible housing. A greater number of people 18-64 years of age than those 65 years + have ambulatory difficulties. It is possible that many of these people belong to the 62-64 years of age group. Additionally, it is possible that many disabled persons have a need for service and companion animals.

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(The average 65 years + household size of 2.18 was applied to the 5,384 persons 65 years + to estimate the number of 65 years + disabled households – $5,384/2.18 = 2,470$. The percentage of owners (83.6%) and renters (16.4%) was then applied to the 2,470 households to estimate the number of owners and renters 65 years +.)

7. Marital Status

The California Fair Employment and Housing Act prohibits discrimination based on marital status. The applicable state regulation defines marital status as –

(a) an individual's state of marriage, non-marriage, divorce or dissolution, separation, widowhood, annulment, or other marital status.

Essentially, this means that all persons in a household or establishing a household fall within the meaning of this fair housing protect group. People are covered regardless of marital status or the state of marriage or non-marriage.

Housing discrimination complaint data made on the bases of marital status are noted below:

- 0% of all complaints filed with the FHCRC between 2007 and 2012
- 2.1% of all cases filed with the DFEH between 2001 and 2010

The 2010 *American Community Survey* has five “marital status” categories:

- Never married
- Now married, except separated
- Separated
- Widowed
- Divorced

These terms refer to the marital status at the time of the survey. A married couple includes a family in which the householder and his or her spouse are enumerated as members of the same household. The “now married, except separated” category includes all married people except those who are now legally married but separated. Separated persons are included in a different category. In selected tabulations, data for married and separated people are reorganized and combined with information on the presence of the spouse in the same household. The *American Community Survey* reports the marital status of the male and female population that is 15 years of age and older. Table A-28 shows that about 47% of the population 15 years of age or older are married and about 37% have never married.

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Table A-28
City of Moreno Valley
Marital Status of the Population 15 Years and Over: 2010

| Marital Status | Females | Percent | Males | Percent | Total | Percent |
|-------------------------------|----------------|----------------|---------------|----------------|----------------|----------------|
| Never Married | 26,519 | 35.8% | 26,964 | 39.3% | 53,482 | 37.5% |
| Now Married, Except Separated | 31,905 | 43.0% | 34,855 | 50.8% | 66,760 | 46.8% |
| Separated | 3,323 | 4.5% | 1,341 | 2.0% | 4,664 | 3.3% |
| Widowed | 5,076 | 6.8% | 534 | 0.8% | 5,610 | 3.9% |
| Divorced | 7,309 | 9.9% | 4,942 | 7.2% | 12,251 | 8.6% |
| Total | 74,132 | 100.0% | 68,636 | 100.0% | 142,768 | 100.0% |

Sources: 2010 American Community Survey 1-Year Estimates, Table DP02, Selected Social Characteristics, Marital Status Census 2010 Summary File 1, Table P12 Sex by Age
 Table construction by Castañeda & Associates

G. COMPARISON OF THE STATUS AND WELL-BEING OF PROTECTED GROUPS

Part F explores the relative well-being of the fair housing protected groups. For example, how do each of the groups compare with regard to income, poverty and crowding.

1. Annual Median Household Income

Table A-29 shows in rank order the median household incomes for difference races and the Hispanic population. Four population groups have median incomes above and four have median incomes below the City average of \$48,907. The Black households have the lowest median household income - \$31,900 – which helps to explain the relatively high poverty rate of this group. The 2010 median households unfortunately must be interpreted with caution because of the large margins of error (refer to table footnotes.)

2. Poverty Income

Although there are different types of poverty, the most common meaning refers to “income poverty,” or the lack of sufficient income to meet minimum consumption needs. Poverty then refers to persons who are income poor and, perhaps, have no income at all. According to the U.S. Census Bureau, the poverty thresholds are dollar amounts used to determine poverty status. The Office of Management and Budget (OMB) in Statistical Policy Directive 14 established the official measure of poverty.

The poverty thresholds were originally derived in 1963-1964 using U.S. Department of Agriculture food budgets designed for families under economic stress. At the core of the poverty definition was the economy food plan – that is, the least costly of four nutritionally adequate food plans designed by the USDA. The poverty thresholds have been the subject of much criticism. For example, the official measure does not take into account California's higher cost of living and regional differences – urban versus rural – within the State.

Attachment 3 provides more detailed information on the meaning and estimation of poverty income. In 2010 a mother with two children would be considered poor if her annual income was less than \$17,568. A husband-wife family with two children would be classified as poor if their annual income was less than \$22,113.

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**Table A-29
City of Moreno Valley
Median Household Income by
Race and Ethnicity of Householder in Rank Order– 2010**

| Race of Householder | Median Income¹ | Number of Households |
|--|----------------------------------|-----------------------------|
| Hawaiian/Pacific Islander Alone ² | \$74,250 | 220 |
| Two or More Races | \$69,259 | 1,053 |
| White Alone, Not Hispanic | \$65,830 | 13,672 |
| Asian Alone | \$55,527 | 3,173 |
| Hispanic | \$44,939 | 22,660 |
| Some Other Race Alone | \$44,493 | 106 |
| American Indian/Alaskan Alone ² | \$42,361 | 188 |
| Black/African American Alone | \$31,929 | 10,520 |
| All Households | \$48,907 | 51,592 |

¹The Margin of error for All Households is +/- \$5,318; White Alone is +/- \$5,774; Hispanic or Latino Households is +/- \$6,647; Black or African American Households is +/- \$9,941; Asian Households is +/- \$29,272; Some Other Race Alone is +/- \$10,385; Two or More Races +/- \$24,635

²Median Income determined from American Community Survey 5-Year Estimates. American Indian/Alaska Native +/- \$43,345; Hawaiian Other Pacific Islander +/- \$38,791

Sources: 2010 American Community Survey 1-Year Estimates Tables B19013, B19013B, B19013C, B19013D, B19013E, B19013F, B19013G, B19013H and B19013I.

Census 2010 Summary File 1, Table HCT1: Tenure by Hispanic or Latino Origin of Householder by Race of Householder
Table construction by Castañeda & Associates

a. Poverty Income by Race and Ethnicity

About one in five householders have poverty incomes. Table A-30 shows the poverty rates by race and ethnicity which range from a low of 4.4% (Native Hawaiian or Other Pacific Islander) to a high of 35.8% (Asian). The Black population also has a high poverty rate. Although poverty rates differ, any household with such low incomes – regardless of race or ethnicity – would be unable to afford market rate housing. Their freedom to attain their housing of choice is severely restricted. (As noted in the table footnote, the margin of error for the Asian poverty rate was +/- 18%.)

b. Poverty Income by Familial Status and Presence of Children

Poverty by family type offers another indicator of the well-being of the fair housing protected groups. Female householders with children often confront bias in the rental housing market. Their access to decent housing also is made more difficult by poverty. Table A-31 shows that female households have significantly higher poverty rates than other household types. Female heads of households both with and without children under 18 experience the highest poverty income rates. About 2,000 female householders with children live in poverty, or about 36% of all such household types.

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**Table A-30
City of Moreno Valley
Poverty Status by Race and Ethnicity – 2010**

| Race/Ethnicity | 2010 Population | Number Below Poverty Level | Percent Below Poverty Level |
|---|----------------------------|---------------------------------------|--|
| One Race | | | |
| White | 80,969 | 13,198 | 16.3% |
| Black or African American | 34,889 | 9,455 | 27.1% |
| American Indian and Alaskan Native | 1,721 | 150 | 8.7% |
| Asian | 11,867 | 4,248 | 35.8% |
| Native Hawaiian or Other Pacific Islander | 1,117 | 49 | 4.4% |
| Some Other Race | 51,741 | 10,141 | 19.6% |
| Two or More Races | 11,061 | 1,206 | 10.9% |
| Total | 193,365 | 37,513 | 19.4% |
| Hispanic or Latino of any race | 105,169 | 19,456 | 18.5% |
| White Alone, Not Hispanic | 36,573 | 4,828 | 13.2% |

Note: American Indian/Alaska Native and Native Hawaiian or Other Pacific Islander based on American Community Survey 5-year Estimates

Note: Margin of error for Asian population is +/- 18%

Source: 2010 Census, DP-1 Profile of General Population and Housing Characteristics

2010 American Community Survey 1-Year Estimates, Table S1701, Poverty Status in the Past 12 Months

Table construction by Castañeda & Associates

**Table A-31
City of Moreno Valley
Poverty Status by Familial Status and Presence of Children-2010**

| Family Type | Total Number of Families | Number Below Poverty Level | Percent Below Poverty Level |
|--|-------------------------------------|---------------------------------------|--|
| Married Couple Families | 29,000 | 3,712 | 12.8% |
| With related children under 18 years | 16,210 | 2,772 | 17.1% |
| Female Householder, no husband present | 9,990 | 3,127 | 31.3% |
| With related children under 18 years | 5,687 | 2,042 | 35.9% |
| All Families | 43,181 | 7,513 | 17.4% |
| With related children under 18 years | 24,115 | 5,161 | 21.4% |

Note: Table does not include Male Householder, No Wife Present (4,191) With Own Children (2,218).

Source: American FactFinder, 2010 American Community Survey (ACS) 1-Year Estimates, Table S1702 Poverty Status in the Past 12 Months of Families

2010 Census, DP-1 Profile of General Population and Housing Characteristics: 2010, Households by Type.

Characteristics: 2010, Households by Type

Table construction by Castañeda & Associates

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c. Poverty Income by Citizenship Status

Housing discrimination based on foreign status and ancestry is prohibited. Table A-32 shows that the foreign born population has a somewhat higher poverty rate than the native population. Naturalized citizens, on the other hand, have a poverty rate of 9.8%.

Table A-32
City of Moreno Valley
Poverty Status by Citizenship Status-2010

| Citizenship Status | Total Persons | Percent Below Poverty Level |
|---------------------------|----------------------|------------------------------------|
| Native | 22,509 | 15.5% |
| Foreign Born | 8,859 | 18.4% |
| Naturalized Citizen | 1,895 | 9.8% |

Note: ACS percentage distribution applied to 2010 population
Source: American FactFinder, 2006-2010 American Community Survey (ACS) 5-Year Estimates, Table S1703, Selected Characteristics of People at Specified Levels of Poverty in the Past 12 Months
Table construction by Castañeda & Associates

According to the *American Community Survey*:

The native population includes anyone who was a U.S. citizen or a U.S. national at birth. This includes respondents who indicated they were born in the United States, Puerto Rico, a U.S. Island Area (such as Guam), or abroad of American (U.S. citizen) parent or parents.

The foreign-born population includes anyone who was not a U.S. citizen or a U.S. national at birth. This includes respondents who indicated they were a U.S. citizen by naturalization or not a U.S. citizen.

The American Community Survey questionnaires do not ask about immigration status. The population surveyed includes all people who indicated that the United States was their usual place of residence on the survey date. The foreign-born population includes naturalized U.S. citizens, lawful permanent residents (i.e. immigrants), temporary migrants (e.g., foreign students), humanitarian migrants (e.g., refugees), and unauthorized migrants (i.e. people illegally present in the United States).

3. Homeownership

a. Homeownership By Race and Ethnicity

Existing and would be home owners primarily can experience housing discrimination during the process of buying a home. For instance, discriminatory behavior could be made by real estate agents, appraisers, lenders, and home insurance agents. Renters, on the other hand, could be denied access to housing while in-place tenants could be discriminated against by landlords. Most housing discrimination complaints are made by renters.

APPENDIX A – FAIR HOUSING COMMUNITY PROFILE

Table A-33 shows that the City has about 33,400 owner and 18,200 renter households. Hispanic or Latino renters comprise about 8,100 of the 18,200 renters. The City's homeownership rate was almost 65% in 2010. Homeownership rates ranged from a low of 48.2% (Native Hawaiian or Other Pacific Islander) to a high of almost 76% (White Alone). Only two groups – Asians and White Alone – had home ownership rates higher than the City's average.

**Table A-33
City of Moreno Valley
Homeownership Rates by Race and Ethnicity: 2010**

| Race/Ethnicity | Owners | Percent | Renters | Percent | Total Households | Percent* |
|---|---------------|----------------|----------------|----------------|-------------------------|-----------------|
| White | 10,382 | 75.9% | 3,290 | 24.1% | 13,672 | 26.5% |
| Black or African American | 5,354 | 50.9% | 5,166 | 49.1% | 10,520 | 20.4% |
| American Indian/Alaska Native | 104 | 55.3% | 84 | 44.7% | 188 | 0.4% |
| Asian | 2,312 | 72.9% | 861 | 27.1% | 3,173 | 6.2% |
| Native Hawaiian or Other Pacific Islander | 106 | 48.2% | 114 | 51.8% | 220 | 0.4% |
| Some Other Race | 54 | 50.9% | 52 | 49.1% | 106 | 0.2% |
| Two or More Races | 569 | 54.0% | 484 | 46.0% | 1,053 | 2.0% |
| Hispanic or Latino | 14,512 | 64.0% | 8,148 | 36.0% | 22,660 | 43.9% |
| Total | 33,393 | 64.7% | 18,199 | 35.3% | 51,592 | 100.0% |

Refers to % of all households

Sources: American FactFinder, Census 2010 Summary File 1, Table HCT1: Tenure by Hispanic or Latino Origin of Householder by Race of Householder

Table construction by Castañeda & Associates

b. Homeownership By Familial Status

The need for fair housing services is directly correlated to size of the fair housing protected groups against whom housing discrimination is practiced. Moreno Valley has about 24,100 families with children. Families with children – most frequently renters – face housing discrimination. Almost 10,200 renter households have children. Table A-34 shows the number of families with and without children by tenure.

**Table A-34
City of Moreno Valley
Tenure by Presence of Children - 2010**

| Presence of Children | Owner | Percent | Renter | Percent | Total | Percent |
|----------------------------------|---------------|----------------|---------------|----------------|---------------|----------------|
| With Own Children Under 18 Years | 13,960 | 41.8% | 10,155 | 55.8% | 24,115 | 46.7% |
| No Own Children Under 18 Years | 19,433 | 58.2% | 8,044 | 44.2% | 27,477 | 53.3% |
| Total | 33,393 | 100.0% | 18,199 | 100.0% | 51,592 | 100.0% |

Source: American FactFinder, Census 2010, Summary File 1, Table HCT2: Tenure by Presence and Age of Own Children.

Table construction by Castañeda & Associates

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c. Homeownership By Household Type and Sex of Householder

Table A-35 provides information on the fair housing protected groups of sex and familial status. About 14,300 female householders call Moreno Valley home, which is almost 28% of all households. About 7,100 of the 14,300 female householders are renters. That means that about 40% of all renters are female householders.

**Table A-35
City of Moreno Valley
Tenure by Household Type-2010**

| Household Type | Owner | Percent | Renter | Percent | Total | Percent |
|--|---------------|--------------|---------------|--------------|---------------|---------------|
| Husband-Wife Families | 21,629 | 74.6% | 7,371 | 25.4% | 29,000 | 56.2% |
| Male Householder, No Wife Present | 2,320 | 55.4% | 1,871 | 44.6% | 4,191 | 8.1% |
| Female Householder, No Husband Present | 4,649 | 46.5% | 5,341 | 53.5% | 9,990 | 19.4% |
| Male Householder Living Alone | 1,593 | 57.8% | 1,161 | 42.2% | 2,754 | 5.3% |
| Male Householder Living With Others | 689 | 51.2% | 658 | 48.8% | 1,347 | 2.6% |
| Female Householder Living Alone | 2,009 | 60.1% | 1,331 | 39.9% | 3,340 | 6.5% |
| Female Householder Living With Others | 504 | 52.0% | 466 | 48.0% | 970 | 1.9% |
| Total | 33,393 | 64.7% | 18,199 | 35.3% | 51,592 | 100.0% |

Source: American FactFinder, Census 2010, Summary File 1, Table QT-H2: Tenure, Household Size, and Age of Householder

Table construction by Castañeda & Associates

4. Overcrowding by Race and Ethnicity

HUD CHAS data provides estimates of the number of occupants per room based on the 2005-2009 American Community Survey (ACS). The following definitions apply to this topic:

Occupants per room are obtained by dividing the number of people in each occupied housing unit by the number of rooms in the unit. The figures show the number of occupied housing units having the specified ratio of people per room. Although *the Census Bureau has no official definition of crowded units*, many users consider units with more than one occupant per room to be crowded.

For each unit, rooms include living rooms, dining rooms, kitchens, bedrooms, finished recreation rooms, enclosed porches suitable for year-round use, and lodger's rooms. Excluded are strip or pullman kitchens, bathrooms, open porches, balconies, halls or foyers, half-rooms, utility rooms, unfinished attics or basements, or other unfinished space used for storage. A partially divided room is a separate room only if there is a partition from floor to ceiling, but not if the partition consists solely of shelves or cabinets.

Table A-36 shows the crowding data by race and ethnicity. About one of every six Hispanic households are "crowded" and Hispanic households comprise 82% of all "crowded" households.

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**Table A-36
City of Moreno Valley
Occupants per Room by Race/Ethnicity-2010**

| Race/Ethnicity | Less than 1.00 | 1.01 or More | Total | Percent Overcrowded |
|-------------------------------------|-----------------------|---------------------|---------------|----------------------------|
| White Alone, Not Hispanic or Latino | 13,447 | 225 | 13,672 | 1.6% |
| Hispanic or Latino | 18,967 | 3,693 | 22,660 | 16.3% |
| Black or African American | 10,466 | 54 | 10,520 | 0.5% |
| Asian | 2,722 | 451 | 3,173 | 14.2% |
| Am. Indian or Alaska Native | 170 | 18 | 188 | 9.6% |
| Nat. Hawaiian or Other Pac. Isl. | 145 | 75 | 220 | 34.3% |
| Some Other Race | 85 | 21 | 106 | 19.6% |
| Two or More Races | 972 | 81 | 1,053 | 7.7% |
| Total | 47,085 | 4,507 | 51,592 | 8.7% |

Source: American FactFinder, 2010 American Community Survey 1-Year Estimates, Tables B25014B-I:
Tenure by Occupants per Room

Notes: American Indian and Native Hawaiian based on 5 year estimates
% applied to 2010 households count by race and ethnicity

Table construction by Castañeda & Associates

A home with a living room, dining room, kitchen, 3 bedrooms, and an enclosed porch would need to have seven people to reach the 1.0 ratio whereas six people would not be deemed crowded. But it important to observe that the Census Bureau has *no official definition* of crowded units and that occupants per room is merely a ratio that measures the number of occupants per room.

An often quoted occupancy standard is two persons per bedroom or two persons per bedroom plus one additional person. Thus, six or seven persons could live in a 3-bedroom housing unit and not be considered crowded.

However, strict occupancy standards could adversely impact Hispanic households. Moreover, people who live in housing with 1.0 or more occupants per room may not think they are crowded.

Source: Ellen Pader, *Housing Occupancy Standards: Inscribing Ethnicity and Family Relations on the Land*, Journal of Architectural and Planning Research, Winter 2002, pages 300-318

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Attachment A Fair Housing Protected Classes

Title VIII of the Civil Rights Act of 1968 (Fair Housing Act), as amended, prohibits discrimination in the sale, rental, and financing of dwellings, and in other housing-related transactions, based on race, color, national origin, religion, sex, familial status (including children under the age of 18 living with parents or legal custodians, pregnant women, and people securing custody of children under the age of 18), and handicap (disability). These categories of persons are “protected classes” under the provisions of the Fair Housing Act.

Race: The Fair Housing Act does not define race. Data on race is required for many federal programs and the Census Bureau collects race data in accordance with guidelines provided by the U.S. Office of Management and Budget (OMB) and these data are based on self-identification. The racial categories included in the census form generally reflect a *social definition* of race recognized in this country, and are not an attempt to define race biologically, anthropologically or genetically. In addition, the Census Bureau recognizes that the categories of the race item include both racial and national origin or socio-cultural groups. Census 2010 and the American Community Survey provide for six race categories: White; Black, African American or Negro; American Indian or Alaska Native; Asian; Native Hawaiian or Other Pacific Islander; and Some Other Race.

Color: The Fair Housing Act does not define color. However, it must refer to the complexion of a person's skin color or pigmentation. The 2010 racial categories can be traced to Statistical Policy Directive No.15, promulgated by the OMB on May 12, 1977. “The four racial categories stipulated in the (1977) directive parallel the classic nineteenth-century color designations of black, white, red (American Indian or Alaska native), and yellow (Asian or Pacific Islander); there is no brown race in the American ethnoracial taxonomy.” [Victoria Hattam, “Ethnicity & the Boundaries of Race: Re-reading Directive 15,” *Daedalus*, Winter 2005, page 63]

Religion: According to the United States Department of Justice, this prohibition covers instances of overt discrimination against members of a particular religion as well as less direct actions, such as zoning ordinances designed to limit the use of private homes as places of worship.

Sex: This basis refers to gender identity. California's Fair Employment and Housing Act defines “sex” as including, but not limited to, pregnancy, childbirth, medical conditions related to pregnancy or childbirth and a person's gender, as defined in Section 422.56 of the Penal Code. Government Code Section 12926(p)

National Origin: This basis refers to the real or perceived country of an individual's birth, ancestry, language and/or customs.

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Familial Status: According to Section 802(k) of the Fair Housing Act, as amended, means one or more individuals (who have not attained the age of 18 years) being domiciled with--

- (1) a parent or another person having legal custody of such individual or individuals;
or
- (2) the designee of such parent or other person having such custody, with the written permission of such parent or other person.

The protections afforded against discrimination on the basis of familial status shall apply to any person who is pregnant or is in the process of securing legal custody of any individual who has not attained the age of 18 years.

Handicap (Disability): According to Section 802(h) of the Fair Housing Act, as amended, handicap/disability means -

- (1) a physical or mental impairment which substantially limits one or more of such person's major life activities,
- (2) a record of having such an impairment, or
- (3) being regarded as having such an impairment, but such term does not include current, illegal use of or addiction to a controlled substance (as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802)).

The two special rights extended to the disabled include: 1) the right to make reasonable modifications to a dwelling to enable them to live there comfortably, and 2) the responsibility of management to make reasonable accommodations in order to allow the disabled person to fully enjoy their tenancy. An accommodation, in most cases, involves modifying a policy, procedure, service or rule, such as allowing assistive animals when no pets are allowed, or assigned special parking spaces.

California's Fair Employment and Housing Act (FEHA) is the primary state law which prohibits discrimination in the sale, rental, lease negotiation, or financing of housing. The FEHA has five additional protected classes: sexual orientation, marital status, ancestry, source of income and age.

Sexual Orientation: The FEHA defines this basis as heterosexuality, homosexuality, and bisexuality. Government Code Section 12926(q)

Marital Status: The applicable state regulation defines marital status as "(a)n individual's state of marriage, non-marriage, divorce or dissolution, separation, widowhood, annulment, or other marital status."

Ancestry: According to the U.S. Census Bureau, "Ancestry refers to a person's ethnic origin, heritage, descent, or "roots," which may reflect their place of birth or that of previous generations of their family. Some ethnic identities, such as 'Egyptian' or 'Polish' can be traced to geographic areas outside the United States, while other ethnicities such as 'Pennsylvania German' or 'Cajun' evolved in the United States.

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Source of Income: Source of income means lawful, verifiable income paid directly to tenant or paid to a representative of a tenant. A landlord is not considered a representative of a tenant. For purposes of the FEHA, it shall not constitute discrimination based on source of income to make a written or oral inquiry concerning the level or source of income.

Age: Age refers to the chronological age of any individual who has reached his or her 40th birthday.

Arbitrary: Arbitrary discrimination is prohibited. For instance, this means when management deliberately or arbitrarily discriminates against a person or group of persons based on personal characteristics. This might include, for example, persons with tattoos, numerous body piercings, unusual hair styles, overweight persons, etc.

Attachment B 2010 Census Definitions of Race and Hispanic/Latino

The data on race were derived from answers to the question on race that was asked of all people. The U.S. Census Bureau collects race data in accordance with guidelines provided by the U.S. Office of Management and Budget (OMB), and these data are based on self-identification. The racial categories included in the census questionnaire generally reflect a social definition of race recognized in this country and not an attempt to define race biologically, anthropologically, or genetically. In addition, it is recognized that the categories of the race item include racial and national origin or sociocultural groups. People may choose to report more than one race to indicate their racial mixture, such as “American Indian” *and* “White.” People who identify their origin as Hispanic, Latino, or Spanish may be of any race.

The racial classifications used by the Census Bureau adhere to the October 30, 1997, *Federal Register* notice entitled, “Revisions to the Standards for the Classification of Federal Data on Race and Ethnicity” issued by OMB. These standards govern the categories used to collect and present federal data on race and ethnicity. OMB requires five minimum categories (White, Black or African American, American Indian or Alaska Native, Asian, and Native Hawaiian or Other Pacific Islander) for race. The race categories are described below with a sixth category, “Some Other Race,” added with OMB approval. In addition to the five race groups, OMB also states that respondents should be offered the option of selecting one or more races.

If an individual did not provide a race response, the race or races of the householder or other household members were allocated using specific rules of precedence of household relationship. For example, if race was missing for a natural-born child in the household, then either the race or races of the householder, another natural-born child, or spouse of the householder were allocated.

If race was not reported for anyone in the household, then their race was assigned based on their prior Census record (either from Census 2000 or the American Community Survey), if available. If not, then the race or races of a householder in a previously processed household were allocated.

Definitions from OMB guide the Census Bureau in classifying written responses to the race question:

White. A person having origins in any of the original peoples of Europe, the Middle East, or North Africa. It includes people who indicate their race as “White” or report entries such as Irish, German, Italian, Lebanese, Arab, Moroccan, or Caucasian.

Black or African American. A person having origins in any of the Black racial groups of Africa. It includes people who indicate their race as “Black, African Am., or Negro” or report entries such as African American, Kenyan, Nigerian, or Haitian.

American Indian or Alaska Native. A person having origins in any of the original peoples of North and South America (including Central America) and who maintains tribal affiliation or community attachment. This category includes people who indicate their race as “American Indian or Alaska Native” or report entries such as Navajo, Blackfeet, Inupiat, Yup’ik, or Central American Indian groups or South American Indian groups.

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Respondents who identified themselves as “American Indian or Alaska Native” were asked to report their enrolled or principal tribe. Therefore, tribal data in tabulations reflect the written entries reported on the questionnaires. Some of the entries (for example, Metlakatla Indian Community and Umatilla) represent reservations or a confederation of tribes on a reservation. The information on tribe is based on self-identification and therefore does not reflect any designation of federally or state-recognized tribe. The information for the 2010 Census was derived from the American Indian and Alaska Native Tribal Classification List for Census 2000 and updated from 2002 to 2009 based on the annual *Federal Register* notice entitled “Indian Entities Recognized and Eligible to Receive Services From the United States Bureau of Indian Affairs,” Department of the Interior, Bureau of Indian Affairs, issued by OMB, and through consultation with American Indian and Alaska Native communities and leaders.

Asian. A person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam. It includes people who indicate their race as “Asian Indian,” “Chinese,” “Filipino,” “Korean,” “Japanese,” “Vietnamese,” and “Other Asian” or provide other detailed Asian responses.

Native Hawaiian or Other Pacific Islander. A person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands. It includes people who indicate their race as “Native Hawaiian,” “Guamanian or Chamorro,” “Samoan,” and “Other Pacific Islander” or provide other detailed Pacific Islander responses.

Some Other Race. Includes all other responses not included in the “White,” “Black or African American,” “American Indian or Alaska Native,” “Asian,” and “Native Hawaiian or Other Pacific Islander” race categories described above. Respondents reporting entries such as multiracial, mixed, interracial, or a Hispanic, Latino, or Spanish group (for example, Mexican, Puerto Rican, Cuban, or Spanish) in response to the race question are included in this category.

Two or More Races. People may choose to provide two or more races either by checking two or more race response check boxes, by providing multiple responses, or by some combination of check boxes and other responses. The race response categories shown on the questionnaire are collapsed into the five minimum race groups identified by OMB and the Census Bureau’s “Some Other Race” category. For data product purposes, “Two or More Races” refers to combinations of two or more of the following race categories:

1. White
2. Black or African American
3. American Indian or Alaska Native
4. Asian
5. Native Hawaiian or Other Pacific Islander
6. Some Other Race

There are 57 possible combinations involving the race categories shown above. Thus, according to this approach, a response of “White” and “Asian” was tallied as Two or More Races, while a response of “Japanese” and “Chinese” was not because “Japanese” and “Chinese” are both Asian responses.

Hispanic or Latino Origin

The data on the Hispanic or Latino population were derived from answers to a question that was asked of all people. The terms “Hispanic,” “Latino,” and “Spanish” are used interchangeably. Some respondents identify with all three terms, while others may identify with only one of these three specific terms. People who identify with the terms “Hispanic,” “Latino,” or “Spanish” are those who classify themselves in one of the specific Hispanic, Latino, or Spanish categories listed on the questionnaire (“Mexican,” “Puerto Rican,” or “Cuban”) as well as those who indicate that they are “another Hispanic, Latino, or Spanish origin.” People who do not identify with one of the specific origins listed on the questionnaire but indicate that they are “another Hispanic, Latino, or Spanish origin” are those whose origins are from Spain, the Spanish-speaking countries of Central or South America, or the Dominican Republic. Up to two write-in responses to the “another Hispanic, Latino, or Spanish origin” category are coded.

Origin can be viewed as the heritage, nationality group, lineage, or country of birth of the person or the person’s parents or ancestors before their arrival in the United States. People who identify their origin as Hispanic, Latino, or Spanish may be of any race.

Some tabulations are shown by the origin of the householder. In all cases where the origin of households, families, or occupied housing units is classified as Hispanic, Latino, or Spanish, the origin of the householder is used. If an individual did not provide a Hispanic origin response, their origin was allocated using specific rules of precedence of household relationship. For example, if origin was missing for a natural-born child in the household, then either the origin of the householder, another natural-born child, or spouse of the householder was allocated.

If Hispanic origin was not reported for anyone in the household and origin could not be obtained from a response to the race question, then their origin was assigned based on their prior census record (either from Census 2000 or the American Community Survey), if available. If not, then the Hispanic origin of a householder in a previously processed household with the same race was allocated. As in Census 2000, surnames (Spanish and non-Spanish) were used to assist in allocating an origin or race.

Comparability. There are four changes to the Hispanic origin question for the 2010 Census. First, the wording of the question differs from that in 2000. In 2000, the question asked if the person was “Spanish/Hispanic/Latino.” In 2010, the question asks if the person is “of Hispanic, Latino, or Spanish origin.” Second, in 2000, the question provided an instruction, “Mark the ‘No’ box if **not** Spanish/Hispanic/ Latino.” The 2010 Census question provided no specific instruction for non-Hispanics. Third, in 2010, the “Yes, another Hispanic, Latino, or Spanish origin” category provided examples of six Hispanic origin groups (Argentinean, Colombian, Dominican, Nicaraguan, Salvadoran, Spaniard, and so on) and instructed respondents to “print origin.” In 2000, no Hispanic origin examples were given. Finally, the fourth change was the addition of a new instruction in the 2010 Census that was not used in Census 2000. The instruction is stated as follows: “NOTE: Please answer BOTH Question 8 about Hispanic origin and Question 9 about race. For this census, Hispanic origins are not races.”

There were two changes to the Hispanic origin question for Census 2000. First, the sequence of the race and Hispanic origin questions for Census 2000 differed from that in 1990; in 1990, the race question preceded the Hispanic origin question. Testing prior to Census 2000 indicated that response to the Hispanic origin question could be improved by placing it before the race question without affecting the response to the race question. Second, there was an instruction preceding the Hispanic origin question indicating that respondents should answer both the

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Hispanic origin and the race questions. This instruction was added to give emphasis to the distinct concepts of the Hispanic origin and race questions, and emphasized the need for both pieces of information.

Furthermore, there was a change in the processing of the Hispanic origin and race responses. In the 1990 census, respondents provided Hispanic origin responses in the race question and race responses in the Hispanic origin question. In 1990, the Hispanic origin question and the race question had separate edits; therefore, although information may have been present on the questionnaire, it was not fully utilized due to the discrete nature of the edits. However, for Census 2000, there was a joint race and Hispanic origin edit that utilized Hispanic origin and race information, regardless of the location.

Source: 2010 Census Redistricting Data (Public Law 94-171) Summary File: Technical Documentation, Appendix B – Definitions of Subject Characteristics, January 2011

**Attachment C
Poverty Income Thresholds**

Poverty statistics in ACS products adhere to the standards specified by the Office of Management and Budget in Statistical Policy Directive 14. To determine a person's poverty status, one compares the person's total family income in the last 12 months with the poverty threshold appropriate for that person's family size and composition (see example below). If the total income of that person's family is less than the threshold appropriate for that family, then the person is considered "below the poverty level," together with every member of his or her family. If a person is not living with anyone related by birth, marriage, or adoption, then the person's own income is compared with his or her poverty threshold. The total number of people below the poverty level is the sum of people in families and the number of unrelated individuals with incomes in the last 12 months below the poverty threshold.

For example, consider a family of three with one child less than 18 years of age, interviewed in July 2010 and reporting a total family income of \$14,000 for the last 12 months (July 2009 to June 2010). The base year (1982) threshold for such a family is \$7,765, while the average of the 12 inflation factors is 2.24574. Multiplying \$7,765 by 2.24574 determines the appropriate poverty threshold for this family type, which is \$17,438. Comparing the family's income of \$14,000 with the poverty threshold shows that the family and all people in the family are considered to have been in poverty. The only difference for determining poverty status for unrelated individuals is that the person's individual total income is compared with the threshold rather than the family's income.

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Table 1
Poverty Thresholds for 2012 by Size of Family and Number of Related Children Under 18 Years

| Size of family unit | Related children under 18 years | | | | | | | | |
|--|---------------------------------|--------|--------|--------|--------|--------|--------|--------|---------------|
| | None | One | Two | Three | Four | Five | Six | Seven | Eight or more |
| One person (unrelated individual)..... | 11,945 | | | | | | | | |
| Under 65 years..... | 11,011 | | | | | | | | |
| 65 years and over..... | | 15,825 | | | | | | | |
| Householder under 65 years..... | 13,878 | 15,765 | | | | | | | |
| Householder 65 years and over..... | | | 18,498 | | | | | | |
| Three people..... | 17,959 | 18,480 | 18,498 | | | | | | |
| Four people..... | 23,681 | 24,069 | 23,283 | 23,364 | | | | | |
| Five people..... | 28,558 | 28,974 | 28,087 | 27,400 | 26,981 | | | | |
| Six people..... | 32,847 | 32,978 | 32,298 | 31,647 | 30,678 | 30,104 | | | |
| Seven people..... | 37,795 | 38,031 | 37,217 | 36,651 | 35,594 | 34,362 | 33,009 | | |
| Eight people..... | 42,271 | 42,644 | 41,876 | 41,204 | 40,249 | 39,038 | 37,777 | 37,457 | |
| Nine people or more..... | 50,849 | 51,095 | 50,416 | 49,845 | 48,908 | 47,620 | 46,454 | 46,165 | 44,387 |

Note: The poverty thresholds are updated each year using the change in the average annual Consumer Price Index for All Urban Consumers (CPI-U). Since the average annual CPI-U for 2009 was lower than the average annual CPI-U for 2008, poverty thresholds for 2009 are slightly lower than the corresponding thresholds for 2008
Source: U.S. Census Bureau

Appendix B

APPENDIX B - PUBLIC SECTOR IMPEDIMENTS ANALYSIS

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APPENDIX B – PUBLIC SECTOR IMPEDIMENTS ANALYSIS

A. INTRODUCTION

The United States Department of Justice has indicated that a major focus of its efforts is on public sector impediments that may restrict housing opportunities for disabled persons. The Department has stated:

The Division's enforcement of the Fair Housing Act's protections for persons with disabilities has concentrated on two major areas. One is insuring that zoning and other regulations concerning land use are not employed to hinder the residential choices of these individuals, including unnecessarily restricting communal, or congregate, residential arrangements, such as group homes. The second area is insuring that newly constructed multifamily housing is built in accordance with the Fair Housing Act's accessibility requirements so that it is accessible to and usable by people with disabilities, and, in particular, those who use wheelchairs.

Source: United States Department of Justice, Civil Rights Division, Housing and Civil Enforcement Section, *The Fair Housing Act*, July 25, 2008, page 4

California's Fair Employment and Housing Act states that it is unlawful:

To discriminate through *public or private land use practices, decisions, and authorizations* because of race, color, religion, sex, sexual orientation, familial status, marital status, disability, national origin, source of income, or ancestry. Discrimination includes, but is not limited to, restrictive covenants, *zoning laws, denials of use permits, and other actions authorized under the Planning and Zoning Law* (Title 7 (commencing with Section 65000)), that make housing opportunities unavailable. [Emphasis added]

B. PUBLIC SECTOR IMPEDIMENTS ANALYSIS

1. Planning Policies

a. General Plan

The City's comprehensive vision for the future is the General Plan, which was adopted in 2006. Many of the General Plan goals and policies directly or indirectly relate to fair housing.

Key policies include that affect housing opportunities include:

Allows for diversity in terms of neighborhood character, from rural to urban.

Promotes the maintenance and redevelopment of blighted areas.

Allow for a range of housing opportunities, from apartments to executive homes.

Important public service policies and objectives include:

Promote social services that meet the special needs for childcare, the elderly, and the disabled.

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Ensure that a full range of human service programs are available to meet the lifetime development needs of residents of all ages, including the special needs of seniors, families, children, disabled persons and youth groups.

Encourage demand-response public transportation facilities, such as the mini-bus or dial-a-ride systems in order to facilitate the transportation needs of the elderly and disabled.

Evaluate existing social programs under the City's purview, and determine if they adequately address the needs of the aged, the disabled, low-income families and persons in crisis situations.

Conduct a detailed capital improvement program using the revised population projections and proposed land use characteristics of the General Plan.

b. Housing Element

The City's Housing Element is in the process of being updated and scheduled for adoption by mid-October 2013. As required by the Housing Element Law, the policy document will include a "program" to ensure equal housing opportunity for all persons. Specifically, the City's Housing Program must include actions to:

Promote housing opportunities for all persons regardless of race, religion, sex, marital status, ancestry, national origin or color.

