

TELECONFERENCED MEETING

CITY COUNCIL REGULAR MEETING – 6:00 PM

FEBRUARY 16, 2021

[Pursuant to Governor Executive Order N-29-20]

There Will Not Be a Physical Location for Attending the Meeting

The Public May Observe the Meeting and Offer Public Comment As Follows:

STEP 1

Install the Free Zoom App or Visit the Free Zoom Website at [<https://zoom.us/>](https://zoom.us/)

STEP 2

Get Meeting ID Number and Password by emailing zoom@moval.org or calling (951) 413-3001, no later than 5:00 p.m. on Tuesday, February 16, 2021

STEP 3

Select Audio Source

Computer Speakers/Microphone

or

Telephone

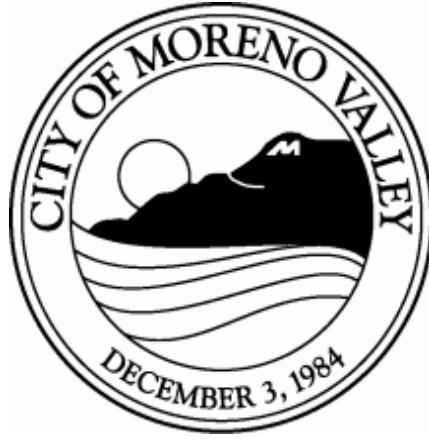
STEP 3

Public Comments May be Made Via Zoom

During the Meeting, the Mayor Will Explain the Process for Submitting Public Comments

ALTERNATIVE

If you do not wish to make public comments, you can view the meeting on Channel MVTV-3, the City's website at www.moval.org or YouTube



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
MORENO VALLEY PUBLIC FINANCING AUTHORITY
BOARD OF LIBRARY TRUSTEES

February 16, 2021

REGULAR MEETING – 6:00 PM

City Council Study Sessions

Second Tuesday of each month – 6:00 p.m.

City Council Meetings

Special Presentations – 5:30 P.M.

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

City Council Closed Sessions

Will be scheduled as needed at 4:30 p.m.

City Hall Council Chamber – 14177 Frederick Street

Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, in compliance with the Americans with Disabilities Act of 1990. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to the ADA Coordinator, at 951.413.3120 at least 72 hours before the meeting. The 72-hour notification will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Dr. Yxstian A. Gutierrez, Mayor

Victoria Baca, Mayor Pro Tem
Ulises Cabrera, Council Member

David Marquez, Council Member

**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
MORENO VALLEY PUBLIC FINANCING AUTHORITY
AND THE BOARD OF LIBRARY TRUSTEES**

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

REGULAR MEETING – 6:00 PM

FEBRUARY 16, 2021

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.

ROLL CALL

INTRODUCTIONS

SPECIAL ORDER OF BUSINESS

SPECIAL PRESENTATION OF A COMMENDATION TO MARSHALL EYERMAN

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

Any person wishing to address the Mayor and City Council on any matter, either under the Public Comments section of the Agenda or scheduled items or public hearings, must follow the procedures set forth above and wait to be identified to speak by the Mayor. Members of the public may be limited to three minutes per person or the allowed time set by the Mayor, except for the applicant. The Mayor may establish an overall time limit for comments on a particular Agenda item. Members of the public must direct their questions to the Mayor and not to other members of the City Council, the applicant, the Staff, or the audience.

JOINT CONSENT CALENDARS (SECTIONS A-E)

All items listed under the Consent Calendars, Sections A, B, C, D, and E 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 - THE MOTION TO ADOPT AN ORDINANCE LISTED ON THE CONSENT CALENDAR INCLUDES WAIVER OF FULL READING OF THE ORDINANCE.

Recommendation: Waive reading of all Ordinances.

- A.2. MINUTES - CITY COUNCIL - CLOSED SESSION - FEB 2, 2021 4:30 PM

Recommendation: Approve as submitted.

- A.3. MINUTES - CITY COUNCIL - REGULAR MEETING - FEB 2, 2021 6:00 PM

Recommendation: Approve as submitted.

- A.4. APPOINT A VOTING DELEGATE AND ALTERNATE DELEGATE TO THE SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS (SCAG) 2021 ANNUAL GENERAL ASSEMBLY (Mayor Pro Tem Baca - Delegate, Mayor Gutierrez - Alternate) (Report of: City Clerk)

Recommendations:

That the City Council:

1. Appoint a Delegate, Mayor Pro Tem Baca, and an Alternate, Mayor Gutierrez, to the Southern California Association of Governments (SCAG) Annual General Assembly on May 6, 2021.
2. Direct staff to submit the names to SCAG.

A.5. MAYORAL APPOINTMENTS TO THE PARKS, COMMUNITY SERVICES AND TRAILS COMMITTEE, PLANNING COMMISSION, LIBRARY COMMISSION, AND THE CITIZENS' PUBLIC SAFETY COMMITTEE (Report of: City Clerk)

Recommendation:

1. Receive and confirm the slate of Mayoral appointments as follows:

PARKS, COMMUNITY SERVICES AND TRAILS COMMITTEE

<u>Name</u>	<u>Position</u>	<u>Term</u>
Omar Ignacio Gonzalez, Jr.	Member	Ending 06/30/22

PLANNING COMMISSION

<u>Name</u>	<u>Position</u>	<u>Term</u>
Alvin De Johnette	Member	Ending 03/31/25

LIBRARY COMMISSION

<u>Name</u>	<u>Position</u>	<u>Term</u>
Ginger Baker	Member	Ending 06/30/23

CITIZEN'S PUBLIC SAFETY COMMITTEE

<u>Name</u>	<u>Position</u>	<u>Term</u>
Yakuba Brown	Member	Ending 06/30/21

The recommended appointee for the Citizens' Public Safety Committee was screened and interviewed by the Citizens' Public Safety Committee leaders consisting of Chair Mayor Pro Tem Baca and Vice Chair Council Member Thornton. The recommended appointee was also subject to a criminal background check which is standard practice for all applicants for any City advisory commission or committee.

A.6. LIST OF PERSONNEL CHANGES (Report of: Financial & Management Services)

Recommendation:

1. Ratify the list of personnel changes as described.

A.7. PAYMENT REGISTER- DECEMBER 2020 (Report of: Financial & Management Services)

Recommendation:

1. Receive and file the Payment Register.

A.8. ACCEPT THE U.S. DEPARTMENT OF THE TREASURY FUNDS AND IMPLEMENT AN EMERGENCY RENTAL ASSISTANCE PROGRAM (Report of: Financial & Management Services)

Recommendations:

1. Accept the U.S. Treasury Direct Allocation of Emergency Rental Assistance Program ("ERAP") funds and administer a program locally to provide direct financial assistance to low and moderate income households in the City affected by COVID-19.
2. Authorize the Chief Financial Officer to notify the State of California to serve our population under the State Program with our SB 91 allocation.
3. Award consulting agreement to Willdan Financial to provide Administration support for the Emergency Rental Assistance Program.
4. Authorize a budget amendment as set forth in the fiscal impact section.
5. Approve the City Manager discretion to reallocate ERAP funding between various qualified non-profit organizations as needed based on performance outcomes to expedite funding to our community through December 31, 2021.

A.9. DECLARING INTENTION TO PROVIDE FOR FUTURE ANNEXATION OF TERRITORY TO CITY OF MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 2014-01 (MAINTENANCE SERVICES) AND TO APPROVE THE THIRD AMENDED AND RESTATED RATE AND METHOD OF APPORTIONMENT FOR THE DISTRICT (Report of: Financial & Management Services)

Recommendation:

1. Adopt Resolution No. 2021-_____. A Resolution of the City Council of the City of Moreno Valley, California, Declaring its Intention to Provide for Future Annexation of Territory to City of Moreno Valley Community Facilities District No. 2014-01 (Maintenance Services) and to Amend and Restate the Rate and Method of Apportionment for the District and to Designate Tax Rate Areas No. TC-01 (Traffic Circle Landscaping Without Monument/Signage Features for Single-Family Residential),

TC-02 (Traffic Circle Landscaping With Monument/Signage Features for Single-Family Residential), TC-03 (Traffic Circle Landscaping Without Monument/Signage Features for Property Other than Single-Family Residential), TC-04 (Traffic Circle Landscaping With Monument/Signage Features for Property Other than Single-Family Residential), and SD-01 (Street Maintenance and Drainage for Single-Family Residential) and to Revise the Rate Structure for SL-01 (Single-Family Residential Street Lighting).

A.10. RESOLUTION APPOINTING CITY TREASURER (Report of: City Manager)

Recommendation:

1. Adopt Resolution No. 2021-___ Appointing a City Treasurer.

A.11. AUTHORIZATION TO AWARD A CONSTRUCTION CONTRACT TO ALFARO COMMUNICATIONS CONSTRUCTION, INC. FOR SOUTH LASSELLE STREET SAFETY CORRIDOR IMPROVEMENT, PROJECT NO. 808 0026 (Report of: Public Works)

Recommendations:

1. Award a construction contract to Alfaro Communications Construction, Inc. for the South Lasselle Street Safety Corridor Improvement project and authorize the City Manager to execute a contract with Alfaro Communications Construction, Inc. in substantial conformance with the attached contract in the amount of \$303,680.00 for the construction of the project, funded by Highway Safety Improvement Program (HSIP) grant;
2. Authorize the issuance of a Purchase Order for Alfaro Communications Construction, Inc. in the amount of \$334,048.00 (bid amount plus a 10% contingency) when the contract has been signed by all parties; and
3. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract, but not exceeding the total contingency of \$30,368.00, subject to the approval of the City Attorney.

- A.12. PEN17-0143 – ADOPTION OF THE PROPOSED RESOLUTION FOR THE SUMMARY VACATION OF A NORTHERLY PORTION OF BRODIAEA AVENUE LOCATED WEST OF HEACOCK STREET DEVELOPER: ALERE PROPERTY GROUP, LLC (Report of: Public Works)

Recommendations:

1. Adopt Resolution No. 2021-XX a Resolution of the City Council of the City of Moreno Valley, California, Ordering the Summary Vacation of a Northerly Portion of Brodiaea Avenue Located on the North Side of Brodiaea Avenue West of Heacock Street; and
2. Direct the City Clerk to certify said resolution and transmit a copy of the resolution to the County Recorder's office for recording.

- A.13. PEN18-0254 HIGHLAND FAIRVIEW CORPORATE PARK, PHASE II - REQUEST TO AMEND THE ROAD CLOSURE AGREEMENT, A FULL ROAD CLOSURE OF EUCALYPTUS AVENUE BETWEEN REDLANDS BOULEVARD AND ALDI PLACE. DEVELOPER: HIGHLAND FAIRVIEW (Report of: Public Works)

Recommendations:

1. Approve an amendment to the Road Closure Agreement for the temporary full road closure of Eucalyptus Avenue between Redlands Boulevard and Aldi Place;
2. Authorize the Public Works Director/City Engineer to execute the Amendment to the Road Closure Agreement to allow the road closure to remain in place until April 9, 2021; and
3. Authorize the Public Works Director/City Engineer to approve a road closure extension of 30 calendar days, if the required public improvements are not complete within said timeframe.

- A.14. APPROVE PROFESSIONAL SERVICES AGREEMENT WITH ICE BEAR SPV#1 LLC, DBA THULE ENERGY STORAGE (Report of: Public Works)

Recommendations:

1. Approve the five-year Professional Services Agreement with Ice Bear SPV#1, LLC, dba Thule Energy Storage (TES) for the installation of one Ice Bear 20 and the maintenance for all City-owned Ice Bear units in an amount not-to-exceed \$64,568 over the contract period, using Moreno Valley Utility Public Purpose Program funds; and
2. Authorize the City Manager to execute the Agreement with TES and authorize the Director of Public Works/City Engineer to execute any subsequent related amendments to the agreement with TES not to exceed the authorized total contract amount, subject to the approval by the City Attorney.

- A.15. SECOND READING AND CONSIDERATION OF ADOPTION OF ORDINANCE 977 FOR A CHANGE OF ZONE FROM RESIDENTIAL 5 (R5) TO RESIDENTIAL SINGLE-FAMILY 10 (RS10) FOR PROPERTY LOCATED ON THE SOUTH SIDE OF IRIS AVENUE EAST OF PERRIS BOULEVARD 312-020-025 (ORD. NO. 977) (Report of: Community Development)

Recommendation: That the City Council:

1. Conduct the second reading by title only and adopt Ordinance No. 977.

- A.16. SECOND READING AND CONSIDERATION OF ADOPTION OF ORDINANCE 978 FOR A SPECIFIC PLAN 205 AMENDMENT TO AMEND THE LAND USE DESIGNATION OF THE 9.96-ACRE PROJECT SITE WITHIN THE MORENO VALLEY FESTIVAL SPECIFIC PLAN 205 FROM SP205 RETAIL COMMERCIAL TO SP205 MIXED USE FOR THE PROPERTY LOCATED ON THE SOUTHEAST CORNER OF HEACOCK STREET AND IRONWOOD AVENUE (Report of: Community Development)

Recommendation:

1. Conduct the second reading by title only and adopt Ordinance No. 978.

- A.17. APPROVE AND EXECUTE THE AGREEMENT FOR CONVEYANCE OF REAL PROPERTY FOR THE ACQUISITION OF APN 482-020-064 (Report of: Financial & Management Services)

Recommendations: That the City Council and Housing Authority:

1. Approve the Agreement for Conveyance of Property for acquisition of APN 482-020-064 for a future Fire Station site.
2. Authorize the purchase of APN 482-020-064 for a total expenditure amount of \$435,000.
3. Authorize the transfer of \$435,000 from the Fire Departments Development Impact Fee (DIF) Fund (2903) as set forth in the Fiscal Impact section of this report.
4. Authorize the City Manager to execute any agreements or documents as necessary to transfer property, subject to the approval of the City Attorney.

A.18. SUPPLEMENTAL LAW ENFORCEMENT SERVICES ACCOUNT (SLESA) EXPENDITURE PLAN FOR FY 20-21 (Report of: Police Department)

Recommendations:

1. Accept the Supplemental Law Enforcement Services Account (SLESA) grant award for FY 20-21 for frontline municipal police services.
2. Approve an increase of \$148,879 to the SLESA Grant Fund (Fund 2410) FY 20-21 *revenue* budget to reflect the total FY 20-21 allocation of \$496,317
3. Approve an increase of \$148,879 to the SLESA Grant Fund (Fund 2410) FY 20-21 *expenditure* budget to reflect the FY 20-21 planned expenditure of \$496,317.

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

- B.1. ORDINANCES - READING BY TITLE ONLY - THE MOTION TO ADOPT AN ORDINANCE LISTED ON THE CONSENT CALENDAR INCLUDES WAIVER OF FULL READING OF THE ORDINANCE.

Recommendation: Waive reading of all Ordinances.

- B.2. MINUTES - CITY COUNCIL - CLOSED SESSION - FEB 2, 2021 4:30 PM (See A.2)

Recommendation: Approve as submitted.

- B.3. MINUTES - CITY COUNCIL - REGULAR MEETING - FEB 2, 2021 6:00 PM (See A.3)

Recommendation: Approve as submitted.

C. CONSENT CALENDAR - HOUSING AUTHORITY

- C.1. ORDINANCES - READING BY TITLE ONLY - THE MOTION TO ADOPT AN ORDINANCE LISTED ON THE CONSENT CALENDAR INCLUDES WAIVER OF FULL READING OF THE ORDINANCE.

Recommendation: Waive reading of all Ordinances.

- C.2. MINUTES - CITY COUNCIL - CLOSED SESSION - FEB 2, 2021 4:30 PM (See A.2)

Recommendation: Approve as submitted.

- C.3. MINUTES - CITY COUNCIL - REGULAR MEETING - FEB 2, 2021 6:00 PM (See A.3)

Recommendation: Approve as submitted.

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

- D.1. ORDINANCES - READING BY TITLE ONLY - THE MOTION TO ADOPT AN ORDINANCE LISTED ON THE CONSENT CALENDAR INCLUDES WAIVER OF FULL READING OF THE ORDINANCE.

Recommendation: Waive reading of all Ordinances.

- D.2. MINUTES - CITY COUNCIL - CLOSED SESSION - FEB 2, 2021 4:30 PM
(See A.2)

Recommendation: Approve as submitted.

- D.3. MINUTES - CITY COUNCIL - REGULAR MEETING - FEB 2, 2021 6:00 PM
(See A.3)

Recommendation: Approve as submitted.

E. CONSENT CALENDAR - PUBLIC FINANCING AUTHORITY

- E.1. ORDINANCES - READING BY TITLE ONLY - THE MOTION TO ADOPT AN ORDINANCE LISTED ON THE CONSENT CALENDAR INCLUDES WAIVER OF FULL READING OF THE ORDINANCE.

Recommendation: Waive reading of all Ordinances.

- E.2. MINUTES - CITY COUNCIL - CLOSED SESSION - FEB 2, 2021 4:30 PM
(See A.2)

Recommendation: Approve as submitted.

- E.3. MINUTES - CITY COUNCIL - REGULAR MEETING - FEB 2, 2021 6:00 PM
(See A.3)

Recommendation: Approve as submitted.

F. 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 follow the teleconference procedures.

- F.1. PUBLIC HEARING AND RESOLUTION ADJUSTING DEVELOPMENT IMPACT FEES FOR RESIDENTIAL AND COMMERCIAL & INDUSTRIAL DEVELOPMENT (Report of: Public Works)

Recommendations:

1. Conduct a Public Hearing for the adjustment of the City of Moreno Valley Development Impact Fees for Residential and Commercial & Industrial Development;

2. Adopt Resolution No. 2021- XXXX adjusting Development Impact Fees for Residential and Commercial & Industrial Development; and
3. Direct staff to finalize an update to the 2012 Development Impact Fee Nexus Study.

F.2. MUNICIPAL CODE AMENDMENT MODIFYING CHAPTER 3.48 “WESTERN RIVERSIDE COUNTY MULTIPLE SPECIES HABITAT CONSERVATION FEE PROGRAM.” (Report of: Community Development)

Recommendations:

1. Introduce and conduct the first reading of Ordinance No. XXX amending Chapter 3.48 “Western Riverside County Multiple Species Habitat Conservation Plan Fee Program” of Title 3 the City of Moreno Valley Municipal Code to update the Local Development Mitigation Fee, which is a pass-through fee for the Western Riverside County Regional Conservation Authority (RCA), for funding the preservation of natural ecosystems in accordance with the Western Riverside County Multiple Species Habitat Conservation Plan;
2. Schedule the second reading and adoption of Ordinance No. XXX for the next regular Council meeting; and
3. Adopt Resolution No. 2021-XX. A Resolution of the City Council of the City of Moreno Valley, California, approving an increase to the Multiple Species Habitat Conservation Plan (MSHCP) Local Development Mitigation Fee.

G. GENERAL BUSINESS

G.1. FISCAL YEAR 2020/21 MID-YEAR BUDGET REVIEW AND APPROVAL OF THE FY2020/21 MID-YEAR BUDGET AMENDMENTS (Report of: Financial & Management Services)

Recommendations: That the City Council:

1. Receive and file the Fiscal Year 2020/21 Mid-Year Budget Review.
2. Adopt Resolution No. 2021-XX. A resolution of the City Council of the City of Moreno Valley, California, adopting the revised budgets for fiscal year 2020/21.
3. Approve the revised City Position Summary.
4. Approve the Job Class Specification for the Principal Engineer.

Recommendation: That the CSD:

1. Adopt Resolution No. CSD 2020-XX. A resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, adopting the revised operating and capital budgets for Fiscal Year (FY) 2020/21.

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

I. REPORTS

I.1. CITY COUNCIL REPORTS

(Informational Oral Presentation - not for Council action)

March Joint Powers Commission (JPC)

Riverside County Habitat Conservation Agency (RCHCA)

Riverside County Transportation Commission (RCTC)

Riverside Transit Agency (RTA)

Western Riverside Council of Governments (WRCOG)

Western Riverside County Regional Conservation Authority (RCA)

School District/City Joint Task Force

I.2. CITY MANAGER'S REPORT

(Informational Oral Presentation - not for Council action)

CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL, COMMUNITY SERVICES DISTRICT, CITY AS SUCCESSOR AGENCY FOR THE COMMUNITY REDEVELOPMENT AGENCY, HOUSING AUTHORITY, PUBLIC FINANCING AUTHORITY, AND THE BOARD OF LIBRARY TRUSTEES.

ADJOURNMENT

PUBLIC INSPECTION

The contents of the agenda packet are available for public inspection on the City's website at www.moval.org and in the City Clerk's office at 14177 Frederick Street during normal business hours.

Any written information related to an open session agenda item that is known by the City to have been distributed to all or a majority of the City Council less than 72 hours prior to this meeting will be made available for public inspection on the City's website at www.moval.org and in the City Clerk's office at 14177 Frederick Street during normal business hours.

CERTIFICATION

I, Pat Jacquez-Nares, City Clerk of the City of Moreno Valley, California, certify that 72 hours prior to this Regular Meeting, the City Council Agenda was posted on the City's website at: www.moval.org and in the following three public 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

Pat Jacquez-Nares, CMC & CERA
City Clerk

Date Posted: February 11, 2021

**MINUTES
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 PUBLIC FINANCING AUTHORITY
MORENO VALLEY HOUSING AUTHORITY**

CLOSED SESSION – 4:30 PM

February 2, 2021

CALL TO ORDER

The Closed 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, Housing Authority, and the Moreno Valley Public Financing Authority was called to order at 4:36 p.m. by Mayor Gutierrez in the Council Chamber located at 14177 Frederick Street, Moreno Valley, California.

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

ROLL CALL

Council:	Dr. Yxstian A. Gutierrez	Mayor
	Victoria Baca	Mayor Pro Tem
	David Marquez	Council Member
	Ulises Cabrera	Council Member

PUBLIC COMMENTS ON MATTERS ON THE AGENDA ONLY

Mayor Gutierrez opened the public comments portion of the meeting for items listed on the agenda only. There being no members of the public to come forward to speak, he closed the public comments.

CLOSED SESSION

Interim City Attorney Quintanilla announced that the City Council would recess to Closed Session to discuss the item as listed on the agenda and that he did not anticipate any reportable action.

The Closed Session will be held pursuant to Government Code:

Minutes Acceptance: Minutes of Feb 2, 2021 4:30 PM (CONSENT CALENDAR-CITY COUNCIL)

1 SECTION 54957.6 - LABOR NEGOTIATIONS

- a) Agency Representative: Mike Lee, City Manager & Marshall Eyerman, Assistant City Manager Chief Financial Officer/City Treasurer
Employee Organization: Moreno Valley City Employees Association (MVCEA)
- b) Agency Representative: Mike Lee, City Manager & Marshall Eyerman, Assistant City Manager Chief Financial Officer/City Treasurer
Employee Organization: Moreno Valley Management Association (MVMA)
- c) Agency Representative: Mike Lee, City Manager & Marshall Eyerman, Assistant City Manager Chief Financial Officer/City Treasurer
Employee Organization: Moreno Valley Confidential Management Employee's Association (MVCMEA)

Mayor Gutierrez recessed the City Council to the City Manager's Conference Room, second floor, City Hall, for their Closed Session at 4:38 p.m.

Mayor Gutierrez reconvened the City Council in the Council Chamber from their Closed Session at 5:58 p.m.

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

Interim City Attorney Quintanilla announced that there was no reportable action taken in Closed Session.

ADJOURNMENT

There being no further business to come before the City Council, Mayor Gutierrez adjourned the meeting at 5:58 p.m.

Minutes Acceptance: Minutes of Feb 2, 2021 4:30 PM (CONSENT CALENDAR-CITY COUNCIL)

Submitted by:

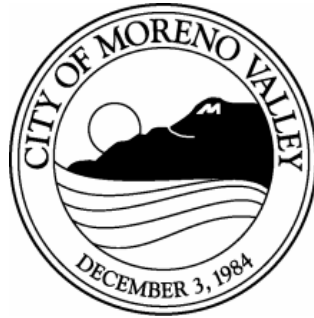
Pat Jacquez-Nares, CMC & CERA
 City Clerk
 Secretary, Moreno Valley Community Services District
 Secretary, City as Successor Agency for the Community
 Redevelopment Agency of the City of Moreno Valley
 Secretary, Moreno Valley Housing Authority
 Secretary, Board of Library Trustees
 Secretary, Public Financing Authority

Approved by:

Dr. Yxstian A. Gutierrez
 Mayor
 City of Moreno Valley
 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
 Chairperson, Public Financing Authority

**MINUTES
CITY COUNCIL REGULAR MEETING OF THE CITY OF MORENO VALLEY
February 2, 2021**

TELECONFERENCED MEETING



**CITY COUNCIL REGULAR MEETING - 6:00 PM
FEBRUARY 2, 2021
[Pursuant to Governor Executive Order N-29-20]**

There Will Not Be a Physical Location for Attending the Meeting

The Public May Observe the Meeting and Offer Public Comment As Follows:

STEP 1

Install the Free Zoom App or Visit the Free Zoom Website at [<https://zoom.us/>](https://zoom.us/)

STEP 2

Get Meeting ID Number and Password by emailing zoom@moval.org
[<mailto:zoom@moval.org>](mailto:zoom@moval.org) or calling (951) 413-3001

STEP 3

Select Audio Source

*Computer Speakers/Microphone
or
Telephone*

STEP 3

Public Comments May be Made Via Zoom

During the Meeting, the Mayor Will Explain the Process for Submitting Public Comments

ALTERNATIVE

If you do not wish to make public comments, you can view the meeting on Channel MVTV-3, the City's website at www.moval.org or YouTube

**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
MORENO VALLEY PUBLIC FINANCING AUTHORITY
BOARD OF LIBRARY TRUSTEES**

REGULAR MEETING – 6:00 PM

February 2, 2021

CALL TO ORDER

The Joint Meeting of the City Council, Community Services District, City as Successor Agency for the Community Redevelopment Agency of the City of Moreno Valley, Moreno Valley Housing Authority, Moreno Valley Public Financing Authority and the Board of Library Trustees was called to order at 6:06 p.m. by Mayor Gutierrez in the Council Chamber located at 14177 Frederick Street.

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

ROLL CALL

Council:	Dr. Yxstian A. Gutierrez	Mayor
	Victoria Baca	Mayor Pro Tem
	David Marquez	Council Member
	Ulises Cabrera	Council Member

INTRODUCTIONS

Staff:	Pat Jacquez-Nares	City Clerk
	Steve Quintanilla	Interim City Attorney
	Mike Lee	City Manager
	Marshall Eyerman	Assistant City Manager/Chief Financial Officer
	Michael Wolfe	Assistant City Manager/Director of Public Works/City Engineer
	Manuel Mancha	Community Development Director
	Patti Solano	Parks & Community Services Director
	John Salisbury	Chief of Police
	Abdul Ahmad	Fire Chief

Minutes Acceptance: Minutes of Feb 2, 2021 6:00 PM (CONSENT CALENDAR-CITY COUNCIL)

Mayor Gutierrez requested a moment of silence in memory of Council Member Dr Carla J. Thornton. He remarked that he and her family would meet to determine the best way to memorialize her. He lamented her loss.

Mayor Pro Tem Baca commented on the friendship she developed with Council Member Thornton and sent her condolences to her family and friends.

Council Member Marquez offered his condolences to Coral Thornton and recounted his fond memories of Council Member Thornton.

Council Member Cabrera recalled the last time he saw Council Member Thornton, commended her intelligence and impact, and sent his condolences to her family. He requested that the demonstration garden be named in her honor.

City Manager Lee remarked that he will always remember Council Member Thornton's positivity and humor.

Interim City Attorney Quintanilla lauded Council Member Thornton's character and expressed his belief that her accomplishments would inspire others.

1. PROPOSED GENERAL PLAN AMENDMENT, CHANGE OF ZONE, TENTATIVE TRACT MAP 37909, AND CONDITIONAL USE PERMIT FOR A 81-UNIT SINGLE FAMILY RESIDENTIAL PROJECT, IRIS PARK LOCATED ON IRIS AVENUE EAST OF PERRIS BOULEVARD (PROJECT 1) AND GENERAL PLAN AMENDMENT, SPECIFIC PLAN 205 AMENDMENT, AND PLOT PLAN FOR A 220,390 SQUARE FOOT LIGHT INDUSTRIAL BUILDING, THE DISTRICT LOCATED ON THE SOUTHEAST CORNER OF HEACOCK STREET AND IRONWOOD AVENUE (PROJECT 2). (RESO. NOS. 2021-06 - 10, ORD. NO. 977) (Report of: Community Development)

Associate Planner Descoteaux provided the report.

Mayor Gutierrez asked about the timeline for the installation of the landscaping for project 2 and if there are restrictions on delivery times.

Associate Planner Descoteaux responded that landscaping is generally assumed at total 15 years, but doesn't normally take that long and that the ordinance does not regulate deliveries, but rather noise levels.

Council Member Cabrera queried how warehouse delivery limitations can be implemented and emphasized his assertion that semi-trucks should not be allowed on Ironwood and that the noise resulting from the warehouse will need to be mitigated and noted that the project will meet the LEED Silver equivalent rating. He requested an explanation of the difference between LEED Silver certified and equivalent.

Associate Planner Descoteaux remarked that it could be accomplished with a development agreement or by writing that stipulation into the specific plan.

Community Development Director Mancha provided the distinction.

Council Member Marquez asked when the traffic and noise studies were completed.

Associate Planner Descoteaux explained that they were initially completed in 2018, but recently updated.

Interim City Attorney Quintanilla expounded on the items that are measured within the LEED rating system.

Associate Planner Descoteaux reported that the LEED Silver equivalent is not currently a condition of approval, but can be included.

Senior Planner Kelleher stated that the applicant updated the traffic and noise study in 2020 and it was reviewed by the Transportation Department.

Council Member Cabrera requested confirmation that one of the conditions of the project is that it be LEED Silver equivalent.

Associate Planner Descoteaux stated that the requirement will be added to the conditions of approval.

Mayor Gutierrez opened the Public Hearing at 6:45 p.m.

Oscar Graham, project #1 applicant, thanked Staff and the City Council for their guidance throughout the application process.

Council Member Cabrera inquired as to the presence of deterrence lighting within the proposed park to discourage loitering.

Mark Schattinger, the landscape architect, detailed the lighting design.

Council Member Marquez remarked that normally he meets with developers proposing projects within the City, but in this instance he wasn't even aware of the project until City Manager Lee informed him. He praised the inclusion of a park.

Ryan Martin, project #2 applicant, described the project, he noted that he is willing to ensure LEED Silver equivalence and to include more mature trees.

Jimmy Elrod, Julio Flores, Omar Cobian, Mike Dea, Jayson Baiz, Jan Zupardo, Jose Garcia, David Cordero, Juan Munoz, Brittney Goodrich, Maritza Quinones, Felipe Delgadillo, Alex Zamora, Louise Palomarez support Item No. F.2, project 2.

Keri Then, Robert Then, and Tom Thornsley oppose Item No. F.2, project 2. Oscar Graham expressed his appreciation of the support he received.

Ryan Martin explained that the project was a collaborative effort and refuted the claim that property values would decrease.

There being no further comments in support or opposition, Mayor Gutierrez closed the Public Hearing at 7:39 p.m.

Mayor Gutierrez voiced his support of the project and stated that he is open to amending the conditions of approval to include the LEED Silver equivalence and mature trees.

Mayor Pro Tem Baca thanked the developers for selecting Moreno Valley as the site of their projects. She expressed her support of the project.

Council Member Cabrera thanked Oscar Graham for choosing his District to locate his project and indicated his support for project 1. He thanked Ryan Martin for the revitalizing the District. He indicated his intention to move to approve the project on the condition that it be LEED Silver equivalent and require more mature landscaping.

Council Member Marquez thanked Oscar Graham for proposing to develop homes in Moreno Valley. He thanked Ryan Martin for the reinvigorating the shopping center. He expressed his concerns with project 2 and his trepidation with approving the project as is.

Recommendations:

1. ADOPT Resolution 2021-06: A Resolution of the City Council of the City of Moreno Valley CERTIFYING that the Initial Study/Mitigated Negative Declaration prepared for General Plan Amendment PEN20-0066, Change of Zone PEN20-0067, Tentative Tract Map 37909 PEN20-0063 and Conditional Use Permit PEN20-0065 on file with the Community Development Department, incorporated herein by this reference, was completed in compliance with the California Environmental Quality Act Guidelines, and that the City Council reviewed and considered the information contained in the Initial Study/ Mitigated Negative Declaration and that the document reflects the City's independent judgment and analysis, and ADOPTING the Mitigation Monitoring and Reporting Program prepared for the above-referenced Mitigated Negative Declaration (Project #1, Iris Park); and
2. ADOPT Resolution 2021-07: A Resolution of the City Council of the City of Moreno Valley CERTIFYING that the Initial Study/Mitigated Negative Declaration, prepared for General Plan Amendment PEN20-0139, Specific Plan 205 Amendment PEN20-0138, and Plot Plan PEN20-0137, on file with the Community Development Department, incorporated herein by this reference, was completed in compliance with the California Environmental Quality Act Guidelines, and that the City Council reviewed and considered the information contained in the

Initial Study/ Mitigated Negative Declaration, and that the document reflects the City's independent judgment and analysis, and ADOPTING the Mitigation Monitoring and Reporting Program prepared for the above-referenced Mitigated Negative Declaration (Project #2, The District); and

3. ADOPT Resolution 2021-08: A Resolution of the City Council of the City of Moreno Valley approving a General Plan Amendment based on the Recitals, Evidence contained in the Administrative Record and Findings as set for the in Resolution No. 2021-08 to amend the General Plan Land Use map as described in the Resolution, based on the findings contained in the Resolution, and the revised Land Use Maps for PEN20-0066 (Project #1, Iris Park) and PEN20-0139 (Project #2, The District); and

Project #1, Iris Park

4. INTRODUCE and conduct the first reading by title only of Ordinance No. 977, approving a Change of Zone PEN20-0067 to amend the City Zoning Atlas based on the Recitals, Evidence contained in the Administrative Records and Findings as set forth in Ordinance No.977; and
5. ADOPT Resolution No. 2021-09, A Resolution of the City Council of the City of Moreno Valley approving Tentative Tract Map 37909, PEN20-0063 based on the findings contained in this resolution, and subject to the conditions of approval included as Exhibit A; and
6. ADOPT Resolution No. 2021-10, A Resolution of the City Council of the City of Moreno Valley approving Conditional Use Permit PEN20-0065 based on the findings contained in this resolution, and subject to the conditions of approval included as Exhibit A; and

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Victoria Baca, Mayor Pro Tem
SECONDER:	Ulises Cabrera, Council Member
AYES:	Dr. Yxstian A. Gutierrez, Victoria Baca, David Marquez, Ulises Cabrera

Project #2, The District

7. INTRODUCE and conduct the first reading by title only of Ordinance No. 978, approving a Specific Plan 205 Amendment PEN20-0138 to amend the Specific Plan 205 based on the Recitals, Evidence contained in the Administrative Records and Findings as set forth in Ordinance No. 978; and
8. ADOPT Resolution No. 2021-11 AS AMENDED, A Resolution of the City Council of the City of Moreno Valley approving Plot Plan PEN20-

0137 based on the findings contained in this resolution, and subject to the conditions of approval included as Exhibit A; and

9. SCHEDULE the second reading and adoption of Ordinance Nos. 977 and 978 for the next regular City Council meeting.

RESULT:	RESULT: APPROVED [3 TO 1]
MOVER:	Victoria Baca, Mayor Pro Tem
SECONDER:	Ulises Cabrera, Council Member
AYES:	Dr. Yxstian A. Gutierrez, Victoria Baca, Ulises Cabrera
NAYS:	David Marquez

Mayor Gutierrez recessed the meeting at 8:00 p.m.

Mayor Gutierrez reconvened the meeting at 8:05 p.m.

SPECIAL ORDER OF BUSINESS

Jill Larner, with CalRecycle provided the report.

Mayor Pro Tem Baca asked about the continuity of services.

Jill Larner mentioned the 3-bin collection system.

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

Angel Lopez

1. Criticized the proposed agreement with Kimley-Horn.

Tahir Chaudhry

1. Urged the City Council to provide semi-truck parking on the Eastern side of the City.

Robert Then

1. Mourned the loss of Council Member Thornton.

Tom Thornsley

1. Thanked the Maintenance and Operations department for clearing the streets of debris.
2. Praised Code for alerting property owners when their lots require clearing.
3. Lamented the lack of solutions to address the litter problem.

Bob Palomarez

1. Expressed his condolences to Council Member Thornton's family.
2. Critical of the program introduced by Jill Larner.

Louise Palomarez

1. Grieved for the loss of Council Member Thornton.

JOINT CONSENT CALENDARS (SECTIONS A-E)

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Victoria Baca, Mayor Pro Tem
SECONDER:	Ulises Cabrera, Council Member
AYES:	Dr. Yxstian A. Gutierrez, Victoria Baca, David Marquez, Ulises Cabrera

A. CONSENT CALENDAR-CITY COUNCIL

- A.1. ORDINANCES - READING BY TITLE ONLY - THE MOTION TO ADOPT AN ORDINANCE LISTED ON THE CONSENT CALENDAR INCLUDES WAIVER OF FULL READING OF THE ORDINANCE.

Recommendation: Waive reading of all Ordinances.

- A.2. City Council - Closed Session - Jan 19, 2021 5:00 PM

Recommendation: Approve as submitted.

- A.3. City Council - Regular Meeting - Jan 19, 2021 6:00 PM

Recommendation: Approve as submitted.

- A.4. COUNCIL DISCRETIONARY EXPENDITURE REPORTS FOR FISCAL YEAR 2020/2021 FROM JULY 1, 2020 THROUGH DECEMBER 31, 2020 (Report of: City Clerk)

Recommendation:

1. Receive and file the Fiscal Year 2020/2021 Council Discretionary Expenditure Report for July 1, 2020 through December 31, 2020.

- A.5. RECEIPT OF QUARTERLY INVESTMENT REPORT FOR THE QUARTER ENDED DECEMBER 31, 2020 (Report of: Financial & Management Services)

Recommendation:

1. Receive and file the Quarterly Investment Report for quarter ended December 31, 2020, in compliance with the City's Investment Policy.

A.6. COVID-19 PANDEMIC RESOLUTIONS EXTENDING THE LOCAL STATE OF EMERGENCY AND CERTAIN EMERGENCY MEASURES (RESO. NO. 2021-02) (Report of: Financial & Management Services)

Council Member Marquez inquired as to the extension and funding of the Great Plates program.

City Manager Lee responded that although Riverside County has terminated their program, Moreno Valley's will continue, with a majority of the funding from FEMA.

Recommendations:

1. That the City Council adopt a Resolution Extending the Local State of Emergency and Certain Emergency Measures related to the Local, State and National Declarations of a State of Emergency related to the COVID-19 Pandemic.
2. Authorize the City Manager to amend any agreements as necessary to continue the operation of the State of California's Great Plates Delivered program, locally known as Senior Eats.

A.7. PURSUANT TO LANDOWNER PETITION, ANNEX CERTAIN PARCELS INTO COMMUNITY FACILITIES DISTRICT NO. 2014-01 (MAINTENANCE SERVICES) - AMENDMENT NO. 54 (RESO. NO. 2021-03) (Report of: Financial & Management Services)

Recommendation:

1. Acting as the legislative body of Community Facilities District No. 2014-01 (Maintenance Services), adopt Resolution No. 2021-03, a Resolution of the City Council of the City of Moreno Valley, California, ordering the annexation of territory to City of Moreno Valley Community Facilities District No. 2014-01 (Maintenance Services) and approving the amended map for said District. (Amendment No. 54). (PEDROHYPJVC, LLC, located on the north side of Kalmia Ave., west of Lasselle St.).

- A.8. AUTHORIZATION TO AWARD A PROFESSIONAL CONSULTANT SERVICES AGREEMENT TO TKE ENGINEERING, INC. FOR CONSTRUCTION MANAGEMENT OF THE CIVIC CENTER ELECTRONIC MARQUEE SIGN, PROJECT NO. 803 0044 AND THE CIVIC CENTER DEMONSTRATION GARDEN PROJECT NO. 807 0049 (AGMT. NO. 2021-13) (Report of: Public Works)

Recommendations:

1. Award an Agreement for Professional Consultant Services to TKE Engineering, Inc. to provide construction management, construction support, and inspection for the Civic Center Electronic Marquee Sign and the Civic Center Demonstration Garden project construction;
2. Authorize the issuance of a Purchase Order to TKE Engineering, Inc. in the amount of \$191,048 (\$173,680 proposed amount plus a 10% contingency) when the agreement has been signed by all parties. The Projects are fully funded by Park and Community Services (PCS) Capital Project Funds (3015) and Facility Construction Capital Funds (3000);
3. Authorize the City Manager to execute the contract, in substantial conformance with the attached template, with TKE Engineering, Inc., subject to minor modifications and approval by the City Attorney; and
4. Authorize the Parks & Community Services (PCS) Director to execute any subsequent related amendments to the Agreement for Professional Consultant Services with TKE Engineering, Inc., not to exceed the Purchase Order amount, subject to the approval by the City Attorney.

- A.9. DECLARATION OF EXEMPT SURPLUS LAND AND APPROVAL OF PURCHASE AGREEMENT WITH EASTERN MUNICIPAL WATER DISTRICT INVOLVING THE EXCHANGE OF SURPLUS LAND BETWEEN THE CITY AND DISTRICT (RESO. NO. 2021-04, AGMT. NO. 2021-14) (Report of: Public Works)

Recommendations:

1. Adopt Resolution No. 2021-04 declaring portions of three parcels of land comprising 0.551 acres of land, which are owned in fee by the City of Moreno Valley, as "Exempt Surplus Lands" for purpose of selling portions of said parcels to the Eastern Municipal Water District for remediation and treatment of groundwater in and around the City of Moreno Valley to produce more potable water for consumer use;

2. Approve the sale of the subject Exempt Surplus Lands to the Eastern Municipal Water District for the development of a public well site as part of the District's Perris North Groundwater Program project; and
 3. Authorize the City Manager to execute the Purchase Agreement and Joint Escrow Instructions by and between the City of Moreno Valley and the Eastern Municipal Water District, which includes the exchange of land between the District and the City.
- A.10. ADOPT RESOLUTION NO. 2021-05, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING AN UPDATED WILDFIRE MITIGATION PLAN FOR MORENO VALLEY UTILITY (RESO. NO. 2021-05) (Report of: Public Works)

Recommendation:

1. Adopt Resolution No. 2021-05, a Resolution of the City Council of the City of Moreno Valley, California, approving an updated Wildfire Mitigation Plan for Moreno Valley Utility.
- A.11. AUTHORIZATION TO AWARD A CONSTRUCTION CONTRACT TO O'DUFFY BROTHERS, INC. FOR SUNNYMEAD - FLAMING ARROW DRIVE STORM DRAIN (SUNNYMEAD MDP LINE M-11 EXTENSION) – PROJECT NO. 804 0014 (AGMT. NO. 2021-15) (Report of: Public Works)

Recommendations:

1. Award a construction contract to O'Duffy Brothers, Inc. for the Sunnymead - Flaming Arrow Drive Storm Drain (Sunnymead MDP Line M-11 Extension) project and authorize the City Manager to execute a contract with O'Duffy Brothers, Inc. in substantial conformance with the attached contract in the amount of \$540,040 for the construction of the project, funded by Community Development Block Grant (CDBG) (Fund 2512), Riverside County Flood Control and Water Conservation District (RCFC&WCD) (Fund 3002), Measure A (Fund 2001), and Reimbursement Agreement with Eastern Municipal Water District (EMWD) (Fund 3002);
2. Authorize the issuance of a Purchase Order for O'Duffy Brothers, Inc. in the amount of \$594,044 (\$540,040 bid amount plus a 10% contingency) when the contract has been signed by all parties; and
3. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract, but not exceeding the total contingency of \$54,004, subject to the approval of the City Attorney.

B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT

- B.1. ORDINANCES - READING BY TITLE ONLY - THE MOTION TO ADOPT AN ORDINANCE LISTED ON THE CONSENT CALENDAR INCLUDES WAIVER OF FULL READING OF THE ORDINANCE.

Recommendation: Waive reading of all Ordinances.

- B.2. MINUTES - CITY COUNCIL - CLOSED SESSION - JAN 19, 2021 5:00 PM (See A.2)

Recommendation: Approve as submitted.

- B.3. MINUTES - CITY COUNCIL - REGULAR MEETING - JAN 19, 2021 6:00 PM (See A.3)

Recommendation: Approve as submitted.

- B.4. PURSUANT TO LANDOWNER PETITIONS, ANNEX CERTAIN PARCELS INTO COMMUNITY FACILITIES DISTRICT NO. 1 (PARK MAINTENANCE) - AS ANNEXATION NO. 2021-62 AND ANNEXATION NO. 2021-64 (RESO. NOS. CSD 2021-01 and 02) (Report of: Financial & Management Services)

Recommendations:

1. Acting as the legislative body of Community Facilities District No. 1 (Park Maintenance) adopt Resolution No. CSD 2021-01, a Resolution of the Board of Directors of the Moreno Valley Community Services District, California, ordering the annexation of territory for Annexation No. 2021-62 to its Community Facilities District No. 1 and approving the amended map for said District. (PEDROHYPJVC, LLC, located on the north side of Kalmia Ave., west of Lasselle St.).
2. Acting as the legislative body of Community Facilities District No. 1 (Park Maintenance) adopt Resolution No. CSD 2021-02, a Resolution of the Board of Directors of the Moreno Valley Community Services District, California, ordering the annexation of territory for Annexation No. 2021-64 to its Community Facilities District No. 1 and approving the amended map for said District. (ROC III CA Belago, located at the south side of John F. Kennedy Dr., east of Moreno Beach Dr.).

- B.5. APPROVE AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES WITH KIMLEY-HORN AND ASSOCIATES, INC., FOR DESIGN AND CONSTRUCTION SERVICES FOR MORENO VALLEY BARK PARK PROJECT NO. 807 0054 (FUNDED WITH PARK DIF FUNDS) (AGMT. NO. CSD 2021-02) (Report of: Parks & Community Services)

Council Member Cabrera inquired as to the status of the funding of the dog park. He suggested the demonstration garden located near the amphitheater as an alternative location.

Parks & Community Services Director Solano responded that the application period wouldn't close until March 12th and that the consultant services would be financed by development impact fees.

Recommendations:

1. Award an Agreement for Professional Consultant Services with Kimley-Horn and Associates, Inc., for the Moreno Valley Bark Park project.
2. Authorize the issuance of a purchase order in the amount of \$171,560 upon execution of the Agreement for Professional Consultant Services with Kimley-Horn and Associates, Inc. Funds are available in the Parks and Community Services (PCS) Capital Projects Fund (3015);
3. Authorize the City Manager to execute the contract with Kimley-Horn subject to minor modifications; and
4. Authorize the Parks and Community Services Director to execute subsequent Amendments to the Agreement within Council approved annual budgeted amounts, including the authority to authorize the associated purchase orders in accordance with the terms of the Agreement, subject to the approval of the City Attorney.

C. CONSENT CALENDAR - HOUSING AUTHORITY

- C.1. ORDINANCES - READING BY TITLE ONLY - THE MOTION TO ADOPT AN ORDINANCE LISTED ON THE CONSENT CALENDAR INCLUDES WAIVER OF FULL READING OF THE ORDINANCE.

Recommendation: Waive reading of all Ordinances.

- C.2. MINUTES - CITY COUNCIL - CLOSED SESSION - JAN 19, 2021 5:00 PM (See A.2)

Recommendation: Approve as submitted.

- C.3. MINUTES - CITY COUNCIL - REGULAR MEETING - JAN 19, 2021 6:00 PM
(See A.3)

Recommendation: Approve as submitted.

D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES

- D.1. ORDINANCES - READING BY TITLE ONLY - THE MOTION TO ADOPT AN ORDINANCE LISTED ON THE CONSENT CALENDAR INCLUDES WAIVER OF FULL READING OF THE ORDINANCE.

Recommendation: Waive reading of all Ordinances.

- D.2. MINUTES - CITY COUNCIL - CLOSED SESSION - JAN 19, 2021 5:00 PM
(See A.2)

Recommendation: Approve as submitted.

- D.3. MINUTES - CITY COUNCIL - REGULAR MEETING - JAN 19, 2021 6:00 PM
(See A.3)

Recommendation: Approve as submitted.

E. CONSENT CALENDAR - PUBLIC FINANCING AUTHORITY

- E.1. ORDINANCES - READING BY TITLE ONLY - THE MOTION TO ADOPT AN ORDINANCE LISTED ON THE CONSENT CALENDAR INCLUDES WAIVER OF FULL READING OF THE ORDINANCE.

Recommendation: Waive reading of all Ordinances.

- E.2. MINUTES - CITY COUNCIL - CLOSED SESSION - JAN 19, 2021 5:00 PM
(See A.2)

Recommendation: Approve as submitted.

- E.3. MINUTES - CITY COUNCIL - REGULAR MEETING - JAN 19, 2021 6:00 PM
(See A.3)

Recommendation: Approve as submitted.

F. PUBLIC HEARINGS

F.1. PUBLIC HEARING FOR FOUR NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM MAIL BALLOT PROCEEDINGS (Report of: Financial & Management Services)

Assistant City Manager/Chief Financial Officer Eyerman provided the report.

Mayor Gutierrez opened the Public Hearing at 8:50 p.m.

There being no comments in support or opposition, Mayor Gutierrez closed the Public Hearing at 8:50 p.m.

Recommendations: That the City Council:

1. Conduct the Public Hearing and accept public testimony for the mail ballot proceedings for the National Pollutant Discharge Elimination System (NPDES) Residential Regulatory Rate or Common Interest, Commercial, Industrial, and Quasi-Public Use Regulatory Rate to be applied to the property tax bill of the parcels identified herein for PEDROHYPJVC, LLC, located on the north side of Kalmia Ave., west of Lasselle St., Robles Bros Inv, located at 28200 War Admiral St., ROC III CA Belago, located on the south side of John F. Kennedy Dr., east of Moreno Beach Dr., and Ulman Harry & Gisela Living Trust Dated 11/22/82, located on the northeast corner of Resource Way and Corporate Way;
2. Direct the City Clerk to open and count the returned NPDES ballots;

RESULT:	APPROVED [UNANIMOUS]
MOVER:	David Marquez, Council Member
SECONDER:	Ulises Cabrera, Council Member
AYES:	Dr. Yxstian A. Gutierrez, Victoria Baca, David Marquez, Ulises Cabrera

3. Verify and accept the results of the mail ballot proceedings as maintained by the City Clerk on the Official Tally Sheet and if approved, set the rate and impose the NPDES Common Interest, Commercial, Industrial, and Quasi-Public Use Regulatory Rate or the Residential Regulatory Rate, as applicable, on the Assessor's Parcel Numbers as mentioned;
4. Receive and file the Official Tally Sheet with the City Clerk's office.

RESULT: APPROVED [UNANIMOUS]
MOVER: David Marquez, Council Member
SECONDER: Ulises Cabrera, Council Member
AYES: Dr. Yxstian A. Gutierrez, Victoria Baca, David Marquez, Ulises Cabrera

G. GENERAL BUSINESS - NONE

H. ITEMS REMOVED FROM CONSENT CALENDARS FOR DISCUSSION OR SEPARATE ACTION - NONE

I. REPORTS

I.1. CITY COUNCIL REPORTS

(Informational Oral Presentation - not for Council action)

March Joint Powers Commission (JPC) - Mayor Pro Tem Baca

Mayor Pro Tem Baca reported the following:

The Commission received a report from the legislative advocate on priorities and activities in Washington DC with the new administration.

We also heard an annual update on the March Inland Port Airport.

Finally, we approved the entitlement applications for a commercial project and an industrial project in the Meridian South Campus.

Riverside County Habitat Conservation Agency (RCHCA) - None

Riverside County Transportation Commission (RCTC) - None

Riverside Transit Agency (RTA) - Council Member Marquez

Council Member Marquez reported the following:

At its January 28th meeting, the RTA Board took action to modify underutilized and/or overlapping routes in their service area. This included ceasing service on Route 18, a portion of which serves Moreno Valley. Alternative RTA routes in Moreno Valley provide similar services to Route 18. For further information, as well as alternatives if this service change affects you, please contact the Riverside Transit Agency.

Western Riverside Council of Governments (WRCOG) - Mayor Pro Tem Baca

Mayor Pro Tem Baca reported the following:

- The Executive Committee approved Western Riverside Council of Government's (WRCOG) 2021/2022 Legislative Platform. In addition to the general advocacy goals to continue promoting quality of life and prosperity for Western Riverside County, the Platform identifies Housing and Economic Development as Priority Issue Areas.

Western Riverside County Regional Conservation Authority (RCA) - Council Member Marquez

Council Member Marquez reported the following:

- Moreno Valley's MSHCP fee collection totaled \$ 248,833.00 (133 residential and 9.9 acres of commercial/industrial permits) for the months of November and December 2020

School District/City Joint Task Force - None

I.2. CITY MANAGER'S REPORT

(Informational Oral Presentation - not for Council action)

City Manager Lee addressed a comment made by a public speaker regarding jobs. As a Council Member mentioned adopting a dog, he reminded residents that dogs are available for adoption at the Animal Shelter by appointment only.

CLOSING COMMENTS AND/OR REPORTS OF THE CITY COUNCIL, COMMUNITY SERVICES DISTRICT, CITY AS SUCCESSOR AGENCY FOR THE COMMUNITY REDEVELOPMENT AGENCY, HOUSING AUTHORITY, PUBLIC FINANCING AUTHORITY, AND THE BOARD OF LIBRARY TRUSTEES.

Council Member Marquez

1. He agreed with the public speaker who decried the illegal dumping issue and urged residents to report offenders.
2. Because of an increase in accidents, he called for additional DUI checkpoints.
3. He encouraged everyone to stay safe during the pandemic and reminded them that the City has hand sanitizer and masks available.

Council Member Cabrera

1. Discussed his intention to adopt a dog.
2. Expressed his support for providing semi-truck parking.
3. Attended the Riverside County Board of Supervisors meeting to request a vaccination site in Moreno Valley.
4. Reported that Governor Newsom appropriated funds for rental assistance in addition to Federal assistance.

5. Noted that the Biden Administration created a climate action office and commission.
6. Requested and received support to obtain bids for the purchase of license plate readers for the Police Department.

Mayor Pro Tem Baca

1. Announced that on Friday, February 5th, the City would hold a memorial for Council Member Thornton.
2. Urged everyone to stay safe.
3. In light of the uncertain economic conditions asked City Manager Lee to practice frugality with the City's finances.
4. Grateful for Riverside Community College District who closed their meeting in memory of Council Member Thornton.
5. Asked City Manager Lee to provide the memorial information to Danielle Kelly with the March Joint Powers Authority.

Mayor Gutierrez

1. Offered his condolences to the family of Council Member Thornton.
2. Urged everyone to continue to follow the Office of Public Health's Covid-19 recommendations.
3. Encouraged everyone to practice patience as the City is continuing to advocate for a vaccination site.
4. Thanked staff for their work and the City Council for their support of the Great Plates program.
5. Praised staff and the City Council for their support of the projects on the agenda.
6. Reminded everyone of the memorial for Council Member Thornton on Friday, February 5, 2021.
7. Thanked General Coburn, Council Member Marquez, and City Clerk Jacquez-Nares for assisting with the memorial.
8. Announced that anyone attending the memorial would have an opportunity to speak.

ADJOURNMENT

There being no further business to come before the City Council, Mayor Gutierrez adjourned the meeting in honor of Council Member Thornton at 9:17 p.m.

Submitted by:

Pat Jacquez-Nares, CMC & CERA
 City Clerk
 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
 Secretary, Public Financing Authority

Approved by:

Dr. Yxstian A. Gutierrez
 Mayor
 City of Moreno Valley
 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
 Chairperson, Public Financing Authority



Report to City Council

TO: Mayor and City Council

FROM: Pat Jacquez-Nares, City Clerk

AGENDA DATE: February 16, 2021

TITLE: APPOINT A VOTING DELEGATE AND ALTERNATE DELEGATE TO THE SOUTHERN CALIFORNIA ASSOCIATION OF GOVERNMENTS (SCAG) 2021 ANNUAL GENERAL ASSEMBLY (MAYOR PRO TEM BACA - DELEGATE, MAYOR GUTIERREZ - ALTERNATE)

RECOMMENDED ACTION

Recommendations:

That the City Council:

1. Appoint a Delegate, Mayor Pro Tem Baca, and an Alternate, Mayor Gutierrez, to the Southern California Association of Governments (SCAG) Annual General Assembly on May 6, 2021.
2. Direct staff to submit the names to SCAG.

SUMMARY/DISCUSSION

The Southern California Association of Governments (SCAG) 2021 Regional Conference and General Assembly is scheduled for Thursday, May 6, 2021. At this meeting, the SCAG membership will consider and take action on resolutions and/or bylaws that establish SCAG policy.

An important part of the Regional Conference is the conducting of the Annual Business at the General Assembly. The City must designate a voting delegate and an alternate, one of whom may vote in the event that the designated voting delegate is unable to serve. Designation of a voting delegate must be done by City Council action.

SCAG has requested attending cities to submit a Minute Excerpt of the Council action appointing the City's voting delegate and alternate.

Staff recommends that Council by motion vote to appoint a delegate and an alternate.

FISCAL IMPACT

The fiscal impact of this SCAG Conference is unknown at this time.

NOTIFICATION

Publication of the agenda.

PREPARATION OF STAFF REPORT

Prepared By:
Pat Jacquez-Nares
City Clerk

Department Head Approval:
Pat Jacquez-Nares
City Clerk

CITY COUNCIL GOALS

Advocacy. Develop cooperative intergovernmental relationships and be a forceful advocate of City policies, objectives, and goals to appropriate external governments, agencies and corporations.

CITY COUNCIL STRATEGIC PRIORITIES

- 1. Economic Development
- 2. Public Safety
- 3. Library
- 4. Infrastructure
- 5. Beautification, Community Engagement, and Quality of Life
- 6. Youth Programs

ATTACHMENTS

None

APPROVALS

Budget Officer Approval	<u>✓ Approved</u>	2/09/21 2:20 PM
City Attorney Approval	<u>✓ Approved</u>	
City Manager Approval	<u>✓ Approved</u>	2/10/21 11:16 AM



Report to City Council

TO: Mayor and City Council

FROM: Pat Jacquez-Nares, City Clerk

AGENDA DATE: February 16, 2021

TITLE: MAYORAL APPOINTMENTS TO THE PARKS, COMMUNITY SERVICES AND TRAILS COMMITTEE, PLANNING COMMISSION, LIBRARY COMMISSION, AND THE CITIZENS' PUBLIC SAFETY COMMITTEE

RECOMMENDED ACTION

Recommendation:

1. Receive and confirm the slate of Mayoral appointments as follows:

PARKS, COMMUNITY SERVICES AND TRAILS COMMITTEE

<u>Name</u>	<u>Position</u>	<u>Term</u>
Omar Ignacio Gonzalez, Jr.	Member	Ending 06/30/22

PLANNING COMMISSION

<u>Name</u>	<u>Position</u>	<u>Term</u>
Alvin De Johnette	Member	Ending 03/31/25

LIBRARY COMMISSION

<u>Name</u>	<u>Position</u>	<u>Term</u>
Ginger Baker	Member	Ending 06/30/23

CITIZEN'S PUBLIC SAFETY COMMITTEE

<u>Name</u>	<u>Position</u>	<u>Term</u>
-------------	-----------------	-------------

Yakuba Brown

Member

Ending 06/30/21

The recommended appointee for the Citizens' Public Safety Committee was screened and interviewed by the Citizens' Public Safety Committee leaders consisting of Chair Mayor Pro Tem Baca and Vice Chair Council Member Thornton. The recommended appointee was also subject to a criminal background check which is standard practice for all applicants for any City advisory commission or committee.

CITY COUNCIL GOALS

Advocacy. Develop cooperative intergovernmental relationships and be a forceful advocate of City policies, objectives, and goals to appropriate external governments, agencies and corporations.

CITY COUNCIL STRATEGIC PRIORITIES

- 1. Economic Development
- 2. Public Safety
- 3. Library
- 4. Infrastructure
- 5. Beautification, Community Engagement, and Quality of Life
- 6. Youth Programs

ATTACHMENTS

- 1. Omar Ignacio Gonzalez Jr._Redacted
- 2. Alvin De Johnette_Redacted
- 3. Ginger Baker_Redacted
- 4. Yakuba Brown_Redacted

APPROVALS

Budget Officer Approval	<u>✓ Approved</u>	1/26/21 11:11 AM
City Attorney Approval	<u>✓ Approved</u>	
City Manager Approval	<u>✓ Approved</u>	1/26/21 1:32 PM



City of Moreno Valley

Boards and Commissions

CITY CLERK
MORENO VALLEY
RECEIVED
21 FEB -2 PM 12:40

For City Clerk's Use
Stamp Date and Time Received

Membership Application Form

Name: Omar Ignacio Gonzalez Jr.
Home Address: [REDACTED] Moreno Valley, CA. 92555

How long have you resided in Moreno Valley? 32 years 1 month

CONFIDENTIAL INFORMATION

Home Phone No.: [REDACTED] Driver's License No.: [REDACTED]
Work Phone No.: [REDACTED] Email Address: [REDACTED]
Cell Phone No.: [REDACTED] Date of Birth: [REDACTED]

Employer Name: DOD United States Air Force Position: Quality Assurance Chief Inspector
Address: 5336 Greaber St. March ARB, CA. 92518

Board or Commission applying for*: 1st Choice Parks, Community Services and Trails Committee
2nd Choice Traffic Safety Commission

- *If applying for the Accessibility Appeals Board, please indicate which position you are applying for:
 Physically Challenged Person Person Experienced in Construction Public Member
- *If applying for the Utilities Commission, please indicate which position you are applying for:
 Public Member Customer of Moreno Valley Utility Business Customer of Moreno Valley Utility
- *If applying for the MV Citizens Public Safety Committee, please indicate which position you are applying for:
 Non-Profit Business Public Member

Why do you wish to serve on this Board and/or Commission?
I have lived in Moreno Valley since I was 6 years old. I have grown up in this city and now my children
I feel as though this city has given so much to my family and that I would like to assist in keeping this
back as much as I can.

