

**NOTICE AND CALL OF SPECIAL MEETING (STUDY SESSION) 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**

THE CITY COUNCIL RECEIVES A SEPARATE STIPEND FOR CSD MEETINGS

July 1, 2014 - 6:00 PM

NOTICE IS HEREBY GIVEN that a special meeting (Study Session) of the City Council of the City of Moreno Valley, Moreno Valley Community Services District, City as Successor Agency for the Community Redevelopment Agency and Housing Authority will be held on July 1, 2014 commencing at 6:00 PM, in the City Council Chamber, City Hall, located at 14177 Frederick Street, Moreno Valley, California.

Said special meeting shall be for the purpose of:

AGENDA

CALL TO ORDER

PLEDGE OF ALLEGIANCE

INVOCATION

ROLL CALL

INTRODUCTIONS

PUBLIC COMMENTS ON MATTERS ON THE SPECIAL MEETING AGENDA

There is a three-minute time limit per person. Please complete and submit a LAVENDER speaker slip to the Bailiff. 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.

SPECIAL ORDER OF BUSINESS

- 1 SWEARING-IN OF UTILITIES COMMISSION (City Clerk Department) v
- 2 DISCUSSION BETWEEN CITY COUNCIL AND UTILITIES COMMISSION REGARDING AMENDMENT TO THE ELECTRIC RATES FOR MORENO VALLEY UTILITY
(Report of: Public Works Department)

Recommendation:

1. Receive a report regarding proposed changes to Moreno Valley Utility (MVU) rates.

- 3 PRIVATE DRAINAGE CHANNEL ADVISORY PROGRAM UPDATE
(Report of: Public Works Department)

Recommendation:

2. Receive and file information regarding a proposed Annual Private Drainage Channel Advisory Program.

- 4 CITY COUNCIL REQUESTS AND COMMUNICATIONS

ADJOURNMENT

*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.

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,

AGENDA
July 1, 2014

City Clerk

Dated Posted: _____

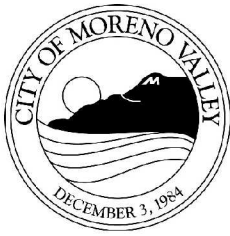
REGULAR SESSION INFO MOVE BEFORE CLOSED SESSION

(Times shown are only estimates for staff presentation. Items may be deferred by Council if time does not permit full review.)

v Oral Presentation only – No written material provided

***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/ or Housing Authority 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.**

AGENDA
July 1, 2014



APPROVALS	
BUDGET OFFICER	<i>me</i>
CITY ATTORNEY	<i>SMB</i>
CITY MANAGER	<i>d</i>

Report to City Council

TO: Mayor, City Council, and Utilities Commission

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

AGENDA DATE: July 1, 2014

TITLE: DISCUSSION BETWEEN CITY COUNCIL AND UTILITIES COMMISSION REGARDING AMENDMENT TO THE ELECTRIC RATES FOR MORENO VALLEY UTILITY

RECOMMENDED ACTION

Recommendation:

1. Receive a report regarding proposed changes to Moreno Valley Utility (MVU) rates.

SUMMARY

Per longstanding policy direction by the City Council as incorporated into the Professional Services Agreement by and between the City of Moreno Valley and ENCO Utility Services Moreno Valley, LLC, the City adjusts its electric rates to remain roughly equivalent to those charged by Southern California Edison. This report discusses proposed changes to MVU electric rates to correspond with SCE rates which became effective on June 1, 2014.

This report is presented to the City Council and the newly-constituted Utilities Commission to facilitate review and discussion prior placing the recommended rates on the July 8, 2014 City Council agenda for approval.

DISCUSSION

The Moreno Valley Utility's service year is divided into two categories, Winter (October through June) and Summer (June through October). Adjusting MVU rates to maintain

parity with SCE rates as presented in this report will increase MVU's rate schedules for both the summer season and the winter season.

Rates are structured to reflect usage; the table below shows the average impact to customers using 600 kWh each month as well as to customers using 1000 kWh monthly. If the City Council approves the proposed rate adjustments at the City Council meeting on July 8, 2014, the impact to each class of customers is described in the tables below:

Average Residential Schedule A	SUMMER		WINTER	
600 kWh usage	-\$8.04	-9.06%	\$2.54	2.22%
1,000 kWh usage	\$7.95	3.98%	\$21.24	8.78%

Average Small Commercial Schedule B	SUMMER		WINTER	
800 kWh usage	\$24.45	12.48%	\$17.98	10.97%

Average Large Commercial Schedule C	SUMMER		WINTER	
26,500 kWh usage, Demand of 90 kW	\$632.51	9.28%	\$157.30	3.97%

Average Large Commercial, TOU Schedule TOU-LGS	SUMMER		WINTER	
386,896 kWh usage, Demand of 865 kW	\$5,425.10	7.29%		
392,333 kWh usage, Demand of 666 kW			\$1,720.95	4.15%

Average Traffic Controller Schedule TC-1	SUMMER		WINTER	
363 kWh average usage	\$5.99	8.25%	\$5.99	8.25%

Average Streetlight	SUMMER		WINTER	
Schedule SL-1 9,500 Lumen (963 lights)	\$519.33	4.38%	\$519.33	4.38%
Schedule SL-1 22,000 Lumen (510 lights)	\$565.75	6.67%	\$565.75	6.67%
Schedule SL-1 LED	\$50.44	5.09%	\$50.44	5.09%

14,700 Lumen (48 lights)				
Schedule SL-3 (per account)	\$26.58	3.97%	\$26.58	3.97%

These rates will be recommended for the City Council's approval on July 8, 2014 with an effective date of July 9th.

FISCAL IMPACT

The proposed rate increase is anticipated to generate an additional \$53,797 in revenue per month for Moreno Valley Utility. This is based on the average revenue per month per rate class for the current fiscal year.

NOTIFICATION

Publication of Agenda

ATTACHMENTS

Attachment 1 – Proposed Electric Rates

Prepared By:
Jeannette Olko
Electric Utility Division Manager

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

This page intentionally left blank.

Moreno Valley Utility
Electric Rates

Electric Rates - Table of Contents

SCHEDULE A – RESIDENTIAL SERVICE.....	3
SCHEDULE B – GENERAL SERVICE.....	6
SCHEDULE C – LARGE GENERAL SERVICE.....	7
SCHEDULE SL – STREET LIGHTING SERVICE.....	10
MVU OWNED SYSTEM.....	10
SCHEDULE SL2 – STREET LIGHTING SERVICE.....	12
SCHEDULE SL3 – STREET LIGHTING SERVICE.....	14
SCHEDULE TC-1 – TRAFFIC CONTROL SERVICE.....	15
SCHEDULE TOU-LGS – TIME OF USE – LARGE GENERAL SERVICE.....	16
SCHEDULE SE – SERVICE ESTABLISHMENT CHARGE.....	19
SCHEDULE NEM – NET ENERGY METERING.....	20
SCHEDULE ED – ECONOMIC DEVELOPMENT (“ED”) RATE.....	21
SCHEDULE ED-BR – BUSINESS RETENTION RATE.....	24

Proposed by the Moreno Valley Utility
Date Adopted:

SCHEDULE A – RESIDENTIAL SERVICE

Applicability

Applicable to electric service for residential uses.