The State Department of Housing and Community Development (HCD) offers the following guidance on the meaning ascribed to "promoting equal housing opportunity:

In the housing element, a local equal housing opportunity program must provide a means for the resolution of local housing discrimination complaints and should include a program to disseminate fair housing information and information about resources throughout the community. The local program must involve the dissemination of information on fair housing laws, and provide for referrals to appropriate investigative or enforcement agencies. Where appropriate, communities should distribute fair housing information in languages other than English. Sites for display of fair housing information include buses, community and senior centers, local social service offices, and other public locations including civic centers or county administrative offices.

Source: State Department of Housing and Community Development, *Housing Program: Equal Housing Opportunities*, May 6, 2010

2. **Housing for Disabled Persons**

a. Independent Living – ADA Physical Development

The City and Redevelopment Agency – together with a HUD Section 811 Capital Advance – financially assisted the development of the Moreno Valley Apartments. Built in 1996, the development is a 24-unit two-story apartment community with all units accessible by a wheelchair user. The complex has an elevator with 14 units located on the first floor and 10 units located on the second floor.

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The apartment community has 14 one-bedroom units; eight two-bedroom units; and two three-bedroom units.

Located at 24545 Bay Avenue, the Moreno Valley Apartments are close to a variety of transit, public and other community services.

Two other developments accommodate the housing needs of disabled persons:

- Atwood Gardens 9 units for of permanent support housing for developmentally disabled adults
- Rancho Dorado 15 units of permanent supportive housing for homeless and mentally ill adults

b. Housing for Disabled Persons – Licensed Residential Care Facilities

The California Community Care Licensing Division defines these facilities as follows:

Adult Residential Facilities: ARFs are facilities of any capacity that provide 24-hour non-medical care for adults ages 18 through 59, who are unable to provide for their own daily needs. Adults may be physically handicapped, developmentally disabled, and/or mentally disabled.

Residential Care Facilities for the Elderly: RCFEs provide care and supervision and assistance with activities of daily living, such as bathing and grooming. They may also provide incidental medical services under special care plans. The facilities provide services to persons 60 years of age and over and persons under 60 with compatible needs. RCFEs may also be known as assisted living facilities, retirement homes and board and care homes. The facilities can range in size from six beds or less to over 100 beds. The residents of these facilities require varying levels of personal care and protective supervision.

Group Homes: These are facilities of any capacity and provide 24-hour non-medical care and supervision to children in a structured environment. Group homes provide social, psychological, and behavioral programs for troubled youth.

Small Family Homes SFHs provide 24-hour-a-day care in the licensee's family residence for six or fewer children who are mentally disabled, developmentally disabled, or physically handicapped, and who require special care and supervision as a result of such disabilities.

Table B-1 shows the number (114) and capacity (676) of three types of residential care facilities.

c. Home Modifications

In addition, the City – through HOME funds – provides financial assistance to disabled homeowners. Among the major purposes of the Home Improvement Loan Program (3% deferred) is to “improve handicap accessibility.”

APPENDIX B – PUBLIC SECTOR IMPEDIMENTS ANALYSIS

**Table B-1
City of Moreno Valley
Licensed Residential Care Facilities –2013**

| Facility Type | Number | Capacity |
|--|---------------|-----------------|
| Adult Residential Facilities | 64 | 333 |
| Residential Care Facilities For the Elderly | 38 | 265 |
| Group Homes | 12 | 78 |
| Total | 114 | 676 |

Source: State Department of Social Services, Community Care Licensing Division, facilities inventory as of February 18, 2013

Note: Of the 64 ARF facilities, three had licenses pending. Total capacity of the three facilities is 18. Of the 38 RCFEs, three with a capacity of 20 beds had licenses pending. Two of the Small Family Homes with a capacity of twelve beds had provisional license and one with a capacity of six beds had a pending license.

3. Public Services

a. Fair Housing Services

The City annually contracts for the provision of fair housing services. Annually, the City allocates an average of \$40,000 for these fair housing services.

Under this contract, the Fair Housing Council of Riverside County (FHCR) provides a full range of fair housing services, including:

- Anti-discrimination services
- Landlord/tenant mediation and enforcement services
- Training and technical assistance
- Enforcement of housing rights,
- Foreclosure counseling and prevention
- First-time homebuyer counseling

The primary goal is to implement activities that affirmatively further fair housing.

b. Transit Services

Public transit is an important service that should be available to all transit dependent populations, including areas of minority and low-income concentrations. For some that live in the areas of concentration, public transit is a means of getting to work and, therefore, earn an income.

The Riverside Transit Agency (RTA), Metrolink, and a few other systems, such as the MoVan for seniors and the disabled, provide the majority of public transportation in Moreno Valley. The combination of these agencies provides transportation access within Moreno Valley, to surrounding communities within Riverside County, and regional transportation to Orange, Los Angeles and San Bernardino Counties.

APPENDIX B – PUBLIC SECTOR IMPEDIMENTS ANALYSIS

1) *Riverside Transit Agency*: Currently nine RTA bus routes serve the City, one of which connects with the Metrolink Rail Line Station to provide a light rail connection to Orange and Los Angeles Counties. Table B-2 lists the route number, general route descriptions, and areas served.

**Table B-2
Riverside Transit Agency – Routes Serving Moreno Valley**

| Route # | Route Description | Also Serving |
|---------|--|--|
| 11 | Moreno Valley Mall/March ARB | Sunnymead Middle School Moreno Valley High School |
| 16 | Riverside Downtown Terminal to Moreno Valley Mall | Downtown Riverside UCR, Canyon Crest Towne Center Canyon Springs Plaza |
| 18 | Sunnymead Ranch to Moreno Valley College | Moreno Valley Mall Hometown Buffet Canyon Springs High School Sunnymead Ranch Moreno Valley High School Vista Del Lago High School Riverside Community College |
| 19 | Moreno Valley Mall to Perris Station Transit Center – Trumble Road | March Mountain High School RCC Perris High School |
| 20 | Magnolia Center, RCR Medical Center Moreno Valley Community Hospital Moreno Valley College | |
| 35 | Beaumont/Banning to Moreno Valley Mall | Walmart, Kmart, City Hall Riverside County Regional Medical Center |
| 41 | Mead Valley Community Center to Moreno Valley College and RCRMC | Rancho Verde High School RCC Mo Val Riverside County Regional Medical Center |
| 208 | Temecula-Murrieta-Sun City-Perris Moreno Valley-Downtown Terminal | Riverside City Hall County Administration Building |
| 210/220 | Riverside Downtown Terminal to Palm Desert | Riverside City Hall County Administration Building |

Source: Riverside Transit Agency

2) *RTA Dial-A-Ride (DAR) Program*: RTA also offers a dial-a-ride service for senior and disabled (ADA certified) passengers. The service provides curb-to-curb transportation to and from communities within Riverside County. The ADA Intercity #2 Dial-a-Ride route serves the cities of Moreno Valley, Riverside and Norco. Trips are able to be reserved seven days a week; however, reservations must be made at least one day in advance. Transfers are available for other city transportation services. The fare is \$3.00 for seniors and disabled persons. Wait times vary as they pick up and drop off several different passengers per trip.

APPENDIX B – PUBLIC SECTOR IMPEDIMENTS ANALYSIS

3) *ADA Intercity*: ADA Intercity connection services are available for ADA-certified passengers only. The ADA Intercity #1 service is available for ADA passengers traveling to and from Moreno Valley, Mead Valley, Perris, Riverside, Woodcrest, Grand Terrace, Highgrove and Loma Linda. Trips may involve various transfers between vans.

4) *MoVan*: This service is operated by the Friends of Moreno Valley Senior Center in coordination with the RTA, and provides Moreno Valley transportation services for seniors and persons with disabilities. The service operates Monday-Friday, and specializes in trips to Riverside and Loma Linda. It requires a 24-hour advanced reservation. There is no charge, but donations are accepted.

4. Planning and Zoning Policies and Practices

As part of the preparation of the *Analysis of Impediments to Fair Housing Choice* the City responded to a 24-question survey regarding governmental codes or policies and practices that may result in the creation or perpetuation of one or more impediments to fair housing choice. The survey has a particular focus on land use and zoning regulations, practices and procedures that can act as barriers to the siting, development, or use of housing for individuals with disabilities. However, it also touches on areas that may affect fair housing choice for families with children or otherwise serve as impediments to full fair housing choice. In identifying impediments to fair housing choice, the survey looks to distinguish between *regulatory* impediments based on specific code provisions and *practice* impediments, which arise from practices or implementing policies used by the jurisdiction.

Attachment A is the complete *Survey of Zoning and Planning Codes, Policies and Practices That May Pose an Impediment to Fair Housing Choice*. The survey provides background information that explains the fair housing issues and concerns posed by each question. Three examples of background information are provided below:

- The *City of Santa Barbara v Adamson* case explains why cities should not have a definition of “family” that restricts housing opportunities for disabled persons living in a group home.
- The *U.S. ex re. Anti-Discrimination Center v. Westchester County* indicates that in appropriate circumstances affordable housing can be a tool to address a lack of fair housing choice in highly segregated communities.
- The Housing for Older Persons Act explains the conditions under which senior housing is exempt from the prohibition against familial discrimination.

Attachment A presents the results of the *Zoning and Planning Survey*. Based on this analysis it was determined that the City can take the actions affirmatively further fair housing. Table B-3 on pages 7 and 8 describes the public sector impediments and the recommended actions to ameliorate or remove the impediment.

APPENDIX B – PUBLIC SECTOR IMPEDIMENTS ANALYSIS

**Table B-3
City of Moreno Valley
Summary of Public Sector Impediments
and Fair Housing Action Plan Recommendations**

| Impediment | Action Plan Recommendation |
|---|--|
| Housing for Disabled Persons – Disability Definition | |
| HUD encourages cities to provide a definition of "disability" in its planning and zoning codes. | In order to affirmatively further fair housing, the City will establish a specific disability definition that is identical to the one in the Federal Fair Housing Act. The definition will be included in the Reasonable Accommodation Procedure. |
| Housing for Disabled Persons – Supportive Services | |
| HUD encourages cities to make provisions for housing with supportive services in the planning and zoning codes. The City's zoning regulations do not explicitly prohibit or permit transitional and supportive housing in residential zones. | The Planning and Zoning Code will be revised to define transitional and supportive housing and to indicate the residential zones in which such housing is permitted. |
| Housing for Disabled Persons – Reasonable Accommodation Procedure | |
| HUD, the Federal Department of Justice and the California Attorney General's Office all encourage cities to adopt a reasonable accommodation procedure. This procedure provides a means for disabled persons to request exceptions from the development standards of a planning and zoning code and the standards of a building code. | The City will adopt a reasonable accommodation procedure. |
| Special Needs Populations | |
| HUD encourages cities to address special needs populations through provisions in their planning and zoning codes and policies contained in their planning documents. | The City will address special needs populations through the policies of the Consolidated Plan and Housing Element. In the Housing Element Update (to be adopted by October 2013), the City must address the needs of the developmentally disabled population. The City also will consider amending the Planning and Zoning Code to include a definition and development standards for special needs housing. |

APPENDIX B – PUBLIC SECTOR IMPEDIMENTS ANALYSIS

**Table B-1 continued
City of Moreno Valley
Summary of Public Sector Impediments
and Fair Housing Action Plan Recommendations**

| Senior Housing | |
|--|--|
| Impediment | Action Plan Recommendation |
| <p>Under federal law housing discrimination against families with children is permitted only in housing in which all the residents are 62 years of age or older or where at least 80% of the occupied units have one person who is 55 years of age or older. Generally, California law states that a housing provider using the lower age limitation of 55 years must have at least 35 units to use the familial status discrimination exemption. Also, California law, with narrow exceptions, requires all residents to be "senior citizens" or "qualified permanent residents", pursuant to Civil Code §51.3.</p> <p>The Planning and Zoning Code needs to be amended to contain a more precise definition of "senior housing."</p> | <p>The City will amend the Planning and Zoning Code by adding a senior housing definition. Many cities define senior housing as follows:</p> <p>Senior citizen housing shall mean a housing development consistent with the California Fair Employment and Housing Act (Government Code Section 12900 et. seq., including 12955.9 in particular), which has been "designed to meet the physical and social needs of senior citizens," and which otherwise qualifies as "housing for older persons" as that phrase is used in the Federal Fair Housing Amendments Act (42 U.S.C. 3607(b)) and implementing regulations and as that phrase is used in California Civil Code Section 51.2 and 51.3.</p> |



**Attachment A
Survey of Zoning, Planning and Building
Codes, Policies and Practices That May Pose an
Impediment to Fair Housing Choice**

Name of Jurisdiction: City of Moreno Valley

Reviewing Agency: _____

Reviewer: _____

Date: _____

INTRODUCTION

As part of the preparation of an Analysis of Impediments to Fair Housing Choice, which is required for the receipt of certain federal funds, this survey provides answers to 24 questions regarding local governmental codes, policies and/or practices that may result in the creation or perpetuation of one or more impediments to fair housing choice. It has a particular focus on land use and zoning regulations, practices and procedures that can act as barriers to the situating, development, or use of housing for individuals with disabilities. However, it also touches on areas that may affect fair housing choice for families with children or otherwise serve as impediments to full fair housing choice.

The Survey helps to analyze the fair housing impacts of the City's codes and other documents related to land use and zoning decision-making. Additional information may be sought through interviews with appropriate staff and local developers of housing. In identifying impediments to fair housing choice, the survey looks to distinguish between regulatory impediments based on specific code provisions and practice impediments, which arise from practices or implementing policies used by the City.

The Survey was originally developed by David Acevedo of the U.S. Department of Housing and Urban Development – Los Angeles. It was modified by Castaneda & Associates and the Fair Housing Council of Orange County, Inc. HUD-LA has approved its use as a means to identify public sector fair housing impediments caused by a jurisdiction's planning, zoning, and building codes and practices.

QUESTIONS

The 24 questions comprising the Survey are organized into five categories:

- Housing for Disabled People
- Housing for Special Needs Populations
- Affordable Housing Policies
- Accessible Housing and Parking
- Other Fair Housing Policies

The 24 questions are listed below by category and answers to the questions begin on page 4.

APPENDIX B – PUBLIC SECTOR IMPEDIMENTS ANALYSIS

Attachment B shows the schedule of accessible parking requirements.

Appendix E lists the data sources consulted to complete the public sector impediments analysis.

Housing for Disabled People

1. Does the Code definition of “family” have the effect of discriminating against unrelated individuals with disabilities who reside together in a congregate or group living arrangement?
2. Does the Zoning Code definition of “dwelling unit” or “residential unit” have the effect of discriminating against unrelated individuals with disabilities who reside together in a congregate or group living arrangement?
3. Does the Zoning Code or any policy document define “disability”, if at all; at least as broadly as the Fair Housing Act?
4. Are the personal characteristics of residents including, but not necessarily limited to, disability considered in land use decisions?
5. Does the zoning ordinance restrict housing opportunities for individuals with disabilities and mischaracterize such housing as “boarding or rooming house” or “hotel”?
6. Does the zoning ordinance deny housing opportunities for disabled individuals with on-site housing supporting services?
7. Does the jurisdiction policy allow any number of unrelated persons to reside together, but restrict such occupancy, if the residents are disabled?
8. Does the City require a public hearing for disabled persons seeking specific exceptions to zoning and land-use rules (variances) necessary for them to be able to fully use and enjoy housing?
9. Does the City have, either by ordinance or policy, a process by which persons with disabilities can request reasonable accommodations (modifications or exceptions) to the jurisdiction’s codes, rules, policies, practices, or services, necessary to afford persons with disabilities an equal opportunity to use or enjoy a dwelling?
10. If the City supplies or manages housing, is there a clear policy to allow disabled persons residing in or seeking to reside in the housing to make or request reasonable physical modifications or to request reasonable accommodations? If ‘Yes’, is the policy communicated to applicants or residents?

Housing for Special Needs Populations

11. Does the zoning code or other planning policy document address housing for “special needs” populations?
12. How are “special group residential housing” defined in the jurisdiction’s zoning code?

APPENDIX B – PUBLIC SECTOR IMPEDIMENTS ANALYSIS

13. Does the zoning code distinguish senior citizen housing from other single- family residential and multifamily residential uses by the application of a conditional use permit (CUP)?
14. Are there any standards for Senior Housing in the Zoning Code? If 'Yes', do the standards comply with federal law on housing for older persons (i.e., solely occupied by persons 62 years of age or older, or at least one person 55 years of age, or other qualified permanent resident pursuant to Civil Code Section 51.3)? Is the location of Senior Housing treated differently than other rental or for-sale housing? If 'Yes', explain.

Affordable Housing Policies

15. Is there a Zoning Code or other development policy that encourages or requires the inclusion of housing units affordable to low- and/or moderate- income households ('inclusionary housing')?
16. Does the City encourage or require affordable housing developments to give an admission preference to individuals already residing within the jurisdiction? If 'Yes', is it a requirement?

Accessible Housing and Parking

17. Does the jurisdiction's planning and building codes presently make a specific reference to the accessibility requirements contained in the 1988 amendments to the Fair Housing Act? Is there any provision for monitoring compliance?
18. Does the zoning ordinance contain any special provisions for making housing accessible to persons with disabilities?
19. Describe the minimum standards and amenities required by the ordinance for a multiple family project with respect to handicap parking?

Other Fair Housing Policies

20. Does the zoning ordinance include a discussion of fair housing? If yes, how does the jurisdiction propose to further fair housing?
21. Does the Zoning Code or Building Code establish occupancy standards or maximum occupancy limits that are more restrictive than state law, which incorporates the Uniform Housing Code (UHC)?
22. Does the Zoning Code allow for mixed uses? If 'Yes', does the ordinance or other planning policy document consider the ability of mixed-use development to enhance housing affordability? Also, do development standards for mixed-uses take into consideration the challenges of providing housing accessible to persons with disabilities in such mixed uses?
23. Does the zoning ordinance describe any areas in this jurisdiction as exclusive? Are there exclusions or discussions of limiting housing to any of the following groups? If yes, check any of the following that apply:
 - Race
 - Color
 - Sex

APPENDIX B – PUBLIC SECTOR IMPEDIMENTS ANALYSIS

- Religion
- Age
- Disability
- Marital or Familial Status
- Creed of National Origin

24. Do real estate property tax assessments adversely impact one or more of the protected groups?

Housing for Disabled People

1. Does the Zoning Code definition of “family” have the effect of discriminating against unrelated individuals with disabilities who reside together in a congregate or group living arrangement?

Yes No

a. Background

The legislative history of the Federal Fair Housing Act specifically recognizes that zoning ordinance provisions have discriminated against people with disabilities by limiting opportunities to live in the community and in group home residences:

While state and local governments have authority to protect safety and health and to regulate use of land, that authority has sometimes been used to restrict the ability of individuals to live in communities. This has been accomplished by such means as the enactment or imposition of . . . land use requirements on congregate living arrangements among non-related persons with disabilities. Since these requirements are not imposed on families and groups of similar size or other unrelated people, these requirements have the effect of discriminating against people with disabilities.

Source: H.R. Rep. No 711, 100th Cong., 2d Sess. 24 (1988), reprinted in 1988 U.S.C.C.A.N. 2173, 2185.

Group living arrangements are often necessary to enable people with disabilities to secure the supports they need to live in the community. Moreover, integration in the community has been found to enhance the quality of life and functioning of people with disabilities.

The State of California, in enacting its own fair housing protections, specifically recognized that land use practices have discriminated against group housing for people with disabilities. In a statement of legislative intent that accompanied amendments to California's Fair Housing and Employment Act, the following findings were made:

- That public and private land use practices, decisions, and authorizations have restricted, in residentially zoned areas, the establishment and operation of group housing, and other uses.
- That people with disabilities. . . are significantly more likely than other people to live with unrelated people in group housing.
- That this act covers unlawful discriminatory restrictions against group housing for these people.

APPENDIX B – PUBLIC SECTOR IMPEDIMENTS ANALYSIS

The California Land Use and Zoning Campaign found two zoning provisions that have the effect of discriminating against the development, siting and use of group homes for individuals with disabilities: (1) definitions of “family” that have numerical limits on unrelated persons and (2) occupancy standards based on familial status.

Traditionally, many cities and counties in their zoning ordinance have defined “family” as “. . . persons related by blood, marriage or adoption or not more than five unrelated persons, excluding servants.”

Historically, for land use and zoning purposes, this definition has been used to limit single family low density zones (hereafter “R1 zones”) to “traditional” family households to maintain the residential character of a neighborhood. However, this restrictive definition, which limits the number of unrelated persons who may live together, has effectively prohibited the siting and development of congregate or group homes for individuals with disabilities in R1 zones. A restrictive definition coupled with a conditional use permit requirement has also been used to strictly control the location of group homes for individuals with disabilities in multi-family zones.

Under the foregoing typical definition, a group home for individuals with disabilities that functions like a family would be excluded from an R1 zone solely because the residents are unrelated by blood, marriage or adoption. Instead of distinguishing between related and unrelated persons, a definition of family should look to whether the household functions as a cohesive unit and the use of the residence is compatible with other dwellings in an R1 zone. The characteristics of the residents of the dwelling, that they are individuals with disabilities, are not relevant to an inquiry of compatibility.

In 1980, the California Supreme Court in *City of Santa Barbara v. Adamson* struck down a municipal ordinance that permitted any number of related people to live in a house in a R1 zone but limited the number of unrelated people who were allowed to do so to five. The Court held that the residents of the Adamson household were a single housekeeping unit that could be termed an alternative family because they shared expenses, rotated chores, ate evening meals together, participated in recreational activities together, and became a close group with social, economic, and psychological commitments to each other. As a single housekeeping unit or, alternative family, the Adamson household could not be excluded from the single family zone nor made to apply for a conditional use permit.

Both state and federal fair housing laws also prohibit restrictive definitions of family that either intentionally discriminate against people with disabilities or have the effect of excluding such individuals from housing. Restrictive definitions of family illegally limit the development and siting of group homes for individuals with disabilities, not families similarly sized and situated, and effectively deny housing opportunities to those who because of their disability live in a group home setting.

A restrictive definition of family not only discriminates against people with disabilities in violation of the Act, but the failure to modify the definition of family or make an exception for group homes for people with disabilities may also constitute a refusal to make a reasonable accommodation under the Act.

To comply with fair housing laws, a definition of “family” must emphasize the functioning of the members as a cohesive household:

- A definition should not distinguish between related and unrelated persons.

APPENDIX B – PUBLIC SECTOR IMPEDIMENTS ANALYSIS

- A definition should not impose numerical limitations on the number of persons that may constitute a family.

Source: Kim Savage, Mental Health Advocacy Services, Inc., *Fair Housing Law Issues in Land Use and Zoning – Definition of Family and Occupancy Standards*, September 1998, pages 1-5

b. Planning and Zoning Code Regulations

Section 9.15.030 of the Planning and Zoning Code defines “family” as follows:

“Family” means one or more individuals occupying a dwelling unit and living as a single household unit.

[Note: references to the zoning code and/or zoning regulations refer to the Municipal Code, Title 9, Planning and Zoning.]

c. Conclusion

The City of Moreno Valley zoning regulations define the occupants of a housing unit as a “family” and “household unit.” Furthermore, the zoning regulations do not refer to related or unrelated persons who may occupy a housing unit. Therefore, the zoning regulations do not discriminate against unrelated individuals with disabilities who reside together in a congregate or group living arrangement.

- 2. Does the Zoning Code definition of “dwelling unit” or “residential unit” have the effect of discriminating against unrelated individuals with disabilities who reside together in a congregate or group living arrangement?**

Yes No

a. Background

The definition of a “dwelling unit” or “residential unit” may exclude or restrict housing opportunities for individuals with disabilities by mischaracterizing congregate or group living arrangements as “boarding or rooming house” or “hotel”. Both State and Federal fair housing laws prohibit definitions of dwelling that either intentionally discriminate against people with disabilities or have the effect of excluding such individuals from housing. Generally, all dwellings are covered by fair housing laws, with a “dwelling” being defined as “a temporary or permanent dwelling place, abode or habitation to which one intends to return as distinguished from the place of temporary sojourn or transient visit.”

b. Planning and Zoning Code Regulations

Section 9.15.030 of the Planning and Zoning Code defines “dwelling unit” as follows:

“Dwelling unit” means a building or mobile home or portion thereof, which contains living facilities for not more than one family, within which one family has interior access to all parts of the dwelling. In the case of residential care facilities with shared eating, cooking or sanitation facilities, a dwelling unit is a building or portion thereof that contains living facilities for ten (10) or less persons.

APPENDIX B – PUBLIC SECTOR IMPEDIMENTS ANALYSIS

The Planning and Zoning Code does not include a definition of “residential unit,”

c. Conclusion

The “dwelling unit” definition is consistent with fair housing laws as it does not mischaracterize licensed group homes or residential care facilities as “boarding or roominghouse.” In fact, the definition incorporates residential care facilities within the meaning of “dwelling unit.”

3. Does the Zoning Code or any policy document define “disability”, if at all; at least as broadly as the Fair Housing Act?

Yes No

a. Background

The Fair Housing Act prohibits discrimination on the basis of handicap. “Handicap” has the same legal meaning as the term “disability.” Federal laws define a person with a disability as:

Any person who has a physical or mental impairment that substantially limits one or more major life activities; has a record of such impairment; or is regarded as having such an impairment.

The term “physical or mental impairments” may include conditions such as blindness, hearing impairment, mobility impairment, HIV infections, AIDS, AIDS Related Complex, mental retardation, chronic alcoholism, drug addiction, chronic fatigue, learning disability, head injury, and mental illness.

The term “major life activities” may include walking, talking, hearing, seeing, breathing, learning, performing manual tasks, and caring for oneself.

b. Planning and Zoning Code Regulations

The City’s zoning regulations do not contain a definition of disability. Section 9.15.030 of the Planning and Zoning Code defines “handicap housing” as follows:

“Handicapped housing” means multiple-family housing in which *all* of the dwelling units serve *physically handicapped* persons. Handicapped housing is characterized by doors, elevators, bathroom and kitchen facilities designed to accommodate physically handicapped persons. Handicapped housing does not include residential care facilities licensed by the state of California. [Emphasis added]

“Handicapped housing” is a permitted use in the RS 10, R10, RS 15 and RS 20 zone districts. It is a conditionally permitted use in the MUD 1 and MUD 2 zone districts. The latter are mixed use districts allowing up to 15 and 30 dwelling units per acre.

c. Conclusion

In order to affirmatively further fair housing, the City will establish a specific disability definition that is identical to the one in the Fair Housing Act. The definition will be included in the Reasonable Accommodation Procedure that will be adopted in the first year (2013-2014) of the *2013-2018 Fair Housing Action Plan*.

APPENDIX B – PUBLIC SECTOR IMPEDIMENTS ANALYSIS

4. Are the personal characteristics of residents, including but not necessarily limited to, disability, considered in planning and zoning decisions?

Yes No

a. Background

Under the Fair Housing Act, cities may have reasonable restrictions on the maximum number of occupants permitted to occupy a dwelling; however, the restrictions cannot be based on the *characteristics* of the occupants; the restrictions must apply to all households, and are based upon health and safety standards. Similarly, a conditional use permit or variance requirement triggered by the number of people with certain *characteristics* (such as a disability) who will be living in a particular dwelling is prohibited. Because licensed residential care facilities serve people with disabilities, imposing a variance requirement on family-like facilities of a certain size and not similarly sized housing for people without disabilities, violates fair housing laws.

According to the Department of Justice (DOJ) and Department of Housing and Urban Development (HUD), "group home" does not have a specific legal meaning. In the DOJ/HUD Joint Statement –

...the term 'group home' refers to housing occupied by groups of unrelated individuals with disabilities. Sometimes, but not always, housing is provided by organizations that also offer services for individuals with disabilities living in the group home. Sometimes it is this group home operator, rather than the individuals who live in the home, that interacts with local government in seeking permits and making requests for reasonable accommodations on behalf of those individuals.

The term 'group home' is also sometimes applied to any group of unrelated persons who live together in a dwelling – such as a group of students who voluntarily agree to share the rent on a house. The Act does not generally affect the ability of local governments to regulate housing of this kind, as long as they do not discriminate against residents on the basis of race, color, national origin, religion, sex, handicap (disability) or familial status (families with minor children).

Local zoning and land use laws that treat groups of unrelated persons with disabilities less favorably than similar groups of unrelated persons without disabilities violate the Fair Housing Act.

b. Planning and Zoning Code Regulations

Under the provisions of California law, the use of property for the care of six or fewer disabled persons is a residential use for the purpose of zoning. The land use protection applies to --

- Intermediate care facilities for individuals who have developmental disabilities (Health and Safety Code Section 1267.8)
- Residential facilities for persons with disabilities and for abused children (Health and Safety Code Section 1566.3, and Welfare and Institution Code Section 5116)
- Residential care facility for the elderly (Health and Safety Code Section 1569.87)
- Alcoholism and drug treatment facilities (Health and Safety Code Section 11834.23)
- Residential facilities for persons with chronic life threatening illness (Health and Safety Code Section 1568.0831)

APPENDIX B – PUBLIC SECTOR IMPEDIMENTS ANALYSIS

Source: Law Offices of Goldfarb & Lipman, *Between the Lines: A Question and Answer Guide on Legal Issues in Supportive Housing*, 1999, pg. 110.

Health and Safety Code Section 1566.3 states:

No conditional use permit, zoning variance, or other zoning clearance shall be required of a residential facility which serves six or fewer persons which is not required of a family dwelling of the same type in the same zone.

Section 9.02.020 of the Planning and Zoning Code describes the permitted and conditionally permitted uses by zone district. This section of the Planning and Zoning Code, however, does not list the zones in which residential care facilities for six or few persons are permitted. The *2008-2014 Housing Element* explains –

The State of California has authority over the review of group homes having six or fewer persons. The City of Moreno Valley does not require community input, nor does the city impose additional requirements on housing for the disabled. (page 79)

c. Conclusion

Licensed residential care facilities providing housing for six or fewer disabled persons are allowed by right in all residential zones that permit single family homes. The characteristics of the occupants of such housing are not considered in zoning decisions. The zoning regulations do not impose an impediment to the siting of licensed group homes in residential zones that permit single family homes.

5. Does the Zoning Code restrict housing opportunities for individuals with disabilities and mischaracterize such housing as “boarding or rooming house” or “hotel”?

Yes No

a. Background

Housing for disabled persons in some communities is limited to certain residential zones. Often, housing for disabled persons is included in how cities define a boarding house or hotel.

State law requires that licensed residential care facilities not be defined within the meaning of boarding house, rooming house, institution or home for the care of minors, the aged, or the mentally infirm, foster care home, guest home, rest home, sanitarium, mental hygiene home, or other similar term which implies that a residential facility is a *business run for profit*.

b. Planning and Zoning Code Zoning Regulations

Section 9.15.030 of the Planning and Zoning Code defines a “boardinghouse” as follows:

“Boarding or rooming house” means a building containing a dwelling unit where lodging is provided with or without meals for compensation. Notwithstanding this definition, no single-family residence lawfully operating pursuant to a state license under the California Health and Safety Code, that is otherwise exempt from local zoning regulations, shall be considered a boarding or rooming house for purposes of this code.

APPENDIX B – PUBLIC SECTOR IMPEDIMENTS ANALYSIS

c. Conclusion

The zoning regulations do not include residential care facilities within the meaning of “boarding house” or “rooming house.” Furthermore, the zoning regulations explicitly exclude licensed residential care facilities from the meaning of boarding or rooming house. Therefore, the City’s regulations comply with the Federal Fair Housing Act and the State laws.

6. Does the Zoning Code deny housing opportunities for disabled individuals with on-site housing supporting services?

Yes No

a. Background

Housing for disabled persons often must incorporate on-site supportive services. Zoning provisions that limit on-site supportive services will, in effect, curtail the development of adequate housing for the disabled. As the joint statement by DOJ and HUD indicates:

Sometimes, but not always, housing is provided by organizations that also offer services for individuals with disabilities living in the group home.

b. Planning and Zoning Code Regulations

The zoning regulations do not outright deny supportive housing by, for example, listing it as a prohibited use in the residential zones.

SB 2 (Chapter 633, Statutes of 2007) amends housing element law regarding planning and approval of transitional and supportive housing. Government Code Section 65583 was amended to require local zoning to be updated to state that transitional and supportive housing shall be considered a residential use and only subject to those restrictions that apply to other residential uses of the same type in the same zone. For example, if the transitional housing is a multifamily use proposed in a multifamily zone, then zoning should treat the transitional housing the same as other multifamily uses proposed in the zone.

The *2008-2014 Housing Element* states:

The City does not restrict occupancy nor does it impose conditions on group homes that provide services on-site. (page 80)

Continue to allow transitional and supportive housing in all residential zones. (page 94)

The zoning regulations, however, do not –

- Define supportive housing
- Define transitional housing
- Identify the zones in which such housing is permitted

HCD has stated:

If jurisdictions do not *explicitly* permit transitional and supportive housing ... the element must include a program to ensure zoning treats transitional and supportive housing as a

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residential use, subject only to those restrictions on residential uses contained in the same type of structure. [Emphasis added]

Source: Department of Housing and Community Development, *Memorandum – Senate Bill 2 – Legislation Effective January 1, 2008: Local Planning and Approval for Emergency Shelters and Transitional and Supportive Housing*, May 7, 2008, page 14

HCD also has stated:

Every locality must identify zones that will allow the development of transitional housing. The housing element should identify zones that allow supportive housing development....

Source: California Department of Housing and Community Development, *Zoning for a Variety of Housing Types*, May 6, 2010, page 1

c. Conclusion

The zoning regulations do not explicitly prohibit or permit transitional and supportive housing in residential zones. Therefore, the Planning and Zoning Code should be revised to define transitional and supportive housing and to indicate the residential zones in which such housing is permitted.

HCD suggests the following definitions:

Supportive Housing: Housing with no limit on length of stay, that is occupied by the target population and that is linked to onsite or offsite services that assist the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community.

Transitional Housing: Transitional housing and transitional housing development mean rental housing operated under program requirements that call for the termination of assistance and recirculation of the assisted unit to another eligible program recipient at some predetermined future point in time, which shall be no less than six months.

7. Does the jurisdiction policy allow any number of unrelated persons to reside together, but restrict such occupancy, if the residents are disabled?

Yes (as permitted by law) No

a. Background

The joint statement by DOJ and HUD describes this issue as follows:

A local government may generally restrict the ability of groups of unrelated persons to live together as long as the restrictions are imposed on all such groups. Thus, in the case where a family is defined to include up to six unrelated people, an ordinance would not, on its face, violate the Act if a group home of seven unrelated people *with* disabilities was not allowed to locate in single-family zoned neighborhood, because a group of seven unrelated people *without* disabilities would also not be allowed. [Emphasis added]

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b. Planning and Zoning Code Regulations

Housing for six or fewer disabled persons is a permitted use in all zones that permit single family housing. The City allows residential care facilities for seven or more persons in all residential zones subject to approval of a Conditional Use Permit (CUP). State law -- as the summary below explains -- allows cities to require a conditional use permit for residential care facilities for seven or more persons.

Because California law only protects facilities serving six or fewer residents, many cities and counties restrict the location of facilities housing seven or more clients. They may do this by requiring use permits, adopting special parking and other standards for these homes, or prohibiting these large facilities outright in certain zoning districts. While this practice may raise fair housing issues, no published California decision prohibits the practice, and analyses of recent State legislation appear to assume that localities can restrict facilities with seven or more clients. Some cases in other federal circuits have found that requiring a conditional use permit for large group homes violates the federal Fair Housing Act. However, the federal Ninth Circuit, whose decisions are binding in California, found that *requiring a conditional use permit for a building atypical in size and bulk for a single-family residence* does not violate the Fair Housing Act. [Emphasis added]

Barbara Kautz, Goldfarb & Lipman LLP, *Select California Laws Relating to Residential Recovery Facilities and Group Homes*, pg. 3, presented at the Residential Recovery Facilities Conference, Newport Beach, March 2, 2007.

c. Conclusion

Group homes housing six or fewer persons and licensed by the State under the provisions of the Health and Safety Code are permitted in residential zones. Under the law, a city may require a conditional use permit (CUP) for group housing occupied by seven or more disabled persons. Therefore, the City's zoning regulations are consistent with Federal and State fair housing laws.

8. Does the City require a public hearing for disabled persons seeking specific exceptions to zoning and land-use rules (variances) necessary for them to be able to fully use and enjoy housing?

Yes No

If 'Yes', is the process the same as for other applications for variances, or does it impose added requirements?

Yes No

a. Background

Persons with disabilities cannot be treated differently from non-disabled persons in the application, interpretation and enforcement of a community land use and zoning policies.

b. Planning and Zoning Code Regulations

All applicants requesting exceptions from the zoning and land use rules must apply for an administrative variance or variance. The administrative variance requires a community development director's hearing. A notice of this hearing is mailed to contiguous property

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owners and interested parties 10 days in advance of the director's hearing. The decision of the director can be appealed to the City Council.

Variations must be granted by the Planning Commission and require a public hearing. Variations from the terms of the zoning regulations shall be granted only when, because of special circumstances applicable to the *property* (not the user) in question, including size, shape, topography, location or surroundings, the strict application of the zoning regulations deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classification. Consequently, variations to a zoning regulation may be granted with respect to development standards such as, but not limited to, walls, fences, screening and landscaping, site area, width and depth, coverage, front, side and rear yards, height of structures, usable open space, and on-street and off-street parking and loading facilities. In approving a variance, the Planning Commission may impose reasonable conditions.

c. Conclusion

Reasonable accommodation procedures do not require public hearings. Consequently, once adopted, the reasonable accommodation procedure will enable the City to streamline the process for disabled applicants to request relief from the Planning and Zoning Code development standards.

9. Does the City have, either by ordinance or policy, a process by which persons with disabilities can request reasonable accommodations (modifications or exceptions) to the jurisdiction's codes, rules, policies, practices, or services, necessary to afford persons with disabilities an equal opportunity to use or enjoy a dwelling?

Yes No

a. Background

A joint statement by DOJ and HUD explains this issue as follows:

As a general rule, the Fair Housing Act makes it unlawful to refuse to make 'reasonable accommodations' (modifications or exceptions) to rules, policies, practices, or services, when such accommodations may be necessary to afford persons with disabilities an equal opportunity to use or enjoy a dwelling.