List any education, training, or special skills, you have which may be relevant or of particular benefit to this Board and/or Commission:
Bachelor's Degree Business Administration (Ashford University), Senior Non-Commissioned Officer,
Team Building Exercises, POC for STEM Air & Space Expo @ March ARB

Explain briefly your understanding of what this Board and/or Commission does, including its powers and limitations.
Boards/Commissions powers are to act as an advisor to the Mayor and City Council. They determine
that will take place. Limitations include, not having the sole power to make drastic changes within the
board or commission. There are certain checks and balances that have been in set in place.

What do you hope to accomplish by your participation?
I hope to accomplish a better understanding of the inner workings on what goes on within our city. I
were hosted by the city and have always wondered how they were put together. I would like to be a
develop further, continue growing, and moving forward.

Attachment: Omar Ignacio Gonzalez Jr., Redacted (4307 : MAYORAL APPOINTMENTS TO THE CITIZENS' PUBLIC SAFETY COMMITTEE, AND

List any employment, volunteer work, or membership in a service/community organization that you have served on, or are now a member of. Please provide the name(s) of the agency (ies), contact person, and dates served:

March ARB Top Three Association, Tier 2 Volunteer (Val Verde Unified School District) for the following
Volunteer for Rancho Verde Crimson Regiment Marching Band, Vista Verde Middle School, Victoria

What other areas of interest do you have in our City government?

Planning Commission is an area that interests me. I am always eager to see what new businesses
are coming to our city. Being able to help plan out an area that will leave a lasting
impression on our city is something that would be an area that I would want to be a part of.

Would you be available for meetings during the day or evening?

Attendance of at least one (1) meeting is required prior to appointment.

Date(s) of the meeting(s) attended: 2 February 2021

Pursuant to Resolution 2016-42 all board and commission members must be registered voters of the City of Moreno Valley.

I authorize the City of Moreno Valley to obtain and review, on a confidential basis, such information regarding me as may be contained in the California State Summary Criminal History and in records of the California Department of Motor Vehicles. Yes No (The application shall not be considered if the NO box is checked.)

I hereby agree to attend all board or commission meetings, unless excused, and understand that I may be removed for lack of attendance, pursuant to Municipal Code, Subsection 2.06.010(C) which states, "If a member is absent without advance permission of the board or commission or of the appointing authority, from three consecutive regular meetings or from 25% of the duly scheduled meetings of the board or commission within any fiscal year, the membership shall thereupon become vacant and shall be filled as any other vacancy."

CERTIFICATE OF APPLICANT: I certify that all statements in this application are true and complete to the best of my knowledge. I understand that any false statements of material fact will subject me to disqualification or dismissal if appointed. I release the City of Moreno Valley from any liability for the use of the aforesaid information.



Signature

2 February 2021

Date

Please Note: Applications will be kept on file for potential future vacancies for one year after the application submittal date. Applications are accepted year-round. All applications are public record; personal information may be redacted to protect applicants' privacy.



City of Moreno Valley Boards and Commissions

CITY CLERK
MORENO VALLEY
RECEIVED
21 JAN -5 AM 11:27
For City Clerk's Use
Stamp Date and Time Received

Membership Application Form

Name: Alvin De Johnette
Home Address: [REDACTED] Moreno Valley California 92555

How long have you resided in Moreno Valley? 48 years

CONFIDENTIAL INFORMATION

Home Phone No.: [REDACTED] Driver's License No.: [REDACTED]
Work Phone No.: [REDACTED] Email Address: [REDACTED]
Cell Phone No.: [REDACTED] Date of Birth: [REDACTED]

Employer Name: Moreno Valley Unified School Dist Position: Teacher
Address: 25634 Alessandro Blvd, Moreno Valley, CA 92553

Board or Commission applying for*: 1st Choice Planning Commission
2nd Choice _____

- *If applying for the Accessibility Appeals Board, please indicate which position you are applying for:
 Physically Challenged Person Person Experienced in Construction Public Member
- *If applying for the Utilities Commission, please indicate which position you are applying for:
 Public Member Customer of Moreno Valley Utility Business Customer of Moreno Valley Utility
- *If applying for the MV Citizens Public Safety Committee, please indicate which position you are applying for:
 Non-Profit Business Public Member

Why do you wish to serve on this Board and/or Commission?
I have lived in Moreno Valley for nearly 50 years. I have raised my children in the city, been employed here and I have made my life here. I am fully invested in the success, growth, welfare, and security of this city. I truly want to do my part to contribute to the latter, what to contribute to affording others to enjoy the beauty of Moreno that I have enjoyed over the years.

List any education, training, or special skills, you have which may be relevant or of particular benefit to this Board and/or Commission:
I have a Associate's degree, a Bachelor's degree and a Master's. I hold three educational credentials, Multiple Subject, Special Education and an Administrative Services Credential. I have served as a Planning Commissioner for over 2 years and I have been involved in many different Commission decisions that have added to the growth and success of Moreno Valley.

Explain briefly your understanding of what this Board and/or Commission does, including its powers and limitations.
The Planning Commission is a committee made up of several persons that serve to assist with establishing goals, policies and managing future growth and development of the city. The Commission addresses local fundamental issues such as housing, environmental protections, zoning, and the general needs of the residents of the city.

What do you hope to accomplish by your participation?
I plan to bring my many years of experiance of living in the city to assist with the continued development of the city in a positive and proactive way. I want to represent the residents and assist lift their vocies, concerns, needs and goals as on of their Commissioners
I want to always be the Commissioner that is for the people with the people in all matters.

Attachment: Alvin De Johnette_Redacted (4307 : MA YORAL APPOINTMENTS TO THE CITIZENS' PUBLIC SAFETY COMMITTEE, AND VARIOUS

List any employment, volunteer work, or membership in a service/community organization that you have served on, or are now a member of. Please provide the name(s) of the agency (ies), contact person, and dates served:

I currently work for the Moreno Valley Unified School District as a teacher. I have volunteered to assist with the 4th of July parade for the city of Moreno Valley. I have volunteered for the youth program as a mentor. (Denese Barrow [redacted]) I have served as a volunteer for Harlem Nights Steppers Ball program as a mentor. (Denese Barrow [redacted]) I have served as a volunteer for Harlem Nights Steppers Ball

What other areas of interest do you have in our City government?

program as a mentor. (Denese Barrow [redacted]) have served as a volunteer for Harlem Nights Steppers Ball

Would you be available for meetings during the day or evening?

Attendance of at least one (1) meeting is required prior to appointment.

Date(s) of the meeting(s) attended: All Planning Commission meeting in 2019,2020

Pursuant to Resolution 2016-42 all board and commission members must be registered voters of the City of Moreno Valley.

I authorize the City of Moreno Valley to obtain and review, on a confidential basis, such information regarding me as may be contained in the California State Summary Criminal History and in records of the California Department of Motor Vehicles. Yes No (The application shall not be considered if the NO box is checked.)

I hereby agree to attend all board or commission meetings, unless excused, and understand that I may be removed for lack of attendance, pursuant to Municipal Code, Subsection 2.06.010(C) which states, "If a member is absent without advance permission of the board or commission or of the appointing authority, from three consecutive regular meetings or from 25% of the duly scheduled meetings of the board or commission within any fiscal year, the membership shall thereupon become vacant and shall be filled as any other vacancy."

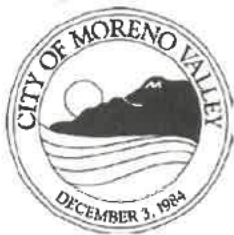
CERTIFICATE OF APPLICANT: I certify that all statements in this application are true and complete to the best of my knowledge. I understand that any false statements of material fact will subject me to disqualification or dismissal if appointed. I release the City of Moreno Valley from any liability for the use of the aforesaid information.

[Redacted Signature]

01-05-2021
Date

Please Note: Applications will be kept on file for potential future vacancies for one year after the application submittal date. Applications are accepted year-round. All applications are public record; personal information may be redacted to protect applicants' privacy.

Attachment: Alvin De Johnette_Redacted (4307 : MA YORAL APPOINTMENTS TO THE CITIZENS' PUBLIC SAFETY COMMITTEE, AND VARIOUS



City of Moreno Valley

Boards and Commissions

Membership Application Form

CITY CLERK
MORENO VALLEY
RECEIVED
20 MAY -1 PM 2:37

For City Clerk's Use
Stamp Date and Time Received

Name: GINGER L. BAKER

Home Address: [REDACTED]

MORENO VALLEY, CA. 92551

How long have you resided in Moreno Valley? 32 years

CONFIDENTIAL INFORMATION

Home Phone No.: [REDACTED]

Driver's License No.: [REDACTED]

Work Phone No.: None retired

Email Address: [REDACTED]

Cell Phone No.: [REDACTED]

Date of Birth: [REDACTED]

Employer Name: RETIRED Position: _____

Address: _____

Board or Commission applying for*: 1st Choice LIBRARY COMMISSION

2nd Choice _____

*If applying for the Accessibility Appeals Board, please indicate which position you are applying for:

Physically Challenged Person Person Experienced in Construction Public Member

*If applying for the Utilities Commission, please indicate which position you are applying for:

Public Member Customer of Moreno Valley Utility Business Customer of Moreno Valley Utility

Why do you wish to serve on this Board and/or Commission?

TO PROMOTE THE LIBRARY SYSTEM THROUGHOUT MORENO VALLEY AND TO HELP
EXPAND LIBRARY OFFERINGS TO THE PUBLIC.

List any education, training, or special skills, you have which may be relevant or of particular benefit to this Board and/or Commission:

A GRADUATE OF PURDUE UNIVERSITY AND ALSO THE UNIVERSITY OF PHOENIX. AND
SERVED 30 YEARS IN THE NURSING PROFESSION, MAINLY AS IN A MANAGERIAL
POSITION.

Explain briefly your understanding of what this Board and/or Commission does, including its powers and limitations.

COMMISSIONERS WOULD CONSIDER MATTERS PERTAINING TO THE ADMINISTRATION,
OPERATION, DEVELOPMENT, IMPROVEMENT AND MAINTENANCE OF OUR MORENO VALLEY
LIBRARY SYSTEM SERVING ALONG WITH OTHER MEMBERS AS DIRECTED BY THE DIRECTOR

What do you hope to accomplish by your participation?

I HOPE TO HELP PROMOTE THE LIBRARY TO OUR COMMUNITY A "GO TO" PLACE.

Attachment: Ginger Baker_Redacted (4307 : MAYORAL APPOINTMENTS TO THE CITIZENS' PUBLIC SAFETY COMMITTEE, AND VARIOUS

List any employment, volunteer work, or membership in a service/community organization that you have served on, or are now a member of. Please provide the name(s) of the agency (ies), contact person, and dates served:

PRESIDENT FOF THE NIGHTINGALES CLUB (RETIRED NURSE CLUB). WE PROVIDE SCHOLARSHIPS FOR NURSING STUDENTS, VALENTINES FOR THE VETERANS, SUPPORT THE SALVATION ARMY WITH DONATIONS OF CASH, FOOD AND TOYS. VISIT A LOCAL NURSING HOME.

What other areas of interest do you have in our City government?

I ENJOY VISITING AND WATCHING CITY COUNCIL MEETINGS AND ALSO THE PLANNING COMMISSION MEETINGS. COMMITTEE MEMBER OF THE CITIZEN OF YEAR MORENO VALLEY SUPPORTED BY THE BOY SCOUTS OF AMERICA. I AM RESPONSIBLE FOR A LITTLE FREE LIBRARY ON PERRIS BLVD.

Would you be available for meetings during the day or evening?

Attendance of at least one (1) meeting is required prior to appointment.

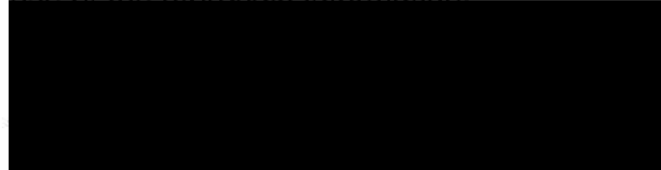
Date(s) of the meeting(s) attended: _____

Pursuant to Resolution 2016-42 all board and commission members must be registered voters of the City of Moreno Valley.

I authorize the City of Moreno Valley to obtain and review, on a confidential basis, such information regarding me as may be contained in the California State Summary Criminal History and in records of the California Department of Motor Vehicles. Yes No (The application shall not be considered if the NO box is checked.)

I hereby agree to attend all board or commission meetings, unless excused, and understand that I may be removed for lack of attendance, pursuant to Municipal Code, Subsection 2.06.010(C) which states, "If a member is absent without advance permission of the board or commission or of the appointing authority, from three consecutive regular meetings or from 25% of the duly scheduled meetings of the board or commission within any fiscal year, the membership shall thereupon become vacant and shall be filled as any other vacancy."

CERTIFICATE OF APPLICANT: I certify that all statements in this application are true and complete to the best of my knowledge. I understand that any false statements of material fact will subject me to disqualification or dismissal if appointed. I release the City of Moreno Valley from any liability for the use of the aforesaid information.



APRIL 28, 2020
Date

Please Note: Applications will be kept on file for potential future vacancies for one year after the application submittal date. Applications are accepted year-round. All applications are public record; personal information may be redacted to protect applicants' privacy.



City of Moreno Valley Boards and Commissions

CITY CLERK
MORENO VALLEY
RECEIVED
20 JUL 27 AM 8:32
For City Clerk's Use
Stamp Date and Time Received

Membership Application Form

Name: Yakuba Brown
Home Address: [REDACTED]
Moreno Valley CA. 92551

How long have you resided in Moreno Valley? 20+ years

CONFIDENTIAL INFORMATION

Home Phone No.: [REDACTED] Driver's License No.: [REDACTED]
Work Phone No.: [REDACTED] Email Address: [REDACTED]
Cell Phone No.: [REDACTED] Date of Birth: [REDACTED]

Employer Name: The F.I.A.T.M. Group Inc Position: CEO
Address: 25920 Iris Ave Bldg 13A #231
Moreno Valley, CA. 92551

Board or Commission applying for*: 1st Choice Moreno Valley Citizens Public Safety Committee
2nd Choice _____

- *If applying for the Accessibility Appeals Board, please indicate which position you are applying for:
 Physically Challenged Person Person Experienced in Construction Public Member
- *If applying for the Utilities Commission, please indicate which position you are applying for:
 Public Member Customer of Moreno Valley Utility Business Customer of Moreno Valley Utility
- *If applying for the MV Citizens Public Safety Committee, please indicate which position you are applying for:
 Non-Profit Business Public Member

Why do you wish to serve on this Board and/or Commission?
As a community partner with the City, an advocate for our youth and families, I wish to be a part of
the solution that helps to enact change for our community.

List any education, training, or special skills, you have which may be relevant or of particular benefit to this Board and/or Commission:
I have worked in the community with families and children of our city for over 15 years as well as graduated from
Moreno Valley High. My Organization is contracted with MVUSD for mentoring and we have worked
the ground level with countless individuals to help change the dynamics of there individual lives.

Explain briefly your understanding of what this Board and/or Commission does, including its powers and limitations.
This committee is being constructed as a call from our City Mayor & Councils office to bridge the
gap with the community in efforts to stern social injustices and enact change for the overall quality of life
for the City of Moreno Valley, the community as a whole and its residents.

What do you hope to accomplish by your participation?
I would hope that we as a committee can provide valuable insight to enact change in the way Moreno Valley
as a City conducts business, to bring insight to the residents of Moreno Valley who may not be a part of the know crowd
in our city and to also cultivate a road map for other city's to come together and support one another.

Attachment: Yakuba Brown_Redacted (4307 : MAYORAL APPOINTMENTS TO THE CITIZENS' PUBLIC SAFETY COMMITTEE, AND VARIOUS

List any employment, volunteer work, or membership in a service/community organization that you have served on, or are now a member of. Please provide the name(s) of the agency (ies), contact person, and dates served:

I am the Founder & Chair of The F.I.A.T.M. GROUP INC (Pronounced - Phi- A- Tum) here in the City of Moreno Valley. Which is a Non-Profit Organization which caters to At-Risk-Youth since 2005.

What other areas of interest do you have in our City government?

I am not currently interested in holding any official City positions. Although I would to build relationships with other departments of our City's government.

Would you be available for meetings during the day or evening?

Attendance of at least one (1) meeting is required prior to appointment.

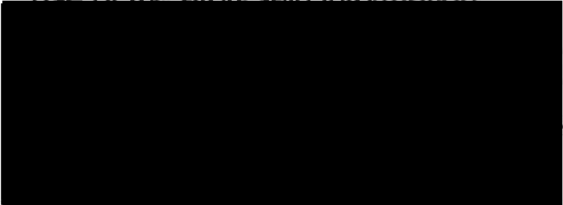
Date(s) of the meeting(s) attended: _____

Pursuant to Resolution 2016-42 all board and commission members must be registered voters of the City of Moreno Valley.

I authorize the City of Moreno Valley to obtain and review, on a confidential basis, such information regarding me as may be contained in the California State Summary Criminal History and in records of the California Department of Motor Vehicles. Yes No (The application shall not be considered if the NO box is checked.)

I hereby agree to attend all board or commission meetings, unless excused, and understand that I may be removed for lack of attendance, pursuant to Municipal Code, Subsection 2.06.010(C) which states, "If a member is absent without advance permission of the board or commission or of the appointing authority, from three consecutive regular meetings or from 25% of the duly scheduled meetings of the board or commission within any fiscal year, the membership shall thereupon become vacant and shall be filled as any other vacancy."

CERTIFICATE OF APPLICANT: I certify that all statements in this application are true and complete to the best of my knowledge. I understand that any false statements of material fact will subject me to disqualification or dismissal if appointed. I release the City of Moreno Valley from any liability for the use of the aforesaid information.



7-20-20
Date

Please Note: Applications will be kept on file for potential future vacancies for one year after the application submittal date. Applications are accepted year-round. All applications are public record; personal information may be redacted to protect applicants' privacy.



Report to City Council

TO: Mayor and City Council

FROM: Marshall Eyerman, Assistant City Manager

AGENDA DATE: February 16, 2021

TITLE: LIST OF PERSONNEL CHANGES

RECOMMENDED ACTION

Recommendation:

1. Ratify the list of personnel changes as described.

DISCUSSION

The attached list of personnel changes scheduled since the last City Council meeting is presented for City Council ratification.

Staffing of City positions ensures assignment of highly qualified and trained personnel to achieve Momentum MoVal priorities, objectives and initiatives.

FISCAL IMPACT

All position changes are consistent with appropriations previously approved by the City Council.

PREPARATION OF STAFF REPORT

Prepared By:
Vanessa Leccese
Executive Assistant

Department Head Approval:
Marshall Eyerman
Assistant City Manager
Chief Financial Officer/City Treasurer

CITY COUNCIL GOALS

None

CITY COUNCIL STRATEGIC PRIORITIES

- 1. Economic Development
- 2. Public Safety
- 3. Library
- 4. Infrastructure
- 5. Beautification, Community Engagement, and Quality of Life
- 6. Youth Programs

ATTACHMENTS

- 1. Personnel Changes

APPROVALS

Budget Officer Approval	<u>✓ Approved</u>	2/03/21 3:12 PM
City Attorney Approval	<u>✓ Approved</u>	
City Manager Approval	<u>✓ Approved</u>	2/04/21 11:39 AM

**City of Moreno Valley
Personnel Changes
February 16, 2021**

New Hires

Naomi Kamunya, Human Resources Division Manager, Financial & Management Services Department

Jennifer Lopez, Senior Community Enhancement Officer, Code & Neighborhood Services Division,
Community Development Department

Promotions

none

Transfers

None

Separations

Mario Moreno, Senior Community Enhancement Officer, Code & Neighborhood Services Division,
Community Development Department



Report to City Council

TO: Mayor and City Council

FROM: Marshall Eyerman, Assistant City Manager

AGENDA DATE: February 16, 2021

TITLE: PAYMENT REGISTER- DECEMBER 2020

RECOMMENDED ACTION

Recommendation:

1. Receive and file the Payment Register.

SUMMARY

The Payment Register is an important report providing transparency of financial transactions and payments for City activity for review by the City Council and the residents and businesses in Moreno Valley. The report is posted to the City's website as soon as it is available. The report is included in the City Council agenda as an additional means of distributing the report.

The payment register lists in alphabetical order all checks and wires in the amount of \$25,000 or greater, followed by a listing in alphabetical order of all checks and wires less than \$25,000. The payment register also includes the fiscal year-to-date (FYTD) amount paid to each vendor.

PREPARATION OF STAFF REPORT

Prepared By:
Dena Heald
Deputy Finance Director

Department Head Approval:
Marshall Eyerman
Assistant City Manager
Chief Financial Officer/City Treasurer

CITY COUNCIL GOALS

None

CITY COUNCIL STRATEGIC PRIORITIES

- 1. Economic Development
- 2. Public Safety
- 3. Library
- 4. Infrastructure
- 5. Beautification, Community Engagement, and Quality of Life
- 6. Youth Programs

ATTACHMENTS

- 1. December 2020 Payment Register

APPROVALS

Budget Officer Approval	<u>✓ Approved</u>	2/10/21 12:59 PM
City Attorney Approval	<u>✓ Approved</u>	
City Manager Approval	<u>✓ Approved</u>	2/10/21 1:29 PM



City of Moreno Valley
Payment Register
For Period 12/1/2020 through 12/31/2020

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

<u>Vendor Name</u>	<u>Check/EFT Number</u>	<u>Payment Date</u>	<u>Inv Number</u>	<u>Invoice Description</u>	<u>Payment Amount</u>
ALCORN FENCE COMPANY	240755	12/28/2020	58601	GUARDRAIL UPGRADES	\$222,633.78
Remit to: SUN VALLEY, CA					<u>FYTD:</u> \$222,633.78
BANC OF AMERICA PUBLIC CAPITAL CORP	29411	12/02/2020	W201201	2018 STREETLIGHTING FINANCING-DEC 2020 PRIN & INT	\$385,113.80
Remit to: ATLANTA, GA					<u>FYTD:</u> \$709,098.40
CALPINE CORPORATION DBA CALPINE ENERGY SERVICES	29516	12/14/2020	67065	RESOURCE ADEQUACY-NOV 2020/MV UTILITY	\$105,400.00
Remit to: HOUSTON, TX					<u>FYTD:</u> \$632,400.00
COUNTY OF RIVERSIDE SHERIFF	29428	12/07/2020	SH0000038100	CONTRACT LAW ENFORCEMENT BILLING #3 (08/27-9/23/20)	\$3,285,796.87
Remit to: RIVERSIDE, CA					<u>FYTD:</u> \$19,176,050.52
COUNTY OF RIVERSIDE, AUDITOR- CONTROLLER	240668	12/07/2020	OCT 2020	TRANSMITTAL OF AB544 FROM PARKING CONTROL FEES	\$32,667.03
		12/07/2020	SEPT 2020	TRANSMITTAL OF AB544 FROM PARKING CONTROL FEES	
Remit to: RIVERSIDE, CA					<u>FYTD:</u> \$86,824.53
CSG CONSULTANTS, INC.	29613	12/28/2020	B201147	PLAN CHECK SVCS-AUG 2020	\$25,684.75
		12/28/2020	B200989	PLAN CHECK SVCS-JULY 2020	
Remit to: FOSTER CITY, CA					<u>FYTD:</u> \$106,002.48
DECKERS OUTDOOR CORPORATION	29524	12/14/2020	QTR ENDING SEP20	SALES TAX PAYMENT PER OPERATING COVENANT AGREEMENT	\$75,657.60
Remit to: GOLETA, CA					<u>FYTD:</u> \$153,228.60

Attachment: December 2020 Payment Register (4233 : PAYMENT REGISTER- DECEMBER 2020)



City of Moreno Valley
Payment Register
For Period 12/1/2020 through 12/31/2020

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

<u>Vendor Name</u>	<u>Check/EFT Number</u>	<u>Payment Date</u>	<u>Inv Number</u>	<u>Invoice Description</u>	<u>Payment Amount</u>
EASTERN MUNICIPAL WATER DISTRICT	240734	12/21/2020	NOV-20 12/21/20	WATER CHARGES	\$100,237.67
		12/21/2020	DEC-20 12/21/20	WATER CHARGES	
	240762	12/28/2020	DEC-20 12/28/20	WATER CHARGES	\$45,627.11
		12/28/2020	NOV-20 12/28/20	WATER CHARGES	
Remit to: LOS ANGELES, CA					<u>FYTD:</u> \$1,437,306.96
ECONOLITE CONTROL PRODUCTS, INC	29526	12/14/2020	INV200731	TRAFFIC SIGNAL CONTROLLERS & CABINETS	\$487,818.06
Remit to: ANAHEIM, CA					<u>FYTD:</u> \$487,818.06

Attachment: December 2020 Payment Register (4233 : PAYMENT REGISTER- DECEMBER 2020)



City of Moreno Valley
Payment Register
 For Period 12/1/2020 through 12/31/2020

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

<u>Vendor Name</u>	<u>Check/EFT Number</u>	<u>Payment Date</u>	<u>Inv Number</u>	<u>Invoice Description</u>	<u>Payment Amount</u>
ENCO UTILITY SERVICES MORENO VALLEY LLC	29527	12/14/2020	40-410B-08	WA# 40-410B-VILLA ANNETTE APARTMENT HOMES	\$65,949.88
		12/14/2020	40-501-2011	WA# 40-501-ACQUIRED SCE STREETLIGHT MAINT.	
		12/14/2020	40-437-05	WA# 40-437-CONVERSION OF COMMERCIAL METERS TO AMI	
		12/14/2020	40-430B-03	WA# 40-430B-CITY OF MORENO VALLEY AMPHITHEATER	
		12/14/2020	40-429B-07	WA# 40-429B-MORENO VALLEY SELF STORAGE	
		12/14/2020	40-413B-03	WA# 40-413B-CONTINENTAL VILLAGES STREET LIGHT & CONDUIT	
		12/14/2020	40-408A-15	WA# 40-408A-RANCHO BELAGO PHASE 2	
		12/14/2020	40-378B-05	WA# 40-378B-VERIZON MONOPALM NEW CELL TOWER	
		12/14/2020	40-373B-07	WA# 40-373B-CACTUS COMMERCE, LP	
		12/14/2020	0402-MF-02431	SOLAR INSPECTIONS	
		12/14/2020	40-442B-05	WA# 40-442-BEAZER HOMES-PHASE 4-79 HOMES	
		12/14/2020	40-464-01	WA# 40-464-01-DISTRIBUTION SYSTEM PLANNING UPDATE	
		12/14/2020	40-461A-01	WA# 40-461A-01-MORENO VALLEY MAJESTIC-8 SFR	
		12/14/2020	40-443B-06	WA# 40-443B-KIA DEALERSHIP	
		12/14/2020	40-458A-01	WA# 40-48A-CACTUS AVE STREETLIGHTS-MARCH JPA MERIDIAN K4	
		12/14/2020	40-462A-01	WA# 40-462A-HEMLOCK GARDEN APT STREETLIGHTS	
		12/14/2020	40-450A-07	WA# 40-450A-HIGHLAND FAIRVIEW CORPORATE PARK: PHASE 2	
		12/14/2020	40-450B-02	WA# 40-450B-HIGHLAND FAIRVIEW CORPORATE PARK PH 2	
		12/14/2020	40-463A-02	WA# 40-463A-LDC NANDINA INDUSTRIAL	
		12/14/2020	40-454A-05	WA# 40-454A-MORENO VALLEY LOGISTICS CENTER BUILDING 4	
		12/14/2020	MFP-2020-44168	METER FEES-REGULAR	
		12/14/2020	40-459A-03	WA# 40-459A-S61 PME GS RECONFIGURATION	
		12/14/2020	40-447B-06	WA# 40-447B-MVU ANNEX BUILDING	
		12/14/2020	40-438B-03	WA# 40-438B-CENTURY COMMUNITIES	
		12/14/2020	40-467B-01	WA# 40-467B-AMAZON ONT6 OUTAGE	
		12/14/2020	C20-25	LA CASA DR.-ENERGY THEFT	



City of Moreno Valley
Payment Register
For Period 12/1/2020 through 12/31/2020

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

Vendor Name	Check/EFT Number	Payment Date	Inv Number	Invoice Description	Payment Amount
ENCO UTILITY SERVICES MORENO VALLEY LLC	29616	12/14/2020	40-460A-02	DR HORTON DEL SOL TRACT 31590-96 HOMES FIRST	
		12/14/2020	40-452B-01	NANDINA II LOGISTICS CENTER	
		12/28/2020	MVU-2020-44165	DISTRIBUTION CHARGES 10/16-11/17/20	\$332,437.95
Remit to: ANAHEIM, CA					FYTD: \$3,302,433.10
EXELON GENERATION COMPANY, LLC	29529	12/14/2020	664863	POWER PURCHASE 11/1-11/30/20	\$356,403.20
Remit to: BALTIMORE, MD					FYTD: \$3,220,403.04
GOVERNMENTJOBS.COM	240693	12/07/2020	BL#31908-YR2021	REFUND OF OVER-PAYMENT FOR BL#31908	\$28,450.00
Remit to: EL SEGUNDO, CA					FYTD: \$28,450.00
GRANICUS, LLC.	29533	12/14/2020	134161	ANNUAL SUBSCRIPTION-LEGISLATIVE MANAGEMENT-12/1/20-11/30/21	\$57,771.00
Remit to: SAINT PAUL, MN					FYTD: \$57,771.00
HARDY & HARPER, INC.	29567	12/21/2020	46903	CITYWIDE PAVEMENT REHAB (FY 19/20)	\$1,842,406.46
Remit to: SANTA ANA, CA					FYTD: \$2,359,974.17
IBUILD SPECTRUM INC.	29453	12/07/2020	IBS-100-09	IRIS PLAZA LIBRARY PROJECT-RETENTION RELEASE	\$49,168.28
Remit to: SANTA ANA, CA					FYTD: \$343,540.62
LEIVAS, INC. DBA. LEIVAS LIGHTING	29571	12/21/2020	1010636	LANDSCAPE LIGHTING MAINT-ZONE 03	\$29,962.75
Remit to: RIVERSIDE, CA					FYTD: \$31,886.70

Attachment: December 2020 Payment Register (4233 : PAYMENT REGISTER- DECEMBER 2020)



City of Moreno Valley
Payment Register
For Period 12/1/2020 through 12/31/2020

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

<u>Vendor Name</u>	<u>Check/EFT Number</u>	<u>Payment Date</u>	<u>Inv Number</u>	<u>Invoice Description</u>	<u>Payment Amount</u>
MERCHANTS BUILDING MAINTENANCE, LLC.	29467	12/07/2020	605787	JANITORIAL SERVICES-OCT. 2020	\$34,980.41
Remit to: MONTEREY PARK, CA					FYTD: \$219,949.66
MERCHANTS LANDSCAPE SERVICES INC	29574	12/21/2020	57111	LANDSCAPE MAINT.-ZONES E-8, LMD 03, 03A, 04, 05, 06, & 07-NOV20	\$443,153.94
		12/21/2020	56710-A	LANDSCAPE EXTRA WORK-ZONE 03/IRIS AVE MEDIANS LANDSCAPING-CIP	
		12/21/2020	56710-B	LANDSCAPE EXTRA WORK-ZONE 03/IRIS AVE MEDIANS LANDSCAPING-CIP	
		12/21/2020	56711-A	LANDSCAPE EXTRA WORK-ZONE 03/LASSELLE ST MEDIANS LANDSCAPING-CIP	
		12/21/2020	56711-B	LANDSCAPE EXTRA WORK-ZONE 03/LASSELLE ST MEDIANS LANDSCAPING-CIP	
		12/21/2020	56711-C	LANDSCAPE EXTRA WORK-ZONE 03/LASSELLE ST MEDIANS LANDSCAPING-CIP	
		12/21/2020	56711-D	LANDSCAPE EXTRA WORK-ZONE 03/LASSELLE ST MEDIANS LANDSCAPING-CIP	
Remit to: MONTEREY PARK, CA					FYTD: \$787,748.47
MORENO VALLEY UTILITY	240738	12/21/2020	DEC-20 12/21/20	ELECTRICITY CHARGES FOR PERIOD 10/16-11/17/20	\$66,704.13
Remit to: HEMET, CA					FYTD: \$500,473.51
NEXTERA ENERGY CAPITAL HOLDINGS INC.	240767	12/28/2020	605821	RENEWABLE ENERGY-MV UTILITY-NOV. 2020	\$26,945.15
Remit to: JUNO BEACH, FL					FYTD: \$204,417.02

Attachment: December 2020 Payment Register (4233 : PAYMENT REGISTER- DECEMBER 2020)



City of Moreno Valley
Payment Register
For Period 12/1/2020 through 12/31/2020

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

<u>Vendor Name</u>	<u>Check/EFT Number</u>	<u>Payment Date</u>	<u>Inv Number</u>	<u>Invoice Description</u>	<u>Payment Amount</u>
ONESOURCE DISTRIBUTORS, INC.	29578	12/21/2020	S6521613.003	PURCHASE OF TRANSFORMERS FOR STOCK - MV UTILITY	\$103,717.13
		12/21/2020	S6521613.005	PURCHASE OF TRANSFORMER FOR STOCK - MV UTILITY	
		12/21/2020	S6553888.001	ARTERIAL STREETLIGHT POLES WITH MAST ARM	
		12/21/2020	S6427051.015	POLYPHASE AMI METERS PURCHASE	
Remit to: OCEANSIDE, CA					<u>FYTD:</u> \$180,126.97
RIVERSIDE COUNTY FLOOD CONTROL & WATER, CONSERVATION DIST.	240741	12/21/2020	804 0016 Refund	CONSTRUCTION CONTRIBUTION REFUND	\$65,375.66
Remit to: RIVERSIDE, CA					<u>FYTD:</u> \$66,375.66

Attachment: December 2020 Payment Register (4233 : PAYMENT REGISTER- DECEMBER 2020)



City of Moreno Valley
Payment Register
For Period 12/1/2020 through 12/31/2020

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

<u>Vendor Name</u>	<u>Check/EFT Number</u>	<u>Payment Date</u>	<u>Inv Number</u>	<u>Invoice Description</u>	<u>Payment Amount</u>
SOUTHERN CALIFORNIA EDISON	240743	12/21/2020	707-6081/NOV-20	ELECTRICITY CHARGES	\$118,614.31
		12/21/2020	729-6522/NOV-20	ELECTRICITY CHARGES FOR ACQUIRED STREETLIGHTS	
		12/21/2020	721-3449/NOV-20	IFA CHARGES-SUBSTATION	
		12/21/2020	717-8456/NOV-20	ELECTRICITY CHARGES FOR ADDED STREETLIGHTS	
		12/21/2020	NOV-20 12/21/20	ELECTRICITY CHARGES	
		12/21/2020	587-9520/NOV-20	ELECTRICITY-FERC CHARGES/MVU	
		12/21/2020	717-8027/NOV-20	ELECTRICITY CHARGES FOR ADDED STREETLIGHTS	
	240744	12/21/2020	026-1608/NOV-20	IFA & DISTRIBUTION UPGRADE CHARGES-KITCHING SUBSTATION	\$58,603.89
		12/21/2020	717-7516/NOV-20	ELECTRICITY CHARGES FOR ACQUIRED STREETLIGHTS	
		12/21/2020	7501203297	WDAT CHARGES-MVU/GLOBE ST.-OCT. 2020	
		12/21/2020	7501203303	WDAT CHARGES-MVU/24417 NANDINA AVE. SUBSTATION-OCT. 2020	
		12/21/2020	7501203277	WDAT CHARGES-MVU/17160 KITCHING ST. SUBSTATION-OCT. 2020	
		12/21/2020	7501203295	WDAT CHARGES-MVU/IRIS AVE.-OCT. 2020	
		12/21/2020	7501203299	WDAT CHARGES-MVU/FREDERICK AVE.-OCT. 2020	
Remit to: ROSEMEAD, CA					FYTD: \$1,110,409.71
STEVEN B. QUINTANILLA A PROFESSIONAL CORPORATION	29594	12/21/2020	SEPTEMBER 2020	LEGAL SERVICES 9/1 TO 9/30/2020	\$62,263.00
Remit to: PALM SPRINGS, CA					FYTD: \$245,522.00

Attachment: December 2020 Payment Register (4233 : PAYMENT REGISTER- DECEMBER 2020)



City of Moreno Valley
Payment Register
For Period 12/1/2020 through 12/31/2020

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

<u>Vendor Name</u>	<u>Check/EFT Number</u>	<u>Payment Date</u>	<u>Inv Number</u>	<u>Invoice Description</u>	<u>Payment Amount</u>
TENASKA ENERGY, INC	29636	12/28/2020	MOREN00202012210	ELECTRICITY POWER PURCHASE-MV UTILITY	\$604,608.66
Remit to: ARLINGTON, TX					FYTD: \$4,983,141.32
THE ADVANTAGE GROUP/ FLEX ADVANTAGE	29490	12/07/2020	202012	DECEMBER 2020 RETIREE MEDICAL BENEFIT BILLING	\$59,245.93
Remit to: TEMECULA, CA					FYTD: \$294,504.56
THINK TOGETHER, INC	29492	12/07/2020	121-2021-5S	SUMMER LEARNING PROGRAM EDGEMONT ELEMENTARY-21ST CCLC 19/20	\$587,884.24
		12/07/2020	121-2021-4S	SUMMER LEARNING PROGRAM EDGEMONT ELEMENTARY-21ST CCLC 19/20	
		12/07/2020	111-20/21-5	ASES EXPANDED LEARNING PROGRAM MGMT. SERVICES-INSTALLMENT #5	
Remit to: SANTA ANA, CA					FYTD: \$2,989,438.70
U.S. BANK/CALCARDS	29410	12/02/2020	11-27-20	NOVEMBER 2020 CALCARD ACTIVITY	\$123,762.44
Remit to: ST. LOUIS, MO					FYTD: \$931,329.78
WILLDAN FINANCIAL SERVICES	29609	12/21/2020	010-46382	SPECIAL DISTRICTS AMENDMENT/FORMATION SERVICES-NOV. 2020	\$35,033.14
		12/21/2020	010-46507	GRANT ADMINISTRATION SERVICES-NOV. 2020	
		12/21/2020	010-46508	CARES ACT GRANT ADMINISTRATION SERVICES-NOV. 2020	
Remit to: TEMECULA, CA					FYTD: \$178,431.43
WRCRCA	240751	12/21/2020	NOV-2020 MSHCP	MSHCP FEES COLLECTED FOR NOV 2020-RESIDENTIAL SINGLE & MULTI FAM	\$142,121.00
Remit to: RIVERSIDE, CA					FYTD: \$457,319.37

Attachment: December 2020 Payment Register (4233 : PAYMENT REGISTER- DECEMBER 2020)



City of Moreno Valley
Payment Register
For Period 12/1/2020 through 12/31/2020

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

<u>Vendor Name</u>	<u>Check/EFT Number</u>	<u>Payment Date</u>	<u>Inv Number</u>	<u>Invoice Description</u>	<u>Payment Amount</u>
WSP USA, INC.	29504	12/07/2020	1012259	SUNNYMEAD MDP LINE F AND F-7	\$28,198.83
Remit to: SAN BERNARDINO, CA					<u>FYTD:</u> \$28,198.83

TOTAL AMOUNTS OF \$25,000 OR GREATER					\$10,090,398.00
---	--	--	--	--	------------------------

Attachment: December 2020 Payment Register (4233 : PAYMENT REGISTER- DECEMBER 2020)



City of Moreno Valley
Payment Register
For Period 12/1/2020 through 12/31/2020

CHECKS UNDER \$25,000

<u>Vendor Name</u>	<u>Check/EFT Number</u>	<u>Payment Date</u>	<u>Inv Number</u>	<u>Invoice Description</u>	<u>Payment Amount</u>
AAC UTILITY PARTNERS, LLC	29508	12/14/2020	MVUS201208	CONSULTING SVCS-MV UTILITIES	\$18,700.00
Remit to: COLUMBIA, SC					<u>FYTD:</u> \$74,800.00
AARVIG AND ASSOCIATES, APC	240705	12/14/2020	35801	LEGAL SERVICES-CLAIM MV2066 (E. BROWN)	\$1,521.00
		12/14/2020	35794	LEGAL SERVICES-CLAIM MV1910 (V. GADBERRY)	
Remit to: REDLANDS, CA					<u>FYTD:</u> \$24,452.43
ABDULHAY, ANASTACIA	29413	12/07/2020	DECEMBER 2020	MOVAL LEARNS-DECEMBER 2020	\$250.00
Remit to: MORENO VALLEY, CA					<u>FYTD:</u> \$1,000.00
ABILITY COUNTS, INC	29509	12/14/2020	ACI115967	LANDSCAPE MAINT-CFD #1-NOV 2020	\$1,835.10
Remit to: CORONA, CA					<u>FYTD:</u> \$13,279.50
ADLERHORST INTERNATIONAL LLC	29510	12/14/2020	105717	MONTHLY K-9 TRAINING (RICO/ARKAN) NOV 2020	\$350.00
Remit to: RIVERSIDE, CA					<u>FYTD:</u> \$2,720.90

Attachment: December 2020 Payment Register (4233 : PAYMENT REGISTER- DECEMBER 2020)



**City of Moreno Valley
Payment Register
For Period 12/1/2020 through 12/31/2020**

CHECKS UNDER \$25,000

<u>Vendor Name</u>	<u>Check/EFT Number</u>	<u>Payment Date</u>	<u>Inv Number</u>	<u>Invoice Description</u>	<u>Payment Amount</u>
ADVANCE REFRIGERATION & ICE SYSTEMS, INC	29414	12/07/2020	48795	ICE MACHINE MAINT & WATER FILTER-PUBLIC SAFETY BLDG.	\$1,234.44
		12/07/2020	48796	ICE MACHINE MAINT & WATER FILTER-CRC	
		12/07/2020	48854	ICE MACHINE MAINT & WATER FILTER-FIRE STATION 6	
	29511	12/07/2020	48940	ICE MACHINE REPAIR-FIRE STATION 58	
		12/14/2020	48813	ICE MACHINE MAINT & WATER FILTER-EMERGENCY OPS. CENTER	\$4,258.90
		12/14/2020	48831	ICE MACHINE MAINT & WATER FILTER-FIRE STATION 58	
		12/14/2020	48827	ICE MACHINE MAINT & WATER FILTER-FIRE STATION 2	
		12/14/2020	48814	ICE MACHINE MAINT & WATER FILTER-COTTONWOOD GOLF CENTER	
		12/14/2020	48829	ICE MACHINE MAINT & WATER FILTER-FIRE STATION 99	
		12/14/2020	48830	ICE MACHINE MAINT & WATER FILTER-FIRE STATION 48	
		12/14/2020	48834	ICE MACHINE MAINT & WATER FILTER-FIRE STATION 91	
		12/14/2020	48833	ICE MACHINE MAINT & WATER FILTER-CITY YARD	
		12/14/2020	48828	ICE MACHINE MAINT & WATER FILTER-SENIOR COMM. CENTER	
		12/14/2020	48832	ICE MACHINE MAINT & WATER FILTER-FIRE STATION 65	
		12/14/2020	48854B	ICE MACHINE REPAIR-FIRE STATION 6	
		12/14/2020	48826	ICE MACHINE MAINT & WATER FILTER-TOWNGATE COMM. CENTER	
		Remit to: RIVERSIDE, CA			
AIRESPRING INC.	29415	12/07/2020	1359638/DEC20	LOCAL/LONG DISTANCE CALLS & INTERNET SVC-DEC 20	\$3,438.36
Remit to: VAN NUYS, CA					FYTD: \$11,267.29
ALATORRE, REYMUNDO	29416	12/07/2020	DECEMBER 2020	MOVAL LEARNS-DECEMBER 2020	\$250.00
Remit to: MORENO VALLEY, CA					FYTD: \$1,000.00

Attachment: December 2020 Payment Register (4233 : PAYMENT REGISTER- DECEMBER 2020)



City of Moreno Valley
Payment Register
For Period 12/1/2020 through 12/31/2020

CHECKS UNDER \$25,000

Vendor Name	Check/EFT Number	Payment Date	Inv Number	Invoice Description	Payment Amount
ALFONSO LOZANO DBA OUR PLACE RESTAURANT	240662	12/07/2020	NOV 27, 2020	SENIOR EATS PROGRAM 11/23-11/27/20	\$3,825.00
	240706	12/14/2020	DEC 4, 2020	SENIOR EATS PROGRAM 11/30-12/04/20	\$3,825.00
	240732	12/21/2020	DEC 11, 2020	SENIOR EATS PROGRAM 12/7-12/11/20	\$3,825.00
	240756	12/28/2020	DEC 18, 2020	SENIOR EATS PROGRAM 12/14-12/18/20	\$3,825.00
Remit to: MORENO VALLEY, CA					FYTD: \$99,090.00
ALLEN, JOYCE	240689	12/07/2020	MVA040023170	PARKING CONTROL FEES-VIOLATION DISMISSED	\$25.00
Remit to: BEAUMONT, CA					FYTD: \$25.00
ALMANZA, ANGIE MARINAJ	29417	12/07/2020	DECEMBER 2020	MOVAL LEARNS-DECEMBER 2020	\$250.00
Remit to: MORENO VALLEY, CA					FYTD: \$1,000.00
ALVAREZ, HUMBERTO ANTONIO	29418	12/07/2020	DECEMBER 2020	MOVAL LEARNS-DECEMBER 2020	\$250.00
Remit to: MORENO VALLEY, CA					FYTD: \$1,000.00
AMERICAN FORENSIC NURSES	29419	12/07/2020	74009	PHLEBOTOMY SVCS	\$55.00
	29512	12/14/2020	74068	PHLEBOTOMY SVCS	\$1,565.00
		12/14/2020	73934	PHLEBOTOMY SVCS	
		12/14/2020	73953	PHLEBOTOMY SVCS	
		12/14/2020	74055	PHLEBOTOMY SVCS	
Remit to: LA QUINTA, CA					FYTD: \$11,250.00
ANIMAL EMERGENCY CLINIC, INC.	29513	12/14/2020	JUNE 2020	AFTER HOURS EMERGENCY VET SVCS-MV ANIMAL SHELTER	\$324.00
Remit to: GRAND TERRACE, CA					FYTD: \$1,326.00

Attachment: December 2020 Payment Register (4233 : PAYMENT REGISTER- DECEMBER 2020)



City of Moreno Valley
Payment Register
For Period 12/1/2020 through 12/31/2020

CHECKS UNDER \$25,000

<u>Vendor Name</u>	<u>Check/EFT Number</u>	<u>Payment Date</u>	<u>Inv Number</u>	<u>Invoice Description</u>	<u>Payment Amount</u>
ANIMAL PEST MANAGEMENT SERVICES, INC.	29514	12/14/2020	637727	PEST MANAGMENT SERVICE-MV UTILITY-NOV 2020	\$1,965.20
		12/14/2020	635402	PEST MANAGMENT SERVICE-PARKS-NOV 2020	
Remit to: CHINO, CA					FYTD: \$7,023.20
ARCE, THOMAS	240757	12/28/2020	100893566	ICC CERTIFICATION RENEWAL	\$90.00
Remit to: MORENO VALLEY, CA					FYTD: \$90.00
ARCHITERRA DESIGN GROUP	29610	12/28/2020	27680	MV AMPHITHEATER-EXTRA SERVICE 9/09/20	\$13,776.70
		12/28/2020	27587	MV AMPHITHEATER-EXTRA SERVICE 9/09/20	
		12/28/2020	27773	MV AMPHITHEATER-EXTRA SERVICE 9/09/20	
		12/28/2020	27681	CONCEPTUAL DESIGN OF AMPHITHEATER 9/25-10/24/20	
Remit to: RANCHO CUCAMONGA, CA					FYTD: \$55,207.87
AROCHE, MIGUEL	29420	12/07/2020	DECEMBER 2020	MOVAL LEARNS-DECEMBER 2020	\$250.00
Remit to: MORENO VALLEY, CA					FYTD: \$1,000.00
AUSTIN, STACEY MARIE LOUSIE	29421	12/07/2020	DECEMBER 2020	MOVAL LEARNS-DECEMBER 2020	\$250.00
Remit to: MORENO VALLEY, CA					FYTD: \$1,000.00
AUTOMATIC STOREFRONT SERVICE/E-Z AUTOMATED SYSTEMS	240663	12/07/2020	0031191	FRONT LOBBY DOOR REPAIR-EMERGENCY OP'S CTR	\$435.43
	240758	12/28/2020	0031206	SLIDING GLASS DOOR REPAIR-CITY HALL	\$297.93
Remit to: CHINO, CA					FYTD: \$17,633.91

Attachment: December 2020 Payment Register (4233 : PAYMENT REGISTER- DECEMBER 2020)



**City of Moreno Valley
Payment Register
For Period 12/1/2020 through 12/31/2020**

CHECKS UNDER \$25,000

<u>Vendor Name</u>	<u>Check/EFT Number</u>	<u>Payment Date</u>	<u>Inv Number</u>	<u>Invoice Description</u>	<u>Payment Amount</u>
AVANT GARDE	29557	12/21/2020	6600	CDBG HABITAT FOR HUMANITY-NOV 2020	\$595.00
		12/21/2020	6599	HOME HABITAT FOR HUMANITY-NOV 2020	
		12/21/2020	6598	HOME PROGRAM MANAGEMENT-NOV 2020	
Remit to: POMONA, CA					<u>FYTD:</u> \$7,055.00
AWAD-SHENDI, IRENE	240690	12/07/2020	MVP86153	PARKING CONTROL FEES-OVER PAYMENT	\$407.50
Remit to: RIVERSIDE, CA					<u>FYTD:</u> \$407.50
AYALA, MANUEL	240722	12/14/2020	R20-152459	ANIMAL SERVICES REFUND-RETURN ADOPTION, REFUND LICENSE FEE	\$15.00
Remit to: MORENO VALLEY, CA					<u>FYTD:</u> \$15.00
BARSHA, JOHN	29422	12/07/2020	DECEMBER 2020	MOVAL LEARNS-DECEMBER 2020	\$250.00
Remit to: MORENO VALLEY, CA					<u>FYTD:</u> \$1,000.00
BASS, ERIC	240723	12/14/2020	R20-152599	ANIMAL SERVICES REFUND-OVERPAYMENT ON WEB LICENSE	\$54.00
Remit to: MORENO VALLEY, CA					<u>FYTD:</u> \$54.00
BELMAN, HERIBERTO	29423	12/07/2020	DECEMBER 2020	MOVAL LEARNS-DECEMBER 2020	\$250.00
Remit to: MORENO VALLEY, CA					<u>FYTD:</u> \$1,000.00
BIO-TOX LABORATORIES	240664	12/07/2020	40432	FORENSIC TOXICOLOGY TESTING SVCS FOR PD	\$249.00
	240759	12/28/2020	40564	FORENSIC TOXICOLOGY TESTING SVCS FOR PD	\$5,096.00
		12/28/2020	40510	FORENSIC TOXICOLOGY TESTING SVCS FOR PD	
		12/28/2020	40509	FORENSIC TOXICOLOGY TESTING SVCS FOR PD	
Remit to: RIVERSIDE, CA					<u>FYTD:</u> \$45,734.00

Attachment: December 2020 Payment Register (4233 : PAYMENT REGISTER- DECEMBER 2020)



City of Moreno Valley Payment Register

For Period 12/1/2020 through 12/31/2020

CHECKS UNDER \$25,000

<u>Vendor Name</u>	<u>Check/EFT Number</u>	<u>Payment Date</u>	<u>Inv Number</u>	<u>Invoice Description</u>	<u>Payment Amount</u>
BMW MOTORCYCLES OF RIVERSIDE	29424	12/07/2020	6025965	MAINT & REPAIRS-TRAFFIC MOTORCYCLE	\$592.44
	29515	12/14/2020	6025795	MAINT & REPAIRS-TRAFFIC MOTORCYCLE	\$1,663.79
		12/14/2020	6026051	MAINT & REPAIRS-TRAFFIC MOTORCYCLE	
		12/14/2020	6026049	MAINT & REPAIRS-TRAFFIC MOTORCYCLE	
	29611	12/28/2020	6026100	MAINT & REPAIRS-TRAFFIC MOTORCYCLE	\$439.40
		12/28/2020	6026085	MAINT & REPAIRS-TRAFFIC MOTORCYCLE	
Remit to: RIVERSIDE, CA					FYTD: \$49,737.06

Attachment: December 2020 Payment Register (4233 : PAYMENT REGISTER- DECEMBER 2020)



City of Moreno Valley Payment Register

For Period 12/1/2020 through 12/31/2020

CHECKS UNDER \$25,000

<u>Vendor Name</u>	<u>Check/EFT Number</u>	<u>Payment Date</u>	<u>Inv Number</u>	<u>Invoice Description</u>	<u>Payment Amount</u>
BOX SPRINGS MUTUAL WATER COMPANY	240665	12/07/2020	204-9 11/23/20	WATER ASSESSMENT ON VACANT LOTS OWNED BY THE HOUSING AUTHORITY	\$808.10
		12/07/2020	1084-1 11/23/20	WATER ASSESSMENT ON VACANT LOTS OWNED BY THE HOUSING AUTHORITY	
		12/07/2020	195-5 11/23/20	WATER ASSESSMENT ON VACANT LOTS OWNED BY THE HOUSING AUTHORITY	
		12/07/2020	189-13 11/23/20	WATER ASSESSMENT ON VACANT LOTS OWNED BY THE HOUSING AUTHORITY	
		12/07/2020	1088-1 11/23/20	WATER ASSESSMENT ON VACANT LOTS OWNED BY THE HOUSING AUTHORITY	
		12/07/2020	1087-1 11/23/20	WATER ASSESSMENT ON VACANT LOTS OWNED BY THE HOUSING AUTHORITY	
		12/07/2020	1086-1 11/23/20	WATER ASSESSMENT ON VACANT LOTS OWNED BY THE HOUSING AUTHORITY	
		12/07/2020	45-4 11/23/20	WATER ASSESSMENT ON VACANT LOTS OWNED BY THE HOUSING AUTHORITY	
		12/07/2020	331-1 11/23/20	WATER ASSESSMENT ON VACANT LOTS OWNED BY THE HOUSING AUTHORITY	
		12/07/2020	80-4 11/23/20	WATER ASSESSMENT ON VACANT LOTS OWNED BY THE HOUSING AUTHORITY	
		12/07/2020	721-1 11/23/20	WATER USAGE-TOWNGATE NOV 2020	
		12/07/2020	36-1 11/23/20	WATER ASSESSMENT ON VACANT LOTS OWNED BY THE HOUSING AUTHORITY	
		12/07/2020	1085-1 11/23/20	WATER ASSESSMENT ON VACANT LOTS OWNED BY THE HOUSING AUTHORITY	

Remit to: MORENO VALLEY, CA

FYTD: \$3,401.05

Attachment: December 2020 Payment Register (4233 : PAYMENT REGISTER- DECEMBER 2020)



**City of Moreno Valley
Payment Register
For Period 12/1/2020 through 12/31/2020**

CHECKS UNDER \$25,000

<u>Vendor Name</u>	<u>Check/EFT Number</u>	<u>Payment Date</u>	<u>Inv Number</u>	<u>Invoice Description</u>	<u>Payment Amount</u>
BRIGHTVIEW LANDSCAPE SERVICES, INC.	29425	12/07/2020	7048384	LANDSCAPE MAINT-ZONES D, M & S	\$4,611.25
	29558	12/21/2020	7058407	LANDSCAPE MAINT-ZONES D, M, S, 09, 01G, 01H, 01K & 02A	\$19,939.58
Remit to: PASADENA, CA					FYTD: \$246,960.80
BUCKINGHAM PROPERTY MANAGMENT	240691	12/07/2020	239078	STATE DATED CHECK REISSUE-CK#239078	\$132.20
	240692	12/07/2020	239079	STATE DATED CHECK REISSUE-CK#239079	\$407.40
Remit to: FRESNO, CA					FYTD: \$539.60
CALIFORNIA MUNICIPAL UTILITIES ASSOC.	240666	12/07/2020	19-0703	2020 SURVEY OF RESIDENTIAL CUSTOMERS OVERSAMPLE	\$5,000.00
Remit to: SACRAMENTO, CA					FYTD: \$18,422.09
CALIFORNIA STATE DEPARTMENT OF FISH AND WILDLIFE	240707	12/14/2020	120820_CDFW	SR-60/WLC INT EIR NOTICE OF DETERMINATION	\$3,343.25
Remit to: ONTARIO, CA					FYTD: \$3,343.25
CAMERON-DANIEL, P.C.	29517	12/14/2020	1185	LEGAL SERVICES-MV UTILITY	\$3,190.00
Remit to: SEBASTOPOL, CA					FYTD: \$10,780.00
CAMPBELL, ARLENE	240753	12/21/2020	R20-152693	ANIMAL SERVICES REFUND-OVERPAYMENT ON WEB LICENSE	\$39.00
Remit to: MORENO VALLEY, CA					FYTD: \$39.00
CARR-SUTTON, ROXANNE	29426	12/07/2020	DECEMBER 2020	MOVAL LEARNS-DECEMBER 2020	\$250.00
Remit to: MORENO VALLEY, CA					FYTD: \$1,000.00
CASTANON, IRMA	29427	12/07/2020	DECEMBER 2020	MOVAL LEARNS-DECEMBER 2020	\$250.00
Remit to: MORENO VALLEY, CA					FYTD: \$1,000.00

Attachment: December 2020 Payment Register (4233 : PAYMENT REGISTER- DECEMBER 2020)



City of Moreno Valley
Payment Register
For Period 12/1/2020 through 12/31/2020

CHECKS UNDER \$25,000

<u>Vendor Name</u>	<u>Check/EFT Number</u>	<u>Payment Date</u>	<u>Inv Number</u>	<u>Invoice Description</u>	<u>Payment Amount</u>
CATHOLIC CHARITIES	29559	12/21/2020	INV1-AUG20	CASEWORK SERVICES PROGRAM-ESG 19/20	\$9,461.75
Remit to: SAN BERNARDINO, CA					FYTD: \$16,453.52
CHANDLER ASSET MANAGEMENT, INC	29518	12/14/2020	2011MORENOVA	INVESTMENT MANAGEMENT SVCS-NOV 2020	\$6,697.94
Remit to: SAN DIEGO, CA					FYTD: \$33,466.22
CITYGOVAPP, INC.	240760	12/28/2020	1424	ACP MOBILE INSPECTION APP SUBSCRIPTION 10/16/20-10/16/21	\$9,468.00
Remit to: BERKELEY, CA					FYTD: \$9,468.00
CIVIC SOLUTIONS, INC	29560	12/21/2020	113020	PLANNING ENTITLEMENT AND PLAN CHECK SVCS	\$1,965.91
Remit to: MISSION VIEJO, CA					FYTD: \$17,789.42
COLONIAL SUPPLEMENTAL INSURANCE	240667	12/07/2020	7133069-1201378	EMPLOYEE SUPPLEMENTAL INSURANCE	\$7,410.29
Remit to: COLUMBIA, SC					FYTD: \$45,546.19
CORODATA MEDIA STORAGE INC.	29519	12/14/2020	DS1295681	OFF-SITE MEDIA STORAGE-NOVEMBER 2020	\$391.98
Remit to: LOS ANGELES, CA					FYTD: \$2,443.42
CORODATA RECORDS MANAGEMENT, INC.	29520	12/14/2020	RS4650492	RECORDS STORAGE-NOV 2020	\$1,000.00
Remit to: POWAY, CA					FYTD: \$8,832.92
CORONA, FIDENCIO	240724	12/14/2020	R20-152494	ANIMAL SERVICES REFUND-DUPLICATE WEB LICENSE PAYMENT	\$35.00
Remit to: MORENO VALLEY, CA					FYTD: \$35.00

Attachment: December 2020 Payment Register (4233 : PAYMENT REGISTER- DECEMBER 2020)