Territory

Within the designated areas served by the Moreno Valley Utility.

Rates

Basic Charge - \$/Day

Single-Family Residence	\$ 0.031
Multi-Family Residence	\$ 0.024

Energy Usage Charge - \$/kWh

Summer:

Tier 1 -Baseline Quantities, all kWh, per kWh	\$ 0.11325
Tier 2 – 101% to 130% of Baseline	\$ 0.14546
Tier 3 – 131% to 200% of Baseline	\$ 0.31152
Tier 4 – 201% to 300% of Baseline	\$ 0.34152
Tier 5 – All excess kWh, per kWh	\$ 0.34152

Winter

Tier 1 -Baseline Quantities, all kWh, per kWh	\$ 0.11325
Tier 2 – 101% to 130% of Baseline	\$ 0.14545
Tier 3 – 131% to 200% of Baseline	\$ 0.31152
Tier 4 – 201% to 300% of Baseline	\$ 0.34152
Tier 5 – All excess kWh, per kWh	\$ 0.34152

Public Purpose Programs

All kWh per kWh	\$0.00641
-----------------	-----------

Monthly Minimum Charge: \$10.00

Energy Cost Adjustment

1. The energy charge may be adjusted each month based upon the percentage of the energy being provided by the Department of Water Resources to the investor owned utility on the billing date monthly. These adjustments could result in slight decreases or increases in the energy charge.

Proposed by the Moreno Valley Utility
Date Adopted:

Special Conditions

1. **Baseline Rates:** Baseline rates are applicable only to separately metered residential use.
2. **Baseline Quantities:** The residential allocation shall be 16.0 kWhs per day in the Summer season and 10.5 kWhs per day in the Winter season.
3. **Summer and Winter Seasons are defined as follows:** The Summer season begins at 12:00 a.m. on the first Sunday in June and will continue until 12:00 a.m. of the first Sunday in October each year. The Winter season begins at 12:00 a.m. on the first Sunday in October and continues until 12:00 a.m. on the first Sunday in June of the following year.
4. **Voltage:** Service will be supplied at one standard voltage.
5. **For the purposes of applying the Basic Charge, the following definitions shall be used:**

Single-Family Residence - A building of single occupancy which does not share common walls, floors, or ceilings with other residential dwelling units.

Multi-Family Residence - Apartments, mobile homes, condominiums, townhouses, or a building of multiple occupancy which shares common walls and /or floors and ceilings with other residential dwelling units.

6. **Medical Baseline Allocation:** Upon application and acceptance of a certification from a medical doctor or osteopath licensed to practice medicine in California, eligible residential customers are provided a standard year-round medical baseline allocation of 16.5 kWh per day in addition to the applicable baseline allocation for the season.

	Regular Baseline Daily kWh Allocation	Additional Medical Baseline Daily kWh Allocation	Total Baseline Daily kWh Allocation
Summer	16.0	16.5	32.5
Winter	10.5	16.5	27.0

Medical Baseline Allocation Eligibility:

- a) Regular use in the customer's home of one or more medical life-support devices essential to maintain the life of a full-time resident of the household; and/or
- b) A full-time resident of the household is: a paraplegic, hemiplegic, quadriplegic, multiple sclerosis or scleroderma patient, being treated for life-threatening illness, and/or has a compromised immune system.

Life support devices are those devices or equipment that utilize mechanical or artificial means to sustain, restore or supplant a vital function, or mechanical equipment relied upon for mobility both within and outside of buildings.

Life-support devices include:

Aerosol Tent	Ultrasonic Nebulizer
Pressure Pad	Electrostatic Nebulizer
Apnea Monitor	Inhalation Pulmonary Pressure
Pressure Pump	Breather Machine (IPPB)
Compressor	Iron Lung
Concentrator	Dialysis Machine
Respirator (all types)	Hemodialysis Machine
Electronic Nerve Stimulator	Motorized Wheelchair
Suction Machine	Oxygen Generator

Applying for the Medical Baseline Allocation

1. Request application from Moreno Valley Utility by telephone, mail or in person
2. Complete application.
3. The patient's physician will need to fill out the required information on the application and sign it certifying the medical need.
4. The customer can mail or bring the application to Moreno Valley Utility's offices
5. Once the application is reviewed and approved, the Medical Baseline Allocation will be effective on the next regular electric billing.
6. Applications must be renewed every two years.
7. Low Income Program - A low-income assistance discount program is offered under this standard residential rate. To be considered for this discount, an application must be filed with Moreno Valley Utility. To be eligible for this discount, the income of the customer, including all members of the household, must meet the income levels of the program and can be no more than 200% of Federal Poverty Guidelines. Under this program a discount for qualified low-income residents of 20% is provided on monthly energy charges. Discount applies to energy charges only. The customer charge, public purpose charge, service fees and all taxes are calculated at the standard rates.

SCHEDULE B – GENERAL SERVICE

Applicability

Applicable to nonresidential electric service for all types of uses including lighting and power. Customers whose monthly maximum demand is expected to exceed 20 kW, or has exceeded 20 kW in any three months during the preceding 12 months, are ineligible for service under this schedule.

Territory

Within the designated areas served by the Moreno Valley Utility.

Rates

Customer Charge - \$/Day

Single-Phase Service	\$ 0.836
Polyphase Service	\$ 0.059

Energy Usage Charge - \$/kWh

Summer, all kWh, per kWh	\$ 0.18803
Winter, all kWh, per kWh	\$ 0.15027

Public Purpose Programs

All kWh per kWh	\$0.01080
-----------------	-----------

Monthly Minimum Charge:	\$10.00
--------------------------------	----------------

Energy Cost Adjustment

1. The energy charge may be adjusted each month based upon the percentage of the energy being provided by the Department of Water Resources to the investor owned utility on the billing date monthly. These adjustments could result in slight decreases or increases in the energy charge.

Special Conditions

1. Summer and Winter Seasons are defined as follows: The Summer season begins at 12:00 a.m. on the first Sunday in June and will continue until 12:00 a.m. on the first Sunday in October each year. The Winter season begins at 12:00 a.m. on the first Sunday in October and continues until 12:00 a.m. on the first Sunday in June of the following year.
2. Voltage: Service will be supplied at one standard voltage.

Proposed by the Moreno Valley Utility
Date Adopted:

SCHEDULE C – LARGE GENERAL SERVICE

Applicability

Applicable to nonresidential electric service for all types of uses including lighting and power where the customer's monthly maximum demand is expected to exceed 20 kW or has exceeded 20 kW in any of the 3 months during the preceding 12 months.

Territory

Within the designated areas served by the Moreno Valley Utility.