Even though a zoning ordinance imposes on group homes the same restrictions it imposes on other groups of unrelated people, a local government may be required, in individual cases and when requested to do so, to grant a reasonable accommodation to a group home for persons with disabilities. For example, it may be a reasonable accommodation to waive a setback required so that a paved path of travel can be provided to residents who have mobility impairments. A similar waiver might not be required for a different type of group home where residents do not have difficulty negotiating steps and do not need a setback in order to have an equal opportunity to use and enjoy a dwelling.

Where a local zoning scheme specifies procedures for seeking a departure from the general rule, courts have decided, and the Department of Justice and HUD agree, that these procedures must ordinarily be followed. If no procedure is specified, persons with disabilities may, nevertheless, request a reasonable accommodation in some other way,

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and a local government is obligated to grant it if it meets the criteria discussed above. A local government's failure to respond to a request for reasonable accommodation or an inordinate delay in responding could also violate the Act.

Local governments are encouraged to provide mechanisms for requesting reasonable accommodations that operate promptly and efficiently, without imposing significant costs or delays. The local government should also make efforts to insure that the availability of such mechanisms is well known within the community.

Joint Statement of the Department of Justice and the Department of Housing and Urban Development, *Group Homes, Local Land Use, and the Fair Housing Act*, August 18, 1999, pages 3 and 4.

On May 15, 2001 the State Attorney General transmitted a letter to all local governments advising the localities to consider adoption of a reasonable accommodation procedure. In that letter, the Attorney General stated:

Both the federal Fair Housing Act ('FHA') and the California Fair Employment and Housing Act ('FEHA') impose an affirmative duty on local governments to make reasonable accommodations (i.e., modifications or exceptions) in their zoning laws and other land use regulations and practices when such accommodations 'may be necessary to afford' disabled persons 'an equal opportunity to use and enjoy a dwelling.

The Office of Attorney General pointed out that while a city may deny a disabled applicant's request from relief under variance or conditional use permit procedures, the procedures may be insufficient to justify the denial when judged in light of the fair housing laws' reasonable accommodations mandate.

b. Planning and Zoning Code Regulations

The Code does not contain a reasonable accommodation procedure. Program 8.27 of the *2008-2013 Housing Element* indicates the City will amend the Planning and Zoning Code to adopt by a reasonable accommodation procedure by October 2013.

c. Conclusion

One of the main reasons for a reasonable accommodation procedure is to provide a way – other than through a variance or conditional use permit -- for disabled applicants to request a modification from zoning, building and land use rules, standards, and policies.

The City will adopt a reasonable accommodation procedure in the first year (2013-2014) of the *2013-2018 Fair Housing Action Plan*.

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10. If the City supplies or manages housing, is there a clear policy to allow disabled persons residing in or seeking to reside in the housing to make or request reasonable physical modifications or to request reasonable accommodations?

Yes No Not Applicable

If 'Yes', is the policy communicated to applicants or residents?

Yes No Not Applicable

a. Background

The Fair Housing Act requires *housing providers* to make reasonable accommodations for persons with disabilities. A reasonable accommodation is a change in rules, policies, practices, or services so that a person with a disability will have an equal opportunity to use and enjoy a dwelling unit or common space. A housing provider should do everything s/he can to assist, but s/he is not required to make changes that would fundamentally alter the program or create an undue financial and administrative burden. Reasonable accommodations may be necessary at all stages of the housing process, including application, tenancy, or to prevent eviction.

Example: *A housing provider would make a reasonable accommodation for a tenant with mobility impairments by fulfilling the tenant's request for a reserved parking space in front of the entrance to their unit, even though all parking is unreserved.*

b. Housing Provider Findings

A survey of apartment housing was conducted in October 2012. One question asked the managers whether they had policies for disabled tenants to request and make reasonable accommodations and/or modifications. Of the twenty (20) apartment complexes interviewed –

- 1 said no
- 10 said yes
- 2 said yes and the complex makes them
- 2 said yes with permission;
- 1 said yes but it would have to be restored when moving out
- 1 said yes depending on the type
- 1 didn't know
- 2 there was no response

The Housing Authority of the County of Riverside operates 82 public housing units and 631 Section 8 units in Moreno Valley. The Housing Authority's reasonable accommodation policies are quoted below:

The HA's policies and practices are designed to provide assurances that all persons with disabilities will be provided reasonable accommodations so that they may have equal access to the housing programs and related services. Persons requiring special accommodations due to a disability must notify the HA of their needs.

Reasonable Accommodation requests for families will be considered when a family includes a person with disabilities. The person with a disability, or guardian or responsible party of the person with a disability, must submit a written Reasonable Accommodation request. In cases where a separate bedroom or live-in aide is requested

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because of reasonable accommodation, the Housing Authority will verify the need through third party verification from the patient's designated licensed professional.

The HA will approve the exception as a reasonable accommodation if the family demonstrates a nexus to the disability is present to make the program accessible to and usable by the family member with a disability. Verification of the need must be provided annually on a Housing Authority approved form. In addition, requests involving separate bedrooms for medical equipment will be verified at the time of a participant's annual inspection or a special inspection may be conducted after an initial lease up to ensure that program funds are being used for the purpose in which they were intended.

Source: Housing Authority of the County of Riverside, *Administrative Plan for the Housing Choice Voucher Program*, July 1, 2012, pages 1 and 33

c. Conclusion

The City does not manage rent restricted affordable housing. It has provided gap financing to facilitate the development of affordable housing. The agreements between the City and the nonprofit owners require to reasonable accommodations and reasonable modifications.

In February 2013, the City and Fair Housing Council of Riverside County, Inc. distributed a model reasonable accommodation and reasonable modification policy to local apartment managers.

Housing for Special Needs Populations

11. Does the Zoning Code or other planning policy document address housing for "special needs" populations?

Yes No

a. Background

Special needs populations typically are considered to be homeless people, victims of domestic violence, people with disabilities (including those recovering from substance abuse), youth in crisis, people living with HIV/AIDS and the frail elderly. Of these groups, homeless people, victims of domestic violence, people with disabilities, and people living with HIV/AIDS have direct fair housing implications. There is a high incidence of disability in the homeless population; domestic violence overwhelming impacts women; and people living with HIV/AIDS are considered disabled under fair housing laws. While age is not a characteristic protected under federal fair housing law, it is covered under state law, and the higher incidence of disability in the frail elderly introduces possible fair housing implications for that population as well.

These populations often rely on group homes or service-enriched multi-family settings for housing opportunities. To the extent that zoning and other planning policy documents fail to provide for, or impose barriers to, these types of housing an impediment to fair housing choice might exist.

As previously noted, according to the DOJ and HUD, the term 'group home' does not have a specific legal meaning. While it often implies a living situation for people with disabilities, it also

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applies to any group of unrelated persons, often sharing common characteristics, who live together in a dwelling. This broader use of the term encompasses 'special needs' individuals.

b. Planning and Zoning Code Regulations

The Planning and Zoning Code neither defines "special needs" housing nor establish development standards for such housing. The City plans to define and accommodate transitional housing and supportive housing, which serve special housing needs. The City also addresses "special needs" housing through two planning policy documents – the Consolidated Plan and the Housing Element.

The Consolidated Plan establishes policies for addressing the needs of the following special needs populations:

- Elderly
- Frail Elderly
- Persons with disabilities (mental, physical, developmental)
- Persons with HIV/AIDS and their families
- Persons with alcohol or other drug addiction
- Victims of domestic violence

The *2008-2013 Housing Element* contains policies and programs to address the housing needs of special populations. Some of the housing element special populations also are fair housing protected classes – handicapped/disabled, female householders and the homeless many of whom are disabled.

City programs have produced housing for special needs populations:

- Ability First 24 housing units for physically disabled persons
- Atwood Gardens 9 units for of permanent support housing for developmentally disabled adults
- Rancho Dorado 15 units of permanent supportive housing for homeless and mentally ill adults

c. Conclusion

The City addresses special needs populations through the policies of the Consolidated Plan and Housing Element. In the Housing Element Update (to be adopted by October 2013), the City must address the needs of the developmentally disabled population. The City also will consider amending the Planning and Zoning Code to include a definition and development standards for special needs housing.

12. How are "special group residential housing" defined in the jurisdiction's Zoning Code?

a. Background

The term group home does not have a specific legal meaning. According to the DOJ/HUD Joint Statement the term 'group home' is sometimes applied to any group of unrelated persons who live together in a dwelling – such as a group of students who voluntarily agree to share the rent on a house. The Fair Housing Act does not generally affect the ability of local governments to regulate housing of this kind, as long as they do not discriminate against residents on the basis

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of race, color, national origin, religion, sex, handicap (disability) or familial status (families with minor children).

b. Planning and Zoning Code Regulations

The zoning regulations do not define group home or special group residential housing. Licensed residential care homes for fewer than six persons are a permitted residential use in all zones that permit single family homes. Those that house seven or more persons are permitted with a conditional use permit.

c. Conclusion

The City's zoning regulations are consistent with the Federal and State laws. The regulations are not a barrier to group housing for disabled persons.

13. Does the Zoning Code distinguish senior citizen housing from other single- family residential and multifamily residential uses by the application of a conditional use permit (CUP)?

Yes No

a. Background

Senior housing is an important component of a community's housing stock. As a population ages, seniors need a variety of housing opportunities.

b. Planning and Zoning Code Regulations

The zoning regulations do not require a conditional use permit (CUP) for senior housing. However, the Planning and Zoning Code does have specific "property development standards" for senior and handicapped housing. The most important of these is that:

The number of dwelling units may exceed that which is permitted in the underlying district by up to one hundred (100) percent.

In addition:

Each dwelling unit shall consist of individual rooms that contain a full bathroom and may contain small, efficiency kitchens. Any common kitchen, dining and living space, and recreational facilities must be adequate to serve all residents.

The senior housing regulations also allow the development of common facilities for the exclusive use of resident seniors (e.g., transportation maintained and operated by the facility).

c. Conclusion

The zoning regulations do not impede the development of senior housing. In fact, the density and property development standards encourage housing specifically designed to meet the needs of Moreno Valley's seniors.

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14. Are there any standards for Senior Housing in the Zoning Code?

Yes No

If 'Yes', do the standards comply with federal law on housing for older persons (i.e., solely occupied by persons 62 years of age or older, or at least one person 55 years of age, or other qualified permanent resident pursuant to Civil Code Section 51.3)?

Yes No

Is the location of Senior Housing treated differently than other rental or for-sale housing?

Yes No

If 'Yes', explain.

a. Background

Under federal law housing discrimination against families with children is permitted only in housing in which all the residents are 62 years of age or older or where at least 80% of the occupied units have one person who is 55 years of age or older. Generally, California law states that a housing provider using the lower age limitation of 55 years must have at least 35 units to use the familial status discrimination exemption. Also, California law, with narrow exceptions, requires all residents to be "senior citizens" or "qualified permanent residents", pursuant to Civil Code §51.3.

The 1988 amendments to the federal Fair Housing Act exempt "housing for older persons" from the prohibitions against familial discrimination. This means that housing communities and facilities that meet the criteria for the federal Housing for Older Persons Act (HOPA) may legally exclude families with children. Such housing is still bound by all other aspects of fair housing law (such as prohibition of discrimination based on race, national origin or disability).

Section 3607(b)(2) defines "housing for older persons" as housing:

(A) provided under any State or Federal program that the Secretary determines is specifically designed and operated to assist elderly persons (as defined in the State of Federal program); or

(B) intended for, and solely occupied by, persons 62 years of age or older; or

(C) intended and operated for occupancy by persons 55 years of age or older and –

(i) at least 80 percent of the occupied units are occupied by at least one person who is 55 years of age or older;

(ii) the housing facility or community publishes and adheres to policies and procedures that demonstrate the intent required under this subparagraph; and

(iii) the housing facility or community complies with rules issued by the Secretary for verification of occupancy, which shall –

(I) provide for verification by reliable surveys and affidavits, and

(II) include examples of the types of policies and procedures relevant to a determination of compliance with the requirement of clause (ii). Such surveys

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and affidavits shall be admissible in administrative and judicial proceedings for the purposes of such verification.

Subsection (C) was changed by the Housing for Older Persons Act of 1995 (HOPA) to remove some of the uncertainties created by a provision in the 1988 Amendments that required the "existence of significant facilities and services specifically designed to meet the physical and social needs of older persons." The HOPA also provides for a good faith defense in an action for monetary damages under this subsection.

b. Planning and Zoning Code Regulations

Section 9.09.150 C7 of the Zoning Code states:

Residential occupancy for senior housing shall be limited to single persons at least sixty-two (62) years old, or to cohabiting couples of which one is at least sixty-two (62) years old for projects of less than one hundred fifty (150) units. For projects of one hundred fifty (150) or more units, such minimum occupant age shall be fifty-five (55) years. Any differing age criteria set by state or federal law shall prevail over any inconsistencies within this section.

Section 9.09.150B states:

Senior and handicapped housing shall be subject to the property development requirements of the underlying district and subject to all applicable local, state and federal laws, including the requirements of this section.

Property development standards unique to senior housing include:

The units provided shall not be less than four hundred fifteen (415) square feet in floor area for efficiency units, and five hundred forty (540) square feet for one bedroom units, or as otherwise approved by the planning commission.

The number of dwelling units may exceed that which is permitted in the underlying district by up to one hundred (100) percent, or as otherwise approved by the city council, provided the conditions of approval [meet certain] requirements

c. Conclusion

The Planning and Zoning Code could be amended to be more precise on what constitutes senior housing. For example, many cities define senior housing as follows:

Senior citizen housing shall mean a housing development consistent with the California Fair Employment and Housing Act (Government Code Section 12900 et. seq., including 12955.9 in particular), which has been "designed to meet the physical and social needs of senior citizens," and which otherwise qualifies as "housing for older persons" as that phrase is used in the Federal Fair Housing Amendments Act (42 U.S.C. 3607(b)) and implementing regulations and as that phrase is used in California Civil Code Section 51.2 and 51.3.

With respect to the meaning of senior housing and the age restrictions, the Planning and Zoning Code defers to Federal and State laws:

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- Any differing age criteria set by state or federal law shall prevail over any inconsistencies within this section.
- Senior housing shall be subject to the property development requirements of all applicable state and federal laws....

Affordable Housing Policies

15. Is there a Zoning Code or other development policy that encourages or requires the inclusion of housing units affordable to low- and/or moderate- income households ('inclusionary housing')?

Yes No

a. Background

An analysis of impediments to fair housing choice must be careful to not substitute or conflate housing affordability policy with policies intended to affirmatively further fair housing. While household income is not a characteristic addressed by fair housing laws, it is appropriate to recognize that a lack of affordable housing can have a disparate impact on housing choice, on the basis of characteristics protected by fair housing laws.

As demonstrated by the outcome in the recent court case of *U.S. ex rel. Anti-Discrimination Center v. Westchester County*, which involved failures to affirmatively further fair housing by Westchester County, New York, in appropriate circumstances the provision and situation of affordable housing can be a tool to address a lack of fair housing choice in highly segregated communities.

b. Planning and Zoning Code Regulations

The zoning regulations do not include provisions for inclusionary housing. However, the City does provide many incentives to facilitate affordable housing such as:

- Gap financing
- Defer or reduce development impact fees
- Waive Traffic Uniform Mitigation Fee (TUMF)
- Streamlined permit processing
- Density bonuses

c. Conclusion

The City provides incentives for the production of affordable housing.

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16. Does the City encourage or require affordable housing developments to give an admission preference to individuals already residing within the jurisdiction?

Yes No

If 'Yes', is it a requirement?

Yes No

a. Background

This practice may have fair housing implications if the population of the jurisdiction lacks diversity or does not reflect the demographic makeup of the larger region in which it is located. There may be a barrier to fair housing choice, in that the policy can have a discriminatory affect on the basis of characteristics considered by fair housing laws.

For example if a jurisdiction already lacks housing suitable to people with mobility-related disabilities, the local population may have an under representation of such individuals, when compared to the population generally. Newly developed accessible housing that could meet the needs of such individuals, but which has a local resident admission preference, would be less likely to improve the ability of people with mobility-related disabilities to live in the jurisdiction. Likewise, a jurisdiction with an under representation of minority residents is likely to perpetuate that situation if a local resident admission preference is implemented for new affordable housing development.

b. Planning and Zoning Code Regulations

Admission preferences have not been established by the City.

c. Conclusion

There are no impediments to fair housing choice.

Accessible Housing and Parking

17. Does the jurisdiction's planning and building codes presently make a specific reference to the accessibility requirements contained in the 1988 amendments to the Fair Housing Act?

Yes No

Is there any provision for monitoring compliance?

Yes No

a. Background

The Fair Housing Act establishes accessibility requirements for new housing. Title 24 of the California Code of Regulations, known as the California Building Standards Code or just 'Title 24,' contains the regulations that govern the construction of buildings in California. Chapter 11A contains the regulations governing housing accessibility.

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b. Building Code Regulations

The City has adopted the California Building Code, 2010 Edition, based on the 2009 International Building Code as published by the International Code Council. The scheme for accessibility in California has been enhanced by the incorporation of the more restrictive building standards of the Federal Americans with Disabilities Act as well as the Fair Housing Amendments Act into the California access code.

The Building & Safety Division website makes available a Title 24 Disability Access Standards Complaint Form. The form allows a resident to make a complaint relative to site accessibility, building accessibility and sanitary facility accessibility.

c. Conclusion

As noted above, the City's Building Code contains the Fair Housing Act accessibility requirements. Compliance is monitored by the Building & Safety Division review of construction plans and the issuance of building permits and certificates of occupancy.

18. Does the Zoning Code contain any special provisions for making housing accessible to persons with disabilities?

Yes No

a. Background

The requirement for accessible units applies to "covered multifamily dwellings" constructed for first occupancy after March 13, 1991. First occupancy is defined as a "building that has never been used for any purpose."

There is no timetable for the production of accessible housing, as such housing is constructed when residential projects are built. The Fair Housing Act does not require any renovations to existing buildings. Its design requirements apply to new construction only.

Both privately owned and publicly assisted housing – including rental and for sale units – must meet the accessibility requirements when they are located in 1) buildings of four or more dwellings if such buildings have one or more elevators, and 2) all ground floor dwellings in other buildings containing four or more units.

b. Building Code Regulations

The City requires all new housing developments to comply with the California Building Standards (Title 24 of the California Code of Regulations) and the federal American with Disabilities Act (ADA). Title 24 of the California Code of Regulations, known as the California Building Standards Code or just 'Title 24,' contains the regulations that govern the construction of buildings in California. Chapter 11A contains the regulations governing housing accessibility.

The City enforces the Title 24 accessibility regulations. The City has prepared a Plan Check Manual which explains that construction plans must comply with the ADA Standards for Accessible Design (page 3) and explains in the Plan Check Review Checklist that "ADA requirements are approved by the Building and Safety Division" (page 40).

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Additionally, the City's housing programs enhance housing accessibility. The Home Improvement Loan Program (HILP) offers 3% deferred loans to "improve handicap accessibility." The Mobile Home Rehabilitation Program provides assistance "mainly to elderly and disabled persons whom are unable to maintain the exterior of their property and are facing penalties that could lead to eviction."

c. Conclusion

The City complies with the Federal and State laws governing accessible housing in new housing developments. The City's housing programs make special provisions for making housing accessible to disabled people.

19. Describe the minimum standards and amenities required by the Zoning Code for a multiple family project with respect to handicap parking?

a. Background

Federal and State laws require handicap parking. To further fair housing for disabled persons, the City's requirements should equal or exceed the minimum standards of Federal and State laws.

b. Planning and Zoning Code Regulations

The City's requirements for accessible parking are intended to be consistent with the state requirements. According to the Planning and Zoning Code, any conflicting provisions or future changes in state or federal requirements shall preempt the standards for provision of accessible parking spaces that the City currently requires.

Attachment C contains the City's accessible parking requirements.

c. Conclusion

The City's accessible and handicap parking requirements comply with the standards imposed by State and Federal laws.

Other Fair Housing Policies

20. Does the Zoning Code include a discussion of fair housing?

Yes No

If yes, how does the jurisdiction propose to further fair housing?

a. Background

Affirmatively furthering fair housing is an important responsibility of local government. Although a city may have numerous plans, policies, and standards, fair housing is rarely discussed in a zoning ordinance. Other documents of a city may discuss fair housing.

b. Planning Policies

The *2008-2014 Housing Element* discusses fair housing. The element policy is to –

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- Provide fair housing ... services to very low- and moderate-income households.

Two action programs are:

- Contract with a fair housing agency to educate landlords and tenants on their rights and responsibilities.
- Update the *Analysis of Impediments to Fair Housing Choice*.

c. Conclusion

The *2008-2014 Housing Element* contributes to promoting and furthering fair housing. The City's program includes workshops, the dissemination of information on fair housing laws and referrals to the Fair Housing Council of Riverside County, Inc.

21. Does the Zoning Code or Building Code establish occupancy standards or maximum occupancy limits that are more restrictive than state law, which incorporates the Uniform Housing Code (UHC)?

Yes No

a. Background

Occupancy standards sometimes can impede housing choice for families with children or for disabled persons. For example, some jurisdiction's zoning regulations have attempted to limit occupancy to five related persons occupying a single family home, or to strictly establish an occupancy standard of no more than two persons per bedroom. Such regulations can limit housing availability for some families with children, or prevent the development of housing for disabled persons.

The federal Fair Housing Act (FHA) also provides that nothing in the Act "limits the applicability of any reasonable local, State or Federal restrictions regarding the maximum number of occupants permitted to occupy a dwelling." [Section 807(b)(1)]

HUD implements section 589 of the Quality Housing and Work Responsibility Act (QHWRA) of 1988 by adopting as its policy on occupancy standards for purposes of enforcement actions under the FHA, the standards provided in the Memorandum of General Counsel Frank Keating to Regional Counsel dated March 20, 1991. The purpose of that Memorandum was "to articulate more fully the Department's position on reasonable occupancy policies and to describe the approach that the Department takes on its review of occupancy cases." The Memorandum states the following:

Specifically, the Department believes that an occupancy policy of two persons in a bedroom, as a general rule, is reasonable under the Fair Housing Act. [. . .] However, the reasonableness of any occupancy policy is rebuttable, and neither the February 21 [1991] memorandum nor this memorandum implies that Department will determine compliance with the Fair Housing Act based solely on the number of people permitted in each bedroom. [Emphasis added]

The memorandum goes on to reiterate statements taken from the final rule implementing the Fair Housing Amendments Act of 1988 as follows:

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- [T]here is nothing in the legislative history that indicates any intent on the part of Congress to provide for the development of a national occupancy code”
- Thus, the Department believes that in appropriate circumstances, owners and managers may develop and implement reasonable occupancy requirements based on factors such as the number and size of sleeping areas or bedrooms and the overall size of the dwelling unit. In this regard, it must be noted that, in connection with a complaint alleging discrimination on the basis of familial status, the Department will carefully examine any such nongovernmental restriction to determine whether it operates unreasonably to limit or exclude families with children.

Source: U.S. Department of Housing and Urban Development, Memorandum to All Regional Counsel from Frank Keating on the subject of *Fair Housing Enforcement Policy: Occupancy Cases*, March 20, 1991.

Essentially, HUD has established a starting point for assessing the reasonableness of occupancy restrictions, but has stated that the specific facts of each living situation must inform the final determination of reasonableness. While the above discussion relates to matters of discrimination affecting families with children, a similar analysis applies to standards that may limit housing choice for persons with disabilities.

b. Building Code Regulations

The City’s zoning regulations do not establish occupancy limits. The Uniform Housing Code -- on the basis of square footage -- establishes minimum occupancy limits for all housing.

California’s occupancy standard for residential dwellings is an example of a permissible neutral standard:

Room dimensions (b) Floor Area: Dwelling units and congregate residences shall have at least one room which shall have not less than 120 square feet of floor area. Other habitable rooms, except kitchens, shall have an area of not less than 70 square feet. Where more than two persons occupy a room used for sleeping purposes, the required floor area shall be increased at the rate of 50 square feet for each occupant in excess of two.

According to an analysis of occupancy standards:

The Legislature, by adopting this Uniform Housing Code standard, intends to pre-empt local occupancy standards generally. Municipalities may deviate from the uniform occupancy standard only if, pursuant to specific state provisions, they make express findings that a deviation is reasonably necessary due to “climatic, geological or topographical conditions.” Local governments should adopt the foregoing Uniform Housing Code standard for compliance with fair housing laws and to address health and safety concerns in the community.

Source: Mental Health Advocacy Services, Inc., *Fair Housing Issues in Land Use and Zoning: Definitions of Family and Occupancy Standards*, September 1998, page 7

APPENDIX B – PUBLIC SECTOR IMPEDIMENTS ANALYSIS

c. Conclusion

The City follows the standards of the Uniform Housing Code. Consequently, the City's regulations do not impede housing opportunities as occupancy standards different from the State requirements have been established.

22. Does the Zoning Code allow for mixed uses?

Yes No

If 'Yes', does the ordinance or other planning policy document consider the ability of mixed-use development to enhance housing affordability?

Yes No

Also, do development standards for mixed-uses take into consideration the challenges of providing housing accessible to persons with disabilities in such mixed uses?

Yes No

a. Background

Housing for disabled persons in a mixed-use development that includes commercial and residential land uses in a multi-story building could be a challenge. In such a development, it is especially important to correctly interpret the Federal and State accessibility requirements.

Housing for disabled persons in a mixed-use development that includes commercial and residential land uses in a multi-story building could be a challenge. In such a development, it is especially important to correctly interpret the Title 24 accessibility requirements.

b. Planning and Zoning Code Regulations

The City's General Plan was adopted on July 11, 2006. According to the General Plan policy:

The primary purpose of locations designated Mixed-Use on the Moreno Valley General Plan Land Use map is to provide for the establishment of commercial and office uses and/or residential developments of up to 20 dwelling units per acre. The zoning regulations shall identify the particular uses and type of development permitted on each parcel. Overall development intensity should not exceed a floor area ratio of 1.00.

The Planning and Zoning Code provides for two mixed use zones – MUD 1 and MUD 2. According to the Code:

The intent of the mixed use district 2 (MUD2) is the development of pedestrian oriented shopping areas with smaller, service related and specialty types of businesses with an allowance for residential as a secondary land use to the primary commercial use. MUD2 development is intended to occur along arterials or greater streets or in areas of high density development. The addition of a residential component is intended to increase the level of activity in commercial areas and provide better linkages and compatibility with adjacent residential neighborhoods. Overall development intensity should not exceed a floor area ratio of 1.00.

APPENDIX B – PUBLIC SECTOR IMPEDIMENTS ANALYSIS

The Code does mention specifically that the mixed use zones are intended to enhance affordability. However, MUD 2 allows housing at a maximum density of 30 dwelling units per acre. The California Department of Housing and Community Development has found that this density facilitates the development of affordable housing.

c. Conclusion

The City's mixed-use policy is neutral with respect to housing for disabled persons. The policy may be clarified with respect to how accessibility requirements will be enforced in a mixed-use development.

23. Does the Zoning Code describe any areas in this jurisdiction as exclusive?

Yes No

Are there exclusions or discussions of limiting housing to any of the following groups?

Yes No

If yes, check any of the following that apply:

- Race
- Color
- Sex
- Religion
- Age
- Disability
- Marital or Familial Status
- Creed of National Origin

a. Background

Fair housing choice means the ability of persons of *similar* income levels to have available to them the *same* housing choices. The City's land use and zoning policies cannot exclude persons from living in the neighborhoods in which they want to reside.

b. Zoning Regulations

Land use within Moreno Valley is primarily residential in character. Single family residential dominates the western half of the community. Residences are scattered throughout the eastern portion of the City.

Much of developed Moreno Valley was guided by specific plans. These specific plans, which include specific zoning and development standards, include Towngate, Moreno Valley Ranch, Sunnymead Ranch, Hidden Springs, Moreno Highlands and Eastgate. The General Plan and Specific Plans guide development of land and do not exclude or limit housing choices because of the characteristics listed above. The Housing Element has policies to encourage the production of senior housing, housing for disabled persons and family housing.

c. Conclusion

The land use and housing policies are consistent with Federal and State fair housing laws.

APPENDIX B – PUBLIC SECTOR IMPEDIMENTS ANALYSIS

24. Do real estate property tax assessments adversely impact one or more of the protected groups?

Yes No

a. Background

HUD's *Fair Housing Planning Guide*, Volume 1 (March 1996) indicates that a potential public sector impediment is "real estate property tax assessment." Entitlement jurisdictions should analyze property tax policies in the AI. Apparently, this analysis is suggested because of the potential for differential assessments that may adversely impact one or more of the protected classes. In California, however, property tax policies are established by State laws and localities wishing to enact additional taxes must seek the approval of the electorate.

b. Real Estate Property Tax Assessment Regulations

State law mandates that all property is subject to taxation unless otherwise exempted. Property taxes are based on a property's assessed value. Property tax bills show land and improvement values. *Improvements* include all assessable buildings and structures on the land. *It does not necessarily mean recently "improved" property.* In general, properties that are owned and used by educational, charitable, religious or government organizations may be exempt from certain property taxes.

In 1978, California voters passed Proposition 13, which substantially reduced property tax rates. As a result, the *maximum levy* cannot exceed 1% of a property's assessed value (plus bonded indebtedness and direct assessment taxes). This levy is applied to the City's residential properties as it is to all other properties in Riverside County and the State.

Increases in assessed value are limited to 2% annually. Four events can cause a reappraisal:

- A change in ownership;
- Completed new construction;
- New construction partially completed on the lien date (January 1); or
- A decline-in-value

Moreno Valley's 2012 assessed valuation is \$10,988,508,839 or 1.44% more than in 2011.

Source: Riverside County Office of the Assessor, County Clerk-Recorder, *2012-2013 Annual Report*, page 19

c. Conclusion

City practices do not affect real estate property tax assessments.

APPENDIX B – PUBLIC SECTOR IMPEDIMENTS ANALYSIS

Attachment B Fair Housing Impediments Study Schedule of Accessible Parking Requirements

The following requirements for accessible parking are intended to be consistent with the state requirements. Any conflicting provisions or future changes in state or federal requirements shall preempt the standards for provision of accessible parking spaces contained in this title.

1. Accessible parking for residential uses shall be provided at a rate of one space for each dwelling unit that is designed for accessibility and occupancy by the disabled, unless an adjustment is allowed, based on a parking study approved by the community development director.

2. Accessible parking for outpatient units and facilities providing medical care and other services for persons with mobility impairments shall be provided at a rate of ten (10) percent of the total number of parking spaces provided serving such outpatient unit or facility. Accessible parking for units and facilities that specialize in treatment or services for persons with mobility impairments shall be provided at a rate of twenty (20) percent of the total number of parking spaces provided serving each such unit or facility.

3. Accessible parking spaces for other uses shall be provided at the following rates:

| Number of Automobile Spaces Provided | Number of Accessible Spaces Provided |
|--------------------------------------|--|
| 1—25 | 1 |
| 26—50 | 2 |
| 51—75 | 3 |
| 76—100 | 4 |
| 101—150 | 5 |
| 151—200 | 6 |
| 201—300 | 7 |
| 301—400 | 8 |
| 401—500 | 9 |
| 501—1,000 | 2 percent of total spaces |
| 1,001 and over | 20 plus 1 for each 100 spaces or fraction thereof over 1,001 |

4. Each accessible parking space shall be fourteen (14) feet wide, striped to provide a nine-foot wide parking area and a five-foot wide loading area (access aisle) and shall be a minimum of eighteen (18) feet in length. If two accessible spaces are located adjacent to each other, they may share the five-foot wide loading area, resulting in a width of twenty-three (23) feet for the two spaces. One in every eight handicapped spaces, but not less than one, shall be van accessible; served by a loading area not less than eight feet wide. If two van accessible parking spaces are located adjacent to each other, they may share a common eight-foot wide loading area.

5. When less than five parking spaces are provided, at least one shall be fourteen (14) feet wide, striped to provide a nine-foot parking area and a five-foot loading area. Such space shall not be required to be reserved or identified exclusively for use by persons with disabilities.

6. Accessible parking spaces serving a particular building shall be located on the shortest accessible route of travel from adjacent parking to an accessible entrance. In parking facilities that do not serve a particular building, accessible parking shall be located on the

APPENDIX B – PUBLIC SECTOR IMPEDIMENTS ANALYSIS

shortest accessible route of travel to an accessible pedestrian entrance of the parking facility. In buildings with multiple accessible entrances with adjacent parking, accessible parking spaces shall be dispersed and located closest to the accessible entrances.

7. In each parking area, a bumper or curb shall be provided and located to prevent encroachment of cars over the required width of walkways. The space shall be so located that persons with disabilities are not compelled to wheel or walk behind cars other than their own. Pedestrian ways that are accessible to people with disabilities shall be provided from each such parking space to the related facilities, including curb cuts or ramps as needed. Ramps shall not encroach into any parking space; with the exception that ramps located at the front of accessible parking spaces may encroach into the length of such spaces when such encroachment does not limit the capability of a person with a disability to leave or enter their vehicle, thus providing equivalent facilitation. Where the building official determines that compliance with any regulation of this subsection (B)(7) would create an unreasonable hardship, a waiver may be granted when equivalent facilitation is provided.

8. The slope of an accessible parking stall shall be the minimum possible and shall not exceed one-quarter inch per foot (2.083% gradient) in any direction.

9. Notwithstanding the off-street parking requirements of subsection A of this section, the number of parking spaces that are not accessible may be reduced to the extent necessary for modification of an existing facility to comply with the requirements described in this subsection.

10. Where provided, one passenger drop-off and loading zone shall provide an access aisle at least five feet wide and twenty (20) feet long adjacent and parallel to the vehicle pull up space. Such zones shall be located on a surface with a slope not exceeding one vertical in fifty (50) horizontal and shall be located on an accessible route of travel to the entrance of the facility. If there are curbs between the access aisle and the vehicle pull-up space, then a curb ramp shall be provided. Valet parking facilities shall provide a passenger loading zone, as described herein. (Ord. 694 § 1.1 (part), 2005; Ord. 670 § 3.1 (part), 2004; Ord. 557 §§ 2.2, 2.3, 2000; Ord. 520 § 1.14, 1997; Ord. 475 § 1.4 (part), 1995; Ord. 405 §§ 1.8, 1.13, 1993; Ord. 402 §§ 1.1, 1.2, 1993; Ord. 359 (part), 1992)

Appendix C

APPENDIX C - PRIVATE SECTOR IMPEDIMENTS ANALYSIS

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APPENDIX C – PRIVATE SECTOR IMPEDIMENTS ANALYSIS

A. INTRODUCTION

The AI examines the following private sector impediments:

- Housing discrimination
- Brokerage services
- Steering
- Appraisal practices
- Lending practices
- Homeowners insurance
- Blockbusting/panic selling
- Property management
- Reasonable modifications/accommodations
- Discriminatory advertising
- Hate crimes

1. Summary of Impediments and Action Plan Recommendations

Table C-1 on the next four pages presents a summary of the private sector impediments and the recommendations that will be included in the *2013-2018 Fair Housing Action Plan (FHAP)*. Most of the actions to remove or ameliorate the private sector impediments will be undertaken by the Fair Housing Council of Riverside County, Inc. These actions will be accomplished under the current agreement between the City and FHC or amended as necessary during the five-year period of the FHAP.