**City of Moreno Valley
Payment Register
For Period 12/1/2020 through 12/31/2020**

CHECKS UNDER \$25,000

<u>Vendor Name</u>	<u>Check/EFT Number</u>	<u>Payment Date</u>	<u>Inv Number</u>	<u>Invoice Description</u>	<u>Payment Amount</u>
COSTAR REALTY INFORMATION, INC	29521	12/14/2020	112865096-1	COMMERCIAL REAL ESTATE DATABASE SVC-DEC 2020	\$1,500.63
Remit to: CHICAGO, IL					FYTD: \$9,003.78
COUNSELING TEAM, THE	240761	12/28/2020	77856	EMPLOYEE ASSISTANCE PROGRAM-NOV 2020	\$1,667.00
Remit to: SAN BERNARDINO, CA					FYTD: \$11,252.00
COUNTY OF RIVERSIDE	29522	12/14/2020	IT0000004304	APX 7500M DUAL BAND, HPD MODEM MAINT	\$2,494.75
	29561	12/21/2020	IT0000004400	APX 7500M DUAL BAND, HPD MODEM MAINT	\$2,494.75
	240733	12/21/2020	20-354853	RECORDATION DOCUMENT	\$116.00
Remit to: RIVERSIDE, CA					FYTD: \$35,204.87
COUNTY OF RIVERSIDE SHERIFF	29523	12/14/2020	SH0000038287	CDBG POP OVERTIME-MVPD	\$11,859.72
		12/14/2020	SH0000038286	CDBG POP OVERTIME-MVPD	
Remit to: RIVERSIDE, CA					FYTD: \$19,176,050.52
COUNTY OF RIVERSIDE, AUDITOR- CONTROLLER	240709	12/14/2020	NOV 2020	TRANSMITTAL OF AB544 FROM PARKING CONTROL FEES	\$10,562.00
Remit to: RIVERSIDE, CA					FYTD: \$86,824.53
COURTYARDS AT COTTONWOOD	240725	12/14/2020	131619	DUPLICATE ACH ECHECK CHARGE	\$798.00
Remit to: MORENO VALLEY, CA					FYTD: \$798.00
CRIME SCENE STERI-CLEAN, LLC	29429	12/07/2020	41418	BIO HAZARD REMOVAL SERVICE	\$850.00
	29612	12/28/2020	41504	BIO HAZARD REMOVAL SERVICE	\$850.00
Remit to: RANCHO CUCAMONGA, CA					FYTD: \$8,600.00
CRUZ-MARTINEZ, NICOLE	29430	12/07/2020	DECEMBER 2020	MOVAL LEARNS-DECEMBER 2020	\$250.00
Remit to: MORENO VALLEY, CA					FYTD: \$1,000.00

Attachment: December 2020 Payment Register (4233 : PAYMENT REGISTER- DECEMBER 2020)



**City of Moreno Valley
Payment Register
For Period 12/1/2020 through 12/31/2020**

CHECKS UNDER \$25,000

<u>Vendor Name</u>	<u>Check/EFT Number</u>	<u>Payment Date</u>	<u>Inv Number</u>	<u>Invoice Description</u>	<u>Payment Amount</u>
DATA TICKET, INC.	29562	12/21/2020	119308	ADMINISTRATIVE CITATIONS-CODE-OCT 2020	\$16,450.73
		12/21/2020	118935HH	PARKING HANDHELD DEVICES LEASE-AIR TIME-CODE-OCT 2020	
		12/21/2020	119266DEP	ADMINISTRATIVE CITATIONS-CODE-DEPOSIT TICKETS-OCT 2020	
		12/21/2020	118935DEP	PARKING CITATION PROCESSING-CODE-DEPOSIT TICKET-OCT 2020	
		12/21/2020	118935	PARKING CITATION PROCESSING-CODE-OCT 2020	
	29614	12/28/2020	120283	ADMIN CITATION PROCESSING-PD-NOV 2020	\$212.04
		12/28/2020	120280	ADMIN CITATION PROCESSING-ANIMAL SVC-NOV 2020	
Remit to: IRVINE, CA					FYTD: \$67,817.34
DDL TRAFFIC INC.	29615	12/28/2020	7274	OPTICOM TRAFFIC SIGNAL EQUIPMENT	\$1,806.97
Remit to: CHINO HILLS, CA					FYTD: \$12,996.38
DELTA DENTAL OF CALIFORNIA	29431	12/07/2020	BE004208405	EMPLOYEE DENTAL INSURANCE-HMO	\$14,374.93
Remit to: SAN FRANCISCO, CA					FYTD: \$90,470.97
DELTACARE USA	29432	12/07/2020	BE004209233	EMPLOYEE DENTAL INSURANCE-HMO	\$4,396.03
Remit to: DALLAS, TX					FYTD: \$27,017.84
DEPARTMENT OF ENVIRONMENTAL HEALTH	240710	12/14/2020	JULY-SEPT 2020	VECTOR CONTROL SVCS-CODE	\$14,101.67
Remit to: RIVERSIDE, CA					FYTD: \$22,799.16
DEPARTMENT OF INDUSTRIAL RELATIONS	240669	12/07/2020	OSIP 68063	SELF INSURED PLAN 7/1/20-6/30/21	\$11,988.64
Remit to: RANCHO CORDOVA, CA					FYTD: \$11,988.64
DEPARTMENT OF WATER RESOURCES	240670	12/07/2020	12022020	DEPT OF WATER RESOURCES REVIEW COST	\$949.00
Remit to: SACRAMENTO, CA					FYTD: \$6,028.00

Attachment: December 2020 Payment Register (4233 : PAYMENT REGISTER- DECEMBER 2020)



**City of Moreno Valley
Payment Register
For Period 12/1/2020 through 12/31/2020**

CHECKS UNDER \$25,000

<u>Vendor Name</u>	<u>Check/EFT Number</u>	<u>Payment Date</u>	<u>Inv Number</u>	<u>Invoice Description</u>	<u>Payment Amount</u>
DISH DBS CORPORATION	240671	12/07/2020	86557282/DEC20	SATELLITE TV-FIRE STATION 99-12/01-12/30/20	\$135.36
Remit to: PALATINE, IL					FYTD: \$782.85
DIXON, ERIC	29433	12/07/2020	DECEMBER 2020	MOVAL LEARNS-DECEMBER 2020	\$250.00
Remit to: MORENO VALLEY, CA					FYTD: \$1,000.00
DIXON, JEFFERY	29434	12/07/2020	DECEMBER 2020	MOVAL LEARNS-DECEMBER 2020	\$250.00
Remit to: MORENO VALLEY, CA					FYTD: \$1,000.00
DRONES MADE EASY	29435	12/07/2020	3200	UNMANNED AIRCRAFT SYSTEM-PD	\$4,996.90
Remit to: SAN DIEGO, CA					FYTD: \$4,996.90
E.R. BLOCK PLUMBING & HEATING, INC.	29525	12/14/2020	132492	BACKFLOW DEVICE TEST - FIRE STATION 65	\$150.00
		12/14/2020	132521	BACKFLOW DEVICE TEST - FIRE STATION 99	
		12/14/2020	132494	BACKFLOW DEVICE TEST - FIRE STATION 58	
		12/14/2020	132491	BACKFLOW DEVICE TEST - FIRE STATION 6	
	29563	12/14/2020	132493	BACKFLOW DEVICE TEST - PUBLIC SAFETY BUILDING	
		12/21/2020	133131	BACKFLOW DEVICE REPAIR-FIRE STATION 58	\$3,910.94
		12/21/2020	133145	BACKFLOW DEVICE REPAIR-MAIN LIBRARY	
Remit to: RIVERSIDE, CA					FYTD: \$8,238.22
EASTERN MUNICIPAL WATER DISTRICT	240672	12/07/2020	NOV-20 12/07/20	WATER CHARGES	\$5,055.65
		12/07/2020	OCT-20 12/07/20	WATER CHARGES	
Remit to: LOS ANGELES, CA					FYTD: \$1,437,306.96

Attachment: December 2020 Payment Register (4233 : PAYMENT REGISTER- DECEMBER 2020)



**City of Moreno Valley
Payment Register
For Period 12/1/2020 through 12/31/2020**

CHECKS UNDER \$25,000

<u>Vendor Name</u>	<u>Check/EFT Number</u>	<u>Payment Date</u>	<u>Inv Number</u>	<u>Invoice Description</u>	<u>Payment Amount</u>
ENCO UTILITY SERVICES MORENO VALLEY LLC	29436	12/07/2020	0402-MF-02425	SOLAR SYSTEM INSPECTION	\$235.00
Remit to: ANAHEIM, CA					<u>FYTD:</u> \$3,302,433.10
ESI ACQUISITION, INC.	29528	12/14/2020	INVE3088	WEBEOC ANNUAL MAINTENANCE & SUPPORT 8/1/20-7/31/21	\$16,980.00
Remit to: ATLANTA, GA					<u>FYTD:</u> \$23,230.00
ESPINOZA ROBLES, XITLALI J	29437	12/07/2020	DECEMBER 2020	MOVAL LEARNS-DECEMBER 2020	\$250.00
Remit to: MORENO VALLEY, CA					<u>FYTD:</u> \$1,000.00
EXCLUSIVE TOWING	240763	12/28/2020	20-10456	EVIDENCE VEHICLE TOWING	\$731.25
		12/28/2020	20-10510	EVIDENCE VEHICLE TOWING	
		12/28/2020	20-10659	EVIDENCE VEHICLE TOWING	
Remit to: RIVERSIDE, CA					<u>FYTD:</u> \$2,587.50
FAIR HOUSING COUNCIL OF RIVERSIDE COUNTY, INC.	29564	12/21/2020	OCT-20 (FH)	FAIR HOUSING DISCRIMINATION SVCS-CDBG	\$4,891.47
		12/21/2020	OCT-20 (LT)	LANDLORD/TENANT MEDIATION SVCS-CDBG	
Remit to: RIVERSIDE, CA					<u>FYTD:</u> \$24,518.96
FAMILY SERVICE ASSOCIATION	29530	12/14/2020	8-2020-300603CV	CDBG-CV SENIOR NUTRITIONAL PROGRAM FY 19/20-AUG 2020	\$6,532.80
		12/14/2020	09-2020-300603	SENIOR NUTRITIONAL PROGRAM FY 20/21-SEPT 2020	
		12/14/2020	9-2020-300603CV	CDBG-CV SENIOR NUTRITIONAL PROGRAM FY 19/20-SEPT 2020	
		12/14/2020	7-2020-300603CV	CDBG-CV SENIOR NUTRITIONAL PROGRAM FY 19/20-JULY 20	
Remit to: MORENO VALLEY, CA					<u>FYTD:</u> \$531,376.11

Attachment: December 2020 Payment Register (4233 : PAYMENT REGISTER- DECEMBER 2020)



City of Moreno Valley
Payment Register
For Period 12/1/2020 through 12/31/2020

CHECKS UNDER \$25,000

Vendor Name	Check/EFT Number	Payment Date	Inv Number	Invoice Description	Payment Amount
FERRELLGAS LP	240711	12/14/2020	2010315487	PROPANE-FIRE STATION 2	\$1,124.59
		12/14/2020	1113541981	PROPANE-CITY YARD	
		12/14/2020	1113148832	PROPANE-CITY YARD	
Remit to: DENVER, CO					FYTD: \$5,771.33
FIRST AMERICAN DATA TREE, LLC	240712	12/14/2020	20027761120	ONLINE SOFTWARE SUBSCRIPTION-NOV 20	\$99.00
Remit to: PASADENA, CA					FYTD: \$594.00
FLINN, KATELYNN	240673	12/07/2020	DECEMBER 2020	MOVAL LEARNS-DECEMBER 2020	\$250.00
Remit to: MORENO VALLEY, CA					FYTD: \$1,000.00
FOWLER, JOLEEN	29438	12/07/2020	DECEMBER 2020	MOVAL LEARNS-DECEMBER 2020	\$250.00
Remit to: MORENO VALLEY, CA					FYTD: \$1,000.00
FRED'S GLASS & MIRROR, INC.	240764	12/28/2020	19193	WINDOW REPAIR-EMPLOYMENT RESOURCE CENTER	\$760.00
Remit to: RIVERSIDE, CA					FYTD: \$7,505.53
FRONTIER COMMUNICATIONS/FORMERLY VERIZON	29617	12/28/2020	7002Z183-S-20340	BACKBONE COMMUNICATIONS SERVICE 12/5/20-01/4/21	\$3,797.28
Remit to: ROCHESTER, NY					FYTD: \$22,729.86
FRONTIER COMMUNICATIONS/FORMERLY VERIZON CALIF.	240765	12/28/2020	081095-5/DEC20	FOREIGN EXCHANGE BUS LISTING-MV UTILITY	\$7.67
Remit to: CINCINNATI, OH					FYTD: \$45.69
FUEL PROS, INC	29618	12/28/2020	0000051684	FUEL TANK REPAIR-FIRE STATION 58	\$3,964.58
Remit to: CHINO, CA					FYTD: \$5,325.29

Attachment: December 2020 Payment Register (4233 : PAYMENT REGISTER- DECEMBER 2020)



City of Moreno Valley
Payment Register
For Period 12/1/2020 through 12/31/2020

CHECKS UNDER \$25,000

Vendor Name	Check/EFT Number	Payment Date	Inv Number	Invoice Description	Payment Amount
FUENTES, MONICA M	29439	12/07/2020	DECEMBER 2020	MOVAL LEARNS-DECEMBER 2020	\$250.00
Remit to: MORENO VALLEY, CA					FYTD: \$1,000.00
G. HURTADO CONSTRUCTION INC.	29565	12/21/2020	804 0016 RET	HURTADO RETENTION	\$10,549.40
Remit to: RIVERSIDE, CA					FYTD: \$210,987.87
G/M BUSINESS INTERIORS, INC.	29440	12/07/2020	0264501-IN	OFFICE FURNITURE-CITY HALL	\$1,209.60
Remit to: RIVERSIDE, CA					FYTD: \$13,347.23
GALLOWAY, VERA	29441	12/07/2020	DECEMBER 2020	MOVAL LEARNS-DECEMBER 2020	\$250.00
Remit to: MORENO VALLEY, CA					FYTD: \$1,000.00
GALLS INC., INLAND UNIFORM	29619	12/28/2020	016987154	ANIMAL CONTROL OFFICER UNIFORMS	\$109.91
Remit to: CHICAGO, IL					FYTD: \$1,007.48
GARCIA, ANGELICA	29442	12/07/2020	DECEMBER 2020	MOVAL LEARNS-DECEMBER 2020	\$250.00
Remit to: MORENO VALLEY, CA					FYTD: \$1,000.00
GARCIA, YVONNE	29443	12/07/2020	DECEMBER 2020	MOVAL LEARNS-DECEMBER 2020	\$250.00
Remit to: MORENO VALLEY, CA					FYTD: \$1,000.00
GARDAWORLD	29531	12/14/2020	10607766	AMORED CAR SERVICES-CONF & REC CTR. AND ANIMAL SVCS-DEC 20	\$688.50
Remit to: CHICAGO, IL					FYTD: \$4,048.80
GEOTEK, INC.	29532	12/14/2020	75966	CIVIC CTR PARK & AMPHITHEATER PROJECT INSPECTION	\$7,672.50
Remit to: CORONA, CA					FYTD: \$68,635.00

Attachment: December 2020 Payment Register (4233 : PAYMENT REGISTER- DECEMBER 2020)



**City of Moreno Valley
Payment Register
For Period 12/1/2020 through 12/31/2020**

CHECKS UNDER \$25,000

<u>Vendor Name</u>	<u>Check/EFT Number</u>	<u>Payment Date</u>	<u>Inv Number</u>	<u>Invoice Description</u>	<u>Payment Amount</u>
GLASS FABRICATION	240754	12/21/2020	446107	EMERGENCY BOARD-UP-MV203130087-PD	\$250.00
Remit to: MORENO VALLEY, CA					FYTD: \$250.00
GOMEZ, JEANNETTE D	29444	12/07/2020	DECEMBER 2020	MOVAL LEARNS-DECEMBER 2020	\$250.00
Remit to: MORENO VALLEY, CA					FYTD: \$1,000.00
GONZALEZ, STEPHANIE	29445	12/07/2020	DECEMBER 2020	MOVAL LEARNS-DECEMBER 2020	\$250.00
Remit to: MORENO VALLEY, CA					FYTD: \$1,000.00
GRAVES & KING, LLP	29534	12/14/2020	2010-0010335-03	LEGAL SERVICES-CLAIM MV1940 (S. MARTIN)	\$19,986.66
		12/14/2020	2010-0010227-03	LEGAL SERVICES-CLAIM MV1908 (S. LATTIMORE)	
		12/14/2020	2010-0010166-05	LEGAL SERVICES-CLAIM MV 0010166-INRI TOWING	
		12/14/2020	2010-0010328-03	LEGAL SERVICES-CLAIM MV2009 (D. MARIANO)	
	29620	12/28/2020	2011-0010166-01	LEGAL SERVICES-CLAIM MV 0010166-INRI TOWING	\$1,848.00
Remit to: RIVERSIDE, CA					FYTD: \$93,234.49
GRAYBAR ELECTRIC CO INC	29446	12/07/2020	9318859433	LIGHT POLES & FIXTURES-CIVIC CENTER	\$1,325.33
Remit to: DIAMOND BAR, CA					FYTD: \$165,242.85
GREEN, DEAZJAH	29447	12/07/2020	DECEMBER 2020	MOVAL LEARNS-DECEMBER 2020	\$250.00
Remit to: MORENO VALLEY, CA					FYTD: \$1,000.00
GREENTECH LANDSCAPE, INC.	29448	12/07/2020	49933	LANDSCAPE MAINT-ZONES 01 & E-7	\$826.09
	29566	12/21/2020	49944	LANDSCAPE MAINT-ZONES 01 & 01A	\$18,105.00
Remit to: LOS ANGELES, CA					FYTD: \$165,512.98
GRID ALTERNATIVES	29535	12/14/2020	ARI0007302	CDBG 19/20 SOLAR ENERGY ASSISTANCE PROGRAM-JULY 2020	\$19,560.12
Remit to: OAKLAND, CA					FYTD: \$28,522.39

Attachment: December 2020 Payment Register (4233 : PAYMENT REGISTER- DECEMBER 2020)



City of Moreno Valley
Payment Register
For Period 12/1/2020 through 12/31/2020

CHECKS UNDER \$25,000

<u>Vendor Name</u>	<u>Check/EFT Number</u>	<u>Payment Date</u>	<u>Inv Number</u>	<u>Invoice Description</u>	<u>Payment Amount</u>
GROSS, KATHLEEN M.	240752	12/21/2020	5/21-11/12/20	MILEAGE REIMBURSEMENT FOR "ERC" DAYS	\$78.20
Remit to: MORENO VALLEY, CA					<u>FYTD:</u> \$78.20
GUZMAN, KAITLYNN	29449	12/07/2020	DECEMBER 2020	MOVAL LEARNS-DECEMBER 2020	\$250.00
Remit to: MORENO VALLEY, CA					<u>FYTD:</u> \$1,000.00
GUZMAN, MAHRYA	29450	12/07/2020	DECEMBER 2020	MOVAL LEARNS-DECEMBER 2020	\$250.00
Remit to: MORENO VALLEY, CA					<u>FYTD:</u> \$1,000.00
HAMPTON, ELLEN	240694	12/07/2020	MVP87072	PARKING CONTROL FEES-VIOLATION DISMISSED	\$25.00
Remit to: MORENO VALLEY, CA					<u>FYTD:</u> \$25.00
HARDY & HARPER, INC.	29621	12/28/2020	46978	SPEED HUMPS CONSTRUCTION-RED MAPLE LANE	\$20,490.00
		12/28/2020	46906	SPEED HUMPS CONSTRUCTION-HEMLOCK & PERRIS	
Remit to: SANTA ANA, CA					<u>FYTD:</u> \$2,359,974.17

Attachment: December 2020 Payment Register (4233 : PAYMENT REGISTER- DECEMBER 2020)



City of Moreno Valley
Payment Register
For Period 12/1/2020 through 12/31/2020

CHECKS UNDER \$25,000

<u>Vendor Name</u>	<u>Check/EFT Number</u>	<u>Payment Date</u>	<u>Inv Number</u>	<u>Invoice Description</u>	<u>Payment Amount</u>	
HASCO HEATING AIR CONDITIONING SERVICE COMPANY	29536	12/14/2020	96136	HVAC REPAIRS-FIRE STATION 48	\$21,733.12	
		12/14/2020	95761	HVAC REPAIR -CONFERENCE & REC. CENTER		
		12/14/2020	96574	HVAC REPAIR-CITY HALL		
		12/14/2020	96105	HVAC PREVENTATIVE MAINTENANCE & REPAIRS-EMERGENCY OPS. CENTER		
		12/14/2020	96104	HVAC PREVENTATIVE MAINTENANCE & REPAIRS-ANIMAL SHELTER		
		12/14/2020	95748	HVAC PREVENTATIVE MAINTENANCE & REPAIRS-TOWNGATE COMM. CENTER		
		12/14/2020	96132	HVAC PREVENTATIVE MAINTENANCE & REPAIRS-CITY HALL		
		12/14/2020	96113	HVAC PREVENTATIVE MAINTENANCE & REPAIRS-FIRE STATION 99		
		12/14/2020	96412	HVAC REPAIR -CONFERENCE & REC. CENTER		
		12/14/2020	95763	HVAC REPAIRS-CONFERENCE & REC. CENTER		
		12/14/2020	95747	HVAC PREVENTATIVE MAINTENANCE & REPAIRS-TOWNGATE COMM. CENTER		
		29622	12/28/2020	95932	HVAC REPAIR-FIRE STATION 2	\$10,527.69
			12/28/2020	96117	HVAC REPAIR-FIRE STATION 2	
			12/28/2020	96127	HVAC REPAIR-FIRE STATION 2	
			12/28/2020	96024	HVAC REPAIR-FIRE STATION 6	
			12/28/2020	96087	HVAC REPAIR-CITY YARD	
		12/28/2020	96170	HVAC REPAIRS-SUNNYMEAD PARK		
		12/28/2020	96283	HVAC REPAIR-FIRE STATION 2		
		12/28/2020	96123	HVAC REPAIR-FIRE STATION 91		
		12/28/2020	96031	HVAC REPAIR-FIRE STATION 91		
		12/28/2020	96348	HVAC REPAIRS-CFD		

Remit to: RIVERSIDE, CA

FYTD: \$137,739.16

Attachment: December 2020 Payment Register (4233 : PAYMENT REGISTER- DECEMBER 2020)



**City of Moreno Valley
Payment Register
For Period 12/1/2020 through 12/31/2020**

CHECKS UNDER \$25,000

<u>Vendor Name</u>	<u>Check/EFT Number</u>	<u>Payment Date</u>	<u>Inv Number</u>	<u>Invoice Description</u>	<u>Payment Amount</u>
HERNANDEZ, LYDIA	240695	12/07/2020	R20-152405	ANIMAL SERVICES REFUND-DECLINED ADOPTION DUE TO MEDICAL COSTS	\$68.00
Remit to: RANCHO CUCAMONGA, CA					<u>FYTD:</u> \$68.00
HF&H CONSULTANTS, LLC	29568	12/21/2020	9717765	2020 WASTE MANAGEMENT RATE ADJUSTMENT ANALYSIS	\$3,801.25
Remit to: WALNUT CREEK, CA					<u>FYTD:</u> \$3,801.25
HLP, INC.	29623	12/28/2020	19006	WEB LICENSE MONTHLY SVC FEE	\$114.10
Remit to: LITTLETON, CO					<u>FYTD:</u> \$32,556.30
HOLMES, SAMANTHA	29451	12/07/2020	DECEMBER 2020	MOVAL LEARNS-DECEMBER 2020	\$250.00
Remit to: MORENO VALLEY, CA					<u>FYTD:</u> \$1,000.00
HR GREEN PACIFIC INC.	29452	12/07/2020	139749	ON-CALL TRAFFIC ENGINEERING SERVICES	\$7,612.50
Remit to: DES MOINES, IA					<u>FYTD:</u> \$96,017.82
HUGHES NETWORK SYSTEMS, LLC	240735	12/21/2020	B1-369764758	INTERNET SVCS 11/30-12/30/20	\$92.34
Remit to: CHICAGO, IL					<u>FYTD:</u> \$554.04
INLAND EMPIRE PROPERTY SERVICE, INC	29454	12/07/2020	2020108	WEED ABATEMENT SVCS-260074012 & 260040029	\$3,014.00
	29537	12/14/2020	20123	WEED ABATEMENT SVCS - APN 308-030-019	\$8,444.00
		12/14/2020	20128	WEED ABATEMENT SVCS - APN 297-140-043	
		12/14/2020	20125	WEED ABATEMENT SVCS - APN 487-470-030 & 031	
Remit to: MORENO VALLEY, CA					<u>FYTD:</u> \$158,646.79

Attachment: December 2020 Payment Register (4233 : PAYMENT REGISTER- DECEMBER 2020)



**City of Moreno Valley
Payment Register
For Period 12/1/2020 through 12/31/2020**

CHECKS UNDER \$25,000

<u>Vendor Name</u>	<u>Check/EFT Number</u>	<u>Payment Date</u>	<u>Inv Number</u>	<u>Invoice Description</u>	<u>Payment Amount</u>
INLAND OVERHEAD DOOR COMPANY	29455	12/07/2020	46080	GATE REPAIR-PUBLIC SAFETY BUILDING	\$139.00
	29569	12/21/2020	46189	GATE REPAIR-PUBLIC SAFETY BUILDING	\$278.00
	29624	12/28/2020	46201	ROLL UP DOOR REPAIR-CITY YARD	\$146.25
Remit to: COLTON, CA					FYTD: \$11,175.50
IRIS PARTNERS, LLC	29625	12/28/2020	JANUARY 2021	LEASE PAYMENT-LIBRARY-JANUARY 2021	\$11,666.67
Remit to: UPLAND, CA					FYTD: \$70,000.02
JITTERZ GOURMET COFFEE	29456	12/07/2020	MAY 22, 2020	SENIOR EATS PROGRAM-5/18-5/22/20	\$3,780.00
	29538	12/14/2020	NOV 27, 2020	SENIOR EATS PROGRAM-11/23-11/27/20	\$4,275.00
Remit to: REDLANDS, CA					FYTD: \$100,980.00
JONES, PATRICK	240696	12/07/2020	MVA050011002	PARKING CONTROL FEES-VIOLATION DISMISSED	\$57.50
Remit to: TORRINGTON, WY					FYTD: \$57.50
JVS RESTAURANTS DBA LOS ZAPATAS MEXICAN RESTAURANT	29457	12/07/2020	NOV 27, 2020	SENIOR EATS PROGRAM-11/23-11/27/20	\$3,825.00
	29539	12/14/2020	DEC 5, 2020	SENIOR EATS PROGRAM-11/30-12/05/20	\$3,825.00
	29570	12/21/2020	DEC 11, 2020	SENIOR EATS PROGRAM 12/7-12/11/20	\$3,825.00
	29626	12/28/2020	DEC 18, 2020	SENIOR EATS PROGRAM-12/14-12/18/20	\$3,825.00
Remit to: MORENO VALLEY, CA					FYTD: \$99,450.00
KHAN, MASFIKA	29458	12/07/2020	DECEMBER 2020	MOVAL LEARNS-DECEMBER 2020	\$250.00
Remit to: MORENO VALLEY, CA					FYTD: \$1,000.00
KHAN, TAHREEM	29459	12/07/2020	DECEMBER 2020	MOVAL LEARNS-DECEMBER 2020	\$250.00
Remit to: MORENO VALLEY, CA					FYTD: \$1,000.00

Attachment: December 2020 Payment Register (4233 : PAYMENT REGISTER- DECEMBER 2020)



**City of Moreno Valley
Payment Register
For Period 12/1/2020 through 12/31/2020**

CHECKS UNDER \$25,000

<u>Vendor Name</u>	<u>Check/EFT Number</u>	<u>Payment Date</u>	<u>Inv Number</u>	<u>Invoice Description</u>	<u>Payment Amount</u>
KIBEL, MANDI	240731	12/14/2020	DECEMBER 2020	MOVAL LEARNS-DECEMBER 2020	\$1,000.00
		12/14/2020	SEPTEMBER 2020	MOVAL LEARNS-SEPTEMBER 2020	
		12/14/2020	OCTOBER 2020	MOVAL LEARNS-OCTOBER 2020	
		12/14/2020	NOVEMBER 2020	MOVAL LEARNS-NOVEMBER 2020	
Remit to: MORENO VALLEY, CA					<u>FYTD:</u> \$1,000.00
KOONER, GURJOT	29460	12/07/2020	DECEMBER 2020	MOVAL LEARNS-DECEMBER 2020	\$250.00
Remit to: MORENO VALLEY, CA					<u>FYTD:</u> \$1,000.00
KUSTOM SIGNALS, INC.	29461	12/07/2020	577659	RADAR/LASER MAINT & REPAIR	\$464.95
Remit to: CHICAGO, IL					<u>FYTD:</u> \$1,157.97
LEVEL 3 COMMUNICATIONS/FORMERLY TW TELCOM	29462	12/07/2020	171012156	INTERNET & DATA SVCS 11/17-12/16/20	\$1,797.00
Remit to: BROOMFIELD, CO					<u>FYTD:</u> \$26,397.08
LSA ASSOCIATES, INC.	240674	12/07/2020	174853	RANCHO VERDE PARK SITE ASSESSMENT	\$1,475.00
		12/07/2020	174281	RANCHO VERDE PARK SITE ASSESSMENT	
		12/14/2020	175083	RANCHO VERDE PARK SITE ASSESSMENT	
Remit to: IRVINE, CA					<u>FYTD:</u> \$4,507.50
LYONS SECURITY SERVICE, INC.	29463	12/07/2020	28348	SECURITY GUARD SVCS-LIBRARY-NOV 2020	\$15,089.31
		12/07/2020	28352	SECURITY GUARD SVCS-CITY HALL-NOV 20-COVID-19	
		12/07/2020	28351	SECURITY GUARD SVCS-CITY HALL-NOV 2020	
		12/07/2020	28350	SECURITY GUARD SVCS-CONF & REC CTR-NOV 2020	
		12/07/2020	28349	SECURITY GUARD SVCS-ERC-NOV 20-COVID-19	
Remit to: ANAHEIM, CA					<u>FYTD:</u> \$109,689.29

Attachment: December 2020 Payment Register (4233 : PAYMENT REGISTER- DECEMBER 2020)



City of Moreno Valley
Payment Register
For Period 12/1/2020 through 12/31/2020

CHECKS UNDER \$25,000

<u>Vendor Name</u>	<u>Check/EFT Number</u>	<u>Payment Date</u>	<u>Inv Number</u>	<u>Invoice Description</u>	<u>Payment Amount</u>
MANDELL MUNICIPAL COUNSELING	240736	12/21/2020	NOV-2020	LEGAL SERVICES FOR SPECIAL FINANCING DISTRICTS	\$570.00
Remit to: LOS ANGELES, CA					FYTD: \$750.00
MARGARITAS GRILL RESTAURANT & CATERING, LLC	240675	12/07/2020	NOV 27, 2020	SENIOR EATS PROGRAM 11/23-11/27/20	\$3,825.00
	240714	12/14/2020	DEC 4, 2020	SENIOR EATS PROGRAM 11/30-12/04/20	\$4,050.00
	240737	12/21/2020	DEC 11, 2020	SENIOR EATS PROGRAM 12/7-12/11/20	\$4,050.00
Remit to: MORENO VALLEY, CA					FYTD: \$100,350.00

Attachment: December 2020 Payment Register (4233 : PAYMENT REGISTER- DECEMBER 2020)



City of Moreno Valley Payment Register

For Period 12/1/2020 through 12/31/2020

CHECKS UNDER \$25,000

<u>Vendor Name</u>	<u>Check/EFT Number</u>	<u>Payment Date</u>	<u>Inv Number</u>	<u>Invoice Description</u>	<u>Payment Amount</u>
MARIPOSA LANDSCAPES, INC.	29464	12/07/2020	91132R	LANDSCAPE EXTRA WORK-OCT20-ZONE 02/REPLACED 4 ROTOR HEADS	\$853.18
		12/07/2020	91134R	LANDSCAPE EXTRA WORK-OCT20-ZONE 02/REMOVE LARGE BROKEN BRANCH	
		12/07/2020	91131	LANDSCAPE EXTRA WORK-OCT20-ZONE 02/REPAIR VARIOUS LATERAL LINES	
		12/07/2020	91133	LANDSCAPE EXTRA WORK-OCT20-ZONE 02/REPAIR IRRIG.-CAR ACCIDENT	
		12/07/2020	91135	LANDSCAPE EXTRA WORK-OCT20-NPDES WQB/IRRIGATION REPAIRS	

Attachment: December 2020 Payment Register (4233 : PAYMENT REGISTER- DECEMBER 2020)



City of Moreno Valley
Payment Register

For Period 12/1/2020 through 12/31/2020

CHECKS UNDER \$25,000

<u>Vendor Name</u>	<u>Check/EFT Number</u>	<u>Payment Date</u>	<u>Inv Number</u>	<u>Invoice Description</u>	<u>Payment Amount</u>
MARIPOSA LANDSCAPES, INC.	29540	12/14/2020	91256	LANDSCAPE MAINT.-AQUEDUCT BIKEWAY/BAY AVE. TO GRAHAM-NOV. 2020	\$19,054.83
		12/14/2020	91273	LANDSCAPE MAINT.-FIRE STATIONS 2, 6, 48, 58, 65, 91, & 99-NOV20	
		12/14/2020	91275	LANDSCAPE MAINT.-CITY HALL ANNEX-NOV. 2020	
		12/14/2020	91270	LANDSCAPE MAINT.-PUBLIC SAFETY BUILDING-NOV. 2020	
		12/14/2020	91276	LANDSCAPE MAINT.-VETERANS MEMORIAL-NOV. 2020	
		12/14/2020	91274	LANDSCAPE MAINT.-CITY HALL-NOV. 2020	
		12/14/2020	91277	LANDSCAPE MAINT.-CITY YARD SANTIAGO OFFICE-NOV. 2020	
		12/14/2020	91271	LANDSCAPE MAINT.-SENIOR CENTER-NOV. 2020	
		12/14/2020	91279	LANDSCAPE MAINT.-AQUEDUCT BIKEWAY/FAY TO GENTIAN-NOV. 2020	
		12/14/2020	91255	LANDSCAPE MAINT.-TOWNGATE AQUEDUCT BIKEWAY-NOV. 2020	
		12/14/2020	91257	LANDSCAPE MAINT.-AQUEDUCT BIKEWAY-DEPHINIUM/PERHAM TO JFK-NOV20	
		12/14/2020	91263	LANDSCAPE MAINT.-AQUEDUCT/SCE AND OLD LAKE DRIVE-NOV. 2020	
		12/14/2020	91262	LANDSCAPE MAINT.-SOUTH AQUEDUCT B-NOV. 2020	
		12/14/2020	91267	LANDSCAPE MAINT.-CONFERENCE & REC. CENTER-NOV. 2020	
		12/14/2020	91266	LANDSCAPE MAINT.-CITY YARD-NOV. 2020	
		12/14/2020	91254	LANDSCAPE MAINT.-TOWNGATE COMMUNITY CENTER-NOV. 2020	
		12/14/2020	91264	LANDSCAPE MAINT.-ANIMAL SHELTER-NOV. 2020	
		12/14/2020	91258	LANDSCAPE MAINT.-AQUEDUCT BIKEWAY/VANDENBERG TO FAY-NOV. 2020	
		12/14/2020	91269	LANDSCAPE MAINT.-LIBRARY-NOV. 2020	
		12/14/2020	91261	LANDSCAPE MAINT.-SOUTH AQUEDUCT A-NOV. 2020	
		12/14/2020	91260	LANDSCAPE MAINT.-PAN AM SECTION AQUEDUCT-NOV. 2020	
		12/14/2020	91259	LANDSCAPE MAINT.-NORTH AQUEDUCT-NOV. 2020	
		12/14/2020	91265	LANDSCAPE MAINT.-MARCH ANNEX BUILDING-NOV. 2020	

Attachment: December 2020 Payment Register (4233 : PAYMENT REGISTER- DECEMBER 2020)



City of Moreno Valley Payment Register

For Period 12/1/2020 through 12/31/2020

CHECKS UNDER \$25,000

Vendor Name	Check/EFT Number	Payment Date	Inv Number	Invoice Description	Payment Amount
MARIPOSA LANDSCAPES, INC.	29572	12/21/2020	91253	LANDSCAPE MAINT.-SD LMD ZONE 02-NOV. 2020	\$17,118.01
		12/21/2020	91280	LANDSCAPE MAINT.-NPDES WQB-NOV. 2020	
	29627	12/28/2020	91473	LANDSCAPE EXTRA WORK-NPDES WQB/REPLENISH PLANT MATERIAL	\$4,081.82
		12/28/2020	91463	LANDSCAPE EXTRA WORK-NOV20-NPDES WQB/IRRIGATION REPAIRS, ETC.	
		12/28/2020	91278	LANDSCAPE MAINT.-KITCHING ELECTRIC SUBSTATION-NOV. 2020	
		12/28/2020	91272	LANDSCAPE MAINT.-UTILITY FIELD OFFICE-NOV. 2020	
		12/28/2020	91268	LANDSCAPE MAINT.-MORENO BEACH ELECTRIC SUBSTATION-NOV. 2020	
Remit to: IRWINDALE, CA					FYTD: \$254,836.47
MAS REAL CONSTRUCTION INC.	240697	12/07/2020	124498	REFUND-PEN19-0239	\$340.00
Remit to: MORENO VALLEY, CA					FYTD: \$340.00
MCCORD, ASHLEY	240698	12/07/2020	MVP82728	PARKING CONTROL FEES-OVER PAYMENT	\$331.50
Remit to: MORENO VALLEY, CA					FYTD: \$331.50
MEJIA, DIANA	240726	12/14/2020	R20-152438	ANIMAL SERVICES REFUND-OVERPAYMENT ON WEB LICENSE	\$33.00
Remit to: MORENO VALLEY, CA					FYTD: \$33.00
MENA, SAUL	29465	12/07/2020	DECEMBER 2020	MOVAL LEARNS-DECEMBER 2020	\$250.00
Remit to: MORENO VALLEY, CA					FYTD: \$1,000.00
MENCHACA, CEASER OMAR	29466	12/07/2020	DECEMBER 2020	MOVAL LEARNS-DECEMBER 2020	\$250.00
Remit to: MORENO VALLEY, CA					FYTD: \$1,000.00

Attachment: December 2020 Payment Register (4233 : PAYMENT REGISTER- DECEMBER 2020)



**City of Moreno Valley
Payment Register
For Period 12/1/2020 through 12/31/2020**

CHECKS UNDER \$25,000

<u>Vendor Name</u>	<u>Check/EFT Number</u>	<u>Payment Date</u>	<u>Inv Number</u>	<u>Invoice Description</u>	<u>Payment Amount</u>
MERCHANTS BUILDING MAINTENANCE, LLC.	29573	12/21/2020	604601	DAY PORTER SERVICES FOR ENHANCED COVID-19 CLEANING-OCT. 2020	\$10,476.50
		12/21/2020	609159	COVID-19 DISINFECTANT CLEANING SERVICES-ANNEX 1/PURCHASING DEPT.	
Remit to: MONTEREY PARK, CA					FYTD: \$219,949.66
MERCHANTS LANDSCAPE SERVICES INC	29628	12/28/2020	57178	LANDSCAPE EXTRA WORK-NOV20-ZONE 03 IRRIGATION REPAIRS	\$5,374.67
		12/28/2020	57179	LANDSCAPE EXTRA WORK-NOV20-ZONE 03/REPLACE 4" BASKET STRAINER	
Remit to: MONTEREY PARK, CA					FYTD: \$787,748.47
MGT OF AMERICA, LLC	29541	12/14/2020	38765	FULL COST ALLOCATION PLAN-FINAL INVOICE	\$2,062.50
Remit to: TAMPA, FL					FYTD: \$24,132.50
MIRANDA, JONATHAN	29468	12/07/2020	DECEMBER 2020	MOVAL LEARNS-DECEMBER 2020	\$250.00
Remit to: MORENO VALLEY, CA					FYTD: \$1,000.00
MOORE FENCE COMPANY INC	240715	12/14/2020	20-7068	FENCE REPAIRS-CITY YARD	\$6,159.33
Remit to: PERRIS, CA					FYTD: \$6,159.33
MOORE, NIA IMANI	29469	12/07/2020	DECEMBER 2020	MOVAL LEARNS-DECEMBER 2020	\$250.00
Remit to: MORENO VALLEY, CA					FYTD: \$1,000.00
MORENO VALLEY MALL HOLDING, LLC	29629	12/28/2020	JAN. 2021 RENT	JANUARY 2021 RENT PAYMENT FOR SP. 2078-M.V. LIBRARY BRANCH	\$6,874.54
Remit to: MORENO VALLEY, CA					FYTD: \$41,247.24

Attachment: December 2020 Payment Register (4233 : PAYMENT REGISTER- DECEMBER 2020)



**City of Moreno Valley
Payment Register
For Period 12/1/2020 through 12/31/2020**

CHECKS UNDER \$25,000

<u>Vendor Name</u>	<u>Check/EFT Number</u>	<u>Payment Date</u>	<u>Inv Number</u>	<u>Invoice Description</u>	<u>Payment Amount</u>
MORENO VALLEY TOW & RADIATOR	240766	12/28/2020	20-12207	EVIDENCE TOWING FOR PD	\$225.00
Remit to: MORENO VALLEY, CA					FYTD: \$3,456.25
MORENO, MICHAEL DOMINICK	29471	12/07/2020	DECEMBER 2020	MOVAL LEARNS-DECEMBER 2020	\$250.00
Remit to: MORENO VALLEY, CA					FYTD: \$1,000.00
MORUA, MICHELLE	29472	12/07/2020	DECEMBER 2020	MOVAL LEARNS-DECEMBER 2020	\$250.00
Remit to: MORENO VALLEY, CA					FYTD: \$1,000.00
MOVAL ENTERPRISES INC. DBA MARINAJ CATERING	29473	12/07/2020	NOV 27, 2020	SENIOR EATS PROGRAM 11/23-11/27/20	\$3,285.00
	29575	12/21/2020	DEC 11, 2020	SENIOR EATS PROGRAM 12/7-12/11/20	\$3,375.00
	29630	12/28/2020	DEC 18, 2020	SENIOR EATS PROGRAM 12/14-12/18/20	\$3,375.00
Remit to: MORENO VALLEY, CA					FYTD: \$85,185.00
MURILLO, KATHERINE	29474	12/07/2020	DECEMBER 2020	MOVAL LEARNS-DECEMBER 2020	\$250.00
Remit to: MORENO VALLEY, CA					FYTD: \$1,000.00
NARANJO, ANGELA CELESTE	240676	12/07/2020	DECEMBER 2020	MOVAL LEARNS-DECEMBER 2020	\$250.00
Remit to: MORENO VALLEY, CA					FYTD: \$1,000.00
NEW HORIZON MOBILE HOME PARK	29576	12/21/2020	NOV-DEC 2020	UUT REFUND FOR NOV AND DEC 2020	\$16.59
Remit to: LOS ANGELES, CA					FYTD: \$58.09
NEXXSOL CORPORATION	29577	12/21/2020	2735	ADOBE ENTERPRISE LICENSING SUBSCRIPTIONS-ACROBAT PRO DC	\$240.00
Remit to: COVINA, CA					FYTD: \$240.00

Attachment: December 2020 Payment Register (4233 : PAYMENT REGISTER- DECEMBER 2020)



**City of Moreno Valley
Payment Register
For Period 12/1/2020 through 12/31/2020**

CHECKS UNDER \$25,000

<u>Vendor Name</u>	<u>Check/EFT Number</u>	<u>Payment Date</u>	<u>Inv Number</u>	<u>Invoice Description</u>	<u>Payment Amount</u>
NKWOCHA, NKEIRU CHELSEA	29475	12/07/2020	DECEMBER 2020	MOVAL LEARNS-DECEMBER 2020	\$250.00
Remit to: MORENO VALLEY, CA					<u>FYTD:</u> \$1,000.00
NPG CORPORATION	29476	12/07/2020	1119097	RETENTION PAYMENT-NPG JOB #20081-PSB PARKING LOT ADA REPAIRS	\$5,691.60
Remit to: PERRIS, CA					<u>FYTD:</u> \$52,188.40
ONLINE-MSDS.COM BY KHA	29579	12/21/2020	20201410	SDS MANAGEMENT ONLINE SERVICE 12/1/20-11/30/21	\$3,000.00
Remit to: HAMMOND, IN					<u>FYTD:</u> \$3,000.00
PACIFIC TELEMAGEMENT SERVICES	29631	12/28/2020	2058069	PAY PHONE SERVICES-JAN. 2021	\$128.28
Remit to: SAN RAMON, CA					<u>FYTD:</u> \$894.96
PADILLA, GLORIA YOULANDA	29477	12/07/2020	DECEMBER 2020	MOVAL LEARNS-DECEMBER 2020	\$250.00
Remit to: MORENO VALLEY, CA					<u>FYTD:</u> \$1,000.00
PAINTING BY ZEB BODE	29478	12/07/2020	20200611	PAINTING FOR THE TEEN SPOT AT CRC	\$3,500.00
Remit to: NORCO, CA					<u>FYTD:</u> \$16,615.00
PARSONS TRANSPORTATION GROUP, INC.	29580	12/21/2020	2012A008	SR-60/MORENO BEACH IC PHASE 2	\$2,412.45
Remit to: IRVINE, CA					<u>FYTD:</u> \$122,014.03
PEDLEY SQUARE VETERINARY CLINIC	29479	12/07/2020	OCT-2020	VETERINARY SERVICES-MV ANIMAL SHELTER	\$6,084.24
	29581	12/21/2020	NOV-2020	VETERINARY SERVICES-MV ANIMAL SHELTER	\$7,050.95
Remit to: RIVERSIDE, CA					<u>FYTD:</u> \$38,702.49

Attachment: December 2020 Payment Register (4233 : PAYMENT REGISTER- DECEMBER 2020)



**City of Moreno Valley
Payment Register
For Period 12/1/2020 through 12/31/2020**

CHECKS UNDER \$25,000

<u>Vendor Name</u>	<u>Check/EFT Number</u>	<u>Payment Date</u>	<u>Inv Number</u>	<u>Invoice Description</u>	<u>Payment Amount</u>
PEPE'S TOWING	240677	12/07/2020	96718	EVIDENCE TOWING FOR PD	\$675.00
		12/07/2020	96717	EVIDENCE TOWING FOR PD	
		12/07/2020	96118	EVIDENCE TOWING FOR PD	
Remit to: MORENO VALLEY, CA					<u>FYTD:</u> \$3,643.75
PERCEPTIVE ENTERPRISES, INC.	29542	12/14/2020	3661	PROFESSIONAL DBE CONSULTING SERVICES	\$7,530.00
Remit to: LOS ANGELES, CA					<u>FYTD:</u> \$39,012.00
PGI - PACIFIC GRAPHICS, INC	29582	12/21/2020	43384	BUSINESS LICENSE RENEWAL POSTCARDS	\$2,968.16
Remit to: INDUSTRY, CA					<u>FYTD:</u> \$2,968.16
PHAM, JENNY	240727	12/14/2020	R20-152543	ANIMAL SERVICES REFUND-CHARGED MICROCHIP FEE BY MISTAKE	\$16.00
Remit to: MORENO VALLEY, CA					<u>FYTD:</u> \$16.00
PIECHO, ERIC	29480	12/07/2020	DECEMBER 2020	MOVAL LEARNS-DECEMBER 2020	\$250.00
Remit to: MORENO VALLEY, CA					<u>FYTD:</u> \$1,000.00
PINA, RAYMUNDO	240699	12/07/2020	R20-152517	ANIMAL SERVICES REFUND-REFUND LATE LIC FEE, USED WRONG LICENSE #	\$21.00
Remit to: MORENO VALLEY, CA					<u>FYTD:</u> \$21.00
PIP PRINTING RIVERSIDE	240678	12/07/2020	384136	COLLATION OF BUSINESS LICENSE RENEWAL LETTER FOR MAIL OUT	\$4,700.52
Remit to: RIVERSIDE, CA					<u>FYTD:</u> \$4,700.52
POWER SPEAKS LOUDER	240774	12/28/2020	DECEMBER 2020	SPONSORSHIP-HOLIDAY TOY DRIVE	\$800.00
Remit to: MORENO VALLEY, CA					<u>FYTD:</u> \$800.00

Attachment: December 2020 Payment Register (4233 : PAYMENT REGISTER- DECEMBER 2020)



City of Moreno Valley Payment Register

For Period 12/1/2020 through 12/31/2020

CHECKS UNDER \$25,000

<u>Vendor Name</u>	<u>Check/EFT Number</u>	<u>Payment Date</u>	<u>Inv Number</u>	<u>Invoice Description</u>	<u>Payment Amount</u>
PROFESSIONAL COMMUNICATIONS NETWORK PCN	240739	12/21/2020	157700261	LIVE ANSWERING SERVICE FOR ROTATIONAL TOW PROGRAM	\$531.31
Remit to: RIVERSIDE, CA					FYTD: \$3,689.67

Attachment: December 2020 Payment Register (4233 : PAYMENT REGISTER- DECEMBER 2020)



City of Moreno Valley Payment Register

For Period 12/1/2020 through 12/31/2020

CHECKS UNDER \$25,000

<u>Vendor Name</u>	<u>Check/EFT Number</u>	<u>Payment Date</u>	<u>Inv Number</u>	<u>Invoice Description</u>	<u>Payment Amount</u>
PRUDENTIAL OVERALL SUPPLY	29481	12/07/2020	23078298	UNIFORM RENTAL & LAUNDERING SVC.-FACILITIES MAINT. STAFF	\$379.91
		12/07/2020	23056495	UNIFORM RENTAL & LAUNDERING SVC.-FACILITIES MAINT. STAFF	
		12/07/2020	23071717	UNIFORM RENTAL & LAUNDERING SVC.-CITY YARD SECURITY GUARD	
		12/07/2020	23031362	UNIFORM RENTAL & LAUNDERING SVC.-FACILITIES MAINT. STAFF	
		12/07/2020	23071723	UNIFORM RENTAL & LAUNDERING SVC.-CFD #1 STAFF	
		12/07/2020	23056496	UNIFORM RENTAL & LAUNDERING SVC.-CITY YARD SECURITY GUARD	
		12/07/2020	23031363	UNIFORM RENTAL & LAUNDERING SVC.-CITY YARD SECURITY GUARD	
		12/07/2020	23071716	UNIFORM RENTAL & LAUNDERING SVC.-FACILITIES MAINT. STAFF	
		12/07/2020	23078300	UNIFORM RENTAL & LAUNDERING SVC.-CITY YARD SECURITY GUARD	
		12/07/2020	23075071	UNIFORM RENTAL & LAUNDERING SVC.-FACILITIES MAINT. STAFF	
		12/07/2020	23075072	UNIFORM RENTAL & LAUNDERING SVC.-CITY YARD SECURITY GUARD	
		12/07/2020	23075082	UNIFORM RENTAL & LAUNDERING SVC.-PARKS MAINT. STAFF	
		12/07/2020	23071727	UNIFORM RENTAL & LAUNDERING SVC.-PARKS MAINT. STAFF	
		12/07/2020	23078336	UNIFORM RENTAL & LAUNDERING SVC.-PARKS MAINT. STAFF	
		12/07/2020	23078319	UNIFORM RENTAL & LAUNDERING SVC.-CFD #1 STAFF	
12/07/2020	23075078	UNIFORM RENTAL & LAUNDERING SVC.-CFD #1 STAFF			

Attachment: December 2020 Payment Register (4233 : PAYMENT REGISTER- DECEMBER 2020)



City of Moreno Valley Payment Register

For Period 12/1/2020 through 12/31/2020

CHECKS UNDER \$25,000

<u>Vendor Name</u>	<u>Check/EFT Number</u>	<u>Payment Date</u>	<u>Inv Number</u>	<u>Invoice Description</u>	<u>Payment Amount</u>		
PRUDENTIAL OVERALL SUPPLY	29543	12/14/2020	23081753	UNIFORM RENTAL & LAUNDERING SVC.-GRAFFITI REMOVAL STAFF	\$391.41		
		12/14/2020	23078305	UNIFORM RENTAL & LAUNDERING SVC.-VEHICLE/EQUIPMENT MAINT. STAFF			
		12/14/2020	23078341	UNIFORM RENTAL & LAUNDERING SVC.-TREE MAINT. STAFF			
		12/14/2020	23081746	UNIFORM RENTAL & LAUNDERING SVC.-VEHICLE/EQUIPMENT MAINT. STAFF			
		12/14/2020	23078307	UNIFORM RENTAL & LAUNDERING SVC.-STREET MAINT. STAFF			
		12/14/2020	23078323	UNIFORM RENTAL & LAUNDERING SVC.-STREET SWEEPING STAFF			
		12/14/2020	23078329	UNIFORM RENTAL & LAUNDERING SVC.-CONCRETE MAINT. STAFF			
		12/14/2020	23081752	UNIFORM RENTAL & LAUNDERING SVC.-CONCRETE MAINT. STAFF			
		12/14/2020	23078331	UNIFORM RENTAL & LAUNDERING SVC.-GRAFFITI REMOVAL STAFF			
		12/14/2020	23081755	UNIFORM RENTAL & LAUNDERING SVC.-TREE MAINT. STAFF			
		12/14/2020	23081751	UNIFORM RENTAL & LAUNDERING SVC.-STREET SWEEPING STAFF			
		12/14/2020	23081747	UNIFORM RENTAL & LAUNDERING SVC.-STREET MAINT. STAFF			
		29583	12/21/2020	23081754		UNIFORM RENTAL & LAUNDERING SVC.-PARKS MAINT. STAFF	\$96.48
			12/21/2020	23081749		UNIFORM RENTAL & LAUNDERING SVC.-TRAFFIC SIGNAL MAINT. STAFF	
	12/21/2020		23081748	UNIFORM RENTAL & LAUNDERING SVC.-SIGNS & STRIPING STAFF			
		12/21/2020	23081750	UNIFORM RENTAL & LAUNDERING SVC.-CFD #1 STAFF			
Remit to: RIVERSIDE, CA					FYTD: \$7,436.46		
RE ASTORIA 2 LLC	29632	12/28/2020	00051	RENEWABLE ENERGY-MV UTILITY-NOV. 2020	\$22,382.43		
Remit to: SAN FRANCISCO, CA					FYTD: \$205,505.95		
RESPONSE MARKETING, INC. DBA MODERN OFFICE	240704	12/07/2020	204038	DESKS FOR THE TEEN SPOT	\$6,495.00		
Remit to: EDEN PRAIRIE, MN					FYTD: \$6,495.00		

Attachment: December 2020 Payment Register (4233 : PAYMENT REGISTER- DECEMBER 2020)



City of Moreno Valley Payment Register

For Period 12/1/2020 through 12/31/2020

CHECKS UNDER \$25,000

<u>Vendor Name</u>	<u>Check/EFT Number</u>	<u>Payment Date</u>	<u>Inv Number</u>	<u>Invoice Description</u>	<u>Payment Amount</u>
RHYTHM TECH PRODUCTIONS	29584	12/21/2020	459	EQUIPMENT/SERVICES FOR AMPHITHEATER EVENT ON 10/20/20	\$6,752.50
		12/21/2020	460	EQUIPMENT/SERVICES FOR MOVIE NIGHT EVENT ON 10/24/20	
Remit to: CALIMESA, CA					FYTD: \$19,352.50
RIGHTWAY SITE SERVICES, INC.	240679	12/07/2020	273070	PORTABLE RESTROOMS/WASH STATIONS FOR FARMERS MARKET AT CRC	\$1,172.78
		12/07/2020	273555	PORTABLE RESTROOM AND WASH STATIONS RENTALS AT POLICE STATION	
	240716	12/14/2020	272398	PORTABLE RESTROOMS RENTAL/SERVICE FOR DRIVE-IN MOVIES	\$826.28
		12/14/2020	273691	PORTABLE RESTROOM RENTAL-COTTONWOOD GOLF COURSE	
		12/14/2020	273692	PORTABLE RESTROOMS RENTAL-EQUESTRIAN CENTER	
	240740	12/21/2020	274106	PORTABLE RESTROOMS/WASH STATIONS FOR FARMERS MARKET AT CRC	\$924.81
		12/21/2020	273398	PORTABLE RESTROOMS RENTAL-MARCH MIDDLE SCHOOL	
		12/21/2020	272659	PORTABLE RESTROOM RENTAL-COTTONWOOD GOLF COURSE	
		12/21/2020	273803	PORTABLE RESTROOMS RENTAL/SERVICE-MAINT. & OPS. DIVISION	
Remit to: LAKE ELSINORE, CA					FYTD: \$15,016.85
RIOS, DANA	240680	12/07/2020	DECEMBER 2020	MOVAL LEARNS-DECEMBER 2020	\$250.00
Remit to: MORENO VALLEY, CA					FYTD: \$1,000.00
RIVERSIDE AREA RAPE CRISIS CENTER	29585	12/21/2020	JULY2020-01	CDBG SUBGRANTEE PAYMENT-CHILD ABUSE PREVENTION PROGRAM	\$2,171.04
Remit to: RIVERSIDE, CA					FYTD: \$5,318.45
RIVERSIDE COUNTY DEPARTMENT OF HEALTH	240768	12/28/2020	HS0000006731	FRA RABIES TESTING @ PUBLIC HEALTH LAB	\$100.00
Remit to: RIVERSIDE, CA					FYTD: \$350.00

Attachment: December 2020 Payment Register (4233 : PAYMENT REGISTER- DECEMBER 2020)



**City of Moreno Valley
Payment Register
For Period 12/1/2020 through 12/31/2020**

CHECKS UNDER \$25,000

<u>Vendor Name</u>	<u>Check/EFT Number</u>	<u>Payment Date</u>	<u>Inv Number</u>	<u>Invoice Description</u>	<u>Payment Amount</u>
RIVERSIDE COUNTY OFFICE OF EDUCATION	240681	12/07/2020	2021-540/524	TRANSLATION SVCS-PW/TRAFFIC	\$232.21
Remit to: RIVERSIDE, CA					FYTD: \$580.61
ROBERT HALF INTERNATIONAL	29482	12/07/2020	56747046	APPLICATIONS ANALYST TEMP-W.E. 11/27/20 (J. PERLAS)	\$3,337.95
		12/07/2020	56710200	APPLICATIONS ANALYST TEMP-W.E. 11/20/20 (J. PERLAS)	
	29586	12/21/2020	56784815	APPLICATIONS ANALYST TEMP-W.E. 12/04/20 (J. PERLAS)	\$1,907.40
Remit to: SAN RAMON, CA					FYTD: \$28,616.05
RODRIGUEZ, ROCIO	240728	12/14/2020	R20-151670	ANIMAL SERVICES REFUND-DUPLICATE WEB LICENSE PAYMENT	\$15.00
Remit to: MORENO VALLEY, CA					FYTD: \$15.00
ROMAN TINT, INC	29483	12/07/2020	2763	INSTALL 3M SOLAR ANTI-GRAFFITI FILM-EMPLOYMENT RESOURCE CTR.	\$252.14
Remit to: RIALTO, CA					FYTD: \$10,709.34
ROMERO, GISELLE	240700	12/07/2020	R20-150769	ANIMAL SERVICES REFUND-SPAY/NEUTER DEPOSIT	\$75.00
Remit to: RIVERSIDE, CA					FYTD: \$75.00
RSG, INC	29587	12/21/2020	1006737	AFFORDABLE HOUSING COMPLIANCE MONITORING SERVICES- NOV. 2020	\$1,560.00
Remit to: IRVINE, CA					FYTD: \$24,756.25
SAN BERNARDINO & RIVERSIDE CO FIRE EQUIP	29633	12/28/2020	112545	FIRE SYSTEM EQUIPMENT REPAIR-PUBLIC SAFETY BLDG.	\$685.34
		12/28/2020	112544	FIRE SYSTEM EQUIPMENT REPAIR-TOWNGATE COMM. CTR.	
Remit to: SAN BERNARDINO, CA					FYTD: \$3,591.81

Attachment: December 2020 Payment Register (4233 : PAYMENT REGISTER- DECEMBER 2020)



City of Moreno Valley
Payment Register
For Period 12/1/2020 through 12/31/2020

CHECKS UNDER \$25,000

<u>Vendor Name</u>	<u>Check/EFT Number</u>	<u>Payment Date</u>	<u>Inv Number</u>	<u>Invoice Description</u>	<u>Payment Amount</u>
SANCHEZ, ESMERALDA	29484	12/07/2020	DECEMBER 2020	MOVAL LEARNS-DECEMBER 2020	\$250.00
Remit to: MORENO VALLEY, CA					<u>FYTD:</u> \$1,000.00
SAVE, JOSEPHINE NINA	29485	12/07/2020	DECEMBER 2020	MOVAL LEARNS-DECEMBER 2020	\$250.00
Remit to: MORENO VALLEY, CA					<u>FYTD:</u> \$1,000.00
SECURITY LOCK & KEY	29486	12/07/2020	D30485	EXTRA KEYS FOR IRIS PLAZA LIBRARY BRANCH	\$126.45
		12/07/2020	30404	EXTRA KEYS FOR IRIS PLAZA LIBRARY BRANCH	
	29588	12/21/2020	30087	ADDITIONAL KEYS-CITY YARD	\$647.43
		12/21/2020	D29828	ADDITIONAL KEYS-CITY YARD	
		12/21/2020	30545	LOCK REPAIR-COTTONWOOD GOLF CENTER	
		12/21/2020	30007	ADDITIONAL KEYS-CITY YARD	
		12/21/2020	29965	ADDITIONAL KEYS-CITY YARD	
		12/21/2020	30136	ADDITIONAL KEYS-CITY YARD	
		12/21/2020	29898	ADDITIONAL KEYS-CITY YARD	
Remit to: RIVERSIDE, CA					<u>FYTD:</u> \$3,422.98
SIGNS BY TOMORROW	29589	12/21/2020	26110	UPDATE & INSTALLATION OF TWO PUBLIC HEARING SIGNS	\$607.50
Remit to: MURRIETA, CA					<u>FYTD:</u> \$3,647.93
SILVA RICO, BRENDA DENISSE	29487	12/07/2020	DECEMBER 2020	MOVAL LEARNS-DECEMBER 2020	\$250.00
Remit to: MORENO VALLEY, CA					<u>FYTD:</u> \$1,000.00
SKY TRAILS MOBILE VILLAGE	29590	12/21/2020	NOV-DEC 2020	UUT REFUND FOR NOV 2020 DEC 2020	\$22.00
Remit to: LOS ANGELES, CA					<u>FYTD:</u> \$101.81

Attachment: December 2020 Payment Register (4233 : PAYMENT REGISTER- DECEMBER 2020)