Rates

Customer Charge - \$/Meter/Month – Single Phase	\$194.33	
Polyphase	\$181.83	
Energy Usage Charge - \$/kWh		
Summer, all kWh, per kWh	\$ 0.08684	
Winter, all kWh, per kWh	\$ 0.07632	
Demand Charge- \$/kW	<u>Summer</u>	<u>Winter</u>
Facilities Related Demand Charge, per kW	\$12.71	\$12.71
Time Related Demand Charge, per kW	\$24.15	\$0.00
Public Purpose Programs		
All kWh per kWh	\$ 0.01008	
Monthly Minimum:	\$10.00	

Energy Cost Adjustment

1. The energy charge may be adjusted each month based upon the percentage of the energy being provided by the Department of Water Resources to the investor owned utility on the billing date monthly. These adjustments could result in slight decreases or increases in the energy charge.

Special Conditions

1. Summer and Winter Seasons are defined as follows:

The Summer season begins at 12:00 a.m. on the first Sunday in June and will continue until 12:00 a.m. on the first Sunday in October of each year. The Winter season begins at 12:00 a.m. on the first Sunday in October and continue until 12:00 a.m. on the first Sunday in June of the following year.

2. Voltage: Service will be supplied at one standard voltage.
3. Billing Demand: The Billing Demand shall be the kilowatts of Maximum Demand, determined to the nearest kW. The Billing Demand shall be the greater of the kilowatts of Maximum Demand recorded (or established for) the monthly billing period or 50% of the highest Maximum Demand established in the preceding eleven months (Ratcheted Demand).
4. Maximum Demand: The maximum demand in any month shall be the measured maximum average kilowatt input, indicated or recorded by instruments to be supplied by the City, during any 15-minute metered interval in the month.
5. Voltage Discount: The monthly Facilities Related Demand Charge will be reduced by 23.3% for service delivered and metered at voltages of 4 kV through 12 kV. The energy charge will be reduced by \$.00074 per kWh for service delivered and metered at voltages of 2 kV through 12 kV.
6. Excess Transformer Capacity: Excess Transformer Capacity is the amount of transformer capacity requested by a customer in excess of that which the City would normally install to serve the customer's Maximum Demand. Excess Transformer Capacity shall be billed at the amount shown in the rates section above.
7. Power Factor Adjustment: When Maximum Demand has exceeded 200 kW for three consecutive months, kilovar metering will be installed as soon as practical, and thereafter, until the Maximum Demand has been less than 150 kW for twelve consecutive months, the billing will be adjusted each month for power factor.
 - a. Adjustment Rate:
 - i. For service delivered and metered at voltages 12 kV or less, the billing will be increased by \$0.51 per kilovar of maximum reactive demand.
 - b. Determining the Reactive Demand:
 - i. Service delivered and metered at voltages of 4 kV or greater:
 1. The maximum reactive demand shall be the highest measured maximum average kilovar demand indicated or recorded by metering during any 15-minute metered interval in the month. The kilovars shall be determined to

Proposed by the Moreno Valley Utility
Date Adopted:

the nearest unit. A device will be installed on each kilovar meter to prevent reverse operation of the meter.

- ii. Services delivered and metered at voltages less than 4 kV:
 - 1. For customers with metering used for billing that measures reactive demand, the maximum reactive demand shall be the highest measured maximum average kilovar demand indicated or recorded by metering during any 15-minute metered interval in the month. The kilovars shall be determined to the nearest unit. A device will be installed on each kilovar meter to prevent reverse operation of the meter.
 - 2. For customers with metering used for billing that measures kilovar-hours instead of reactive demand, the kilovars of reactive demand shall be calculated by multiplying the kilowatts of measured maximum demand by the ratio of the kilovar-hours to the kilowatt-hours. Demands in kilowatts and kilovars shall be determined to the nearest unit. A ratchet device will be installed on the kilovar-hour meter to prevent its reverse operation on leading power factors.

SCHEDULE SL – STREET LIGHTING SERVICE

MVU OWNED SYSTEM

Applicability

Applicable to un-metered service for the lighting of streets and highways where MVU owns and maintains the street lighting equipment and associated facilities included under this schedule.

Territory

Within the designated areas served by the Moreno Valley Utility.

Rates

Energy Usage Charge - High Pressure Sodium Vapor Lamps

Basic Charge:

<u>Initial Lumens</u>	<u>Wattage</u>	<u>All Night Service Monthly kWhs</u>	<u>\$/Lamp Monthly Charge</u>	<u>\$/Lamp/Month Public Purpose Programs Charge</u>
9,500	100	40	\$11.91	\$0.23
16,000	150	67	\$14.42	\$0.39
22,000	200	85	\$16.26	\$0.49
27,500	250	108	\$17.89	\$0.63

Energy Usage Charge – Light Emitting Diode (LED) Lamps

Basic Charge:

<u>Initial Lumens</u>	<u>Wattage</u>	<u>All Night Service Monthly kWhs</u>	<u>\$/Lamp Monthly Charge</u>	<u>\$/Lamp/Month Public Purpose Programs Charge</u>
14,700	173	75	20.03	\$0.46

Energy Cost Adjustment

1. The energy charge may be adjusted each month based upon the percentage of the energy being provided by the Department of Water Resources to the investor owned utility on the billing date monthly. These adjustments could result in slight decreases or increases in the energy charge.

Proposed by the Moreno Valley Utility
Date Adopted:

Special Conditions

1. Maintenance shall include periodic inspection, renewal of lamps, cleaning of glassware, replacement of damaged glassware and lamps, and minor repairs to wiring and electrical appurtenances.
2. Hours of Service: Under MVU's standard all night operating schedule, approximately 4,140 hours of service will be furnished.
3. The developer shall install streetlights that will be served from MVU's underground system. These streetlights must be installed in accordance with MVU's specifications and the developer will deed such facilities to MVU.
4. Requirements and Restrictions:
 - a. The applicant for street light service shall specify the lamp size and location of streetlights.
 - b. Service shall not be furnished under this schedule where location, mounting height, or other considerations are unacceptable to the MVU.
 - c. The installation of street lighting equipment and facilities hereunder is contingent upon the MVU obtaining easements, rights of way, and highway permits satisfactory to the MVU for the required poles, equipment, and facilities.
 - d. In accordance with Rule No. 4, a written contract for a term of not less than one year is required in order to receive street light service under the provisions of this schedule.
 - e. Should the applicant not commence using the street lighting in a bona fide manner within ninety (90) days after date of completion and installation of a street light or street lighting system requested by the applicant, the MVU will bill, and the applicant shall pay, the applicable lamp charge(s).
5. Liability of Utility: MVU shall not, by taking action pursuant to its tariffs, be liable for any loss, damage, or injury, established or alleged, which may result, or be claimed to result, therefrom.

**SCHEDULE SL2 – STREET LIGHTING SERVICE
CUSTOMER OWNED AND MAINTAINED SYSTEM SCHEDULE
(UNMETERED)**

Applicability

Applicable to service for un-metered lighting of streets, highways, and directional highway signs served in conjunction with street and highway lighting, and other publicly operated automobile parking lots which are open to the general public, where the customer owns and maintains the street lighting equipment operated within the period from dusk to dawn.

Territory

Within the designated areas served by the Moreno Valley Utility.