APPENDIX C – PRIVATE SECTOR IMPEDIMENTS ANALYSIS

**Table C-1
City of Moreno Valley
Summary of Private Sector Impediments
and Fair Housing Action Plan Recommendations**

| Impediments | Action Plan Recommendations |
|--|--|
| Housing Discrimination | |
| <p>Based on past trends, about 165 housing discrimination complaints will be filed during the five year period between 2013 and 2018. The bases for most of these complaints are likely to be race/color and disability.</p> <p>Although housing discrimination is infrequently reported in Moreno Valley, it is an underreported event. Some residents could experience housing discrimination and 1) not know how to detect it; 2) not know where to report it; and 3) uncertain about whether they want to report it.</p> | <p>➤ The City and Fair Housing Council of Riverside County, Inc. will continue to offer to its residents fair housing services which include the processing of housing discrimination complaints and landlord/tenant counseling services. Sometimes a landlord/tenant issue has as its basis a housing discrimination concern.</p> <p>➤ The Fair Housing Council will post on its website a page where residents can input their fair housing questions.</p> |
| Brokerage Services | |
| <p>No impediment was found. Brokerage services as defined by the Federal Fair Housing Act pertain to the MLS and real estate organizations. Therefore, the City has no authority with respect to the MLS, Bylaws, and Code of Ethics. However, fair housing and real estate practices are of interest because of the number of homes that will be sold and bought in Moreno Valley over the next five years.</p> | <p>➤ The City and Fair Housing Council of Riverside County, Inc. will arrange a meeting with IVAR’s Fair Housing Committee, which meets the third Tuesday of every month, to explore fair housing topics.</p> |
| Steering | |
| <p>Steering may adversely impact homebuyers in their search process and when they apply for a loan. Steering also may adversely impact renters when they seek an apartment.</p> <p>Corrective actions have been taken regarding loan steering so that abuse may not happen in the future as frequently as it occurred in the early to mid- 2000s.</p> <p>However, the steering of apartment seekers is likely to continue, although it is not possible to measure its frequency.</p> | <p>➤ The Fair Housing Council - as part of its home buyer counseling services – will provide examples of how to detect “steering” during the home search process and how to detect “loan steering.”</p> <p>➤ The Fair Housing Council will offer information to renters attending workshops on how to detect steering behavior by resident property managers.</p> |

APPENDIX C – PRIVATE SECTOR IMPEDIMENTS ANALYSIS

**Table C-1 continued
City of Moreno Valley
Summary of Private Sector Impediments
and Fair Housing Action Plan Recommendations**

| Impediments | Action Plan Recommendations |
|--|--|
| Appraisal Practices | |
| <p>Complaints regarding appraisal discriminatory practices are not routinely collected by local, State or Federal agencies. It may occur but would-be homebuyers are in the best position to detect potentially discriminatory practices.</p> | <ul style="list-style-type: none"> ➤ The Fair Housing Council will add “how to read an appraisal report” to its homebuyer counseling services. ➤ Consumer education will 1) inform borrowers of their right to request the appraisal report and 2) provide information on the contents of the report and how to detect possible discriminatory practices. |
| Lending Practices | |
| <p>The potential for a high percentage of FHA loans becoming seriously delinquent will disproportionately affect Hispanic home buyers as 70% bought their homes with FHA/VA financing.</p> <p>As the FHA/VA reduces its market share of mortgage credit, fewer minorities will be able to obtain loans to purchase a home.</p> <p>Disparities exist among the loan denial rates experienced by minority loan applicants compared to White loan applicants.</p> <p>Bank of America has a loan denial rate considerably higher than other major lenders.</p> | <ul style="list-style-type: none"> ➤ The City and Fair Housing Council will annually monitor the HMDA data to establish long-term trends in loan denial rates. ➤ The City and Fair Housing Council will maintain an inventory of FHA and low down payment financed homes. ➤ The City and Fair Housing Council will monitor on a regular schedule the notices of default by address made available by the County Recorder’s Office or through a subscription service. ➤ The City and Fair Housing Council will match the notices of default by address to the addresses of the low down payment financed homes. ➤ The Fair Housing Council will contact the borrowers in default and inform them of default and foreclosure counseling services available to homeowners at risk of losing their homes. |
| Homeowner’s Insurance | |
| <p>As Moreno Valley has the second lowest home owners insurance premiums of the eight areas studied, there are no major impediments. However, without adequate knowledge consumers could pay more than they need to for appropriate insurance coverage.</p> | <ul style="list-style-type: none"> ➤ The Fair Housing Council will add “homeowners insurance” and “CLUE Reports” to its homebuyer counseling services. ➤ The Fair Housing Council will provide educational services to home buyers and borrowers so they understand the impact of CLUE Reports and can compare homeowner’s premium rates. |

APPENDIX C – PRIVATE SECTOR IMPEDIMENTS ANALYSIS

**Table C-1 continued
City of Moreno Valley
Summary of Private Sector Impediments
and Fair Housing Action Plan Recommendations**

| Impediments | Action Plan Recommendations |
|---|---|
| Property Management Practices | |
| <p>Property management practices pertaining to service and companion animals; reasonable accommodations; and modifications can pose impediments to fair housing choice.</p> | <ul style="list-style-type: none"> ➤ The Fair Housing Council will update the list of the names and e-mail addresses of the resident apartment managers. ➤ The City and Fair Housing Council will arrange an “informational session” between the fair housing counselors and resident managers to exchange insights on a variety of fair housing issues. ➤ The City and Fair Housing Council will continue to inform resident managers by transmitting information to their e-mail and/or physical addresses. ➤ Every quarter or semi-annually the Q & A prepared by Apartment Association of San Bernardino County should focus on fair housing questions and answers. |
| Reasonable Modifications or Accommodations | |
| <p>A fair housing impediment is the practice of apartment managers to refuse disabled renters either a reasonable modification or reasonable accommodation.</p> | <ul style="list-style-type: none"> ➤ The City and Fair Housing Council will continue outreach to resident apartment managers through training sessions, workshops, correspondence and other means. ➤ The City and Fair Housing Council will transmit to the resident apartment managers a model written policy regarding reasonable accommodations and modifications. ➤ As new information becomes available, the City and Fair Housing Council will transmit it the resident apartment managers’ e-mail and/or physical addresses. |

APPENDIX C – PRIVATE SECTOR IMPEDIMENTS ANALYSIS

**Table C-1 continued
City of Moreno Valley
Summary of Private Sector Impediments
and Fair Housing Action Plan Recommendations**

| Impediments | Action Plan Recommendations |
|--|--|
| Discriminatory Advertising | |
| <p>Ads containing discriminatory words or phrases are infrequently published. However, ads with discriminatory words or phrases may be published in the future. Additionally, ads stating "no pets" may discourage disabled persons from applying for the apartment housing advertised in print publications.</p> | <ul style="list-style-type: none"> ➤ The City and Fair Housing Council of Riverside County, Inc. will continue to work with the Press-Enterprise to amend its fair housing notice with regard to the following: <ul style="list-style-type: none"> ✓ Fair housing notice be placed closer to the for rent ads ✓ Indicate the protected classes under the provisions of both the Federal and State laws ✓ Explain that service and companion animals are not pets ✓ Include the phone number of the Fair Housing Council of Riverside County, Inc. ➤ The Fair Housing Council will semi-annually review ads published in newspapers, on-line apartment search sites, and craigslist. When discriminatory words or phrases are found, the Council will notify the entities placing the ads of the need to remove those words and phrases. |
| Hate Crimes | |
| <p>Hate crimes occur infrequently. When they do occur they can devastate families who believe they must move from the home and neighborhood of their choice.</p> <p>During the five-year period of the AI (2013-2018), about 20 to 25 hate crime events may occur with a home being the location of six to seven.</p> <p>There is a need for a resource directory so victims can be referred to community resources.</p> | <ul style="list-style-type: none"> ➤ The City should prepare a Hate Crime Victims Resource Directory. ➤ When that Directory is deemed complete, it should be transmitted to the Police Department to use as a referral resource. |

B. HOUSING DISCRIMINATION

1. Prohibited Housing Discriminatory Practices

Sections 804 (a), (b), and (d) of the 1968 Fair Housing Act describe several prohibited housing discriminatory practices such as the following:

(a) To refuse to sell or rent after the making of a bona fide offer, or to refuse to negotiate for the sale or rental of, or otherwise make unavailable or deny, a dwelling to any person because of race, color, religion, sex, familial status, or national origin.

(b) To discriminate against any person in the terms, conditions, or privileges of sale or rental of a dwelling, or in the provision of services or facilities in connection therewith, because of race, color, religion, sex, familial status, or national origin.

(d) To represent to any person because of race, color, religion, sex, handicap, familial status, or national origin that any dwelling is not available for inspection, sale, or rental when such dwelling is in fact so available.

Sections 804(f) (1), (2) and (3) prohibit the following practices because of a handicap:

(1) To discriminate in the sale or rental, or to otherwise make unavailable or deny, a dwelling to any buyer or renter because of a handicap.

(2) To discriminate against any person in the terms, conditions, or privileges of sale or rental of a dwelling, or in the provision of services or facilities in connection with such dwelling, because of a handicap.

(3)(A) A refusal to permit, at the expense of the handicapped person, reasonable modifications of existing premises occupied or to be occupied by such person if such modifications may be necessary to afford such person full enjoyment of the premises.

(3)(B) A refusal to make reasonable accommodations in rules, policies, practices, or services, when such accommodations may be necessary to afford such person equal opportunity to use and enjoy a dwelling.

(3)(C) Failure to comply with accessible design and construction requirements

The California Fair Employment and Housing Act (FEHA) prohibits unlawful practices similar to those that are described in the Federal Fair Housing Act. For example, Article 2 – Housing Discrimination - Section 12955 of FEHA states the following are unlawful practices:

(a) For the owner of any housing accommodation to discriminate against or harass any person because of the race, color, religion, sex, sexual orientation, marital status, national origin, ancestry, familial status, source of income, or disability of that person.

(b) For the owner of any housing accommodation to make or to cause to be made any written or oral inquiry concerning the race, color, religion, sex, sexual orientation, marital status, national origin, ancestry, familial status, or disability of any person seeking to purchase, rent or lease any housing accommodation.

(f) For any owner of housing accommodations to harass, evict, or otherwise discriminate against any person in the sale or rental of housing accommodations when the owner's

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dominant purpose is retaliation against a person who has opposed practices unlawful under this section, informed law enforcement agencies of practices believed unlawful under this section, has testified or assisted in any proceeding under this part, or has aided or encouraged a person to exercise or enjoy the rights secured by this part. Nothing herein is intended to cause or permit the delay of an unlawful detainer action.

(k) To otherwise make unavailable or deny a dwelling based on discrimination because of race, color, religion, sex, sexual orientation, familial status, source of income, disability, or national origin.

HUD, the California Department of Fair Employment and Housing (DFEH) and the Fair Housing Council of Riverside County, Inc. process housing discrimination complaints. Housing discrimination probably is underreported and, therefore, the number of complaints may not accurately measure the extent of this private sector fair housing impediment.

Evidence on underreporting is supported by a HUD-sponsored study conducted by The Urban Institute. That research study concluded:

Another finding with implications for fair housing programs involves the fact that so few people who believed they had been discriminated against took any action, with most seeing little point in doing so.

Source: The Urban Institute, *How Much Do We Know: Public Awareness of the Nation's Fair Housing Laws*, prepared for the U.S. Department of Housing and Urban Development, Office of Policy Development and Research, April 2002, pg. 7

A follow-up study finds that between 2001 and 2005 knowledge of fair housing laws has increased in two areas – discrimination against families with children and steering of prospective homebuyers by race – but declined in one area – discrimination based on religion. On a composite index of overall knowledge, there was no change between 2001 and 2005. There was, however, a significant increase in overall support for fair housing laws.

The study also explores whether people know what to do to address perceived discrimination and why so few people who perceive they have been discriminated against do anything about it.

Four of every five persons who believed they had experienced housing discrimination plausibly covered by the federal Act profess not ... to have done anything at all in response. Many alleged victims maintain they did not take action because they presumed doing so would not have been worth it or would not have helped. Some, however, did not know where or how to complain, supposed it would cost too much money or take too much time, were too busy, or feared retaliation. The minority who did respond mainly complained to the person thought to be discriminating or to someone else, but a small proportion also talked to or hired a lawyer or sought help from or filed a complaint with a fair housing or other group or government agency.

Source: The Urban Institute, *Do We Know More Now? Trends in Public Knowledge, Support and Use of Fair Housing Law*, prepared for the U.S. Department of Housing and Urban Development, Office of Policy Development and Research, February 2006, pg. iii

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2. Examples of Housing Discrimination

Table C-2 shows examples of housing discrimination against the protected classes which are identified by the –

- 1968 Federal Fair Housing Act (FHA) – first five groups listed
- 1988 amendments to the and the – familial status and handicap/disability
- California Fair Employment and Housing Act – last six groups listed (underlined)

The examples shown are generally those committed by a landlord against a tenant, property owner or real estate agents. The list is not intended to be exhaustive as it does mention lender or appraiser discriminatory acts, for example.

3. Number and Type of Housing Discrimination Complaints

a. Background

With respect to housing discrimination complaints, a 2006 U.S. Department of Housing and Community Development (HUD) study found:

About 17 percent of the adult public claims to have suffered discrimination at some point when trying to buy or rent a house or apartment. If, however, the explanations given about the nature of the perceived discrimination are taken into account, about eight percent of the public had experiences that might plausibly have been protected by the Act. While the frequency, actions, and bases for the alleged discrimination are diverse, majorities of this group believe they were discriminated against more than one time, were looking to rent more frequently than to buy, and identified race more so than any other attribute or characteristic as the basis of the discrimination.

The Urban Institute, Do We Know More Now? Trends in Public Knowledge, Support and Use of Fair Housing Law, prepared for the U.S. Department of Housing and Urban Development, Office of Policy Development and Research, February 2006, pg. iv

Therefore, the HUD study found that, perhaps, eight percent of public at some point time believe they were discriminated against.

b. National Housing Discrimination Complaints

Annually, between 2007 through 2010, about 10,150 to 10,550 complaints are filed with HUD and FHAP agencies. Each year complaints on the bases of disability and race had the largest number of complaints:

- Disability 4,410 to 4,839
- Race 3,203 to 3,750

Complaints on the bases of familial status, national origin and sex had the next highest number of complaints.

Source: U.S. Department of Housing and Urban Development, *Annual Report on Fair Housing, FY 2010*, page 20

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Table C-2
Examples of Housing Discrimination

RACE – Different rules, fees, or treatment; targeting a particular race for evictions, increasing rent, giving warning notices, making racial slurs and comments due to a person's race.

COLOR – Differential treatment due to skin color. People of the same race discriminating against each other because lightness or darkness of skin tones.

RELIGION – Requiring applicants or tenants to be of any certain religion or excluding tenants based on religion. Not allowing religious decorations on doors where other decorations are allowed.

SEX – Different treatment because one is female or male. Property owner showing a preference not to deal with persons of a particular gender; ignoring requests, treating genders differently; or sexual harassment.

NATIONAL ORIGIN - Different treatment or denying housing based on where a person was born, emigrated from, or the language a person speaks. Landlord renting only to Spanish, English, or Swahili speakers.

FAMILIAL STATUS – Landlord targeting families with persons under the age of 18. Different rules for children such as curfew, pool rules; requiring children to live downstairs, prohibiting playing outside, limiting number of children, but not number of persons. Discrimination related to pregnancy.

HANDICAP/DISABILITY - Different treatment due to a physical, mental, or medical disability. Ignoring requests for accommodations or modifications based on disability. Not allowing or charging 'pet' deposits for service animals.

SEXUAL ORIENTATION – Refusal of housing to a tenant who is biologically female but exhibits masculine mannerisms. Refusal to lease to a gay man based on the belief that he has HIV/AIDS.

MARITAL STATUS – Different treatment because a person is single or living with a partner but not legally married. Discouraging overnight guests, invading privacy, or harassment by intimidating behavior.

ANCESTRY – Refusal to rent, lease, or sell based on ancestry ties, characteristics, or hereditary traits.

SOURCE OF INCOME – Housing provider refusing to accept child support, unemployment income, or SSI.

AGE – Different treatment toward persons of certain age groups, advertising, e.g. "Ideal for a young professional or an elderly person".

ARBITRARY – Differential treatment due to affiliations, physical appearances such as clothing, tattoos, piercings.

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c. California Housing Discrimination Complaints

Table C-3 presents the number and types of housing discrimination complaints filed with the California Department of Fair Employment and Housing between 2000 and 2010. During this time span almost 13,000 complaints were filed statewide or about 1,300 annually. The most frequent bases for the complaints were:

- Disability about 28%
- Race/color almost 20%
- Familial Status about 15%
- National Origin almost 10%

Table C-4 shows the count of alleged discriminatory acts the most frequent of which are:

- Eviction almost 24%
- Refusal to rent 18%
- Unequal terms almost 18%
- Harassment about 16%
- Denied reasonable
modification/
accommodation about 17%

d. Moreno Valley Housing Discrimination Complaints – California Department of Fair Employment and Housing

The California Department of Fair Employment and Housing (DFEH) provided statistics on the number of housing complaints filed by basis and act. From 2000 through 2011 there was a total of 23 complaints filed, or an average of just under two cases per year.

Table C-5 shows that there were a total of 34 bases for the 23 complaints filed. The most frequently reported basis was race/color. During the same time period there were a total of 31 alleged acts. Table C-6 shows that the most frequent alleged acts were “eviction” and “unequal terms.”

Total bases and acts reported exceed the total number of cases filed because complainants may claim up to four bases and acts.

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Table C-3
California Department of Fair Employment and Housing: Housing Cases-Count of Bases

| Bases | 2001 | 2002 | 2003 | 2004 | 2005 | 2006 | 2007 | 2008 | 2009 | 2010 | Total | Percent |
|---|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|--------|---------|
| Race/Color | 215 | 270 | 253 | 263 | 271 | 313 | 304 | 267 | 199 | 203 | 2,558 | 19.7% |
| National Origin/Ancstry | 141 | 101 | 139 | 103 | 131 | 200 | 149 | 113 | 79 | 111 | 1,267 | 9.8% |
| Religion | 25 | 11 | 15 | 33 | 23 | 30 | 25 | 24 | 11 | 27 | 224 | 1.7% |
| Physical Disability-Hearing | 2 | 9 | 5 | 11 | 7 | 4 | 6 | 8 | 12 | 10 | 74 | 0.6% |
| Physical Disability-Sight | 22 | 25 | 8 | 10 | 8 | 8 | 12 | 12 | 15 | 11 | 131 | 1.0% |
| Physical Disability-Limbs | 49 | 30 | 33 | 53 | 24 | 23 | 14 | 98 | 63 | 79 | 466 | 3.6% |
| Physical Disability-Blood/Circulation | 3 | 1 | 13 | 14 | 6 | 2 | 3 | 4 | 1 | 2 | 49 | 0.4% |
| Physical Disability-Spinal/Back | 11 | 20 | 31 | 24 | 23 | 18 | 15 | 10 | 9 | 14 | 175 | 1.4% |
| Physical Disability/Cerebral/Neural/Muscular | 41 | 30 | 11 | 23 | 31 | 36 | 48 | 21 | 12 | 6 | 259 | 2.0% |
| Physical Disability-Heart | 19 | 13 | 16 | 8 | 10 | 4 | 7 | 16 | 4 | 9 | 106 | 0.8% |
| Physical Disability-Speech/Respiratory | 18 | 23 | 23 | 16 | 13 | 15 | 26 | 56 | 37 | 33 | 260 | 2.0% |
| Physical Disability-AIDS | 12 | 7 | 13 | 11 | 17 | 14 | 16 | 2 | 9 | 8 | 109 | 0.8% |
| Physical Disability-Digestive/Urinary/Reproductive | 2 | 4 | 5 | 3 | 4 | 4 | 5 | 7 | 15 | 15 | 64 | 0.5% |
| Physical Disability-Other | 90 | 99 | 129 | 110 | 173 | 261 | 223 | 209 | 183 | 202 | 1,679 | 13.0% |
| Age (Over 40) | 9 | 1 | 3 | 8 | 6 | 8 | 3 | 4 | 5 | 4 | 51 | 0.4% |
| Medical Condition | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0.0% |
| Retaliation-for Filing | 2 | 5 | 5 | 10 | 11 | 15 | 28 | 23 | 28 | 27 | 154 | 1.2% |
| Retaliation-for Protesting | 45 | 44 | 58 | 47 | 49 | 53 | 55 | 22 | 27 | 42 | 442 | 3.4% |
| Retaliation-for Participating in DFEH Investigation | 0 | 0 | 1 | 4 | 1 | 1 | 11 | 3 | 3 | 2 | 26 | 0.2% |
| Retaliation-for Protesting Patient Abuse | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 1 | 0.0% |
| Association-Must be Used with Another Bases | 27 | 31 | 48 | 24 | 33 | 35 | 34 | 11 | 10 | 11 | 264 | 2.0% |
| Sex-Other Allegation | 49 | 29 | 27 | 26 | 50 | 53 | 43 | 34 | 27 | 31 | 369 | 2.8% |
| Sex-Harassment | 52 | 44 | 46 | 50 | 63 | 51 | 52 | 45 | 31 | 36 | 470 | 3.6% |
| Sex-Pregnancy | 1 | 9 | 5 | 4 | 5 | 6 | 14 | 5 | 8 | 6 | 63 | 0.5% |
| Sex-Orientation | 27 | 36 | 36 | 39 | 44 | 21 | 37 | 27 | 37 | 20 | 324 | 2.5% |
| Marital Status-Single | 21 | 7 | 12 | 18 | 25 | 22 | 14 | 20 | 9 | 9 | 157 | 1.2% |
| Marital Status-Married | 1 | 4 | 2 | 3 | 2 | 7 | 2 | 3 | 3 | 5 | 32 | 0.2% |
| Marital Status-Divorced | 1 | 2 | 1 | 2 | 5 | 7 | 0 | 0 | 0 | 0 | 18 | 0.1% |
| Marital Status-Cohabitation | 11 | 13 | 13 | 8 | 5 | 8 | 7 | 8 | 6 | 4 | 83 | 0.6% |
| Familial Status (Children) | 194 | 182 | 146 | 169 | 219 | 265 | 204 | 203 | 201 | 172 | 1,955 | 15.1% |
| Source of Income | 7 | 14 | 11 | 27 | 23 | 13 | 25 | 22 | 25 | 19 | 186 | 1.4% |
| Other | 13 | 17 | 3 | 6 | 10 | 8 | 33 | 2 | 21 | 1 | 114 | 0.9% |
| Total | 1,124 | 1,109 | 1,176 | 1,203 | 1,384 | 1,589 | 1,534 | 1,407 | 1,204 | 1,231 | 12,961 | 100.0% |

Note: Total bases reported exceed the total number of cases filed. Complaints may claim up to four bases.

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Table C-4
California Department of Fair Employment and Housing: Housing Cases-Count of Alleged Acts

| Alleged Act | 2001 | 2002 | 2003 | 2004 | 2005 | 2006 | 2007 | 2008 | 2009 | 2010 | Total | Percent |
|--|-------|-------|-------|-------|-------|-------|-------|-------|-------|-------|--------|---------|
| Refusal to Rent | 189 | 207 | 182 | 203 | 235 | 329 | 363 | 333 | 332 | 301 | 2,674 | 18.0% |
| Eviction | 384 | 366 | 401 | 351 | 412 | 425 | 368 | 284 | 258 | 262 | 3,511 | 23.6% |
| Refusal to Show | 4 | 3 | 3 | 10 | 8 | 3 | 2 | 7 | 1 | 7 | 48 | 0.3% |
| Refusal to Sell | 16 | 24 | 30 | 35 | 29 | 23 | 18 | 10 | 9 | 5 | 199 | 1.3% |
| Rent Increase | 15 | 12 | 7 | 6 | 17 | 14 | 7 | 11 | 3 | 4 | 96 | 0.6% |
| Loan Withheld | 3 | 10 | 9 | 16 | 8 | 8 | 9 | 4 | 7 | 6 | 80 | 0.5% |
| Unequal Terms | 146 | 191 | 204 | 252 | 336 | 412 | 365 | 254 | 247 | 259 | 2,666 | 17.9% |
| Harassment | 212 | 184 | 224 | 225 | 286 | 293 | 316 | 277 | 198 | 199 | 2,414 | 16.2% |
| Unequal Access to Facilities | 24 | 29 | 6 | 32 | 32 | 80 | 143 | 67 | 78 | 97 | 588 | 4.0% |
| Occupancy Standards | 3 | 2 | 4 | 3 | 6 | 8 | 3 | 12 | 13 | 15 | 69 | 0.5% |
| Surcharge | 1 | 1 | 1 | 1 | 1 | 0 | 2 | 2 | 2 | 2 | 13 | 0.1% |
| Aggregate Income | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 1 | 3 | 0.0% |
| Income Standard | 0 | 0 | 0 | 1 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0.0% |
| Restrictive Covenant | 6 | 5 | 2 | 0 | 4 | 1 | 0 | 9 | 5 | 9 | 41 | 0.3% |
| Denied Reasonable Modification/Accommodation | 133 | 146 | 165 | 191 | 238 | 289 | 322 | 384 | 290 | 305 | 2,463 | 16.6% |
| Other | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0.0% |
| Total | 1,137 | 1,180 | 1,238 | 1,326 | 1,612 | 1,885 | 1,918 | 1,655 | 1,443 | 1,472 | 14,866 | 100.0% |

Note: Total acts reported exceed the total number of cases filed because some cases are filed under more than one act.

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**Table C-5
City of Moreno Valley
Housing Discrimination Cases Filed and Closed 2000-2011 by Basis**

| Cases Files by Basis | Number of Cases |
|---|------------------------|
| Race/Color | 14 |
| National Origin/Ancestry-Other | 1 |
| Mental Disability | 1 |
| Retaliation-For Protesting | 4 |
| Association-Must be used with another basis | 6 |
| Sex-Harassment | 4 |
| Source of Income | 1 |
| National Origin-Mexico | 1 |
| National Origin-United States | 2 |
| Total | 34 |

Source: California Department of Fair Employment and Housing (DFEH) Housing Cases Filed and Closed in Moreno Valley 2000-2011
Table construction by Castañeda & Associates

**Table C-6
City of Moreno Valley
Housing Discrimination Cases Filed and Closed 2000-2011 by Act**

| Cases Filed by Act | Number of Cases |
|---------------------------|------------------------|
| Refusal to Rent | 6 |
| Eviction | 10 |
| Refusal to Sell | 1 |
| Unequal Terms | 8 |
| Harassment | 6 |
| Total | 31 |

Source: California Department of Fair Employment and Housing (DFEH) Housing Cases Filed and Closed in Moreno Valley 2000-2011
Table construction by Castañeda & Associates

e. Moreno Valley Housing Discrimination Complaints – Fair Housing Council of Riverside County, Inc.

During the five-year period from FY 2007/2008 through FY 2011/2012, 167 housing discrimination complaints were made to the Fair Housing Council of Riverside County, Inc. Table C-7 shows that the basis of those complaints were predominantly disability (47%) and race (23%).

Table C-8 shows that two-thirds of the complaints were made by Black residents. White residents made more complaints than the Hispanic, Asian and Other populations.

Table C-9 shows that the actions taken included primarily Fair Housing Council counseling, HUD/DFEH Attorney and education.

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**Table C-7
City of Moreno Valley
Basis of Housing Discrimination Complaints: FY 2007/2008 – FY 2011/2012**

| Bases | 2007/2008 | 2008/2009 | 2009/2010 | 2010/2011 | 2011/2012 | Total | Percent |
|--------------------|------------------|------------------|------------------|------------------|------------------|--------------|----------------|
| Age | 1 | 0 | 2 | 0 | 1 | 4 | 2.4% |
| Arbitrary | 0 | 0 | 0 | 1 | 8 | 9 | 5.4% |
| Color | 0 | 0 | 2 | 1 | 4 | 7 | 4.2% |
| Disability | 3 | 9 | 8 | 32 | 27 | 79 | 47.3% |
| Familial Status | 1 | 3 | 1 | 4 | 3 | 12 | 7.2% |
| National Origin | 0 | 1 | 1 | 2 | 0 | 4 | 2.4% |
| Race | 9 | 7 | 5 | 12 | 6 | 39 | 23.4% |
| Sex/Gender | 0 | 1 | 0 | 2 | 1 | 4 | 2.4% |
| Sexual Orientation | 1 | 0 | 0 | 0 | 0 | 1 | 0.5% |
| Source of Income | 0 | 1 | 1 | 5 | 1 | 8 | 4.8% |
| Total | 15 | 22 | 20 | 59 | 51 | 167 | 100.0% |

Source: Fair Housing Council of Riverside County, Inc.

**Table C-8
City of Moreno Valley
Housing Discrimination Complaints by Race and Ethnicity: FY 2007/2008 – FY 2011/2012**

| Race/Ethnicity | 2007/2008 | 2008/2009 | 2009/2010 | 2010/2011 | 2011/2012 | Total | Percent |
|-----------------------|------------------|------------------|------------------|------------------|------------------|--------------|----------------|
| Black | 9 | 13 | 11 | 46 | 31 | 110 | 65.8% |
| White | 5 | 6 | 4 | 1 | 10 | 26 | 15.6% |
| Hispanic | 0 | 2 | 3 | 8 | 8 | 21 | 12.6% |
| Asian | 0 | 1 | 2 | 2 | 0 | 5 | 3.0% |
| Other | 1 | 0 | 0 | 2 | 2 | 5 | 3.0% |
| Total | 15 | 22 | 20 | 59 | 51 | 167 | 100.0% |

Source: Fair Housing Council of Riverside County, Inc.

**Table C-9
City of Moreno Valley
Actions Taken on Housing Discrimination Calls – FY 2007/2008 – FY 2011/2012**

| Action Taken | 2008/2009 | 2009/2010 | 2010/2011 | 2011/2012 | Total | Percent |
|---------------------|------------------|------------------|------------------|------------------|--------------|----------------|
| HUD/DFEH Attorney | 3 | 3 | 26 | 8 | 40 | 26.3% |
| Counseled | 9 | 11 | 17 | 30 | 67 | 44.0% |
| Educated | 7 | 4 | 16 | 9 | 36 | 23.7% |
| Pending | 3 | 0 | 0 | 0 | 3 | 2.0% |
| Conciliation | 0 | 2 | 0 | 4 | 6 | 4.0% |
| Total | 22 | 20 | 59 | 51 | 152 | 100.0% |

Source: Fair Housing Council of Riverside County, Inc.

Impediment:

Based on past trends, about 165 housing discrimination complaints will be filed during the five year period between 2013 and 2018. The bases for most of these complaints are likely to be race/color and disability.

Although housing discrimination is infrequently reported in Moreno Valley, it is an underreported event. Some residents could experience housing discrimination and 1) not know how to detect it; 2) not know where to report it; and 3) uncertain about whether they want to report it.

Action Plan Recommendations:

The City and Fair Housing Council of Riverside County, Inc. will continue to offer to its residents fair housing services which include the processing of housing discrimination complaints and landlord/tenant counseling services. Sometimes a landlord/tenant issue has as its basis a housing discrimination concern.

The Fair Housing Council will post on its website a page where residents can input their fair housing questions.

C. BROKERAGE SERVICES

Section 3606 of the Federal Fair Housing Act prohibits discrimination in the provision of brokerage services:

After December 31, 1968, it shall be unlawful to deny any person access to or membership or participation in any multiple-listing service, real estate brokers' organization or other service, organization, or facility relating to the business of selling or renting dwellings, or to discriminate against him in the terms or conditions of such access, membership, or participation, on account of race, color, religion, sex, handicap, familial status, or national origin.

1. Rules and Regulations and Multiple Listing Service

Real estate brokers or salespersons whose business is located in Moreno Valley may belong to one of several Board or Realtors, but most likely belong to the Inland Valley Association of REALTORS (IVAR). Like all associations, IVAR has a Multiple Listing Service (MLS). On January 1, 2013, the Board of Directors adopted *Rules and Regulations of the Multiple Listing Service*. The Rules and Regulations define the MLS as follows:

A Multiple Listing Service is a means by which authorized MLS Broker participants establish legal relationships with other participants by making a blanket unilateral contractual offer of compensation and cooperation to other Broker participants; by which information is accumulated and disseminated to enable authorized participants to prepare appraisals, analyses and other valuations of real property for bonafide clients and customers; by which participants engaging in real estate appraisal contribute to common databases; and is a facility for the orderly correlation and dissemination of listing information among the participants so that they may better serve their clients, customers, and the public. Entitlement to compensation is determined by the cooperating broker's performance as a procuring cause of the sale or lease.

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Section 14 of the Rules and Regulations states that the Association or MLS Board of Directors may take disciplinary action and impose sanctions against any MLS participant and subscriber because of a violation of any MLS rule, violation of a provision of the California Real Estate Law or a Regulation of the Real Estate Commissioner or for any violation of the National Association of REALTORS (N.A.R.) Code of Ethics while a member of any Association of REALTORS®.

2. Bylaws

According to Article V, Section 11 of the IVAR bylaws, applicants for membership must complete an orientation program on the Code of Ethics of not less than two hours and thirty minutes of instructional time, meeting the minimum criteria established from time to time by the National Association of Realtors for new member ethics training. Failure to satisfy this requirement within ninety days of the date of application (or, alternatively, the date that provisional membership was granted), will result in denial of the membership application or termination of provisional membership.

Section 13 further requires that every four years members are required to complete a course on the Code of Ethics. Failure to satisfy this requirement is considered a violation of a membership duty for which membership is suspended until such time as the training is completed.

There are several classes of members, and although only REALTOR® members are subject to the Code of Ethics and its enforcement by the association, all members are encouraged to abide by the principles established in the Code of Ethics and conduct their business and professional practices accordingly.

3. Code of Ethics

The Code of Ethics adopted by IVAR seeks “to eliminate practices which may damage the public or which might discredit or bring dishonor to the real estate profession. REALTORS® having direct personal knowledge of conduct that may violate the Code of Ethics involving misappropriation of client or customer funds or property, *willful discrimination*, or fraud resulting in substantial economic harm...shall bring such matters to the attention of the appropriate Board of Association of REALTORS.” (Emphasis added)

Article 10 of the IVAR code of ethics requires that its members shall not deny equal professional services to any person for reasons of *race, color, religion, sex, handicap, familial status, national origin, or sexual orientation*. Members also shall not be parties to any plan or agreement to discriminate against a person or persons on the basis of race, color, religion, sex, handicap, familial status, national origin or sexual orientation. Further, members shall not discriminate against any person or persons on the basis of race, color, religion, sex, handicap, familial status, national origin, or sexual orientation. In furtherance of these objectives, IVAR has set forth several “standards of practice which state:

Standard of Practice 10-1: When involved in the sale or lease of a residence, REALTORS® shall not volunteer information regarding the *racial, religious or ethnic composition of any neighborhood* nor shall they engage in any activity which may result in panic selling, however, REALTORS® may provide other demographic information. [Emphasis added]

Standard of Practice 10-2: When not involved in the sale or lease of a residence, REALTORS® may provide demographic information related to a property, transaction or

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professional assignment to a party if such demographic information is (a) deemed by the REALTOR® to be needed to assist with or complete, in a manner consistent with Article 10, a real estate transaction or professional assignment and (b) is obtained or derived from a recognized, reliable, independent, and impartial source. The source of such information and any additions, deletions, modifications, interpretations, or other changes shall be disclosed in reasonable detail.

Standard of Practice 10-3: REALTORS® shall not print, display or circulate any statement or advertisement with respect to selling or renting of a property that indicates any preference, limitations or discrimination based on race, color, religion, sex, handicap, familial status, national origin, or sexual orientation.

Impediment:

No impediment was found. Brokerage services as defined by the Federal Fair Housing Act pertain to the MLS and real estate organizations. Therefore, the City has no authority with respect to the MLS, Bylaws, and Code of Ethics. However, fair housing and real estate practices are of interest because of the number of homes that will be sold and bought in Moreno Valley over the next five years.

Action Plan Recommendation:

- **The City and Fair Housing Council of Riverside County, Inc. will arrange a meeting with IVAR's Fair Housing Committee, which meets the third Tuesday of every month, to explore fair housing topics.**

E. STEERING

Steering is prohibited by Sections 804(a) and 804(f)(1) of the Federal Fair Housing Act:

...it shall be unlawful--

(a) To refuse to sell or rent after the making of a bona fide offer, or to refuse to negotiate for the sale or rental of, or *otherwise make unavailable or deny*, a dwelling to any person because of race, color, religion, sex, familial status, or national origin.

(f) (1) To discriminate in the sale or rental, or to *otherwise make unavailable or deny*, a dwelling to any buyer or renter because of a handicap of (A) that buyer or renter, (B) a person residing in that dwelling after it is sold, rented, or made available; or (C) any person associated with that person.

Examples of steering include:

- The practice of directing prospects to or away from a particular neighborhood based on their race, color, religion, sex, national origin, disability or familial status
- Allowing families with kids to rent only in certain buildings of an apartment complex
- Steering borrowers to loans having more costly terms than they are qualified for

Between 2007 and 2010, one percent of housing discrimination complaints alleged steering (HUD FY 2010 Annual Report on Fair Housing, page 24). There is no comparable data compiled by the State DFEH and the Fair Housing Council.

1. Racial/Ethnic and Neighborhood Steering

This fair housing impediment was not as prevalent in southern California as it was in the eastern cities. An historical perspective of steering is described below:

Racial steering refers to the practice (illegal since 1968) engaged in by some property owners, brokers, and managers of steering white home and apartment seekers into white areas, while steering equally creditworthy black prospects into black and racially changing areas. Antisteering, sometimes called benign steering by critics, refers to efforts by municipalities and housing groups to combat illegal steering by lawsuits and managed integration programs.

Two developments in the late 1960s set the stage for antisteering efforts. In January 1966, Martin Luther King, Jr., chose Chicago for a national campaign against housing bias. After a summer of riots, arson, and marches, Mayor Richard J. Daley agreed to convene the Conference on Religion and Race. The resulting summit agreement led to the formation of the Leadership Council to act as a housing bias watchdog agency. In Washington, five years of civil rights legislation culminated in the Fair Housing Act of 1968, which made it unlawful to deny to sell or rent a dwelling solely on account of race, and declared neighborhood integration a national goal.

Source: Encyclopedia of Chicago, *Steering*, 2007

This type of steering probably was experienced by Moreno Valley's homebuyers and apartment seekers during the past few decades. It may have happened particularly during the City's periods of rapid growth and development. It also may occur now as homebuyers purchase homes in the Moreno Valley's neighborhoods and as there is turnover in the apartment rental market. The steering of home buyers, however, probably happens infrequently because the internet enables home buyers to be more active in the search process. According to the California Association of REALTORS:

In 2011, home buyers saw a median of 12 homes during their home search, which was down from previous years. The reason for the drop may well be because buyers and their agents are utilizing the internet to weed out the fray and thus increasing efficiency and time for all parties in the home buying process.

Source: Sara Sutachan, Senior Research Analyst, California Association of REALTORS, "The Importance Real Estate Agents in Finding a Home," June 18, 2011

However, given Moreno Valley's household and neighborhood demographic profiles it is unavoidable to buy and rent in neighborhoods that are not predominantly minority. As Table C-10 shows between 2000 and 2010, the percentage of minority households increased from 59.8% to 73.5% largely because there were 2,078 fewer White Alone households at the end compared to the beginning of the decade. By contrast, the number of Black, Asian and Hispanic households increased. Black households increased by nearly 30% and Asian households by more than 50%. In addition, Hispanic households nearly doubled increasing from about 12,000 to nearly 22,700 during the decade.

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**Table C-10
City of Moreno Valley
Number of Households by Race and Ethnicity: 2000 and 2010**

| Race/Ethnicity | 2000 Number of Households | Percent | 2010 Number of Households | Percent | Change 2000-2010 | Percent Change 2000-2010 |
|--|--|----------------|--|----------------|-----------------------------|---|
| White Alone | 15,750 | 40.2% | 13,672 | 26.5% | -2,078 | -13.2% |
| Black Alone | 8,105 | 20.7% | 10,520 | 20.4% | 2,415 | 29.8% |
| American Indian or Alaska Native Alone | 175 | 0.4% | 188 | 0.4% | 13 | 7.4% |
| Asian Alone | 2,047 | 5.2% | 3,173 | 6.2% | 1,126 | 55.0% |
| Native Hawaiian or Other Pacific Islander Alone | 152 | 0.4% | 220 | 0.4% | 68 | 44.7% |
| Some Other Race Alone | 73 | 0.2% | 106 | 0.2% | 33 | 45.2% |
| Two or More Races | 994 | 2.5% | 1,053 | 2.0% | 59 | 5.9% |
| Hispanic or Latino | 11,929 | 30.4% | 22,660 | 43.9% | 10,731 | 90.0% |
| Total | 39,225 | 100.0% | 51,592 | 100.0% | 12,367 | 31.5% |

Census 2000, Table H007, Hispanic or Latino Householder by Race of Householder, Summary File 1 (SF 1) American Fact Finder

Census 2010 Summary File 1, Table HCT1: Tenure by Hispanic or Latino Origin of Householder by Race of Householder

Table construction by Castañeda & Associates

It is unknown if the increase in the number of minority households was due to steering. As Moreno Valley’s Hispanic population formed households, they may have preferred to rent or buy in Moreno Valley because of neighborhood ties to family, friends, schools and churches. There was a considerable increase of Asian households. However, there are no predominant Asian neighborhoods.