City of Moreno Valley
Payment Register
For Period 12/1/2020 through 12/31/2020

CHECKS UNDER \$25,000

Vendor Name	Check/EFT Number	Payment Date	Inv Number	Invoice Description	Payment Amount
SNST ENTERPRISE INC. DBA OISHII SUSHI AND TERIYAKI	29488	12/07/2020	NOV 27, 2020	SENIOR EATS PROGRAM 11/23-11/27/20	\$2,880.00
	29544	12/14/2020	DEC 4, 2020	SENIOR EATS PROGRAM 11/30-12/04/20	\$3,600.00
	29591	12/21/2020	DEC 11, 2020	SENIOR EATS PROGRAM 12/7-12/11/20	\$3,600.00
	29634	12/28/2020	DEC 18, 2020	SENIOR EATS PROGRAM 12/14-12/18/20	\$3,600.00
Remit to: MORENO VALLEY, CA					FYTD: \$92,880.00
SOFTWARE ONE, INC / FORMERLY COMPUCOM	29592	12/21/2020	US-PSI-995776	STAND ALONE OFFICE LICENSES FOR TEEN SPOT	\$5,482.20
Remit to: WAUKESHA, WI					FYTD: \$5,482.20
SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT	240742	12/21/2020	3742645	ANNUAL RENEWAL FEES-FIRE STATION 2	\$1,363.76
		12/21/2020	3742518	ANNUAL RENEWAL FEES-FIRE STATION 91	
		12/21/2020	3745088	EMISSIONS FEES INVOICE-FIRE STATION 91	
		12/21/2020	3745468	EMMISIONS FEE INVOICE-FIRE STATION 2	
Remit to: DIAMOND BAR, CA					FYTD: \$3,557.74
SOUTHERN CALIFORNIA EDISON	240682	12/07/2020	NOV-20 12/7/20	ELECTRICITY CHARGES	\$4,964.18
	240769	12/28/2020	NOV-20 12/28/20	ELECTRICITY CHARGES	\$19,736.49
Remit to: ROSEMEAD, CA					FYTD: \$1,110,409.71
SOUTHERN CALIFORNIA GAS CO.	240745	12/21/2020	NOV-2020	GAS CHARGES	\$7,944.74
Remit to: MONTEREY PARK, CA					FYTD: \$24,049.11
SOUTHERN CALIFORNIA LIGHTING/THE CHRISTMAS KINGS	240746	12/21/2020	20-5263-1	HOLIDAY TREE LIGHTING & DECOR FOR 2020 - 50% DEPOSIT	\$5,575.00
Remit to: LAKE ELSINORE, CA					FYTD: \$5,575.00

Attachment: December 2020 Payment Register (4233 : PAYMENT REGISTER- DECEMBER 2020)



City of Moreno Valley
Payment Register
For Period 12/1/2020 through 12/31/2020

CHECKS UNDER \$25,000

<u>Vendor Name</u>	<u>Check/EFT Number</u>	<u>Payment Date</u>	<u>Inv Number</u>	<u>Invoice Description</u>	<u>Payment Amount</u>
STANDARD INSURANCE CO	240683	12/07/2020	201201	EMPLOYEE SUPPLEMENTAL INSURANCE	\$1,116.81
Remit to: PORTLAND, OR					<u>FYTD:</u> \$7,049.81

Attachment: December 2020 Payment Register (4233 : PAYMENT REGISTER- DECEMBER 2020)



City of Moreno Valley Payment Register

For Period 12/1/2020 through 12/31/2020

CHECKS UNDER \$25,000

<u>Vendor Name</u>	<u>Check/EFT Number</u>	<u>Payment Date</u>	<u>Inv Number</u>	<u>Invoice Description</u>	<u>Payment Amount</u>
STANLEY CONVERGENT SECURITY SOLUTIONS, INC	29489	12/07/2020	17735271	ALARM SYSTEM MONITORING-CONFERENCE & REC. CENTER/OCT-DEC 2020	\$6,477.89
		12/07/2020	17658396	ALARM SYSTEM MONITORING-SENIOR CENTER/SEP-NOV 2020	
		12/07/2020	17797244	ALARM SYSTEM MONITORING-FIRE STATIONS/NOV. 2020	
		12/07/2020	17649014	ALARM SYSTEM MONITORING-MARCH ANNEX BUILDING/SEP-NOV 2020	
		12/07/2020	17720467	ALARM SYSTEM MONITORING-EOC/OCT. 2020	
		12/07/2020	17732470	ALARM SYSTEM MONITORING-CY SANTIAGO OFFICE FIRE ALARM/OCT-DEC 20	
		12/07/2020	17795904	ALARM SYSTEM MONITORING-EOC/NOV. 2020	
		12/07/2020	17661252	ALARM SYSTEM MONITORING-CITY YARD & TRANSP. TRAILER/SEP-NOV 2020	
		12/07/2020	17729062	ALARM SYSTEM MONITORING-PUBLIC SAFETY BUILDING/OCT-DEC 2020	
		12/07/2020	17651173	ALARM SYSTEM MONITORING-EOC/SEP. 2020	
		12/07/2020	17730182	ALARM SYSTEM MONITORING-TOWNGATE COMMUNITY CENTER/OCT-DEC 2020	
		12/07/2020	17726336	ALARM SYSTEM MONITORING-ANNEX 1 BURGLAR ALARM/OCT-DEC 2020	
		12/07/2020	17442396	ALARM SYSTEM MONITORING-MARCH ANNEX BUILDING/JUN-AUG 2020	
		12/07/2020	17452044	ALARM SYSTEM MONITORING-SENIOR CENTER/JUN-AUG 2020	
		12/07/2020	17746727	ALARM SYSTEM MONITORING-MARCH FIELD PARK COMMUNITY CTR/OCT-DEC20	
		12/07/2020	17453718	ALARM SYSTEM MONITORING-CITY YARD & TRANSP. TRAILER/JUN-AUG 2020	
	12/07/2020	17456069	ALARM SYSTEM MONITORING-CY SANTIAGO OFFICE BURG. ALARM/JUN-AUG20		
	12/07/2020	17735729	ALARM SYSTEM MONITORING-SUNNYMEAD MID. SCHOOL-THINK/OCT-DEC 2020		

Attachment: December 2020 Payment Register (4233 : PAYMENT REGISTER- DECEMBER 2020)



City of Moreno Valley Payment Register

For Period 12/1/2020 through 12/31/2020

CHECKS UNDER \$25,000

<u>Vendor Name</u>	<u>Check/EFT Number</u>	<u>Payment Date</u>	<u>Inv Number</u>	<u>Invoice Description</u>	<u>Payment Amount</u>
STANLEY CONVERGENT SECURITY SOLUTIONS, INC	29545	12/14/2020	17806203	ALARM SYSTEM MONITORING-CY SANTIAGO OFFICE BURG. ALARM/SEP-NOV20	\$482.16
		12/14/2020	17794594	ALARM SYSTEM MONITORING-LASSELLE SPORTS PARK/NOV2020-JAN2021	
	29593	12/21/2020	17710253	ALARM SYSTEM MONITORING-MORRISON PARK SNACK BAR/NOV2020-JAN2021	\$3,141.65
		12/21/2020	17447206	ALARM SYSTEM MONITORING-RAINBOW RIDGE CHILDCARE 8/20-10/31/20	
		12/21/2020	17797423	ALARM SYSTEM MONITORING-ANIMAL SHELTER/JUN-AUG 2020	
		12/21/2020	17797423	ALARM SYSTEM MONITORING-COTTONWOOD GOLF CENTER/NOV2020-JAN2021	
		12/21/2020	17743058	ALARM SYSTEM MONITORING-EMPL. RESOURCE CENTER/OCT. 2020	
		12/21/2020	17609257	ALARM SYSTEM MONITORING-EMPL. RESOURCE CENTER/AUG. 2020	
		12/21/2020	17530688	ALARM SYSTEM MONITORING-EMPL. RESOURCE CENTER/JUL. 2020	
		12/21/2020	17797196	ALARM SYSTEM MONITORING-CITY HALL/NOV2020-JAN2021	
		12/21/2020	17664179	ALARM SYSTEM MONITORING-ANIMAL SHELTER/SEP-NOV 2020	
		12/21/2020	17802125	ALARM SYSTEM MONITORING-EMPL. RESOURCE CENTER/NOV. 2020	
		12/21/2020	17791735	ALARM SYSTEM MONITORING-EMPL. RESOURCE CENTER/NOV. 2020	
		12/21/2020	17791735	ALARM SYSTEM MONITORING-VAL VERDE (RED MAPLE) CC/NOV2020-JAN2021	
		12/21/2020	17785732	ALARM SYSTEM MONITORING-IRIS PLAZA LIBRARY 8/27-11/30/20	
12/21/2020	17590448	ALARM SYSTEM MONITORING-LIBRARY/AUG-OCT 2020			
12/21/2020	17669841	ALARM SYSTEM MONITORING-EMPL. RESOURCE CENTER/SEP. 2020			
12/21/2020	17785077	ALARM SYSTEM MONITORING-EMPL. RESOURCE CENTER/SEP. 2020			
12/21/2020	17785077	ALARM SYSTEM MONITORING-RAINBOW RIDGE CHILDCARE/NOV2020-JAN2021			
12/21/2020	17799037	17799037	ALARM SYSTEM MONITORING-LIBRARY/NOV2020-JAN2021		

Attachment: December 2020 Payment Register (4233 : PAYMENT REGISTER- DECEMBER 2020)



City of Moreno Valley
Payment Register
For Period 12/1/2020 through 12/31/2020

CHECKS UNDER \$25,000

Vendor Name	Check/EFT Number	Payment Date	Inv Number	Invoice Description	Payment Amount
Remit to: PALATINE, IL					FYTD: \$26,558.85
STATE BOARD OF EQUALIZATION 1	29672	12/24/2020	113020	SALES & USE TAX REPORT FOR 11/1-11/30/20	\$2,482.00
Remit to: SACRAMENTO, CA					FYTD: \$36,661.00
STATE OF CALIFORNIA DEPT. OF JUSTICE	240684	12/07/2020	476946	LIVE SCAN FINGERPRINTING APPS FOR PD-OCT. 2020	\$1,026.00
	240770	12/28/2020	482145	LIVE SCAN FINGERPRINTING APPS FOR PD-NOV. 2020	\$1,066.00
Remit to: SACRAMENTO, CA					FYTD: \$5,450.00
STENO SOLUTIONS TRANSCRIPTION SVCS., INC.	29635	12/28/2020	43404	TRANSCRIPTION SERVICES FOR PD-NOV. 2020	\$529.74
Remit to: CORONA, CA					FYTD: \$2,194.14
STEPHEN H BADGETT CONSULTING LLC	29546	12/14/2020	MVU-022	CONSULTING SERVICES-REVIEW SCOPE OF WORK ON RFI'S/NOV. 2020	\$1,800.00
Remit to: MURRIETA, CA					FYTD: \$19,268.75
STEVEN PERRY PROFESSIONAL PHOTOGRAPHY	240702	12/07/2020	201127.1	PHOTOGRAPHY SERVICES-11/19/20 EVENT	\$173.40
Remit to: MORENO VALLEY, CA					FYTD: \$173.40
STEWART-PERDOMO, DEVIN	29595	12/21/2020	FALL 2020	TUITION/EMPLOYEE EDUCATION REIMBURSEMENT	\$299.00
Remit to: MORENO VALLEY, CA					FYTD: \$299.00
STILES ANIMAL REMOVAL, INC.	240747	12/21/2020	110670	DECEASED LARGE ANIMAL REMOVAL SERVICES-NOV. 2020	\$1,895.00
Remit to: GUAISTI, CA					FYTD: \$9,545.00

Attachment: December 2020 Payment Register (4233 : PAYMENT REGISTER- DECEMBER 2020)



City of Moreno Valley
Payment Register
For Period 12/1/2020 through 12/31/2020

CHECKS UNDER \$25,000

Vendor Name	Check/EFT Number	Payment Date	Inv Number	Invoice Description	Payment Amount
SUPERIOR READY MIX CONCRETE	240717	12/14/2020	164828	DELIVERY OF MIXED CONCRETE	\$1,235.53
Remit to: HEMET, CA					FYTD: \$5,918.90
THE ADVANTAGE GROUP/ FLEX ADVANTAGE	29547	12/14/2020	125583	FLEX AND COBRA ADMIN FEES-NOV 2020	\$1,469.75
Remit to: TEMECULA, CA					FYTD: \$294,504.56
THE CUPCAKE & ESPRESSO BAR	240685	12/07/2020	NOV 27, 2020	SENIOR EATS PROGRAM-11/23-11/27/20	\$3,825.00
	240719	12/14/2020	DEC 5, 2020	SENIOR EATS PROGRAM-11/30-12/05/20	\$3,825.00
	240748	12/21/2020	DEC 11, 2020	SENIOR EATS PROGRAM 12/7-12/11/20	\$3,825.00
	240771	12/28/2020	DEC 18, 2020	SENIOR EATS PROGRAM-12/14-12/18/20	\$3,825.00
Remit to: MORENO VALLEY, CA					FYTD: \$99,450.00
THE ECOHERO SHOW LLC	240703	12/07/2020	1537	THE ECOHERO SHOW SCHOOL OUTREACH ASSEMBLIES	\$4,250.00
Remit to: FRESNO, CA					FYTD: \$4,250.00
THE HOME DEPOT	240729	12/14/2020	BOC20-0307	REFUND CANCELLED BUILDING PERMIT-25833 SWEETLEAF	\$292.64
Remit to: POWAY, CA					FYTD: \$1,160.16
THE PALM HOUSE LLC DBA WOODY'S BREWHOUSE	29491	12/07/2020	NOV 27, 2020	SENIOR EATS PROGRAM 11/23-11/27/20	\$3,375.00
	29548	12/14/2020	DEC 4, 2020	SENIOR EATS PROGRAM 11/30-12/04/20	\$3,420.00
	29596	12/21/2020	DEC 11, 2020	SENIOR EATS PROGRAM 12/7-12/11/20	\$3,600.00
	29637	12/28/2020	DEC 18, 2020	SENIOR EATS PROGRAM 12/14-12/18/20	\$3,600.00
Remit to: MORENO VALLEY, CA					FYTD: \$90,945.00

Attachment: December 2020 Payment Register (4233 : PAYMENT REGISTER- DECEMBER 2020)



City of Moreno Valley
Payment Register
For Period 12/1/2020 through 12/31/2020

CHECKS UNDER \$25,000

Vendor Name	Check/EFT Number	Payment Date	Inv Number	Invoice Description	Payment Amount	
THE SOCO GROUP INC.	29597	12/21/2020	1768876-IN	FUEL FOR CITY VEHICLES & EQUIPMENT	\$10,751.89	
		12/21/2020	1770969-IN	FUEL FOR CITY VEHICLES & EQUIPMENT		
		12/21/2020	1762417-IN	FUEL FOR CITY VEHICLES & EQUIPMENT		
		12/21/2020	1758820-IN	FUEL FOR CITY VEHICLES & EQUIPMENT		
	29638	12/21/2020	1760455-IN	FUEL FOR CITY VEHICLES & EQUIPMENT	\$7,061.22	
		12/28/2020	1773511-IN	FUEL FOR CITY VEHICLES & EQUIPMENT		
		12/28/2020	1775086-IN	FUEL FOR CITY VEHICLES & EQUIPMENT		
12/28/2020					1777275-IN	FUEL FOR CITY VEHICLES & EQUIPMENT
Remit to: ORANGE, CA					FYTD: \$126,322.17	
THEODORE, TONYA L	240686	12/07/2020	DECEMBER 2020	MOVAL LEARNS-DECEMBER 2020	\$250.00	
Remit to: MORENO VALLEY, CA					FYTD: \$1,000.00	
THOMSON REUTERS-WEST PUBLISHING CORP.	29493	12/07/2020	843174046	MISCELLANEOUS SERVICES	\$316.78	
	29549	12/14/2020	843449628	AUTO TRACK SERVICES FOR PD INVESTIGATIONS-NOV. 2020	\$1,175.16	
Remit to: CAROL STREAM, IL					FYTD: \$7,367.74	
TIMARONG, JU-ANN ANNA	29494	12/07/2020	DECEMBER 2020	MOVAL LEARNS-DECEMBER 2020	\$250.00	
Remit to: MORENO VALLEY, CA					FYTD: \$1,000.00	
TIME WARNER CABLE	240749	12/21/2020	091922301120120	FIBER INTERNET ACCESS SERVICES - DEC. 2020	\$844.00	
	240772	12/28/2020	2622388121320	SPECTRUM 1G ISP LINE FOR EOC 12/13/20-1/12/21	\$2,100.00	
Remit to: PITTSBURGH, PA					FYTD: \$17,668.75	
T-MOBILE USA	240718	12/14/2020	9419846369	CELLULAR TECHNOLOGY EXTRACTION/LOCATOR SERVICES FOR PD	\$51.00	
Remit to: SEATTLE, WA					FYTD: \$3,111.00	

Attachment: December 2020 Payment Register (4233 : PAYMENT REGISTER- DECEMBER 2020)



City of Moreno Valley
Payment Register
For Period 12/1/2020 through 12/31/2020

CHECKS UNDER \$25,000

Vendor Name	Check/EFT Number	Payment Date	Inv Number	Invoice Description	Payment Amount
TNPP RESTAURANT INC DBA BRAVO BURGERS	29495	12/07/2020	NOV 27, 2020	SENIOR EATS PROGRAM-11/23-11/27/20	\$3,572.00
	29550	12/14/2020	DEC 5, 2020	SENIOR EATS PROGRAM-11/30-12/05/20	\$3,375.00
	29598	12/21/2020	DEC 11, 2020	SENIOR EATS PROGRAM 12/7-12/11/20	\$3,600.00
	29639	12/28/2020	DEC 18, 2020	SENIOR EATS PROGRAM-12/14-12/18/20	\$3,600.00
Remit to: MORENO VALLEY, CA					FYTD: \$93,105.00
TOWNSEND PUBLIC AFFAIRS, INC.	29599	12/21/2020	16593	CONSULTING SERVICES-LOBBYIST/ADVOCATE & GRANT WRITING-DEC. 2020	\$4,000.00
Remit to: NEWPORT BEACH, CA					FYTD: \$28,000.00
TRACTOR SUPPLY COMPANY	240730	12/14/2020	MVU 7015073-02	COMMERCIAL LED LIGHTING REBATE	\$4,042.91
Remit to: SPOKANE, WA					FYTD: \$4,042.91
TRICHE, TARA	29600	12/21/2020	DEC-2020	INSTRUCTOR SERVICES-BALLET CLASSES	\$486.40
		12/21/2020	NOV-2020	INSTRUCTOR SERVICES-BALLET CLASSES	
Remit to: MORENO VALLEY, CA					FYTD: \$486.40
TRUEPOINT SOLUTIONS, LLC	29601	12/21/2020	20-988	SUPPORT SERVICES-NOV. 2020-ACP/ACA SUPPORT & ENHANCEMENTS	\$270.00
Remit to: LOOMIS, CA					FYTD: \$43,291.98
TUMON BAY RESORT & SPA	29640	12/28/2020	JAN. 2021 RENT	JANUARY 2021 RENT (INCL. CAM, ETC.) FOR EMPLOYMENT RESOURCE CTR	\$8,116.77
Remit to: TAMUNING, GU					FYTD: \$39,653.81

Attachment: December 2020 Payment Register (4233 : PAYMENT REGISTER- DECEMBER 2020)



**City of Moreno Valley
Payment Register
For Period 12/1/2020 through 12/31/2020**

CHECKS UNDER \$25,000

<u>Vendor Name</u>	<u>Check/EFT Number</u>	<u>Payment Date</u>	<u>Inv Number</u>	<u>Invoice Description</u>	<u>Payment Amount</u>
TYLER TECHNOLOGIES, INC.	240687	12/07/2020	045-319693	TYLER CONTENT MANAGER & FORMS IMPLEMENTATION & TRAINING SERVICES	\$1,275.00
		12/07/2020	045-320050	TYLER CONTENT MANAGER & FORMS IMPLEMENTATION & TRAINING SERVICES	
Remit to: DALLAS, TX					FYTD: \$176,918.43
ULTRASERV AUTOMATED SERVICES, LLC	29496	12/07/2020	249291	COFFEE SERVICE SUPPLIES-ANIMAL SHELTER	\$464.64
		12/07/2020	249293	COFFEE SERVICE SUPPLIES-ANNEX 1	
		12/07/2020	249294	COFFEE SERVICE SUPPLIES-CITY HALL/PUBLIC WORKS LOCATION	
		12/07/2020	250344	COFFEE SERVICE SUPPLIES-CITY HALL/PUBLIC WORKS LOCATION	
Remit to: COSTA MESA, CA					FYTD: \$6,432.23
UNDERGROUND SERVICE ALERT	29551	12/14/2020	1020200468 (d)	DIGALERT TICKETS SUBSCRIPTION SERVICE-OCT. 2020	\$199.75
		12/14/2020	1020200468 (b)	DIGALERT TICKETS SUBSCRIPTION SERVICE-OCT. 2020	
		12/14/2020	1020200468 (a)	DIGALERT TICKETS SUBSCRIPTION SERVICE-OCT. 2020	
		12/14/2020	1020200468 (c)	DIGALERT TICKETS SUBSCRIPTION SERVICE-OCT. 2020	
	240720	12/14/2020	dsb20196049 (d)	CA STATE FEE FOR REGULATORY COSTS TO DIG SAFE BOARD	\$126.28
		12/14/2020	dsb20196049 (b)	CA STATE FEE FOR REGULATORY COSTS TO DIG SAFE BOARD	
		12/14/2020	dsb20196049 (a)	CA STATE FEE FOR REGULATORY COSTS TO DIG SAFE BOARD	
		12/14/2020	dsb20196049 (c)	CA STATE FEE FOR REGULATORY COSTS TO DIG SAFE BOARD	
Remit to: CORONA, CA					FYTD: \$1,742.35
UNION BANK OF CALIFORNIA 1	240773	12/28/2020	1241244	INVESTMENT CUSTODIAL SERVICES-NOV. 2020	\$291.67
Remit to: LOS ANGELES, CA					FYTD: \$1,750.02

Attachment: December 2020 Payment Register (4233 : PAYMENT REGISTER- DECEMBER 2020)



City of Moreno Valley Payment Register

For Period 12/1/2020 through 12/31/2020

CHECKS UNDER \$25,000

<u>Vendor Name</u>	<u>Check/EFT Number</u>	<u>Payment Date</u>	<u>Inv Number</u>	<u>Invoice Description</u>	<u>Payment Amount</u>
UNITED ROTARY BRUSH CORP	29497	12/07/2020	CI258038	STREET SWEEPER BRUSHES & ACCESSORIES	\$1,086.73
		12/07/2020	CI259068	STREET SWEEPER BRUSHES & ACCESSORIES	
	29552	12/14/2020	CI259329	STREET SWEEPER BRUSHES & ACCESSORIES	\$883.12
	29602	12/21/2020	CI255191	STREET SWEEPER BRUSHES & ACCESSORIES	\$1,826.76
		12/21/2020	CI259554	STREET SWEEPER BRUSHES & ACCESSORIES	
Remit to: KANSAS CITY, MO					<u>FYTD:</u> \$22,861.68
UNITED SITE SERVICES OF CA, INC.	29603	12/21/2020	114-11298857	FENCE RENTAL AT ANIMAL SHELTER 11/19-12/16/20	\$106.40
Remit to: PHOENIX, AZ					<u>FYTD:</u> \$638.40

Attachment: December 2020 Payment Register (4233 : PAYMENT REGISTER- DECEMBER 2020)



City of Moreno Valley
Payment Register

For Period 12/1/2020 through 12/31/2020

CHECKS UNDER \$25,000

<u>Vendor Name</u>	<u>Check/EFT Number</u>	<u>Payment Date</u>	<u>Inv Number</u>	<u>Invoice Description</u>	<u>Payment Amount</u>
VACATE TERMITE & PEST ELIMINATION COMPANY	29553	12/14/2020	100503	PEST CONTROL SERVICE-AUG. 2020-MARCH FIELD PARK COMMUNITY CTR.	\$3,480.00
		12/14/2020	100949	PEST CONTROL SERVICE-SEP. 2020-UTILITY FIELD OFFICE	
		12/14/2020	100948	PEST CONTROL SERVICE-SEP. 2020-LIBRARY	
		12/14/2020	100947	PEST CONTROL SERVICE-SEP. 2020-FIRE STATION 6	
		12/14/2020	101229	PEST CONTROL SERVICE-SEP. 2020-CITY YARD	
		12/14/2020	100937	PEST CONTROL SERVICE-SEP. 2020-FIRE STATION 99	
		12/14/2020	101228	PEST CONTROL SERVICE-SEP. 2020-CITY HALL	
		12/14/2020	100504	PEST CONTROL SERVICE-AUG. 2020-TRANSPORTATION TRAILER	
		12/14/2020	100953	PEST CONTROL SERVICE-SEP. 2020-FIRE STATION 2	
		12/14/2020	100501	PEST CONTROL SERVICE-AUG. 2020-ANIMAL SHELTER	
		12/14/2020	101222	PEST CONTROL SERVICE-SEP. 2020-EOC	
		12/14/2020	101223	PEST CONTROL SERVICE-SEP. 2020-PUBLIC SAFETY BUILDING	
		12/14/2020	100201	PEST CONTROL SERVICE-JUL. 2020-TRANSPORTATION TRAILER	
		12/14/2020	100938	PEST CONTROL SERVICE-SEP. 2020-TOWNGATE COMMUNITY CENTER	
		12/14/2020	99957	PEST CONTROL SERVICE-JUL. 2020-SENIOR CENTER	
		12/14/2020	100182	PEST CONTROL SERVICE-JUL. 2020-COTTONWOOD GOLF CENTER	
		12/14/2020	100935	PEST CONTROL SERVICE-SEP. 2020-FIRE STATION 48	
		12/14/2020	100181	PEST CONTROL SERVICE-JUL. 2020-CITY YARD SANTIAGO OFFICE	
		12/14/2020	99954	PEST CONTROL SERVICE-JUL. 2020-UTILITY FIELD OFFICE	
		12/14/2020	101230	PEST CONTROL SERVICE-SEP. 2020-CITY YARD SANTIAGO OFFICE	
		12/14/2020	101231	PEST CONTROL SERVICE-SEP. 2020-FIRE STATION 58 (SECOND SERVICE)	
		12/14/2020	100453	PEST CONTROL SERVICE-AUG. 2020-FIRE STATION 48	
		12/14/2020	101232	PEST CONTROL SERVICE-SEP. 2020-ANNEX 1	
		12/14/2020	99941	PEST CONTROL SERVICE-JUL. 2020-FIRE STATION 65	
		12/14/2020	100951	PEST CONTROL SERVICE-SEP. 2020-FIRE STATION 58	
		12/14/2020	101236	PEST CONTROL SERVICE-SEP. 2020-TRANSPORTATION TRAILER	

Attachment: December 2020 Payment Register (4233 : PAYMENT REGISTER- DECEMBER 2020)



City of Moreno Valley Payment Register

For Period 12/1/2020 through 12/31/2020

CHECKS UNDER \$25,000

<u>Vendor Name</u>	<u>Check/EFT Number</u>	<u>Payment Date</u>	<u>Inv Number</u>	<u>Invoice Description</u>	<u>Payment Amount</u>
VACATE TERMITE & PEST ELIMINATION COMPANY	29553	12/14/2020	100952	PEST CONTROL SERVICE-SEP. 2020-SENIOR CENTER	\$3,480.00
		12/14/2020	99940	PEST CONTROL SERVICE-JUL. 2020-FIRE STATION 48	
		12/14/2020	100197	PEST CONTROL SERVICE-JUL. 2020-ANNEX 1	
		12/14/2020	101233	PEST CONTROL SERVICE-SEP. 2020-ANIMAL SHELTER	
		12/14/2020	100936	PEST CONTROL SERVICE-SEP. 2020-FIRE STATION 65	
		12/14/2020	101220	PEST CONTROL SERVICE-SEP. 2020-COTTONWOOD GOLF CENTER	
		12/14/2020	100954	PEST CONTROL SERVICE-SEP. 2020-FIRE STATION 91	
		12/14/2020	101235	PEST CONTROL SERVICE-SEP. 2020-MARCH FIELD PARK COMMUNITY CTR.	
		12/14/2020	100499	PEST CONTROL SERVICE-AUG. 2020-FIRE STATION 58 (SECOND SERVICE)	
		12/14/2020	100484	PEST CONTROL SERVICE-AUG. 2020-COTTONWOOD GOLF CENTER	
		12/14/2020	99953	PEST CONTROL SERVICE-JUL. 2020-LIBRARY	
		12/14/2020	100196	PEST CONTROL SERVICE-JUL. 2020-FIRE STATION 58 (SECOND SERVICE)	
		12/14/2020	100192	PEST CONTROL SERVICE-JUL. 2020-CITY YARD	
		12/14/2020	100485	PEST CONTROL SERVICE-AUG. 2020-CONFERENCE & REC. CENTER	
		12/14/2020	100185	PEST CONTROL SERVICE-JUL. 2020-PUBLIC SAFETY BUILDING	
		12/14/2020	99943	PEST CONTROL SERVICE-JUL. 2020-TOWNGATE COMMUNITY CENTER	
		12/14/2020	100500	PEST CONTROL SERVICE-AUG. 2020-ANNEX 1	
		12/14/2020	99942	PEST CONTROL SERVICE-JUL. 2020-FIRE STATION 99	
		12/14/2020	100495	PEST CONTROL SERVICE-AUG. 2020-CITY YARD SANTIAGO OFFICE	
		12/14/2020	100494	PEST CONTROL SERVICE-AUG. 2020-CITY YARD	
		12/14/2020	100493	PEST CONTROL SERVICE-AUG. 2020-CITY HALL	
		12/14/2020	100183	PEST CONTROL SERVICE-JUL. 2020-CONFERENCE & REC. CENTER	
		12/14/2020	100191	PEST CONTROL SERVICE-JUL. 2020-CITY HALL	
		12/14/2020	100198	PEST CONTROL SERVICE-JUL. 2020-ANIMAL SHELTER	
		12/14/2020	101221	PEST CONTROL SERVICE-SEP. 2020-CONFERENCE & REC. CENTER	

Attachment: December 2020 Payment Register (4233 : PAYMENT REGISTER- DECEMBER 2020)



City of Moreno Valley
Payment Register
 For Period 12/1/2020 through 12/31/2020

CHECKS UNDER \$25,000

<u>Vendor Name</u>	<u>Check/EFT Number</u>	<u>Payment Date</u>	<u>Inv Number</u>	<u>Invoice Description</u>	<u>Payment Amount</u>
VACATE TERMITE & PEST ELIMINATION COMPANY	29553	12/14/2020	99958	PEST CONTROL SERVICE-JUL. 2020-FIRE STATION 2	\$3,480.00
		12/14/2020	99956	PEST CONTROL SERVICE-JUL. 2020-FIRE STATION 58	
		12/14/2020	100472	PEST CONTROL SERVICE-AUG. 2020-FIRE STATION 91	
		12/14/2020	100471	PEST CONTROL SERVICE-AUG. 2020-FIRE STATION 2	
		12/14/2020	100470	PEST CONTROL SERVICE-AUG. 2020-SENIOR CENTER	
		12/14/2020	100486	PEST CONTROL SERVICE-AUG. 2020-EOC	
		12/14/2020	99952	PEST CONTROL SERVICE-JUL. 2020-FIRE STATION 6	
		12/14/2020	100487	PEST CONTROL SERVICE-AUG. 2020-PUBLIC SAFETY BUILDING	
		12/14/2020	100200	PEST CONTROL SERVICE-JUL. 2020-MARCH FIELD PARK COMMUNITY CTR.	
		12/14/2020	99959	PEST CONTROL SERVICE-JUL. 2020-FIRE STATION 91	
		12/14/2020	100466	PEST CONTROL SERVICE-AUG. 2020-LIBRARY	
		12/14/2020	100465	PEST CONTROL SERVICE-AUG. 2020-FIRE STATION 6	
		12/14/2020	100456	PEST CONTROL SERVICE-AUG. 2020-TOWNGATE COMMUNITY CENTER	
		12/14/2020	100455	PEST CONTROL SERVICE-AUG. 2020-FIRE STATION 99	
		12/14/2020	100454	PEST CONTROL SERVICE-AUG. 2020-FIRE STATION 65	
		12/14/2020	100469	PEST CONTROL SERVICE-AUG. 2020-FIRE STATION 58	
		12/14/2020	100184	PEST CONTROL SERVICE-JUL. 2020-EOC	
		12/14/2020	100467	PEST CONTROL SERVICE-AUG. 2020-UTILITY FIELD OFFICE	
Remit to: MORENO VALLEY, CA					FYTD: \$18,398.25
VALENZUELA, MELISSA MARIE	29498	12/07/2020	DECEMBER 2020	MOVAL LEARNS-DECEMBER 2020	\$250.00
Remit to: MORENO VALLEY, CA					FYTD: \$1,000.00
VALLEY WIDE TOWING, LLC	29499	12/07/2020	20-09605	EVIDENCE TOWING FOR PD	\$281.25
	29554	12/14/2020	9631	EVIDENCE TOWING FOR PD	\$225.00
Remit to: MORENO VALLEY, CA					FYTD: \$7,887.50

Attachment: December 2020 Payment Register (4233 : PAYMENT REGISTER- DECEMBER 2020)



City of Moreno Valley
Payment Register
 For Period 12/1/2020 through 12/31/2020

CHECKS UNDER \$25,000

<u>Vendor Name</u>	<u>Check/EFT Number</u>	<u>Payment Date</u>	<u>Inv Number</u>	<u>Invoice Description</u>	<u>Payment Amount</u>
VARGAS, DIXIE	29500	12/07/2020	DECEMBER 2020	MOVAL LEARNS-DECEMBER 2020	\$250.00
Remit to: MORENO VALLEY, CA					FYTD: \$1,000.00
VCA CALIFORNIA OAKS ANIMAL HOSPITAL	240721	12/14/2020	380284050	VETERINARY SERVICES FOR MV POLICE PATROL K-9	\$175.59
Remit to: MURRIETA, CA					FYTD: \$175.59
VERIZON WIRELESS	240688	12/07/2020	9866739723	DATA CHARGES FOR CELLULAR SERVICE FOR PD DEVICES	\$398.78
Remit to: BELLEVUE, WA					FYTD: \$11,719.27
VICTOR MEDICAL CO	29604	12/21/2020	5206285	ANIMAL MEDICAL SUPPLIES/VACCINES	\$971.91
Remit to: LAKE FOREST, CA					FYTD: \$4,393.10
VIDONA, NATALIE	29501	12/07/2020	DECEMBER 2020	MOVAL LEARNS-DECEMBER 2020	\$250.00
Remit to: MORENO VALLEY, CA					FYTD: \$1,000.00
VISION SERVICE PLAN	29502	12/07/2020	810922853	EMPLOYEE VISION INSURANCE	\$3,722.16
Remit to: SAN FRANCISCO, CA					FYTD: \$22,776.11
VOICES FOR CHILDREN, INC.	29605	12/21/2020	4 / OCT-20	CDBG SUBRECIPIENT PAYMENT-COURT APPTD. SPECIAL ADVOCATE PROGRAM	\$2,021.44
Remit to: SAN DIEGO, CA					FYTD: \$15,118.32
VOYAGER FLEET SYSTEM, INC.	29503	12/07/2020	869211615048	CNG FUEL PURCHASES	\$6,847.45
	29555	12/14/2020	869336602043	FUEL CARD CHARGES-PD TRAFFIC MOTORS (FRAUD CHARGES REMOVED)	\$1,241.42
	29641	12/28/2020	869336602048	FUEL CARD CHARGES-PD TRAFFIC MOTORS	\$1,599.71
Remit to: HOUSTON, TX					FYTD: \$47,131.49

Attachment: December 2020 Payment Register (4233 : PAYMENT REGISTER- DECEMBER 2020)



City of Moreno Valley Payment Register

For Period 12/1/2020 through 12/31/2020

CHECKS UNDER \$25,000

<u>Vendor Name</u>	<u>Check/EFT Number</u>	<u>Payment Date</u>	<u>Inv Number</u>	<u>Invoice Description</u>	<u>Payment Amount</u>			
VULCAN MATERIALS CO, INC.	29606	12/21/2020	72785146	ASPHALTIC/CRACK SEAL MATERIALS	\$3,660.74			
		12/21/2020	72708017	ASPHALTIC/CRACK SEAL MATERIALS				
		12/21/2020	72751257	ASPHALTIC/CRACK SEAL MATERIALS				
		12/21/2020	72773642	ASPHALTIC/CRACK SEAL MATERIALS				
		12/21/2020	72692258	ASPHALTIC/CRACK SEAL MATERIALS				
		12/21/2020	72778633	ASPHALTIC/CRACK SEAL MATERIALS				
		12/21/2020	72781124	ASPHALTIC/CRACK SEAL MATERIALS				
		12/21/2020	72705928	ASPHALTIC/CRACK SEAL MATERIALS				
		12/21/2020	72785145	ASPHALTIC/CRACK SEAL MATERIALS				
		12/21/2020	72778634	ASPHALTIC/CRACK SEAL MATERIALS				
		12/21/2020	72787877	ASPHALTIC/CRACK SEAL MATERIALS				
		12/21/2020	72775803	ASPHALTIC/CRACK SEAL MATERIALS				
		12/21/2020	72785144	ASPHALTIC/CRACK SEAL MATERIALS				
		12/21/2020	72692257	ASPHALTIC/CRACK SEAL MATERIALS				
		12/21/2020	72703169	ASPHALTIC/CRACK SEAL MATERIALS				
		12/21/2020	72674322	ASPHALTIC/CRACK SEAL MATERIALS				
		12/21/2020	72705927	ASPHALTIC/CRACK SEAL MATERIALS				
			29642	12/28/2020		72794808	ASPHALTIC/CRACK SEAL MATERIALS	\$1,654.70
				12/28/2020		72790666	ASPHALTIC/CRACK SEAL MATERIALS	
				12/28/2020		72792715	ASPHALTIC/CRACK SEAL MATERIALS	
12/28/2020	72797544			ASPHALTIC/CRACK SEAL MATERIALS				
12/28/2020	72799864			ASPHALTIC/CRACK SEAL MATERIALS				
12/28/2020	72804229			ASPHALTIC/CRACK SEAL MATERIALS				
12/28/2020	72801713			ASPHALTIC/CRACK SEAL MATERIALS				
		12/28/2020	72790667	ASPHALTIC/CRACK SEAL MATERIALS				

Remit to: LOS ANGELES, CA

FYTD: \$24,304.66

Attachment: December 2020 Payment Register (4233 : PAYMENT REGISTER- DECEMBER 2020)



City of Moreno Valley
Payment Register
For Period 12/1/2020 through 12/31/2020

CHECKS UNDER \$25,000

<u>Vendor Name</u>	<u>Check/EFT Number</u>	<u>Payment Date</u>	<u>Inv Number</u>	<u>Invoice Description</u>	<u>Payment Amount</u>
WALMART STORES, INC.	240701	12/07/2020	MVU-7010480-01	COMMERCIAL LED REBATE INCENTIVE	\$17,090.16
Remit to: SPOKANE, WA					FYTD: \$17,090.16
WELLS FARGO CORPORATE TRUST	29607	12/21/2020	1916256	TRUSTEE SERVICES FEE - 2013 REF. OF 05 LRB	\$6,000.00
		12/21/2020	1916264	TRUSTEE SERVICES FEE - 2016 REFUNDING LRB	
Remit to: MINNEAPOLIS, MN					FYTD: \$4,660,350.16
WEST COAST SHOPPING CART SERVICE, INC.	240750	12/21/2020	20-105	SHOPPING CART RETRIEVAL SERVICES-NOV. 2020	\$3,336.25
Remit to: WEST COVINA, CA					FYTD: \$19,533.00
WILLDAN ENGINEERING	29608	12/21/2020	00713268	PROJECT MANAGEMENT SERVICES-OCT. 2020/NSP CLOSEOUT, ETC.	\$192.50
Remit to: ANAHEIM, CA					FYTD: \$122,831.82
TOTAL CHECKS UNDER \$25,000					\$945,685.95
GRAND TOTAL					\$11,036,084.00

Attachment: December 2020 Payment Register (4233 : PAYMENT REGISTER- DECEMBER 2020)



Report to City Council

TO: Mayor and City Council

FROM: Marshall Eyerman, Assistant City Manager

AGENDA DATE: February 16, 2021

TITLE: ACCEPT THE U.S. DEPARTMENT OF THE TREASURY FUNDS AND IMPLEMENT AN EMERGENCY RENTAL ASSISTANCE PROGRAM

RECOMMENDED ACTION

Recommendations:

1. Accept the U.S. Treasury Direct Allocation of Emergency Rental Assistance Program (“ERAP”) funds and administer a program locally to provide direct financial assistance to low and moderate income households in the City affected by COVID-19.
2. Authorize the Chief Financial Officer to notify the State of California to serve our population under the State Program with our SB 91 allocation.
3. Award consulting agreement to Willdan Financial to provide Administration support for the Emergency Rental Assistance Program.
4. Authorize a budget amendment as set forth in the fiscal impact section.
5. Approve the City Manager discretion to reallocate ERAP funding between various qualified non-profit organizations as needed based on performance outcomes to expedite funding to our community through December 31, 2021.

SUMMARY

On December 27, 2020, the U.S. Congress passed the Consolidated Appropriations Act 2021 (the “2021 Act”) that including an appropriation of \$25 billion for an Emergency Rental Assistance program (“ERAP”) to assist households that are unable to pay rent or utilities resulting from the COVID-19 pandemic. All cities with a resident population of over 200,000 received a direct allocation of ERAP funding including the City of Moreno

Valley (“City”) that received \$6,334,495 from the U.S Department of the Treasury (“USDT”) in January 2021.

Subsequently, on January 28, 2021, the California State Senate and State Assembly passed COVID-19 Tenant Relief Act (“SB 91”) extending eviction protections through June 30, 2021 and creating a mechanism to deploy \$2.6 billion in ERAP funds received by the State to local jurisdictions. The City of Moreno Valley was allocated \$6,817,453 of ERAP funding through SB 91. By authorizing the State to serve our population using the SB 91 ERAP funds, the City population will be served by two different programs.

All ERAP funds are required to be obligated by the City to eligible ERAP activities or risk the possibility of recapture and redistribution by the Treasury Department. Eligible ERAP activities include Financial Assistance for rent and utility payments, Housing Stability Services and Administration. Eligible households qualifying for the ERAP assistance include those at or below 80% of the Riverside County Average Median Income (“AMI”) as published annually by the U.S. Department of Housing and Urban Development (“HUD”).

DISCUSSION

ERAP Eligible Activities and Households

Eligible ERAP Activities include the following:

1. **Financial Assistance**, including up to 12 months assistance for both delinquent and future rental and utility assistance. Delinquent amounts accrued after April 1, 2020 must be paid prior to future amounts.
2. **Housing Stability Services**, including case management and other services relating to COVID-19.
3. **Administration** relating to the Financial Assistance and Housing Stability Services as well as data collection and reporting.

Eligible ERAP Households include the following:

1. One or more individual in the household has qualified for unemployment benefits or has experienced a reduction in household income, incurred significant costs, or experienced a financial hardship due to COVID-19;
2. Demonstrates a risk of experiencing homelessness or housing instability; and
3. Has a household income at or below 80 percent of the area median income.

Eligible households that include an individual who has been unemployed for the 90 days prior to application for assistance and households with income at or below 50 percent of the area median are to be prioritized for assistance.

ERAP Funding Allocations

The City’s proposed allocation of its ERAP funding is governed by Section 501 of the 2021 Act with 90% minimum to Financial Assistance activity. The City will execute a subgrantee agreement with experienced non-profits to perform the Financial Assistance and Housing Stability Services.

	USDT
	Proposed
<u>Eligible ERAP Activities</u>	<u>Allocation</u>
Financial Assistance	\$ 5,710,200
Housing Stability	429,800
Subtotal to Subgrantees	6,140,000
City Administration	194,495
Total Moreno Valley	\$ 6,334,495

Proposed Subgrantee

The City has partnered with the United Way of the Inland Valleys (“UWIV”) and the Salvation Army to carry out the Financial Assistance and Housing Stability Services activity relating to the ERAP. The UWIV and the Salvation Army are currently program managing the City’s Rapid Rehousing and Homeless Prevention activities under the City’s CARES Act Emergency Services Grants Program (“ESG-CV”) and have adequate systems, knowledgeable staff and prior experience necessary to successfully carrying out the City’s homeless prevention programs. Additionally, the UWIV is also working with the County of Riverside in implementing its ERAP administration.

The proposed initial allocation is as follows:

	USDT
	ERAP
<u>ERAP Subgrantee</u>	<u>Allocation</u>
United Way of Inland Valleys	\$ 5,940,000
Salvation Army	200,000
Total to Subgrantees	\$ 6,140,000

In addition, staff is requesting approval to enter into a consulting agreement with Willdan Financial Services for the administration of the Emergency Rental Assistance Program. Willdan Financial Services has been providing Grant Support Services for the City’s HUD funded grants since 2015 and has been providing grant administration support as it relates to the anticipated CARES Act Grants. The administration across multiple federal grants will allow the City to ensure the highest level of compliance.

Willdan proposes to assist with the Program Administration of this program including drafting sub-recipient agreements, ongoing review of sub-recipient invoices and technical support, and reporting to City staff on grant administration milestones. Willdan

will also perform final close out of funding cycle and fulfill requirements for oversight including monitoring visits to determine compliance with federal regulations.

The proposed agreement will be for an amount not to exceed \$75,000. The fee reflects the tasks and hours necessary to complete the program administration through June 30, 2022. The City will be invoiced monthly based on the number of service hours provided. The cost of this agreement will be paid for using allocated administration funds.

ALTERNATIVES

The City Council has the following alternatives:

Alternative 1. Accept the U.S. Treasury Direct Allocation of ERAP funds and administer a local program; authorize the Chief Financial Officer to notify the State of California to serve our population under the State Program with SB 91 allocation; award consulting agreement to Willdan Financial for ERAP Administration Services; and authorize a budget amendment as set forth in the fiscal impact section. *Staff recommends this action because it complies with Federal and State requirements and would allow the City to provide our community two rental assistance programs.*

Alternative 2: Decline to accept the U.S. Treasury Direct Allocation of ERAP funds and not administer a local program; do not authorize the Chief Financial Officer to notify the State of California to serve our population under the State Program with SB 91 allocation; do not award consulting agreement to Willdan Financial for ERAP Administration Services; and do not authorize a budget amendment as set forth in the fiscal impact section. *Staff DOES NOT recommend this action because it would not allow the City to provide our community two rental assistance programs.*

FISCAL IMPACT

The acceptance of the Federal funds and authorization to administer a program locally in the amount of \$6,334,495 in direct ERAP funds will generate the following fiscal impact.

No General Fund money is used for the ERAP program; therefore, there is **NO FISCAL IMPACT TO THE GENERAL FUND.**

Description	Fund	GL Account No.	Type (Rev/Exp)	FY 20/21 Budget	Proposed Adjustments	FY 20/21 Amended Budget
Federal Revenue	2300	Emergency Rental Assistance Program	Rev	\$ 0	\$6,334,495	\$6,334,495
Administration Expenditure	2300	Emergency Rental Assistance Administration	Exp.	\$ 0	\$194,495	\$194,495
Program Expenditure	2300	Emergency Rental Assistance Programs	Exp.	\$ 0	\$6,140,000	\$6,140,000

NOTIFICATION

Publication of the City Council Agenda.

PREPARATION OF STAFF REPORT

Prepared By:
Dena Heald
Deputy Finance Director

Department Head Approval:
Marshall Eyerman
Assistant City Manager
Chief Financial Officer/City Treasurer

CITY COUNCIL GOALS

None

CITY COUNCIL STRATEGIC PRIORITIES

- 1. Economic Development
- 2. Public Safety
- 3. Library
- 4. Infrastructure
- 5. Beautification, Community Engagement, and Quality of Life
- 6. Youth Programs

ATTACHMENTS

- 1. Willdan Financial ERAP Administration Proposal

APPROVALS

Budget Officer Approval	<u>✓ Approved</u>	2/09/21 11:58 AM
City Attorney Approval	<u>✓ Approved</u>	
City Manager Approval	<u>✓ Approved</u>	2/10/21 11:18 AM



February 8, 2021

Ms. Dena Heald
Deputy Finance Director
City of Moreno Valley
14177 Fredrick Street
Moreno Valley, California 92553

Re: *Proposal to Provide Administration of U.S. Department of Treasury/SB 91 Emergency Rental Assistance Program*

Dear Ms. Heald:

Per your request, Willdan Financial Services (“Willdan”) is pleased to submit the following proposal to the City of Moreno Valley (“City”) to provide Grant Administration Services to promptly and effectively utilize the recent grant allocations of U.S. Department of the Treasury (“Treasury Department”) and State of California SB 91 (“SB 91”) Emergency Rental Assistance Program (“ERAP”) funds of \$6,334,495 and \$6,817,452, respectively, (collectively the “ERAP Grant”). These ERAP funds have been awarded to the City by the Treasury Department under Section 501 of Division N of the federal Consolidated Appropriations Act 2021 to assist in mitigating the impact to the community due to the Coronavirus pandemic. The objective of ERAP funds is to provide direct financial assistance and housing stability services to low- and moderate-income residents of the City. ERAP funds must be 65% obligated by September 30, 2021 or be recaptured the Treasury Department for reallocation, so time is of the essence to implement the activity.

The Treasury Department has urged agencies receiving the ERAP funds to move quickly to bring relief to qualified families affected by Covid-19. Willdan’s commitment to the City of Moreno Valley is to provide the highest degree of dedication and expertise in order to achieve this goal.

We look forward to the opportunity to extend our relationship with the City to include the requested ERAP administration services. Should you have any questions, or need additional information, please contact me at (951) 587-3527, or via email at bquaid@willdan.com.

Thank you again for this opportunity to submit our proposal for these critical services.

Sincerely,

WILLDAN FINANCIAL SERVICES

Robert D. Quaid
Principal Consultant

Gladys Medina
Vice President – Group Manager

Table of Contents

Table of Contents ii

Proposed Consultant Team 1

 Resumes 1

 Robert (Bob) Quaid, CPA 2

 Richelle Lane 3

 Helen Jones 4

 Timothy C. Colón, JD, MUP 5

Scope of Work 7

 A. Funding Recommendation Process 7

 B. Program Administration 7

 C. Program Close Out 7

 Project Timeline 8

Proposed Fees 9

 Proposed Project Fees 9

Attachment: Willdan Financial ERAP Administration Proposal (4326 : ACCEPT THE U.S. DEPARTMENT OF THE TREASURY FUNDS AND

Proposed Consultant Team

Our management and supervision of the project team is very simple: staff every position with experienced, capable personnel in sufficient numbers to deliver a superior product to the City, on time and on budget. With that philosophy in mind, we have selected experienced professionals to provide the services requested. We are confident that our team possesses the depth of experience that will successfully fulfill the desired work performance.

Mr. **Robert “Bob” Quaid**, Principal Consultant, will serve as the Project Manager for this assignment and will be the primary contact person for City staff.

Ms. **Helen Jones** and Ms. **Richelle Tague** will provide **grant subrecipient monitoring and administrative support** and will work closely with Mr. Quaid during the engagement.

Mr. **Tim Colon**, CDBG analyst, will serve to provide Technical Assistance as needed as Tim is currently working with several other agencies on their ERAP implementation.

Resumes

Resumes for Willdan project team are provided on the following pages. Each resume identifies the team member’s title, responsibility, and prior experience that will be drawn upon in order to effectively and efficiently complete the services desired by the City.

Attachment: Willdan Financial ERAP Administration Proposal (4326 : ACCEPT THE U.S. DEPARTMENT OF THE TREASURY FUNDS AND

Robert (Bob) Quaid, CPA Project Manager

Education

*Bachelor of Science,
University of Southern
California*

Areas of Expertise

*Grant Administration
and Monitoring*

Cost of Service Studies

BID Administration

*Statutory Financial
Reporting*

*Fiscal Analysis for User
Fees and Rates*

Fund Audits

*Quality Review of
Community Facilities,
Lighting & Landscaping,
and Assessment Districts*

Affiliations

*California Society of
Municipal Finance Officers*

Certifications/Licenses

*Certified Public
Accountant*

20 Years' Experience

In the position of Principal Consultant at Willdan, Mr. Quaid provides project management, procedural support and quality review for Willdan's District Administration and Financial Services Consulting groups. Mr. Quaid also services as the lead consultant for grant administration, cost of service and cost audits and as interim finance/administrative staff to client agencies.

With 20 years of experience in the public finance industry, Mr. Quaid has participated in numerous cost service studies and construction cost audits. Mr. Quaid began his career as an auditor in 1976 with the international CPA firm formerly known as Haskins & Sells. He spent 11 years as an accounting and financial manager in the real estate development industry before joining Willdan in 2001.

Related Project Experience

City of Moreno Valley, CA – Grant Consultant/Manager: As the lead grant consultant to the City, Mr. Quaid reports to the City financial operations manager and supervises a Willdan staff of three individuals supporting the City's annual grant administration, monitoring and reporting activities. These activities include, but are not limited to: reviewing, scoring and preparing Council recommendation reports on the subrecipient applications for the City's annual CDBG, HOME and ESG entitlement awards; conducting pre- and post-award training sessions with subrecipients; reviewing sub-recipient invoices for payment; and entering various information into the HUD Integrated Disbursement of Information System (IDIS).

Mr. Quaid also oversees the preparation of the Annual Action Plan and the Consolidated Annual Performance Evaluation Report (CAPER), plans and conducts the annual onsite subrecipient monitoring, and interfaces with regional HUD representatives on technical issues for the City.

North City West School Facilities Financing Authority, CA – Administrator: As the administrator for the three member joint powers authority, Mr. Quaid worked closely with the Executive Director and was primarily responsible for supervising the monthly administration, accounting and investment functions including processing of revenues and expenses in accordance with GAAP; coordinating debt service payments with the bond trustee; preparing quarterly Board agendas and financial reports; working with the independent CPA during the annual audit/compliance review; interfacing with the San Diego County Office of Education; filing mandatory/regulatory reports with the City of San Diego and the Securities and Exchange Commission; and communicating with Board members, as needed.

Central Basin Municipal Water District, CA – Interim Financial Manager: As the District's Interim Financial Manager, Mr. Quaid's duties included working with the General Manager, department heads and District staff to develop the annual budget; provide an assessment of the finance department's current staffing plan; work with staff in preparation of monthly budget versus actual reports for project managers for budget monitoring; work with staff in preparation of financial information to be included in the monthly Board reports; assist department staff with scheduled check runs and check requests; effectively manage cash flows; ensure compliance with IRS and SEC requirements on tax-exempt bond issues; review the District's Long-Range Financial Plan with the General Manager; assist with the identification of necessary rates to meet District revenue requirements; provide financial market updates; attend regular monthly Board meetings, agenda meetings and department head meetings; and held regular office hours at the District office. Mr. Quaid also represented the District in a Bureau of Reclamation grant audit for the District's recycled water pipeline providing necessary support for indirect costs allocated to the grant.

Attachment: Willdan Financial ERAP Administration Proposal (4326 : ACCEPT THE U.S. DEPARTMENT OF THE TREASURY FUNDS AND

Richelle Lane

Senior Analyst

Education

Bachelor of Science in Business Administration (Emphasis in Accounting); California Baptist University

Areas of Expertise

*Grant-Related Services
Non-Profit Organization Accounting
Database Management*

9 Years' Experience

Ms. Richelle Tague provides grant administration support for Willdan's grant engagements. She provides review and evaluation of subrecipient CDBG, HOME and ESG grant applications, invoice review, procedures development, preparation of cash drawdowns and budget progress reports for funded projects.

As a Willdan Senior Analyst, Ms. Tague assists in the research and analysis required to resolve local government financial issues related to district and grant administration, including database management, research of applicable laws and regulations, and report preparation.

Further, Ms. Tague is also involved in auditing services, for which she has worked with a number of cities and developers related to the reimbursement of public facilities. She is also part of the on-call grant services team and is responsible for providing fiscal, reimbursement review, reporting, and budget support to agencies on an as-needed basis.

Ms. Tague came to Willdan with six years of combined finance and accounting experience. Prior to joining Willdan, she worked for the American Red Cross and was responsible for the day-to-day grant fiscal administration for federally funded programs, such as CDBG and various National Emergency Grants (NEG).

Previous services performed by Ms. Tague related to federal grants included:

- Preparation of draw down requests;
- Accounts payable and payroll;
- Monitoring of grant expenditures and project milestones;
- Development of policies and procedures to implement new grants and projects; and
- Analysis and preparation of statistical information used for performance reporting (i.e., number of participants served, income levels, demographics etc.).

Related Project Experience

City of Moreno Valley, CA – Grant Analyst: Ms. Tague serves as one of Willdan's grant analysts providing technical support in evaluation for funding of the City's CDBG, ESG and HOME applications for Fiscal Years 2018 through 2020.

Attachment: Willdan Financial ERAP Administration Proposal (4326 : ACCEPT THE U.S. DEPARTMENT OF THE TREASURY FUNDS AND

Helen Jones

Analyst

Education

*Bachelor of Arts,
Lakehead University,
Thunder Bay, Canada
Cum Laude*

Certified Fraud Examiner

Areas of Expertise

*Grant Monitoring
Acquisition Audit Services*

Professional Affiliations

*Association of Chartered
Certified Accountants*

12 Years' Experience

Ms. Helen Jones is a Senior Analyst in Willdan's District Administration Services group. She assists in the research and analysis necessary to resolve local government financial issues related to auditing and administration.

Ms. Jones joined Willdan with over a dozen years of financial and auditing experience. She enhances the Willdan team by bringing her expertise in understanding organization objectives and structure, policies, processes, internal controls, and external regulations; identifying risk areas; and preparing programs. In her career, she has served as an auditor, controller and chief financial officer, with real estate development and financial control firms.

As a senior analyst and auditor with an international fraud investigation and dispute resolution firm in the firms' Cayman office, she specialized in complex offshore asset recovery; fraud investigation and insolvency projects; prepared affidavits in support of Grand Court submissions; traced funds and classes structures of SPhinX Funds with over \$500M in assets; and cross border insolvency complications. She also maintained direct involvement in efforts to recover Fairfield funds' assets, one of the major victims in the Bernie Madoff Ponzi scheme.

In the capacity of financial controller of a real estate development and general construction firm, Ms. Jones oversaw all financial matters, including preparing financial statements; payroll, regulatory communications and filings; ensuring adequate cash flow; and reporting to investors. While with the firm, she was the acting chief financial officer for a real estate development/new construction project in Old Town Temecula and oversaw the construction of a \$12M mixed use building with a combined square footage of 37,000 and accommodating restaurants, retail spaces, executive office suites and apartments. Her tasks included, point of contact for all project funding for the lending bank and fund control company; prepared all fund draw requests; ensured compliance with all provisions of the City of Temecula conditions for redevelopment grant of \$4M; vendor relations and payment of sub-contractors; investor reporting; and preparing financial statements and regulatory filings.

Related Project Experience

City of Moreno Valley, CA – Grant Analyst: Ms. Jones serves as one of Willdan's grant analysts providing technical and compliance reviews of subrecipient invoices under agreement with the City. Ms. Jones also teams with Mr. Quaid in conducting the onsite monitoring of the City's CDBG, HOME and ESG subrecipients providing technical support in review of contracts, Davis-Bacon prevailing wage compliance, Section 3 compliance and other HUD regulations affecting the program activity. Ms. Jones also assists in the preparation of the monitoring reports to the City.

County of San Diego, CA – Construction Cost Audit Project Analyst: Currently serving as project analyst for the construction cost audit of \$55.4 million in public facilities including streets, bridges, parks, sewer, water and wastewater treatment associated with Community Facilities District No. 2008-1.

Ms. Jones reviews all required documents required for submittal by the home developer, pursuant to the Acquisition and Funding Agreement. She also performs the review of certified payroll for the contractors and subcontractors for prevailing wage compliance, coordinates communications by the Project Manager to the County and the developer and assists in the preparation of the audit reports for the facilities.

Attachment: Willdan Financial ERAP Administration Proposal (4326 : ACCEPT THE U.S. DEPARTMENT OF THE TREASURY FUNDS AND

Timothy C. Colón, JD, MUP

CDBG Analyst

Education

Juris Doctor
University of Minnesota,
Minneapolis, MN

Master of Urban Planning
University of Kansas,
Lawrence, KS,

Bachelor of Arts,
Political Science,
University of Minnesota,
Morris, MN,

20 Years' Experience

Mr. Timothy C. Colón is a Willdan Engineering CDBG Analyst with 20 years of experience. Mr. Colón is experienced in reviewing and aligning program policies with HUD regulations under 24 CFR 570, the allocating Federal Register Notice, and HUD CPD notices. Mr. Colón is knowledgeable in CDBG-DR program planning and Action Plan development.

Relevant Project Experience

Tetra Tech, Los Angeles, CA – Program Manager/Subject Matter Expert: Housing Policy and Disaster Recovery. Tetra Tech Disaster Recovery Division. Review and align program policies with HUD regulations under 24 CFR 570, the allocating Federal Register Notice, and HUD CPD notices. Review and respond to requests for information from field staff which require interpretations of program policy and HUD regulations related to case specific facts. Provide policy and compliance training to staff and vendor personnel. Conduct analyses on current processes and working with team leads to identify, document and prioritize process improvements. Provide subject matter expertise for CDBG-DR program planning and Action Plan development.