Rates

Energy Usage Charge - High Pressure Sodium Vapor Lamps

Basic Charge:

<u>Initial Lumens</u>	<u>Wattage</u>	<u>All Night Service Monthly kWhs</u>	<u>\$/Lamp Monthly Charge</u>	<u>\$/Lamp/Month Public Purpose Programs Charge</u>
9,500	100	40	\$ 5.57	\$0.23
16,000	150	67	\$ 7.58	\$0.39
22,000	200	85	\$ 8.98	\$0.49
27,500	250	108	\$ 10.75	\$0.63

Energy Cost Adjustment

1. The energy charge may be adjusted each month based upon the percentage of the energy being provided by the Department of Water Resources to the investor owned utility on the billing date monthly. These adjustments could result in slight decreases or increases in the energy charge.

Special Conditions

1. Voltage: Service will be supplied at one standard voltage.
2. Requirements and Restrictions:

**Proposed by the Moreno Valley Utility
Date Adopted:**

-
- a. The applicant for street light service shall specify the lamp size and location of streetlights.
 - b. Service shall not be furnished under this schedule where location, mounting height, or other considerations are unacceptable to the MVU.
 - c. The installation of street lighting equipment and facilities hereunder is contingent upon the MVU obtaining easements, rights of way, and highway permits satisfactory to the MVU for the required poles, equipment, and facilities.
3. Liability of Utility: MVU shall not, by taking action pursuant to its tariffs, be liable for any loss, damage, or injury, established or alleged, which may result, or be claimed to result, therefrom.

**SCHEDULE SL3 – STREET LIGHTING SERVICE
CUSTOMER OWNED SYSTEM SCHEDULE
(METERED)**

Applicability

Applicable to service for metered lighting service of streets, highways, and directional highway signs served in conjunction with street and highway lighting, and other publicly operated automobile parking lots which are open to the general public, where the customer owns the street lighting equipment operated within the period from dusk to dawn.

Territory

Within the designated areas served by the Moreno Valley Utility.

Rates

Customer Charge – Per meter per Month	\$15.07
Energy Usage Charge - \$/kWh All Year - all kWh, per kWh	\$ 0.06948
Public Purpose Programs All kWh, per kWh	\$0.00579

Energy Cost Adjustment

1. The energy charge may be adjusted each month based upon the percentage of the energy being provided by the Department of Water Resources to the investor owned utility on the billing date monthly. These adjustments could result in slight decreases or increases in the energy charge.

Special Conditions

1. Voltage: Service will be supplied at one standard voltage.
2. The customer will furnish and maintain all equipment beyond the meter.

Proposed by the Moreno Valley Utility
Date Adopted:

SCHEDULE TC-1 – TRAFFIC CONTROL SERVICE

Applicability

Applicable to service for traffic directional sign or signal lighting service owned by governmental agencies and located on streets, highways and other publicly dedicated outdoor ways and places.

Territory

Within the designated areas served by the Moreno Valley Utility.

Rates

Customer Charge – per Meter per Day

Single-Phase Service	\$ 0.566
Polyphase Service	\$ 0.035

Energy Usage Charge - \$/kWh

All Year - all kWh, per kWh	\$ 0.12979
-----------------------------	------------

Public Purpose Programs

All kWh, per kWh	\$0.01029
------------------	-----------

Energy Cost Adjustment

1. The energy charge may be adjusted each month based upon the percentage of the energy being provided by the Department of Water Resources to the investor owned utility on the billing date monthly. These adjustments could result in slight decreases or increases in the energy charge.

Special Conditions

1. Voltage: Service will be supplied at one standard voltage.

SCHEDULE TOU-LGS – TIME OF USE – LARGE GENERAL SERVICE

Applicability

Applicable to nonresidential electric service for all types of uses including lighting and power where the customer’s monthly maximum demand is expected to exceed 500 kW or has exceeded 500 kW in any of the 3 months during the preceding 12 months.

Territory

Within the designated areas served by the Moreno Valley Utility.

Rates

Customer Charge - \$/Meter/Month	\$596.11	
Energy Usage Charge - \$/kWh		
Summer		
On-Peak	\$ 0.14327	
Mid-Peak	\$ 0.08308	
Off-Peak	\$ 0.05592	
Winter		
Mid-Peak	\$ 0.08474	
Off-Peak	\$ 0.06169	
Demand Charge- \$/kW		
Facilities Related Demand Charge, per kW	<u>Summer</u>	<u>Winter</u>
Time Related Demand Charge, per kW	\$14.99	\$14.99
On-Peak	\$23.52	\$0.00
Mid-Peak	\$7.16	\$0.00
Off-Peak	\$0.00	\$0.00
Public Purpose Programs		
All kWh per kWh	\$ 0.00911	
Monthly Minimum :	See Condition #4	

Energy Cost Adjustment

1. The energy charge may be adjusted each month based upon the percentage of the energy being provided by the Department of Water Resources to the investor owned

Proposed by the Moreno Valley Utility
Date Adopted:

utility on the billing date monthly. These adjustments could result in slight decreases or increases in the energy charge.

Special Conditions

1. Time periods are defined as follows:

- On-Peak: Noon to 6:00 p.m. Summer weekdays except holidays
- Mid-Peak: 8:00 a.m. to Noon and 6:00 p.m. to 11 p.m. Summer weekdays except holidays; 8 a.m. to 9 p.m. Winter weekdays except holidays
- Off-Peak: All other hours

Holidays are defined as New Year’s Day (January 1), Martin Luther King’s Birthday (third Monday in January), Washington’s Birthday (third Monday in February), Memorial Day (last Monday in May), Independence Day (July 4), Labor Day (first Monday in September), Veterans Day (November 11), Thanksgiving Day (fourth Thursday in November), and Christmas Day (December 25).

When any holiday listed above falls on Sunday, the following Monday will be recognized as an off-peak period. No change will be made for holidays falling on Saturday.

- 2. Summer and Winter Seasons are defined as follows: The Summer season begins at 12:00 a.m. on the first Sunday in June and will continue until 12:00 a.m. on the first Sunday in October of each year. The Winter season begins at 12:00 a.m. on the first Sunday in October and continue until 12:00 a.m. on the first Sunday in June of the following year.
- 3. Voltage: Service will be supplied at one standard voltage.
- 4. Billing Demand: The Billing Demand shall be the kilowatts of Maximum Demand, determined to the nearest kW. The Billing Demand shall be the greater of the kilowatts of Maximum Demand recorded (or established for) the monthly billing period or 50% of the highest Maximum Demand established in the preceding eleven months (Ratcheted Demand).
- 5. Maximum Demand: The maximum demand in any month shall be the measured maximum average kilowatt input, indicated or recorded by instruments to be supplied by the City, during any 15-minute metered interval in the month.
- 6. Excess Transformer Capacity: Transformer Capacity is the amount of transformer capacity requested by a customer in excess of that which the City would normally install to serve the customer’s Maximum Demand. Excess Transformer Capacity shall be billed at the amount shown in the rates section above.