All of the City’s neighborhoods (census tracts) have a majority minority population ranging from a low of 53.3% to a high of 91.1%. Because most neighborhoods are predominantly minority, it is not possible to make estimates of the degree to which steering (when a salesperson, through his or her actions, words or behaviors, encourages or directs clients toward particular neighborhoods based upon the client’s race or color) currently occurs.

Ultimately, the change in the household race and ethnic composition could be due to the community’s housing affordability.

2. Steering of Apartment Seekers

According to HUD some landlords, brokers, and other housing professionals practice a subtle form of discrimination known as steering. This term refers to when someone tries to limit a renter’s housing choices by guiding or encouraging the person to look elsewhere, based on a fair housing protected characteristic. This type of steering mostly affects apartment seekers as opposed in-place tenants.

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During any one-year there is turnover in the rental housing market as apartments are vacated and then are occupied by an apartment seeker. It is when this vacancy-turnover process occurs that apartment seekers could experience steering. Statistics are unavailable on apartment turnover, although the 2010 Census provides a snapshot of the number of vacant housing units available for rent. The 2010 Census reports 3,967 vacant housing units of which 1,486 were available for rent.

Table C-11 describes the four main types of illegal steering practices.

3. Loan Steering

Some of the families who bought homes in Moreno Valley during the housing boom years – a large proportion of whom were Hispanic – undoubtedly were steered into more costly loan products than they were qualified for and were victims of predatory lending.

From 2000 through 2006, easy access to mortgage loan credit dramatically increased home ownership and fueled home price appreciation. As the Government Accounting Office pointed out:

...more aggressive lending practices — an easing of underwriting standards and wider use of certain loan features associated with poorer loan performance — reduced the likelihood that some borrowers would be able to meet their mortgage obligations, particularly in times of economic hardship or limited house price appreciation. For example, data on private label securitized loans show significant increases from 2000 through 2006 in the percentage of mortgages with higher loan-to-value ratios (the amount of the loan divided by the value of the home), adjustable interest rates, limited or no documentation of borrower income or assets, and deferred payment of principal or interest.

Source: Government Accounting Office (GAO), *Home Mortgage Defaults and Foreclosures: Recent Trends and Associated Economic and Market Developments: Briefing to the Committee on Financial Services*, U.S. House of Representatives, Report No.: GAO-08-78R, October 2007, page 5 of letter to Chairman Frank

Mortgage lending grew sharply in the early to mid-2000s, as described below:

Mortgage lending surged in low- and moderate income neighborhoods during the housing boom, and subsequently contracted sharply. Over 2003-2006, purchase mortgage originations increased 60 percent in low- and moderate-income neighborhoods but less than 20 percent in high-income neighborhoods. Unfortunately, during the surge in lending many borrowers were encouraged to take out subprime mortgages with teaser rates and prepayment penalties as well as alt-A mortgages with negative amortization features.

Source: Janet L. Yellen, Vice Chair, Board of Governors of the Federal Reserve System, *Housing Market Developments and Their Effects on Low- and Moderate-income Neighborhoods*, June 9, 2011 (at the 2011 Federal Reserve Bank of Cleveland Policy Summit)

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**Table C-11
U.S. Department of Housing and Urban Development
Types and Examples of Illegal Steering Practices**

| Type of Illegal Steering | Examples of Illegal Steering |
|--|--|
| <i>Discouraging You from Renting at a Building</i> | <p>Rather than saying "We don't rent to black people" or "No families allowed," some landlords claim to have nondiscriminatory policies but indirectly try to encourage prospective tenants to <i>look elsewhere</i> based on discriminatory reasons. Of course, if the apartment seeker mentions a need to rent an apartment in a building that's close to public transportation, it's valid for a landlord to point out a building isn't located near public transportation and suggest apartment seeker to look elsewhere.</p> <p>But if an apartment seeker starts to hear a landlord or broker make arguments for why a building shouldn't be considered when everything about it seems fine, the would be renter should be suspicious that they're trying to steer them away from the building for a discriminatory reason.</p> |
| <i>Discouraging Apartment Seeker from Renting by Exaggerating Drawbacks or Failing to Inform the Renter about Desirable Features of the Rental or Neighborhood</i> | <p>Instead of trying to show why the renter should be interested in their building, some landlords may stress the negatives, in the hope that it might get discourage the apartment seeker.</p> <p>Even less directly, a landlord may simply not bother pointing out the pros of living in the building or even in the neighborhood. For example, if a building has amenities such as a swimming pool, roof deck, or fitness center and the landlord or broker isn't mentioning them, that should be considered a red flag that the apartment seeker is being steered.</p> |
| <i>Indicating that Apartment Seeker Wouldn't Be Comfortable or Compatible with other Tenants</i> | <p>Another steering tactic could be summarized as "It's not the building, it's the tenants." Under this scenario, a landlord will try to discourage someone from renting at the building because he believes apartment seeker wouldn't be a good fit with the other tenants. HUD advises if someone is in this situation, the landlord or broker should be pressed to explain why he/she thinks renter would have problems with the tenants.</p> <p>The reason could be valid. For example, the renter may have told a landlord or broker they are looking for peace and quiet and landlord might let the renter know that many tenants like to hold loud parties or that the walls are thin and several complaints have been about noise. But if a landlord says, "Well, I don't think the other tenants will like the fact you have kids," then would be renter knows this is illegal steering, in this case based on familial status.</p> |
| <i>Trying to Assign Apartment Seeker to a Certain Floor or Section of the Building</i> | <p>This type of steering practice is about segregation. In this scenario, a landlord doesn't mind renting to certain types of people -- as long as those people rent apartments in a certain part of the building. Although this is a less obvious form of discrimination, this type of steering practice often leads to flat-out discrimination.</p> <p>An example is a landlord who tries to put tenants with disabilities in a certain area of a complex, in an attempt to minimize their visibility to other tenants and their guests. Another example is if the renter is a woman with two children and there are no more vacancies available in the "kids' part" of a building, it means the landlord must (under a discriminatory policy) turn the renter away on account of familial status -- even though there may be vacancies in the building.</p> |

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The GAO Report also found the following:

In dollar terms, subprime lending grew from about 9 to 24 percent of mortgage originations (excluding home equity loans) from 2003 through 2006. Over the same period, Alt-A lending grew from about 2 to almost 16 percent of mortgage originations, and the share for loans with government insurance or guarantees fell from about 6 to 3 percent. As we reported in June 2007, in terms of number of loans, the subprime share of the market for home purchase mortgages grew most rapidly in census tracts with lower median incomes and higher concentrations of minorities, the same areas where FHA's share dropped most sharply.

Source: GAO Report, page 11 of Report to Committee on Financial Services

While this aggressive lending was going on, often borrowers of color experienced loan steering. Steering, bait-and-switch, and predatory lending are inter-connected. The California Association of Mortgage Brokers (CAMB) at its 2004 Annual Convention announced its first-ever definition of predatory lending:

Predatory lending is defined as intentionally placing customers in loan products with significantly worse terms and/or higher costs than loans offered to similarly qualified consumers in the region for the primary purpose of enriching the originator and little or no regard for the costs to the consumer.

Loan steering sometimes happened when borrowers were first declined by a lender and then referred to an affiliate. For example:

A borrower enters a lending institution seeking a loan and is told that they do not qualify for the specific loan applied for, but would qualify for another loan product from another affiliate of the organization. The applicant is therefore 'steered' to the affiliate and reapplies for another loan. [The] affiliate steers the borrower toward a loan product for which they are overqualified.

Sumit Agarwal and Douglas D. Evanoff, Social Science Research Network (SSRA) *Loan Product Steering in Mortgage Markets*, January 2013, pages 2-3

According to the Center for Responsible Lending:

...there is evidence that African American and Latinos were more likely to be steered into higher-priced loans than white borrowers.

...African and Latino borrowers were about 30 percent more likely to receive higher-cost subprime loans than white borrowers.

...higher-priced and subprime loans were more frequent in low-income and minority neighborhoods than in higher-income or predominantly non-Hispanic white neighborhoods.

Source: Center for Responsible Lending, *Lost Ground, 2011: Disparities in Mortgage Lending and Foreclosures*, page 11

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The average interest rate on a 30-year fixed rate home loan in 2004 was 5.84%. In contrast, the average higher-cost home loan in California carried an interest rate of 9.81%. It is very likely that during this period, many borrowers were steered to higher price loans and that higher-cost loans adversely impacted disproportionately borrowers of color. *Some borrowers of color who bought homes in Moreno Valley in the early- to mid-2000s would have experienced higher cost loans.*

Table C-12 shows that African-Americans, Latinos and American Indians and Pacific Islanders had a higher percentage of higher cost loans than White or Asian borrowers. Indeed, for African American borrowers, the figures were more than twice that for Whites.

Table C-12
State of California
Percent Higher Costs Loans by Race/Ethnicity
and Neighborhood Characteristics

| Race/Ethnicity | % Higher Cost Loans |
|-------------------------|----------------------------|
| Asian | 4.29% |
| White | 7.16% |
| Pacific Islander | 10.84% |
| American Indian | 12.39% |
| Latino | 14.03% |
| African American | 16.29% |
| 80-100% Minority Tracts | 13.59% |
| Low Income Tracts | 14.67% |

Source: California Reinvestment Coalition, *Who Really Gets Higher-Cost Loans?* December 2005, page 29

Legal actions have recently been taken to obtain monetary relief for victims of steering. For instance, in 2011, the Civil Rights Division of the Federal Department of Justice filed and settled its largest fair lending lawsuit ever, obtaining \$335 million in monetary relief for more than 200,000 victims of discrimination. The Division's lawsuit against Countrywide Financial Corporation alleged that, for more than four years during the height of the mortgage boom, Countrywide systematically discriminated against qualified Hispanic and African-American borrowers in violation of ECOA [Equal Credit Opportunity Act] and the FHA [Fair Housing Act]. The lawsuit alleged – for the first time ever by the Department – that the mortgage lender “steered” Hispanic and African-American borrowers by systematically placing them in subprime loans, while placing white borrowers with similar creditworthiness in prime loans. [Emphasis added]

It is likely that “steering” was experienced by some Hispanic and African-American homebuyers who obtained loans from Countrywide to buy homes in Moreno Valley between 2003 and 2006.

Also, in 2011, the Federal DOJ reached a fair lending settlement with Wells Fargo. The complaint alleged that between 2004 and 2008, as a result of Wells Fargo's policies and practices, qualified African-American and Hispanic wholesale borrowers were placed in subprime loans rather than prime loans even when similarly-qualified non-Hispanic white borrowers were placed in prime loans. The discriminatory placement of wholesale borrowers in subprime loans, also known as “steering,” occurred because it was the bank's business practice

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to allow mortgage brokers and employees to place a loan applicant in a subprime loan even when the applicant qualified for a prime loan.

Source: The Attorney General's 2011 Annual Report to Congress Pursuant to the Equal Credit Opportunity Act Amendments of 1976, March 2012 (submitted by Thomas E. Perez, Assistant Attorney General, Civil Rights Division)

Additionally, corrective actions are underway to prevent or at least deter the abuses of the past from impacting borrowers who want to buy a home located in Moreno Valley. For example, the Federal Reserve Board (FRB) on August 16, 2010 announced final rules to protect mortgage borrowers from unfair, abusive, or deceptive lending practices that can arise from loan originator compensation practices. The new rules apply to mortgage brokers and the companies that employ them, as well as mortgage loan officers employed by depository institutions and other lenders.

The FRB explained that lenders commonly pay loan originators more compensation if the borrower accepts an interest rate higher than the rate required by the lender (commonly referred to as a "yield spread premium"). Under the final rule, however, a loan originator may not receive compensation that is based on the interest rate or other loan terms. This will prevent loan originators from increasing their own compensation by raising the consumers' loan costs, such as by increasing the interest rate or points. Loan originators can continue to receive compensation that is based on a percentage of the loan amount, which is a common practice.

The final rule, according to the FRB, also prohibits a loan originator that receives compensation directly from the consumer from also receiving compensation from the lender or another party. In consumer testing, the Board found that consumers generally are not aware of the payments lenders make to loan originators and how those payments can affect the consumer's total loan cost. The new rule seeks to ensure that consumers who agree to pay the originator directly do not also pay the originator indirectly through a higher interest rate, thereby paying more in total compensation than they realize.

Additionally, the final rule prohibits loan originators from directing or "steering" a consumer to accept a mortgage loan that is not in the consumer's interest in order to increase the originator's compensation. The rule will preserve consumer choice by ensuring that consumers can choose from loan options that include the loan with the lowest rate and the loan with the least amount of points and origination fees, rather than the loans that maximize the originator's compensation.

The Consumer Financial Protection Bureau (CFPB) adopted rules for mortgage brokers and loan officers to explicitly prohibit mortgage from steering borrowers into risky and high-cost loans. The Agency's rules prohibit mortgage steering mainly through removing incentives: originators can no longer received payment from both the consumer and other parties; they can no longer obtain compensation plans that fluctuate with the terms of the loan; and they cannot receive higher payment for securing higher interest loans (or loans with higher fees).

Impediment:

Steering may adversely impact homebuyers in their search process and when they apply for a loan. Steering also may adversely impact renters when they seek an apartment. Corrective actions have been taken regarding loan steering so that abuse may not happen in the future as frequently as it occurred in the early to mid- 2000s. However, the

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steering of apartment seekers is likely to continue, although it is not possible to measure its frequency.

Action Plan recommendations:

- The Fair Housing Council - as part of its home buyer counseling services – will provide examples of how to detect “steering” during the home search process and how to detect “loan steering.”
- The Fair Housing Council will offer information to renters attending workshops on how to detect steering behavior by resident property managers.

F. APPRAISAL PRACTICES

The federal Fair Housing Act makes it unlawful to discriminate against a protected class in appraising property. An appraisal is a written assessment of market value and is used by mortgage underwriters to determine whether there is sufficient collateral to lend money to a homebuyer. Appraisals, therefore, are obtained by lenders to provide the market value of a home to be financed by a loan. The appraisal and loan-to-value ratio determine the maximum loan that a lender will offer the borrower/buyer.

Unlawful discriminatory appraisal practices, for example, may include:

- Taking into account the race and ethnic make-up of a neighborhood
- Taking into the account the race and ethnicity of the seller and buyer

According to Realist assessor information, in the past five years (1/1/2008-12/31/2012), there were 11,387 transactions for owner-occupants who bought homes or condominiums located in Moreno Valley. Although some purchased their home “all-cash” a significant number would have had an opportunity to review an appraisal. It is unlikely that the borrowers requested a copy of the appraisal.

Appraisals are needed by lenders to provide the market value of a home to be financed by a loan. They are necessary because combined with the loan-to-value ratio the appraisal determines the maximum loan that a lender will offer the buyer. Appraisal practices were altered in many ways due to the fraud that occurred during the frenzy of the housing market between 2000 and 2007.

The Uniform Residential Appraisal Report is a six page form used by appraisers to determine a valuation of a home. The report form is designed to report an appraisal of a one-unit property or a one-unit property with an accessory unit; including a unit in a planned unit development (PUD). The report form is not designed to report an appraisal of a manufactured home or a unit in a condominium or cooperative project. The report is divided into several sections, one of which describes the neighborhood. The first line in that section, in bold letters, states

“Note: Race and racial composition of the neighborhood are not appraisal factors”.

At the end the report, there is an “appraiser’s certification” which includes 25 certifications. Certifications #17 reads:

I have no present or prospective interest in the property that is the subject of this report, and I have no present or prospective personal interest or bias with respect to the

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participants in the transaction. I did not base, either partially or completely, my analysis and/or opinion of market value in this appraisal report on the race, color, religion, sex, age, marital status, handicap, familial status, or national origin of either the prospective owners or occupants of the subject property or of the present owners or occupants of the properties in the vicinity of the subject property or on any other basis prohibited by law.

After the collapse of the housing market, it was often considered that over-inflated appraisals were one of the contributing factors. The U.S. Government Accounting Office, *Residential Appraisals: Opportunities to Enhance Oversight of an Evolving Industry*, Report to Congressional Committees, July 2011, stated that recent policy changes may affect consumer costs for appraisals, while other policy changes have enhanced disclosures to consumers. Consumer costs for appraisals vary by geographic location, appraisal type, and complexity. However, the impact of recent policy changes on these costs is uncertain. These policy changes would affect all borrowers.

The report further stated that laws that apply to appraisals for residential mortgages include consumer protection statutes, such as the Truth in Lending Act (TILA), which addresses disclosure requirements for consumer credit transactions and regulates certain lending practices; the Equal Credit Opportunity Act (ECOA), which addresses non-discrimination in lending; and the Real Estate Settlement Procedures Act of 1974 (RESPA), which requires transparency in mortgage closing documents.

The Appraisal Foundation, *2012-2013 Edition of the Uniform Standards of Professional Appraisal Practice* (USPAP) report sets forth the technical and ethical guidelines used by appraisers. According to its Ethics sections:

An appraiser must not use or rely on unsupported conclusions relating to characteristics such as race, color, religion, national origin, gender, marital status, familial status, age, receipt of public assistance income, handicap, or an unsupported conclusion that homogeneity of such characteristics is necessary to maximize value.

Contained the Standards section Standard Rule 6-3 deals with neighborhood trends when appraising a property and encourages appraisers to avoid stereotyped or biased assumptions relating to race, age, color, gender, or national origin or an assumption that race, ethnic, or religious homogeneity is necessary to maximize value in a neighborhood.

Advisory Opinion #16 (Fair Housing Laws and Appraisal Report Content) of the USPAP concerns Fair Housing Laws and Appraisal Report Content and states:

Fair housing law(s) preclude the use of certain specific information or supported conclusions related to protected group(s) in some assignments. Accordingly, an appraiser should be knowledgeable about the laws that affect the subject property of an assignment. Laws and regulations on fair lending and fair housing (such as the Fair Housing Act; the Equal Credit Opportunity Act (ECOA), and the laws and regulations of applicable federal, state, and local jurisdictions) continue to evolve. Further, appraisers must continue to provide appraisals that do not illegally discriminate or contribute to illegal discrimination. The Conduct section of the ETHICS RULE states in part, An appraiser must not use or rely on unsupported conclusions relating to characteristics such as race, color, religion, national origin, gender, marital status, familial status, age, receipt of public assistance income, handicap, or an **unsupported** conclusion that

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homogeneity of such characteristics is necessary to maximize value (Bold added for emphasis).

(Nor) one cannot infer by logical extension that using supported conclusions relating to characteristics such as race, color, religion, national origin, gender, marital status, age... is appropriate or acceptable..

In some cases, even supported conclusions in assignments relating to characteristics such as race, color, religion, national origin, gender, marital status, familial status, age, receipt of public assistance income, handicap, or group homogeneity cannot be used because they are precluded by applicable law.

Under both federal law (the Equal Credit Opportunity Act, 15 U.S.C. § 1691(e), and its implementing regulations--see 12 C.F.R. § 202.14 in particular) and California law (Business & Professions Code § 11423), a lender is generally obligated to inform a credit applicant of the right to receive a copy of the appraisal used in connection with the application, and to honor the applicant's written request for a copy of the appraisal report.

The California Association of REALTORS (CAR) explains that one of the reasons a buyer should obtain an appraisal is "To make sure the lender has not engaged in any discriminatory practices."

Consequently, a homebuyer/borrower is entitled to a copy of the appraisal. But a homebuyer and borrower during the purchase process has a bewildering array of documents to review and sign. Additionally, given an appraisal to review, they may not have the knowledge to review an appraisal report to determine if, for example, race or ethnicity were considered in making the appraisal.

Impediment:

Complaints regarding appraisal discriminatory practices are not routinely collected by local, State or Federal agencies. It may occur but would-be homebuyers are in the best position to detect potentially discriminatory practices.

Action Plan Recommendations:

- **The Fair Housing Council will add "how to read an appraisal report" to its homebuyer counseling services.**
- **Consumer education will 1) inform borrowers of their right to request the appraisal report and 2) provide information on the contents of the report and how to detect possible discriminatory practices.**

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G. LENDING PRACTICES

1. Background

a. Fair Housing Act, Equal Credit Opportunity Act and the California Holden Act

In cases involving discrimination in mortgage loans or home improvement loans, the United States Department of Justice may file suit under both the Fair Housing Act and the Equal Credit Opportunity Act.

Section 805 of the Fair Housing Act (42 U.S.C. 3605) states that it is -

...unlawful for any person or other entity whose business includes ... the making or purchasing of loans or providing other financial assistance for purchasing, constructing, improving, repairing, or maintaining a dwelling... to discriminate against any person...because of race, color, religion, sex, handicap, familial status, or national origin.

The Equal Credit Opportunity Act (ECOA) 15 U.S.C. 1691 *et seq.* prohibits creditors from discriminating against credit applicants on the basis of race, color, religion, national origin, sex, marital status, age, because an applicant receives income from a public assistance program, or because an applicant has in good faith exercised any right under the Consumer Credit Protection Act.

To supplement federal legislation, state laws have been enacted to forbid the discriminatory practice known as "redlining," a practice that results in blanket refusals by some lenders to make loans in whole neighborhoods or geographic areas. Redlining is illegal in California pursuant to the Housing Financial Discrimination Act of 1977 (Holden Act). (Health & Safety Code Section 35800-35833) The Holden Act prohibits the consideration of race, color, religion, sex, marital status, national origin, or ancestry in lending for the purchase, construction, improvement, or rehabilitation of housing. Further, lenders cannot deny loan applications because of the ethnic composition, conditions, characteristics, or expected trends in the neighborhood or geographic area surrounding the property.

The Holden Act places restrictions on redlining by making it illegal for lenders to consider the racial, ethnic, religious, or national origin composition of a neighborhood or geographic area surrounding a housing accommodation.

To ensure that prospective borrowers are aware of their rights under this law, lenders must notify all applicants of the provisions of the Holden Act at the time of the loan application. The notice must include the address where complaints may be filed and where information may be obtained. The notice must be in at least 10-point type and also must be posted in a conspicuous location in the lender's place of business. A notice would state the following:

IT IS ILLEGAL TO DISCRIMINATE IN THE PROVISION OF OR IN THE AVAILABILITY OF FINANCIAL ASSISTANCE BECAUSE OF THE CONSIDERATION OF:

1. TRENDS, CHARACTERISTICS OR CONDITIONS IN THE NEIGHBORHOOD OR GEOGRAPHIC AREA SURROUNDING A HOUSING ACCOMMODATION UNLESS THE FINANCIAL INSTITUTION CAN DEMONSTRATE IN THE PARTICULAR CASE THAT SUCH CONSIDERATION IS REQUIRED TO AVOID UNSAFE AND UNSOUND BUSINESS; OR

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2. RACE, COLOR, RELIGION, SEX, MARITAL STATUS, NATIONAL ORIGIN OR ANCESTRY

IT IS ILLEGAL TO CONSIDER THE RACIAL, ETHNIC, RELIGIOUS, OR NATIONAL ORIGIN COMPOSITION OF A NEIGHBORHOOD OR GEOGRAPHIC AREA SURROUNDING A HOUSING ACCOMMODATION OR WHETHER OR NOT SUCH COMPOSITION IS UNDERGOING CHANGE, OR IS EXPECTED TO UNDERGO CHANGE, IN APPRAISING A HOUSING ACCOMMODATION OR IN DETERMINING WHETHER OR NOT, OR UNDER WHAT TERMS AND CONDITIONS, TO PROVIDE FINANCIAL ASSISTANCE.

THESE PROVISIONS GOVERN FINANCIAL ASSISTANCE FOR THE PURPOSE OF THE PURCHASE, CONSTRUCTION, REHABILITATION, OR REFINANCING OF ONE-TO-FOUR-UNIT RESIDENCE.

b. Home Mortgage Disclosure Act (HMDA)

The HMDA Loan Application Register (LAR) data includes information about *each* loan application. HMDA requires lenders to report on the action taken on each loan application, as follows:

- Loan Originated
- Application Approved, Not Accepted
- Application Denied
- Application Withdrawn
- Filed Closed for Incompleteness

The race, ethnicity and income of the applicant also are noted by the lender.

Although the loan denial rates do not support definitive conclusions regarding discrimination on the bases of race or ethnicity, they are a useful screen to identify disparities in loan approval rates by the race and ethnicity of applicants and geographic markets where differences in denial rates warrant further investigation.

2. 2011 Conventional and FHA/VA Loan Volumes, Loan Dispositions and Denial Rates by Race, Ethnicity and Income

The 2011 LARS HMDA data reports 2,199 loan applications. That's all conventional and FHA/VA loan applications that made it through the entire underwriting process:

| | | |
|----------------------|-------|--------|
| ➤ Conventional Loans | 481 | 21.9% |
| ➤ FHA/VA Loans | 1,718 | 78.1% |
| ➤ Total | 2,199 | 100.0% |

The final disposition of the loan applications is as follows:

| | | |
|--------------------------------------|-------|--------|
| ➤ Originated | 1,693 | 77.0% |
| ➤ Application Approved, Not Accepted | 124 | 5.6% |
| ➤ Denied | 382 | 17.4% |
| ➤ Total | 2,199 | 100.0% |

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The above totals exclude the applications made in census tracts with boundaries that were mostly outside of Moreno Valley.

As noted above, about 17% of all loan applications were denied. Table C-13 shows the denial rates by race/ethnicity, selected income groups, and loan type.

**Table C-13
City of Moreno Valley
Comparison of Denial Rates by Race/Ethnicity, Type of Loan and Income Level**

| Race/Ethnicity | \$25,000-\$49,999 | | \$50,000-\$74,999 | | \$75,000-\$99,999 | |
|--------------------|-------------------|--------|-------------------|--------|-------------------|--------|
| | Conventional | FHA/VA | Conventional | FHA/VA | Conventional | FHA/VA |
| White Alone | 23.1% | 14.7% | 2.9% | 10.8% | 22.2% | 8.9% |
| Hispanic or Latino | 20.2% | 15.1% | 14.6% | 14.8% | 23.1% | 12.7% |
| Asian | 12.0% | 22.2% | 14.3% | 38.5% | 0.0% | 0.0% |
| Black | 22.2% | 15.6% | 28.6% | 21.4% | 60.0% | 21.7% |
| Other/NA | 15.8% | 17.9% | 17.6% | 12.5% | 12.5% | 24.0% |
| Total | 19.7% | 15.4% | 13.3% | 15.3% | 22.9% | 14.2% |

Source: 2011 LARS HMDA data
Table construction by Castañeda & Associates

- Within the \$25,000-\$49,999 income group, all minority group applicants have lower conventional loan denial rates than White borrowers. In contrast, white loan applicants have the lowest FHA/VA denial rates.
- Within the \$50,000-\$74,999 income group, the White loan applicants experienced a conventional loan denial rate much lower than the other race and ethnic groups. For Black borrowers, the conventional loan denial rate was more than twice as high as for the Hispanic and Asian borrowers. It should be noted, however, that both Asian and Black borrowers had 14 applications, of which two Asian applicants and four Black applicants were denied. This would account for the denial rate being twice as high. Among the FHA/VA loan applicants, Asian borrowers had a substantially higher denial rate; however, there were only 13 applications.
- Within the \$75,000-\$99,999 income group, the Asian conventional loan applicants had the lowest denial rate (only six applications); Blacks experienced the highest loan denial rate (only five applicants). Among the FHA/VA loan applicants, the Other/NA category borrowers had the highest loan denial rate while Asian loan applicants experienced the lowest denial rate (only six applications).

3. Characteristics of Borrowers with Approved Loan Applications

There were 1,693 approved loans in 2011:

| | | |
|----------------------|-------|--------|
| ➤ Conventional Loans | 355 | 21.0% |
| ➤ FHA/VA Loans | 1,338 | 79.0% |
| ➤ Total | 1,693 | 100.0% |

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The race and ethnicity of the borrowers is known for 1,560 of the 1,693 approved loans. The race and ethnicity is not known for 37 approved conventional loan borrowers and 96 FHA/VA approved loan applicants. These 133 approved loans were eliminated from the analysis because the focus is on the race and ethnicity of applicants who had their loans approved.

Table C-14 shows the race/ethnicity of 1,560 homebuyers who had their loans approved compared to household percentages based on the 2010 Census. The minority percentage of 2011 homebuyers (75%) is about 6% below the citywide percentage (81%) of minority householders. But Hispanic and White householders represent a higher percentage of the 2011 homebuyers than they comprise of all households residing in Moreno Valley in 2010. In contrast, the Asian homebuyer percentage is slightly less than they represent in the City while the Black homebuyers comprise 17.2% of all households compared to 10.8% of the homebuyers.

Table C-14
City of Moreno Valley
Race and Ethnicity of 2011 Homebuyers Compared to 2010 Census

| Race/Ethnicity | Number | 2011 Percent | 2010 Percent |
|-----------------------|---------------|---------------------|---------------------|
| White | 387 | 24.8% | 18.9% |
| Black | 168 | 10.8% | 17.2% |
| Asian | 76 | 4.9% | 5.9% |
| Other | 25 | 1.6% | 3.6% |
| Hispanic | 904 | 57.9% | 54.4% |
| Total | 1,560 | 100.0% | 100.0% |

Source: HMDA and 2010 Census
Table construction by Castañeda & Associates

There could be many reasons why Hispanics comprise a high percentage of homebuyers. For example, they could be renters moving to homeownership and because they have ties to neighborhoods, families, friends and churches choose to buy in Moreno Valley. Additionally, housing in Moreno Valley could be more affordable to them because 1) home prices are below the FHA/VA loan limits, 2) the low down payment requirements and 3) the prevailing low interest rates.

The reasons why Blacks represent fewer of the 2011 homebuyers than the city-wide percentage are probably complicated. But they may include economic factors impeding mobility such as underemployment and income constraints or they prefer to buy in other communities.

4. Types of Home Loan Financing by Race and Ethnicity

Unlike the housing boom years, approved borrowers rely heavily on FHA/VA financing compared to conventional financing. Indeed, nearly 80% of all approved loans in 2011 were FHA insured loans or VA guaranteed loans. Table C-15 shows that about half of Asian homebuyers relied on FHA/VA financing. In contrast, 84% of Hispanic borrowers and 83% of the Black borrowers had their approved loans FHA/VA financed.

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Table C-15
City of Moreno Valley
FHA and Conventional Financing by Race and Ethnicity: 2011

| Race/Ethnicity | FHA | Conventional | Total | Percent FHA |
|----------------|-------|--------------|-------|-------------|
| White | 287 | 100 | 387 | 74.2% |
| Black | 139 | 29 | 168 | 82.7% |
| Asian | 37 | 39 | 76 | 48.7% |
| Other | 22 | 3 | 25 | 88.0% |
| Hispanic | 757 | 147 | 904 | 83.7% |
| Total | 1,242 | 318 | 1,560 | 79.6% |

Source: HMDA

Note: Table includes approved loans for which race and ethnicity are known. Therefore, 133 approved loans are excluded from the table total because race and ethnicity are unknown.

Table construction by Castañeda & Associates

5. Down Payments by Type of Financing and Race and Ethnicity

Data on the sales prices, type of financing, and down payments was obtained for 1,893 owner-occupied single family home purchases. The data provide the first and last name of the home buyer, but not the race or ethnicity. Software was then used to process the owners' surnames and categorize the homebuyers into three groups:

| | | |
|------------|------------|--------------|
| ➤ Hispanic | 1,039 | 54.9% |
| ➤ Asian | 161 | 8.5% |
| ➤ Other | <u>693</u> | <u>36.6%</u> |
| Total | 1,893 | 100.0% |

Comparing the sales data to the HMDA data, the race and ethnicity distribution matched closely for Hispanic buyers, but was higher for Asian buyers:

| | <u>Sales Data</u> | <u>HMDA Data</u> |
|------------|-------------------|------------------|
| ➤ Hispanic | 54.9% | 57.9% |
| ➤ Asian | 8.5% | 4.9% |

The vast majority of the "Other" category (36.6%) is comprised of White and Black homebuyers as other groups bought few homes in Moreno Valley in 2011. Table C-15 – which is based on HMDA data – shows that White buyers comprised 387 and Black buyers 168 of the 580 homebuyers who were not Asian or Hispanic.

The sales data provides details on each property and, unlike HMDA data, includes the sales price and the amount of the first loan. Therefore, it is possible to calculate the amount of the down payment.

Table C-16 shows that about 64% of the Moreno Valley's 2011 homebuyers made a down payment of 3% or less. Almost 70% of the Hispanic homebuyers made a down payment of 3% or less. Additionally, about 65% of the "Other" homebuyers also made down payments of 3% or

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less. By contrast, only about 26% of the Asian homebuyers made a down payment of 3% or less.

Table C-16
City of Moreno Valley
Owner Occupied Home Purchases in 2011
by Race/Ethnicity and Down Payment Amount

| Percent Down Payment | Race/Ethnicity | | | | | | Total | Percent |
|------------------------------------|----------------|---------|----------|---------|-------|---------|-------|---------|
| | Asian | Percent | Hispanic | Percent | Other | Percent | | |
| 0% or >100% Financing ¹ | 4 | 2.5% | 50 | 4.8% | 82 | 11.8% | 136 | 7.2% |
| 1% to 3% | 38 | 23.6% | 675 | 65.0% | 370 | 53.4% | 1,083 | 57.2% |
| 4% to 9% | 4 | 2.5% | 74 | 7.1% | 39 | 5.6% | 117 | 6.2% |
| 10% to 15% | 0 | 0.0% | 21 | 2.0% | 16 | 2.3% | 37 | 2.0% |
| 16% to 19% | 0 | 0.0% | 8 | 0.8% | 2 | 0.3% | 10 | 0.5% |
| 20% | 18 | 11.2% | 79 | 7.6% | 68 | 9.8% | 165 | 8.7% |
| 21% to 25% | 24 | 14.9% | 19 | 1.8% | 20 | 2.9% | 63 | 3.3% |
| 26% to 30% | 8 | 5.0% | 13 | 1.3% | 14 | 2.0% | 35 | 1.8% |
| 31% to 50% | 7 | 4.3% | 26 | 2.5% | 13 | 1.9% | 46 | 2.4% |
| 51% or More | 1 | 0.6% | 4 | 0.4% | 6 | 0.9% | 11 | 0.6% |
| "All-Cash" | 57 | 35.4% | 70 | 6.7% | 63 | 9.1% | 190 | 10.0% |
| Total | 161 | 100.0% | 1,039 | 100.0% | 693 | 100.0% | 1,893 | 100.0% |

¹Some HUD loans such as 203K loans and VA loans allow loans to exceed 100% of the purchase price.
 Source: Realist tax assessor data obtained through the Pacific West Association of Realtors
 Table construction by Castañeda & Associates

A significant loan underwriting goal is accomplished when a home buyer makes a down payment of 20% or more. The percentage of homebuyers who made a 20% or more down payment or an "all cash" purchase is as follows:

- Asian 71.4%
- Other 26.6%
- Hispanic 20.3%

Low down payment financing allows borrower leverage in six forms:

Two types of asset leverage:

1. As the down payment percentage decreases, the asset price of the home it can leverage increases.
2. As the loan amortization term increases, asset leverage remains high because of slower earned equity buildup from amortization during a loan's early years.

Three types of income leverage:

3. As the debt-to-income ratio increases, so does the loan that may be serviced with the same amount of income.

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4. As the loan amortization term increases, so does the loan that may be serviced with the same amount of income.
5. As the rate of interest declines, the size of the loan that may be serviced with the same amount of income rises. While the Federal Reserve is responsible for this increase in leverage, the FHA's underwriting policies turn virtually all of this additional buying power into increased buyer leverage.

One type of credit leverage:

6. The lower the acceptable credit score, the larger the pool of buyers.

Source: Edward J. Pinto, *How FHA Hurts Working-Class Families and Communities*, American Enterprise Institute, December 2012, pages 4 and 5

As previously explained, in 2011 about 64% of Moreno Valley's 1,893 homebuyers made a down payment of 3% or less. In the second half of 2008, 51% of mortgage foreclosures were caused by "negative equity" and down payments of less than 3%." (Wall Street Journal, July 3, 2009). According to the November 2012 FHA Outlook, 9.5% of all FHA loans are seriously delinquent, a percentage that includes all bankruptcies, all foreclosures, and 90 days or more delinquent.

Most of Moreno Valley's "low down payment homebuyers" obtained FHAVA financing. If housing price increases are stagnant, slow or declining, these homebuyers are potentially at risk of going underwater – that is, having a "net" sales price less than what is owed on the home. The median home price in 2011 was \$165,000. A loan amount of \$160,050 can be approved with a 3% down payment. After three years a loan balance of \$151,245 would be owed by the borrower (4% interest rate, 30-year term). If the home could still be sold for \$165,000 in 2016, the seller would realize a net sales price of \$151,800 based on 8% of the sales price being consumed by transaction costs (e.g., sales commission, inspection reports, appraisal costs, pest control reports, buyer mandated repair costs, etc.). Therefore, buyers who made a small down payment have a small equity stake and are at-risk to many economic forces outside of their control.

As stated earlier, about two thirds of all approved loans were FHA financed. There is concern of FHA's increased market share and its exposure to borrower delinquencies. As stated in the Department of Treasury and Department of Housing and Urban Development report to Congress:

FHA should return to its pre-crisis role as a targeted provider of mortgage credit access for low- and moderate-income Americans and first-time homebuyers. (Today, FHA's market share is nearly 30 percent, compared to its historic role of between 10-15 percent.) As Fannie Mae and Freddie Mac's presence in the market shrinks, the Administration will coordinate program changes at FHA to ensure that the private market – not FHA – picks up that new market share.