US Department of Housing and Urban Development, New York, NY, Los Angeles, CA Community Planning and Development Specialist: Office of Community Planning and Development – Disaster Recovery and Special Issues Division. Advise on the application and interpretation of policies, rules, and regulatory provisions regarding use of CDBG-DR funds. This involves direct communication and correspondence with HUD field staff, grantees, public interest groups, and others. Monitor and evaluate recipients of CDBG-DR funds and other CPD Programs. This process entails planning, scheduling, conducting on-site reviews, analyzing information, coordinating group activities, and recommending subsequent actions. Analyze grantee information and determine compliance with applicable laws and regulations. Present results of this analysis to grantee officials. Develop policies and procedures regarding the administration of the National Disaster Resilience and Rebuild by Design programs supported by CDBG-DR funds, including fostering a team review process of Action Plan Amendments. Provide coordination between HUD and FEMA in use of CDBG-DR and FEMA Public Assistance program for emergency repairs to publicly owned systems.

Port Authority of New York and New Jersey, New York, NY – Manager, Alternative Funding Strategies: Identify and advance projects eligible for federal funding/financing and anticipate compliance impacts. Collaborate with key stakeholders; assist in grant/loan interpretation and application; solicit input on various projects, grants, and other issues, to ensure open flow of information within the agency. Serve as liaison with federal funding agencies and cultivate relationships with federal partners. Coordinate inter-agency teams to develop unified positions on rule-makings, guidance, and circulars and respond to requests for public comment on diverse issues. Prepare talking points, position papers, reports, memos and briefing documents in coordination with other agency staff to advise Port Authority executive management and departments on critical issues to the Authority related to legislative and regulatory proposals, mega-projects and safety issues. Screen the agency's portfolio of capital investments for prospective candidate projects for Public Private Partnerships.

US Department of the Treasury, Washington, DC – Senior Policy Advisor: Supervisory position that involved managing the creation and implementation of a compliance framework, administered across 56 participants and encompassing \$1.5 Billion, including risk assessment, sample testing, technical assistance, and on-site review. Led management team in establishing policies, objectives, and priorities, and developing action plans to accomplish program implementation. Developed appropriate guidance based on existing law, regulations, precedent and stakeholder input. Analyzed and answered questions regarding combining different sources of funds, conflicts of interest, program requirements, and eligible uses of funds. Served as the point of contact for program oversight bodies, including the Office of the Inspector General and the Government Accountability Office. Researched and answered oversight inquiries and responded to audit reports. Performed legal research and analysis providing oral and written advice, counsel, and opinions in regard to the laws, regulations, court

Timothy C. Colón
Continued

decisions, and other precedents bearing on the legal issues involving or impacting Treasury and the State Small Business Credit Initiative, including appropriations law, agency authority, Constitutional law, conflicts of interest, project finance techniques, and expanding the scope of agency services. Proposed new legislation and revisions to existing legislation based on program experience and need. Carried out personnel management responsibilities for a staff of professional and clerical support personnel. Assisted with regulation drafting for 2016 funding round of the Capital Magnet Fund.

US Department of Housing and Urban Development, Washington, DC – Attorney/Fellow (GS 1101-13). Office of General Counsel Office of Assisted Housing and Community Development and Los Angeles Field Office: Conducted loan closings for the HUD 202/811 programs on projects worth over \$25 million. Drafted and reviewed real estate transaction and loan documents regarding HUD insured housing and affordable development projects including operating agreements, leases, deeds, deeds of trust, loan agreement and promissory notes. Reviewed title insurance documentation, survey reports and conducted transaction due diligence. Advised program staff with legal analysis and interpretation of laws governing programs including HOME, CDBG, BRAC, ICDBG and others. Provided legal and policy interpretations to program administrators regarding federal economic development and community development programs. Drafted legal opinions, waivers and briefs for administrators including the Secretary of HUD. Served as a liaison between the Office of General Counsel and the Office of Community Planning and Development.

Office of Affordable Housing Programs. Drafted regulations and policies for the HUD Federal Housing Trust Fund. Drafted policy documents including federal regulations and federal notices for a federal housing production program. This included formulating, explaining, and interpreting the policy for the HOME program based on applicable statutory law, federal regulations, and prior written guidance. Provided guidance explaining and interpreting regulations and policies in response to inquiries from field offices, other federal agencies, congressional offices, grantees, nonprofit organizations and constituent groups. Prepared guidance for competitive and formula grant programs including overseeing the process of making grants to local and state development agencies. Prepared briefing materials and talking points for the HUD Assistant Secretary and other senior staff. Formulated new legislation and revisions to existing legislation based on program experience and need. Reviewed applications for the Self-help Homeownership Opportunity Program (SHOP), a Federal competitive grant program for the creation of affordable housing.

Office of Community Planning and Development – Los Angeles Field Office. Monitored and evaluated recipients of CPD Programs and other grants. Planned, scheduled and conducted on-site reviews, analyzed information, coordinated group activities and recommended subsequent actions. Negotiated, formulated and implemented compliance recommendations in conjunction with the Office of the Inspector General to clear monitoring findings. This included setting a compliance agenda, developing priorities, reviewing work products, collecting and analyzing local information, monitoring job performance, preparing written analysis and recommendations, and identifying technical assistance needs. Provided advice and guidance concerning the interpretation of policies, rules, and regulatory provisions. This included direct communications and correspondence with field staff, grantees, public interest groups, and others.

Office of Block Grant Assistance (CDBG). Assisted in the distribution of Neighborhood Stabilization Program (a short term Federal housing and economic development program) to assist communities severely impacted by the foreclosure crisis. Reviewed plans and developed recommendations to ensure compliance with NSP statutory requirements and program regulations including management controls, quality controls, and performance measures.

Lynn Jackson Schultz and Lebrun, Sioux Falls, SD – Law Clerk Summer 2007: Developed and prepared legal contracts and legal memoranda. Drafted and prepared trial court and appellate court briefs including an appellate brief to the state Supreme Court on the issue of wrongful interference of a business relationship. Assisted with depositions, trials and business transactions.

Attachment: Willdan Financial ERAP Administration Proposal (4326 : ACCEPT THE U.S. DEPARTMENT OF THE TREASURY FUNDS AND

Scope of Work

Willdan understands that the City seeks grant program administration support for its ERAP Grant to mitigate the effect of the Coronavirus outbreak. Prompt program planning, implementation and administration is essential to the successful performance of the ERAP Grant activities and reporting of accomplishments to the grantor agencies.

Willdan proposes the following tasks to fully administer the ERAP Grants.

A. Funding Recommendation Process

1. Assist in determining the allocation of the ERAP grant funds to the eligible activities pursuant to the Treasury Department and SB 91 regulations and guidelines.
2. Assist in drafting staff reports to council and attending finance committee and City Council meetings when requested.
3. Provide technical assistance with regard to eligible activities for the ERAP Grants.
4. Review applications and associated documents submitted by applicants.
5. Notify applicants regarding incomplete or missing documentation.

B. Program Administration

1. If requested, conduct workshop for selected ERAP subrecipients to advise on ERAP federal and state requirements.
2. Assist in the drafting and finalization of ERAP subrecipient agreements with City. Interface with subrecipients regarding questions or request for technical assistance.
3. Coordinate the preparation of environmental reports for each subrecipient activity, as needed.
4. Set up programs with executed ERAP agreements in Willdan files and City files as needed.
5. Perform ongoing review of subrecipient invoices requesting reimbursement of program costs, including but not limited to, comparing requested amount with program budget, determining all costs are supported with appropriate documentation linking them to program activity, verifying receipt of all required certifications and performance reports, interfacing with subrecipients on any issues relating to the invoice.
6. Provide ongoing technical support to subrecipients and interface with federal and state representatives for technical assistance, as needed.
7. Provide ongoing reporting City staff of grant administration milestones.
8. Provide required federal and state reporting on ERAP activity.

C. Program Close Out

1. Perform final close out of ERAP program as required by the federal and state program requirements.
2. Fulfill any federal or state program requirements for subrecipient oversight by scheduling and notifying subrecipients of onsite monitoring visits to determine compliance with federal or state regulations and terms and conditions of the agreement.

City Responsibilities

To assist Willdan, the City will provide the following information and/or services:

- Primary contact at City for all grant related deliverables and correspondence.
- Access to all relevant ERAP related files on the City network.

Please note Willdan will rely on the validity and accuracy of the City of Moreno Valley data and documentation to complete this engagement. Willdan will rely on the data as being accurate without performing an independent verification of accuracy, and that we will not be responsible for any errors that result from inaccurate data provided by the City or a third party.

Project Timeline

Based on our scope of services, Willdan proposes the following timeline for the ERAP Grant administration.

Project Tasks		Feb'21	Mar '21	Apr- Sept'21	Oct- Dec '21	Jan '22- Jun '22
A. Funding Recommendation Process						
1 - 3	Assist with program selection process	X				
4 - 5	Prepare staff reports to Council regarding ERAP program recommendations	X				
B. Program Administration						
1	Subrecipient Workshop/Technical Training		X			
2 - 3	Subrecipient Agreements / Environmental Reports		X			
4	Setup program files at City		X			
5	Review subrecipient Invoices for payment			X	X	
6 - 7	On-going technical assistance to subs / Progress reports to City management	X	X	X	X	X
8	Prepare required federal and state ERAP reporting	X	X	X	X	X
C. Program Close Out						
1	Perform ERAP project close out				X	X
2	Perform on-site monitoring					X

Attachment: Willdan Financial ERAP Administration Proposal (4326 : ACCEPT THE U.S. DEPARTMENT OF THE TREASURY FUNDS AND

Proposed Fees

Project Fees

Based upon our proposed scope of work, we propose a **not-to-exceed annual contract price of \$75,000**. The fee reflects the tasks and hours necessary to complete the ERAP administration through June 30, 2022. We will invoice the City monthly based on the number of service hours provided to the project.

Hourly Rates

The table below outlines Willdan’s current hourly rates that will apply for any additional services above and beyond the proposed Scope of Work.

Hourly Rate Schedule		
Position	Team Member	Hourly Rate
Project Manager	Robert Quaid	\$ 120
CDBG Analyst	Timothy C. Colón	125
Senior Analyst	Richelle Lane	100
Analyst	Helen Jones	90
Analyst Assistant		75

Attachment: Willdan Financial ERAP Administration Proposal (4326 : ACCEPT THE U.S. DEPARTMENT OF THE TREASURY FUNDS AND



Report to City Council

TO: Mayor and City Council

FROM: Marshall Eyerman, Assistant City Manager

AGENDA DATE: February 16, 2021

TITLE: DECLARING INTENTION TO PROVIDE FOR FUTURE ANNEXATION OF TERRITORY TO CITY OF MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 2014-01 (MAINTENANCE SERVICES) AND TO APPROVE THE THIRD AMENDED AND RESTATED RATE AND METHOD OF APPORTIONMENT FOR THE DISTRICT

RECOMMENDED ACTION

Recommendation:

Adopt Resolution No. 2021-_____. A Resolution of the City Council of the City of Moreno Valley, California, Declaring its Intention to Provide for Future Annexation of Territory to City of Moreno Valley Community Facilities District No. 2014-01 (Maintenance Services) and to Amend and Restate the Rate and Method of Apportionment for the District and to Designate Tax Rate Areas No. TC-01 (Traffic Circle Landscaping Without Monument/Signage Features for Single-Family Residential), TC-02 (Traffic Circle Landscaping With Monument/Signage Features for Single-Family Residential), TC-03 (Traffic Circle Landscaping Without Monument/Signage Features for Property Other than Single-Family Residential), TC-04 (Traffic Circle Landscaping With Monument/Signage Features for Property Other than Single-Family Residential), and SD-01 (Street Maintenance and Drainage for Single-Family Residential) and to Revise the Rate Structure for SL-01 (Single-Family Residential Street Lighting).

SUMMARY

This report recommends adopting a Resolution to begin the process to revise the tax rate areas for Community Facilities District (CFD) No. 2014-01 (Maintenance Services) (the "District"), to re-designate the future annexation boundary, and to set April 6, 2021 as the date for the Public Hearing to receive testimony and consider these changes.

The District was established to provide a mechanism for new development to fund the

costs of new services, thereby avoiding a financial impact on the City's general fund. The proposed amendment will not change the current services or increase the Maximum Special Tax Rate of those properties currently subject to the special tax.

The District's existing tax structure was designed to fund the maintenance and operating expenses for public street lighting and landscaping. To fairly apportion costs for new types of landscaping (i.e. traffic circles) and street lighting (e.g. perimeter of gated single-family residential neighborhoods) and to establish a funding mechanism for maintenance of single-family residential public streets and drainage facilities, amendments are proposed to the rate and method of apportionment to include:

1. Adding tax rate areas for landscape maintenance within a traffic circle (TC).
2. Adding a new tax rate structure within Tax Rate Area No. SL-01 to account for the costs associated with perimeter street lighting only. Typically, this tax rate will apply to single-family residential developments wherein the maintenance and operation costs of streets lights within the residential development are funded by an HOA.
3. Adding a tax rate area for maintenance of single-family residential public streets and drainage facilities (SD).

Because new tax rate areas are proposed, it is necessary to re-designate the future annexation area boundary. The future annexation area will continue to encompass all areas within the City's jurisdictional boundaries, creating a streamlined process for developing properties to annex into the District.

DISCUSSION

The City requires property owners of new development projects to mitigate the cost of certain impacts created by the proposed development (e.g. public landscape maintenance and street lighting costs). To assist the development community in satisfying the requirement, the City established CFD 2014-01 (Maintenance Services). If a developer elects to annex their property into the District, it authorizes the City to levy a special tax on the annual property tax roll of the property. Revenue from the special tax funds the operation and maintenance costs of certain improvements installed as a condition of approval of the development.

CFD 2014-01 was formed on March 25, 2014, consistent with the requirements of the Mello-Roos Community Facilities Act of 1982 (the "Act"). At the time the District was formed, a Rate and Method of Apportionment (RMA) was adopted. The RMA establishes the tax rate areas, defines the formula to calculate the maximum special tax rate, and outlines how the special tax is apportioned to properties that have annexed into the District. The RMA was amended on October 14, 2015 (First Amended and Restated RMA) and again on January 27, 2015 (Second Amended and Restated RMA).

The amendments added tax rate areas and/or tax rate area categories to equitably spread the operation and maintenance cost of the eligible improvements.

To streamline the annexation process, the City also designated the entire City as the Future Annexation Boundary for the District. While the future annexation area boundaries establish which parcels are in an area authorized to annex into the District, property owners are not subject to the special tax unless a property owner provides unanimous approval to annex their property into the District.

CFD 2014-01 was originally established for maintenance of public landscaping in certain parkways and medians and to street lighting services for single-family and non-single-family residential properties. It was originally designed to allow flexibility to expand the tax rate areas, depending upon the needs of the community. Staff proposes to amend the CFD to expand the tax rate areas to include maintenance of public landscaping in traffic circles and street lighting services for perimeter street lights of a single-family residential development (e.g. a gated community). In addition, an amendment is proposed to add a tax rate area for the maintenance of streets and drainage facilities for a single-family residential development. Addition of the tax rate areas will provide an equitable tax rate formula for those developments and provide a revenue stream to maintain the streets and drainage facilities related to the development of those parcels annexed in the District. The proposed amendment does not change the services or the maximum special tax rate for properties already subject to the special tax.

Amending the RMA will allow developers to use the CFD as a tool to fund the operations and maintenance of certain public improvements. For example, the development at the northeast corner of Eucalyptus Avenue and Redlands Boulevard has been approved with the condition it provides an ongoing funding source for the maintenance of the public landscaping in the traffic circles being constructed as part of the project. Annexation into the District will allow the developer to satisfy this condition.

Provided the City Council adopts the Resolution of Intent, a Public Hearing will be set for April 6, 2021 to consider adoption of the Third Amended and Restated RMA and designation of the Future Annexation Area.

The Finance Subcommittee was scheduled to review this item during its January 26, 2021 meeting.

ALTERNATIVES

1. Adopt the Resolution of Intention to provide for future annexation of territory to CFD No. 2014-01 and to approve the Third Amended and Restated RMA. *Staff recommends this alternative since it will provide alternative and equitable funding options for the development community.*

2. Do not adopt the Resolution of Intention. *Staff does not recommend this alternative because it will not provide alternative or equitable funding options for the development community.*
3. Do not adopt the Resolution of Intention but continue the item to a future Council meeting. *Staff does not recommend this alternative because it will delay the development community from satisfying their conditions of approval.*

FISCAL IMPACT

Third party costs associated with the Third Amended and Restated RMA are projected at \$40,000 for a special tax consultant, special legal counsel, legal notice publication costs, recording costs, and other related expenses. Sufficient funds exist in the approved Operating Budget of the Special Districts Administrative Fund 2006-30-79-25701.

The proposed Third Amended and Restated RMA has ten separate Tax Rate Areas, some of which have multiple categories. The Maximum Special Tax for each Tax Rate Area is subject to an annual inflation adjustment based on the change in the Consumer Price Index for All Urban Consumers for the Los Angeles-Long Beach-Anaheim Region as published by the Department of Labor's Bureau of Labor Statistics or five percent (5%), whichever is greater. However, the annual adjustment cannot be applied unless the City Council annually authorizes such adjustment. The Maximum Special Tax for each Tax Rate Area has been calculated to achieve full cost recovery. The Maximum Special Tax Rates cannot be increased beyond the annual inflationary adjustment without approval of the Qualified Electors (i.e. landowners or registered voters, depending upon the number of registered voters) who are subject to the tax.

NOTIFICATION

Newspaper advertising for the proposed April 6, Public Hearing will be published in The Press-Enterprise, consistent with the Act.

PREPARATION OF STAFF REPORT

Prepared By:
Candace E. Cassel
Special Districts Division Manager

Department Head Approval:
Marshall Eyerman
Assistant City Manager

Concurred By:
Michael L. Wolfe, P.E.
Assistant City Manager

ATTACHMENTS

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.

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.

CITY COUNCIL STRATEGIC PRIORITIES

- 1. Economic Development
- 2. Public Safety
- 3. Library
- 4. Infrastructure
- 5. Beautification, Community Engagement, and Quality of Life
- 6. Youth Programs

Objective 4.2: Develop and maintain a comprehensive Infrastructure Plan to invest in and deliver City infrastructure.

Objective 5.2: Promote the installation and maintenance of cost effective, low maintenance landscape, hardscape and other improvements which create a clean, inviting community.

ATTACHMENTS

- 1. Resolution of Intent
- 2. Third Amended and Restated RMA
- 3. RMA Redline

APPROVALS

Budget Officer Approval	<u>✓ Approved</u>	2/09/21 11:59 AM
City Attorney Approval	<u>✓ Approved</u>	
City Manager Approval	<u>✓ Approved</u>	2/10/21 11:11 AM

RESOLUTION NO. 2021-____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DECLARING ITS INTENTION TO PROVIDE FOR FUTURE ANNEXATION OF TERRITORY TO CITY OF MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 2014-01 (MAINTENANCE SERVICES) AND TO AMEND AND RESTATE THE RATE AND METHOD OF APPORTIONMENT FOR THE DISTRICT AND TO DESIGNATE TAX RATE AREAS NO. TC-01, TC-02, TC-03, TC-04 AND SD-01

WHEREAS, by its Resolution No. 2014-25, the City Council established its City of Moreno Valley Community Facilities District No. 2014-01 (Maintenance Services) (the "CFD") pursuant to the Mello-Roos Community Facilities Act of 1982 (Government Code Section 53311 *et seq.*) (the "Act"); and

WHEREAS, by its Ordinance No. 874, the City Council levied an annual special tax against all non-exempt parcels of real property within the CFD (the "Special Tax") to fund street lighting services and landscape maintenance services; and

WHEREAS, if such funding has not otherwise been provided, public convenience and necessity require that territory be added to the CFD in order to fund the operation and maintenance of street lights, landscaping, streets, drainage improvements and similar improvements associated with development in that territory; and

WHEREAS, Article 3.5 of the Act authorizes the City Council to provide for the future annexation of territory to a community facilities district by designating a future annexation area for that district; and

WHEREAS, such designation permits the annexation of a parcel with the unanimous approval of the owner or owners of each parcel or parcels at the time that parcel or those parcels are annexed; and

WHEREAS, in order to permit landowners to efficiently annex developing parcels to the CFD, the City Council, by its Ordinance No. 882 designated the entire territory of the City as a future annexation area for the CFD and approved an amended and restated rate and method of apportionment for the Special Tax; and

WHEREAS, in order to create an equitable framework under which developments other than single-family residential developments could be added to the CFD, the City Council, by its Ordinance No. 889, approved a second amended rate and method of apportionment for the Special Tax and redesignated the entire territory of the City as a future annexation for the CFD; and

1
Resolution No. 2021 - ____
Date Adopted: February 16, 2021

Attachment: Resolution of Intent [Revision 1] (4276 : DECLARING INTENTION TO PROVIDE FOR FUTURE ANNEXATION OF TERRITORY TO

WHEREAS, the City Council desires to further amend the rate and method of apportionment for the Special Tax in order to provide for the equitable apportionment of taxes to fund services associated with perimeter streetlights, traffic circles, drainage improvements and roads; and

WHEREAS, the mechanism for making these changes is to redesignate the entire territory of the City as a future annexation area for the CFD, which will allow property owners, at the discretion of the City Council, to annex their property to the CFD and subject such property to the amended rate and method of apportionment.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. Recitals. The above recitals are all true and correct.
2. Initiation of Proceedings. The City Council declares its intention to provide for future annexation of territory to the CFD.
3. Name of CFD. The name of the CFD is “City of Moreno Valley Community Facilities District No. 2014-01 (Maintenance Services).”
4. Future Annexation Area. The territory on the map titled “Annexation Map No. 3 of Community Facilities District No. 2014-01 (Maintenance Services) of City of Moreno Valley, County of Riverside, California (Territory proposed for annexation in the future, with the condition that parcels within that territory may be annexed only with the unanimous approval of the owner or owners of each parcel or parcels at the time that parcel or those parcels are annexed)”, which is on file in the office of the City Clerk, available for public inspection and incorporated herein by reference (“Annexation Map No. 3”) is proposed for annexation to the CFD in the future, with the condition that parcels within that territory may be annexed only with the unanimous approval of the owner or owners of each parcel or parcels at the time that parcel or those parcels are annexed. A reduced copy of the annexation map is attached hereto as Exhibit A.
5. Description of Services. The following is a general description of the services (the “Services”) provided in the CFD and proposed for the future annexation area:
 - A. Landscape Maintenance Services: Maintaining, servicing, and operating landscape improvements and associated appurtenances located within the public right-of-way and within dedicated landscape easements for the CFD. These improvements may include but are not limited to parkways, medians, open space landscaping, fencing, monuments, ornamental lighting, drainage, turf, ground cover, shrubs, vines and trees, irrigation systems, and appurtenant facilities and structures. Fundable costs may include, but are not limited to: (i) contracting costs for landscape maintenance services, including litter removal, (ii) salaries and benefits of City staff, (iii) expenses related to equipment, apparatus, and supplies

related to these services, (iv) City administrative and overhead costs associated with providing such services within the CFD, and (v) lifecycle costs associated with the repair and replacement of facilities.

B. Street Lighting Services: Maintaining, servicing, and operating street lights and appurtenant improvements. Fundable costs may include, but are not limited to: (i) contracting costs for street light maintenance, (ii) salaries and benefits of City staff, if the City directly provides street light maintenance services, (iii) utility expenses and the expense related to equipment, apparatus, and supplies related to these services and authorized by the Act, (iv) City administrative and overhead costs associated with providing such services for the CFD, and (v) lifecycle costs associated with the repair and replacement of facilities.

C. Drainage and Street Maintenance Services: Maintaining, servicing, and operating drainage improvements and maintaining streets. Drainage improvements include public improvements and appurtenance (and associated easements) that are designed or used to capture, retain, detain, remove, transport, or treat surface water and storm water runoff. Fundable costs may include, but are not limited to: (i) contracting costs for street and drainage maintenance services, including litter removal, (ii) salaries and benefits of City staff if the City directly provides these services, (iii) expenses related to equipment, apparatus, and supplies related to these services, (iv) City administrative and overhead costs associated with providing such services within the CFD, and (v) lifecycle costs associated with the repair and replacement of streets and drainage improvements.

These services are in addition to those provided in the territory within the CFD prior to the establishment of the CFD and that such Services will not supplant services already available within the territory. Not all of the listed services are provided to every parcel in the CFD. The actual services provided depend on the Tax Rate Area to which the parcel is assigned. Drainage and Street Maintenance Services can only be funded in connection with territory annexed in connection with the future annexation area proposed by this Resolution. Other services can be provided to existing and annexed parcels. The City may, at some future point, add additional services to the CFD. Any such changes will only affect parcels annexed to the CFD after such changes are made.

6. Special Tax. Except where funds are otherwise available, a special tax sufficient to pay for the Services, secured by recordation of a continuing lien against all nonexempt real property in the district, will be annually levied within the CFD (the "Special Tax"). Under no circumstances will the special tax levied in any fiscal year against any parcel be increased as a consequence of delinquency or default by the owner or owners of any other parcel or parcels within the district by more than 10 percent above the amount that would have been levied in that fiscal year had there never been any such delinquencies or defaults. A complete description of the rate and method of apportionment of the Special Tax, designated as the "Third Amended and Restated Rate and Method of Apportionment of Special Tax", is attached hereto as Exhibit "B" and incorporated herein.

The Special Tax will be collected in the same manner as ordinary ad valorem property taxes are collected and shall be subject to the same penalties and the same procedure, sale, and lien priority in case of delinquency as is provided for ad valorem taxes. Notwithstanding the forgoing, any Special Taxes that cannot be collected on the County tax roll, or are not so collected, may be collected through direct billing by the City.

The rate and method of apportionment attached hereto represents a restatement of the existing rate and method of apportionment, amended to add (i) Tax Rate Areas No. TC-01, TC-02, TC-03 and TC-04 (to provide a mechanism for funding services associated with landscaping in traffic circles) and (ii) Tax Rate Area SD-01 (to provide a mechanism for funding services associated with drainage and street maintenance). Furthermore, a new rate was added to Tax Rate Area No. SL-01 to provide a mechanism for funding perimeter street lighting services for residential subdivisions for which the CFD does not fund street lighting on the interior of the subdivision. For clarity, the text of the existing RMA has been reorganized and edited.

The designated future annexation area is designated for annexation as part of all Tax Rate Areas in the CFD; and any annexation action shall specify to which Tax Rate Area(s) the annexed territory will be added. The addition of parcels will not require a change in the existing tax rate formula, which is incorporated into the restated RMA. The maximum tax rate on parcels currently in the CFD will not be increased as a result of the proceedings initiated by this Resolution.

7. Public Hearing. On April 6, 2021, at 6:00 PM (or as soon thereafter as practical), in the City Council Chamber located at 14177 Frederick Street, Moreno Valley, California 92553, the City Council will hold a public hearing on the designation of territory for annexation to the CFD in the future. At the hearing the testimony of all interested persons or taxpayers will be heard. At the Hearing, protests against the designation of territory for annexation to the CFD in the future may be made in writing by any interested person or taxpayer. If a written majority protest against the designation is filed (as determined in accordance with Section 53339.6 of the Act), the proceedings shall be abandoned.

8. Public Interest. Pursuant to Section 53329.5(c) of the Act, the City Council finds that the public interest will not be served by allowing property owners in the CFD to enter into a contract pursuant to Section 53329.5(a) of the Act.

9. This Resolution shall be effective immediately upon adoption.

10. The City Clerk shall cause Annexation Map No. 3, as approved, to be filed in the Office of the County Recorder no later than fifteen (15) days after the date of adoption of this Resolution and shall give notice of the public hearing as required by law.

11. The City Clerk shall certify to the adoption of this Resolution, and shall maintain on file as a public record this Resolution.

APPROVED AND ADOPTED this 16th day of February 2021.

Mayor of the City of Moreno Valley

ATTEST:

City Clerk

APPROVED AS TO FORM:

Interim City Attorney

Resolution No. 2021 - 5
Date Adopted: February 16, 2021

Attachment: Resolution of Intent [Revision 1] (4276 : DECLARING INTENTION TO PROVIDE FOR FUTURE ANNEXATION OF TERRITORY TO

RESOLUTION JURAT

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF MORENO VALLEY)

I, Pat Jacquez-Nares, City Clerk of the Moreno Valley, Moreno Valley, California do hereby certify that Resolution No. 2021-___ was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting held on the day 16th of February 2021, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

CITY CLERK

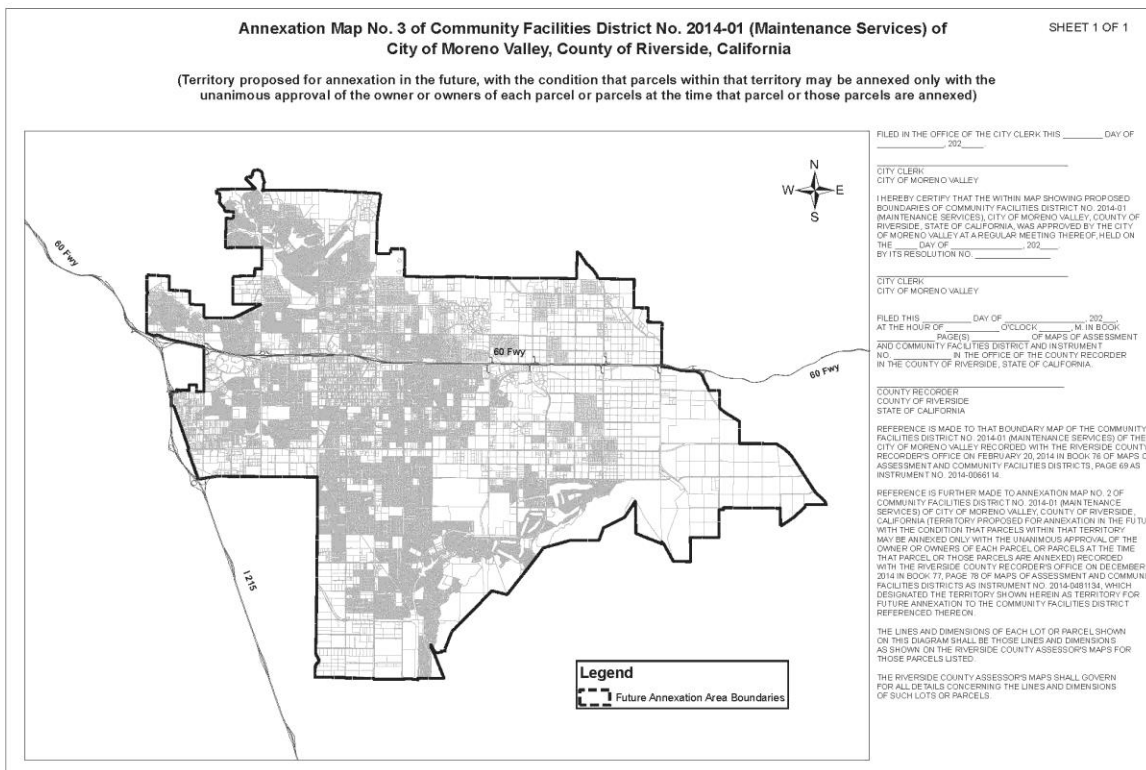
(SEAL)

Resolution No. 2021 - 6
Date Adopted: February 16, 2021

Attachment: Resolution of Intent [Revision 1] (4276 : DECLARING INTENTION TO PROVIDE FOR FUTURE ANNEXATION OF TERRITORY TO

EXHIBIT A

Annexation Boundary Map No. 3



Attachment: Resolution of Intent [Revision 1] (4276 : DECLARING INTENTION TO PROVIDE FOR FUTURE ANNEXATION OF TERRITORY TO

Resolution No. 2021 - 7
Date Adopted: February 16, 2021

EXHIBIT B

Third Amended and Restated RMA

Attachment: Resolution of Intent [Revision 1] (4276 : DECLARING INTENTION TO PROVIDE FOR FUTURE ANNEXATION OF TERRITORY TO

Resolution No. 2021 - 8
Date Adopted: February 16, 2021



THIRD AMENDED AND RESTATED RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAX

A Special Tax for the City of Moreno Valley Community Facilities District No. 2014-01 (Maintenance Services) (the "CFD") shall be levied on all Assessor's Parcels in the CFD and collected each Fiscal Year in an amount determined by the City through the application of the rate and method of apportionment of the Special Tax set forth below. All of the real property in the CFD, unless exempted by law or by the provisions hereof, shall be taxed for the purposes, to the extent and in the manner herein provided.

A. DEFINITIONS

The terms hereinafter set forth have the following meanings:

"Act" means the Mello-Roos Community Facilities Act of 1982 (Government Code Section 53311 *et seq.*).

"Administrative Expenses" means the expenses incurred by the City as administrator of the CFD to determine, levy and collect the Special Taxes, including salaries and benefits of City employees whose duties are related to administration of the CFD and the fees of consultants, legal counsel, the costs of collecting installments of the Special Taxes, preparation of required reports; and any other costs required to administer the CFD as determined by the City.

"Annexation Group" means a Parcel or group of Parcels that are annexed into the CFD and designated as an Annexation Group by the City Council action ordering annexation. In the event such order does not designate parcels as an Annexation Group, all parcels annexed by the order shall constitute a single Annexation Group.

"Angularly Allocated Landscape Foot" means, for a parcel of Taxable Property that is part of an Annexation Group, the result of the following calculation:

- (i) Find the total of the Annexation Group's Angularly Proportional Share of the Perimeter Linear Footage of any Traffic Circles associated with the Annexation Group.
- (ii) Divide the linear footage calculation in step (i) by the total acreage of all Taxable Property in the Annexation Group; then,
- (iii) Multiply the result in step (ii) by the acreage of the Parcel for which the Angularly Allocated Landscape Footage is being calculated.



The purpose of this calculation is to determine, based on a parcel's share of the acreage in its Annexation Group, the parcel's "fair share" of the linear footage of improvements maintained in connection with the CFD.

For example: if an Annexation Group consist of 10 acres of Taxable Property and the Annexation Group's Angularly Proportional Share of a Traffic Circle's Perimeter Linear Footage is 500 linear feet, then a 1.5 acre parcel of Taxable Property in that Annexation Group would have 75 Angularly Allocated Landscape Feet of Traffic Circle improvements $((500 / 10) * 1.5)$.

"Angularly Proportional Share" means the process of dividing a base characteristic of a Traffic Circle amongst more than one Annexation Group using the following steps:

- (i) Assign to each Annexation Group the length of the portion of the circumference of the Traffic Circle that faces the Annexation Group.
- (ii) Find the sum of all lengths assigned in step (i).
- (iii) For each Annexation Group, divide (i) by (ii).
- (iv) For each Annexation Group, multiply the base characteristic of the Traffic Circle by (iii).

For purpose of this definition, "base characteristic" means either (i) the square footage of Landscaping Area of a Traffic Circle or (ii) the Perimeter Linear Footage of a Traffic Circle.

"Annual Escalation Factor" means the greater of the increase in the annual percentage change in the Consumer Price Index (CPI) for All Urban Consumers for the Los Angeles-Riverside-Orange County Region as published by the Department of Labor's Bureau of Labor Statistics or five percent (5%). If the CPI for the Los Angeles-Riverside-Orange County area is discontinued, the CFD administrator may replace it with a similar index for the purposes of calculating the Annual Escalation Factor.

"Assessor's Parcel" or "Parcel" means a lot or parcel shown on the official map of the Riverside County Assessor designating parcels by assessor's parcel number.

"Building Permit" means a permit issued for new construction of a residential or non-residential structure. For purposes of this definition, "Building Permit" shall not include permits issued solely for grading, utility improvements, or other such improvements that are constructed and installed and are not intended for human occupancy.

"CFD Administrator" means an official of the City, or designee thereof, responsible for determining the Special Tax Requirement and administrating the levy and collection of the Special Taxes.

"CFD" means City of Moreno Valley Community Facilities District No. 2014-01 (Maintenance Services).



“**City**” means the City of Moreno Valley.

“**Fiscal Year**” means the period starting July 1 and ending the following June 30.

“**Landscaping Area**” means the area of landscaping added to the landscaping improvements to be maintained in connection with the CFD and funded by the Special Tax for specified Annexation Group(s). The Landscaping Area of a Traffic Circle includes, but is not limited to, the landscaped area of the traffic circle and the landscaped area of each directional median.

“**Maintenance Ratio**” means the ratio derived by:

- (i) taking the square footage of the Landscaping Area associated with an Annexation Group, then
- (ii) Dividing the amount from (i) by the number of Taxable Parcel(s) within that Annexation Group. Such amount will be rounded to the nearest whole number.

The Maintenance Ratio represents the number of square feet of landscaping that will be maintained for each taxed parcel.

For example, if an Annexation Group consists of all of the parcels in a new single family residential subdivision consisting of 100 single family residential parcels, and the CFD will fund the maintenance of 15,000 square feet of landscaping in the subdivision, then the Maintenance Ratio for the Annexation Group is 150 (15,000 divided by 100).

With respect to a Traffic Circle improvement that is associated with multiple Annexation Groups, the Maintenance Ratio shall be calculated separately for each such Annexation Group using that Annexation Group’s Angularly Proportional Share of the total square footage of the Landscaping Area of the Traffic Circle. The Annexation Group’s Maintenance Ratio for a Traffic Circle shall be recalculated any time a new Annexation Group is added that will contribute to the maintenance of the Traffic Circle.

When an Annexation Group is annexed to a TC-Series Tax Rate Area, the Maintenance Ratio is calculated separately for Traffic Circles (for purposes of the TC-Series tax calculation) and for all other landscaping (for purposes of the LM-Series tax calculation).

“**Maximum Special Tax**” means the Maximum Special Tax, determined in accordance with Section B below that can be levied in the CFD in any Fiscal Year on any Assessor’s Parcel.

“**Median**” means any landscaped area, other than a Traffic Circle, to be maintained in connection with the CFD that is located between lanes of traffic within the street right-of-way.



“Median-Shared” means any Median that is located in the right-of-way of a street that is bordered on both sides by parcels that are within the CFD (even if such parcels are separated from the right-of-way by a wall, parkway or other improvement).

“Parkway” means any landscaped area, other than a Median or Traffic Circle, to be maintained in connection with the CFD.

“Perimeter Linear Footage” means, with respect to a Traffic Circle, the aggregate linear footage of the perimeters of each landscaped area included in the Traffic Circle. This includes, but is not limited to, the length of the circumference of the landscaped traffic circle and the length of the perimeter of each landscaped directional median.

“Property Owner Association Property” means any property within the boundaries of the CFD that is owned by, or irrevocably dedicated as indicated in an instrument recorded with the County Recorder, to a property owner association, including any master or sub-association.

“Proportional Curb Foot” means, for a parcel of Taxable Property that is part of an Annexation Group, the result of the following calculation:

- (i) Take the total linear footage of all curb and gutter improvements that will be funded in connection with the Annexation Group; then,
- (ii) Divide the total linear footage calculation in step (i) by the total acreage of all Taxable Property in the Annexation Group; then,
- (iii) Multiply the result in step (ii) by the parcel's acreage for which the Proportional Curb Foot is being calculated.

The purpose of this calculation is to determine, based on a parcel's share of the acreage in its Annexation Group, the parcel's “fair share” of the linear footage of improvements maintained in connection with the CFD.

For example: if an Annexation Group consist of 10 acres of Taxable Property and the Annexation Group funds the maintenance of 500 linear feet curb and gutter improvements, then a 1.5 acre parcel of Taxable Property in that Annexation Group would have 75 Proportional Curb Feet $((500 / 10) * 1.5)$.

“Proportional Front Foot” means, for a parcel of Taxable Property that is part of an Annexation Group, the result of the following calculation:

- (i) Take the total linear footage adjacent to each street light, Median, or Parkway improvements for all parcels of Taxable Property in that Annexation Group; then,



- (ii) Divide the total linear front footage calculation in step (i) by the total acreage of all Taxable Property in the Annexation Group; then,
- (iii) Multiply the result in step (ii) by the parcel's acreage for which the Proportional Front Foot is being calculated.

This calculation should be done separately with respect to:

- a) Median-Shared improvements
- b) Median improvement other than Median-Shared improvements
- c) Parkway improvements, and/or
- d) Street light improvements

The purpose of this calculation is to determine, based on a parcel's share of the acreage in its Annexation Group, the parcel's "fair share" of the linear footage of improvements maintained in connection with the CFD.

For example: if an Annexation Group consist of 10 acres of Taxable Property and in total 500 linear feet of the frontage of these parcels is adjacent to CFD-Maintained Parkway Improvement, then a 1.5 acre parcel of Taxable Property in that Annexation Group would have 75 Proportional Front Feet of Parkway $((500 / 10) * 1.5)$.

"Proportionately" means with respect to a Tax Rate Area, the ratio of the actual Special Tax levy to the Maximum Special tax is equal for all Assessor's Parcels within the Tax Rate Area.

"Public Property" means any property within the boundaries of the CFD that is owned by or irrevocably offered for dedication to the federal government, the State, the County, the City or any other public agency and is used for public purposes.

"Series", in connection with a Tax Rate Area, means all Tax Rate Areas with designations beginning with the same two letters. For example, Tax Rate Areas No. TC-01 and TC-02 are each TC-Series Tax Rate Areas, but Tax Rate Area No. SL-01 (an SL-Series Tax Rate Area) is not a TC-Series Tax Rate Area.

"Single-Family Residential" means any Assessors' Parcel within the CFD for which a Building Permit has been, or is intended to be, issued for purposes of constructing a residential structure consisting of one single-family unit.

"Special Tax" means the Special Tax to be levied in each Fiscal Year on each Assessor's Parcel of Taxable Property to fund the Special Tax Requirement, and shall include Special Taxes levied or to be levied under Sections B and C, below.

"Special Tax Requirement" means, for each Tax Rate Area separately, the amount required in any Fiscal Year to: (i) pay for the services financed by the CFD; (ii) pay



Administrative Expenses; (iii) pay any amounts required to establish or replenish any Reserve Funds; and (iv) pay for anticipated delinquent Special Taxes (not to exceed 10% of total requirement) less any surplus of funds available from the previous Fiscal Year's Special Tax levy.

“**State**” means the State of California.

“**Taxable Property**” means all of the Assessor's Parcels within the boundaries of the CFD other than Tax-Exempt Property.

“**Tax-Exempt Property**” means an Assessor's Parcel not subject to the Special Tax. Tax-Exempt Property includes: (i) Public Property, (ii) Property Owner Association Property, and (iii) property otherwise exempted by law from the Special Tax.

“**Tax Rate Area**” means a grouping of parcels that are taxed to fund a specific service. For example, Tax Rate Area No. SL-01 includes all parcels that are taxed for standard residential street lighting services and Tax Rate Area No. LM-01 includes all parcels that are taxed for landscape maintenance services for the public landscaping maintained in connection with Tax Rate Area No. LM-01. Tax Rate Areas may be created from time to time, and each parcel annexed to the CFD shall, at the time it is annexed, be assigned to one or more Tax Rate Area(s) by action of the City Council (with the consent of the property owner or with voter approval).

“**Traffic Circle**” means a road junction or roundabout containing landscaping and/or monument/signage features to be maintained in connection with the CFD, at which traffic moves in one direction around an island to reach one of the roads converging on it. A Traffic Circle is, at a minimum, typically composed of a landscaped circle area and multiple landscaped directional traffic medians.

B. MAXIMUM SPECIAL TAX RATES

Each Tax Rate Area has separate Maximum Special Taxes for Taxable Property. On each July 1 following its indicated “base year”, the Maximum Special Tax for Taxable Property for a Tax Rate Area shall be increased in accordance with the Annual Escalation Factor. No Special Tax shall be levied on Tax-Exempt Property.

1. Tax Rate Area No. SL-01 (Single-Family Residential Street Lighting)

The Maximum Special Tax for Taxable Property in Tax Rate Area No. SL-01 will be as follows:

Maintenance Category	Maintenance Description	Maximum Rate per Single-Family Residential Parcel
SL-01A	Perimeter and Interior Street Lighting	\$197.39
SL-01B	Perimeter Street Lighting Only	\$87.28



The base year for Tax Rate Area No. SL-01 is Fiscal Year 2014/15. However, with respect to the rate for Maintenance Category SL-01B, the base year is Fiscal Year 2021/22.

2. Tax Rate Area No. SL-02 (Street Lighting for Property Other than Single-Family Residential)

The Maximum Special Tax for Taxable Property in Tax Rate Area No. SL-02 will be \$3.25 per Proportional Front Foot.

The base year for Tax Rate Area No. SL-02 is Fiscal Year 2014/15.

3. Tax Rate Area No. LM-01 (Single-Family Residential Landscaping)

The Maximum Special Tax for Taxable Property in Tax Rate Area No. LM-01 will be as follows:

Maintenance Category	Maintenance Ratio	Maximum Rate per Single-Family Residential Parcel
LM-01A	Less than or equal to 20 square feet per Single-Family Residential Parcel	\$14.19
LM-01B	21 - 40 square feet per Single-Family Residential Parcel	\$42.58
LM-01C	41 - 70 square feet per Single-Family Residential Parcel	\$78.06
LM-01D	71 - 110 square feet per Single-Family Residential Parcel	\$127.73
LM-01E	111 - 160 square feet per Single-Family Residential Parcel	\$191.60
LM-01F	161 - 220 square feet per Single-Family Residential Parcel	\$269.66
LM-01G	221 - 290 square feet per Single-Family Residential Parcel	\$361.91
LM-01H	291 - 370 square feet per Single-Family Residential Parcel	\$468.36
LM-01I	371 - 460 square feet per Single-Family Residential Parcel	\$589.00
LM-01J	461 - 560 square feet per Single-Family Residential Parcel	\$723.83
LM-01K	561 - 670 square feet per Single-Family Residential Parcel	\$872.85
LM-01L	671 - 790 square feet per Single-Family Residential Parcel	\$1,036.07
LM-01M	791 - 920 square feet per Single-Family Residential Parcel	\$1,213.48
LM-01N	921 – 1,060 square feet per Single-Family Residential Parcel	\$1,405.08
LM-01O	1,061 – 1,210 square feet per Single-Family Residential Parcel	\$1,610.87
LM-01P	1,211 – 1,370 square feet per Single-Family Residential Parcel	\$1,830.86
LM-01Q	1,371 – 1,540 square feet per Single-Family Residential Parcel	\$2,065.04
LM-01R	1,541 – 1,720 square feet per Single-Family Residential Parcel	\$2,313.41
LM-01S	1,721 – 1,910 square feet per Single-Family Residential Parcel	\$2,575.98
LM-01T	1,911 – 2,110 square feet per Single-Family Residential Parcel	\$2,852.73

The base year for Tax Rate Area No. LM-01 is Fiscal Year 2014/15.



4. Tax Rate Area No. LM-02 (Landscaping for Property Other than Single-Family Residential)

The Maximum Special Tax for Taxable Property in Tax Rate Area No. LM-02 will be as follows:

Maintenance Category	Maintenance Description	Maximum Rate per Proportional Front Foot
LM-02A	Median(s) (other than Medians-Shared)	\$10.94
LM-02B	Median(s)-Shared	\$5.47
LM-02C	Parkway(s)	\$13.48

If, as a result of an annexation, improvements (or portions of improvements) that had been classified in prior fiscal years as “Median” become “Median-Shared” improvements, the proportional front feet associated with those improvements (or portions of improvements) shall be taxed at the LM-02B rate rather than the LM-02A rate.

The base year for Tax Rate Area No. LM-02 is Fiscal Year 2014/15.

In the event the Proportional Front Footage for a single Annexation Group contains multiple Maintenance Categories, the Maximum Special Tax for Taxable Property in the Annexation Group will be the sum of the Special Taxes for each applicable Maintenance Category. For example if a parcel has 75 Proportional Front Feet of Parkway (see the example given as part of the definition of “Proportional Front Foot”) and 50 Proportional Front Feet of Medians that are not Medians-Shared, that parcel’s Maximum Special Tax will be \$1,558 (75 x \$13.48)+(50 x \$10.94).

5. Tax Rate Area No. TC-01 (Traffic Circle Landscaping Without Monument/Signage Features for Single-Family Residential)

The Maximum Special Tax for Taxable Property in Tax Rate Area No. TC-01 will be as follows:

Maintenance Category	Maintenance Ratio	Maximum Rate per Single-Family Residential Parcel
TC-01A	Less than or equal to 20 square feet per Single-Family Residential Parcel	\$23.73
TC-01B	21 - 40 square feet per Single-Family Residential Parcel	\$71.28
TC-01C	41 - 70 square feet per Single-Family Residential Parcel	\$130.73
TC-01D	71 - 110 square feet per Single-Family Residential Parcel	\$213.93

Attachment: Resolution of Intent [Revision 1] (4276 : DECLARING INTENTION TO PROVIDE FOR FUTURE ANNEXATION OF TERRITORY TO



Maintenance Category	Maintenance Ratio	Maximum Rate per Single-Family Residential Parcel
TC-01E	111 - 160 square feet per Single-Family Residential Parcel	\$320.90
TC-01F	161 - 220 square feet per Single-Family Residential Parcel	\$451.65
TC-01G	221 - 290 square feet per Single-Family Residential Parcel	\$606.20
TC-01H	291 - 370 square feet per Single-Family Residential Parcel	\$784.50
TC-01I	371 - 460 square feet per Single-Family Residential Parcel	\$986.60
TC-01J	461 - 560 square feet per Single-Family Residential Parcel	\$1,212.48
TC-01K	561 - 670 square feet per Single-Family Residential Parcel	\$1,462.08
TC-01L	671 - 790 square feet per Single-Family Residential Parcel	\$1,735.50
TC-01M	791 - 920 square feet per Single-Family Residential Parcel	\$2,032.68
TC-01N	921 - 1,060 square feet per Single-Family Residential Parcel	\$2,353.63

The base year for Tax Rate Area No. TC-01 is Fiscal Year 2021/22.

6. Tax Rate Area No. TC-02 (Traffic Circle Landscaping with Monument/Signage Features for Single-Family Residential)

The Maximum Special Tax for Taxable Property in Tax Rate Area No. TC-02 will be as follows:

Maintenance Category	Maintenance Ratio	Maximum Rate per Single-Family Residential Parcel
TC-02-A	Less than or equal to 20 square feet per Single-Family Residential Parcel	\$37.96
TC-02-B	21 - 40 square feet per Single-Family Residential Parcel	\$114.04
TC-02-C	41 - 70 square feet per Single-Family Residential Parcel	\$209.16
TC-02-D	71 - 110 square feet per Single-Family Residential Parcel	\$342.28
TC-02-E	111 - 160 square feet per Single-Family Residential Parcel	\$513.44
TC-02-F	161 - 220 square feet per Single-Family Residential Parcel	\$722.64
TC-02-G	221 - 290 square feet per Single-Family Residential Parcel	\$969.92
TC-02-H	291 - 370 square feet per Single-Family Residential Parcel	\$1,255.20
TC-02-I	371 - 460 square feet per Single-Family Residential Parcel	\$1,578.56
TC-02-J	461 - 560 square feet per Single-Family Residential Parcel	\$1,939.96
TC-02-K	561 - 670 square feet per Single-Family Residential Parcel	\$2,339.32
TC-02-L	671 - 790 square feet per Single-Family Residential Parcel	\$2,776.80
TC-02-M	791 - 920 square feet per Single-Family Residential Parcel	\$3,252.28
TC-02-N	921 - 1,060 square feet per Single-Family Residential Parcel	\$3,765.80

The base year for Tax Rate Area No. TC-02 is Fiscal Year 2021/22.

7. Tax Rate Area No. TC-03 (Traffic Circle Landscaping without Monument/Signage Features for Property Other than Single-Family Residential)

The Maximum Special Tax for Taxable Property in Tax Rate Area No. TC-03 will be \$36.58 per Angularly Allocated Landscape Foot.

The base year for Tax Rate Area No. TC-03 is Fiscal Year 2021/22.

8. Tax Rate Area No. TC-04 (Traffic Circle Landscaping with Monument/Signage Features for Property Other than Single-Family Residential)

The Maximum Special Tax for Taxable Property in Tax Rate Area No. TC-04 will be \$43.89 per Angularly Allocated Landscape Foot.

The base year for Tax Rate Area No. TC-04 is Fiscal Year 2021/22.

9. Tax Rate Area No. SD-01 (Street Maintenance and Drainage for Single-Family Residential)

Maintenance Category	Maintenance Description	Maximum Rate
SD-01	Street Maintenance and Drainage	\$900 per Taxable Parcel plus \$2.50 per Proportional Curb Foot

The base year for Tax Rate Area No. SD-01 is Fiscal Year 2021/22.

C. METHOD OF APPORTIONMENT OF THE SPECIAL TAX

For each Fiscal Year, the CFD Administrator shall, separately within each Tax Rate Area, levy the Special Tax Proportionately on each Assessor's Parcel, whether Developed or Undeveloped, within that Tax Rate Area at up to 100% of the applicable Maximum Special Tax until the amount levied is equal to the Special Tax Requirement assigned to that Tax Rate Area in that Fiscal Year.

D. APPEALS

Any taxpayer that believes that the amount of the Special Tax assigned to a Parcel is in error may file a written notice with the CFD Administrator appealing the levy of the Special Tax. This notice is required to be filed with the CFD Administrator during the Fiscal Year the error is believed to have occurred. The CFD Administrator or its designee will then promptly review the appeal and, if necessary, meet with the taxpayer. If the CFD



Administrator verifies that the tax should be changed the Special Tax levy shall be corrected and, if applicable, a refund shall be granted.

The City Council may interpret this Rate and Method of Apportionment for purposes of clarifying any ambiguity and make determinations relative to the annual administration of the Special Tax and any landowner appeals. Any decision of the City Council shall be final and binding as to all persons.

E. MANNER OF COLLECTION

The Special Tax as levied pursuant to Section D above and shall be collected in the same manner and at the same time as ordinary *ad valorem* property taxes; however, the CFD Administrator may directly bill the Special Tax or collect Special Taxes at a different time, if necessary, to meet the financial obligations of the CFD as otherwise determined appropriate by the CFD Administrator.

The Special Tax shall be subject to the same penalties, procedure, sale, and lien priority in any case of delinquency as applicable for ad valorem taxes.

F. PREPAYMENT OF SPECIAL TAX OBLIGATION

The Special Tax may not be prepaid.

G. TERM OF SPECIAL TAX

Taxable Property in the CFD shall remain subject to the Special Tax in perpetuity or until the City Council takes appropriate actions to terminate the Special Tax pursuant to the Act.

H. ANNEXATIONS

It is intended that territory will, from time to time, be annexed to the CFD. Such territory will be assigned to new Tax Rate Areas, existing Tax Rate Areas, or a combination of new and existing Tax Rate Areas. In the event annexed territory is assigned to an existing Tax Rate Area, services (of a nature similar to those already provided in connection with the Tax Rate Area) will be provided to the annexed territory (or public improvements associated with the annexed territory).

I. RESTATEMENT

This document has been amended and restated from its original form. The purpose of restatements is to maintain the clarity of this document over time; to allow the document to be relevant to both existing and newly annexed parcels; and to aid in the efficient administration of the CFD. Amendments, except where approved by the relevant property owners, are not intended to increase the Maximum Special Tax Rate(s) applicable to parcels already a part of the CFD at the time of the amendment. To the extent an



amendment inadvertently increases the Maximum Special Tax Rate(s) applicable to a Parcel, the Maximum Special Tax Rate(s) (adjusted by any associated Annual Escalation Factor) consented to by the owners of that Parcel at the time the Parcel was annexed to the CFD (or the voter-approved Maximum Special Tax Rate(s)) shall apply to that Parcel.

For purposes of the preceding paragraph, with respect to actions that occurred before a Parcel (the "Current Parcel") existed, the owners of the Current Parcel shall be understood to mean the owners of the Parcel that included the territory of the Current Parcel at the time the action occurred.

J. FORMER TAX RATE AREA NO. 1

Note that, beginning with the first amended and restated version of this document, the Tax Rate Area that was designated Tax Rate Area No. 1 in previous versions of this document has been redesignated as Tax Rate Areas No. LM-01 and SL-01 (the "Successor Areas"). The combined Maximum Special Tax Rates in connection with the Successor Areas with respect to each Assessor's Parcel in former Tax Rate Area No. 1 is equal to the Maximum Special Tax Rate for former Tax Rate Area No. 1 and, together, the Successor Areas fund all services funded by the former Tax Rate Area No. 1. This change was made for administrative convenience and is not intended to increase the tax on the parcels included in former Tax Rate Area No. 1.

K. REVISION TO RATE TABLE FOR TAX RATE AREA NO. LM-01

Note that, beginning with the second amended and restated version of this document, an expanded tax rate table was created for Tax Rate Area No. LM-01. This tax rate table was designed to provide appropriate Maximum Tax Rates for parcels with different Maintenance Ratios.

All Taxable Parcels in Tax Rate Area No. LM-01 prior to this amendment were subject to a Base Year 2014/15 Maximum Special Tax of \$468.36 and are part of an Annexation Group with a Maintenance Ratio of 291 - 370 square feet per Single-Family Residential Parcel. This amendment does not change the maximum special tax rate for parcels already in the District. This change is not intended to increase the tax on the parcels included in Tax Rate Area No. LM-01 prior to the amendment.

L. REVISION TO RATE TABLE FOR TAX RATE AREA NO. SL-01

Note that, beginning with the third amended and restated version of this document, an expanded tax rate table was created for Tax Rate Area No. SL-01. This tax rate table was designed to provide appropriate Maximum Tax Rates for parcels in developments for which the CFD funds only perimeter street lighting facilities and not both perimeter and internal street lighting facilities. The existing rate had been designed to fund both perimeter and internal street lighting facilities.



All Taxable Parcels in Tax Rate Area No. SL-01 prior to this amendment were subject to a Base Year 2014/15 Maximum Special Tax of \$197.39. This amendment does not increase the maximum special tax rate for parcels already in the District for which the CFD funds both perimeter and interior street lighting. Such parcels are charged the existing rate, which is now designated as Rate Category SL-01-A. Parcels in Tax Rate Areas No. SL-01 in Annexation Groups for which only perimeter street lighting is funded by the CFD will be subject to the lower tax rate for Rate Category SL-01-B on a go forward basis.

Attachment: Resolution of Intent [Revision 1] (4276 : DECLARING INTENTION TO PROVIDE FOR FUTURE ANNEXATION OF TERRITORY TO

THIRD AMENDED AND RESTATED RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAX

A Special Tax for the City of Moreno Valley Community Facilities District No. 2014-01 (Maintenance Services) (the “CFD”) shall be levied on all Assessor's Parcels in the CFD and collected each Fiscal Year in an amount determined by the City through the application of the rate and method of apportionment of the Special Tax set forth below. All of the real property in the CFD, unless exempted by law or by the provisions hereof, shall be taxed for the purposes, to the extent and in the manner herein provided.

A. DEFINITIONS

The terms hereinafter set forth have the following meanings:

“**Act**” means the Mello-Roos Community Facilities Act of 1982 (Government Code Section 53311 *et seq.*).

“**Administrative Expenses**” means the expenses incurred by the City as administrator of the CFD to determine, levy and collect the Special Taxes, including salaries and benefits of City employees whose duties are related to administration of the CFD and the fees of consultants, legal counsel, the costs of collecting installments of the Special Taxes, preparation of required reports; and any other costs required to administer the CFD as determined by the City.

“**Annexation Group**” means a Parcel or group of Parcels that are annexed into the CFD and designated as an Annexation Group by the City Council action ordering annexation. In the event such order does not designate parcels as an Annexation Group, all parcels annexed by the order shall constitute a single Annexation Group.

“**Angularly Allocated Landscape Foot**” means, for a parcel of Taxable Property that is part of an Annexation Group, the result of the following calculation:

- (i) Find the total of the Annexation Group’s Angularly Proportional Share of the Perimeter Linear Footage of any Traffic Circles associated with the Annexation Group.
- (ii) Divide the linear footage calculation in step (i) by the total acreage of all Taxable Property in the Annexation Group; then,
- (iii) Multiply the result in step (ii) by the acreage of the Parcel for which the Angularly Allocated Landscape Footage is being calculated.

The purpose of this calculation is to determine, based on a parcel's share of the acreage in its Annexation Group, the parcel's "fair share" of the linear footage of improvements maintained in connection with the CFD.

For example: if an Annexation Group consist of 10 acres of Taxable Property and the Annexation Group's Angularly Proportional Share of a Traffic Circle's Perimeter Linear Footage is 500 linear feet, then a 1.5 acre parcel of Taxable Property in that Annexation Group would have 75 Angularly Allocated Landscape Feet of Traffic Circle improvements $((500 / 10) * 1.5)$.

"Angularly Proportional Share" means the process of dividing a base characteristic of a Traffic Circle amongst more than one Annexation Group using the following steps:

- (i) Assign to each Annexation Group the length of the portion of the circumference of the Traffic Circle that faces the Annexation Group.
- (ii) Find the sum of all lengths assigned in step (i).
- (iii) For each Annexation Group, divide (i) by (ii).
- (iv) For each Annexation Group, multiply the base characteristic of the Traffic Circle by (iii).

For purpose of this definition, "base characteristic" means either (i) the square footage of Landscaping Area of a Traffic Circle or (ii) the Perimeter Linear Footage of a Traffic Circle.

"Annual Escalation Factor" means the greater of the increase in the annual percentage change in the Consumer Price Index (CPI) for All Urban Consumers for the Los Angeles-Riverside-Orange County Region as published by the Department of Labor's Bureau of Labor Statistics or five percent (5%). If the CPI for the Los Angeles-Riverside-Orange County area is discontinued, the CFD administrator may replace it with a similar index for the purposes of calculating the Annual Escalation Factor.

"Assessor's Parcel" or "Parcel" means a lot or parcel shown on the official map of the Riverside County Assessor designating parcels by assessor's parcel number.