-
7. Power Factor Adjustment: The billing will be adjusted each month for power factor.
- a. Adjustment Rate: The customer's bill will be increased each month for the power factor \$0.51 per kilovar of maximum reactive demand.
 - b. The maximum reactive demand shall be the highest measured maximum average kilovar demand indicated or recorded by metering during any 15 minute metered interval in the month. For customers with metering used for billing that measures kilovar-hours instead of reactive demand, the kilovars of reactive demand shall be calculated by multiplying the kilowatts of measured maximum demand by the ratio of the kilovar-hours to the kilowatt-hours. Demands in kilowatts and kilovars shall be determined to the nearest unit. A device will be installed on the kilovar-hour meter to prevent its reverse operation on leading power factors.

SCHEDULE SE - SERVICE ESTABLISHMENT CHARGE

Applicability

Applicable to general service and domestic service customers.

Territory

Within the entire territory served by Moreno Valley Utility.

Rate

For each establishment of electric service, a charge will apply.

Special Conditions

1. The service establishment charge is in addition to the charges calculated on the applicable rate schedule and will be made each time an account is established.
2. Establishment means each time an account is opened, including a turn on of electric service or a change of name that requires a meter reading.
3. If the customer requests electric service be established on the same day as his request or outside regular business hours, an additional charge will apply.

SCHEDULE NEM – NET ENERGY METERING

Applicability

Applicable to general service and domestic service customers who have eligible renewable energy generation systems connected to MVU's system (interconnected) and meet program requirements.

Territory

Within the entire territory served by Moreno Valley Utility.

Net Surplus Compensation Rate

The net surplus compensation rate shall be \$0.08979 per kWh applied to any net surplus energy remaining at the end of the customer's twelve (12) month billing period ("relevant period").

Special Conditions

1. NEM customers will receive a credit for the surplus electricity supplied to MVU's system.
2. This credit will be applied to the customer's energy bill, to offset all or part of the costs associated with the energy that is consumed each month.
3. Residential accounts are billed once a year for "net" energy consumed or generated over the previous 12 months, if any.
4. Small business accounts served under the General Service Rate also qualify for annual billing.
5. Large business NEM accounts under the Large General Service Rate are billed monthly for their energy usage.
6. Net surplus energy is the amount of generated kilowatt-hours (kWh) energy that is exported to MVU's system that exceeds the amount that is received from MVU.
7. Any net surplus energy remaining at the end of the 12-month billing period (also called the "relevant period") will be given a monetary value known as the Net Surplus Compensation Rate (NSCR).
8. The NSCR value is established by MVU to reflect the costs MVU avoids in procuring power during the time period net surplus generators are likely to produce excess power.
9. Customers may choose to either roll over the monetary value of any net surplus energy to the next billing cycle, or receive payment for any net surplus energy at the end of your 12-month relevant period.
10. Customers will be billed monthly for nominal non-energy-related charges such as taxes.

Proposed by the Moreno Valley Utility
Date Adopted:

SCHEDULE ED – ECONOMIC DEVELOPMENT (“ED”) RATE

Applicability

Commercial or industrial end-use customers that would otherwise receive service under Electric Rate Schedule TOU-LGS (Time of Use-Large General Service) and meet certain criteria as established and adopted by resolution of the City Council of the City of Moreno Valley may take advantage of the ED rate as a New Customer or Expanded Load Customer. This ED rate is applicable to all or part of the services provided to New Customers and Expanded Load Customers, as such terms are defined herein.

1. A New Customer shall be a customer seeking to locate a new business or relocate an existing business (not currently located within the territory served by Moreno Valley Utility) within Moreno Valley Utility’s service territory.
2. An Expanded Load Customer shall be an existing Moreno Valley Utility TOU-LGS customer that is adding new load to Moreno Valley by a minimum of 200 kW based upon the customer’s past electrical demand as determined by Moreno Valley Utility. The expanded load can be at the customer’s current site, or at a new site within the Moreno Valley Utility service territory. The ED rate will only be applied to the expanded load as determined in Section 5 below.
3. A New Customer shall meet the following criteria:
 - a. Targeted industries
 - i. Logistics/Distribution
 - ii. Medical/Healthcare
 - iii. Auto Dealerships
 - b. Building/Area size
 1. Tier 5 Discount Rate
 - a. Regional Corporate Office Space 50,000 sf
 minimum
 - b. Perishable Space 200,000 sf minimum
 - ii. Medical/Healthcare 100,000 sf minimum
 - iii. Auto Dealerships 5 acres
 - c. Job Creation
 - i. Tier 1 Discount Rate 150 – 499 jobs
 - ii. Tier 2 Discount Rate 500 – 999 jobs
 - iii. Tier 3 Discount Rate greater than 1000 jobs
 - iv. Tier 4 Discount Rate 350 jobs minimum
 - v. Tier 5 Discount Rate 200 jobs minimum
 - d. City Revenue Producer – either sales tax or use tax generation
 - i. Tier 1a Discount Rate
 - ii. Tier 4 Discount Rate minimum \$40,000 annual sales tax
 revenue to the City

Territory

Within the entire territory served by Moreno Valley Utility.

Character of Service

The service provided hereunder shall be alternating current with regulated frequency of 60 hertz, three-phase, or a combination single and three-phase served through one meter, at a standard voltage not to exceed 480 volts, or as may be specified by the Electric Division. To be eligible to participate all customers must have a demand meter.

Rates

Except as provided herein, or in the Economic Development Rate Agreement, all charges and provisions of the customer's otherwise applicable rate schedule shall apply. The applicable Energy Charge and Demand Charge under the customer's otherwise applicable rate schedule will be reduced as follows:

	Tier 1/Tier 1a	Tier 2	Tier 3	Tier 4	Tier 5
Years 1 - 2	15%	20%	20%	20%	20%
Years 3 - 4	12%	15%	20%	20%	20%
Years 5 - 6	10%	10%	15%	20%	20%
Years 7 -12	-	-	-	20%	20%
Years 13 - 18					20%

Special Conditions

1. **Term**: Economic Development Rate Agreements entered into under this Schedule shall be for a single six-year term, except for Tier 4, which shall be for a single twelve-year term and Tier 5, which shall be for a single eighteen-year term.
2. **Approval**: Application of this Rate Schedule shall be subject to the approval of the City Manager or his designee, based on meeting the eligibility criteria outlined herein.
3. **Agreement**: The customer must sign a standard Moreno Valley Economic Development Rate Agreement in order for the rates under this Schedule to be applicable. In addition to the other terms of this Schedule, the Economic Development Rate Agreement shall require the customer to reimburse Moreno Valley for all rate reductions received under this Schedule, if the customer fails to maintain the required minimum load during the applicable term of the Agreement.