To make sure that FHA is financially strong enough to provide this key support, and that those taking out FHA-insured single-family loans are taking on sustainable mortgages, the Administration will explore ways to further reduce the risk exposure of FHA. While FHA has already changed its policy to require that borrowers with lower FICO scores put

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down *larger down payments*, FHA will consider other options, such as *lowering the maximum loan-to-value ratio* for qualifying mortgages more broadly. [Emphasis added]

Source: The Department of the Treasury and U.S. Department of Housing and Urban Development, *Reforming American's Housing Finance Market: A Report to Congress*, February 2011, pages 4, 19 and 20

FHA is changing the underwriting guidelines by increasing down payment standards, upfront mortgage insurance premiums (MIP - (which can be financed) and the monthly MIP. Starting in April 2013, the Federal Housing Administration is increasing the upfront and annual mortgage insurance premiums for FHA-insured loans. From a recent FHA press release:

As part of ongoing efforts to encourage the return of private capital in the residential mortgage market and strengthen the Federal Housing Administration's (FHA) Mutual Mortgage Insurance Fund, Acting FHA Commissioner Carol Galante today announced a new premium structure for FHA-insured single family mortgage loans. FHA will increase its annual mortgage insurance premium (MIP) by 0.10 percent for loans under \$625,500 and by 0.35 percent for loans above that amount. Upfront premiums (UFMIP) will also increase by 0.75 percent.

Two types of mortgage insurance are required on the majority of FHA-insured loans:

- Upfront mortgage insurance, or UFMIP, which is paid once at loan closing. FHA allows this premium to be financed into the loan.
- Mortgage insurance premium, or MIP, which is paid in equal installments are part of the mortgage payment.

On a \$200,000 FHA-insured loan, the UFMIP premium will increase from the current rate of 1% of the loan amount, or \$2,000, to 1.75% of the loan amount, or \$3,500. The MIP will increase from 1.15% of the loan amount to 1.25%, which increases the monthly MIP payment from \$191.66 to \$208.66.

6. Loan Denial Rates

1) *Loan Denial Rates by Type of Financing:* In 2011, conventional loan applications (481) comprised 22% of all loan applications (2,199). Of the 481 applications, 20.6% were denied, which is slightly higher than Riverside County denial rate of 17.3%.

In 2011, FHA/VA loan applications (1,718) comprised 78% of all loan applications (2,199). Of the 1,718 applications, 16.5% were denied, which is slightly higher than Riverside County denial rate of 15.8%.

For more details, refer to Tables 1 and 2 in Attachment A

2) *Loan Denial Rates by Race and Ethnicity* In 2011, the White applicants had the lowest conventional loan denial rate and the Black applicants had the highest denial rate, as follows:

| | |
|---------------------|-------|
| Black applicants | 31.1% |
| Other applicants | 22.8% |
| Asian applicants | 20.6% |
| Hispanic applicants | 20.2% |

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White applicants 17.5%

For more details and the data for 2009 and 2010, refer to Table 3 in Attachment A.

Between 2009 and 2011, the Hispanic loan denial rate decreased, while the Black loan denial rate increased.

In 2011, the White applicants had the lowest FHA/VA denial rate and the Asian applicants had the highest denial rate, as follows:

| | |
|---------------------|-------|
| Asian applicants | 24.0% |
| Black applicants | 20.3% |
| Other applicants | 16.4% |
| Hispanic applicants | 16.3% |
| White applicants | 13.9% |

Between 2009 and 2011, the Hispanic loan denial rate decreased, while the Asian loan denial rate increased.

For more details and the data for 2009 and 2010, refer to Table 4 in Attachment A.

3) *Loan Denial Rates by Race, Ethnicity and Income:* Of the 481, conventional loan applications, 223 were made by applicants having annual incomes in the range of \$25,000 to \$49,999. In this income group, Asian's had the lowest loan denial rate and Hispanic and Black applicants experienced loan denial rates less than the White applicants.

Of the 481, conventional loan applications, 120 were made by applicants having annual incomes in the range of \$50,000 to \$74,999. In this income group, White applicants had the lowest loan denial rate (2.9%) while Black applicants experienced highest loan denial rate (28.6%) The Hispanic and Asian loan applicants experienced loan denial rates of about 14%.

Of the 1,718 FHA/VA loan applications, 862 were made by applicants having annual incomes in the range of \$25,000 to \$49,999. The Asian loan denial rate was considerably higher than those experienced by the other population groups.

Of the 1,718 FHA/VA loan applications, 471 were made by applicants having annual incomes in the range of \$50,000 to \$74,999. The Asian loan denial rate was considerably higher than that experienced by the other population groups. Within this income group, the Asian loan denial rate again was higher than those of the other population groups.

For more details, refer to Tables 5 and 6 in Attachment A.

4) *Loan Denial Rates by Census Tract, Percent Low Income and Percent Minority:* Five census tracts had highest loan denial rates which ranged between 28.0% and 36.4%. Census tracts with high percentages of low income population did not necessarily have the highest denial rates. Three of the five census tracts had a low income percentage less than the citywide average of 39.3%.

As noted above, five census tracts had highest loan denial rates which ranged between 28.0% and 36.4%. Census tracts with high percentages of minority populations did not necessarily have the highest denial rates. Two of the five census tracts had a minority population percentage less than the citywide average of 67.8%.

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For more details, refer to Tables 7 and 8 in Attachment A.

5) *Loan Denial Rates by Lender.* In 2011, major lenders were defined as those receiving 100 or more loan applications. Six major lenders received almost 900 loan applications which represented almost 41% of all loan applications. Bank of America had the highest loan denial rate at 31% compared to Wells Fargo which had the second highest loan denial rate at 15.4%. All other major lenders had loan denial rates of 7% or less.

For most major lenders, the number of loan applications received per census tract is small. However, Bank of America denied 44% of the 25 loan applications in one census tract and 24.4% of the 25 loan applications in another census tract. Wells Fargo denies 22.2% of the 63 loan applications made on one census tract.

For more details, refer to Tables 9 and 10 in Attachment A.

7. Reasons for Loan Denials

Loans can be denied for a number of reasons. HMDA requires lenders to list one or more reasons for a loan denial. Most loans are denied for “other” reasons. Between 2009 and 2011, 21.4% of the conventional loan applications were denied because of “debt-to-income ratio” and 14.1% due to “collateral.” During the same three-year period, 24.6% of FHA/VA loan applications were denied because of “debt-to-income ratio” and 15.2% due to “credit history.”

According to the 2011 HMDA Reporting Guide, the reasons are defined as follows:

Debt-to-income ratio: income insufficient for amount of credit requested and excessive obligations in relation to income.

Credit history: insufficient number of credit references provided; unacceptable types of credit references provided; no credit file; limited credit experience; poor credit experience with lender; delinquent past or present credit obligations with others; garnishment, attachment, foreclosure, repossession, collection action, or judgment; and bankruptcy.

Collateral: value or type of collateral insufficient.

Other: length of residency; temporary residence; and other reasons.

For more details, refer to Tables 11 and 12 in Attachment A

Impediments:

- **The potential for a high percentage of FHA loans becoming seriously delinquent will disproportionately affect Hispanic home buyers as 70% bought their homes with FHA/VA financing.**
- **As the FHA/VA reduces its market share of mortgage credit, fewer minorities will be able to obtain loans to purchase a home.**
- **Disparities exist among the loan denial rates experienced by minority loan applicants compared to White loan applicants.**
- **Bank of America has a loan denial rate considerably higher than other major lenders.**

Action Plan Recommendations:

- The City and Fair Housing Council will annually monitor the HMDA data to establish long-term trends in loan denial rates.
- The City and Fair Housing Council will maintain an inventory of FHA and low down payment financed homes.
- The City and Fair Housing Council will monitor on a regular schedule the notices of default by address made available by the County Recorder's Office or through a subscription service.
- The City and Fair Housing Council will match the notices of default by address to the addresses of the low down payment financed homes.
- The Fair Housing Council will contact the borrowers in default and inform them of default and foreclosure counseling services available to homeowners at risk of losing their homes.

H. HOMEOWNER'S INSURANCE

1. Background

Studies have demonstrated that the federal Fair Housing Act (FHA) should be interpreted to include homeowner's insurance. One recent study explained:

The language of the FHA should be interpreted to include homeowners insurance. Although insurance is not explicitly mentioned in the Act, the broad language of both § 3604 and § 3605 logically covers insurance.

Under § 3604(a), it is unlawful to do anything that makes a dwelling "unavailable." Because insurance is required in order to qualify for a mortgage, and since most people need a mortgage in order to buy a home, discrimination in underwriting decisions or in insurance pricing can make a dwelling unavailable, in contravention of § 3604.

Although it could be argued that "otherwise make unavailable or deny" should only apply to activities similar to the refusal to sell or rent a home, not to all activities that make housing unavailable, this reading is inconsistent with other § 3604 jurisprudence. The Supreme Court has found that the FHA should be read broadly. Courts have readily applied § 3604 to a number of activities beyond the actual sale or rental transaction, such as zoning, the construction of low-income housing, and the provision of Section 8 housing vouchers.

Most courts have agreed that insurance, like zoning, is covered by § 3604.

Source: Dana L. Kaersvang, "The Fair Housing Act and Disparate Impact in Homeowner's Insurance," Michigan Law Review, Vol. 104:1993, August 2006, page 1998

Insurance companies, for the most part, do not agree that the Fair Housing Act can be interpreted to apply to insurance because of the McCarran-Ferguson Act:

The McCarran-Ferguson Act provides that federal law does not preempt state insurance law unless the federal law 'specifically relates to insurance.' Federal law not specifically relating to insurance should not be interpreted to 'invalidate, impair, or supercede' state

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insurance law. Some argue that, under the McCarran-Ferguson, the FHA cannot be applied to insurance because it does not explicitly mention insurance and would preempt States' determinations of appropriate insurance discrimination regulations.

Source: Dana L. Kaersvang, "The Fair Housing Act and Disparate Impact in Homeowner's Insurance," Michigan Law Review, Vol. 104:1993, August 2006, page 2005

This issue can be thought of as a state by state issue. By way of example, the Supreme Court of Texas ruled on the following question:

Does Texas law permit an insurance company to price insurance using a credit-scoring factor that has a racially disparate impact that, were it not for the McCarran-Ferguson Act, would violate the federal Fair Housing Act, 42 U.S.C §§ 3601-19, absent a legally sufficient nondiscriminatory reason, or would using such a credit-score factor violate Texas Insurance Code section 544.002(a), 559.051, 559.052, or some other provision of Texas law?

We answer that Texas law prohibits the use of race-based credit scoring, but permits race-neutral credit scoring even if it has a racially disparate impact.

Another study concluded – after a review of the number of homeowner's insurance policies written, canceled, non-renewed and declined - the following as issues pertaining to homeowner's insurance and fair housing:

The analysis suggests that people with lower incomes face barriers in obtaining and retaining homeowner's insurance. And while there were no indications of any pattern of intentional discrimination or bias against homeowners who live in zip codes of color, the findings suggest that, *in effect*, homeowners in those areas may be disproportionately underserved in their ability to obtain homeowner's insurance. The findings also make clear that determining the role that policies and practices of insurance companies play in blocking access to and retention of homeowner's insurance in low-income zip codes and in zip codes of color warrants further investigation

Source: Legal Services Advocacy Project, St. Paul, MN, *The Effect of Income and Race on the Ability to Obtain and Retain Homeowners Insurance*, October 2000

On November 16, 2011, HUD issued a proposed rule regarding *Implementation of the Fair Housing Act's Discriminatory Effects Standard*. Under this proposed rule, a –

'discriminatory effect' occurs where a facially neutral housing practice actually or predictably results in a discriminatory effect on a group of persons (that is, disparate impact), or on the community as a whole (perpetuation of segregation).

Examples of a housing policy or practice that may have a disparate impact on a class of persons delineated by characteristics protected by the Act include ... the provision and pricing of homeowner's insurance....

The proposed rule – it should be noted – has not been finalized. And the proposed rule is not without controversy. For example, the American Bankers Association (ABA) believes that the disparate impact, or 'effects' discrimination doctrine is not supported by the legislation from

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which it seeks to draw its authority. The ABA explained its position in a paper prepared by Buckley Sandler LLP – *Disparate Impact Under FHA and ECOA: A Theory Without a Statutory Basis*, July 13, 2012. In short, the ABA's position is that –

Where a statute like the FHA does not permit disparate impact claims, such claims cannot be authorized by regulation.

It has been argued that:

If the rule is finalized as proposed, and upheld by the courts, property insurance companies are likely to experience claims of unlawful discrimination under the Fair Housing Act.

...it is much more likely that insurance practices will be challenged for their 'impact' rather than on the basis that they are motivated by a racial or ethnic animus.

Source: Washington Legal Foundation, *Legal Backgrounder*, Vol. 27, No. 11, June 8, 2012, authors Paul F. Hancock, Andrew C. Glass, and Roger L. Smerage, *HUD Proposal Would Impose 'Disparate Impact' Regulation on Property Insurance*, pages 1 and 2

2. Availability of Homeowners Insurance

a. CLUE Reports

Homeowners insurance can be made unavailable due to the claims history of a property or of the buyer seeking coverage.

When faced with a prospective insured, insurance providers use the CLUE database to find out information not only about the customer, but also about the residence to be covered. Often this will cause problems for homeowners who have recently purchased a property. If they assume they will be able to get insurance easily because they always have had coverage and have never made any claims, they may be surprised when they are turned down based on claims made on their new property by the previous owners.

Source: Eric R. Jaworski, Esq. and Jonathan A. Goodman, Esq., Colorado REALTOR News, *CLUE Reports Comprehensive Loss Underwriting Exchange Reports*, page 2

CLUE is a claims-information report generated by LexisNexis®, a consumer-reporting agency. The report generally contains up to seven years of personal-auto and personal-property claims history.

An insurer may request a CLUE report when an application is made for coverage or request is made for a quote. The company uses the applicant's claims history or the history of claims at a specific property, to decide if it'll offer coverage and the premium amount. Insurance company studies show a relationship between past and future claims.

When a home is sold in California, the seller is not obligated to provide the buyer with a CLUE report. According to the California Association of REALTORS (CAR), the standard residential purchase agreement -

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...simply requires the seller to disclose known material facts and defects including "known insurance claims within the past five years." In other words, if the seller had a fire in the kitchen 2 years ago and made an insurance claim, then the seller must disclose this fact to the buyer. *The C.A.R. purchase contract does not require purchase of a third-party report, such as C.L.U.E.* Sellers may make the disclosures of known insurance claims by using the C.A.R. Standard Form "Supplemental Statutory and Contractual Disclosures" (Form SSD), which allows a seller to disclose his or her awareness of insurance claims via a simple yes/no checkbox format.

A seller must disclose only known insurance claims; C.A.R. purchase agreements *do not require sellers to discover unknown claims, or to purchase reports or other third-party information to make this disclosure.* Although sellers may choose to provide and pay for a third-party report to provide this optional third-party information to buyers, *neither the law nor C.A.R.'s purchase agreement require that they do so.* [Emphasis added]

CAR points out, however –

Given the increased difficulty of obtaining affordable homeowners' insurance in recent years, buyers should obtain quotes as early as possible in the home buying process. In the process of obtaining insurance, the insurance agent or underwriter will most likely be checking the insurance database, as a matter of course, without charge. Buyers should seek insurance quotes during the inspection period so that there will be clear understanding of the cost of the insurance early in the transaction, and so that buyers will have an opportunity to evaluate this fact during the inspection period.

The effect of not being able to obtain homeowners insurance will be felt mostly by minority buyers as they comprise the vast majority of the people who purchase a home in Moreno Valley. It is important to expand the topics covered by homebuyer counseling to include the importance of obtaining CLUE reports from the sellers. Without this information, there is the potential that minority home buyers may be unable to obtain insurance not because of their claims history but that of the home they want to purchase.

b. Underserved Communities

The California Department of Insurance (DOI), Statistical Analysis Division annually prepares a *Commissioner's Report on Underserved Communities*. The Community Service Statement, under California Code of Regulations (CCR) Section 2646.6, has the purpose of addressing the issue of availability and affordability of insurance in "underserved" communities and of promoting anti-discrimination so that all have equal access to insurance coverage in California.

Communities that are considered "underserved" are with no or little insurance protection, according to the Department of Insurance. Absence of or inadequate insurance protection can be detrimental to people's lives. To ensure that all individuals and families, as well as businesses or organizations get the insurance protection they need against the adverse financial consequences of losses, is one of the goals of California Department of Insurance.

The Community Service Statement regulations require the DOI to collect and analyze data from home, personal auto, commercial multiple peril and commercial fire insurers in California, for all zip codes and report on those that are considered as "underserved". The DOI identified 145 "underserved" zip codes. None of Moreno Valley's zip codes are identified as "underserved." The two "underserved" communities located in Riverside County are Coachella and Mecca.

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c. California FAIR Plan

If homeowners insurance becomes unavailable, California provides for insurance as a last resort. The California Fair Access to Insurance Requirements ("FAIR") Plan was created by state legislation in July 1968 following the 1960's brush fires and riots. It is an insurance pool established to assure the availability of basic property insurance to people who own insurable property in California and who, beyond their control, have been unable to obtain insurance in the voluntary insurance market.

The FAIR Plan is a private association based in Los Angeles comprised of all insurers licensed to write property insurance in California. All insurers conducting property business in California must be a member of the Association. FAIR Plan profits and losses are shared by its members in direct proportion to their market share of property insurance written in California. There is no public funding, or taxpayers' monies involved. The FAIR Plan is not a state agency.

As noted above, The FAIR Plan issues insurance as a last resort, and should be used only after a diligent effort to obtain coverage in the voluntary market has been made. The FAIR Plan offers limited coverage at higher premiums than available in the voluntary insurance market. The perils insured against include fire, lightning and internal explosion but do not include, for instance, overflow of water or theft and the dwelling replacement cost is optional.

3. Analysis of Homeowner's Insurance Rates

Researchers have demonstrated that insurers employ a wide range of practices which contribute to a pricing differential in insurance for whites compared to minority populations:

- Establishing a maximum age for houses beyond which policies become more expensive or entirely unavailable. Since minorities, on the whole, live in older housing this practice causes a disproportionate impact on such populations.
- Establishing a minimum value threshold below which insurance is unavailable. Since low income minorities live in less expensive housing, this practice generates a disproportionate impact on populations.
- Adjusting premiums in a neighborhood in a way that increases the rates in low income, minority areas. Instead of redlining, proxies for "low income minority area" are used such as crime rates, percentage of owner-occupied housing, number of vacant buildings, responses times of fire and police departments.

Source: Dana L. Kaersvang, "The Fair Housing Act and Disparate Impact in Homeowner's Insurance," Michigan Law Review, Vol. 104:1993, August 2006, page 1996

Homeowners insurance is a package policy consisting of different types of coverage for the house, its contents, additional living expenses, personal liability claims against the policyholder and other members of the household and medical payments to others. The policyholder pays a single premium amount for the combination of these coverages.

Section 12959 of the California Insurance Code requires the commissioner to publish and distribute a comparison of insurance rates report for those lines of insurance which are of most interest to individual purchasers of personal lines of coverage. The Homeowners Premium

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Survey is based upon several scenarios, or hypothetical risks, that represent the most common variables applied to homeowners, condominium, renters and earthquake insurance premiums quoted today.

Annually, the Statistical Analysis Division (SAD) of the California Department of Insurance conducts a survey of premiums of insurers offering homeowners insurance in California. Due to the great diversity of homes, limits, locations and coverages available, it is impossible to publish a comparison for every risk. Therefore, companies are asked to supply their annual premium, based on rates for new business, for specific hypothetical risks located in various zip codes throughout the state. Zip codes are selected from various regions within the state, based on census home density data. Hypothetical examples are developed in order to provide premiums for a wide variety of risk types.

The California Department of Insurance 2012 Homeowners Premium Survey was consulted to estimate insurance rates in Moreno Valley and, for comparison purposes, the seven nearest cities and zip codes for which data are available. The data on premiums is usually published by city; however, for Corona and Riverside the premiums were listed by zip code.

Annual premiums were determined for the eight largest insurers based on “exposures,” which are defined as –

In general, an exposure is defined as the risk or loss potential an insurance company assumes from its policyholder in exchange for premium. However, it is important to note that there can be multiple exposures under one policy. For example, an insurer may cover several vehicles, or exposures, under one automobile policy.

This report studied exposures on an **Earned** basis. Earned exposure is defined as a condition where the exposure is recognized by the insurance company after time has passed and the insurance company has delivered the services promised under the insurance policy.

Table C-17 shows the annual premiums of California’s eight largest insurers for single-family homes 16 to 25 years of age with \$200,000 of coverage and which are located in Moreno Valley and three other cities and four zip codes. As previously explained, the seven locations are those located in closest proximity to Moreno Valley and for which premium data are available.

Table C-18 shows the Homeowners Insurance Premium Cost Index. The index was developed for this AI as a means of comparing the cost to insure homes located in the eight locations. The Index is the average rank of the premiums of the eight largest insurance providers. The lower the value of the index, the higher is the cost of insurance. The premiums of each insurance provider were ranked from 1 to 8 with 1 representing the highest cost premium and 8 the lowest cost premium. State Farm, for instance, has its highest cost premium in Perris and its fifth highest in Moreno Valley and Hemet. Mid Century Insurance has its highest cost premium in Hemet and the lowest premium in Moreno Valley. Among the eight companies –

- 2 had their highest premium in Moreno Valley (2 X 1 = 2)
- 2 had their second highest premium in Moreno Valley (2 X 2 = 4)
- 1 had their third highest premium in Moreno Valley (1 X 3 = 3)
- 1 had their fourth highest premium in Moreno Valley (1 x 4 = 4)
- 1 had their fifth highest premium in Moreno Valley (1 x 5 = 5)
- 1 had their eighth highest premium in Moreno Valley (1 x 8 = 8)

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Table C-17
Survey of 8 Largest¹ (By Exposure) Residential Insurers
By City and Percent Minority – May 1, 2012

| City | Percent Minority | State Farm | Fire Insurance Exchange | Mid Century Insurance Co. | Insurance Exchange of the Automobile Club | Mercury Casualty Company | Amco Insurance Co. | Safco Insurance Company of America | United Services Automobile Association |
|-----------------|------------------|------------|-------------------------|---------------------------|---|--------------------------|--------------------|------------------------------------|--|
| Moreno Valley | 81.1% | \$1,227 | \$843 | \$1,027 | \$599 | \$466 | \$677 | \$689 | \$589 |
| Banning | 56.6% | \$1,114 | \$843 | \$1,301 | \$560 | \$474 | \$677 | \$760 | \$571 |
| Corona-92879 | 61.9% | \$1,255 | \$843 | \$1,124 | \$598 | \$607 | \$677 | \$760 | \$550 |
| Corona-92882 | 61.9% | \$1,385 | \$843 | \$1,201 | \$555 | \$607 | \$677 | \$760 | \$550 |
| Hemet | 48.2% | \$1,227 | \$854 | \$1,433 | \$552 | \$386 | \$637 | \$540 | \$571 |
| Perris | 89.0% | \$1,454 | \$843 | \$1,225 | \$569 | \$589 | \$677 | \$703 | \$571 |
| Riverside-92503 | 66.0% | \$1,318 | \$843 | \$1,147 | \$607 | \$474 | \$677 | \$760 | \$550 |
| Riverside-92506 | 66.0% | \$1,114 | \$843 | \$1,204 | \$596 | \$474 | \$677 | \$760 | \$550 |

¹Allstate and AAA Northern CA NV UT Insurance Exchange are among the 10 largest home insurers. However, premiums are unavailable for these two insurers.

Note: Criteria included a home value of \$200,000 and a home age between 16 and 25 years old. Percent minority for Corona and Riverside are for the entire city.

Source: California Department of Insurance Website, 2012 Homeowners Premium Survey. American FactFinder, Census 2010, Summary File 1, Table P9 Hispanic or Latino and Not Hispanic or Latino by Race

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Table C-18
Homeowners Insurance Premium Cost Index¹

| City | Premium Cost Index | Percent Minority | Percent Minority Population Rank |
|-----------------|---------------------------|-------------------------|---|
| Perris | 2.250 | 89.0% | 1 |
| Riverside-92503 | 2.500 | 66.0% | 3 |
| Corona-92879 | 2.750 | 61.9% | 4 |
| Corona-92882 | 2.750 | 61.9% | 4 |
| Banning | 2.875 | 56.6% | 5 |
| Riverside-92506 | 3.000 | 66.0% | 3 |
| Moreno Valley | 3.250 | 81.1% | 2 |
| Hemet | 3.500 | 48.2% | 6 |

Source: Table C-17 was used to rank the annual premiums of the eight insurance providers in the eight locations. The ranking methodology is explained in the narrative.

The sum of the ranks is 26 which divided by 8 yields an average rank for Moreno Valley of 3.250. The average rank indicates that homeowners' insurance premiums are the second lowest in Moreno Valley. Hemet is the only city that on average has lower cost premiums than Moreno Valley.

Another AI issue is whether there is a positive correlation between high insurance costs and high minority population percentages. Perris has the highest average insurance costs and the highest minority population percentage of the eight locations. On the other hand, Moreno Valley has the second highest minority population percentage but the second lowest insurance premiums. Hemet is the only city with average insurance costs lower than Moreno Valley. Thus, there appears to be no positive correlation between high insurance costs and high minority population percentages.

Minority buyers seeking homeowners insurance for homes bought in Moreno Valley would not be adversely impacted financially as the City has the second lowest average insurance costs.

Impediments:

As Moreno Valley has the second lowest home owners insurance premiums of the eight cities studied, there are no major impediments. However, without adequate knowledge consumers could pay more than they need to for appropriate insurance coverage.

Action Plan Recommendations:

- **The Fair Housing Council will add “homeowners insurance” and “CLUE Reports” to its homebuyer counseling services.**
- **The Fair Housing Council will provide educational services to home buyers/borrowers so they understand the impact of CLUE Reports and can compare homeowner’s premium rates.**

I. BLOCKBUSTING/PANIC SELLING

1. Historical Background

This fair housing impediment was not as prevalent in southern California as it was in the eastern cities. The historical perspective of blockbusting/panic selling is described below:

“Blockbusting” refers to the efforts of real estate agents and real-estate speculators to trigger the turnover of white-owned property and homes to African Americans. Often characterized as “panic peddling,” such practices frequently accompanied the expansion of black areas of residence and the entry of African Americans into neighborhoods previously denied to them. In evidence as early as 1900, blockbusting techniques included the repeated—often incessant—urging of white homeowners in areas adjacent to or near black communities to sell before it became “too late” and their property values diminished. Agents frequently hired African American subagents and other individuals to walk or drive through changing areas soliciting business and otherwise behaving in such a manner as to provoke and exaggerate white fears. Purchasing homes cheaply from nervous white occupants, the panic peddler sold dearly to African Americans who faced painfully limited choices and inflated prices in a discriminatory housing market. Often providing financing and stringent terms to a captive audience, the blockbuster could realize substantial profits.

Source: Encyclopedia of Chicago, *Blockbusting*, 2007

The Civil Rights Act (Fair Housing Act) of 1968 declared it an illegal practice “for profit, to induce or attempt to induce” sales and rentals “by representations regarding the entry or prospective entry into the neighborhood of [a] person or persons of a particular race, color, religion, etc.” (Section 804 [e]).

The 1968 Act, which declared discrimination in residential sales, rentals, or loans illegal, specifically outlawed blockbusting and indirectly barred other discriminatory real estate practices, including steering and redlining. Rigid adherence to residential segregation designed to maintain a racially separated (dual) housing market paradoxically enabled blockbusting to flourish under certain circumstances. Typically, blockbusters preyed upon the racial prejudices and fears of white residents in segregated neighborhoods by selling or renting to African Americans – or even by spreading rumors of black settlement – to panic property owners unwilling to accept residential integration. ...

2. California Law

Under California law, blockbusting and panic selling occur when a real estate licensee claims that an impending change in the demographic composition of a neighborhood will cause property values to fall, crime to increase or schools to decline in quality. Section 10177(l)(1) of the Business and Professions Code states that the Real Estate Commissioner may revoke or suspend the license of a real estate licensee if he/she has done the following:

Solicited or induced the sale, lease, or listing for sale or lease of residential property on the ground, wholly or in part, of loss of value, increase in crime, or decline of the quality of the schools due to the present or prospective entry into the neighborhood of a person or persons having a characteristic listed in subdivision (a) or (d) of Section 12955 of the Government Code, as those characteristics are defined in Sections 12926 and 12926.1,

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subdivision (m) and paragraph (1) of subdivision (p) of Section 12955, and Section 12955.2 of the Government Code.

Government Code Section 12955 states it shall be unlawful:

(a) For the owner of any housing accommodation to discriminate against or harass any person because of the race, color, religion, sex, sexual orientation, marital status, national origin, ancestry, familial status, source of income, or disability of that person.

(d) For any person subject to the provisions of Section 51 of the Civil Code, as that Section applies to housing accommodations, to discriminate against any person on the basis of sex, sexual orientation, color, race, religion, ancestry, national origin, familial status, marital status, disability, source of income, or on any other basis prohibited by that section.

3. Blockbusting in Moreno Valley

Data on housing discrimination complaints based on claims of blockbusting and/or panic selling are not routinely collected by HUD, DFEH, Fair Housing Council or the City. The California Department of Real Estate website was researched to obtain data on violations of Business and Professions Code 10177(l)(1). The DRE reported that violations cannot be filtered by this code. The City then contacted Thomas Poole of the DRE on January 11, 2013 who indicated there has been “no disciplinary action against a real estate licensee because of violation of 10177(l)(1).” Thus, in Moreno Valley blockbusting/panic selling is not an impediment.

J. PROPERTY MANAGEMENT

Property management policies and practices are of keen importance to Moreno Valley residents. The vast majority of the 18,199 renter households reside in apartment communities. For the AI, a survey was conducted of the resident managers of market rate and rent-restricted apartments. The purpose of the survey was to find out if policies and practices adhere to fair housing laws.

1. Occupancy Limits

Occupancy limits refer to the number of persons who can occupy an apartment unit. Often, strict occupancy limits have the intent of excluding families with children from renting an apartment. HUD has indicated that Congress did not intend to provide for a national occupancy standard. HUD explains that:

The Department believes that in appropriate circumstances, owners and managers may develop and implement reasonable occupancy requirements based on factors such as the number and size of sleeping areas or bedrooms and the overall size of the dwelling unit. In this regard, it must be noted that, in connection with a complaint alleging discrimination on the basis of familial status, the Department will carefully examine any such nongovernmental restriction to determine whether it operates unreasonably to limit or exclude families with children.

Further, HUD believed that the occupancy standard it had set for HUD assisted housing (generally two persons per bedroom) would not be an appropriate basis for guiding private housing providers because –

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These guidelines are designed to apply to the types and sizes of dwellings in HUD programs and they may not be reasonable for dwellings with more available space and other dwelling configurations than those found in HUD-assisted housing.

Source: 54 FR 3232 – Implementation of the Fair Housing Amendments Act of 1988, Subpart A, Section 110.10 Exemptions, January 23, 1989,

The general rule-of-thumb for an occupancy limit is two persons per room plus one additional person. For example, the occupancy limit would be three persons in a one-bedroom unit and five persons on a two bedroom unit.

When asked if they had an occupancy limit, 14 of the 14 market rate resident managers responded to this question – 13 said yes and one said no. When asked to give examples, none were inconsistent with the 2 + 1 standard.

Six of the eight affordable housing resident managers responded to the question – all six said yes. When asked to give examples, none of the six examples were inconsistent with the 2 + 1 standard.

2. Service and Companion Animals

Under Federal and State fair housing laws, individuals with disabilities may ask their housing provider to make reasonable accommodations in the "no pets" policy to allow for their use of a service and/or companion animal. The housing provider may ask the disabled applicant/tenant to provide verification of the need for the animal from a qualified professional. Once that need is verified, the housing provider must generally allow the accommodation.

One of the three regulations issued by HUD applies to all housing. The second and third sets of regulations implement legislation designed to recognize the importance of animals in the lives of the elderly, disabled and persons living in subsidized housing. 24 CFR 100.204(b)(1) provides an example that applies to all housing providers and concerns a guide dog:

A blind applicant for rental housing wants to live in a dwelling unit with a seeing-eye dog. The building has a *no pets policy*. It is a violation of Section 100.204 for the owner or manager of the apartment complex to refuse to permit the applicant to live in the apartment with a seeing-eye dog because, without the seeing-eye dog, the blind person will not have an equal opportunity to use and enjoy a dwelling.

The principle is broader than just guide dogs and applies to all service dogs.

Another example is given below:

A housing provider has a "no pets" policy. A tenant who is deaf requests that the provider allow him to keep a dog in his unit as a reasonable accommodation. The tenant explains that the dog is an assistance animal that will alert him to several sounds, including knocks at the door, sounding of the smoke detector, the telephone ringing, and cars coming into the driveway. The housing provider must make an exception to its "no pets" policy to accommodate this tenant.

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Source: U.S. Department of Justice, Civil Rights Division and U.S. Department of Housing and Urban Development, Office of Fair Housing and Equal Opportunity, *Joint Statement on Reasonable Accommodations Under the Fair Housing Act*, May 17, 2004, pages 6-7

When asked about allowing service animals, of 14 of the market rate resident managers 12 said yes, one said no, and one said “not pet friendly.” Among the affordable housing resident managers, four said yes, one said yes with exceptions and three did not respond.

When asked about companion animals, the market rate resident managers’ responses were:

- 9 said yes
- 2 said yes with doctor’s prescription
- 1 said yes with certificate
- 1 said no
- 1 said not pet friendly

The responses of the affordable housing managers were:

- 4 said yes
- 1 said yes with exceptions
- 3 did not respond

3. Housing Unit Modifications

According to HUD:

A reasonable modification is a structural change made to existing premises, occupied or to be occupied by a person with a disability, in order to afford such person full enjoyment of the premises..

Source: U.S. Department of Justice, Civil Rights Division and U.S. Department of Housing and Urban Development, Office of Fair Housing and Equal Opportunity, *Joint Statement on Reasonable Modifications Under the Fair Housing Act*, March 5, 2008, page 3

When asked about allowing disabled tenants to make modifications to their unit, the market rate resident managers’ responses were:

- 12 said yes in one way or another (but most do not seem to have a “written policy”)
- 1 doesn’t know
- 1 didn’t answer

The affordable housing managers’ answers were:

- 2 said yes
- 1 said yes, reasonable accommodations, to be made by apt. owner
- 1 said yes, depending what type
- 1 said no
- 3 did not respond

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4. Knowledge of Fair Housing Laws

Market rate and rent restricted resident managers were asked about their knowledge of fair housing laws. The market rate resident managers stated:

- 9 said very familiar
- 5 said somewhat familiar

The affordable housing resident managers' responded:

- 4 said very familiar
- 2 said somewhat familiar
- 2 did not respond to the survey

5. Property Management Industry

Fair housing is of keen interest to the property management industry because violations of the law can be costly. To obtain ideas on the perspectives of the property management industry, a review was completed of the *Apartment Management Magazine* and an interview was conducted with the executive director of an apartment association.

In 2012, fair housing articles were published in seven of the 12 monthly issues of the *Apartment Management Magazine*. The articles, for the most part, provide information on fair housing laws and render advice such as the following:

- Support fair housing
- Landlords should spell out their pet policy clearly in the lease or rental agreement
- Owners can't refuse to rent to a resident who requires a service or companion animal
- Encourage people working in the industry to complete fair housing training
- Do not attempt to pre-screen applicants over the phone
- You never know if the person on the other end of the line is really a prospect or a fair housing imposter trying to trick you into a violation of fair housing law
- Know fair housing rules
- The owner and his/her site manager or property manager should develop fair housing selection criteria/policies consistently to meet fair housing laws
- Make sure your occupancy limit is not too restrictive that could be interpreted as a pretext for discriminating against families with children
- Summary of federal laws managers must be aware of (Fair Housing Act, Americans with Disabilities Act)
- Legal questions and answers on subjects as familial status discrimination, steering and retaliation
- That registered sex offenders are not members of a 'protected class'

The July 2012 issue of *Apartment Management Magazine* published "The Fair Housing Act Turns 46" which was prepared by the National Multi Housing Commission. That article contained information on the following:

- Fair Housing Act Overview (differential treatment, protected classes, accessibility)
- Non-Traditional Fair Housing Act Discrimination (source of income discrimination, Violence Against Women Act [VAWA], linguistic profiling)
- HUD and DOJ enforcement

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On January 16, 2013 an interview of Karen Fricke was conducted. Ms. Fricke is currently the Executive Director of the Apartment Association of San Bernardino County. Previously she had been the Executive Director of the Apartment Association of the Greater Inland Empire.

During the interview Ms. Fricke made the following observations:

- Fair housing organizations are spending considerable efforts on the foreclosure issue
- Addressing the accessibility requirements is not a major problem for apartment owners
- No new or emerging fair housing issues from the viewpoint of apartment associations
- Ideas for possible actions to include in the fair housing study:
 - ✓ Have the City encourage the efforts of Ms. Fricke to have a fair housing Q & A published quarterly or semi-annually in local newspapers
 - ✓ Have the City schedule a workshop between fair housing counselors and on-site property managers to develop a common understanding of the information that should be conveyed to tenants calling the Fair Housing Council.

The Q & A is a question and answer format where questions of on-site property managers are answered. The Q & A is published in several foothill community newspapers and the focus is on landlord-tenant questions. The suggestion is that every quarter or twice a year the Q & A focus on fair housing questions.

Impediments:

Property management practices pertaining to occupancy limits; service and companion animals; and reasonable accommodations and modifications can pose impediments to fair housing choice.

Action Plan Recommendations:

- **The Fair Housing Council will update the list of the names and e-mail addresses of the resident apartment managers.**
- **The City and Fair Housing Council will arrange an “informational session” between the fair housing counselors and resident managers to exchange insights on a variety of fair housing issues.**
- **The City and Fair Housing Council will continue to inform resident managers by transmitting information to their e-mail and/or physical addresses.**
- **Every quarter or semi-annually the Q & A prepared by Apartment Association of San Bernardino County should focus on fair housing questions and answers.**

K. REASONABLE MODIFICATIONS AND ACCOMMODATIONS

1. Background

It is unlawful to refuse to make reasonable modifications or accommodations for disabled persons. Section 804 (3) of the 1968 Fair Housing Act states that discrimination includes--

(A) a refusal to permit, at the expense of the handicapped person, reasonable modifications of existing premises occupied or to be occupied by such person if such modifications may be necessary to afford such person full enjoyment of the premises,

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except that, in the case of a rental, the landlord may where it is reasonable to do so condition permission for a modification on the renter agreeing to restore the interior of the premises to the condition that existed before the modification, reasonable wear and tear excepted.