"Building Permit" means a permit issued for new construction of a residential or non-residential structure. For purposes of this definition, "Building Permit" shall not include permits issued solely for grading, utility improvements, or other such improvements that are constructed and installed and are not intended for human occupancy.

"CFD Administrator" means an official of the City, or designee thereof, responsible for determining the Special Tax Requirement and administrating the levy and collection of the Special Taxes.

"CFD" means City of Moreno Valley Community Facilities District No. 2014-01 (Maintenance Services).

“**City**” means the City of Moreno Valley.

“**Fiscal Year**” means the period starting July 1 and ending the following June 30.

“**Landscaping Area**” means the area of landscaping added to the landscaping improvements to be maintained in connection with the CFD and funded by the Special Tax for specified Annexation Group(s). The Landscaping Area of a Traffic Circle includes, but is not limited to, the landscaped area of the traffic circle and the landscaped area of each directional median.

“**Maintenance Ratio**” means the ratio derived by:

- (i) taking the square footage of the Landscaping Area associated with an Annexation Group, then
- (ii) Dividing the amount from (i) by the number of Taxable Parcel(s) within that Annexation Group. Such amount will be rounded to the nearest whole number.

The Maintenance Ratio represents the number of square feet of landscaping that will be maintained for each taxed parcel.

For example, if an Annexation Group consists of all of the parcels in a new single family residential subdivision consisting of 100 single family residential parcels, and the CFD will fund the maintenance of 15,000 square feet of landscaping in the subdivision, then the Maintenance Ratio for the Annexation Group is 150 (15,000 divided by 100).

With respect to a Traffic Circle improvement that is associated with multiple Annexation Groups, the Maintenance Ratio shall be calculated separately for each such Annexation Group using that Annexation Group’s Angularly Proportional Share of the total square footage of the Landscaping Area of the Traffic Circle. The Annexation Group’s Maintenance Ratio for a Traffic Circle shall be recalculated any time a new Annexation Group is added that will contribute to the maintenance of the Traffic Circle.

When an Annexation Group is annexed to a TC-Series Tax Rate Area, the Maintenance Ratio is calculated separately for Traffic Circles (for purposes of the TC-Series tax calculation) and for all other landscaping (for purposes of the LM-Series tax calculation).

“**Maximum Special Tax**” means the Maximum Special Tax, determined in accordance with Section B below that can be levied in the CFD in any Fiscal Year on any Assessor's Parcel.

“**Median**” means any landscaped area, other than a Traffic Circle, to be maintained in connection with the CFD that is located between lanes of traffic within the street right-of-way.

“Median-Shared” means any Median that is located in the right-of-way of a street that is bordered on both sides by parcels that are within the CFD (even if such parcels are separated from the right-of-way by a wall, parkway or other improvement).

“Parkway” means any landscaped area, other than a Median or Traffic Circle, to be maintained in connection with the CFD.

“Perimeter Linear Footage” means, with respect to a Traffic Circle, the aggregate linear footage of the perimeters of each landscaped area included in the Traffic Circle. This includes, but is not limited to, the length of the circumference of the landscaped traffic circle and the length of the perimeter of each landscaped directional median.

“Property Owner Association Property” means any property within the boundaries of the CFD that is owned by, or irrevocably dedicated as indicated in an instrument recorded with the County Recorder, to a property owner association, including any master or sub-association.

“Proportional Curb Foot” means, for a parcel of Taxable Property that is part of an Annexation Group, the result of the following calculation:

- (i) Take the total linear footage of all curb and gutter improvements that will be funded in connection with the Annexation Group; then,
- (ii) Divide the total linear footage calculation in step (i) by the total acreage of all Taxable Property in the Annexation Group; then,
- (iii) Multiply the result in step (ii) by the parcel’s acreage for which the Proportional Curb Foot is being calculated.

The purpose of this calculation is to determine, based on a parcel’s share of the acreage in its Annexation Group, the parcel’s “fair share” of the linear footage of improvements maintained in connection with the CFD.

For example: if an Annexation Group consist of 10 acres of Taxable Property and the Annexation Group funds the maintenance of 500 linear feet curb and gutter improvements, then a 1.5 acre parcel of Taxable Property in that Annexation Group would have 75 Proportional Curb Feet $((500 / 10) * 1.5)$.

“Proportional Front Foot” means, for a parcel of Taxable Property that is part of an Annexation Group, the result of the following calculation:

- (i) Take the total linear footage adjacent to each street light, Median, or Parkway improvements for all parcels of Taxable Property in that Annexation Group; then,

- (ii) Divide the total linear front footage calculation in step (i) by the total acreage of all Taxable Property in the Annexation Group; then,
- (iii) Multiply the result in step (ii) by the parcel's acreage for which the Proportional Front Foot is being calculated.

This calculation should be done separately with respect to:

- a) Median-Shared improvements
- b) Median improvement other than Median-Shared improvements
- c) Parkway improvements, and/or
- d) Street light improvements

The purpose of this calculation is to determine, based on a parcel's share of the acreage in its Annexation Group, the parcel's "fair share" of the linear footage of improvements maintained in connection with the CFD.

For example: if an Annexation Group consist of 10 acres of Taxable Property and in total 500 linear feet of the frontage of these parcels is adjacent to CFD-Maintained Parkway Improvement, then a 1.5 acre parcel of Taxable Property in that Annexation Group would have 75 Proportional Front Feet of Parkway $((500 / 10) * 1.5)$.

"Proportionately" means with respect to a Tax Rate Area, the ratio of the actual Special Tax levy to the Maximum Special tax is equal for all Assessor's Parcels within the Tax Rate Area.

"Public Property" means any property within the boundaries of the CFD that is owned by or irrevocably offered for dedication to the federal government, the State, the County, the City or any other public agency and is used for public purposes.

"Series", in connection with a Tax Rate Area, means all Tax Rate Areas with designations beginning with the same two letters. For example, Tax Rate Areas No. TC-01 and TC-02 are each TC-Series Tax Rate Areas, but Tax Rate Area No. SL-01 (an SL-Series Tax Rate Area) is not a TC-Series Tax Rate Area.

"Single-Family Residential" means any Assessors' Parcel within the CFD for which a Building Permit has been, or is intended to be, issued for purposes of constructing a residential structure consisting of one single-family unit.

"Special Tax" means the Special Tax to be levied in each Fiscal Year on each Assessor's Parcel of Taxable Property to fund the Special Tax Requirement, and shall include Special Taxes levied or to be levied under Sections B and C, below.

"Special Tax Requirement" means, for each Tax Rate Area separately, the amount required in any Fiscal Year to: (i) pay for the services financed by the CFD; (ii) pay

Administrative Expenses; (iii) pay any amounts required to establish or replenish any Reserve Funds; and (iv) pay for anticipated delinquent Special Taxes (not to exceed 10% of total requirement) less any surplus of funds available from the previous Fiscal Year's Special Tax levy.

“**State**” means the State of California.

“**Taxable Property**” means all of the Assessor's Parcels within the boundaries of the CFD other than Tax-Exempt Property.

“**Tax-Exempt Property**” means an Assessor's Parcel not subject to the Special Tax. Tax-Exempt Property includes: (i) Public Property, (ii) Property Owner Association Property, and (iii) property otherwise exempted by law from the Special Tax.

“**Tax Rate Area**” means a grouping of parcels that are taxed to fund a specific service. For example, Tax Rate Area No. SL-01 includes all parcels that are taxed for standard residential street lighting services and Tax Rate Area No. LM-01 includes all parcels that are taxed for landscape maintenance services for the public landscaping maintained in connection with Tax Rate Area No. LM-01. Tax Rate Areas may be created from time to time, and each parcel annexed to the CFD shall, at the time it is annexed, be assigned to one or more Tax Rate Area(s) by action of the City Council (with the consent of the property owner or with voter approval).

“**Traffic Circle**” means a road junction or roundabout containing landscaping and/or monument/signage features to be maintained in connection with the CFD, at which traffic moves in one direction around an island to reach one of the roads converging on it. A Traffic Circle is, at a minimum, typically composed of a landscaped circle area and multiple landscaped directional traffic medians.

B. MAXIMUM SPECIAL TAX RATES

Each Tax Rate Area has separate Maximum Special Taxes for Taxable Property. On each July 1 following its indicated “base year”, the Maximum Special Tax for Taxable Property for a Tax Rate Area shall be increased in accordance with the Annual Escalation Factor. No Special Tax shall be levied on Tax-Exempt Property.

1. Tax Rate Area No. SL-01 (Single-Family Residential Street Lighting)

The Maximum Special Tax for Taxable Property in Tax Rate Area No. SL-01 will be as follows:

Maintenance Category	Maintenance Description	Maximum Rate per Single-Family Residential Parcel
SL-01A	Perimeter and Interior Street Lighting	\$197.39
SL-01B	Perimeter Street Lighting Only	\$87.28

The base year for Tax Rate Area No. SL-01 is Fiscal Year 2014/15. However, with respect to the rate for Maintenance Category SL-01B, the base year is Fiscal Year 2021/22.

2. Tax Rate Area No. SL-02 (Street Lighting for Property Other than Single-Family Residential)

The Maximum Special Tax for Taxable Property in Tax Rate Area No. SL-02 will be \$3.25 per Proportional Front Foot.

The base year for Tax Rate Area No. SL-02 is Fiscal Year 2014/15.

3. Tax Rate Area No. LM-01 (Single-Family Residential Landscaping)

The Maximum Special Tax for Taxable Property in Tax Rate Area No. LM-01 will be as follows:

Maintenance Category	Maintenance Ratio	Maximum Rate per Single-Family Residential Parcel
LM-01A	Less than or equal to 20 square feet per Single-Family Residential Parcel	\$14.19
LM-01B	21 - 40 square feet per Single-Family Residential Parcel	\$42.58
LM-01C	41 - 70 square feet per Single-Family Residential Parcel	\$78.06
LM-01D	71 - 110 square feet per Single-Family Residential Parcel	\$127.73
LM-01E	111 - 160 square feet per Single-Family Residential Parcel	\$191.60
LM-01F	161 - 220 square feet per Single-Family Residential Parcel	\$269.66
LM-01G	221 - 290 square feet per Single-Family Residential Parcel	\$361.91
LM-01H	291 - 370 square feet per Single-Family Residential Parcel	\$468.36
LM-01I	371 - 460 square feet per Single-Family Residential Parcel	\$589.00
LM-01J	461 - 560 square feet per Single-Family Residential Parcel	\$723.83
LM-01K	561 - 670 square feet per Single-Family Residential Parcel	\$872.85
LM-01L	671 - 790 square feet per Single-Family Residential Parcel	\$1,036.07
LM-01M	791 - 920 square feet per Single-Family Residential Parcel	\$1,213.48
LM-01N	921 – 1,060 square feet per Single-Family Residential Parcel	\$1,405.08
LM-01O	1,061 – 1,210 square feet per Single-Family Residential Parcel	\$1,610.87
LM-01P	1,211 – 1,370 square feet per Single-Family Residential Parcel	\$1,830.86
LM-01Q	1,371 – 1,540 square feet per Single-Family Residential Parcel	\$2,065.04
LM-01R	1,541 – 1,720 square feet per Single-Family Residential Parcel	\$2,313.41
LM-01S	1,721 – 1,910 square feet per Single-Family Residential Parcel	\$2,575.98
LM-01T	1,911 – 2,110 square feet per Single-Family Residential Parcel	\$2,852.73

The base year for Tax Rate Area No. LM-01 is Fiscal Year 2014/15.

4. Tax Rate Area No. LM-02 (Landscaping for Property Other than Single-Family Residential)

The Maximum Special Tax for Taxable Property in Tax Rate Area No. LM-02 will be as follows:

Maintenance Category	Maintenance Description	Maximum Rate per Proportional Front Foot
LM-02A	Median(s) (other than Medians-Shared)	\$10.94
LM-02B	Median(s)-Shared	\$5.47
LM-02C	Parkway(s)	\$13.48

If, as a result of an annexation, improvements (or portions of improvements) that had been classified in prior fiscal years as “Median” become “Median-Shared” improvements, the proportional front feet associated with those improvements (or portions of improvements) shall be taxed at the LM-02B rate rather than the LM-02A rate.

The base year for Tax Rate Area No. LM-02 is Fiscal Year 2014/15.

In the event the Proportional Front Footage for a single Annexation Group contains multiple Maintenance Categories, the Maximum Special Tax for Taxable Property in the Annexation Group will be the sum of the Special Taxes for each applicable Maintenance Category. For example if a parcel has 75 Proportional Front Feet of Parkway (see the example given as part of the definition of “Proportional Front Foot”) and 50 Proportional Front Feet of Medians that are not Medians-Shared, that parcel’s Maximum Special Tax will be \$1,558 (75 x \$13.48)+(50 x \$10.94).

5. Tax Rate Area No. TC-01 (Traffic Circle Landscaping Without Monument/Signage Features for Single-Family Residential)

The Maximum Special Tax for Taxable Property in Tax Rate Area No. TC-01 will be as follows:

Maintenance Category	Maintenance Ratio	Maximum Rate per Single-Family Residential Parcel
TC-01A	Less than or equal to 20 square feet per Single-Family Residential Parcel	\$23.73
TC-01B	21 - 40 square feet per Single-Family Residential Parcel	\$71.28
TC-01C	41 - 70 square feet per Single-Family Residential Parcel	\$130.73
TC-01D	71 - 110 square feet per Single-Family Residential Parcel	\$213.93

Maintenance Category	Maintenance Ratio	Maximum Rate per Single-Family Residential Parcel
TC-01E	111 - 160 square feet per Single-Family Residential Parcel	\$320.90
TC-01F	161 - 220 square feet per Single-Family Residential Parcel	\$451.65
TC-01G	221 - 290 square feet per Single-Family Residential Parcel	\$606.20
TC-01H	291 - 370 square feet per Single-Family Residential Parcel	\$784.50
TC-01I	371 - 460 square feet per Single-Family Residential Parcel	\$986.60
TC-01J	461 - 560 square feet per Single-Family Residential Parcel	\$1,212.48
TC-01K	561 - 670 square feet per Single-Family Residential Parcel	\$1,462.08
TC-01L	671 - 790 square feet per Single-Family Residential Parcel	\$1,735.50
TC-01M	791 - 920 square feet per Single-Family Residential Parcel	\$2,032.68
TC-01N	921 - 1,060 square feet per Single-Family Residential Parcel	\$2,353.63

The base year for Tax Rate Area No. TC-01 is Fiscal Year 2021/22.

6. Tax Rate Area No. TC-02 (Traffic Circle Landscaping with Monument/Signage Features for Single-Family Residential)

The Maximum Special Tax for Taxable Property in Tax Rate Area No. TC-02 will be as follows:

Maintenance Category	Maintenance Ratio	Maximum Rate per Single-Family Residential Parcel
TC-02-A	Less than or equal to 20 square feet per Single-Family Residential Parcel	\$37.96
TC-02-B	21 - 40 square feet per Single-Family Residential Parcel	\$114.04
TC-02-C	41 - 70 square feet per Single-Family Residential Parcel	\$209.16
TC-02-D	71 - 110 square feet per Single-Family Residential Parcel	\$342.28
TC-02-E	111 - 160 square feet per Single-Family Residential Parcel	\$513.44
TC-02-F	161 - 220 square feet per Single-Family Residential Parcel	\$722.64
TC-02-G	221 - 290 square feet per Single-Family Residential Parcel	\$969.92
TC-02-H	291 - 370 square feet per Single-Family Residential Parcel	\$1,255.20
TC-02-I	371 - 460 square feet per Single-Family Residential Parcel	\$1,578.56
TC-02-J	461 - 560 square feet per Single-Family Residential Parcel	\$1,939.96
TC-02-K	561 - 670 square feet per Single-Family Residential Parcel	\$2,339.32
TC-02-L	671 - 790 square feet per Single-Family Residential Parcel	\$2,776.80
TC-02-M	791 - 920 square feet per Single-Family Residential Parcel	\$3,252.28
TC-02-N	921 - 1,060 square feet per Single-Family Residential Parcel	\$3,765.80

The base year for Tax Rate Area No. TC-02 is Fiscal Year 2021/22.

7. Tax Rate Area No. TC-03 (Traffic Circle Landscaping without Monument/Signage Features for Property Other than Single-Family Residential)

The Maximum Special Tax for Taxable Property in Tax Rate Area No. TC-03 will be \$36.58 per Angularly Allocated Landscape Foot.

The base year for Tax Rate Area No. TC-03 is Fiscal Year 2021/22.

8. Tax Rate Area No. TC-04 (Traffic Circle Landscaping with Monument/Signage Features for Property Other than Single-Family Residential)

The Maximum Special Tax for Taxable Property in Tax Rate Area No. TC-04 will be \$43.89 per Angularly Allocated Landscape Foot.

The base year for Tax Rate Area No. TC-04 is Fiscal Year 2021/22.

9. Tax Rate Area No. SD-01 (Street Maintenance and Drainage for Single-Family Residential)

Maintenance Category	Maintenance Description	Maximum Rate
SD-01	Street Maintenance and Drainage	\$900 per Taxable Parcel plus \$2.50 per Proportional Curb Foot

The base year for Tax Rate Area No. SD-01 is Fiscal Year 2021/22.

C. METHOD OF APPORTIONMENT OF THE SPECIAL TAX

For each Fiscal Year, the CFD Administrator shall, separately within each Tax Rate Area, levy the Special Tax Proportionately on each Assessor’s Parcel, whether Developed or Undeveloped, within that Tax Rate Area at up to 100% of the applicable Maximum Special Tax until the amount levied is equal to the Special Tax Requirement assigned to that Tax Rate Area in that Fiscal Year.

D. APPEALS

Any taxpayer that believes that the amount of the Special Tax assigned to a Parcel is in error may file a written notice with the CFD Administrator appealing the levy of the Special Tax. This notice is required to be filed with the CFD Administrator during the Fiscal Year the error is believed to have occurred. The CFD Administrator or its designee will then promptly review the appeal and, if necessary, meet with the taxpayer. If the CFD

Attachment: Third Amended and Restated RMA (4276 : DECLARING INTENTION TO PROVIDE FOR FUTURE ANNEXATION OF TERRITORY TO

Administrator verifies that the tax should be changed the Special Tax levy shall be corrected and, if applicable, a refund shall be granted.

The City Council may interpret this Rate and Method of Apportionment for purposes of clarifying any ambiguity and make determinations relative to the annual administration of the Special Tax and any landowner appeals. Any decision of the City Council shall be final and binding as to all persons.

E. MANNER OF COLLECTION

The Special Tax as levied pursuant to Section D above and shall be collected in the same manner and at the same time as ordinary *ad valorem* property taxes; however, the CFD Administrator may directly bill the Special Tax or collect Special Taxes at a different time, if necessary, to meet the financial obligations of the CFD as otherwise determined appropriate by the CFD Administrator.

The Special Tax shall be subject to the same penalties, procedure, sale, and lien priority in any case of delinquency as applicable for ad valorem taxes.

F. PREPAYMENT OF SPECIAL TAX OBLIGATION

The Special Tax may not be prepaid.

G. TERM OF SPECIAL TAX

Taxable Property in the CFD shall remain subject to the Special Tax in perpetuity or until the City Council takes appropriate actions to terminate the Special Tax pursuant to the Act.

H. ANNEXATIONS

It is intended that territory will, from time to time, be annexed to the CFD. Such territory will be assigned to new Tax Rate Areas, existing Tax Rate Areas, or a combination of new and existing Tax Rate Areas. In the event annexed territory is assigned to an existing Tax Rate Area, services (of a nature similar to those already provided in connection with the Tax Rate Area) will be provided to the annexed territory (or public improvements associated with the annexed territory).

I. RESTATEMENT

This document has been amended and restated from its original form. The purpose of restatements is to maintain the clarity of this document over time; to allow the document to be relevant to both existing and newly annexed parcels; and to aid in the efficient administration of the CFD. Amendments, except where approved by the relevant property owners, are not intended to increase the Maximum Special Tax Rate(s) applicable to parcels already a part of the CFD at the time of the amendment. To the extent an

amendment inadvertently increases the Maximum Special Tax Rate(s) applicable to a Parcel, the Maximum Special Tax Rate(s) (adjusted by any associated Annual Escalation Factor) consented to by the owners of that Parcel at the time the Parcel was annexed to the CFD (or the voter-approved Maximum Special Tax Rate(s)) shall apply to that Parcel.

For purposes of the preceding paragraph, with respect to actions that occurred before a Parcel (the “Current Parcel”) existed, the owners of the Current Parcel shall be understood to mean the owners of the Parcel that included the territory of the Current Parcel at the time the action occurred.

J. FORMER TAX RATE AREA NO. 1

Note that, beginning with the first amended and restated version of this document, the Tax Rate Area that was designated Tax Rate Area No. 1 in previous versions of this document has been redesignated as Tax Rate Areas No. LM-01 and SL-01 (the “Successor Areas”). The combined Maximum Special Tax Rates in connection with the Successor Areas with respect to each Assessor’s Parcel in former Tax Rate Area No. 1 is equal to the Maximum Special Tax Rate for former Tax Rate Area No. 1 and, together, the Successor Areas fund all services funded by the former Tax Rate Area No. 1. This change was made for administrative convenience and is not intended to increase the tax on the parcels included in former Tax Rate Area No. 1.

K. REVISION TO RATE TABLE FOR TAX RATE AREA NO. LM-01

Note that, beginning with the second amended and restated version of this document, an expanded tax rate table was created for Tax Rate Area No. LM-01. This tax rate table was designed to provide appropriate Maximum Tax Rates for parcels with different Maintenance Ratios.

All Taxable Parcels in Tax Rate Area No. LM-01 prior to this amendment were subject to a Base Year 2014/15 Maximum Special Tax of \$468.36 and are part of an Annexation Group with a Maintenance Ratio of 291 - 370 square feet per Single-Family Residential Parcel. This amendment does not change the maximum special tax rate for parcels already in the District. This change is not intended to increase the tax on the parcels included in Tax Rate Area No. LM-01 prior to the amendment.

L. REVISION TO RATE TABLE FOR TAX RATE AREA NO. SL-01

Note that, beginning with the third amended and restated version of this document, an expanded tax rate table was created for Tax Rate Area No. SL-01. This tax rate table was designed to provide appropriate Maximum Tax Rates for parcels in developments for which the CFD funds only perimeter street lighting facilities and not both perimeter and internal street lighting facilities. The existing rate had been designed to fund both perimeter and internal street lighting facilities.

All Taxable Parcels in Tax Rate Area No. SL-01 prior to this amendment were subject to a Base Year 2014/15 Maximum Special Tax of \$197.39. This amendment does not increase the maximum special tax rate for parcels already in the District for which the CFD funds both perimeter and interior street lighting. Such parcels are charged the existing rate, which is now designated as Rate Category SL-01-A. Parcels in Tax Rate Areas No. SL-01 in Annexation Groups for which only perimeter street lighting is funded by the CFD will be subject to the lower tax rate for Rate Category SL-01-B on a go forward basis.

~~SECOND~~THIRD AMENDED AND RESTATED

RATE AND METHOD OF APPORTIONMENT OF SPECIAL TAX

A Special Tax for the City of Moreno Valley Community Facilities District No. 2014-01 (Maintenance Services) (the “CFD”) shall be levied on all Assessor's Parcels in the CFD and collected each Fiscal Year in an amount determined by the City through the application of the rate and method of apportionment of the Special Tax set forth below. All of the real property in the CFD, unless exempted by law or by the provisions hereof, shall be taxed for the purposes, to the extent and in the manner herein provided.

A. DEFINITIONS

The terms hereinafter set forth have the following meanings:

“**Act**” means the Mello-Roos Community Facilities Act of 1982 (Government Code Section 53311 *et seq.*).

“**Administrative Expenses**” means the expenses incurred by the City as administrator of the CFD to determine, levy and collect the Special Taxes, including salaries and benefits of City employees whose duties are related to administration of the CFD and the fees of consultants, legal counsel, the costs of collecting installments of the Special Taxes, preparation of required reports; and any other costs required to administer the CFD as determined by the City.

“**Annexation Group**” means a Parcel or group of Parcels that are annexed into the CFD and designated as an Annexation Group by the City Council action ordering annexation. In the event such order does not designate parcels as an Annexation Group, all parcels annexed by the order shall constitute a single Annexation Group.

“**Angularly Allocated Landscape Foot**” means, for a parcel of Taxable Property that is part of an Annexation Group, the result of the following calculation:

- (i) Find the total of the Annexation Group’s Angularly Proportional Share of the Perimeter Linear Footage of any Traffic Circles associated with the Annexation Group.
- (ii) Divide the linear footage calculation in step (i) by the total acreage of all Taxable Property in the Annexation Group; then,
- (iii) Multiply the result in step (ii) by the acreage of the Parcel for which the Angularly Allocated Landscape Footage is being calculated.

The purpose of this calculation is to determine, based on a parcel’s share of the acreage in its Annexation Group, the parcel’s “fair share” of the linear footage of improvements maintained in connection with the CFD.

For example: if an Annexation Group consist of 10 acres of Taxable Property and the Annexation Group's Angularly Proportional Share of a Traffic Circle's Perimeter Linear Footage is 500 linear feet, then a 1.5 acre parcel of Taxable Property in that Annexation Group would have 75 Angularly Allocated Landscape Feet of Traffic Circle improvements $((500 / 10) * 1.5)$.

“Angularly Proportional Share” means the process of dividing a base characteristic of a Traffic Circle amongst more than one Annexation Group using the following steps:

- (i) Assign to each Annexation Group the length of the portion of the circumference of the Traffic Circle that faces the Annexation Group.
- (ii) Find the sum of all lengths assigned in step (i).
- (iii) For each Annexation Group, divide (i) by (ii).
- (iv) For each Annexation Group, multiply the base characteristic of the Traffic Circle by (iii).

For purpose of this definition, “base characteristic” means either (i) the square footage of Landscaping Area of a Traffic Circle or (ii) the Perimeter Linear Footage of a Traffic Circle.

“**Annual Escalation Factor**” means the greater of the increase in the annual percentage change in the Consumer Price Index (CPI) for All Urban Consumers for the Los Angeles-Riverside-Orange County Region as published by the Department of Labor’s Bureau of Labor Statistics or five percent (5%). _If the CPI for the Los Angeles–Riverside-Orange County area is discontinued, the CFD administrator may replace it with a similar index for the purposes of calculating the Annual Escalation Factor.

“**Assessor's Parcel**” or “**Parcel**” means a lot or parcel shown on the official map of –the Riverside County Assessor designating parcels by assessor's parcel number.

“**Building Permit**” means a permit issued for new construction of a residential or non-residential structure. For purposes of this definition, “Building Permit” shall not include permits issued solely for grading, utility improvements, or other such improvements that are constructed and installed and are not intended for human occupancy.

“**CFD Administrator**” means an official of the City, or designee thereof, responsible for determining the Special Tax Requirement and administrating the levy and collection of the Special Taxes.

“**CFD**” means City of Moreno Valley Community Facilities District No. 2014-01 (Maintenance Services).

“**City**” means the City of Moreno Valley.

“**Fiscal Year**” means the period starting July 1 and ending the following June 30.

“**Landscaping Area**” means the area of landscaping added to the landscaping improvements to be maintained in connection with the CFD and funded by the Special Tax for specified Annexation Group(s). The Landscaping Area of a Traffic Circle includes, but is not limited to, the landscaped area of the traffic circle and the landscaped area of each directional median.

“**Maintenance Ratio**” means the ratio derived by:

- (i) taking the square footage of the Landscaping Area associated with an Annexation Group, then
- (ii) ~~dividing~~Dividing the amount from (i) by the number of Taxable Parcel(s) within that Annexation Group. Such amount will be rounded to the nearest whole number.

The Maintenance Ratio represents the number of square feet of landscaping that will be maintained for each taxed parcel.

For example, if an Annexation Group consists of all of the parcels in a new single family residential subdivision consisting of 100 single family residential parcels, and the CFD will fund the maintenance of 15,000 square feet of landscaping in the subdivision, then the Maintenance Ratio for the Annexation Group is 150 (15,000 divided by 100).

With respect to a Traffic Circle improvement that is associated with multiple Annexation Groups, the Maintenance Ratio shall be calculated separately for each such Annexation Group using that Annexation Group’s Angularly Proportional Share of the total square footage of the Landscaping Area of the Traffic Circle. The Annexation Group’s Maintenance Ratio for a Traffic Circle shall be recalculated any time a new Annexation Group is added that will contribute to the maintenance of the Traffic Circle.

When an Annexation Group is annexed to a TC-Series Tax Rate Area, the Maintenance Ratio is calculated separately for Traffic Circles (for purposes of the TC-Series tax calculation) and for all other landscaping (for purposes of the LM-Series tax calculation).

“**Maximum Special Tax**” means the Maximum Special Tax, determined in accordance with Section B below that can be levied in the CFD in any Fiscal Year on any Assessor's Parcel.

“**Median**” means any landscaped area, other than a Traffic Circle, to be maintained in connection with the CFD that is located between lanes of traffic within the street right-of-way.

“**Median-Shared**” means any Median that is located in the right-of-way of a street that -is bordered on both sides by parcels that are within the CFD (even if such parcels are separated from the right-of-way by a wall, parkway or other improvement).

“**Parkway**” means any landscaped area, other than a Median or Traffic Circle, to be maintained in connection with the CFD.

“Perimeter Linear Footage” means, with respect to a Traffic Circle, the aggregate linear footage of the perimeters of each landscaped area included in the Traffic Circle. This includes, but is not limited to, the length of the circumference of the landscaped traffic circle and the length of the perimeter of each landscaped directional median.

“Property Owner Association Property” means any property within the boundaries of the CFD that is owned by, or irrevocably dedicated as indicated in an instrument recorded with the County Recorder, to a property owner association, including any master or sub-association.

“Proportional Curb Foot” means, for a parcel of Taxable Property that is part of an Annexation Group, the result of the following calculation:

- (i) Take the total linear footage of all curb and gutter improvements that will be funded in connection with the Annexation Group; then,
- (ii) Divide the total linear footage calculation in step (i) by the total acreage of all Taxable Property in the Annexation Group; then,
- (iii) Multiply the result in step (ii) by the parcel’s acreage for which the Proportional Curb Foot is being calculated.

The purpose of this calculation is to determine, based on a parcel’s share of the acreage in its Annexation Group, the parcel’s “fair share” of the linear footage of improvements maintained in connection with the CFD.

For example: if an Annexation Group consist of 10 acres of Taxable Property and the Annexation Group funds the maintenance of 500 linear feet curb and gutter improvements, then a 1.5 acre parcel of Taxable Property in that Annexation Group would have 75 Proportional Curb Feet $((500 / 10) * 1.5)$.

“Proportional Front Foot” means, for a parcel of Taxable Property that is part of an Annexation Group, the result of the following calculation:

- (i) Take the total linear footage adjacent to each street light, Median, or Parkway improvements for all parcels of Taxable Property in that Annexation Group; then,
- (ii) Divide the total linear front footage calculation in step (i) by the total acreage of all Taxable Property in the Annexation Group; then,
- (iii) Multiply the result in step (ii) by the parcel’s acreage for which the Proportional Front Foot is being calculated.

This calculation should be done separately with respect to:

- a) Median-Shared improvements
- b) Median improvement other than Median-Shared improvements
- c) Parkway improvements, and/or
- d) Street light improvements

The purpose of this calculation is to determine, based on a parcel's share of the acreage in its Annexation Group, the parcel's "fair share" of the linear footage of improvements maintained in connection with the CFD.

For example: if an Annexation Group consist of 10 acres of Taxable Property and in total 500 linear feet of the frontage of these parcels is adjacent to CFD-Maintained Parkway Improvement, then a 1.5 acre parcel of Taxable Property in that Annexation Group would have 75 Proportional Front Feet of Parkway $((500 / 10) * 1.5)$.

"Proportionately" means with respect to a Tax Rate Area, the ratio of the actual Special Tax levy to the Maximum Special tax is equal for all Assessor's Parcels within the Tax Rate Area.

"Public Property" means any property within the boundaries of the CFD that is owned by or irrevocably offered for dedication to the federal government, the State, the County, the City or any other public agency and is used for public purposes.

“Series”, in connection with a Tax Rate Area, means all Tax Rate Areas with designations beginning with the same two letters. For example, Tax Rate Areas No. TC-01 and TC-02 are each TC-Series Tax Rate Areas, but Tax Rate Area No. SL-01 (an SL-Series Tax Rate Area) is not a TC-Series Tax Rate Area.

“Single-Family Residential” means any Assessors’ Parcel within the CFD for which a Building Permit has been, or is intended to be, issued for purposes of constructing a residential structure consisting of one single-family unit.

“Special Tax” means the Special Tax to be levied in each Fiscal Year on each Assessor's Parcel of Taxable Property to fund the Special Tax Requirement, and shall include Special Taxes levied or to be levied under Sections B and C, below.

“Special Tax Requirement” means, for each Tax Rate Area separately, the amount required in any Fiscal Year to: (i) pay for the services financed by the CFD; (ii) pay Administrative Expenses; (iii) pay any amounts required to establish or replenish any Reserve Funds; and (iv) pay for anticipated delinquent Special Taxes (not to exceed 10% of total requirement) less any surplus of funds available from the previous Fiscal Year's Special Tax levy.

“State” means the State of California.

“Taxable Property” means all of the Assessor's Parcels within the boundaries of the CFD other than Tax-Exempt Property.

“Tax-Exempt Property” means an Assessor's Parcel not subject to the Special Tax. Tax-Exempt Property includes: (i) Public Property, (ii) Property Owner Association Property, and (iii) property otherwise exempted by law from the Special Tax.

“Tax Rate Area” means a grouping of parcels that are taxed to fund a specific service. For example, Tax Rate Area No. SL-01 includes all parcels that are taxed for standard residential street lighting services and Tax Rate Area No. LM-01 includes all parcels -that are taxed for landscape maintenance services for the public landscaping -maintained in connection with Tax Rate Area No. LM-01. Tax Rate Areas may be created from time to time, and each parcel annexed to the CFD shall, at the time it is annexed, be assigned to one or more Tax Rate Area(s) by action of the City Council (with the consent of the property owner or with voter approval).

“Traffic Circle” means a road junction or roundabout containing landscaping and/or monument/signage features to be maintained in connection with the CFD, at which traffic moves in one direction around an island to reach one of the roads converging on it. A Traffic Circle is, at a minimum, typically composed of a landscaped circle area and multiple landscaped directional traffic medians.

B. MAXIMUM SPECIAL TAX RATES

Each Tax Rate Area has separate Maximum Special Taxes for Taxable Property. On each July 1 following its indicated “base year”, the Maximum Special Tax for Taxable Property for

a Tax Rate Area shall be increased in accordance with the Annual Escalation Factor. No Special Tax shall be levied on Tax-Exempt Property.

1. Tax Rate Area No. SL-01 (Single-Family Residential Street Lighting)

The Maximum Special Tax for Taxable Property in Tax Rate Area No. SL-01 will be as follows:
~~\$197.39 per Single-Family Residential Parcel.~~

<u>Maintenance Category</u>	<u>Maintenance Description</u>	<u>Maximum Rate per Single-Family Residential Parcel</u>
<u>SL-01A</u>	<u>Perimeter and Interior Streetlighting</u>	<u>\$197.39</u>
<u>SL-01B</u>	<u>Perimeter Streetlighting Only</u>	<u>\$87.28</u>

The base year for Tax Rate Area No. SL-01 is Fiscal Year 2014/15. However, with respect to the rate for Maintenance Category SL-01B, the base year is Fiscal Year 2021/22.

2. Tax Rate Area No. SL-02 (Street Lighting for Property Other than Single-Family Residential)

The Maximum Special Tax for Taxable Property in Tax Rate Area No. SL-02 will be \$3.25 per Proportional Front Foot.

The base year for Tax Rate Area No. SL-02 is Fiscal Year 2014/15.

3. Tax Rate Area No. LM-01 (Single-Family Residential Landscaping)

The Maximum Special Tax for Taxable Property in Tax Rate Area No. LM-01 will be as follows:

Maintenance Category	Maintenance Ratio	Maximum Rate per Single-Family Residential Parcel
LM-01A	Less than or equal to 20 square feet per Single-Family Residential Parcel	\$14.19
LM-01B	21 - 40 square feet per Single-Family Residential Parcel	\$42.58
LM-01C	41 - 70 square feet per Single-Family Residential Parcel	\$78.06
LM-01D	71 - 110 square feet per Single-Family Residential Parcel	\$127.73
LM-01E	111 - 160 square feet per Single-Family Residential Parcel	\$191.60
LM-01F	161 - 220 square feet per Single-Family Residential Parcel	\$269.66
LM-01G	221 - 290 square feet per Single-Family Residential Parcel	\$361.91
LM-01H	291 - 370 square feet per Single-Family Residential Parcel	\$468.36
LM-01I	371 - 460 square feet per Single-Family Residential Parcel	\$589.00
LM-01J	461 - 560 square feet per Single-Family Residential Parcel	\$723.83
LM-01K	561 - 670 square feet per Single-Family Residential Parcel	\$872.85
LM-01L	671 - 790 square feet per Single-Family Residential Parcel	\$1,036.07
LM-01M	791 - 920 square feet per Single-Family Residential Parcel	\$1,213.48
LM-01N	921 - 1,060 square feet per Single-Family Residential Parcel	\$1,405.08
LM-01O	1,061 - 1,210 square feet per Single-Family Residential Parcel	\$1,610.87
LM-01P	1,211 - 1,370 square feet per Single-Family Residential Parcel	\$1,830.86
LM-01Q	1,371 - 1,540 square feet per Single-Family Residential Parcel	\$2,065.04
LM-01R	1,541 - 1,720 square feet per Single-Family Residential Parcel	\$2,313.41
LM-01S	1,721 - 1,910 square feet per Single-Family Residential Parcel	\$2,575.98
LM-01T	1,911 - 2,110 square feet per Single-Family Residential Parcel	\$2,852.72

The base year for Tax Rate Area No. LM-01 is Fiscal Year 2014/15.

4. Tax Rate Area No. LM-02 (Landscaping for Property Other than Single-Family Residential)

The Maximum Special Tax for Taxable Property in Tax Rate Area No. LM-02 will be as follows:

Maintenance Category	Maintenance Description	Maximum Rate per Proportional Front Foot
LM-02A	Median(s) (other than Medians-Shared)	\$10.94
LM-02B	Median(s)-Shared	\$5.47
LM-02C	Parkway(s)	\$13.48

If, as a result of an annexation, improvements (or portions of improvements) that had been classified in prior fiscal years as “Median” become “Median-Shared” improvements, the proportional front feet associated with those improvements (or portions of improvements) shall be taxed at the LM-02B rate rather than the LM-02A rate.

The base year for Tax Rate Area No. LM-02 is Fiscal Year 2014/15.

In the event the Proportional Front Footage for a single Annexation Group contains multiple Maintenance Categories, the Maximum Special Tax for Taxable Property in the Annexation Group will be the sum of the Special Taxes for each applicable Maintenance Category. For example if a parcel has 75 Proportional Front Feet of Parkway (see the example given as part of the definition of “Proportional Front Foot”) and 50 Proportional Front Feet of Medians that are not Medians-Shared, that parcel’s Maximum Special Tax will be \$1,558 (75 x \$13.48)+(50 x \$10.94).

~~If, as a result of an annexation, improvements (or portions of improvements) that had been classified in prior fiscal years as “Median” become “Median-Shared” improvements, the proportional front feet associated with those improvements (or portions of improvements) shall be taxed at the LM-02B rate rather than the LM-02A rate.~~

~~The base year for Tax Rate Area No. LM-02 is Fiscal Year 2014/15.~~

5. Tax Rate Area No. TC-01 (Traffic Circle Landscaping Without Monument/Signage Features for Single-Family Residential)

The Maximum Special Tax for Taxable Property in Tax Rate Area No. TC-01 will be as follows:

<u>Maintenance Category</u>	<u>Maintenance Ratio</u>	<u>Maximum Rate per Single-Family Residential Parcel</u>
<u>TC-01A</u>	<u>Less than or equal to 20 square feet per Single-Family Residential Parcel</u>	<u>\$23.73</u>
<u>TC-01B</u>	<u>21 - 40 square feet per Single-Family Residential Parcel</u>	<u>\$71.28</u>
<u>TC-01C</u>	<u>41 - 70 square feet per Single-Family Residential Parcel</u>	<u>\$130.73</u>
<u>TC-01D</u>	<u>71 - 110 square feet per Single-Family Residential Parcel</u>	

<u>Maintenance Category</u>	<u>Maintenance Ratio</u>	<u>Maximum Rate per Single-Family Residential Parcel</u>
TC-01E	111 - 160 square feet per Single-Family Residential Parcel	\$320.90
TC-01F	161 - 220 square feet per Single-Family Residential Parcel	\$451.65
TC-01G	221 - 290 square feet per Single-Family Residential Parcel	\$606.20
TC-01H	291 - 370 square feet per Single-Family Residential Parcel	\$784.50
TC-01I	371 - 460 square feet per Single-Family Residential Parcel	\$986.60
TC-01J	461 - 560 square feet per Single-Family Residential Parcel	\$1,212.48
TC-01K	561 - 670 square feet per Single-Family Residential Parcel	\$1,462.08
TC-01L	671 - 790 square feet per Single-Family Residential Parcel	\$1,735.50
TC-01M	791 - 920 square feet per Single-Family Residential Parcel	\$2,032.68
TC-01N	921 – 1,060 square feet per Single-Family Residential Parcel	\$2,353.63

The base year for Tax Rate Area No. TC-01 is Fiscal Year 2021/22.

6. Tax Rate Area No. TC-02 (Traffic Circle Landscaping with Monument/Signage Features for Single-Family Residential)

The Maximum Special Tax for Taxable Property in Tax Rate Area No. TC-02 will be as follows:

<u>Maintenance Category</u>	<u>Maintenance Ratio</u>	<u>Maximum Rate per Single-Family Residential Parcel</u>
TC-02-A	Less than or equal to 20 square feet per Single-Family Residential Parcel	\$37.96
TC-02-B	21 - 40 square feet per Single-Family Residential Parcel	\$114.04
TC-02-C	41 - 70 square feet per Single-Family Residential Parcel	\$209.16
TC-02-D	71 - 110 square feet per Single-Family Residential Parcel	\$342.28
TC-02-E	111 - 160 square feet per Single-Family Residential Parcel	\$513.44
TC-02-F	161 - 220 square feet per Single-Family Residential Parcel	\$722.64
TC-02-G	221 - 290 square feet per Single-Family Residential Parcel	\$969.92
TC-02-H	291 - 370 square feet per Single-Family Residential Parcel	\$1,255.20
TC-02-I	371 - 460 square feet per Single-Family Residential Parcel	\$1,578.56
TC-02-J	461 - 560 square feet per Single-Family Residential Parcel	\$1,939.96
TC-02-K	561 - 670 square feet per Single-Family Residential Parcel	\$2,339.32
TC-02-L	671 - 790 square feet per Single-Family Residential Parcel	\$2,776.80
TC-02-M	791 - 920 square feet per Single-Family Residential Parcel	\$3,252.28
TC-02-N	921 – 1,060 square feet per Single-Family Residential Parcel	\$3,765.80

The base year for Tax Rate Area No. TC-02 is Fiscal Year 2021/22.

7. Tax Rate Area No. TC-03 (Traffic Circle Landscaping without Monument/Signage Features for Property Other than Single-Family Residential)

The Maximum Special Tax for Taxable Property in Tax Rate Area No. TC-03 will be **36.58** per Angularly Allocated Landscape Foot.

The base year for Tax Rate Area No. TC-03 is Fiscal Year 2021/22.

8. Tax Rate Area No. TC-04 (Traffic Circle Landscaping with Monument/Signage Features for Property Other than Single-Family Residential)

The Maximum Special Tax for Taxable Property in Tax Rate Area No. TC-04 will be **\$43.89** per Angularly Allocated Landscape Foot.

The base year for Tax Rate Area No. TC-04 is Fiscal Year 2021/22.

9. Tax Rate Area No. **SD-01 (Street Maintenance and Drainage for Single-Family Residential)**

<u>Maintenance Category</u>	<u>Maintenance Description</u>	<u>Maximum Rate</u>
<u>SD-01</u>	<u>Street Maintenance and Drainage</u>	<u>\$900 per Taxable Parcel plus \$2.50 per Proportional Curb Foot</u>

The base year for Tax Rate Area No. **SD-01** is Fiscal Year 2021/22.

C. METHOD OF APPORTIONMENT OF THE SPECIAL TAX

For each Fiscal Year, the CFD Administrator shall, separately within each Tax Rate Area, levy the Special Tax Proportionately on each Assessor’s Parcel, whether Developed or Undeveloped, within that Tax Rate Area at up to 100% of the applicable Maximum Special Tax until the amount levied is equal to the Special Tax Requirement assigned to that Tax Rate Area in that Fiscal Year.

D. APPEALS

Any taxpayer that believes that the amount of the Special Tax assigned to a Parcel is in error may file a written notice with the CFD Administrator appealing the levy of the Special Tax. This notice is required to be filed with the CFD Administrator during the Fiscal Year the error is believed to have occurred. The CFD Administrator or its designee will then promptly review the appeal and, if necessary, meet with the taxpayer. If the CFD Administrator verifies that the tax should be changed the Special Tax levy shall be corrected and, if applicable, a refund shall be granted.

The City Council may interpret this Rate and Method of Apportionment for purposes of clarifying any ambiguity and make determinations relative to the annual administration of the Special Tax and any landowner appeals. Any decision of the City Council shall be final and binding as to all persons.

~~A. MANNER OF COLLECTION~~
E. MANNER OF COLLECTION

The Special Tax as levied pursuant to Section D above and shall be collected in the same manner and at the same time as ordinary *ad valorem* property taxes; however, the CFD Administrator may directly bill the Special Tax or collect Special Taxes at a different time, if necessary, to meet the financial obligations of the CFD as otherwise determined appropriate by the CFD Administrator.

The Special Tax shall be subject to the same penalties, procedure, sale, and lien priority in any case of delinquency as applicable for *ad valorem* taxes.

~~B. PREPAYMENT OF SPECIAL TAX OBLIGATION~~
F. PREPAYMENT OF SPECIAL TAX OBLIGATION

The Special Tax may not be prepaid.

~~E.G. TERM OF SPECIAL TAX~~

Taxable Property in the CFD shall remain subject to the Special Tax in perpetuity or until the City Council takes appropriate actions to terminate the Special Tax pursuant to the Act.

~~C. ANNEXATIONS~~
H. ANNEXATIONS

It is intended that territory will, from time to time, be annexed to the CFD. Such territory will be assigned to new Tax Rate Areas, existing Tax Rate Areas, or a combination of new and existing Tax Rate Areas. In the event annexed territory is assigned to an existing Tax Rate Area, services (of a nature similar to those already provided in connection with the Tax Rate Area) will be provided to the annexed territory (or public improvements associated with the annexed territory).

~~D. RESTATEMENT~~
I. RESTATEMENT

This document has been amended and restated from its original form. The purpose of restatements is to maintain the clarity of this document over time; to allow the document to be relevant to both existing and newly annexed parcels; and to aid in the efficient administration of the CFD. Amendments, except where approved by the relevant property owners, are not intended to increase the Maximum Special Tax Rate(s) applicable to parcels already a part of the CFD at the time of the amendment. To the extent an amendment inadvertently increases the Maximum Special Tax Rate(s) applicable to a Parcel, the Maximum Special Tax Rate(s) (adjusted by any associated

Annual Escalation Factor) consented to by the owners of that Parcel at the time the Parcel was annexed to the CFD (or the voter-approved Maximum Special Tax Rate(s)) shall apply to that Parcel.

For purposes of the preceding paragraph, with respect to actions that occurred before a Parcel (the "Current Parcel") existed, the owners of the Current Parcel shall be understood to mean the owners of the Parcel that included the territory of the Current Parcel at the time the action occurred.

J. FORMER TAX RATE AREA NO. 1

Note that, beginning with the first amended and restated version of this document, the Tax Rate Area that was designated Tax Rate Area No. 1 in previous versions of this document has been redesignated as Tax Rate ~~Area Nos~~ Areas No. LM-01 and SL-01 (the "Successor Areas"). The combined Maximum Special Tax Rates in connection with the Successor Areas with respect to each Assessor's Parcel in former Tax Rate Area No. 1 is equal to the Maximum Special Tax Rate for former Tax Rate Area No. 1 and, together, the Successor Areas fund all services funded by the former Tax Rate Area No. 1. This change was made for administrative convenience and is not intended to increase the tax on the parcels included in former Tax Rate Area No. 1.

~~1. This change was made for administrative convenience and is not intended~~
REVISION TO ~~increase the tax on the parcels included in former~~ **RATE TABLE FOR TAX RATE AREA NO. 1.**

K. REVISION TO RATE TABLE FOR TAX RATE AREA NO. LM-01

Note that, beginning with the second amended and restated version of this document, an expanded tax rate table was created for Tax Rate Area No. LM-01. This tax rate table was designed to provide appropriate Maximum Tax Rates for parcels with different Maintenance Ratios.

All Taxable Parcels in Tax Rate Area No. LM-01 prior to this amendment were subject to a Base Year 2014/15 Maximum Special Tax of \$468.36 and are part of an Annexation Group with a Maintenance Ratio of 291 - 370 square feet per Single-Family Residential Parcel. This amendment does not change the maximum special tax rate for parcels already in the District. This change is not intended to increase the tax on the parcels included in Tax Rate Area No. LM-01 prior to the amendment.

L. REVISION TO RATE TABLE FOR TAX RATE AREA NO. SL-01

Note that, beginning with the third amended and restated version of this document, an expanded tax rate table was created for Tax Rate Area No. SL-01. This tax rate table was designed to provide appropriate Maximum Tax Rates for parcels in developments for which the CFD funds only perimeter streetlighting facilities and not both perimeter and

internal streetlighting facilities. The existing rate had been designed to fund both perimeter and internal streetlighting facilities.

All Taxable Parcels in Tax Rate Area No. SL-01 prior to this amendment were subject to a Base Year 2014/15 Maximum Special Tax of \$197.39. This amendment does not increase the maximum special tax rate for parcels already in the District for which the CFD funds both perimeter and interior street lighting. Such parcels are charged the existing rate, which is now designated as Rate Category SL-01-A. Parcels in Tax Rate Areas No. SL-01 in Annexation Groups for which only perimeter streetlighting is funded by the CFD will be subject to the lower tax rate for Rate Category SL-01-B on a go forward basis.



Report to City Council

TO: Mayor and City Council

FROM: Mike Lee, City Manager

AGENDA DATE: February 16, 2021

TITLE: RESOLUTION APPOINTING CITY TREASURER

RECOMMENDED ACTION

Recommendation:

1. Adopt Resolution No. 2021-___ Appointing a City Treasurer.

SUMMARY

California Government Code Section 34856 provides that when the office of the City Treasurer is made appointive, the appointment shall be made by the City Council. The retirement of the City's Assistant City Manager/Chief Financial Officer/City Treasurer necessitates that a new Treasurer be appointed.

DISCUSSION

Since incorporation of the City, the Chief Financial Officer (or Finance Director) also held the title and responsibility of City Treasurer. The City Manager has appointed Brian Mohan to the position of Chief Financial Officer. Therefore, it is appropriate at this time for the City Council to adopt the proposed resolution appointing him as City Treasurer.

ALTERNATIVES

1. Adopt the proposed resolution appointing Brian Mohan as City Treasurer effective February 20, 2021. *Staff recommends this alternative to ensure that the duties and responsibilities of the Treasurer position continue to be achieved.*
2. Do not adopt the proposed resolution and provide staff with further direction.

FISCAL IMPACT

None.

NOTIFICATION

Publication of the agenda.

PREPARATION OF STAFF REPORT

Prepared By:
Mike Lee
City Manager

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.

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

CITY COUNCIL STRATEGIC PRIORITIES

- 1. Economic Development
- 2. Public Safety
- 3. Library
- 4. Infrastructure
- 5. Beautification, Community Engagement, and Quality of Life
- 6. Youth Programs

ATTACHMENTS

- 1. Treasurer Resolution

APPROVALS

Budget Officer Approval	<u>✓ Approved</u>	2/04/21 6:58 AM
City Attorney Approval	<u>✓ Approved</u>	
City Manager Approval	<u>✓ Approved</u>	2/04/21 11:40 AM

RESOLUTION NO. 2021-__

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPOINTING BRIAN MOHAN AS TREASURER OF THE CITY OF MORENO VALLEY

WHEREAS, California Government Code Section 34856 provides that when the office of the City Treasurer is made appointive, the appointment shall be made by the City Council; and

WHEREAS, pursuant to Moreno Valley Municipal Code (“MVMC”) Section 2.15.010, the City Treasurer holds such office at the pleasure of the City Council; and

WHEREAS, pursuant to Government Code Section 41007 the Treasurer shall receive such compensation as may be provided by the City Council; and

WHEREAS, MVMC Section 2.15.030 further provides that the function of the City Treasurer shall be to perform such duties as are prescribed by California Government Code Sections 41000 through 41007, and by any other provisions of law applicable to the deposit, investment and safekeeping of public funds of the City; and

WHEREAS, the duties of the Treasurer under the Government Code include: (a) receiving and safely keep all money coming into her/his hands as Treasurer; (b) complying with all laws governing the deposit and securing of public funds and the handling of trust funds in the Treasurer’s possession; (c) paying out money only on warrants signed by legally designated persons; (d) regularly, at least once each month, submitting to the City Clerk a written report and accounting of all receipts, disbursements, and fund balances and filing a copy with the City Council; (e) performing such duties relative to the collection of City taxes and license fees as are prescribed by ordinance; and (f) appointing deputies for whose acts she/he and her/his bondsmen are responsible.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. Recitals

That the recitals set forth hereinabove are true and correct.

Section 2. Appointment of City Treasurer

That the City Council hereby appoints Brian Mohan to serve as City Treasurer, on at will-basis, commencing February 20, 2021, until such time a new City Treasurer is appointed by City Council or the City Treasurer resigns.

1
Resolution No. 2021-__
Date Adopted: February 16, 2021

Attachment: Treasurer Resolution [Revision 1] (4311 : RESOLUTION APPOINTING CITY TREASURER)

Section 3. Duties.

That the Treasurer shall perform those duties as may be set forth in the Moreno Valley Municipal Code and any applicable local, state or federal laws, rules, regulations and policies, including but not limited to, California Government Code Sections 41000 through 41007, in a competent, professional and satisfactory manner in accordance with the standards and customary, reasonable and prudent practices prevalent in the profession or position for such services.

Section 4. Bonding.

That an official bond for the Treasurer be filed in an amount deemed sufficient by the City Manager, Chief Financial Officer and Risk Manager with the consent of the City Attorney.

Section 5. Severability.

That should any provision, section, paragraph, sentence or word of this Resolution be rendered or declared invalid by any final court action in a court of competent jurisdiction or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences or words of this Resolution as hereby adopted shall remain in full force and effect.

Section 6. Repeal of Conflicting Provisions.

That all the provisions heretofore adopted by the City Council that are in conflict with the provisions of this Resolution are hereby repealed.

Section 7. Effective Date.

That this Resolution shall take effect upon its adoption.

Section 8. Certification.

That the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original resolutions.

Attachment: Treasurer Resolution [Revision 1] (4311 : RESOLUTION APPOINTING CITY TREASURER)

APPROVED AND ADOPTED this 16th day of February 2021.

Mayor of the City of Moreno Valley

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

Attachment: Treasurer Resolution [Revision 1] (4311 : RESOLUTION APPOINTING CITY TREASURER)

Resolution No. 2021- 3
Date Adopted: February 16, 2021

RESOLUTION JURAT

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF MORENO VALLEY)

I, Pat Jacquez-Nares, City Clerk of the City of Moreno Valley, California, do hereby certify that Resolution No. 2021-__ was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the 16th day of February 2021 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

City Clerk

(SEAL)

Attachment: Treasurer Resolution [Revision 1] (4311 : RESOLUTION APPOINTING CITY TREASURER)

4
Resolution No. 2021-__
Date Adopted: February 16, 2021



Report to City Council

TO: Mayor and City Council

FROM: Michael L. Wolfe P.E., Assistant City Manager

AGENDA DATE: February 16, 2021

TITLE: AUTHORIZATION TO AWARD A CONSTRUCTION CONTRACT TO ALFARO COMMUNICATIONS CONSTRUCTION, INC. FOR SOUTH LASSELLE STREET SAFETY CORRIDOR IMPROVEMENT, PROJECT NO. 808 0026

RECOMMENDED ACTION

Recommendations:

1. Award a construction contract to Alfaro Communications Construction, Inc. for the South Lasselle Street Safety Corridor Improvement project and authorize the City Manager to execute a contract with Alfaro Communications Construction, Inc. in substantial conformance with the attached contract in the amount of \$303,680.00 for the construction of the project, funded by Highway Safety Improvement Program (HSIP) grant;
2. Authorize the issuance of a Purchase Order for Alfaro Communications Construction, Inc. in the amount of \$334,048.00 (bid amount plus a 10% contingency) when the contract has been signed by all parties; and
3. Authorize the Public Works Director/City Engineer to execute any subsequent change orders to the contract, but not exceeding the total contingency of \$30,368.00, subject to the approval of the City Attorney.

SUMMARY

This report recommends approval of a contract with Alfaro Communications Construction, Inc. for the construction of the South Lasselle Street Safety Corridor Improvement project to reduce collisions and discourage speeding. Improvements generally consist of installing a high-friction surface treatment at one curve on Lasselle Street and upgrading the traffic signals to discourage speeding. This project is fully

funded by the federal Highway Safety Improvement Program (HSIP) grant, which is administered by Caltrans.

DISCUSSION

The project consists of installing a high-friction surface treatment at the southernmost curve on Lasselle Street, near Rancho Verde High School to reduce run-off-the-road collisions; and upgrading the traffic signals on Lasselle Street from College Drive to the south city limit to discourage speeding in low volume conditions. The attached vicinity map depicts the project area and details the project improvements. The project purpose includes the deployment of Rest-in-Red technology which provides for red lights for those vehicles traveling above the speed limit. Upgraded traffic cabinets and related equipment will be installed to support the technology.

On March 21, 2017, City Council accepted the California Department of Transportation’s HSIP Cycle 8 grant award in the amount of up to \$522,300 in federal funds for implementing this safety project. The project design and bidding documents were completed in December 2020.

The project was advertised for construction bids on December 17, 2020 and formal bidding procedures were followed in conformance with the Public Contract Code. Two (2) bids were received via the electronic bid management system, PlanetBids, on January 29, 2021 as follows:

<u>CONTRACTORS</u>	<u>Base Bid+ Alt. Bid 1</u>
1. Alfaro Communications Construction, Inc.	\$321,180.00
2. American Civil Constructors West Coast LLC	\$367,000.00

The lowest responsible bidder was determined by comparing the cumulative total for all Base Bid Items plus Additive Alternate Bid 1 as stipulated in the bidding documents. Staff has reviewed the bid by Alfaro Communications Construction, Inc. and finds it to be the lowest responsible bidder in possession of a valid contractor license and bid bond. No outstanding issues were identified through review of the references submitted by Alfaro Communications Construction, Inc. in their bid. Base bid items are to install the high friction surface treatment on Lasselle Street. Additive Alternate Bid No. 1 is to provide and install Type P-44 cabinet assembly and install City-furnished new Type 333L Cabinets at five intersections along Lasselle Street. Staff recommends to award base bid items only in the total amount of \$303,680 given the available project funding.

A contingency of 10% of the bid amount (\$30,368.00) is recommended to account for any changed field condition that may have occurred during the period between the completion of the engineering design work and construction start.

The California Department of Transportation (Caltrans) has determined this project is a Categorical Exclusion under the National Environmental Policy Act (NEPA), Section 23 CFR 771.117(c) (8). The Planning Division of the Community Development Department has determined that this project is exempt from the California Environmental Quality Act

(CEQA) per CEQA Guidelines Section 15301(c) (Existing Facilities), Article 19, commencing with Section 15300.

ALTERNATIVES

1. Approve and authorize the recommended actions as presented in this staff report. *This alternative will provide for the timely construction of the South Lasselle Street Safety Corridor Improvement project to enhance safety for drivers on public roads.*

2. Do not approve and authorize the recommended actions as presented in this staff report. *Staff does not recommend this alternative as it will delay construction of the South Lasselle Street Safety Corridor Improvement project and may result in loss of grant funding.*

FISCAL IMPACT

This project is funded by the federal Highway Safety Improvement Program (HSIP). There is no impact to the General Fund.

CONSTRUCTION BUDGET:

Capital Projects Grants	
(2301-70-76-80008-720199) (Project No. 808 0026-2301-99).....	<u>\$429,100</u>
Total.....	<u>\$429,100</u>

ESTIMATED CONSTRUCTION COSTS:

Construction (including contingency).....	\$334,048
Construction Engineering	\$45,000
Project Administration/Inspection*	<u>\$35,000</u>
Total	<u>\$414,048</u>

**Project administration and inspection will be provided by City staff*

PROJECT SCHEDULE:

Construction Spring 2021 to Fall 2021

NOTIFICATION

Prior to construction, schools, utilities, adjacent property owners, business owners, law enforcement, fire department, churches, public transportation, and other emergency service responders in the area will be notified in a timely manner of the proposed construction and roadway closure.

PREPARATION OF STAFF REPORT

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

Department Head Approval:
Michael L. Wolfe, P.E.
Public Works Director/City Engineer

Concurred By:

Henry Ngo, P.E.
Capital Projects Division Manager

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.