Proposed by the Moreno Valley Utility
Date Adopted:

-
4. Minimum Load: Customers qualifying under this Schedule as a New Customer with a projected minimum monthly electric demand of at least 500 kW or as an Expanded Load Customer under Applicability Sections 1 and 2 above, respectively, must agree to maintain a minimum level of load for six years for Tier 1/1a, Tier 2, and Tier 3 discounts, twelve years for Tier 4 discount, and eighteen years for Tier 5 discount from the date service is first rendered under this Schedule as set forth in the Economic Development Rate Agreement.
 5. Base Period Usage: Base Period Usage shall be established and agreed to in the Economic Development Rate Agreement for Expanded Load Customers. Base Period Usage shall be the average monthly energy use and demand for the customer during the last three years of service to the customer, from the date ending the last payment period before the date of the Agreement. Expanded Load qualifying for the rate under this Schedule shall be measured as the difference between the new monthly, meter documented energy use and demand, and the Base Period Usage.
 6. State Mandated Public Purpose Program Charge: All bills rendered under this Schedule shall be subject to the Public Purpose Program Charge as established by the City Council.
 7. Miscellaneous Fees and Charges: Rates charged pursuant to this Schedule shall be subject to any Energy Users Taxes, Utility Users Taxes, and any other governmental taxes, duties, or fees which are applicable to Electric Service provided to Customer by the City of Moreno Valley. Rates are also subject to adjustment, as established by the City of Moreno Valley City Council in response to federal or state climate change laws, renewable portfolio standard or other mandated legislation. These adjustments may include but are not limited to charges to mitigate the impacts of greenhouse gas emissions or “green power” premiums.
 8. Expanded Load: Expanded Load customers applying for this rate must demonstrate to the satisfaction of the Utility that the expanded load is new to Moreno Valley.
 9. Effective Date: The effective date of the Economic Development Rate Agreement shall commence within 12 months from the date of the City’s approval, or the Agreement becomes null and void. The Agreement becomes effective upon execution by the parties, and the Economic Development Rate commences upon written notice by customer, and coincides with the customer’s normal billing cycle.
 10. Reapplication: Customers who have received service under the Economic Development Rate are eligible to reapply for the rate as an Expanded Load Customer 12 months after their current Economic Development Rate Agreement has expired, if they meet the criteria therefore.
 11. Restrictions: Residential customers and federal, state or local government agencies are not eligible to apply for service under this Schedule.

SCHEDULE ED-BR
ECONOMIC DEVELOPMENT- BUSINESS RETENTION RATE

Applicability

This Schedule is applicable to the anchor stores at Stoneridge Towne Centre and Moreno Beach Plaza, whose building size is 25,000 square feet or larger and have 30 or more employees.

1. The Customer must demonstrate to the satisfaction of the City that relocation of its entire operation to a site outside of Moreno Valley Utility's service territory is a viable alternative or that the threat of closure of the Customer's existing facilities is otherwise imminent.
2. The Customer must provide:
 - a. An affidavit that "but for" the economic development retention rate incentives, in combination with other city-sponsored incentives, such customer would relocate outside of the City's electric service territory, and
 - b. Substantial evidence demonstrating the business has considered viable locations outside of Moreno Valley's service territory including but not limited to incentive offer letters from competing states, local jurisdictions and economic development organizations and/or real estate sale and lease agreements for competing sites, or
 - c. Substantial evidence documenting the imminent threat of facility closure, including but not limited to letters from business owners or appropriate corporate officers documenting the circumstances which have led to this imminent threat and why the Business Retention Rate is necessary to retain the business within Moreno Valley Utility's service territory.
3. The Customer must agree to maintain a minimum level of load for five years from the date service is first rendered as set forth in the Economic Development Rate Agreement for Business Retention.

Territory

Within the entire territory served by Moreno Valley Utility.

Rates

Except as provided herein, or in the Economic Development Business Retention Rate Agreement, all charges and provisions of the customer's otherwise applicable rate schedule shall apply. The applicable Energy Charge and Demand Charge under the customer's otherwise applicable rate schedule will be reduced as follows:

- Year 1 20%
- Year 2 20%

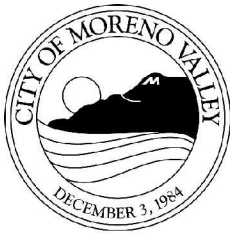
Proposed by the Moreno Valley Utility
Date Adopted:

-
- Year 3 20%
 - Year 4 0%
 - Year 5 0%

Special Conditions

1. **Term:** Economic Development Rate Agreement for Business Retention entered into under this Schedule shall be for a single five-year term.
2. **Approval:** Application of this Rate Schedule shall be subject to the approval of the Public Works Director or his designee, based on meeting the eligibility criteria outlined herein.
3. **Agreement:** The customer must sign a standard Moreno Valley Economic Development Rate Agreement for Business Retention in order for the rates under this Schedule to be applicable. In addition to the terms of this Schedule, the Economic Development Rate Agreement for Business Retention shall require the customer to reimburse Moreno Valley for all rate reductions received under this Schedule, if the customer fails to maintain the required minimum load during the five-year term of the Agreement.
4. **Minimum Load:** All customers must agree to maintain a minimum level of load for five years from the date service is first rendered under this Schedule as set forth in the Economic Development Rate Agreement for Business Retention.
5. **State Mandated Public Purpose Charge:** All bills rendered under this Schedule shall be subject to the Public Purpose Charge as established by the City Council.
6. **Miscellaneous Fees and Charges:** Rates charged pursuant to this Schedule shall be subject to any Energy Users Taxes, Utility Users Taxes, and any other governmental taxes, duties, or fees which are applicable to Electric Service provided to Customer by the City of Moreno Valley. Rates are also subject to adjustment, as established by the City of Moreno Valley City Council in response to federal or state climate change laws, renewable portfolio standard or other mandated legislation. These adjustments may include but are not limited to charges to mitigate the impacts of greenhouse gas emissions or “green power” premiums.
7. **Effective Date:** The Agreement becomes effective upon execution by the parties, and the Economic Development Business Retention Rate commences with the customer’s normal billing cycle following execution of the Agreement by both parties.

-
8. Restrictions: Residential customers, small commercial customers, and federal, state or local government agencies are not eligible to apply for service under this Schedule.



APPROVALS	
BUDGET OFFICER	<i>me</i>
CITY ATTORNEY	<i>SMB</i>
CITY MANAGER	<i>d</i>

Report to City Council

TO: Mayor and City Council

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

AGENDA DATE: July 1, 2014

TITLE: PRIVATE DRAINAGE CHANNEL ADVISORY PROGRAM UPDATE

RECOMMENDED ACTION

Recommendation:

1. Receive and file information regarding a proposed Annual Private Drainage Channel Advisory Program.

SUMMARY

At the City Council Study Session of February 2, 2013, the City Council identified the need for a proactive program to address the issue of proper maintenance of private drainage channels. Examples of a private watercourse may include a drainage ditch or a channel that runs through private property. A lack of proper maintenance of private watercourses can them to overflow and create damage to adjoining properties.

A previous City Council Study Session in April 2010 focused upon the issue of private drainage courses. At that time, it was identified that approximately 318 private drainage courses traversing 890 parcels exist within the City of Moreno Valley. A number of environmental, legal, and fiscal challenges were identified with various alternatives involving the City performing annual maintenance on these private channels with the City's own forces or through a contractor funded by the City. Due to these multiple challenges, the default position has been for the City to only enter and clear private drainage courses in an emergency situation.