(B) a refusal to make reasonable accommodations in rules, policies, practices, or services, when such accommodations may be necessary to afford such person equal opportunity to use and enjoy a dwelling.

HUD and the Federal Department of Justice provide the following explanation and examples of reasonable modifications:

A reasonable modification is a structural change made to existing premises, occupied or to be occupied by a person with a disability, in order to afford such person full enjoyment of the premises. Reasonable modifications can include structural changes to interiors and exteriors of dwellings and to common and public use areas. A request for a reasonable modification may be made at any time during the tenancy. The Act makes it unlawful for a housing provider or homeowners' association to refuse to allow a reasonable modification to the premises when such a modification may be necessary to afford persons with disabilities full enjoyment of the premises.

To show that a requested modification may be necessary, there must be an identifiable relationship, or nexus, between the requested modification and the individual's disability. Further, the modification must be "reasonable." Examples of modifications that typically are reasonable include widening doorways to make rooms more accessible for persons in wheelchairs; installing grab bars in bathrooms; lowering kitchen cabinets to a height suitable for persons in wheelchairs; adding a ramp to make a primary entrance accessible for persons in wheelchairs; or altering a walkway to provide access to a public or common use area.

Source: U.S. Department of Justice, Civil Rights Division, and U.S. Department of Housing and Urban Development, Office of Fair Housing and Equal Opportunity, *Joint Statement of the Department of Housing and Urban Development and the Department of Justice, Reasonable Modifications Under the Fair Housing Act*, March 5, 2008, page 3

The DOJ and HUD state that:

The Act does not require that a housing provider adopt any formal procedures for reasonable accommodation requests. However, *having formal procedures may aid individuals with disabilities in making requests* for reasonable accommodations and *may aid housing providers in assessing those requests* so that there are no misunderstandings as to the nature of the request, and, in the event of later disputes, provide records to show that the requests received proper consideration.

A provider may not refuse a request, however, because the individual making the request did not follow any formal procedures that the provider has adopted. If a provider adopts formal procedures for processing reasonable accommodation requests, the provider should ensure that the procedures, including any forms used, do not seek information that is not necessary to evaluate if a reasonable accommodation may be needed to afford a person with a disability equal opportunity to use and enjoy a dwelling. [Emphasis added]

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Source: U.S. Department of Justice, Civil Rights Division, and U.S. Department of Housing and Urban Development, Office of Fair Housing and Equal Opportunity, *Joint Statement of the Department of Housing and Urban Development and the Department of Justice, Reasonable Accommodations Under the Fair Housing Act*, May 17, 2004, pages 10-11.

2. Discriminatory Practices

In California about 28% of all housing discrimination complaints are made on the bases of a disability. In the State, 17% of the alleged acts relate to denied reasonable modification or accommodation. The Fair Housing Council reports that In Moreno Valley 47% of all housing discrimination complaints were made on the bases of a disability (FY 2007/2008 to FY 2011-2012). Often the alleged act that prompts the compliant is a refusal to allow either a reasonable modification or reasonable accommodation.

Impediment:

A fair housing impediment is the practice of apartment managers to refuse disabled renters either a reasonable modification or reasonable accommodation.

Action Plan Recommendations:

- **The City and Fair Housing Council will continue outreach to resident apartment managers through training sessions, workshops, correspondence and other means.**
- **The City and Fair Housing Council will transmit to the resident apartment managers a model written policy regarding reasonable accommodations and modifications.**
- **As new information becomes available, the City and Fair Housing Council will transmit it the resident apartment managers' e-mail and/or physical addresses.**

L. DISCRIMNATORY ADVERTISING

1. Background

Section 804 (c) of the 1968 Fair Housing Act prohibits discriminatory advertising; it is unlawful:

To make, print, or publish, or cause to be made, printed, or published any notice, statement, or advertisement, with respect to the sale or rental of a dwelling that indicates any preference, limitation, or discrimination based on race, color, religion, sex, handicap, familial status, or national origin, or an intention to make any such preference, limitation, or discrimination.

Section 12955(c) of the California Fair Employment and Housing Act contains similar language prohibiting discriminatory advertising. That Section, however, also includes the State's additionally protected classes of sexual orientation, marital status, ancestry, and source of income.

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Under California law, a real estate licensee may not run any kind of advertisement concerning the sale, rental or financing of real property that indicates any preference, limitation or discrimination because of race, color, sex, religion, ancestry, physical handicap, marital status or national origin (10 Cal. Code Regs. § 2780).

The National Association of REALTORS (NAR) Code of Ethics Standard of Practice 10-3 states:

REALTORS® shall not print, display or circulate any statement or advertisement with respect to the selling or renting of a property that indicates any preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status, or national origin.

These rules apply to every and any type of advertising that real estate licensees decide to use, including, but not limited to, flyers, postcards, newspapers, magazines, "For Sale" signs, billboards, business cards, e-mails, faxes, radio, television.

The process for documenting discriminatory advertising involved the following:

- A comparison of the words and phrases used published ads to the discriminatory examples provided by:
 - ✓ California Association of Realtors (CAR), *Advertising*, December 12, 2012 (revised)
 - ✓ California Newspaper Publishers Association, *Fair Housing Advertising Training Manual*, Fourth Edition, January 2001. 33 pages
 - ✓ HUD (24 CFR 109.20, 24 CFR 109.25, Roberta Achtenberg, Advertisements Under 804(c) of the Fair Housing Act – January 9, 1995)
 - ✓ Southern California Multiple Listing Service, *Fair Housing and MLS*, September 29, 2000, 11 pages
- Denoting those words or phrases that could indicate a preference, limitation, or discrimination

The most basic rule for avoiding discriminatory words and phrases is:

Limit the advertisement to a physical description of the property – describe the place, not the people.

Source: Southern California Multiple Listing Service, *Fair Housing and MLS*, September 29, 2000, page 3

2. Analysis of Newspaper/Print Advertising

Ads printed in the Press Enterprise, The Pennysaver and Los Angeles Times were reviewed to identify discriminatory terms and phrases. The process described above was used to identify problematic language.

a. Press Enterprise

The Press Enterprise is a daily newspaper. Ads for rental units were reviewed for the following dates:

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- September 23
- October 6th through October 14th
- October 20th and 21st
- October 27th and 28th
- November 3rd
- November 10th and 11th
- November 25th

There was a total for 79 unique ads for rentals in Moreno Valley. Nine ads deviated somewhat from physical descriptions of the property. Five ads stated “Section 8 ok,” one ad stated “no pets,” one ad mentioned “cred check,” and two ads said “across from Senior Citizen Center.” Although the latter was not an advertisement for a senior’s only complex, it could infer a preference for senior citizen tenant.

When the rental market was tight, many ads were published stating “No Section 8.” As vacancies grew, the frequency of ads stating “Section 8 OK” grew. Either statement is not a violation of the California fair housing act because Section 8 is not deemed a source of income. Section 8 rental assistance does not fall within the meaning of source of income. According to the Fair Employment and Housing Act:

“source of income” means lawful, verifiable income paid directly to a tenant or paid to a representative of a tenant. For the purposes of this section, a landlord is not considered a representative of a tenant.”

Thus, Section 8 rental assistance is not considered a source of income for the tenant.

Ads were also reviewed for for-sale homes in Moreno Valley for the following dates:

- November 3rd
- November 10th
- November 11th
- November 25th

There were a total of six unique ads for homes for sale. None of the ads had questionable language.

b. The Pennysaver

Several apartment managers stated that they advertised in the Pennysaver. On November 6, 2012 six apartment ads were published in the Pennysaver. One ad mentioned that Section 8 was OK and one ad was entirely in Spanish. An ad in English for the same complex was not published on that date. Consequently, that complex may prefer a Spanish-speaking tenant and/or one of Hispanic or Latino Origin.

One ad for a unit in a duplex stated NO PETS. Two ads were placed for condos for rent one of which was published entirely in Spanish. Nine ads were place for homes for rent none of which had questionable language.

c. Los Angeles Times

Ads announcing apartments for rent in Moreno Valley are infrequently published.

3. Analysis of On-line Rental Ads

a. Apartment Search Websites

On March 2, 2013, ads published in five on-line apartments search sites were reviewed to determine if they contained any discriminatory words or phrases. The five search sites were:

- Rent.com
- Forrent.com
- Apartments.com
- Apartmentguide.com
- Apartmentfinder.com

Ads were published in one or more of the apartment search sites for 25 market rate apartment communities:

- Asante Villas
- Barcelona Village
- Baywood Villas
- Broadstone Overlook
- Broadstone Rancho Belago
- Capri Apartment Homes
- Heacock Park
- Highland Meadows
- Galleria at Towngate
- Ironwood Villas
- La Pacifica
- Lasselle Place
- Monarch Terrace
- Mountain View-Moreno Valley
- Northwoods Apartments
- Ridgeview Apartment Homes
- Sienna Pointe
- Stonegate at Towngate
- The Mediterranean at Towngate
- The Reserve at Moreno Valley
- The Villas at Towngate
- The Villas at Moreno Valley
- Tuscany Hills
- Verano Terrace
- Vista Springs

With respect to these developments:

- Three of the ads stated “no pets.”
- Most ads did explain there were restrictions regarding the maximum number of pets, breed restrictions, weight limits, pet deposits, and monthly pet rent.
- The 13 apartment communities on Rent.Com stated “call for service animal policy,” which indicates that they are aware of the need to accommodate service and, perhaps, companion animals.
- One complex stated on two sites Cats Only.

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- One ad stated “Deposits may fluctuate based on credit, income, and other qualifying standards.”
- One ad stated “Senior Discount!”
- One ad stated LAW ENFORCEMENT DISCOUNTS ALSO AVAILABLE.
- None of the ads stated “no Section 8;” however, one stated “Section 8 welcomed.”

The only ad inferring a preference is the one that stated “Senior Discount.”

Persons with a disability are one of the classes protected from discrimination in housing. Apartments must allow, under certain conditions, “service animals” and “companion animals”. A service animal is one trained to do work or perform tasks for the benefit of a person with a disability. A service animal can be of varying species, breed or size. It might wear specialized equipment such as a backpack, harness, special collar or leash, but this is not a legal requirement. Companion animals, also referred to as assistive or therapeutic animals, can assist individuals with disabilities in their daily living and as with service animals, help disabled persons overcome the limitations of their disabilities and the barriers in their environment. They are typically for individuals with mental disabilities and can assist the person with depression, anxiety or provide emotional support.

Under Federal and State fair housing laws, individuals with disabilities may ask their housing provider to make reasonable accommodations in the “no pets” policy to allow for their use of a companion/service animal. The housing provider may ask the disabled applicant/tenant to provide verification of the need for the animal from a qualified professional. Once that need is verified, the housing provider must generally allow the accommodation.

Some disabled persons are unaware of their fair housing rights and, as a consequence, may not consider as available to them apartments with ads that state “no pets.” Therefore, an action to affirmatively further fair housing is to persuade the Riverside Press-Enterprise and on-line advertisers to publish a concise “no pets” notice that indicates rental housing owners must provide reasonable accommodations for “service animals” and “companion animals” for disabled persons.

The City and Fair Housing Council of Riverside County have transmitted a letter to the Press-Enterprise requesting that a notice be published near the for-rent ads indicating that service and companion animals are not considered pets.

b. Craigslist Ads

Craigslist states that all ads must adhere to fair housing law (Section 3604(c) of the Federal Fair Housing Act). Craigslist makes the advertiser aware that “Stating a discriminatory preference in a housing post is illegal.” At the top of each ad links to file complaints and to fair housing information are provided.

On October 24, 2012 a review was made of rental ads for properties located in Moreno Valley on the message board website Craigslist. There were a total of 92 ads that were placed between October 10th and October 24th that had “Moreno Valley” in the subject line. Of the 92 ads, 20 were for large complexes, and of those, 16 were repeated. An additional 13 other ads were repeated during the same time period. Therefore, only about the half were unique ads. A summary of the questionable language is given below:

- Two ads stated “no pets,” one stated pet fee and four stated pet restrictions.

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- Two ads inferred a preference for families.
- Two discriminated on the basis of marital status as married couples were charged a higher fee than one person households.
- One ad inferred a preference for seniors (Discount for Seniors).
- Two ads stated Section 8 in the headline and one stated “No Section 8.”

c. Internet Illegal Housing Advertising

The National Fair Housing Alliance (NFHA) completed a study in 2009 of discriminatory ads placed by housing providers on various websites. According to the NFHA study, Craigslist, the source of the overwhelming majority of housing advertising in today’s market, and other Internet sites provide a convenient forum for illegal housing discrimination. Under current court decisions, these websites are not considered to be publishers and thus can neither be held liable under the Fair Housing Act nor be required to screen out illegal housing advertisements. Only the individual landlords who create and post discriminatory ads online can be held responsible.

The Communications Decency Act (CDA) is Title V of the Telecommunications Act of 1996 and was intended to protect families from online pornography and other forms of indecency. It states that operators of Internet services are not to be construed as publishers, and thus are not legally liable for the words of third parties who use their services. The CDA makes exceptions to this rule as it relates to federal criminal statutes and intellectual property law, but does not make explicit exceptions for civil rights laws like the Fair Housing Act.

Private fair housing organizations, according to the NFHA study, have brought two lawsuits against online housing advertisers for publishing discriminatory housing advertisements. In each instance, the Court accepted the website’s argument that the CDA protected it from liability under the Fair Housing Act to the extent that users provided content.

In reaching these decisions, the Courts relied upon Section 230(c) of the CDA to find that operators of interactive websites are not to be construed as “publishers” of the words posted by users of their websites. This section, entitled Protection for ‘Good Samaritan’ Blocking and Screening of Offensive Material, “aim[s] to protect interactive computer service providers ‘who take (steps to screen indecent) and offensive material for their customers.’” Ironically, in refusing to take responsibility for discriminatory advertisements, these websites have screened nothing, opting instead to facilitate widespread distribution of discriminatory ads.

The NFHA states that the most effective way to stop discrimination in online housing ads is to hold all housing advertisers and publishers to the same standard. In order to hold accountable websites advertising housing, just as newspapers are currently held accountable, the Communications Decency Act of 1996 should be amended, according to the NFHA. Specifically, Section 230(c)(1) is the section of the CDA that provides immunity to websites for third party content. 47 U.S.C. § 230(c)(1) currently reads:

TREATMENT OF PUBLISHER OR SPEAKER- No provider or user of an interactive computer service shall be treated as the publisher or speaker of any information provided by another information content provider.

The NFHA recommends that this section of the CDA should be amended to accommodate the requirements of the Fair Housing Act. An exemption could be made specifically for Fair Housing Act claims and amend 47 U.S.C. § 230(c)(1) as follows:

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“No provider or user of an interactive computer service shall be treated as the publisher or speaker of any information provided by another information content provider, except for notices, statements, or advertisements with respect to the sale, rental, financing or insuring, or any other service of a dwelling that violate the Fair Housing Act, 42 U.S.C. § 3601 et seq.”

However, it is doubtful that the CDA will be amended in the near future given the conclusions reached in the most recent court case that considered this subject. 519 F.3rd 666 (7th Cir. 2008) is a decision affirming a lower court ruling that Section 230 of the Communications Decency Act provides immunity to Internet service providers that “publish” classified ads that violate the Fair Housing Act. The conclusion of the decision by the United States Court of Appeals, Seventh Circuit – issued February 15, 2008 – states:

Using the remarkably candid postings on craigslist, the Lawyers’ Committee can identify many targets to investigate. It can dispatch testers and collect damages from any landlord or owner who engages in discrimination. It can assemble a list of names to send to the Attorney General for prosecution. But given Section 230(c)(1) it cannot sue the messenger just because the message reveals a third party’s plan to engage in unlawful discrimination.

It has been suggested, however, that while internet websites such as craigslist are not legally required to review *each* ad before it is posted for problematic language, it could filter ads. For example, one study pointed out:

Website operators could employ filtering software that searches for hot button words like “minorities,” “kids,” and “Christian” and automatically embargoes ads that contain those words until they can be reviewed further. Similarly, a relatively simple program could cause a “warning” message to pop up if a user attempts to submit an ad containing potentially problematic language. This would give the user the opportunity to remove the language. If the user chooses to leave the language, the ad would be filtered for individualized review. Using such techniques would relieve website operators of the burden of reviewing every single ad posted to the site. Instead, they would only have to arrange for a staff person to review the ads that are filtered. Ads that contain suspect words but which turn out to be harmless could be cleared for posting after a brief review.

Rigel C. Oliveri, Associate Professor of Law, University of Missouri, *Discriminatory Housing Advertising On-Line: Lessons from Craigslist*, Indiana Law Review, Volume 43: 1125, 2010, page 1176

4. Fair Housing Notices

Newspapers often publish a fair housing notice near the beginning of the classified for rent ads. The Los Angeles Times publishes the following notice in the classified section pertaining to for-sale and for-rent ads:

Live Free From Discrimination

Federal and state fair housing laws make it illegal to indicate any preference, limitation, or discrimination because of race, color, religion, sex, sexual orientation, marital status, national origin, ancestry, familial status, source of income, or physical or mental disability. California Dept. of Employment & Housing 800-884-1684

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In the Press-Enterprise classified section there is a fair housing notice stating:

All real estate advertised herein is subject to the Federal Fair Housing Act, which makes it illegal to advertise any preference, limitation, or discrimination because of race, color, religion, sex, handicap, familial status, or national origin, or intention to make any such preference, limitation or discrimination. The Press-Enterprise will not knowingly accept any advertisements for real estate that is in violation of the law. All persons are hereby informed that all dwellings advertised are available on an equal opportunity basis.

The Apartment Finder print ads in the table of contents page contains the Equal Housing Opportunity logo along with the following notice:

All real estate advertised herein is subject to the Federal Fair Housing Act which makes it illegal to advertise any preference, limitation, or discrimination based on race, color, religion, sex, handicap, familial status, or national origin, or intention to make any such preference, limitation, or discrimination. We will not knowingly accept any advertising for real estate which is in violation of the law. All persons are hereby informed that all dwellings advertised are available on an equal opportunity basis.

Craigslist states that all ads must adhere to fair housing law (Section 3604(c) of the Federal Fair Housing Act). Craigslist makes the advertiser aware that "Stating a discriminatory preference in a housing post is illegal." At the top of each ad links to file complaints and to fair housing information are provided.

Impediments:

Ads containing discriminatory words or phrases are infrequently published. However, ads with discriminatory words or phrases may be published in the future. Additionally, ads stating "no pets" may discourage disabled persons from applying for the apartment housing advertised in print and on-line publications.

Action Plan Recommendations:

- **The City and Fair Housing Council of Riverside County, Inc. will continue to work with the Press-Enterprise to amend its fair housing notice with regard to the following:**
 - ✓ **Fair housing notice be placed closer to the for rent ads**
 - ✓ **Indicate the protected classes under the provisions of both the Federal and State laws**
 - ✓ **Explain that service and companion animals are not pets**
 - ✓ **Include the phone number of the Fair Housing Council of Riverside County, Inc.**

- **The Fair Housing Council will semi-annually review ads published in newspapers, on-line apartment search sites, and craigslist. When discriminatory words or phrases are found, the Council will notify the entities placing the ads of the need to remove those words and phrases.**

M. HATE CRIMES

1. Background

According to HUD, the AI should analyze *housing* related hate crimes; that is; when an event takes place at a residence, home or driveway. When hate crimes occur at a home, the victims can feel unwelcome and threatened. The victims may feel that they have no choice other than to move from the dwelling and neighborhood of their choice. This was recently the case when in December 2012 when a Black family moved from Yorba Linda in Orange County to Corona in Riverside County. It is under these circumstances that hate crimes create an impediment to fair housing choice.

Hate crime means –

“a criminal act committed, in whole or in part, because of one or more of the following actual or perceived characteristics of the victim: (1) disability, (2) gender, (3) nationality, (4) race or ethnicity, (5) religion, (6) sexual orientation, (7) association with a person or group with one or more of these actual or perceived characteristics.” [Source: California Penal Code section 422.55]

According to the California Department of Justice (DOJ), *hate crimes are not separate distinct crimes but rather traditional offenses motivated by the offender's bias. A bias is –*

A preformed negative opinion or attitude toward a group of persons based on their race, ethnicity, national origin, religion, gender, sexual orientation and/or physical/mental disability.

Police and Sheriff Department's report hate crime events to the DOJ which are -

An occurrence when a hate crime is involved.

In the DOJ report, the information about the event is a crime report or source document that meets the criteria for a hate crime. There may be one or more suspects involved, one or more victims targeted, and one or more offenses involved for each event.

A hate crime victim –

May be an individual, a business or financial institution, a religious organization, government, or other. For example, if a church or synagogue is vandalized and/or desecrated, the victim would be a religious organization.

2. Hate Crime Data

The DOJ annual statistical report *Hate Crime in California* was reviewed for the 12-year period from 2000 through 2011. During this 12-year, 56 hate crime events were reported by the Moreno Valley Police Department to the DOJ, an average of about four to five per year. Statewide during the 12-year period the most frequent bias motivations were:

- Anti-Black about 33%
- Anti-Gay about 12%
- Anti-Jewish about 11%

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- Anti-Hispanic about 9%

The *Hate Crime in California* reports do not provide estimates of the number of events that occur at a residence by jurisdiction. Statewide, the locations of about 30% of the hate crime events occur at a residence/home/driveway.

Given the above data, it is estimated that on average about four to five hate crimes will occur annually in Moreno Valley and that maybe one or two will be happen at a residence/home/driveway.

The International Association of Chiefs of Police has offered the following insights:

Hate crimes differ from other crimes in their effect on victims and community stability because –

- Hate crimes are often especially brutal or injurious
- Victim(s) usually feel traumatized and terrified
- Families of victims often feel frustrated and powerless
- Others in the community who share the victim's characteristics may feel victimized and vulnerable
- Hate incidents can escalate and prompt retaliatory action
- Hate crimes and hate incidents create community unrest

The City's Police Department is the department most closely connected to hate crimes. The International Association of Chiefs of Police has explained that –

Police officers and investigators have important roles to play in responding to hate incidents and hate crimes. By doing the job efficiently and carefully, police can reinforce the message that hate crimes will be investigated aggressively, thus enhancing the likelihood of a successful prosecution.

The Association has recommended that after taking immediate action, police officers should –

Refer the victim to support services in the community and provide written resource lists when possible.

Source: International Association of Chiefs of Police, *Responding to Hate Crimes: A Police Officer's Guide to Investigation and Prevention*, 2013, 9 pages

Hate crimes occur infrequently. When they do occur they can devastate families who believe they must move from the home and neighborhood of their choice. During the five-year period of the AI (2013-2018), about 20 to 25 hate crime events may occur with a home being the location of six to seven. There is a need for a resource directory so victims can be referred to community resources.

Action Plan Recommendations:

- **The City should prepare a Hate Crime Victims Resource Directory.**
- **When that Directory is deemed to be complete it should be transmitted it to the Police Department to use as a referral resource**

ATTACHMENT A
DETAILED HOME MORTGAGE DISCLOSURE ACT TABLES

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Table 1
City of Moreno Valley
Number of Loans and Percent Denied by Type of Loan-2011

| Type of Loan | Number of Applications | Number of Applications Denied | Percent Denied |
|--------------|------------------------|-------------------------------|----------------|
| Conventional | 481 | 99 | 20.6% |
| FHA/VA | 1,718 | 283 | 16.5% |
| Total | 2,199 | 382 | 17.4% |

Source: Federal Financial Institutions Examination Council (FFIEC), Home Mortgage Disclosure Act (HMDA), Loan Application Register System (LARS) 2011.

Table 2
Denial Rates by Type of Loan
City of Moreno Valley and Riverside County-2011

| Type of Loan | Moreno Valley | County of Riverside |
|--------------|---------------|---------------------|
| Conventional | 20.6% | 17.3% |
| FHA/VA | 16.5% | 15.8% |
| Total | 17.4% | 16.3% |

Source: Federal Financial Institutions Examination Council (FFIEC), Home Mortgage Disclosure Act (HMDA), Loan Application Register System (LARS) 2011.

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**Table 3
City of Moreno Valley
Number of Conventional Loans and Percent Denied
by Race/Ethnicity: 2009-2011**

| Race/Ethnicity | 2009 | 2010 | 2011 | Total |
|----------------------------|--------------|--------------|--------------|--------------|
| White | | | | |
| Percent Denied | 12.7% | 19.5% | 17.5% | 16.6% |
| Number of Applications | 157 | 164 | 126 | 447 |
| Hispanic | | | | |
| Percent Denied | 26.3% | 25.5% | 20.2% | 24.6% |
| Number of Applications | 430 | 208 | 198 | 836 |
| Black | | | | |
| Percent Denied | 11.9% | 25.0% | 31.1% | 22.5% |
| Number of Applications | 42 | 24 | 45 | 111 |
| Asian | | | | |
| Percent Denied | 17.7% | 25.7% | 18.2% | 20.6% |
| Number of Applications | 147 | 109 | 55 | 311 |
| Other/Not Available | | | | |
| Percent Denied | 23.0% | 23.4% | 22.8% | 22.8% |
| Number of Applications | 80 | 47 | 57 | 184 |
| Percent Denied | 21.3% | 23.6% | 20.6% | 21.8% |
| Total Applications | 856 | 552 | 481 | 1,889 |

Source: Federal Financial Institutions Examination Council (FFIEC), Home Mortgage Disclosure Act (HMDA), Loan Application Register System (LARS) 2009, 2010 AND 2011.

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**Table 4
City of Moreno Valley
Number of FHA/VA Loans and Percent Denied
by Race/Ethnicity: 2009-2011**

| Race/Ethnicity | 2009 | 2010 | 2011 | Total |
|----------------------------|-------------|-------------|-------------|--------------|
| White | | | | |
| Percent Denied | 12.0% | 16.2% | 13.9% | 13.8% |
| Number of Applications | 652 | 469 | 345 | 1,466 |
| Hispanic | | | | |
| Percent Denied | 19.0% | 19.5% | 16.3% | 18.4% |
| Number of Applications | 1,687 | 1,217 | 984 | 3,888 |
| Black | | | | |
| Percent Denied | 23.1% | 16.9% | 20.3% | 20.2% |
| Number of Applications | 247 | 231 | 187 | 665 |
| Asian | | | | |
| Percent Denied | 13.8% | 13.0% | 24.0% | 15.6% |
| Number of Applications | 116 | 77 | 50 | 243 |
| Other/Not Available | | | | |
| Percent Denied | 17.2% | 16.0% | 16.4% | 16.6% |
| Number of Applications | 221 | 150 | 152 | 523 |
| | | | | |
| Percent Denied | 17.4% | 18.0% | 16.5% | 17.3% |
| Total Applications | 2,964 | 2,144 | 1,718 | 6,826 |

Source: Federal Financial Institutions Examination Council (FFIEC), Home Mortgage Disclosure Act (HMDA), Loan Application Register System (LARS) 2009, 2010 and 2011.

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**Table 5
City of Moreno Valley
Conventional Loans: Loan Denial Rates for Owner-Occupant Home Purchases
by Race, Ethnicity and Income – 2011**

| Annual Income | Race/Ethnicity | | | | | | | | | | | | | | |
|----------------------|----------------|----------------|--|--------------------|----------------|--|-------------|----------------|--|-------------|----------------|--|-------------------------|----------------|--|
| | White Alone | | | Hispanic or Latino | | | Asian | | | Black | | | Other and Not Available | | |
| | Total Loans | Percent Denied | | Total Loans | Percent Denied | | Total Loans | Percent Denied | | Total Loans | Percent Denied | | Total Loans | Percent Denied | |
| <\$25,000 | 7 | 28.6% | | 25 | 28.0% | | 5 | 40.0% | | 2 | 50.0% | | 8 | 37.5% | |
| \$25,000-\$49,999 | 52 | 23.1% | | 109 | 20.2% | | 25 | 12.0% | | 18 | 22.2% | | 19 | 15.8% | |
| \$50,000-\$74,999 | 34 | 2.9% | | 41 | 14.6% | | 14 | 14.3% | | 14 | 28.6% | | 17 | 17.6% | |
| \$75,000-\$99,900 | 18 | 22.2% | | 13 | 23.1% | | 4 | 0.0% | | 5 | 60.0% | | 8 | 12.5% | |
| \$100,000-\$124,999 | 8 | 12.5% | | 4 | 25.0% | | 2 | 50.0% | | 4 | 50.0% | | 2 | 100.0% | |
| \$125,000-\$149,999 | 4 | 0.0% | | 6 | 16.7% | | 1 | 0.0% | | 1 | 0.0% | | 0 | 0.0% | |
| \$150,000-\$174,999 | 2 | 100.0% | | 0 | 0.0% | | 1 | 0.0% | | 1 | 0.0% | | 0 | 0.0% | |
| \$175,000-\$199,999 | 0 | 0.0% | | 0 | 0.0% | | 0 | 0.0% | | 0 | 0.0% | | 0 | 0.0% | |
| \$200,000 plus | 0 | 0.0% | | 0 | 0.0% | | 0 | 0.0% | | 0 | 0.0% | | 1 | 0.0% | |
| Income Not Available | 1 | 0.0% | | 0 | 0.0% | | 3 | 66.7% | | 0 | 0.0% | | 2 | 50.0% | |
| Total | 126 | 17.5% | | 198 | 20.2% | | 55 | 18.2% | | 45 | 31.1% | | 57 | 22.8% | |

Source: Federal Financial Institutions Examination Council (FFIEC), Home Mortgage Disclosure Act (HMDA), Loan Application Register System (LARS) 2011.

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Table 6
 City of Moreno Valley
 FHA and VA Loans: Loan Denial Rates for Owner-Occupant Home Purchases
 by Race, Ethnicity and Income –2011

| Annual Income | Race/Ethnicity | | | | | | | | | | | |
|----------------------|----------------|----------------|--------------------|----------------|-------------|----------------|-------------|----------------|---------------------|----------------|-------------|----------------|
| | White Alone | | Hispanic or Latino | | Asian | | Black | | Other/Not Available | | Total | |
| | Total Loans | Percent Denied | Total Loans | Percent Denied | Total Loans | Percent Denied | Total Loans | Percent Denied | Total Loans | Percent Denied | Total Loans | Percent Denied |
| <\$25,000 | 15 | 20.0% | 90 | 24.4% | 1 | 100.0% | 3 | 66.7% | 4 | 0.0% | 113 | 24.8% |
| \$25,000-\$49,999 | 143 | 14.7% | 557 | 15.1% | 18 | 22.2% | 77 | 15.6% | 67 | 17.9% | 862 | 15.4% |
| \$50,000-\$74,999 | 111 | 10.8% | 237 | 14.8% | 13 | 38.5% | 70 | 21.4% | 40 | 12.5% | 471 | 15.3% |
| \$75,000-\$99,900 | 45 | 8.9% | 63 | 12.7% | 6 | 0.0% | 23 | 21.7% | 25 | 24.0% | 162 | 14.2% |
| \$100,000-\$124,999 | 18 | 16.7% | 20 | 40.0% | 8 | 12.5% | 11 | 27.3% | 7 | 0.0% | 64 | 23.4% |
| \$125,000-\$149,999 | 4 | 50.0% | 8 | 12.5% | 2 | 50.0% | 3 | 33.3% | 4 | 0.0% | 21 | 23.8% |
| \$150,000-\$174,999 | 2 | 0.0% | 2 | 50.0% | 0 | 0.0% | 0 | 0.0% | 2 | 50.0% | 6 | 33.3% |
| \$175,000-\$199,999 | 3 | 33.3% | 4 | 0.0% | 0 | 0.0% | 0 | 0.0% | 1 | 0.0% | 8 | 12.5% |
| \$200,000 plus | 0 | 0.0% | 0 | 0.0% | 1 | 0.0% | 0 | 0.0% | 1 | 0.0% | 2 | 0.0% |
| Income Not Available | 4 | 50.0% | 3 | 33.3% | 1 | 0.0% | 0 | 0.0% | 1 | 100.0% | 9 | 44.4% |
| Total | 345 | 13.9% | 984 | 16.3% | 50 | 24.0% | 187 | 20.3% | 152 | 16.4% | 1,718 | 16.5% |

Source: Federal Financial Institutions Examination Council (FFIEC), Home Mortgage Disclosure Act (HMDA), Loan Application Register System (LARS) 2011.

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**Table 7
City of Moreno Valley
Loan Denial Rates by Rank Order of Census Tract
Percent Low Income-2011**

| Census Tract | Percent Low Income | Total Loan Applications | Total Denied | Percent Denied |
|---------------------|---------------------------|--------------------------------|---------------------|-----------------------|
| 425.15 | 80.5% | 19 | 6 | 31.6% |
| 425.05 | 75.1% | 12 | 3 | 25.0% |
| 425.04 | 69.9% | 11 | 4 | 36.4% |
| 425.19 | 67.7% | 8 | 1 | 12.5% |
| 424.05 | 60.3% | 18 | 4 | 22.2% |
| 425.14 | 58.9% | 21 | 3 | 14.3% |
| 425.09 | 58.3% | 38 | 7 | 18.4% |
| 425.20 | 58.3% | 39 | 10 | 25.6% |
| 425.16 | 58.1% | 25 | 2 | 8.0% |
| 425.12 | 54.9% | 19 | 2 | 10.5% |
| 425.08 | 52.1% | 43 | 4 | 9.3% |
| 425.21 | 49.6% | 49 | 11 | 22.5% |
| 425.11 | 47.1% | 39 | 7 | 18.0% |
| 424.04 | 45.1% | 28 | 4 | 14.3% |
| 425.10 | 43.8% | 41 | 5 | 12.2% |
| 424.06 | 40.8% | 47 | 6 | 12.8% |
| 425.23 | 38.8% | 19 | 1 | 5.3% |
| 426.05 | 37.1% | 599 | 99 | 16.5% |
| 425.06 | 36.5% | 64 | 21 | 32.8% |
| 424.07 | 36.4% | 39 | 6 | 15.4% |
| 425.17 | 35.3% | 39 | 4 | 10.3% |
| 426.06 | 34.8% | 153 | 26 | 17.0% |
| 425.07 | 33.8% | 58 | 10 | 17.2% |
| 425.13 | 31.2% | 35 | 6 | 17.1% |
| 424.09 | 30.9% | 49 | 11 | 22.5% |
| 425.22 | 30.4% | 75 | 12 | 16.0% |
| 422.12 | 29.3% | 65 | 7 | 10.8% |
| 425.18 | 26.6% | 24 | 8 | 33.3% |
| 424.08 | 26.1% | 33 | 6 | 18.2% |
| 424.02 | 22.3% | 50 | 8 | 16.0% |
| 426.04 | 21.5% | 142 | 26 | 18.3% |
| 424.03 | 20.5% | 56 | 8 | 14.3% |
| 422.14 | 17.6% | 56 | 11 | 19.6% |
| 424.10 | 16.9% | 54 | 4 | 7.4% |
| 424.11 | 16.1% | 22 | 2 | 9.1% |
| 424.12 | 13.8% | 93 | 26 | 28.0% |
| 424.01 | 10.1% | 17 | 1 | 5.9% |
| Total | 39.3% | 2,199 | 382 | 17.4% |

Source: Federal Financial Institutions Examination Council (FFIEC), Home Mortgage Disclosure Act (HMDA), Loan Application Register System (LARS) 2009, 2010 and 2011. Percent low income is based on HUD data that was prepared using the 2000 Census.

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**Table 8
City of Moreno Valley
Loan Denial Rates by Census Tract, Percent Minority
Population (Rank Ordered)-2011**

| Census Tract | Percent Minority | Total Loan Applications | Total Denied | Percent Denied |
|---------------------|-------------------------|--------------------------------|---------------------|-----------------------|
| 425.15 | 84.9% | 19 | 6 | 31.6% |
| 425.06 | 83.4% | 64 | 21 | 32.8% |
| 425.04 | 82.8% | 11 | 4 | 36.4% |
| 425.08 | 81.0% | 43 | 4 | 9.3% |
| 425.16 | 79.5% | 25 | 2 | 8.0% |
| 425.12 | 79.3% | 19 | 2 | 10.5% |
| 425.05 | 78.8% | 12 | 3 | 25.0% |
| 425.10 | 76.3% | 41 | 5 | 12.2% |
| 425.11 | 75.3% | 39 | 7 | 18.0% |
| 424.05 | 74.4% | 18 | 4 | 22.2% |
| 425.20 | 74.0% | 39 | 10 | 25.6% |
| 425.07 | 73.5% | 58 | 10 | 17.2% |
| 425.21 | 72.8% | 49 | 11 | 22.5% |
| 425.19 | 72.1% | 8 | 1 | 12.5% |
| 425.14 | 72.0% | 21 | 3 | 14.3% |
| 426.05 | 71.9% | 599 | 99 | 16.5% |
| 425.23 | 70.1% | 19 | 1 | 5.3% |
| 425.09 | 69.2% | 38 | 7 | 18.4% |
| 425.13 | 68.1% | 35 | 6 | 17.1% |
| 425.17 | 68.1% | 39 | 4 | 10.3% |
| 425.18 | 66.7% | 24 | 8 | 33.3% |
| 425.22 | 66.2% | 75 | 12 | 16.0% |
| 424.04 | 65.9% | 28 | 4 | 14.3% |
| 424.06 | 65.7% | 47 | 6 | 12.8% |
| 426.06 | 64.6% | 153 | 26 | 17.0% |
| 424.09 | 63.2% | 49 | 11 | 22.5% |
| 424.10 | 62.8% | 54 | 4 | 7.4% |
| 422.12 | 58.1% | 65 | 7 | 10.8% |
| 424.03 | 57.8% | 56 | 8 | 14.3% |
| 424.08 | 55.4% | 33 | 6 | 18.2% |
| 422.14 | 54.8% | 56 | 11 | 19.6% |
| 424.07 | 54.7% | 39 | 6 | 15.4% |
| 424.02 | 53.8% | 50 | 8 | 16.0% |
| 424.11 | 52.7% | 22 | 2 | 9.1% |
| 424.12 | 45.1% | 93 | 26 | 28.0% |
| 426.04 | 41.7% | 142 | 26 | 18.3% |
| 424.01 | 41.2% | 17 | 1 | 5.9% |
| Total | 67.8% | 2,199 | 382 | 17.4% |

Note: Census tract numbers and boundaries are per 2000 Census. HMDA data will be reported by 2010 Census numbers and boundaries starting in calendar year 2012. Percent minority is based on 2010 Census Summary File 1, Table P7 Hispanic or Latino and Not Hispanic or Latino by Race. Source: Federal Financial Institutions Examination Council (FFIEC), Home Mortgage Disclosure Act (HMDA), Loan Application Register System (LARS) 2011.