CITY COUNCIL STRATEGIC PRIORITIES

1. Economic Development
2. Public Safety
3. Library
4. Infrastructure
5. Beautification, Community Engagement, and Quality of Life
6. Youth Programs

ATTACHMENTS


1. Location Map
2. Agreement

APPROVALS

Budget Officer Approval	<u>✓ Approved</u>	2/09/21 9:21 AM
City Attorney Approval	<u>✓ Approved</u>	
City Manager Approval	<u>✓ Approved</u>	2/09/21 9:50 AM

Attachment 1: Location Map

Legend

 Rest in Red treatment



0 0.25 0.5 1



Site of proposed high-friction surface treatment



Agreement No. _____

AGREEMENT**CITY PROJECT NO. 808 0026, FEDERAL PROJECT NO. HSIPL-5441 (072)
SOUTH LASSELLE STREET SAFETY CORRIDOR**

THIS Agreement, effective as of the date signed by the City of Moreno Valley, is by and between the City of Moreno Valley, a municipal corporation, County of Riverside, State of California, hereinafter called the "City" and **Alfaro Communications 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 and Construction Change Directives issued after execution of this Agreement
 - C. This Agreement
 - D. Addenda Nos.1 inclusive, issued prior to the opening of the Bids
 - E. Any Federal Certifications, documentation and reports as required, including but not limited to Non-Lobbying Certification, Disclosure of Lobbying Activities, Equal Employment Opportunity Certification, Debarment and Suspension Certification.
 - F. City of Moreno Valley Supplementary General Conditions
 - G. Exhibit 12-G, Required Federal-Aid Contract Language, FHWA 1273 – Revised May 1, 2012, Required Contract Provisions Federal-Aid Construction Contracts, Federal Wage Rates, and Title VI Assurance (US DOT Order 1050.2A)
 - H. The bound Contract Documents that includes City Special Provisions, including the General Provisions and Technical Provisions
 - I. Standard Specifications for Public Works Construction ("Greenbook") – latest edition in effect at the Bid Deadline, as modified by the City Special Provisions
 - J. Reference Specifications/Reference Documents other than those listed in paragraph 2, below
 - K. Project Construction Plans
 - L. City Standard Plans
 - M. Caltrans Standard Plans
 - N. Contractor's Labor and Materials Payment Bond (for reference only)
 - O. Contractor's Faithful Performance Bond (for reference only)
 - P. Contractor's Certificates of Insurance and Additional Insured Endorsements
 - Q. Contractor's Bidder's Proposal and Subcontractor Listing, and Exhibit 12-B - Bidder's List of Subcontractors (DBE and Non-DBE)
 - R. Exhibit 15-G - Construction Contract DBE Commitment

In the event of conflict or discrepancy 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

Standard Form of Agreement
00500-1

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 are made available to the Contractor prior to the Bid Deadline for informational purposes:

None

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 and Additive Alternate Bid Items, if any, set forth the Bidder's Proposal submitted with the Bid. The sum of the unit prices and lump sum prices for the Base Bid Items only awarded by the City is **Three Hundred Three Thousand Six Hundred Eighty and 00/100 Dollars (\$303,680)** ("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. Contract Time. The Contract Time shall be determined in accordance with the following:

Base Bid plus Additive Alternate Bid 60 Working Days

B. 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 and Notice to Proceed with Order of Materials." The date specified in the Notice to Proceed to Fulfill Preconstruction Requirements and Notice to Proceed with Order of Materials constitutes the date of commencement of the Contract Time of **Sixty (60) Working Days for the Base Bid. Contract Time will be shown in Section 5A of this Agreement.** 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 and Notice to Proceed with Order of Materials shall further specify that Contractor must complete the preconstruction requirements and order materials within **Ten (10) 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
- Obtaining a Temporary Use Permit for a construction yard, as applicable
- Notifying all agencies, utilities, residents, etc., as outlined in the Contract Documents
- Completion of all pre-construction activities under Environmental Mitigation

If the City's issuance of a Notice to Proceed to Fulfill Preconstruction Requirements and Notice to Proceed with Order of Materials 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 if Contractor persistently delays in providing the required documentation.

C. 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 and Notice to Proceed with Order of Materials, 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 liquidated damages with respect to Contractor's failure to order all materials in accordance with the Notice to Proceed with Order of Materials and/or 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 and in Public Contract Code Section 7203. 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 **\$540.00 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.

Liquidated damages are owed automatically and without notice of any kind upon the accrual of each day of delay. City may at any time deduct liquidated damages as are payable hereunder from money due or to become due to Contractor, or pursue any other legal remedy to collect such liquidated damages from Contractor and/or its Surety. Neither the City's failure or delay in deducting liquidated damages from payments otherwise due Contractor, nor City's failure or delay in notifying Contractor of the accrual of liquidated damages, shall be deemed a waiver of City's right to liquidated damages.

City's rights under this Section shall not be interpreted as precluding or limiting: (1) any right or remedy of City arising from an event of Contractor default other than a failure to complete the Work within the Contract Time; or (2) City's right to order an acceleration, at Contractor's expense, of performance of the Work to overcome delay, including, without limitation, a delay for which City has the right to assess and/or accrue liquidated damages. The availability of liquidated damages shall not limit City's right to terminate the Contractor's performance and accrual and/or assessment of liquidated damages does not constitute a waiver of such rights.

6.2. 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 6-4 of the Standard Specifications and City Special Provisions regarding compensation for delays.

6.3. 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 **3-5** of the Special Provisions.

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, 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), and the Moreno Valley Community Services District (CSD), 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 (MVHA), and the Moreno Valley Community Services District (CSD), 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 (MVHA), and the Moreno Valley Community Services District (CSD), 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 313.3 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-:VII 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 **thirty (30) days'** prior written notice by certified or registered mail to the City (this obligation may be satisfied in the alternative by requiring such notice to be provided by

Standard Form of Agreement
00500-6

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 3-13.3 of the City Special Provisions.

Contractor shall maintain Commercial General Liability insurance with the following minimum limits: \$1,000,000 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.

Standard Form of Agreement
00500-7

7.12. **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 provide two surety 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 separate 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 payment 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 payment 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), and the Moreno Valley Community Services District (CSD), 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 10. 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

Standard Form of Agreement
00500-10

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 10.

10.7. No Limitation or Waiver of Rights. Contractor's obligations under this Paragraph 10 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 10 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 10 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,

Standard Form of Agreement
00500-11

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 10 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)

DRAFT

Attachment: Agreement (4322 : AUTHORIZATION TO AWARD A CONSTRUCTION CONTRACT TO ALFARO COMMUNICATIONS

CITY OF MORENO VALLEY, Municipal Corporation

Alfaro Communications Construction, Inc.

BY: _____
Mike Lee, 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.

Attachment: Agreement (4322 : AUTHORIZATION TO AWARD A CONSTRUCTION CONTRACT TO ALFARO COMMUNICATIONS

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

Any acknowledgment completed in California must contain verbiage exactly as appears above in the notary section or a separate acknowledgment form must be properly completed and attached to that document. The only exception is if a document is recorded outside of California. In such instances, any alternative acknowledgment verbiage as may be printed on such a document so long as the verbiage does not require the notary to do something that is illegal for a notary in California (i.e. certifying the authorized capacity of the signer). Please check the document carefully for proper notarial wording and attach this form if required.

- State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.
- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- 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 _____

Attachment: Agreement (4322 : AUTHORIZATION TO AWARD A CONSTRUCTION CONTRACT TO ALFARO COMMUNICATIONS

CONTRACTOR'S BONDS

Attachment: Agreement (4322 : AUTHORIZATION TO AWARD A CONSTRUCTION CONTRACT TO ALFARO COMMUNICATIONS

Contractor's Bond
00600

City of Moreno Valley Project No. 808 0026
Federal Project No. HSIPL-5441 (072)

BOND NO. _____

PREMIUM \$ _____

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

**CITY PROJECT NO. 808 0026, FEDERAL PROJECT NO. HSIPL-5441 (072)
SOUTH LASSELLE STREET SAFETY CORRIDOR**

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 **Alfaro Communications 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 Manager, and identified as **City Project No. 808 0026, Federal Project No. HSIPL-5441 (072)** 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)

Faithful Performance Bond
00601-1

Attachment: Agreement (4322 : AUTHORIZATION TO AWARD A CONSTRUCTION CONTRACT TO ALFARO COMMUNICATIONS

BOND NO. _____

IN WITNESS WHEREOF, we have hereunto set our hands, and seals on this _____ day
of _____ 20____.

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 _____ 20____

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.

Faithful Performance Bond
00601-2

Attachment: Agreement (4322 : AUTHORIZATION TO AWARD A CONSTRUCTION CONTRACT TO ALFARO COMMUNICATIONS

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

Any acknowledgment completed in California must contain verbiage exactly as appears above in the notary section or a separate acknowledgment form must be properly completed and attached to that document. The only exception is if a document is recorded outside of California. In such instances, any alternative acknowledgment verbiage as may be printed on such a document so long as the verbiage does not require the notary to do something that is illegal for a notary in California (i.e. certifying the authorized capacity of the signer). Please check the document carefully for proper notarial wording and attach this form if required.

- State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.
- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- 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

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

CAPACITY CLAIMED BY THE SIGNER

- Individual(s)
- Corporate Officer

(Title)

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

Attachment: Agreement (4322 : AUTHORIZATION TO AWARD A CONSTRUCTION CONTRACT TO ALFARO COMMUNICATIONS

BOND NO. _____

PREMIUM \$ _____

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

CITY PROJECT NO. 808 0026, FEDERAL PROJECT NO. HSIPL-5441 (072)

SOUTH LASSELLE STREET SAFETY CORRIDOR

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 **Alfaro Communications 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 Manager, and identified as **City Project No. 808 0026, Federal Project No. HSIPL-5441 (072)** 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 9100, 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

Labor and Materials Payment Bond
00602-1

Attachment: Agreement (4322 : AUTHORIZATION TO AWARD A CONSTRUCTION CONTRACT TO ALFARO COMMUNICATIONS

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 9100, to give a right of action to such persons or their assigns in any suit brought upon this bond.

IN WITNESS WHEREOF, we have hereunto set our hands, and seals on this _____ day of _____ 20_____.

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 _____ 20_____

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.

Attachment: Agreement (4322 : AUTHORIZATION TO AWARD A CONSTRUCTION CONTRACT TO ALFARO COMMUNICATIONS

City of Moreno Valley Project No. 808 0026
Federal Project No. HSIPL-5441 (072)

- The Bidder's and Surety's corporate seal may be affixed hereto.

Attachment: Agreement (4322 : AUTHORIZATION TO AWARD A CONSTRUCTION CONTRACT TO ALFARO COMMUNICATIONS

Labor and Materials Payment Bond
00602-3

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

Any acknowledgment completed in California must contain verbiage exactly as appears above in the notary section or a separate acknowledgment form must be properly completed and attached to that document. The only exception is if a document is recorded outside of California. In such instances, any alternative acknowledgment verbiage as may be printed on such a document so long as the verbiage does not require the notary to do something that is illegal for a notary in California (i.e. certifying the authorized capacity of the signer). Please check the document carefully for proper notarial wording and attach this form if required.

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

- State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.
- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- 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.

CAPACITY CLAIMED BY THE SIGNER

- Individual(s)
- Corporate Officer

(Title)

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

Attachment: Agreement (4322 : AUTHORIZATION TO AWARD A CONSTRUCTION CONTRACT TO ALFARO COMMUNICATIONS

CITY OF MORENO VALLEY SUPPLEMENTARY GENERAL CONDITIONS

The following provisions, pursuant to 44 Code of Federal Regulations, Part 13, Subpart C, Section 13.36, as it may be amended from time to time, are included in the Agreement and are required to be included in all subcontracts entered into by CONTRACTOR for work pursuant to the Agreement, unless otherwise expressly provided herein. These provisions supersede any conflicting provisions in the General Conditions and shall take precedence over the General Conditions for purposes of interpretation of the General Conditions. These provisions do not otherwise modify or replace General Conditions not in direct conflict with these provisions. Definitions used in these provisions are as contained in the General Conditions.

- (1) CONTRACTOR shall be subject to the administrative, contractual, and legal remedies provided in the General Conditions in the event CONTRACTOR violates or breaches terms of the Agreement.
- (2) CITY may terminate the Agreement for cause or for convenience, and CONTRACTOR may terminate the Agreement, as provided the General Conditions.
- (3) CONTRACTOR shall comply with Executive Order 11246 of September 24, 1965, entitled Equal Employment Opportunity, as amended by Executive Order 11375 of October 13, 1967, and as supplemented in Department of Labor regulations (41 CFR chapter 60). (All construction contracts awarded in excess of \$10,000 by CITY and/or subcontracts in excess of \$10,000 entered into by CONTRACTOR.)
- (4) CONTRACTOR shall comply with the Copeland Anti-Kickback Act (18 U.S.C. 874) as supplemented in Department of Labor regulations (29 CFR Part 3) (All contracts and subcontracts for construction or repair.)
- (5) CONTRACTOR shall comply with the Davis-Bacon Act (40 U.S.C. 276a to 276a7) as supplemented by Department of Labor regulations (29 CFR Part 5).
- (6) CONTRACTOR shall comply with Sections 103 and 107 of the Contract Work Hours and Safety Standards Act (40 U.S.C. 327330) as supplemented by Department of Labor regulations (29 CFR Part 5).
- (7) CONTRACTOR shall observe CITY requirements and regulations pertaining to reporting included in the General Conditions.
- (8) Patent rights with respect to any discovery or invention which arises or is developed in the course of or under the Agreement shall be retained by the CITY.
- (9) Copyrights and rights in data developed in the course of or under the Agreement shall be the property of the CITY. FEMA/CalOES reserve a royalty-free, nonexclusive, irrevocable license to reproduce, publish or otherwise use or authorize to others to use for federal purposes a

Attachment: Agreement (4322 : AUTHORIZATION TO AWARD A CONSTRUCTION CONTRACT TO ALFARO COMMUNICATIONS

copyright in any work developed under the Agreement and/or subcontracts for work pursuant to the Agreement.

- (10) CONTRACTOR shall provide access by the City, the Federal grantor agency, the Comptroller General of the United States, or any of their duly authorized representatives to any books, documents, papers, and records of the contractor which are directly pertinent to that specific contract for the purpose of making audit, examination, excerpts, and transcriptions.
- (11) CONTRACTOR shall retain all required records for three years after CITY makes final payments and all other pending matters relating to the Agreement are closed.
- (12) CONTRACTOR shall comply with all applicable standards, orders, or requirements issued under section 306 of the Clean Air Act (42 U.S.C. 1857(h)), section 508 of the Clean Water Act (33 U.S.C. 1368), Executive Order 11738, and Environmental Protection Agency regulations (40 CFR part 15). (This provision applies to contracts exceeding \$100,000 and to subcontracts entered into pursuant to such contracts.)
- (13) CONTRACTOR shall comply with mandatory standards and policies relating to energy efficiency which are contained in the State energy conservation plan issued in compliance with the Energy Policy and Conservation Act (Pub. L. 94163, 89 Stat. 871).

City of Moreno Valley Project No. 808 0026
Federal Project No. HSIPL-5441 (072)

**EXHIBIT 12-G, REQUIRED FEDERAL-AID CONTRACT LANGUAGE, AND FHWA-1273,
REQUIRED CONTRACT PROVISIONS FOR FEDERAL-AID CONSTRUCTION CONTRACTS,
FEDERAL WAGE DETERMINATION, AND TITLE VI ASSURANCE (US DOT ORDER 1050.2A)**

Attachment: Agreement (4322 : AUTHORIZATION TO AWARD A CONSTRUCTION CONTRACT TO ALFARO COMMUNICATIONS



Report to City Council

TO: Mayor and City Council

FROM: Michael L. Wolfe P.E., Assistant City Manager

AGENDA DATE: February 16, 2021

TITLE: PEN17-0143 – ADOPTION OF THE PROPOSED RESOLUTION FOR THE SUMMARY VACATION OF A NORTHERLY PORTION OF BRODIAEA AVENUE LOCATED WEST OF HEACOCK STREET DEVELOPER: ALERE PROPERTY GROUP, LLC

RECOMMENDED ACTION

Recommendation:

1. Adopt Resolution No. 2021-XX a Resolution of the City Council of the City of Moreno Valley, California, Ordering the Summary Vacation of a Northerly Portion of Brodiaea Avenue Located on the North Side of Brodiaea Avenue West of Heacock Street; and
2. Direct the City Clerk to certify said resolution and transmit a copy of the resolution to the County Recorder's office for recording.

SUMMARY

This report recommends adoption of the proposed resolution for the summary vacation of a one (1) foot wide portion of the northerly half of Brodiaea Avenue west of Heacock Street located approximately between 75 feet and 660 feet west of Heacock Street. The proposed vacation removes the excess right-of-way created as part of the Bear Valley & Alessandro Development Co. (BVAD) Map No. 1.

DISCUSSION

Land Development staff reviewed the summary vacation for that one (1) foot portion of the northerly half of Brodiaea Avenue, located approximately from 75 feet to 660 feet west of Heacock Street (Attachment 1). This portion of Brodiaea Avenue was dedicated for public use through the BVAD Map No. 1 recorded on November 3, 1890. At the time

of recordation, the dedication for half-street right-of-way was 40 feet. Currently, Brodiaea Avenue is designated an Industrial Collector street with a required half street right-of-way of 39 feet. Staff has determined that one (1) foot of the existing 40 feet of right-of-way along the project frontage is no longer necessary.

Currently, all properties contiguous to this portion of Brodiaea Avenue have access to local public roads. The City Council's approval of a summary vacation for this portion of Brodiaea Avenue would abandon all of the City's rights for public use purposes as dedicated on the BVAD Map No. 1. Vacation of the one (1) foot of right-of-way along Brodiaea Avenue, as described and shown in the exhibits attached to the proposed resolution (Attachment 2), is in accordance with the Streets and Highways Code. The provisions of Chapter 4, Part 3, of Division 9 of the Streets and Highways Code of the State of California, designated the "Public Streets, Highways, and Service Easements Vacation Law", allows the City to summarily vacate said portion of right-of-way if certain conditions are met. This request meets those conditions since no public money was expended for maintenance of said portion of excess street right-of-way, the portion of right-of-way has not been used for street purposes for a period greater than five years, and staff has determined that the right-of-way is excess. Finally, Utility Coordination letters were sent to all utility companies that may exist within the portion of the street to be vacated and no utilities were identified.

ALTERNATIVES

1. Approve the recommended actions as presented in this staff report. *Staff recommends this alternative as this portion of Brodiaea Avenue is no longer needed for existing or prospective use purposes.*
2. Do not approve the recommended actions as presented in this staff report. *Staff does not recommend this alternative as this portion of Brodiaea Avenue would unnecessarily remain as an easement for public use purposes.*

FISCAL IMPACT

No fiscal impact.

NOTIFICATION

Written notice has been given to the various utility companies. Those utilities have responded that there are no facilities within the easement and have no objection to said vacation.

PREPARATION OF STAFF REPORT

Prepared By:
Vince Girón

Department Head Approval:
Michael L. Wolfe, P.E.

Associate Engineer

Public Works Director/City Engineer

Concurred By:
 Michael D. Lloyd, P.E.
 Engineering Division Manager/Assistant City Engineer

CITY COUNCIL GOALS

Public Facilities and Capital Projects. Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

CITY COUNCIL STRATEGIC PRIORITIES

1. Economic Development
2. Public Safety
3. Library
4. Infrastructure
5. Beautification, Community Engagement, and Quality of Life
6. Youth Programs

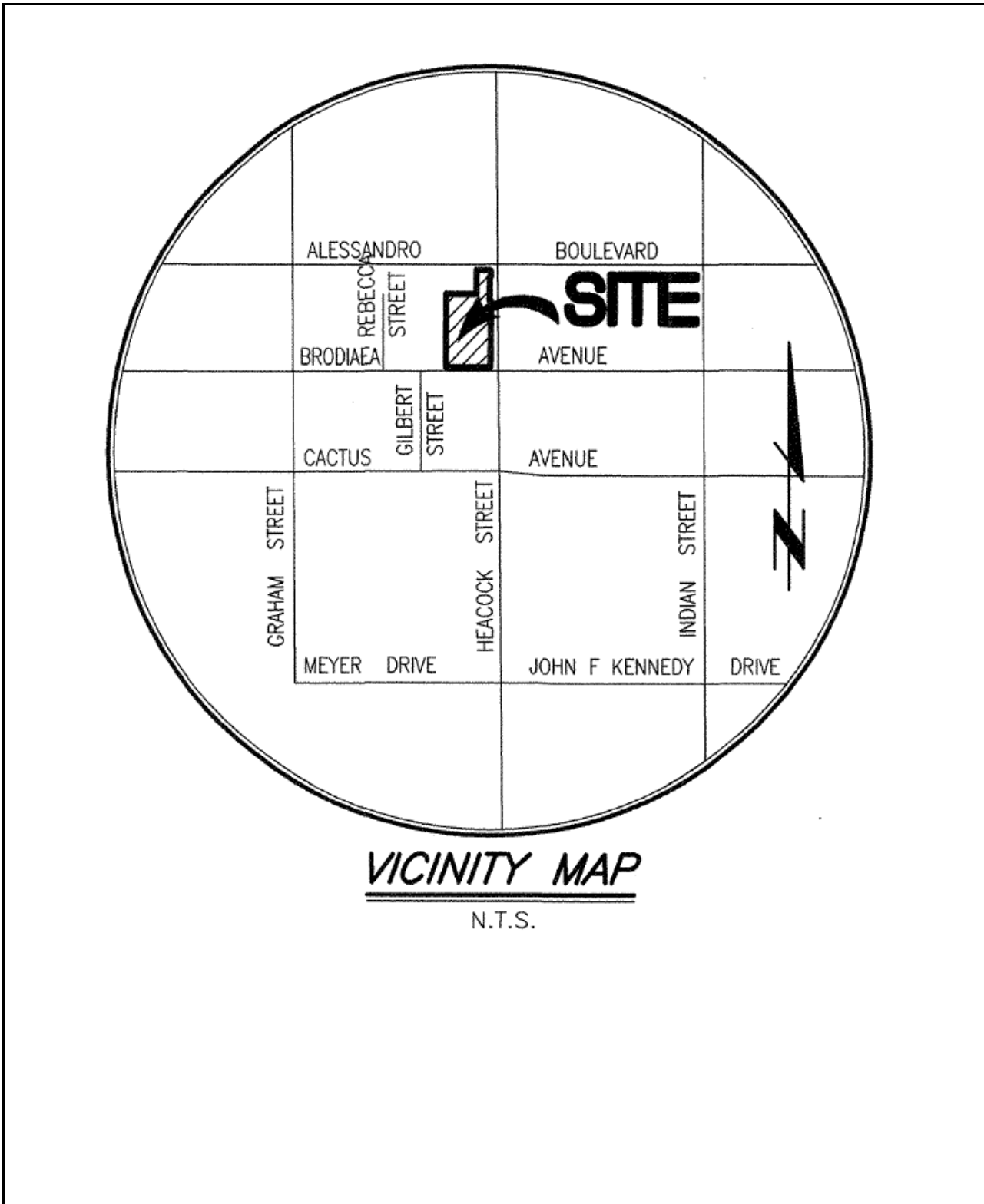
Objective 4.2: Develop and maintain a comprehensive Infrastructure Plan to invest in and deliver City infrastructure.

ATTACHMENTS

1. Vicinity Map - PEN17-0143 Summary Vacation
2. Proposed Resolution 2021-XX - Summary Vacation

APPROVALS

Budget Officer Approval	<u>✓ Approved</u>	2/03/21 2:33 PM
City Attorney Approval	<u>✓ Approved</u>	
City Manager Approval	<u>✓ Approved</u>	2/04/21 11:41 AM



VICINITY MAP
N.T.S.

CITY OF MORENO VALLEY
PUBLIC WORKS DEPARTMENT
LAND DEVELOPMENT DIVISION

PEN17-0143
Vicinity Map

RESOLUTION NO. 2021-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ORDERING THE SUMMARY VACATION OF A NORHTERLY PORTION OF BRODIAEA AVENUE LOCATED WEST OF HEACOCK STREET

WHEREAS, the City Council of the City of Moreno Valley, California, acquired a perpetual easement and right-of-way for public use purposes, located in Brodiaea Avenue west of Heacock Street as shown on the Bear Valley and Alessandro Development Co. Map No. 1, recorded in Book 11, Page 10 of Maps in the Office of the County Recorder of Riverside County; and

WHEREAS, the northerly one (1) foot portion of Brodiaea Avenue located from approximately 75 feet to 660 feet west of Heacock Street is no longer, nor in the future will be, useful for public use purposes; and

WHEREAS, no public improvements exist on the subject portion of right of way and has not been used for street purposes; and

WHEREAS, the City has determined that the subject street right of way is excess; and

WHEREAS, no public money was expended for maintenance of the subject portion of street right of way.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

Section 1

That pursuant to the provisions of Chapter 4, Part 3, of Division 9 of the Streets and Highways Code of the State of California, designated the "Public Streets, Highways, and Service Easements Vacation Law," the following described portion of right of way is summarily vacated and abandoned:

That said portion of Brodiaea Avenue, in the City of Moreno Valley, County of Riverside, State of California described in the attached legal description and illustrated on the plat, attached hereto and made a part hereof, marked Exhibits "A" and "B", respectively. This summary vacation is made based upon the facts presented.

Resolution No. 2021-XX
Date Adopted: February 16, 2021

Attachment: Proposed Resolution 2021-XX - Summary Vacation [Revision 1] (4316 : PEN17-0143 - ADOPTION OF THE PROPOSED

Section 2

That pursuant to the provisions of Sections 831 of Title 3 and 1112 of Title 4, Part 2, Division 2 of the California Civil Code of the State of California, title to the above-described portion of Brodiaea Avenue reverts to the owner of the underlying fee thereof, free from use as a right of way easement for public use purposes.

Section 3

That from and after the date the Resolution is recorded, the easement vacated no longer constitutes a street.

Section 4

That the City Clerk of the City of Moreno Valley, California, shall cause a certified copy of this Resolution to be recorded in the office of the Recorder for the County of Riverside, California.

APPROVED AND ADOPTED this 16th day of February, 2021.

Mayor of the City of Moreno Valley

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

Attachment: Proposed Resolution 2021-XX - Summary Vacation [Revision 1] (4316 : PEN17-0143 – ADOPTION OF THE PROPOSED

RESOLUTION JURAT

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF MORENO VALLEY)

I, Pat Jacquez-Nares, City Clerk of the City of Moreno Valley, California, do hereby certify that Resolution No. 2021-XX was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the 16th day of February, 2021 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

CITY CLERK

(SEAL)

Attachment: Proposed Resolution 2021-XX - Summary Vacation [Revision 1] (4316 : PEN17-0143 – ADOPTION OF THE PROPOSED

APN: 297-170-092

SHEET 1 OF 1

EXHIBIT "A"
1.00 FOOT WIDE STREET VACATION

LEGAL DESCRIPTION

A STRIP OF LAND, 1.00 FOOT IN WIDTH OVER A PORTION OF BRODIAEA AVENUE IN LOT 8, BLOCK 241, OF BEAR VALLEY AND ALESSANDRO DEVELOPMENT CO., IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 11, PAGE 10 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF RIVERSIDE COUNTY, BOUNDED AS FOLLOWS:

BOUNDED ON THE NORTH BY THE SOUTHERLY LINE OF PARCEL "B" OF LOT LINE ADJUSTMENT NO. 1054, IN THE CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, RECORDED APRIL 10, 2019 AS DOCUMENT NO. 2019-0121263, OF OFFICIAL RECORDS OF SAID COUNTY,

BOUNDED ON THE SOUTH BY A LINE PARALLEL WITH AND DISTANT 39.00 FEET NORTHERLY, MEASURED AT RIGHT ANGLES FROM THE CENTERLINE OF BRODIAEA AVENUE AS SHOWN ON SAID LOT LINE ADJUSTMENT NO. 1054,

BOUNDED ON THE WEST BY THE SOUTHERLY PROLONGATION OF THE WESTERLY LINE OF SAID PARCEL "B" AND

BOUNDED ON THE EAST BY THE SOUTHERLY PROLONGATION OF THE EASTERLY LINE OF SAID PARCEL "B".

CONTAINS: 577 SQUARE FEET MORE OR LESS.

EXHIBIT "B" ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF.

Last Update: 04/06/20
0:\3586\ESMT\VAC\3586_VAC.dwg

PREPARED BY:

Thienes Engineering, Inc.
CIVIL ENGINEERING • LAND SURVEYING
14349 FIRESTONE BOULEVARD
LA MIRADA, CALIFORNIA 90638
PH.(714)521-4811 FAX(714)521-4173

SURVEYOR:

PREPARED BY OR UNDER THE SUPERVISION OF:

[Signature]

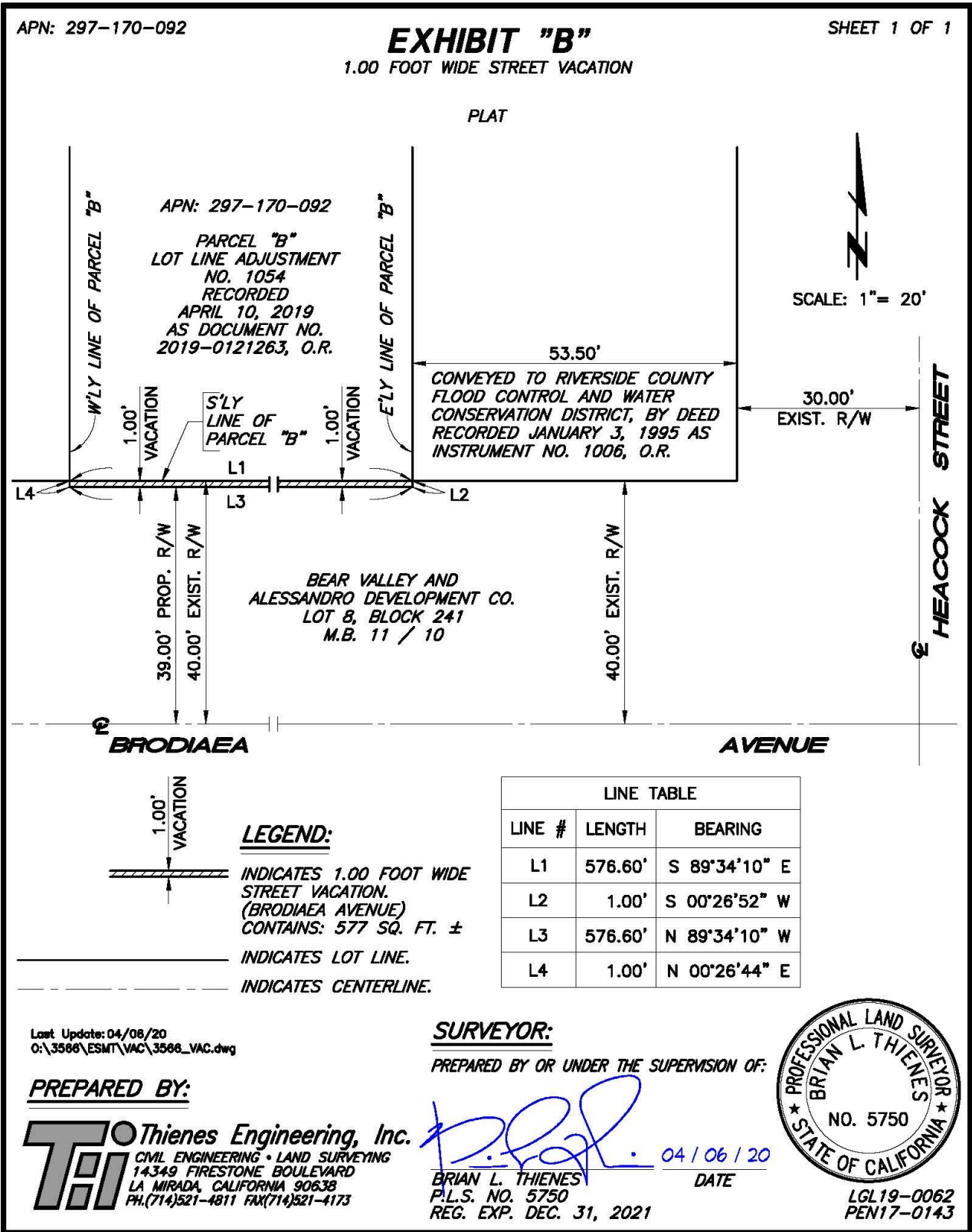
BRIAN L. THIENES
P.L.S. NO. 5750
REG. EXP. DEC. 31, 2021

04/06/20
DATE



LGL19-0062
PEN17-0143

Attachment: Proposed Resolution 2021-XX - Summary Vacation [Revision 1] (4316 : PEN17-0143 - ADOPTION OF THE PROPOSED



Attachment: Proposed Resolution 2021-XX - Summary Vacation [Revision 1] (4316 : PEN17-0143 - ADOPTION OF THE PROPOSED



Report to City Council

TO: Mayor and City Council

FROM: Michael L. Wolfe P.E., Assistant City Manager

AGENDA DATE: February 16, 2021

TITLE: PEN18-0254 HIGHLAND FAIRVIEW CORPORATE PARK, PHASE II - REQUEST TO AMEND THE ROAD CLOSURE AGREEMENT, A FULL ROAD CLOSURE OF EUCALYPTUS AVENUE BETWEEN REDLANDS BOULEVARD AND ALDI PLACE. DEVELOPER: HIGHLAND FAIRVIEW

RECOMMENDED ACTION

1. Approve an amendment to the Road Closure Agreement for the temporary full road closure of Eucalyptus Avenue between Redlands Boulevard and Aldi Place;
2. Authorize the Public Works Director/City Engineer to execute the Amendment to the Road Closure Agreement to allow the road closure to remain in place until April 9, 2021; and
3. Authorize the Public Works Director/City Engineer to approve a road closure extension of 30 calendar days, if the required public improvements are not complete within said timeframe.

SUMMARY

On September 15, 2020, the City Council approved the temporary road closure of Eucalyptus Avenue west of Redlands Boulevard in order to facilitate the construction of a roundabout at the intersection of these roads. The roundabout construction is a condition of approval for the Highland Fairview Corporate Park, Phase II project.

The developer, Highland Fairview, has requested that the City amend the approved temporary road closure timeframe with an extension until April 9, 2021.

DISCUSSION

Highland Fairview is requesting an amendment (Attachment 1) to the approved Road Closure Agreement of Eucalyptus Avenue at Redlands Boulevard (Attachment 2). As authorized by Council previously, the temporary road closure was approved through the end of January 2021 with the City Engineer having authority to extend the road closure an additional 30 days. The City Engineer authorized the 30 day extension until February 28, 2021. The contractor, however, has experienced delays due to utility relocations of existing SCE facilities as well as water, sewer, and storm drain lines. Furthermore, weather delays have hampered progress of the street improvements. Highland Fairview, therefore, has requested that the temporary road closure of Eucalyptus Avenue at Redlands Boulevard be extended until April 9, 2021 in order to complete the construction of the street improvements and the removal and relocation of various utilities. The requested road closure extension will continue to be conducted in such a manner that local and emergency vehicle access is maintained.

In case the developer encounters any further unforeseen issues during the construction of the improvements, staff is requesting the City Council authorize the Public Works Director/City Engineer approval authority for extending the temporary road closure an additional 30 calendar days. Furthermore, per the Amendment to the Road Closure Agreement, the City Engineer has the authority to require the reopening of the roadway prior to April 9, 2021 with appropriate traffic control measures in place.

ALTERNATIVES

1. Approve and authorize the recommended actions as presented in this staff report. *Staff recommends this alternative as this alternative will allow the completion of the Redlands Boulevard/Eucalyptus Avenue roundabout and expedite the re-opening of Eucalyptus Avenue for full public use.*
2. Do not approve and do not authorize the recommended actions as presented in this staff report. *Staff does not recommend this alternative as this alternative would result in no road closure, would prolong the construction schedule, and result in a less safe work environment.*

FISCAL IMPACT

The contractor will be responsible for all costs associated with this proposal.

NOTIFICATION

The contractor has given notification to the Post Office, Police, Fire Department, Ambulance Services, Riverside Transit Agency, Waste Management, and affected businesses and residents of the temporary road closure.

Approval of the recommended actions will support Objective 4.2 of the Momentum MoVal Strategic Plan, "Develop and maintain a comprehensive Infrastructure Plan to invest in and deliver City infrastructure."

PREPARATION OF STAFF REPORT

Prepared By:
Michael D. Lloyd, P.E.
Engineering Division Manager

Department Head Approval:
Michael L. Wolfe, P.E.
Public Works Director/City Engineer

CITY COUNCIL GOALS

Public Facilities and Capital Projects. Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

CITY COUNCIL STRATEGIC PRIORITIES

- 1. Economic Development
- 2. Public Safety
- 3. Library
- 4. Infrastructure
- 5. Beautification, Community Engagement, and Quality of Life
- 6. Youth Programs

Objective 4.2: Develop and maintain a comprehensive Infrastructure Plan to invest in and deliver City infrastructure.

ATTACHMENTS

- 1. Executed Road Closure Agreement - HF Logistics SKX-T2
- 2. Amendment to Road Closure Agreement

APPROVALS

Budget Officer Approval	<u>✓ Approved</u>	2/04/21 11:18 AM
City Attorney Approval	<u>✓ Approved</u>	
City Manager Approval	<u>✓ Approved</u>	2/04/21 11:39 AM

**ROAD CLOSURE AGREEMENT
BY AND BETWEEN
CITY OF MORENO VALLEY
AND
HF LOGISTICS SKX-T2, LLC**

This Road Closure Agreement (“**Agreement**”) is made and entered into this 1st day of October 2020 by and between HF Logistics SKX-T2, LLC (“**Developer**”) for the temporary road closure of Eucalyptus Avenue from Aldi Place to Redlands Boulevard and Eucalyptus Avenue from approximately 2,700 feet to 3,900 feet west of World Logistics Center Parkway from October 7, 2020 to January 29, 2021 (“**Road Closure**”) and more fully described in **Exhibit “A”**, and the CITY OF MORENO VALLEY (the “**City**”). Each of Developer and the City are sometimes hereinafter referred to as a “**Party**” and collectively as the “**Parties**”.

PREAMBLE

A. The Developer has an approved Public Improvement Agreement with the City and Developer’s Contractor has an Encroachment Permit to construct certain public improvements.

B. The Developer has requested that the City approve a temporary road closure to construct those public improvements. City Council has approved the requested Road Closure.

NOW THEREFORE, in consideration of the promises contained herein, the City and Developer agree as set forth below:

1. **Term.** City Council has approved the effective dates of the Road Closure. Except as resulting from a Force Majeure Event, as set forth in **Section 11** below, only the City Council may extend the amount of time for the Road Closure. Any extensions granted by City Council or due to a Force Majeure Event shall amend the term of this Agreement. Upon reopening of the street for use by the public after City inspection and approval of reopening the subject street, this Agreement terminates.

2. The Developer’s Contractor shall notify the Police, Fire, and Public Works Departments of, or serving, the City of Moreno Valley at least 48 hours in advance of closing, or partially closing, or of reopening, any street, alley, or other public thoroughfare, and shall comply with the requirements of said departments in respect thereto. The street of the subject Road Closure shall not be closed until all City approved traffic control measures have been implemented to the satisfaction of the City Engineer. The subject street may be reopened for public use upon review and approval by the City to the satisfaction of the City Engineer.

3. The City anticipates awarding a Contract for the construction of City Project 801-0021, the SR-60/Moreno Beach Drive Interchange – Phase 2 (“**City Project**”) project in or around December 2020. This City Project will, at some later time, detour Moreno Beach Drive (“**City Project Detour**”) traffic through the intersection of Redlands Boulevard and Eucalyptus Avenue. Therefore, the intersection of Redlands Boulevard and Eucalyptus Avenue will need to be open for use by the public once the City Project Detour is required during the construction of the City Project. In the event that the Developer fails to reopen the street for unrestricted public use once the City Project Detour is required, which shall be no earlier than January 27, 2021, Developer agrees to pay the City nineteen thousand, six hundred dollars (\$19,600) per day (liquidated damages) until such time that the subject street is reopened for unrestricted public use. The City Engineer shall have final determination as to whether any liquidated damages apply.

4. The Parties acknowledge and agree that the foregoing liquidated damages will be assessed based upon damages that the City will incur in the event of the street not reopening for unrestricted public use after the City Project Detour is required. The Parties 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 Developer 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.

5. The terms of this Agreement may be enforced by the City, its successors or assigns, and by Developer, its successors and assigns.

6. Developer agrees Developer and its members shall not amend or repeal, directly or indirectly, the Declaration, or the restrictions described therein, and no rules or regulations of the Developer shall be adopted, amended, or repealed, in each case which in any manner increases or may increase the obligations of the City, or decreases or may decrease the obligations of Developer, under this Agreement, without the prior written consent of the City, which consent the City may grant or withhold in its sole and absolute discretion.

7. **Notices.** All notices, statements, or other documents which any party shall be required or desire to give to any other party hereunder must be in writing and shall be given by the party only in one of the following ways: (i) by personal delivery, or (ii) by addressing it as indicated below, and by depositing it, registered or certified mail, postage prepaid, in the United States mail. If so delivered or mailed, each such notice, statement, or other document shall be conclusively deemed to have been given when personally delivered, or forty-eight (48) hours after the date of mailing (excluding Saturdays, Sundays, and federal holidays), as the case may be. The addresses for notices and other communications, until further notice, are:

THE CITY: City of Moreno Valley
14177 Frederick Street
Moreno Valley, California 92553
Attn: City Engineer

DEVELOPER: HF Logistics SKX-T2, LLC
14552 Corporate Way,
Moreno Valley, California 92553
Attn: Jett McCormick

8. **Resolution of Certain Disputes.** Any dispute between the City and Developer, which relates to this Agreement, shall be settled between them by Judicial Reference as provided by California Law. Accordingly, any such dispute shall be heard by a referee pursuant to the provisions of the California Code of Civil Procedure, §§638 - 645.1, inclusive, and in connection therewith:

a. The Parties to such dispute shall promptly and diligently cooperate with one another and the referee, and shall perform such acts as may be necessary to obtain a prompt and expeditious resolution of the dispute or controversy in accordance with the terms of this Agreement;

b. The Parties to such dispute shall agree upon a single referee who shall then try all issues, whether of fact or law, and report a finding and judgment thereon. If the Parties are unable to agree upon a referee within ten (10) days of a written request to do so by any party, then any party may seek to have a referee appointed pursuant to the California Code of Civil Procedure §§638 and 640;

c. Subject to the limitations of this Section, the referee shall have the right to award all legal or equitable relief appropriate under the circumstances of the controversy before him or her;

d. The cost of such proceeding shall be apportioned among the Parties to the dispute in accordance with California Code of Civil Procedure §645.1. In no event shall any such reference proceeding or any appeal therefrom result in an award of punitive damages, and all such damages are hereby waived.

9. Indemnity.

Developer agrees to indemnify, save, defend, and hold harmless the Community Services District of the City of Moreno Valley, the City, the Moreno Valley Housing Authority, and their respective officers, agents and employees (all of the foregoing persons, other than Developer, are collectively referred to as the "City Indemnitees") from and against any claim, action, damages, costs (including, without limitation, all attorney's fees and litigation costs), injuries, or liability (collectively referred to as "Claims") arising out of the performance of any action contemplated by this Agreement by Developer. Should any of the City Indemnitees be named in any suit, or should any claim be brought against any of the City Indemnitees by suit or otherwise, arising out of performance by Developer of services rendered pursuant to this Agreement, Developer will defend each such City Indemnitee (at each such City Indemnitee's request and with counsel satisfactory to each such City Indemnitee) and will indemnify each such City Indemnitee for any judgment rendered against it or any sums paid out in settlement or costs incurred in defense otherwise; provided, however, that this indemnification and hold harmless shall not include any Claims arising from the gross negligence or willful misconduct of such City Indemnitee.

10. Insurance.

a. Before commencing performance under this Agreement, and at all other times this Agreement is effective, Developer will procure and maintain the following types of insurance with coverage limits complying, at a minimum, with the limits set forth below:

Type of Insurance	Limits (combined single)
Commercial general liability:	\$1,000,000 per occurrence \$ 500,000 Property Damage \$2,000,000 aggregate
Workers' compensation	Statutory requirement.

b. Commercial general liability insurance will meet or exceed the requirements of ISO-CGL Form No. CG 00 01 11 85 or 88. The amount of insurance set forth above will be a combined single limit per occurrence for bodily injury, personal injury, and property damage for the policy coverage. Liability policies will be endorsed (i) to name the City, Moreno Valley Community Services District, Housing Authority of the City of Moreno Valley, and their respective officials and employees as "additional insured" under said insurance coverage, and (ii) to state that such insurance will be deemed "primary" such that any other insurance that may be carried by any of the City Indemnitees will be excess thereto. Such insurance will be on an "occurrence," not a "claims made," basis and will not be cancellable or subject to reduction except upon thirty (30) days prior written notice to the City Indemnitees.

c. [Intentionally Omitted]

d. [Intentionally Omitted]

e. Each of the City Indemnitees shall be named as additional insured on all policies of insurance except errors and omissions and workers' compensation.

f. Developer will furnish to the City duly authenticated Certificates of Insurance evidencing maintenance of the insurance required under this Agreement, endorsements as required herein, and such other evidence of insurance or copies of policies as may be reasonably required by the City from time to time. Insurance must be placed with insurers with a current A.M. Best Company Rating equivalent to at least a Rating of "A-VII." Certificate(s) must reflect that the insurer will provide thirty (30) day notice of any cancellation of coverage.

g. Should Developer, for any reason, fail to obtain and maintain the insurance required by this Agreement, the City may obtain such coverage at Developer's expense and deduct the cost of such insurance from payments due to Developer under this Agreement or terminate.

h. If the definitive insurance policy meeting the terms of **Section 10** and corresponding to the pro forma policy is not issued within ninety (90) days from the Effective Date of this Agreement, then Developer covenants and hereby agrees without defense or future objection that until such time as the insurance policy meeting the requirements of **Section 10** is obtained, the City may do the following without any liability whatsoever:

i. Cease issuing or otherwise approving certificates of occupancy for any aspect of the Project regardless of the date the building permit was issued.

j. Developer further acknowledges all of its obligations under this Agreement will become effective and remain in full force and effect upon the execution and delivery of this Agreement and the delivery and acceptance by the City of the documents and material described in **Subsection 10(f)** above and/or the insurance policy.

The requirements for the insurance shall only terminate upon termination of this Agreement as specified in **Section 1** hereof.

11. Force Majeure. The Developer shall not be deemed to be in default where failure or delay in performance of any of its obligations under this Agreement or the Public Improvement Agreement is caused by natural disasters (including, but not limited to, earthquakes, flood, fires and severe weather events), acts of God, epidemics and pandemics (including, but not limited to, COVID-19), wars, riots or similar hostilities, strikes and other labor difficulties beyond the Developer's control (including the Developer's employment force), economic or environmental/physical conditions (such as lack of utilities) beyond the Developer's control which make timely completion of the public improvements referred to in the Public Improvement Agreement uneconomic or infeasible, other causes beyond the Developer's reasonable control or court actions (such as restraining orders or injunctions) ("**Force Majeure Event**"). If any such events shall occur, the Term of this Agreement and the Public Improvement Agreement and the time for performance shall be extended for the duration of each such event, provided that the Term shall not be extended under any circumstances for more than three (3) years regardless of the number or length of individual extensions and further, in no instance, shall be for a duration longer than the circumstance serving to cause the delay.

12. Default and Remedies. In the event Developer fails to make the payments required under **Section 3** and **Section 4** hereof, fails to obtain the insurance required under **Section 10** hereof, or fails to take any other required action under this Agreement, the City may take whatever action at law or in equity or under this Agreement to which it is entitled, including but not limited to an action for damages or for specific performance or otherwise to enforce performance and observance of any obligation, condition or

covenant of Developer under this Agreement. Notwithstanding anything else in this Agreement, if Developer fails to obtain the insurance required under Section 10 hereof, the City may obtain such insurance insuring the City, and if available, Developer, and charge Developer for same. In addition, the City shall be entitled to all of its costs associated with enforcing the terms of this Agreement, including, without limitation, attorneys' fees and costs, emergency maintenance and court costs.

13. **Miscellaneous.** As used in this Agreement, all words in the masculine, feminine, or neuter gender, and the plural or singular number, shall each be construed to include the others whenever the context so requires. This Agreement shall be binding upon and inure to the benefit of the respective successors and assigns of the Parties hereto. This Agreement shall be governed by and construed in accordance with the laws of the State of California. Time is of the essence of this Agreement. No change in or addition to, or waiver or termination of this Agreement or any part thereof, shall be valid unless in writing and signed on behalf of each of the Parties hereto. Every provision of this Agreement is intended to be severable. If any term or provision hereof is illegal or invalid for any reason whatsoever, such illegality or unenforceability shall not affect the validity of the remainder of this Agreement. This Agreement may be simultaneously executed in several counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument.

Developer:

City:

HF LOGISTICS SKX-T2, LLC

CITY OF MORENO VALLEY

By: 

By: 

Name: Iddo Benzeevi

Name: Michael L. Wolfe, P.E.

Title: President and CEO

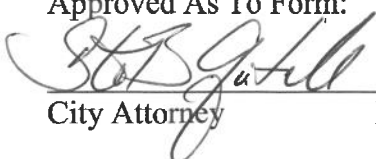
Title: City Engineer

Effective Date: 10/1/2020

Attest:

 10/01/20
City Clerk Date

Approved As To Form:

 09/30/2020
City Attorney Date

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
County of Riverside)

On September 23, 2020, before me, Mitzi Turner, a Notary Public, personally appeared Ido Benzevi, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

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

WITNESS my hand and official seal.

Signature Mitzi Turner



State of California)
County of _____)

On _____, before me, _____, a Notary Public, 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 acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

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

WITNESS my hand and official seal.

Signature _____

Attachment: Executed Road Closure Agreement - HF Logistics SKX-T2 (4312 : PEN18-0254 HIGHLAND FAIRVIEW CORPORATE PARK, PHASE

EXHIBIT "A"
Road Closure

Attachment: Executed Road Closure Agreement - HF Logistics SKX-T2 (4312 : PEN18-0254 HIGHLAND FAIRVIEW CORPORATE PARK, PHASE

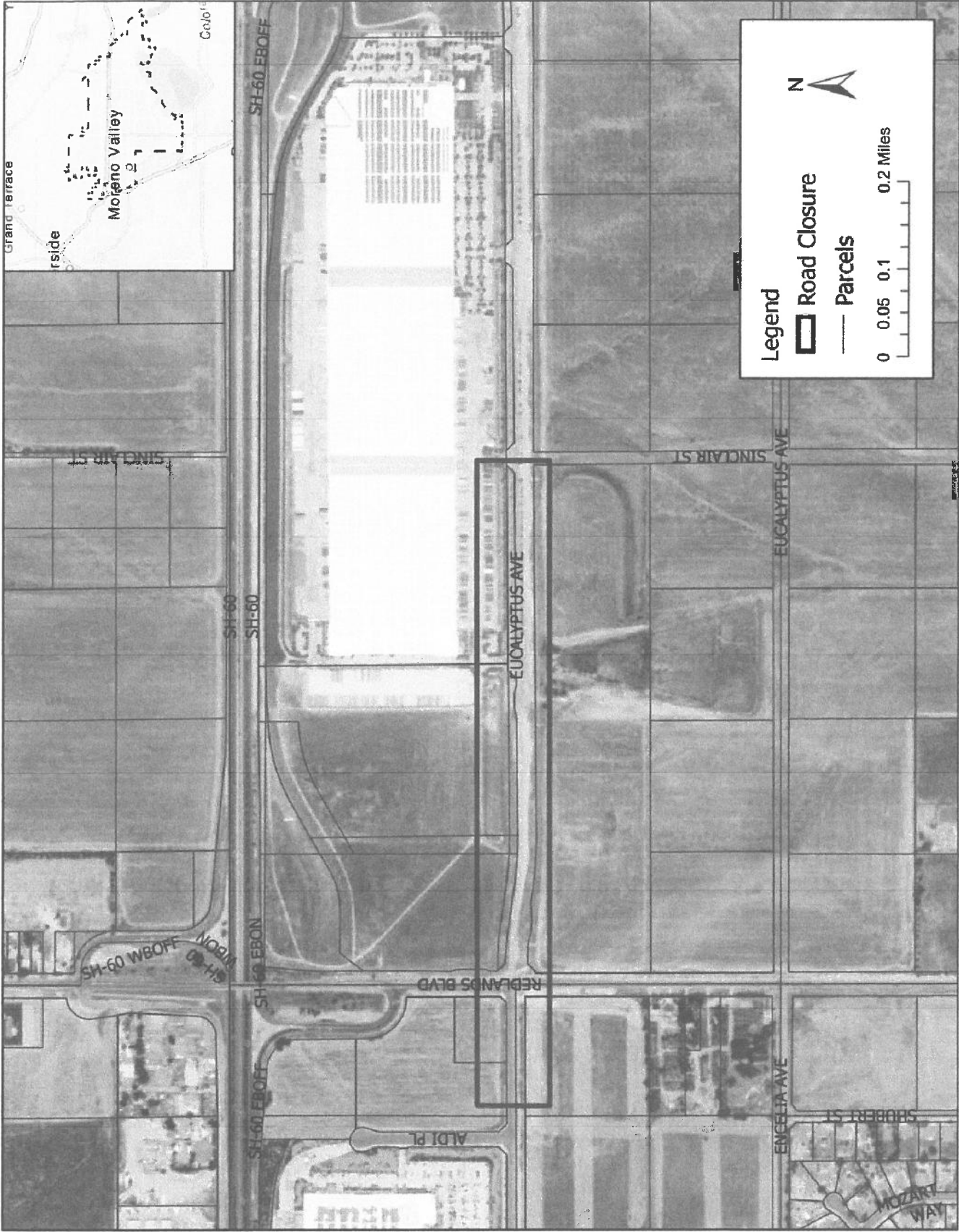


EXHIBIT "A" - GIS MAP
 SKETCHERS EXPANSION PROJECT
 Date: 08/19/2020



Traffic Engineering and Transportation Planning Consultants

www.tjwengineering.com

P: 949.878.3509

Attachment: Executed Road Closure Agreement - HF Logistics SKX-T2 (4312 : PEN18-0254 HIGHLAND FAIRVIEW CORPORATE PARK, PHASE

**AMENDMENT TO THE ROAD CLOSURE AGREEMENT
BY AND BETWEEN
CITY OF MORENO VALLEY
AND
HF LOGISTICS SKX-T2, LLC**

This Amendment to the Road Closure Agreement (“**Amendment**”) is by and between HF Logistics SKX-T2, LLC (“**Developer**”) for the temporary road closure of Eucalyptus Avenue from Aldi Place to Redlands Boulevard (“**Road Closure**”) and the CITY OF MORENO VALLEY (the “**City**”). Each of Developer and the City are sometimes hereinafter referred to as a “**Party**” and collectively as the “**Parties**”. This Amendment is made and entered into effective on the date the City signs the Amendment.

RECITALS

Whereas, the City and Developer entered into an Agreement entitled “ROAD CLOSURE AGREEMENT BY AND BETWEEN CITY OF MORENO VALLEY AND HF LOGISTICS SKX-T2, LLC,” hereinafter referred to as “**Agreement**,” dated October 1, 2020.

Whereas, the Developer has requested an extension of the Agreement due to weather related and private utility (electrical, water, sewer, storm drain lines, etc.) related construction schedule delays.

SECTION 1 AMENDMENT TO ORIGINAL AGREEMENT

1.1 The Agreement termination date is extended from January 29, 2021 to April 9, 2021, unless termination date is further extended by an Amendment to the Agreement.

1.2 The Public Works Director/City Engineer is authorized to approve a road closure extension of 30 calendar days, if the required public improvements are not complete within said timeframe.

1.3 The Public Works Director/City Engineer is authorized to execute any future amendments to the Road Closure Agreement for time extensions, subject to City Attorney approval, if the required public improvements are not complete within said timeframe.

1.4 The Public Works Director/City Engineer is authorized to direct the Developer to reopen the roadway prior to April 9, 2021 with the Developer to provide the appropriate traffic control measures.

SECTION 2

2.1 Except as otherwise specifically provided in this Amendment, all other terms and conditions of the Agreement shall remain in full force and effect.

SIGNATURE PAGE TO FOLLOW

Attachment: Amendment to Road Closure Agreement (4312 : PEN18-0254 HIGHLAND FAIRVIEW CORPORATE PARK, PHASE II - REQUEST TO

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
County of Riverside)

On February 3, 2021, before me, Mitzi Turner, a Notary Public, personally appeared Iddo Benzevi, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) ~~is~~ are subscribed to the within instrument and acknowledged to me that ~~he~~ she ~~they~~ executed the same in ~~his~~ her ~~their~~ authorized capacity(ies), and that by ~~his~~ her ~~their~~ signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

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

WITNESS my hand and official seal.

Signature Mitzi Turner



State of California)
County of _____)

On _____, before me, _____, a Notary Public, 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 acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

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

WITNESS my hand and official seal.

Signature _____

Attachment: Amendment to Road Closure Agreement (4312 : PEN18-0254 HIGHLAND FAIRVIEW CORPORATE PARK, PHASE II - REQUEST TO



Report to City Council

TO: Mayor and City Council

FROM: Michael L. Wolfe P.E., Assistant City Manager

AGENDA DATE: February 16, 2021

TITLE: APPROVE PROFESSIONAL SERVICES AGREEMENT WITH ICE BEAR SPV#1 LLC, DBA THULE ENERGY STORAGE

RECOMMENDED ACTION

1. Approve the five-year Professional Services Agreement with Ice Bear SPV#1, LLC, dba Thule Energy Storage (TES) for the installation of one Ice Bear 20 and the maintenance for all City-owned Ice Bear units in an amount not-to-exceed \$64,568 over the contract period, using Moreno Valley Utility Public Purpose Program funds; and
2. Authorize the City Manager to execute the Agreement with TES and authorize the Director of Public Works/City Engineer to execute any subsequent related amendments to the agreement with TES not to exceed the authorized total contract amount, subject to the approval by the City Attorney.

SUMMARY

This report recommends approval of an agreement with Thule Energy Storage (TES) for the installation of an Ice Bear 20 residential unit and maintenance of all Ice Bear units deployed throughout the City for a period of five years. These 15 Ice Bear commercial units were under a 5-year maintenance agreement with Ice Energy. Ice Energy recently sold its assets and intellectual property to TES and TES is now the only source to build, sell, and maintain Ice Bear units for new and existing customers.

DISCUSSION

Ice Bear units are codified by the California Energy Commission as a building energy efficiency measure, and a LEED building enabling technology. Moreno Valley Electric Utility (MVU) utilizes this energy storage application by deploying Ice Bear units at locations where it benefits not only the customer, but also the utility by improving the

efficiency of the electric distribution system through shifting peak load. The research and analysis conducted over the years about this particular energy storage application has shown that there are no alternative technologies that deliver peak load shifting within a packaged solution that is energy efficient, has zero water usage, has dispatch and control capabilities, and provides customers with little or no inconvenience when installed. MVU entered into an agreement with Southern California Public Power Authority in 2012 to deploy 15 Ice Bear thermal energy storage units designed for commercial applications. When combined with standard small commercial air conditioning units, these package units shift load to make ice at night thereby saving peak energy during the day.

MVU proposes to continue the use of Ice Bear thermal energy storage technology by installing an Ice Bear 20 at the Utility Field Operations (UFO) center as a pilot project to test this new product designed for residential use. If the pilot project performs as expected (shifting energy consumption to off-peak hours with little or no inconvenience), the Ice Bear program will be integrated into MVU's portfolio of energy efficiency and demand response programs for residential customers.

TES is proposing to install the unit at a premium discount. This new unit, along with the other previously installed 15 Ice Bears will be placed on an annual maintenance plan through this 5-year Professional Services Agreement.

ALTERNATIVES

1. Recommend approval of the Professional Services Agreement with TES to provide the installation of the Ice Bear 20 and the maintenance of all Ice Bears in the city. *Staff recommends the approval of this agreement as it will allow the utility to conduct the pilot project designed for residential customers and maintain existing Ice Bear units currently deployed throughout the City.*
2. Do not recommend approval of the Professional Services Agreement with TES to provide the installation of the Ice Bear 20 and the maintenance of all Ice Bears in the City. *Staff does not recommend this alternative, as it would restrict the City's utility in its ability to maintain existing Ice Bear units deployed throughout the City.*

FISCAL IMPACT

The program is funded through the collection of state mandated Public Purpose Program funds, which the City Council formally adopted on January 13, 2004. Public Purpose Program funds can only be utilized under a strict umbrella of programs, determined at the State level of government.

The total contract amount, for the installation of a new unit and the maintenance of 16 units over the five-year period, is for a not-to-exceed value of \$64,568. Funding is available in the approved Operating Budget for FY 2020/2021 from the Demand Response Program and is in account number 6012-70-80-45511-710142.

NOTIFICATION

Publication of the Agenda.

PREPARATION OF STAFF REPORT

Prepared By:
Michael McLellan
Electric Utility Program Coordinator

Department Head Approval:
Michael Wolfe
Assistant City Manager/Public Works Director

Concurred By:
Jeannette Olko
Electric Utility Division Manager

CITY COUNCIL GOALS

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

CITY COUNCIL STRATEGIC PRIORITIES

- 1. Economic Development
- 2. Public Safety
- 3. Library
- 4. Infrastructure
- 5. Beautification, Community Engagement, and Quality of Life
- 6. Youth Programs

Objective 4.1: Develop a Moreno Valley Utility Strategic Plan to prepare for the 2022 expiration of the ENCO Utility Systems agreement.