In addition to emergency response activities, in October 2012 City staff provided an advisory notice, and follow-up notices in some cases, to property owners regarding their

responsibility to maintain private watercourses traversing through their property. In response to the City Council request at the February 2, 2013 Study Session, staff proposes to refine the notification process and integrate it as the primary component of an Annual Private Drainage Channel Advisory Program. This primary component will be complemented by staff assistance, inspections upon requests, and a public education component. It is important to note, however, that the City's proposed approach is one that is advisory in nature and relies upon voluntary compliance. At this time, staff is not proposing any enforcement, or abatement of an issue that is regarded as a private nuisance.

DISCUSSION

The following outlines the proposed annual process to be implemented for the Private Drainage Channel Maintenance Notification and Inspection Program:

- 1st Watercourse Maintenance Advisory Notice
 - To be sent to all property owners with parcels containing a portion of a private drainage channel.
- 2nd Watercourse Maintenance Advisory Notice
 - To be sent to a subset of property owners with parcels that have a demonstrated history of private drainage channel breaching and flooding.
- 3rd Watercourse Maintenance Inquiry Letter
 - To be sent to property owners for which complaints have been received and for which a specific plan of action and timeframe for maintenance is requested
- Additional support: City staff will provide inspections upon the request of contacted property owners seeking guidance on efforts necessary to achieve voluntary compliance.

The goals of this annual advisory and inspection process include the following:

- Ensuring that the City has performed its due diligence in advising property owners of the necessity of private drainage channel maintenance to minimize any potential flood and/or damage from rain storms and the potential private liability issues that exist should they not perform adequate maintenance.
- Directing property owners to contact the appropriate regulatory agencies for concerns, guidance, and/or permits related to any maintenance activities that they undertake that may involve protected waters of the United States, riparian habitat, or streambed alteration activities.
- Preserving the ability of City forces to perform an emergency abatement during or immediately preceding a storm event that poses or threatens to pose an immediate threat to life or property.

It is important to note that City forces will not proactively clear any private drainage channel in the absence of an impending emergency situation. To do so may cause the City to be liable to the respective regulatory agencies for fines, penalties and damages. Additionally, City forces will not be available "for hire" by property owners seeking to have a drainage channel cleared of vegetation and/or silt. These activities must be

pursued by the property owner utilizing their own forces or the services of a private contractor.

The overall aim of the Proposed Annual Private Drainage Channel Advisory Program is education, voluntary compliance, mitigation of potential flooding threats, and a properly functioning, citywide drainage system. With the implementation of this Advisory Program, staff believes that City Council's goal to develop a proactive program to address the issue of proper maintenance of private drainage channels will have been satisfied, while due respect is observed relative to the environmental, legal, and fiscal constraints posed by this private property nuisance issue.

FISCAL IMPACT

Based upon the advisory and voluntary compliance model, there will be minimal costs incurred. These costs may be absorbed within existing operational budgets.

CITY COUNCIL GOALS

ENHANCE COMMUNITY 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.

IMPROVE THE COMMUNITY'S IMAGE:

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 and enhanced neighborhood preservation efforts, including home rehabilitation and neighborhood restoration.

CREATE A POSITIVE ENVIRONMENT:

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

ATTACHMENTS

Attachment 1: PowerPoint – Private Drainage Channel Advisory Program Update

Prepared By:
Robert Lemon
Maintenance & Operations Division Manager

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

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

Private Drainage Channel Advisory Program Update

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

July 1, 2014

Overview

- Background
 - City Council Study Session April, 2010
 - City Map with Private Drainage
 - Private Drainage Courses
 - Master Drainage Facilities
 - Flood Zones
- Challenges
- Emergency Response
- Advisory Notification
- Annual Program Overview
- Program Goals

Background

- Background
 - Large number of private drainage courses City wide
 - Most private drainage courses are located outside of the public right-of-way and/or easements
 - Currently property owners are responsible for maintenance of private water courses
- Resident Feedback
 - Minor to moderate flooding during typical season storm events
 - Some residents blame development activity around them for causing the flooding



Background - City Map with Private Drainage



CITY OF
MORENO VALLEY
PRIVATE DRAINAGE FEATURES

— Private Drainage Courses
- - - City Boundary



Map Produced by Moreno Valley
Engineering for Executive Order
1987 (SB 678) & California State
Water Resources Control Board
City of Moreno Valley
1000 Main Street
Moreno Valley, CA 92553
Map Date: 8/2014

The information on this map is for informational purposes only. It is not intended to be used for any other purpose. The City of Moreno Valley is not responsible for any errors or omissions on this map. The City of Moreno Valley is not responsible for any damages or losses resulting from the use of this map.



Background - Private Drainage Courses




- There are approximately 318 private drainage courses within the City
- An estimated 890 parcels have a private drainage course
- Estimated total length of private drainage courses is about 290,000 feet
- These private drainage courses could possibly be grouped into about 12 tributary drainage areas

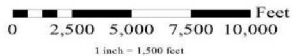


Background - City Map with MDP Facilities



CITY OF
 MORENO VALLEY
 PRIVATE DRAINAGE FEATURES

-  Private Drainage Courses
-  MDP Lines
-  City Boundary



Map Prepared By: Moreno Valley
 Engineering & Construction Services
 1000 West 10th Street, Suite 100
 Moreno Valley, CA 92553
 © 2014 Moreno Valley Engineering & Construction Services
 March 10, 2014