APPENDIX C – PRIVATE SECTOR IMPEDIMENTS ANALYSIS

Table 9
City of Moreno Valley
Major Lender Activity-2011

| Major Lender | Number of Loan Applications | Percent of All Loan Applications | Denial Rate (%) |
|-------------------------------|------------------------------------|---|------------------------|
| Wells Fargo | 201 | 9.1% | 15.4% |
| Bank of America | 188 | 8.6% | 30.9% |
| Provident Saving Bank | 151 | 6.9% | 6.6% |
| Wholesale Capital Corp. | 150 | 6.8% | 2.7% |
| First Mortgage Corp. | 108 | 4.9% | 3.7% |
| Mountain West Financial, Inc. | 100 | 4.6% | 7.0% |
| Total | 898 | 40.9% | 12.7% |

Source: Federal Financial Institutions Examination Council (FFIEC), Home Mortgage Disclosure Act (HMDA), Loan Application Register System (LARS) 2011.

APPENDIX C – PRIVATE SECTOR IMPEDIMENTS ANALYSIS

Table 10
City of Moreno Valley
Major Lender Activity by Census Tract

| Census Tract | Wells Fargo | | Bank of America | | Provident Saving Bank | | Wholesale Capital Corp. | | First Mortgage Corp | | Mountain West Financial | | Total Major Lenders | |
|--------------|-------------|----------|-----------------|----------|-----------------------|----------|-------------------------|----------|---------------------|----------|-------------------------|----------|---------------------|----------|
| | Total Apps. | % Denied | Total Apps. | % Denied | Total Apps. | % Denied | Total Apps. | % Denied | Total Apps. | % Denied | Total Apps. | % Denied | Total Apps. | % Denied |
| 422.12 | 10 | 20.0% | 4 | 25.0% | 7 | 0.0% | 2 | 0.0% | 0 | 0.0% | 5 | 0.0% | 28 | 10.7% |
| 422.14 | 4 | 0.0% | 7 | 28.6% | 4 | 0.0% | 6 | 0.0% | 1 | 100.0% | 1 | 0.0% | 23 | 13.0% |
| 424.01 | 3 | 0.0% | 1 | 0.0% | 2 | 50.0% | 1 | 0.0% | 0 | 0.0% | 2 | 0.0% | 9 | 11.1% |
| 424.02 | 1 | 0.0% | 3 | 33.3% | 2 | 0.0% | 4 | 0.0% | 5 | 0.0% | 2 | 0.0% | 17 | 5.9% |
| 424.03 | 6 | 0.0% | 10 | 30.0% | 1 | 0.0% | 3 | 0.0% | 8 | 12.5% | 0 | 0.0% | 28 | 14.3% |
| 424.04 | 4 | 0.0% | 1 | 100.0% | 2 | 0.0% | 2 | 0.0% | 5 | 0.0% | 3 | 0.0% | 17 | 5.9% |
| 424.05 | 3 | 33.3% | 3 | 33.3% | 1 | 0.0% | 0 | 0.0% | 2 | 0.0% | 0 | 0.0% | 9 | 22.2% |
| 424.06 | 3 | 0.0% | 5 | 40.0% | 5 | 0.0% | 3 | 0.0% | 3 | 0.0% | 0 | 0.0% | 19 | 10.5% |
| 424.07 | 3 | 0.0% | 3 | 0.0% | 3 | 0.0% | 1 | 0.0% | 5 | 20.0% | 2 | 0.0% | 17 | 5.9% |
| 424.08 | 2 | 0.0% | 5 | 40.0% | 5 | 0.0% | 5 | 0.0% | 0 | 0.0% | 0 | 0.0% | 17 | 11.8% |
| 424.09 | 6 | 0.0% | 4 | 25.0% | 5 | 0.0% | 1 | 0.0% | 1 | 0.0% | 0 | 0.0% | 17 | 5.9% |
| 424.10 | 6 | 0.0% | 8 | 12.5% | 7 | 0.0% | 3 | 0.0% | 1 | 0.0% | 0 | 0.0% | 25 | 4.0% |
| 424.11 | 2 | 0.0% | 2 | 50.0% | 2 | 0.0% | 3 | 33.3% | 0 | 0.0% | 0 | 0.0% | 9 | 22.2% |
| 424.12 | 8 | 25.0% | 25 | 44.0% | 5 | 0.0% | 4 | 0.0% | 0 | 0.0% | 0 | 0.0% | 42 | 31.0% |
| 425.04 | 3 | 0.0% | 1 | 100.0% | 0 | 0.0% | 1 | 0.0% | 1 | 0.0% | 0 | 0.0% | 6 | 16.7% |
| 425.05 | 2 | 50.0% | 0 | 0.0% | 3 | 0.0% | 2 | 0.0% | 0 | 0.0% | 0 | 0.0% | 7 | 14.3% |
| 425.06 | 6 | 33.3% | 4 | 50.0% | 5 | 0.0% | 7 | 0.0% | 1 | 0.0% | 3 | 0.0% | 26 | 15.4% |
| 425.07 | 1 | 0.0% | 5 | 20.0% | 2 | 0.0% | 5 | 0.0% | 6 | 16.7% | 1 | 0.0% | 20 | 10.0% |
| 425.08 | 5 | 0.0% | 2 | 0.0% | 1 | 0.0% | 3 | 0.0% | 4 | 0.0% | 4 | 0.0% | 19 | 0.0% |
| 425.09 | 3 | 0.0% | 5 | 40.0% | 3 | 0.0% | 2 | 0.0% | 1 | 0.0% | 3 | 0.0% | 17 | 11.8% |
| 425.10 | 3 | 0.0% | 4 | 25.0% | 0 | 0.0% | 1 | 0.0% | 0 | 0.0% | 1 | 0.0% | 9 | 11.1% |
| 425.11 | 3 | 0.0% | 4 | 100.0% | 1 | 100.0% | 5 | 0.0% | 2 | 0.0% | 0 | 0.0% | 15 | 33.3% |
| 425.12 | 0 | 0.0% | 0 | 0.0% | 2 | 0.0% | 3 | 0.0% | 3 | 0.0% | 3 | 0.0% | 11 | 0.0% |
| 425.13 | 2 | 0.0% | 1 | 100.0% | 4 | 25.0% | 4 | 0.0% | 3 | 0.0% | 1 | 100.0% | 15 | 20.0% |
| 425.14 | 3 | 66.7% | 1 | 0.0% | 1 | 0.0% | 3 | 0.0% | 0 | 0.0% | 0 | 0.0% | 8 | 25.0% |
| 425.15 | 1 | 100.0% | 1 | 0.0% | 1 | 0.0% | 1 | 0.0% | 0 | 0.0% | 1 | 0.0% | 5 | 20.0% |

APPENDIX C – PRIVATE SECTOR IMPEDIMENTS ANALYSIS

**Table 10- continued
City of Moreno Valley
Major Lender Activity by Census Tract**

| Census Tract | Wells Fargo | | Bank of America | | Provident Saving Bank | | Wholesale Capital Corp. | | First Mortgage Corp | | Mountain West Financial | | Total Major Lenders | |
|--------------|-------------|--------------|-----------------|--------------|-----------------------|-------------|-------------------------|-------------|---------------------|-------------|-------------------------|-------------|---------------------|--------------|
| | Total Apps. | % Denied | Total Apps. | % Denied | Total Apps. | % Denied | Total Apps. | % Denied | Total Apps. | % Denied | Total Apps. | % Denied | Total Apps. | % Denied |
| 425.16 | 1 | 0.0% | 3 | 33.3% | 2 | 0.0% | 0 | 0.0% | 4 | 0.0% | 3 | 0.0% | 13 | 7.7% |
| 425.17 | 0 | 0.0% | 3 | 33.3% | 3 | 33.3% | 4 | 0.0% | 2 | 0.0% | 5 | 20.0% | 17 | 17.6% |
| 425.18 | 1 | 100.0% | 0 | 0.0% | 1 | 0.0% | 0 | 0.0% | 0 | 0.0% | 3 | 0.0% | 5 | 20.0% |
| 425.19 | 1 | 0.0% | 2 | 50.0% | 1 | 0.0% | 0 | 0.0% | 0 | 0.0% | 2 | 0.0% | 6 | 16.7% |
| 425.20 | 4 | 25.0% | 2 | 0.0% | 2 | 0.0% | 1 | 0.0% | 3 | 0.0% | 4 | 25.0% | 16 | 12.5% |
| 425.21 | 4 | 25.0% | 1 | 0.0% | 3 | 0.0% | 4 | 0.0% | 0 | 0.0% | 2 | 0.0% | 14 | 7.1% |
| 425.22 | 9 | 11.1% | 3 | 33.3% | 5 | 20.0% | 3 | 0.0% | 5 | 0.0% | 6 | 0.0% | 31 | 9.7% |
| 425.23 | 2 | 0.0% | 0 | 0.0% | 2 | 0.0% | 0 | 0.0% | 2 | 0.0% | 0 | 0.0% | 6 | 0.0% |
| 426.04 | 13 | 0.0% | 6 | 16.7% | 9 | 11.1% | 18 | 11.1% | 5 | 0.0% | 8 | 0.0% | 59 | 6.8% |
| 426.05 | 63 | 22.2% | 45 | 24.4% | 40 | 10.0% | 44 | 2.3% | 25 | 0.0% | 30 | 13.3% | 247 | 13.8% |
| 426.06 | 10 | 20.0% | 14 | 21.4% | 9 | 0.0% | 1 | 0.0% | 10 | 0.0% | 5 | 0.0% | 49 | 10.2% |
| Total | 201 | 15.4% | 188 | 30.9% | 151 | 6.6% | 150 | 2.7% | 108 | 3.7% | 100 | 7.0% | 898 | 12.7% |

Source: Federal Financial Institutions Examination Council (FFIEC), Home Mortgage Disclosure Act (HMDA), Loan Application Register System (LARS) 2011.

APPENDIX C – PRIVATE SECTOR IMPEDIMENTS ANALYSIS

**Table 11
City of Moreno Valley
Reasons for Conventional Loan Denials: 2009-2011**

| Reasons for Loan Denials | 2009 Number of Denials¹ | Percent | 2010 Number of Denials¹ | Percent | 2011 Number of Denials¹ | Percent | Total Denials 2009-2011 | Percent |
|---------------------------------|---|----------------|---|----------------|---|----------------|--|----------------|
| Debt-to-Income Ratio | 41 | 22.5% | 26 | 20.0% | 21 | 21.2% | 88 | 21.4% |
| Employment History | 4 | 2.2% | 1 | 0.8% | 2 | 2.0% | 7 | 1.7% |
| Credit History | 16 | 8.8% | 13 | 10.0% | 7 | 7.1% | 36 | 8.8% |
| Collateral | 25 | 13.7% | 21 | 16.2% | 12 | 12.1% | 58 | 14.1% |
| Insufficient Cash ² | 6 | 3.3% | 3 | 2.3% | 2 | 2.0% | 11 | 2.7% |
| Unverifiable Information | 17 | 9.3% | 12 | 9.2% | 10 | 10.1% | 39 | 9.5% |
| Credit Application Incomplete | 5 | 2.7% | 12 | 9.2% | 10 | 10.1% | 27 | 6.6% |
| Mortgage Insurance Denied | 3 | 1.6% | 0 | 0.0% | 1 | 1.0% | 4 | 1.0% |
| Other ³ | 65 | 35.7% | 42 | 32.3% | 34 | 34.3% | 141 | 34.3% |
| Total | 182 | 100.0% | 130 | 100.0% | 99 | 100.0% | 411 | 100.0% |

¹A loan can be denied for multiple reasons. However, most loans are denied for one reason alone.

²Downpayment, closing costs

³Includes denials where the LARs data did not provide a reason

Source: Federal Financial Institutions Examination Council (FFIEC), Home Mortgage Disclosure Act (HMDA), Loan Application Register System (LARS) 2009, 2010 and 2011.

APPENDIX C – PRIVATE SECTOR IMPEDIMENTS ANALYSIS

Table 12
City of Moreno Valley
Reasons for FHA/VA Loan Denials by: 2009-2011

| Reasons for Loan Denials | 2009 | | 2010 | | 2011 | | Total Denials 2009-2011 | |
|--------------------------------|--------------------------------|---------------|--------------------------------|---------------|--------------------------------|---------------|-------------------------|---------------|
| | Number of Denials ¹ | Percent | Number of Denials ¹ | Percent | Number of Denials ¹ | Percent | | Percent |
| Debt-to-Income Ratio | 138 | 27.1% | 80 | 20.7% | 42 | 26.3% | 260 | 24.6% |
| Employment History | 17 | 3.3% | 9 | 2.3% | 7 | 4.4% | 33 | 3.1% |
| Credit History | 76 | 14.9% | 65 | 16.8% | 19 | 11.9% | 160 | 15.2% |
| Collateral | 50 | 9.8% | 64 | 16.6% | 9 | 5.6% | 123 | 11.7% |
| Insufficient Cash ² | 25 | 4.9% | 9 | 2.3% | 5 | 3.1% | 39 | 3.7% |
| Unverifiable Information | 34 | 6.7% | 17 | 4.4% | 10 | 6.3% | 61 | 5.8% |
| Credit Application Incomplete | 19 | 3.7% | 19 | 4.9% | 12 | 7.5% | 50 | 4.7% |
| Mortgage Insurance Denied | 1 | 0.2% | 0 | 0.0% | 0 | 0.0% | 1 | 0.1% |
| Other ³ | 149 | 29.3% | 123 | 31.9% | 56 | 35.0% | 328 | 31.1% |
| Total | 509 | 100.0% | 386 | 100.0% | 160 | 100.0% | 1055 | 100.0% |

¹A loan can be denied for multiple reasons. However, most loans are denied for one reason alone.

²Downpayment, closing costs

³Includes denials where the LARs data did not provide a reason

Source: Federal Financial Institutions Examination Council (FFIEC), Home Mortgage Disclosure Act (HMDA), Loan Application Register System (LARS) 2009, 2010 and 2011.

Appendix D

APPENDIX D - LOCATION OF AFFORDABLE HOUSING

A. BACKGROUND D-1

B. LOCATION OF MORENO VALLEY'S AFFORDABLE HOUSING D-2

 1. Rent Restricted Apartment Units D-2

 2. Section 8 Rental Housing (Vouchers) D-4

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D-2 City of Moreno Valley Census Tracts with More than One Affordable Rental Development D-4

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APPENDIX D – LOCATION OF AFFORDABLE HOUSING

A. BACKGROUND

A lack of affordable housing in and of itself, HUD has pointed out, is not an impediment to fair housing choice, unless it creates an impediment to housing choice *because* of membership in a protected class. However, recent court cases and recent events have demonstrated that the location of affordable housing is regarded as a means of Affirmatively Furthering Fair Housing (AFFH). As a result of a court settlement, Westchester County (New York) must adopt a policy statement providing that “the location of affordable housing is central to fulfilling the commitment to AFFH because it determines whether such housing will reduce or perpetuate residential segregation.” (*United States of America ex rel. Anti-Discrimination Center of Metro New York, Inc. v. County of Westchester, New York*)

In order to meet the requirements of the settlement agreement, Westchester County must develop an implementation plan that includes, but is not limited, to:

- A model ordinance that the County will promote to municipalities to advance fair housing that shall include:
 - ✓ A model inclusionary housing ordinance that requires new development projects to include a certain percentage of affordable units, including criteria and standards for the affordable housing units and definitions of who is eligible for affordable housing;
 - ✓ Standards for affirmative marketing of new housing developments to ensure outreach to racially and ethnically diverse households;
 - ✓ Standards for expedited review of proposals for affordable housing that AFFH including procedures for streamlining the approval process for the design, permitting, and development of these units; and
 - ✓ Standards for legal mechanisms to ensure the continued affordability of new affordable units.

Housing developed pursuant to the plan:

- Must be located predominantly in municipalities where the African American and Hispanic population comprise less than 3% and 7% of the population, respectively.
- *Not* be developed in any census block which has an African American population of more than 10% and a total population of 20 or more.
- *Not* be developed in any census block which has a Hispanic population of more than 10% and total population of 20 or more.

The Westchester County settlement agreement demonstrates that *a means to AFFH is by the development of affordable housing outside of areas with concentrations of minority populations.*

Another example is the State of North Carolina which added “affordable housing” to the group of protected classes. The State passed an act providing that it is a violation of the State’s fair housing act to discriminate in land use decisions or the permitting of development based on the fact that a development contains affordable housing units. The Act states:

APPENDIX D – LOCATION OF AFFORDABLE HOUSING

It is an unlawful discriminatory housing practice to discriminate in land-use decisions or in the permitting of development based on race, color, religion, sex, national origin, handicapping condition, familial status, or, except as otherwise provided by law, the fact that a development or proposed development contains affordable housing units for families or individuals with incomes below eighty percent (80%) of area median income. *It is not a violation* of this Chapter if land-use decisions or permitting of development is based on considerations of *limiting high concentrations of affordable housing*.
[Emphasis added]

In 2010, Florida's Affordable Housing Study Commission adopted a proposal made by 1000 Friends of Florida to amend the Florida Fair Housing Act by extending protection to affordable housing developments. Florida Statute 760.26 reads:

It is unlawful to discriminate in land use decisions or in the permitting of development based on race, color, national origin, sex, disability, familial status, religion, or, except as otherwise provided by law, the source of financing of a development or proposed development.

The decision to not specifically use the term "affordable housing" in statutory language has not diminished the intended application of Fair Housing Act protection, according to its advocates. Since enactment, county and city attorneys have regularly advised their commissions that affordable housing developments cannot be treated differently from market-rate developments in land use or permitting decisions.

In California, Government Code Section 65008 expressly prohibits localities from discriminating against residential development or emergency shelters if the intended occupants are low-income or if the development is subsidized (i.e., the method of financing).

B. LOCATION OF MORENO VALLEY'S AFFORDABLE HOUSING

The development of Moreno Valley's rent restricted affordable rental housing has happened incrementally. The first development was built in 1970 and the most recent one was constructed in 2009. As these developments took place, location guidelines, for the most part, were not established by local, State or Federal authorities.

The City conducted an analysis of the location of rent restricted affordable housing units in relation to census tract percentages of minority populations and low/moderate income populations. The analysis demonstrates that the location of affordable housing has not been concentrated in low income neighborhoods.

1. Rent Restricted Apartment Units

There are 21 rent-restricted affordable apartment communities located in Moreno Valley. The complexes range in size from four to 225 housing units. However, in the latter complex, only 45 of the 225 housing units are rent restricted. Only two apartment communities – Perris Isle and Cottonwood Place – contain more than 100 affordable housing units. Five apartment complexes range in size from 70 to 79 housing units.

APPENDIX D – LOCATION OF AFFORDABLE HOUSING

Table D-1 shows the census tract location of each development as well as the percentage of low income families and the minority percentage of each census tract. The low income percentage ranges from a low of 36.5% (Census Tract 425.06) to a high of 80.5% (Census Tract 425.15). Because only 92 affordable housing units are located in Census Tract 425.15, they do not contribute significantly to the tract's low income percentage.

Table D-1
City of Moreno Valley
Location of Affordable Apartment Communities
By Census Tract, Percent Low Income and Percent Minority

| Map | 2000 Census Tract | % Low Income | Percent Minority | Apartment Community | Number of Units | Affordable Units | Year Built |
|--------------|-------------------|--------------------|------------------|---------------------|-----------------|------------------|------------|
| I | 424.04 | 45.1% | 83.1% | Casitas del Valle | 40 | 39 | 2006 |
| E | 425.06 | 36.5% | 86.0% | Amber Ridge | 225 | 45 | 1973 |
| K | 425.15 | 80.5% | 90.7% | Eucalyptus Towers | 70 | 69 | N/A |
| M | 425.15 | 80.5% | 90.7% | Postal Avenue | 8 | 8 | 1970 |
| R | 425.15 | 80.5% | 90.7% | Walker Terrace | 48 | 15 | 1975 |
| J | 425.16 | 58.1% | 89.5% | Cottonwood Place | 169 | 168 | 1996 |
| F | 425.20 | 58.3% | 87.7% | Atwood Street | 5 | 5 | 1966 |
| L | 425.20 | 58.3% | 87.7% | Perris Isle | 189 | 148 | 2006 |
| Q | 425.20 | 58.3% | 87.7% | Telacu Villa | 75 | 74 | Late 80's |
| A | 425.21 | 49.6% | 87.1% | Ability First | 25 | 24 | 1996 |
| B | 467.00 | 66.3% ¹ | 76.0% | Adrienne III | 8 | 8 | N/A |
| C | 467.00 | 66.3% ¹ | 76.0% | Adrienne IV | 8 | 8 | 1975 |
| D | 467.00 | 66.3% ¹ | 76.0% | Allies | 8 | 8 | N/A |
| G | 467.00 | 66.3% ¹ | 76.0% | Bay Avenue | 4 | 4 | N/A |
| H | 467.00 | 66.3% ¹ | 76.0% | Bay Family | 61 | 29 | 2005 |
| N | 489.02 | 75.1% ² | 85.9% | Sheila I | 8 | 8 | 1985 |
| O | 489.02 | 75.1% ² | 85.9% | Sheila II | 8 | 8 | N/A |
| P | 489.02 | 75.1% ² | 85.9% | Shelia Street | 4 | 4 | 1975 |
| S | 489.02 | 75.1% ² | 85.9% | Rancho Dorado II | 79 | 78 | 2009 |
| T | 489.02 | 75.1% ² | 85.9% | Rancho Dorado South | 79 | 78 | PR |
| U | 424.04 | 45.1% | 83.1% | Hemlock Family Apts | 78 | 77 | PR |
| Total | | | | | 1,199 | 905 | |

Note: PR refers to a California Tax Credit Allocation Committee Preliminary Reservation

¹2000 Census Tract 425.04 was renumbered to Census Tract 467.00, Percent low income based on 2000 data for Census Tract 425.04.

²2000 Census Tract 426.05 was divided into 2010 Census Tracts 483.00, 488.00, 487.00, 489.01, 489.02, 490.00 and 511.00. Percent low income based on 2000 data for Census Tract 426.05.

Source: Percent low income based on Census 2000 data obtained from HUD; will be updated in summer 2014
 Percent minority from American FactFinder, Census 2010 Summary File 1, Table P9 Hispanic or Latino and Not Hispanic or Latino by Race
 Year built obtained from assessor data, multiple listing service data, telephone interviews, and tax credit history for Perris Isle and Bay Family

Table construction by Castañeda & Associates

APPENDIX D – LOCATION OF AFFORDABLE HOUSING

Census Tract 489.02 has a low income percentage of 75.1%. Because only 176 affordable housing units are located in Census Tract 489.02, they do not contribute significantly to the tract's low income percentage.

Table D-2 shows the census tracts having more than one affordable rental development. One-fourth (227/905) of all rent restricted, affordable rental housing units are located in census tract 425.20. And these housing units comprise 16.3% of all the housing units located in Census Tract 425.20. Information is unavailable on the amount of vacant multi-family zoned land located in Census Tract 425.20. Consequently, the potential for additional multi-family and/or affordable housing development in that census tract is unknown.

**Table D-2
City of Moreno Valley
Census Tracts with More than One Affordable Rental Development**

| Census Tract | Number of Developments | Number of Affordable Units | Percent of All Affordable Units | Total Units in Census Tract | Affordable Units as % of All Census Tract Housing Units |
|---------------------|-------------------------------|-----------------------------------|--|------------------------------------|--|
| 425.15 | 3 | 92 | 10.2% | 1,128 | 8.2% |
| 425.20 | 3 | 227 | 25.1% | 1,392 | 16.3% |
| 467.00 | 5 | 57 | 6.3% | 1,648 | 3.5% |
| 489.02 | 5 | 176 | 19.4% | 1,560 | 11.3% |

Note: Percent of all affordable housing units is census tract number of affordable units (92) divided by 905.

Source: Table D-1

U.S. Census Bureau, Table QT-H1, General Housing Characteristics: 2010 Census Summary File 1

Table construction by Castañeda & Associates

The census tract minority population percentages range from a low of 76.0% to a high of 90.7%. In the event additional affordable rental housing is constructed, it is unavoidable for it to be located in census tracts having a majority of the population belonging to a minority group.

2. Section 8 Rental Housing (Vouchers)

Altogether there are about 1,500 Moreno Valley families obtaining rental assistance through Section 8 Housing Choice Vouchers. According to the Housing Authority of Riverside County:

The subsidies provided by the rental voucher program are considered tenant-based subsidies because when an assisted family moves out of a unit leased under the program, the assistance contract with the owner terminates and the family may move to another unit with continued rental assistance (24 CFR Section 982.1). HUD enters into annual contributions contracts (ACCs) with PHAs (public housing agencies) under which HUD provides funds to the PHAs to administer the programs locally. The PHAs enter into HAP contracts with private owners who lease their units to assisted families (24 CFR Section 982.151). In the tenant-based Section 8 programs, the PHA verifies a family's eligibility (including income eligibility) and then issues the family a voucher.

APPENDIX D – LOCATION OF AFFORDABLE HOUSING

Thus, Section 8 assisted households/housing units are not situated in permanent locations. Families receiving Section 8 assistance may move to another apartment unit (where the landlord accepts Section 8) located in Moreno Valley or move to another City. Usually, the initial lease term must be for at least one year.

Table D-3 shows the number of Section 8 Vouchers by zip code location, information that was transmitted to the City by the Housing Authority.

Table D-3
City of Moreno Valley
Distribution of Section 8 Housing Choice Vouchers by Zip Code

| Zip Code | Number of Section 8 Vouchers | Percent |
|----------|------------------------------|---------|
| 92551 | 235 | 15.6% |
| 92553 | 703 | 46.8% |
| 92555 | 105 | 7.0% |
| 92557 | 459 | 30.6% |
| Total | 1,502 | 100.0% |

Note: Total excludes one voucher in zip code 92552
 Source: Housing Authority of the County of Riverside, January 12, 2013
 Table construction by Castañeda & Associates

The list below compares the zip code percentage distributions of Section 8 vouchers and the total population of all four zip codes:

| <u>Zip Code</u> | <u>Section 8 Percentage</u> | <u>Total Population Percentage</u> |
|-----------------|-----------------------------|------------------------------------|
| 92551 | 15.6% | 15.9% |
| 92553 | 46.8% | 38.0% |
| 92555 | 7.0% | 20.1% |
| 92557 | 30.6% | 26.0% |
| | 100.0% | 100.0% |

Based on the above, the following conclusions can be made:

- Zip Code 92551 percentage of Section 8 vouchers is about the same as its percentage of the total population (30,815/193,933).
- Zip Code 92553 has a high percentage of Section 8 vouchers compared to its percentage of the total population.
- Zip Code 92555 has a much lower percentage of Section 8 vouchers than it does of the total population.
- And, finally, Zip Code 92557 has a much higher percentage of Section 8 vouchers than it does of the total population.

Thus, the distribution of Section 8 vouchers is not in proportion to the share of the total population residing in each zip code.

APPENDIX D – LOCATION OF AFFORDABLE HOUSING

Table D-4 shows the zip code population by race and ethnicity. Each zip code has a minority population percentage higher than 75%. For example, the minority population percentage of Zip Code 92553 is 86.5%. In contrast, the minority population percentage is 76.7%.

The map of the locations of the developments is on page 8. Although in a few areas, there are multiple developments, most are small and contain only four or eight rental units.

Impediment:

The location of rent restricted affordable housing is not an impediment to fair housing choice. While most affordable housing developments are located in low and moderate income neighborhoods, they have not contributed significantly to the low income percentages of the neighborhoods in which they are located. Moreover, there is not a concentration of rent restricted affordable housing developments in any one neighborhood.

Action Plan Recommendation:

The affordable housing location analysis will be used to evaluate the sites of new rent restricted development proposals.

The location of Section 8 vouchers will be monitored to determine if such housing is becoming overly concentrated. If over concentration becomes a concern in the future the City will work with the Housing Authority to take appropriate corrective actions.

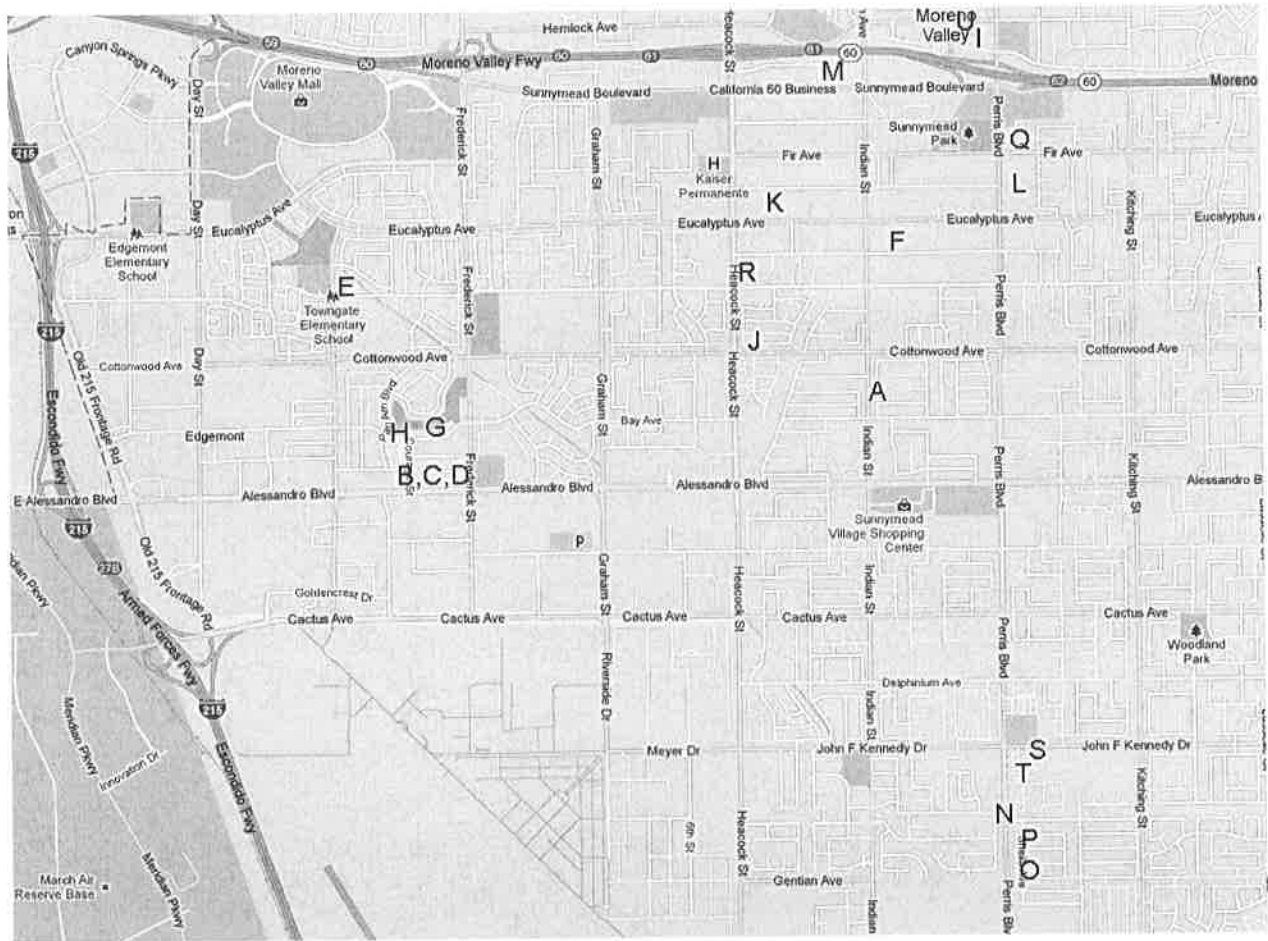
APPENDIX D – LOCATION OF AFFORDABLE HOUSING

Table D-4
 City of Moreno Valley
 Population by Race and Ethnicity by Zip Code

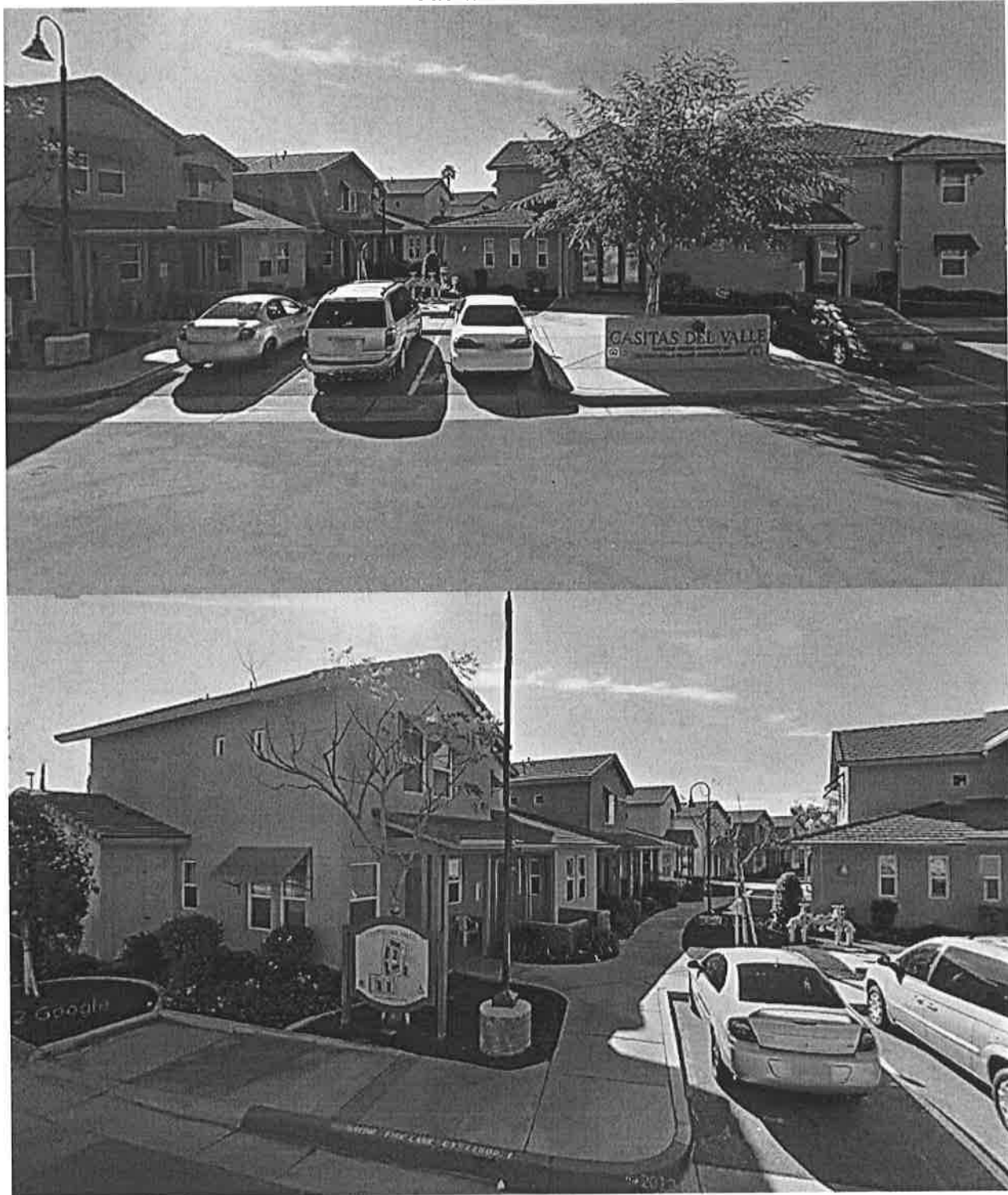
| Race and Ethnicity | 92551 | Percent | 92553 | Percent | 92555 | Percent | 92557 | Percent | Total | Percent |
|--|--------|---------|--------|---------|--------|---------|--------|---------|---------|---------|
| White | 4,029 | 13.1% | 9,950 | 13.5% | 9,113 | 23.3% | 13,730 | 27.3% | 36,822 | 19.0% |
| Black of African American | 5,721 | 18.6% | 11,334 | 15.4% | 7,582 | 19.4% | 8,566 | 17.0% | 33,203 | 17.1% |
| American Indian and Alaska Native | 79 | 0.3% | 195 | 0.3% | 121 | 0.3% | 184 | 0.4% | 579 | 0.3% |
| Asian | 1,711 | 5.6% | 3,438 | 4.7% | 3,733 | 9.6% | 2,552 | 5.1% | 11,434 | 5.9% |
| Native Hawaiian/Other Pacific Islander | 154 | 0.5% | 454 | 0.6% | 174 | 0.4% | 214 | 0.4% | 996 | 0.5% |
| Some Other Race Alone | 67 | 0.2% | 131 | 0.2% | 114 | 0.3% | 76 | 0.2% | 388 | 0.2% |
| Two or More Races | 733 | 2.4% | 1,631 | 2.2% | 1,191 | 3.0% | 1,509 | 3.0% | 5,064 | 2.6% |
| Hispanic or Latino | 18,321 | 59.5% | 46,589 | 63.2% | 17,048 | 43.6% | 23,489 | 46.7% | 105,447 | 54.4% |
| Total | 30,815 | 100.0% | 73,722 | 100.0% | 39,076 | 100.0% | 50,320 | 100.0% | 193,933 | 100.0% |
| Percent | 15.9% | | 38.0% | | 20.1% | | 26.0% | | 100.0% | |

Source: DP-1, 2010 Demographic Profile Data: Profile of General Population and Housing Characteristics: 2010 for Zip Codes 92551, 92553, 92555 and 92557
 Table construction by Castañeda & Associates

Locations of Rent Restricted Affordable Apartment Community Locations



Casitas del Valle



Amber Ridge



D-10

Ability First



D-11

Cottonwood Place



Bay Family



D-13

Perris Isle



D-14

Appendix E

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