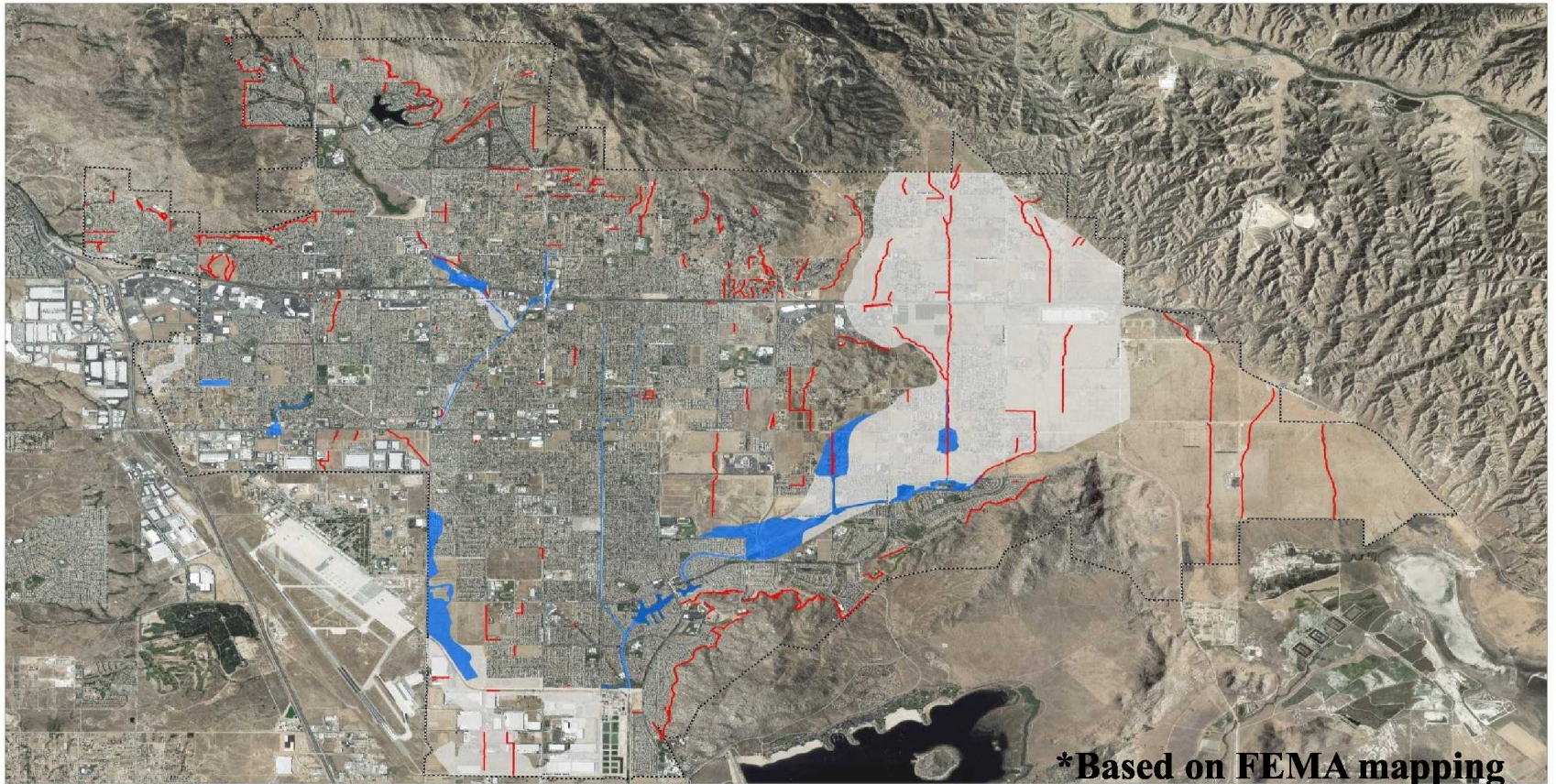
This information was prepared for the City of Moreno Valley. It is not to be used for any other purpose without the written consent of Moreno Valley Engineering & Construction Services. The information is provided as is, without any warranty, express or implied. The user assumes all liability for any use of this information.



Background - Master Drainage Facilities

- Typically constructed by Flood Control, City or private developers as part of their project
- Construction of future MDP facilities may reduce or entirely eliminate some flooding conditions
- City provides Flood Control with an annual project nomination letter
- Flood Control evaluates requests and prioritizes projects
 - Award based on available funding and maximum benefit to the public

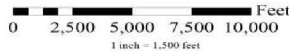
Background - 100-Year Flood Zones



***Based on FEMA mapping**

CITY OF
MORENO VALLEY
PRIVATE DRAINAGE FEATURES

- Private Drainage Courses
- 100 - Year Flood Zones
- City Boundary
- 100 - Year / 500 - Year Flood Zones



Map Produced by Moreno Valley
Geographic Information System
City of Moreno Valley
State Plane (NAD83) UTM Zone 11N, California Zone 11, Flood and
© Archibald Land Development, Inc. All Rights Reserved 2011, Flood and
March 6, 2018

The information shown on this map was prepared
by the City of Moreno Valley, California. It is
provided for informational purposes only. It is
not intended to be used for any other purpose.
The City of Moreno Valley, California, is not
responsible for any errors or omissions in this
map. The City of Moreno Valley, California,
is not responsible for any damages or losses
resulting from the use of this map.



Challenges - Environmental Clearances

- Hydrology and Hydraulic Report
- Wetlands Delineation
- Biological Assessment
- Environmental Impact Report (EIR)
- Determination of Biological Equivalent or Superior Preservation (DBESP)
- Specific Endangered Species Report
- Other environmental reports in accordance with the California Environmental Quality Act (CEQA)

Challenges - Regulatory Permits

- State Regional Water Quality Control Board
- U.S. Army Corps of Engineer
- U.S. Fish and Wildlife
- California Department of Fish and Game
- California Department of Water Resources (DWR)
- Riverside County Flood Control & Water Conservation District

Challenges - Legal Issues

- Perception that City created or worsened problems due to work performed
- Assume obligation (and liability) for all drainage and flooding related to storm flows
- Increase in insurance premiums
- Improving private property with City funds may arguably be an unconstitutional gift of public funds
- Increase NPDES exposure for downstream discharge
- Analysis to determine if scope of project is subject to CEQA review
- Additional training and/or certification required of City personnel
- Legal concerns with entering onto private property

-49-

Item No. 3



Challenges – Fiscal Issues

Estimate if City Performs Maintenance

- Estimated Cost:
 - \$7.10M (1st year)
 - \$3.60M (subsequent years)
- Funding Sources
 - City General Fund
 - Create a CFD
 - Form a Maintenance District



Current Protocol - Emergency Response Only

City Participation Limited to Emergency Response Only

- Estimated Cost:
 - Unknown until calls for service are received
- Funding Source is City General Fund for Emergency Services
- Possible Reimbursement from the Federal or State Government if a disaster declaration

Advisory Notifications

Notice to property Owners – Property Owner Responsibility

- Maintenance to be Resident Responsibility

– Estimated Cost:

- \$10,400 (1st Year)
- \$10,400 (subsequent years)
- For Mailings and Administrative Processing

– Funding Source is City General Fund

- Funding included in the FY13/14 Budget and FY14/15 Budget
- No Additional Funding required for Advisory Program

Private Property Owner Maintenance Example



Before



After

Typical Response from Public

- Inquiry About Drainage Course Location
- Inquiry About Compliance Requirements
 - Voluntary Compliance
 - Private Liability Issues
- Request for Technical Guidance/Inspection
 - Initial Inspections Provided Upon Request
- Request to Hire City Forces to Perform Work
 - Advised of Need to Hire Private Contractor
- Intent to Comply



Annual Advisory Program Overview

- 1st Advisory Notice: All parcels with drainage courses
- 2nd Advisory Notice: Parcels with history of breaching/flooding
- 3rd Inquiry Letter (Request for Action Plan):
Complaints
- Additional Support: Inspections upon request
- Efforts to Date: One cycle of 1st, 2nd, 3rd
Notices/Letters

Program Goals

- Due Diligence – Notification of Private Maintenance Responsibility & Potential Private Liability
 - Gain Voluntary Compliance
 - Mitigate Potential Flooding Threats
 - Ensure Properly Functioning Citywide Drainage System
- Educate Private Property Owners with Regards to Appropriate Regulatory Agency Assistance and Responsibilities
- Preserve City Rights for Emergency Response



Conclusion

- Satisfaction of City Council Request for a Proactive Program for Private Drainage Course Maintenance
- Follow-Up to the February 2, 2013 (Saturday) Study Session Council Request
- Proper Observation of Recognized Environmental, Legal and Fiscal Constraints
- Receive Council Input: Questions/Comments

This page intentionally left blank.