ATTACHMENTS

- 1. TES-Moreno Valley Energy Agreement 01082021, signed w appendices

APPROVALS

Budget Officer Approval	<u>✓ Approved</u>	2/03/21 2:29 PM
City Attorney Approval	<u>✓ Approved</u>	
City Manager Approval	<u>✓ Approved</u>	2/04/21 1:00 PM

City of Moreno Valley

AGREEMENT FOR ON-SITE AND/OR PROFESSIONAL SERVICES

This Agreement is made by and between the City of Moreno Valley, California, a municipal corporation, with its principal place of business at 14177 Frederick Street, Moreno Valley, CA 92553, hereinafter referred to as the “City”, and **Ice Bear SPV#1 doing business as (dba) Thule Energy Storage, a Limited Liability Corporation**, with its principal place of business at **650 Fifth Avenue, 17th Floor, New York, NY 10019**, hereinafter referred to as the “Contractor,” based upon City policies and the following legal citations:

RECITALS

- A. Government Code Section 53060 authorizes the engagement of persons to perform special services as independent contractors;
- B. Contractor desires to perform and assume responsibility for the provision of professional **installation and maintenance** contracting services required by the City on the terms and conditions set forth in this Agreement. Contractor represents that it is experienced in providing professional **installation and maintenance** contracting services, is licensed in the State of California, if applicable;
- C. City desires to engage Contractor to render such services for the **installation and maintenance** as set forth in this Agreement;
- D. The public interest, convenience, necessity and general welfare will be served by this Agreement; and
- E. This Agreement is made and entered into effective the date the City signs this Agreement.

TERMS**1. CONTRACTOR INFORMATION:**

Contractor’s Name: **Ice Bear SPV#1, LLC dba Thule Energy Storage**
 Address: 650 Fifth Avenue, 17th Floor
 City: New York State: NY Zip: 10019
 Business Phone: 917.838.2075
 Other Contact Number:
 Business License Number: 38150
 Federal Tax I.D. Number:

2. CONTRACTOR SERVICES, FEES, AND RELEVANT DATES:

- A. The Contractor’s scope of service is described in Exhibit “A” attached hereto and incorporated herein by this reference.
- B. The City’s responsibilities, other than payment, are described in Exhibit “B” attached hereto and incorporated herein by this reference.

- C. Payment terms are provided in Exhibit “C” attached hereto and incorporated herein by this reference.
- D. The term of this Agreement shall be from **February 16, 2021** to **February 16, 2026** unless terminated earlier as provided herein. The City acknowledges that it will not unreasonably withhold approval of the Contractor’s requests for extensions of time in which to complete the work required. The Contractor shall not be responsible for performance delays caused by others or delays beyond the Contractor’s reasonable control (excluding delays caused by non-performance or unjustified delay by Contractor, his/her/its employees, or subcontractors), and such delays shall extend the time for performance of the work by the Contractor.

3. **STANDARD TERMS AND CONDITIONS:**

- A. Control of Work. Contractor is solely responsible for the content and sequence of the work, and will not be subject to control and direction as to the details and means for accomplishing the anticipated results of services. The City will not provide any training to Contractor or his/her/its employees.
- B. Intent of Parties. Contractor is, and at all times shall be, an independent contractor and nothing contained herein shall be construed as making the Contractor or any individual whose compensation for services is paid by the Contractor, an agent or employee of the City, or authorizing the Contractor to create or assume any obligation or liability for or on behalf of the City, or entitling the Contractor to any right, benefit, or privilege applicable to any officer or employee of the City.
- C. Subcontracting. Contractor may retain or subcontract for the services of other necessary contractors with the prior written approval of the City. Payment for such services shall be the responsibility of the Contractor. Any and all subcontractors shall be subject to the terms and conditions of this Agreement, with the exception that the City shall have no obligation to pay for any subcontractor services rendered. Contractor shall be responsible for paying prevailing wages where required by law [See California Labor Code Sections 1770 through 1777.7].
- D. Conformance to Applicable Requirements. All work prepared by Contractor shall be subject to the approval of City.
- E. Substitution of Key Personnel. Contractor has represented to City that certain key personnel will perform and coordinate the services under this Agreement. Should one or more of such personnel become unavailable, Contractor may substitute other personnel of at least equal competence upon written approval of City. In the event that City and Contractor cannot agree as to the substitution of key personnel, City shall be entitled to terminate this Agreement for cause. As discussed below, any personnel who fail or refuse to perform the services in a manner acceptable to the City, or who are determined by the City to be uncooperative, incompetent, a threat to the adequate or timely completion of the project or a threat to the safety of persons or property, shall be promptly removed from the project by the

Contractor at the request of the City. The key personnel for performance of this Agreement are as follows: **Evan Berger, Chief Operating Officer; Joe Raasch, Senior Project Manager; and Manuel Paz, Project Manager.**

- F. City's Representative. The City hereby designates the City Manager, or his or her designee, to act as its representative for the performance of this Agreement ("City's Representative"). Contractor shall not accept direction or orders from any person other than the City's Representative or his or her designee.
- G. Contractor's Representative. Contractor hereby designates **Chief Operating Officer**, or his or her designee, to act as its representative for the performance of this Agreement ("Contractor's Representative"). Contractor's Representative shall have full authority to represent and act on behalf of the Contractor for all purposes under this Agreement. The Contractor's Representative shall supervise and direct the services, using his or her best skill and attention, and shall be responsible for all means, methods, techniques, sequences and procedures and for the satisfactory coordination of all portions of the services under this Agreement.
- H. Legal Considerations. The Contractor shall comply with applicable federal, state, and local laws in the performance of this Agreement. Contractor shall be liable for all violations of such laws and regulations in connection with services. If the Contractor performs any work knowing it to be contrary to such laws, rules and regulations and without giving written notice to the City, Contractor shall be solely responsible for all costs arising therefrom. Contractor shall defend, indemnify and hold City, its officials, directors, officers, employees and agents free and harmless, pursuant to the indemnification provisions of this Agreement, from any claim or liability arising out of any failure or alleged failure to comply with such laws, rules or regulations.
- I. Standard of Care; Performance of Employees. Contractor shall perform all services under this Agreement in a skillful and competent manner, consistent with the standards generally recognized as being employed by professionals in the same discipline in the State of California. Contractor represents and maintains that it is skilled in the profession necessary to perform the services. Contractor warrants that all employees and subcontractor shall have sufficient skill and experience to perform the services assigned to them. Finally, Contractor represents that it, its employees and subcontractors have all licenses, permits, qualifications and approvals of whatever nature that are legally required to perform the services and that such licenses and approvals shall be maintained throughout the term of this Agreement. Any employee of the Contractor or its subcontractors who is determined by the City to be uncooperative, incompetent, a threat to the adequate or timely completion of the project, a threat to the safety of persons or property, or any employee who fails or refuses to perform the services in a manner acceptable to the City, shall be promptly removed from the project by the Contractor and shall not be re-employed to perform any of the services or to work on the project.

- J. Contractor Indemnification. Contractor shall indemnify, defend and hold the City, the Moreno Valley Housing Authority, and the Moreno Valley Community Services District (CSD), their officers, agents and employees harmless from any and all claims, damages, losses, causes of action and demands, including, without limitation, the payment of all consequential damages, expert witness fees, reasonable attorney's fees and other related costs and expenses, incurred in connection with or in any manner arising out of Contractor's performance of the work contemplated by this Agreement and this Agreement. Acceptance of this Agreement signifies that the Contractor is not covered under the City's general liability insurance, employee benefits, or worker's compensation. It further establishes that the Contractor shall be fully responsible for such coverage. Contractor's obligation to indemnify shall survive expiration or termination of this Agreement, and shall not be restricted to insurance proceeds, if any, received by the City, the Moreno Valley Housing Authority, and the CSD, and their officers, agents and employees.
- K. Additional Indemnity Obligations. Contractor shall defend, with counsel of City's choosing and at Contractor's own cost, expense and risk, any and all claims, suits, actions or other proceedings of every kind covered by Section "J" that may be brought or instituted against City, the Moreno Valley Housing Authority, and the CSD, and their officers, agents and employees. Contractor shall pay and satisfy any judgment, award or decree that may be rendered against City, the Moreno Valley Housing Authority, and the CSD, and their officers, agents and employees as part of any such claim, suit, action or other proceeding. Contractor shall also reimburse City for the cost of any settlement paid by City, the Moreno Valley Housing Authority, and the CSD, and their officers, agents and employees as part of any such claim, suit, action or other proceeding. Such reimbursement shall include payment for City's attorney's fees and costs, including expert witness fees. Contractor shall reimburse City, the Moreno Valley Housing Authority, and the CSD, and their officers, agents and employees for any and all legal expenses and costs incurred by each of them in connection therewith or in enforcing the indemnity herein provided.
- L. Insurance Requirements. The Contractor will comply with the following insurance requirements at its sole expense. Insurance companies shall be rated (A Minus: VII—Admitted) or better in Best's Insurance Rating Guide and shall be legally licensed and qualified to conduct business in the State of California:

The Contractor shall procure and maintain, at its sole expense, Workers' Compensation Insurance in such amounts as will fully comply with the laws of the State of California and which shall indemnify, insure and provide legal defense for the Contractor and the City, the Housing Authority and CSD against any loss, claim, or damage arising from any injuries or occupational diseases happening to any worker employed by the Contractor in the course of carrying out the Agreement. This coverage may be waived if the Contractor is determined to be functioning as a sole proprietor and the city provided form

“Exception to Worker’s Compensation Coverage” is signed, notarized and attached to this Agreement

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

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

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

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

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

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

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

Attachment: TES-Moreno Valley Energy Agreement 01082021, signed w appendices (4235 : APPROVE AGREEMENT WITH THULE ENERGY

cancellation date, submit new evidence of insurance in the amounts established.

- M. Intellectual Property. Any documents developed, produced or provided under this Agreement shall become the sole property of the City unless explicitly stated otherwise in this Agreement. The Contractor may retain copies of any and all material, including drawings, documents, and specifications, produced by the Contractor in performance of this Agreement. The City and the Contractor agree that to the extent permitted by law, until final approval by the City, all data shall be treated as confidential and will not be released to third parties without the prior written consent of both parties.
- N. Entire Agreement. This Agreement constitutes the entire agreement between the parties. There are no understandings, agreements, or representations of warranties, expressed or implied, not specified in this Agreement. This Agreement applies only to the current proposal as attached. This Agreement may be modified or amended only by a subsequent written Agreement signed by both parties. Assignment of this Agreement is prohibited without prior written consent.
- O. (a) The City will honor this contract for 24 months from time of execution and may terminate the whole or any part of this Agreement after said time without cause by giving at least ten (10) days written notice to the Contractor. The written notice shall specify the date of termination. Upon receipt of such notice, the Contractor may continue work through the date of termination, provided that no work or service(s) shall be commenced or continued after receipt of the notice which is not intended to protect the interest of the City. The City shall pay the Contractor within thirty (30) days after receiving any invoice after the date of termination for all non-objected to services performed by the Contractor in accordance herewith through the date of termination.
- (b) Either party may terminate this Agreement for cause. In the event the City terminates this Agreement for cause, the Contractor shall perform no further work or service(s) under the Agreement unless the notice of termination authorizes such further work.
- (c) If this Agreement is terminated as provided herein, City may require Contractor to provide all finished or unfinished documents and data and other information of any kind prepared by Contractor in connection with the performance of services under this Agreement. Contractor shall be required to provide such documents and other information within fifteen (15) days of the request.
- (d) In the event this Agreement is terminated in whole or in part as provided herein, City may procure, upon such terms and in such manner as it may determine appropriate, similar to those terminated.
- P. Payment. Payments to the Contractor pursuant to this Agreement will be reported to Federal and State taxing authorities as required. The City will not withhold any sums from compensation payable to Contractor. Contractor is independently responsible for the payment of all applicable taxes. Where the payment terms provide for compensation on a time and materials basis, the Contractor shall maintain adequate records to permit inspection and audit of

the Contractor’s time and materials charges under the Agreement. Such records shall be retained by the Contractor for three (3) years following completion of the services under the Agreement.

- Q. Restrictions on City Employees. The Contractor shall not employ any City employee or official in the work performed pursuant to this Agreement. No officer or employee of the City shall have any financial interest in this Agreement in violation of federal, state, or local law.
- R. Choice of Law and Venue. The laws of the State of California shall govern the rights, obligations, duties, and liabilities of the parties to this Agreement, and shall govern the interpretation of this Agreement. Any legal proceeding arising from this Agreement shall be brought in the appropriate court located in Riverside County, State of California.
- S. Delivery of Notices. All notices permitted or required under this Agreement shall be given to the respective parties at the following address, or at such other address as the respective parties may provide in writing for this purpose:

Contractor: Ice Bear SPV#1, LLC dba Thule Energy Storage
 650 Fifth Avenue, 17th Floor
 New York, NY 10019
 Attn: Evan Berger

City: City of Moreno Valley
 14177 Frederick Street
 P.O. Box 88005
 Moreno Valley, CA 92552
 Attn: Electric Utility Division

Such notice shall be deemed made when personally delivered or when mailed, forty-eight (48) hours after deposit in the U.S. Mail, first class postage prepaid and addressed to the party at its applicable address. Actual notice shall be deemed adequate notice on the date actual notice occurred, regardless of the method of service.

- T. Time of Essence. Time is of the essence for each and every provision of this Agreement.
- U. City’s Right to Employ Other Contractors. City reserves right to employ other contractors in connection with this project.
- V. Amendment; Modification. No supplement, modification, or amendment of this Agreement shall be binding unless executed in writing and signed by both parties.
- W. 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 rights by custom, estoppel, or otherwise.

- X. No Third Party Beneficiaries. There are no intended third party beneficiaries of any right or obligation assumed by the parties.
- Y. Counterparts. This Agreement may be signed in counterparts, each of which shall constitute an original.
- Z. 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.
- AA. Assignment or Transfer. Contractor shall not assign, hypothecate, or transfer, either directly or by operation of law, this Agreement or any interest herein without the prior written consent of the City. Any attempt to do so shall be null and void, and any assignees, hypothecates or transferees shall acquire no right or interest by reason of such attempted assignment, hypothecation or transfer.
- BB. Supplementary General Conditions (for projects that are funded by Federal programs). The following provisions, pursuant to 44 Code of Federal Regulations, Part 13, Subpart C, Section 13.36, as it may be amended from time to time, are included in the Agreement and are required to be included in all subcontracts entered into by CONTRACTOR for work pursuant to the Agreement, unless otherwise expressly provided herein. These provisions supersede any conflicting provisions in the General Conditions and shall take precedence over the General Conditions for purposes of interpretation of the General Conditions. These provisions do not otherwise modify or replace General Conditions not in direct conflict with these provisions. Definitions used in these provisions are as contained in the General Conditions.
1. CONTRACTOR shall be subject to the administrative, contractual, and legal remedies provided in the General Conditions in the event CONTRACTOR violates or breaches terms of the Agreement.
 2. CITY may terminate the Agreement for cause or for convenience, and CONTRACTOR may terminate the Agreement, as provided the General Conditions.
 3. CONTRACTOR shall comply with Executive Order 11246 of September 24, 1965, entitled Equal Employment Opportunity, as amended by Executive Order 11375 of October 13, 1967, and as supplemented in Department of Labor regulations (41 CFR chapter 60). (All construction contracts awarded in excess of \$10,000 by CITY and/or subcontracts in excess of \$10,000 entered into by CONTRACTOR.)
 4. CONTRACTOR shall comply with the Copeland Anti-Kickback Act (18 U.S.C. 874) as supplemented in Department of Labor regulations (29 CFR Part 3) (All contracts and subcontracts for construction or repair.)
 5. CONTRACTOR shall comply with the Davis-Bacon Act (40 U.S.C. 276a to 276a7) as supplemented by Department of Labor regulations (29 CFR Part 5).

6. CONTRACTOR shall comply with Sections 103 and 107 of the Contract Work Hours and Safety Standards Act (40 U.S.C. 327330) as supplemented by Department of Labor regulations (29 CFR Part 5).

7. CONTRACTOR shall observe CITY requirements and regulations pertaining to reporting included in the General Conditions.

8. CONTRACTOR shall provide access by the City, the Federal grantor agency, the Comptroller General of the United States, or any of their duly authorized representatives to any books, documents, papers, and records of the contractor which are directly pertinent to that specific contract for the purpose of making audit, examination, excerpts, and transcriptions.

9. CONTRACTOR shall retain all required records for three years after CITY makes final payments and all other pending matters relating to the Agreement are closed.

10. CONTRACTOR shall comply with all applicable standards, orders, or requirements issued under section 306 of the Clean Air Act (42 U.S.C. 1857(h)), section 508 of the Clean Water Act (33 U.S.C. 1368), Executive Order 11738, and Environmental Protection Agency regulations (40 CFR part 15). (This provision applies to contracts exceeding \$100,000 and to subcontracts entered into pursuant to such contracts.)

11. CONTRACTOR shall comply with mandatory standards and policies relating to energy efficiency which are contained in the State energy conservation plan issued in compliance with the Energy Policy and Conservation Act (Pub. L. 94163, 89 Stat. 871).

SIGNATURE PAGE TO FOLLOW

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

Attachment: TES-Moreno Valley Energy Agreement 01082021, signed w appendices (4235 : APPROVE AGREEMENT WITH THULE ENERGY

City of Moreno Valley

**Ice Bear SPV#1, LLC dba
Thule Energy Storage**

BY: _____
Mike Lee, City Manager

BY: Even Berg _____

TITLE: Chief Operating Officer
(President or Vice President)

Date

January 8, 2021

Date

BY: _____

TITLE: _____
(Corporate Secretary)

Date

<u>INTERNAL USE ONLY</u>
APPROVED AS TO LEGAL FORM:
_____ City Attorney
_____ Date
RECOMMENDED FOR APPROVAL:
_____ Department Head <i>(if contract exceeds 15,000)</i>
_____ Date

Attachment: TES-Moreno Valley Energy Agreement 01082021, signed w appendices (4235 : APPROVE AGREEMENT WITH THULE ENERGY

Appendix A: Description of Business Terms

TES will provide one (1) Ice Bear 20 to MVU, under the following conditions:

- The equipment cost of the Ice Bear 20 (“IB-20”) will be \$1.00.
- MVU agrees to engage TES as the Project Manager.
 - MVU will pay \$5,000 upfront for installation; this money will be used to pay vendors
 - TES will hire subcontractors and purchase accessory equipment to perform the installation
 - TES will furnish all relevant invoices to MVU, as well as a “master” invoice detailing all costs
 - MVU will pay charges on the “master invoice”, plus an additional 20% to TES for its design and installation and coordination on net 30 payment terms; the \$5k upfront will be subtracted from final total
 - If the final installation cost including design and installation expenses is less than \$5,000, TES will reimburse MVU for the appropriate amount.
 - The price for Design and Installation is not to exceed \$8,640.
- MVU agrees upfront that the new IB-20 will be connected to the internet, cell network (TES generally uses a 4G connection) or some form of communications so that TES can monitor it. Such communications costs will be borne by MVU (this cost can be included in the service contract noted below).
- MVU will also agree to a Service Contract of no less than 5 years for TES to monitor and service the existing MVU fleet. All associated telecommunication costs will be borne by MVU.
- TES reserves the right to aggregate data use that for future marketing purposes.
- The City of Moreno Valley, and MVU, affirmatively acknowledge that this transaction has no connection to the former Ice Energy Holdings, though the delivery of the unit will require a clarification of the Proof of Claim process with the Bankruptcy Trustee (to be discussed after negotiations on the above are complete)

Appendix B: description of Preventative Maintenance process

Every Ice Bear Preventative Maintenance visit undergoes the following 14-step process, for each unit:

1. Visually inspect overall system (look for leaks, damaged coils, piping & insulation issues)
2. Ensure tank lids are tight and have grease added
3. Verify CDC configuration, melt and make schedules, return air temp. & supply air temp. sensors
4. Cycle Ice Bear through all modes
5. Verify that pressures, temperatures, and currents are all in range
6. Check all electrical connections (CDC board, control box, all terminals)
7. Inspect condenser fan motor blades
8. Verify all pump operation for water pump and refrigerant pump
9. Check water level and top off tank as needed
10. Verify capacitor and contactor operation
11. Add treatment tabs to water heat-exchanger tank
12. Clean condenser coil
13. Clean out Ice Bear cabinet
14. Inspect ice evaporator coil & condensate

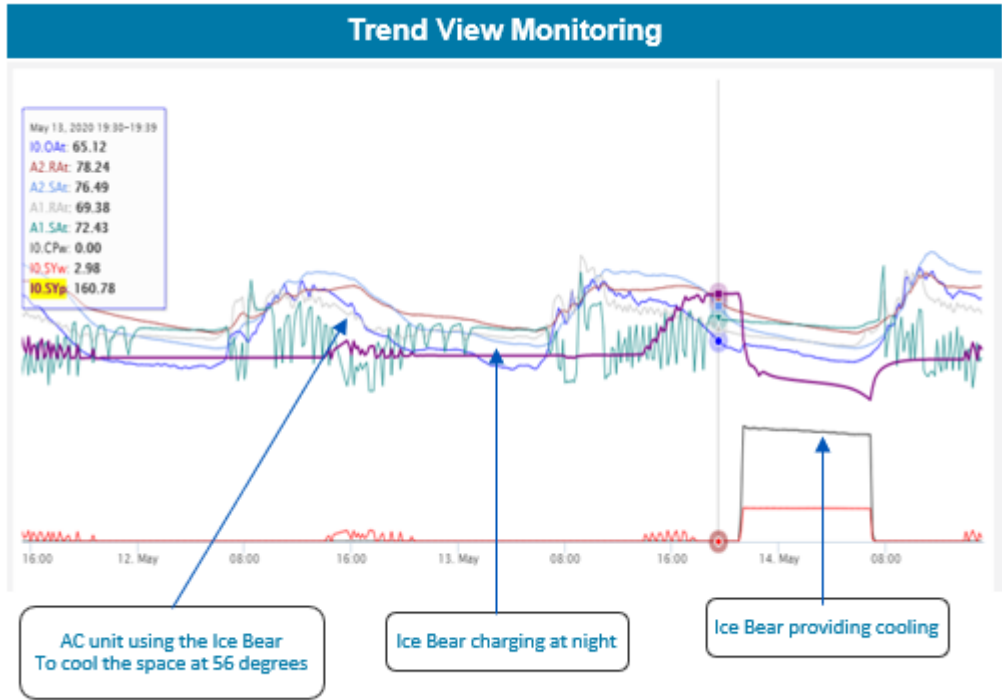
Appendix C: CoolData Remote Monitoring Services

Overview of CoolData Platform:

- 22 data points monitored on each Ice Bear at 5-minute intervals to ensure proper operations and allow for maximum uptime capacity.
- Alarming to identify potential break-downs and notify TES service department in real time
- Enables TES techs troubleshoot and gather information before coming to site. This allows the technicians to have the correct components with them when they arrive on site.
- Access to historical data to review Ice Bear-specific performance.

Example Graphics

Ice Bear operations chart:



Ice Bear Charge & Discharge Schedule:

Unit Name: IB-A1_6951_Flight_Rd	Contract Name: RPU Original DR Agreement
Model: IB30 523	Short Name: B001262
Summer Start: 5/1	Winter Start: 11/1
Summer End: 10/31	Winter End: 4/30

	Make	Melt	Crit	Idle
Summer				
Melt Circuit 1	1-13	14-16	17-20	21-24
Melt Circuit 2	1-13	14-16	17-20	21-24
Winter				
Melt Circuit 1	1-13	14-16	17-20	21-24
Melt Circuit 2	1-13	14-16	17-20	21-24

- **Make:** Ice Bear compressor runs to make ice in the tank
- **Crit:** the hours that, by contract, the Ice Bear discharges to offset load
- **Melt:** if there is additional ice left in the Ice Bear at the end of the Crit period, the Ice Bear can be set to continue discharging and offset AC load during these hours

CoolData Points List

Power and utility data:

1. **IO.DR1d:** DR Asset 1 Status
2. **RS.KO1:** Circuit 1 kW Offset
3. **RS.KO2:** Circuit 2 kW Offset
4. **IO.OAt:** Ambient Outside Temp

O&M and system operation data:

5. **A1.CPd:** A1 Target Compressor Status
6. **A2.CPd:** A2 Target Compressor Status
7. **A1.RAt:** A1 Return Temp
8. **A1.SAt:** A1 Supply Temp
9. **A2.RAt:** A2 Return Temp
10. **A2.SAt:** A2 Supply Temp
11. **IO.CPw:** IB Compressor Work
12. **IO.SYw:** IB System Work
13. **IO.SYp:** IB System Pressure
14. **IO.TWt:** IB Tank Water Temp
15. **IO.WSt:** IB Wet Suction Temp
16. **IO.CSt:** IB Compressor Suction Temp
17. **IO.CLt:** IB Condenser Liquid Temp
18. **IO.CBt:** IB Cabinet Temp
19. **IO.CSp:** IB Compressor Suction Pressure
20. **IO.Z1d:** IB Zone 1 Call for Cooling (CFC)
21. **IO.Z2d:** IB Zone 2 Call for Cooling (CFC)
22. **IO.SHt:** Superheat Temp

CoolData Scope of Responsibilities

1. Service Provider shall use commercially reasonable efforts to connect all Ice Bear units to the internet and to remotely monitor their operation and functionality. Customer retains the responsibility to pay for its internet or cell service connection to the Service Provider's monitoring system. Service Provider is relieved of its obligations in the event of failure or interruption of such communications.

2. The CoolData Remote Monitoring Services include automated data collection from sensors installed on Ice Bear units and equipment, access to the web portal for viewing certain data collected from each Ice Bear unit (not to include data which are proprietary to Service Provider or data which are Service Provider's intellectual property or Service Provider's confidential information), a distributed energy resource optimizer server, and programming and technical support to identify and define operational dispatch of Ice Bear Units.

3. All data collected shall be stored and archived on a secure data historian. Service Provider will analyze such data by the use of intelligent diagnostic application software, among other techniques.

4. If Service Provider’s diagnostics or analyses reveal a potential problem with an Ice Bear unit, or with associated Customer-owned HVAC equipment, Service Provider will take appropriate action, which may include initiating a service call and/or contacting the Customer.

Appendix D: Fee Schedule

Service Option	Annual Visits	Annual cost per Ice Bear	Notes
1. CoolData + Standard Service	1	\$665	One Preventative Maintenance visit per year; additional charges would be incurred for any Service visits
2. CoolData + Extended Service	2	\$1,135	Pricing includes one Preventative Maintenance visit and one Service visit

Notes:

1. Price escalates by 2.5% annually to account for inflation.
2. Each additional Service Call outside of those pre-purchased will cost Customer \$400 per Ice Bear that needs to be serviced.

Attachment: TES-Moreno Valley Energy Agreement 01082021, signed w appendices (4235 : APPROVE AGREEMENT WITH THULE ENERGY

Appendix E: Ice Bear Fleet in Moreno Valley, CA

<u>#</u>	<u>Business/Entity</u>	<u>Address</u>	<u>Serial</u>
1	Kohl's #11125	27200 Eucalyptus Ave	2871-3-d-ma-20546
2	Kohl's #11125	27200 Eucalyptus Ave	2871-1-A-MA-20209
3	Subway Sandwiches Ste E	27110 Eucalyptus Ave ste E	2871-2-F-MA-20635
4	Bobs Big Boy C / Round Table A	27140 Eucalyptus Ave Suite A	2871-2-d-ma-20526
5	Bobs Big Boy C / Round Table A	27140 Eucalyptus Ave Suite A	2871-1-A-MA-20276
6	Visterra Ste E/ T Mobile Ste D	27130 Eucalyptus Ave Ste D	2871-2-d-ma-20527
7	Visterra Ste E/ T Mobile Ste D	27130 Eucalyptus Ave Ste D	2871-2-F-MA-20624
8	Supercuts B / Sees Candy C	27120 Eucalyptus Ave Ste B	2871-2-F-MA-20627
9	Supercuts B / Sees Candy C	27120 Eucalyptus Ave Ste B	2871-2-D-MA-20572
10	MV Fitness Center	27150 Eucalyptus Ave.	2871-2-F-MA-20630
11	MV Fitness Center	27150 Eucalyptus Ave.	2871-2-D-MA-20573
12	Moreno Valley Pet Shelter	14041 Elsworth St	2871-1-H-MA-20491
13	Moreno Valley Pet Shelter	14041 Elsworth St	2871-1-H-MA-20490
14	Moreno Valley Pet Shelter	14041 Elsworth St	2871-1-H-MA-20493
15	Moreno Valley Pet Shelter	14041 Elsworth St	2871-1-A-MA-20415
16	<i>New Ice Bear 20</i>	<i>TBD</i>	



Attachment: TES-Moreno Valley Energy Agreement 01082021, signed w appendices (4235

City of Moreno Valley
Ice Bear 20 & Service Contract Proposal
November 2020



Ice Bear Proposal

With this document, Thule Energy Storage (“TES”) is offering the following to Moreno Valley Utilities (“MVU”).

TES will provide one (1) Ice Bear 20 to MVU, under the following conditions:

- The equipment cost of the Ice Bear 20 (“IB-20”) will be \$1.00.
- MVU agrees to engage TES as the Project Manager.
 - Moreno Valley will pay \$5,000 upfront for installation; this money will be used to pay vendors
 - TES will hire subcontractors and purchase accessory equipment to perform the installation
 - TES will furnish all relevant invoices to MVU, as well as a “master” invoice detailing all costs
 - MVU will pay charges on the “master invoice”, plus an additional 20% to TES for its project management and coordination on net 30 payment terms; the \$5k upfront will be subtracted from final total
 - The price for Design and Installation is not to exceed \$8,640.
- MVU agrees upfront that the new IB-20 will be connected to the internet, cell network (TES generally uses a 4G connection) or some form of communications so that TES can monitor it. Such communications costs will be borne by MVU (this cost can be included in the service contract noted below).
- MVU will also agree to a Service Contract of no less than 5 years for TES to monitor and service the existing MVU fleet. All associated telecommunication costs will be borne by MVU.
- TES reserves the right to aggregate data use that for future marketing purposes.
- Moreno Valley affirmatively acknowledges that this transaction has no connection to the former Ice Energy Holdings, though the delivery of the unit will require a clarification of the Proof of Claim process with the Bankruptcy Trustee (to be discussed after negotiations on the above are complete)

O&M Service Options

Option	Annual Visits	Annual cost per Ice Bear	Notes
1. CoolData + Standard Service	1	\$665	One Preventative Maintenance visit per year; additional charges would be incurred for any Service visits
2. CoolData + Extended Service	2	\$1,135	Pricing includes one Preventative Maintenance visit and one Service visit

Notes:

- CoolData subscription provides access to Dashboard that tracks 21 separate data points on a 5-minute interval basis. Enables transparent view of Ice Bears’ operation and has alarming functions to enable proactive troubleshooting of any issues.
 - Subscription includes unlimited log-ins to users with a moval.org email address and to any other qualified users
- Preventative Maintenance visits include TES’s 14-step checklist to ensure Ice Bear is operating at peak efficiency
- Service visits are intended to perform corrective action to Ice Bears if and as needed by service request; also can be used to prepare for the cooling season.
 - This is often preferable to municipal entities as it provides for more streamlined procurement and budget
- All PM and Service visits are performance by an Ice Bear certified technician with extensive training on Ice Bear operations

TES O&M Proposal – Term Sheet

This Summary Term Sheet is non-binding, for discussion purposes only and not a commitment of either party. No commitment or obligation hereunder shall exist until such time as the parties enter into definitive documentation (“Definitive Documentation”).

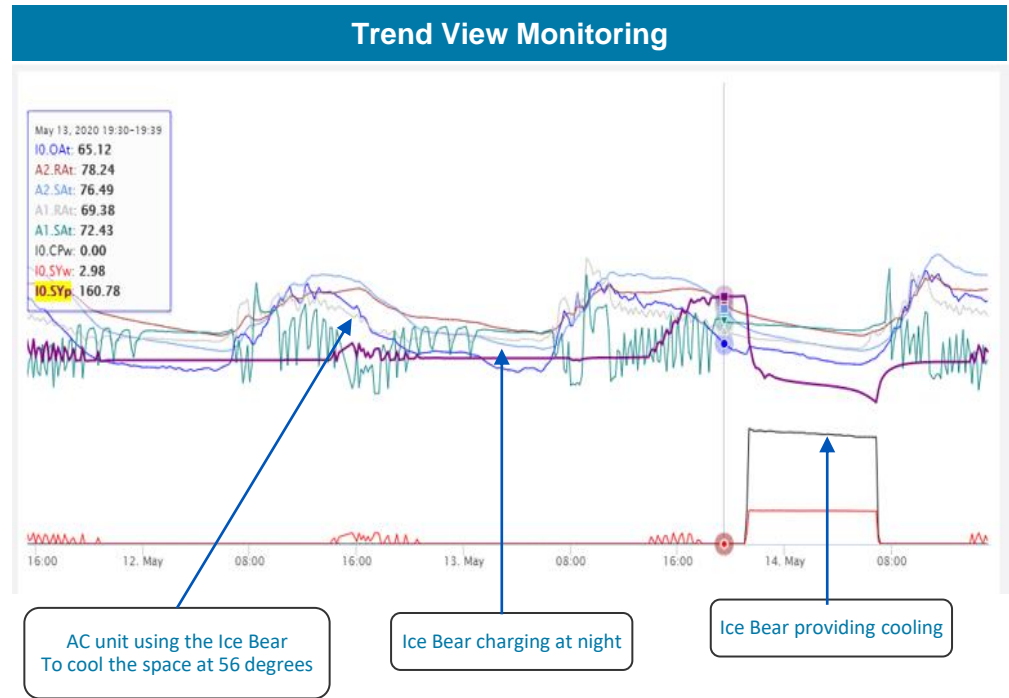
Term	Detail
Parties	Thule Energy Storage (“Thule”, “TES”, or “Service Provider”) and MVU Public Utilities (“Customer”)
Purpose	Agreement for ongoing servicing and maintenance of the Ice Bear units owned by Customer, and as described in an Appendix
Start Date	February 16, 2021
Term	5 years, with renewal options for Customer
Preventative Maintenance	Physical inspection per standard report form at least once, and up to twice annually
Remote Monitoring and Reporting	Ongoing remote monitoring services as documented in Appendix
Payment	Pay Service provider a fee in four equal quarterly installments. Price escalates by 2.5% annually to account for inflation.

Attachment: TES-Moreno Valley Energy Agreement 01082021, signed w appendices (4235)

Appendix

CoolData – Remote Monitoring

- 22 data points monitored on each Ice Bear at 5-minute intervals to ensure proper operations and allow for maximum uptime capacity.
- Alarming to identify potential break-downs and notify TES service department in real time
- Enables TES techs troubleshoot and gather information before coming to site. This allows the technicians to have the correct components with them when they arrive on site.
- Access to historical data to review Ice Bear-specific performance.



CoolData Dashboard – Schedule view

Unit Name: IB-A1_6951_Flight_Rd		Contract Name: RPU Original DR Agreement	
Model: IB30 523		Short Name: B001262	
Summer Start: 5/1		Winter Start: 11/1	
Summer End: 10/31		Winter End: 4/30	

	Make	Melt	Crit	Idle																				
Summer																								
Melt Circuit 1	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24
Melt Circuit 2	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24
Winter																								
Melt Circuit 1	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24
Melt Circuit 2	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24

- Make: Ice Bear compressor runs to make ice in the tank
- Crit: the hours that, by contract, the Ice Bear discharges to offset load
- Melt: if there is additional ice left in the Ice Bear at the end of the Crit period, the Ice Bear can be set to continue discharging and offset AC load during these hours

CoolData Dashboard – Points List

Power and utility data:

1. **IO.DR1d:** DR Asset 1 Status
2. **RS.KO1:** Circuit 1 kW Offset
3. **RS.KO2:** Circuit 2 kW Offset
4. **IO.OAt:** Ambient Outside Temp

O&M and system operation data:

5. **A1.CPd:** A1 Target Compressor Status
6. **A2.CPd:** A2 Target Compressor Status
7. **A1.RAt:** A1 Return Temp
8. **A1.SAt:** A1 Supply Temp
9. **A2.RAt:** A2 Return Temp
10. **A2.SAt:** A2 Supply Temp
11. **IO.CPw:** IB Compressor Work
12. **IO.SYw:** IB System Work
13. **IO.SYp:** IB System Pressure
14. **IO.TWt:** IB Tank Water Temp
15. **IO.WSt:** IB Wet Suction Temp
16. **IO.CSt:** IB Compressor Suction Temp
17. **IO.CLt:** IB Condenser Liquid Temp
18. **IO.CBt:** IB Cabinet Temp
19. **IO.CSp:** IB Compressor Suction Pressure
20. **IO.Z1d:** IB Zone 1 Call for Cooling (CFC)
21. **IO.Z2d:** IB Zone 2 Call for Cooling (CFC)
22. **IO.SHt:** Superheat Temp

Preventative Maintenance details

Every Ice Bear Preventative Maintenance visit undergoes the following 14-step process, for each unit:

1. Visually inspect overall system (look for leaks, damaged coils, piping & insulation issues)
2. Ensure tank lids are tight and have grease added
3. Verify CDC configuration, melt and make schedules, return air temp. & supply air temp. sensors
4. Cycle Ice Bear through all modes
5. Verify that pressures, temperatures, and currents are all in range
6. Check all electrical connections (CDC board, control box, all terminals)
7. Inspect condenser fan motor blades
8. Verify all pump operation for water pump and refrigerant pump
9. Check water level and top off tank as needed
10. Verify capacitor and contactor operation
11. Add treatment tabs to water heat-exchanger tank
12. Clean condenser coil
13. Clean out Ice Bear cabinet
14. Inspect ice evaporator coil & condensate

EXHIBIT B**CITY'S RESPONSIBILITIES**

1. The City of Moreno Valley is responsible for providing access to work sites for contractor's employees assigned to the job.
2. Provide escorts at sites when required.
3. Fund all required City Permits, excluding a City of Moreno Valley business license.

EXHIBIT C

TERMS OF PAYMENT

1. The Contractor's compensation shall not exceed \$8,640.00 for the installation. The standard maintenance fee will be applied at \$665.00 per unit, per year with a 2.5% increase per year to account for inflation.
2. The Contractor will obtain, and keep current during the term of this Agreement, the required City of Moreno Valley business license. Proof of a current City of Moreno Valley business license will be required prior to any payments by the City. Any invoice not paid because the proof of a current City of Moreno Valley business license has not been provided will not incur any fees, late charges, or other penalties. Complete instructions for obtaining a City of Moreno Valley business license are located at: http://www.moval.org/do_biz/biz-license.shtml.
3. The Contractor will electronically submit an invoice to the City on a monthly basis for progress payments along with documentation evidencing services completed to date. The progress payment is based on actual time and materials expended in furnishing authorized professional services since the last invoice. At no time will the City pay for more services than have been satisfactorily completed and the City's determination of the amount due for any progress payment shall be final. The Contractor will submit all original invoices to Accounts Payable staff at AccountsPayable@moval.org. Accounts Payable questions can be directed to (951) 413-3073. Copies of invoices may be submitted to the Electric Utility Division at mvuadmin@moval.org or calls directed to (951) 413-3500.
4. The Contractor agrees that City payments will be received via Automated Clearing House (ACH) Direct Deposit and that the required ACH Authorization form will be completed prior to any payments by the City. Any invoice not paid because the completed ACH Authorization Form has not been provided will not incur any fees, late charges, or other penalties. The ACH Authorization Form is located at: http://www.moval.org/city_hall/forms.shtml#bf.
5. The minimum information required on all invoices:
 - A. Vendor Name, Mailing Address, and Phone Number
 - B. Invoice Date
 - C. Vendor Invoice Number
 - D. City-provided Reference Number (e.g. Project, Activity)
 - E. Detailed work hours by class title (e.g. Manager, Technician, or Specialist), services performed and rates, explicit portion of a contract amount, or detailed billing information that is sufficient to justify the invoice amount; single, lump amounts without detail are not acceptable.

6. The City shall pay the Contractor for all invoiced, authorized professional services within thirty (30) days of receipt of the invoice for same.
7. Reimbursement for Expenses. Contractor shall not be reimbursed for any expenses unless authorized in writing by City.
8. Maintenance and Inspection. Contractor shall maintain complete and accurate records with respect to all costs and expenses incurred under this Agreement. All such records shall be clearly identifiable. Contractor shall allow a representative of City during normal business hours to examine, audit, and make transcripts or copies of such records and any other documents created pursuant to this Agreement.



Report to City Council

TO: Mayor and City Council

FROM: Manuel A. Mancha, Community Development Director

AGENDA DATE: February 16, 2021

TITLE: SECOND READING AND CONSIDERATION OF ADOPTION OF ORDINANCE 977 FOR A CHANGE OF ZONE FROM RESIDENTIAL 5 (R5) TO RESIDENTIAL SINGLE-FAMILY 10 (RS10) FOR PROPERTY LOCATED ON THE SOUTH SIDE OF IRIS AVENUE EAST OF PERRIS BOULEVARD 312-020-025 (ORD. NO. 977)

RECOMMENDED ACTION

Recommendations: That the City Council:

1. Conduct the second reading by title only and adopt Ordinance No. 977.

SUMMARY

This report recommends adoption of Ordinance No. 977, introduced at the February 2, 2021 City Council meeting, approving a Change of Zone (PEN20-0067), changing the zoning of 10.82 acres from Residential 5 (R5) District to Residential Single-Family 10 (RS10) District for property located at the south side of Iris Avenue east of Perris Boulevard, APN No. 312-020-025.

DISCUSSION

Based on review and consideration of the application for a Change of Zone submitted by the applicant Passco Pacifica LLC in conjunction with a General Plan amendment, Tentative Tract Map 37909, and a Conditional Use Permit for a Planned Unit Development the City Council introduced the ordinance to amend the Official Zoning Atlas at the February 2, 2021 meeting. The ordinance will change the zoning classification of 10.82-acres from Residential 5 (R5) District to Residential Single-Family 10 (RS10) District. The site is located on the south side of Iris Avenue east of Perris Boulevard as shown on Exhibit A of the ordinance.

ALTERNATIVES

The City Council may consider the following alternatives:

- 1. Conduct the second reading by title only and adopt Ordinance No. 977. Staff recommends this alternative.
- 2. Provide revisions to the draft Ordinance and have staff return with the revised draft for another adoption process.
- 3. Provide alternate direction to staff.

FISCAL IMPACT

There are no anticipated fiscal impacts from the recommended action.

NOTIFICATION

The agenda was posted in accordance with the Brown Act.

PREPARATION OF STAFF REPORT

Prepared By:
Julia Descoteaux
Associate Planner

Department Head Approval:
Manuel A. Mancha
Community Development Director

CITY COUNCIL GOALS

None

CITY COUNCIL STRATEGIC PRIORITIES

- 1. Economic Development
- 2. Public Safety
- 3. Library
- 4. Infrastructure
- 5. Beautification, Community Engagement, and Quality of Life
- 6. Youth Programs

ATTACHMENTS

- 1. Ordinance No. 977

APPROVALS

Budget Officer Approval ✓ Approved 2/08/21 10:24 AM

City Attorney Approval
City Manager Approval

✓ Approved
✓ Approved

2/09/21 9:51 AM

ORDINANCE NO. 977

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING CHANGE OF ZONE PEN20-0067 TO AMEND THE CITY ZONING ATLAS FROM RESIDENTIAL 5 (R5) DISTRICT TO RESIDENTIAL SINGLE-FAMILY 10 (RS10) DISTRICT FOR THE PROPERTY LOCATED ON THE SOUTH SIDE OF IRIS AVENUE EAST OF PERRIS BOULEVARD (APN 312-020-025)

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1 GENERAL:

1.1 Passco Pacifica LLC., (“Developer”) has filed an application for the approval of Change of Zone PEN20-0067 (“Application”) requesting a Change of Zone changing the City’s Zoning Atlas from Residential 5 (R5) District to Residential Single-Family 10 (RS10) District for the property located on the south side of Iris Avenue east of Perris Boulevard (APN 312-020-025) (“Site”); and

1.2 At its December 10, 2020 meeting, the Planning Commission considered the Change of Zone for the Iris Park residential project and recommended approval to the City Council; and

1.3 Pursuant to the provisions of the law, a public hearing was held before the City Council on February 2, 2021, for deliberations and decision.

1.4 The matter was fully discussed, and the public and other agencies were given opportunity to present testimony and documentation.

1.5 An Initial Study has been prepared for the Project for the purpose of compliance with the California Environmental Quality Act (CEQA). Based on the Initial Study including all supporting technical evidence, it was determined that the project impacts are expected to be less than significant with mitigation, and approval of a Mitigated Negative Declaration is an appropriate environmental determination for the Project.

SECTION 2 FINDINGS:

That based on the content of the foregoing Recitals and the Evidence contained in the Administrative Record as set forth above, the City Council makes the following findings:

- (a) The proposed amendment is consistent with the existing goals, objectives, policies and programs of the general plan.
- (b) The proposed amendment will not adversely affect the public health, safety or general welfare.

- (c) The proposed amendment is consistent with the purposes and intent of this title.

SECTION 3 AMENDMENT OF THE OFFICIAL ZONING ATLAS:

3.1 The City of Moreno Valley Official Zoning Atlas, as adopted by Ordinance No. 359, on April 14, 1992, of the City of Moreno Valley, and as amended thereafter from time to time by the City Council of the City of Moreno Valley, is further amended by placing in effect the zone or zone classification to Page 141 and 155 of the Official Zoning Atlas as shown on the attached map marked "Exhibit A" and included herein by reference and on file in the office of the City Clerk.

SECTION 4 EFFECT OF ENACTMENT:

4.1 Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

SECTION 5. NOTICE OF ADOPTION:

5.1 Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be posted in three public places within the city.

SECTION 6. EFFECTIVE DATE:

6.1 This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this 16th day of February, 2021.

CITY OF MORENO VALLEY
CITY COUNCIL

Mayor of the City of Moreno Valley

ATTEST:

City Clerk

APPROVED AS TO FORM:

Steven B. Quintanilla, Interim City Attorney

2
Ordinance No. 977
Date Adopted: February 16, 2021

Attachment: Ordinance No. 977 [Revision 2] (4323 : Change of Zone, Second Reading for Ordinance No. 977)

ORDINANCE JURAT

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF MORENO VALLEY)

I, Pat Jacquez-Nares, City Clerk of the City of Moreno Valley, California, do hereby certify that Ordinance No. 2021-977 was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the 16th day of February, 2021, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

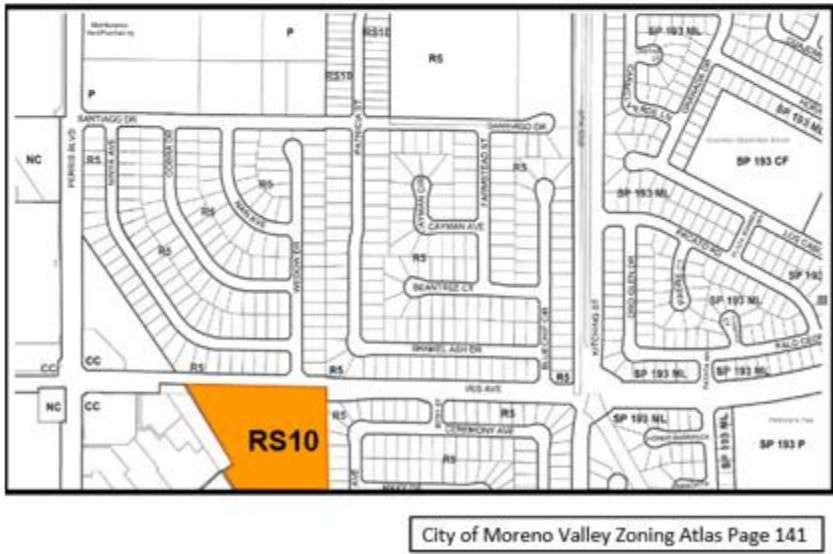
(Council Members, Mayor Pro Tem and Mayor)

CITY CLERK

(SEAL)

Attachment: Ordinance No. 977 [Revision 2] (4323 : Change of Zone, Second Reading for Ordinance No. 977)

EXHIBIT A
Atlas Page



PEN20-0067 – Change of Zone

 Residential 5 (R5) to Residential Single-Family 10 (RS10)

Attachment: Ordinance No. 977 [Revision 2] (4323 : Change of Zone, Second Reading for Ordinance No. 977)



Report to City Council

TO: Mayor and City Council

FROM: Manuel A. Mancha, Community Development Director

AGENDA DATE: February 16, 2021

TITLE: SECOND READING AND CONSIDERATION OF ADOPTION OF ORDINANCE 978 FOR A SPECIFIC PLAN 205 AMENDMENT TO AMEND THE LAND USE DESIGNATION OF THE 9.96-ACRE PROJECT SITE WITHIN THE MORENO VALLEY FESTIVAL SPECIFIC PLAN 205 FROM SP205 RETAIL COMMERCIAL TO SP205 MIXED USE FOR THE PROPERTY LOCATED ON THE SOUTHEAST CORNER OF HEACOCK STREET AND IRONWOOD AVENUE

RECOMMENDED ACTION

Recommendation:

1. Conduct the second reading by title only and adopt Ordinance No. 978.

SUMMARY

This report recommends adoption of Ordinance No. 978, introduced at the last City Council meeting, approving a Specific Plan Amendment (PEN20-0138) to amend the land use designation of the 9.96 acres project site within the Moreno Valley Specific Plan 205 from SP205 Retail Commercial to SP205 Mixed Use for the project site located on the southeast corner of Heacock Street and Ironwood Avenue APN's 481-020-013, 029, 030, 034, 035, and 038.

DISCUSSION

Based on review and consideration of the application for a Change of Zone submitted by the applicant LCG 10MV LLC in conjunction with a General Plan Amendment and a Plot Plan, the City Council introduced the ordinance to amend the Specific Plan 205 at the February 2, 2021 meeting. The ordinance will change the zoning classification of 9.96 acres from SP205 Retail Commercial to SP205 Mixed Use. The site is located on

the southeast corner of Heacock Street and Ironwood Avenue, as shown on Exhibit A of the ordinance.

ALTERNATIVES

The City Council may consider the following alternatives:

1. Conduct the second reading by title only and adopt Ordinance No. 978. Staff recommends this alternative.
2. Provide revisions to the draft Ordinance and have staff return with the revised draft for another adoption process.
3. Provide alternate direction to staff.

FISCAL IMPACT

There are no anticipated fiscal impacts from the recommended action.

NOTIFICATION

The agenda was posted in accordance with the Brown Act.

PREPARATION OF STAFF REPORT

Prepared By:
Julia Descoteaux
Associate Planner

Department Head Approval:
Manuel A. Mancha
Community Development Director

CITY COUNCIL GOALS

None

CITY COUNCIL STRATEGIC PRIORITIES

1. Economic Development
2. Public Safety
3. Library
4. Infrastructure
5. Beautification, Community Engagement, and Quality of Life
6. Youth Programs

ATTACHMENTS

1. Ordinance No. 978

APPROVALS

Budget Officer Approval	<u>✓ Approved</u>	2/09/21 9:15 AM
City Attorney Approval	<u>✓ Approved</u>	
City Manager Approval	<u>✓ Approved</u>	2/10/21 11:15 AM

ORDINANCE NO. 978

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING SPECIFIC PLAN AMENDMENT PEN20-0138 TO AMEND THE LAND USE DESIGNATION OF THE 9.96-ACRE PROJECT SITE WITHIN THE MORENO VALLEY FESTIVAL SPECIFIC PLAN 205 FROM SP205 RETAIL COMMERCIAL TO SP205 MIXED USE FOR THE PROPERTY LOCATED ON THE SOUTHEAST CORNER OF HEACOCK STREET AND IRONWOOD AVENUE (481-020-013, 029, 030, 034, 035 & 038) AND THE NECESSARY AND CORRESPONDING AMENDMENTS TO THE CITY’S ZONING ATLAS

The City Council of the City of Moreno Valley does ordain as follows:

SECTION 1 GENERAL:

1.1 LCG 10MV LLC., (“Developer”) has filed an application for the approval of Specific Plan Amendment PEN20-0138 (“Application”) to amend the Moreno Valley Festival Specific Plan 205 from SP205 Retail Commercial to SP205 Mixed Use for the project located on the southeast corner of Heacock Street and Ironwood Avenue (APN 481-020-013, 029, 030, 034, 035 & 038) (“Site”), which shall also require any necessary and corresponding amendment to the City’s Zoning Atlas to reflect the proposed changes in the zoning classification and/or redistricting associated with the Specific Plan Amendment; and

1.2 At its January 14, 2021 meeting, the Planning Commission considered the Specific Plan Amendment for The District Moreno Valley project and recommended approval to the City Council; and

1.3 Pursuant to the provisions of the law, a public hearing was held before the City Council on February 2, 2021, for deliberations and decision.

1.4 The matter was fully discussed, and the public and other agencies were given opportunity to present testimony and documentation.

1.5 An Initial Study has been prepared for the Project for the purpose of compliance with the California Environmental Quality Act (CEQA). Based on the Initial Study including all supporting technical evidence, it was determined that the project impacts are expected to be less than significant with mitigation, and approval of a Mitigated Negative Declaration is an appropriate environmental determination for the Project.

SECTION 2 EVIDENCE:

That the City Council has considered all of the evidence submitted into the administrative record for the Specific Plan Amendment, including, but not limited to, the following:

Attachment: Ordinance No. 978 [Revision 2] (4324 : Specific Plan 205 Amendment Second Reading for Ordinance No. 978)

- (a) Moreno Valley General Plan and all relevant provisions contained therein;
- (b) Title 9 (Planning and Zoning) of the Moreno Valley Municipal Code and all relevant provisions referenced therein;
- (c) The Specific Plan Amendment to amend the Land Use Designation of the 9.96-acre Project site within the Moreno Valley Festival Specific Plan 205 from SP205 Retail Commercial to SP205 Mixed Use and all other relevant provisions contained therein as shown on Exhibit A;
- (d) Application for the approval of a Specific Plan Amendment PEN20-0138 and all documents, records and references contained therein;
- (e) Staff Report prepared for the City Council’s consideration and all documents, records and references related thereto, and Staff’s presentation at the public hearing;
- (f) Testimony and/or comments from Applicant and its representatives during the public hearing; and
- (g) Testimony comments and/or correspondence from all persons that were provided in written format or correspondence, at, or prior to, the public hearing.

SECTION 3 FINDINGS:

That based on the foregoing Recitals and the Evidence contained in the Administrative Record as set forth above, the City Council hereby finds as follows:

- (a) The proposed Specific Plan Amendment is consistent with the existing goals, objectives, policies and programs of the General Plan;
- (b) The proposed Specific Plan Amendment will not adversely affect the public health, safety or general welfare; and
- (c) The proposed Specific Plan Amendment is consistent with the purposes and intent of Title 9.

SECTION 4 AMENDMENT OF THE OFFICIAL SPECIFIC PLAN 205:

4.1 Specific Plan 205, approved and certified by the City of Moreno Valley on October 27, 1987, amended February 15, 2018, is further amended by placing in effect the zone or zone classification to Page 59 of the Specific Plan and thereafter where applicable, as shown on the attached map marked “Exhibit A” and included herein by reference and on file in the office of the City Clerk.

SECTION 5 EFFECT OF ENACTMENT:

4.1 Except as specifically provided herein, nothing contained in this ordinance shall be deemed to modify or supersede any prior enactment of the City Council which addresses the same subject addressed herein.

SECTION 6 NOTICE OF ADOPTION:

5.1 Within fifteen days after the date of adoption hereof, the City Clerk shall certify to the adoption of this ordinance and cause it to be posted in three public places within the city.

SECTION 7 EFFECTIVE DATE:

6.1 This ordinance shall take effect thirty days after the date of its adoption.

APPROVED AND ADOPTED this 16th day of February, 2021.

CITY OF MORENO VALLEY
CITY COUNCIL

Dr. Yxstian A. Gutierrez
Mayor of the City of Moreno Valley

ATTEST:

City Clerk

APPROVED AS TO FORM:

Steven B. Quintanilla, Interim City Attorney

Attachment: Ordinance No. 978 [Revision 2] (4324 : Specific Plan 205 Amendment Second Reading for Ordinance No. 978)

ORDINANCE JURAT

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF MORENO VALLEY)

I, Pat Jacquez-Nares, City Clerk of the City of Moreno Valley, California, do hereby certify that Ordinance No. 2021-978 was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the 16th day of February, 2021, by the following vote:

AYES:

NOES:

ABSENT:

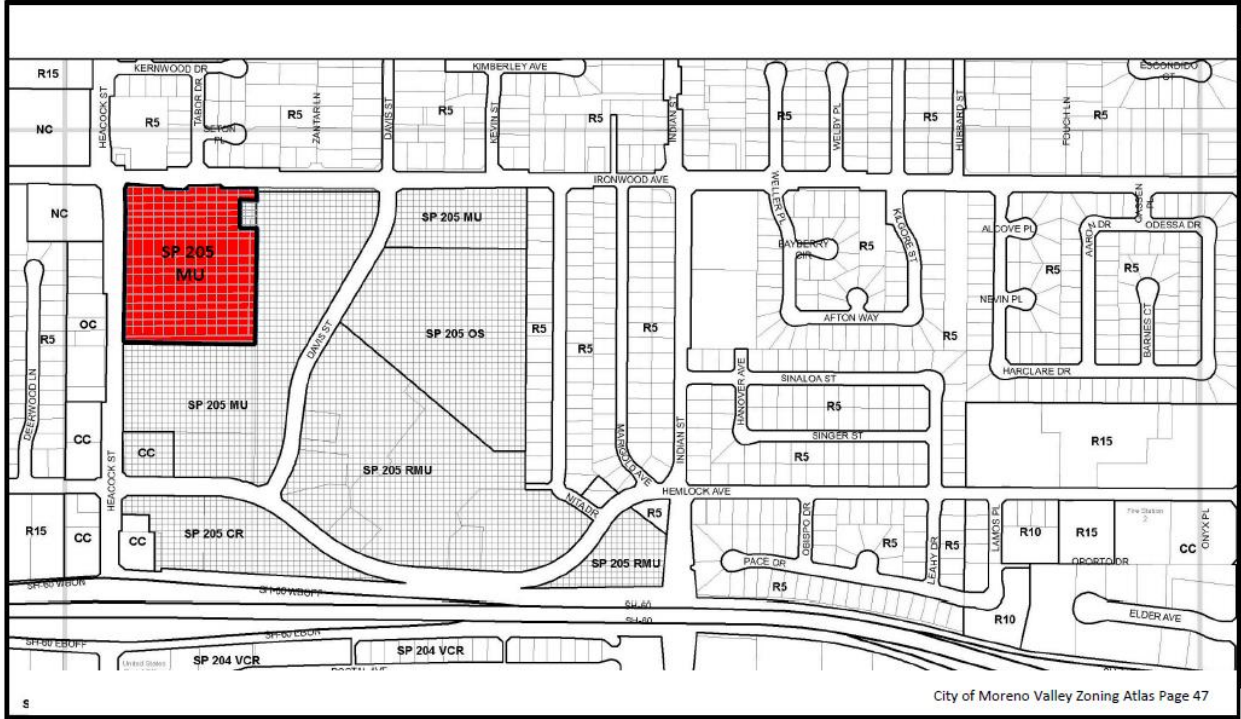
ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

CITY CLERK

(SEAL)

EXHIBIT A



The Festival Specific Plan (SP 205) – Specific Plan Amendment
PEN20-0138

- SP 205 Mix of Uses (MU)
- Moreno Valley Festival Specific Plan (SP 205)

Attachment: Ordinance No. 978 [Revision 2] (4324 : Specific Plan 205 Amendment Second Reading for Ordinance No. 978)



Report to City Council

TO: Mayor and City Council
 Mayor and City Council Acting in its Capacity as
 Chairman and Commissioners of the Moreno Valley
 Housing Authority (HA)

FROM: Marshall Eyerman, Assistant City Manager

AGENDA DATE: February 16, 2021

TITLE: APPROVE AND EXECUTE THE AGREEMENT FOR
 CONVEYANCE OF REAL PROPERTY FOR THE
 ACQUISITION OF APN 482-020-064

RECOMMENDED ACTION

Recommendations: That the City Council and Housing Authority:

1. Approve the Agreement for Conveyance of Property for acquisition of APN 482-020-064 for a future Fire Station site.
2. Authorize the purchase of APN 482-020-064 for a total expenditure amount of \$435,000.
3. Authorize the transfer of \$435,000 from the Fire Departments Development Impact Fee (DIF) Fund (2903) as set forth in the Fiscal Impact section of this report.
4. Authorize the City Manager to execute any agreements or documents as necessary to transfer property, subject to the approval of the City Attorney.

SUMMARY

This report recommends approval of the Agreement for Conveyance of Property for acquisition of APN 482-020-064 by and between the City of Moreno Valley and the Moreno Valley Housing Authority, for a future Fire Station site. This acquisition will be funded with the Fire Departments DIF fund balance for a total amount of \$435,000.

DISCUSSION

The Moreno Valley Housing Authority presently owns APN 482-020-064, located on the northwest corner of Atwood Avenue and Liberty Lane. CBRE, Inc – Valuation and Advisory Services was selected to assess the market value of the property, which appraised at \$435,000. The site is zoned for multi-family residential with an area of approximately 1.32 acres.

Through a strategic assessment by the City of Moreno Valley, it has been determined that additional support will be needed to meet future emergency calls for service in areas currently supported by Fire Stations 2, 6 and 65. This future Fire Station site, if approved, will primarily provide additional fire department emergency response units for the projected increase call demand and maintaining adequate response times to emergency incidents. Due to the scarcity of available land in this area, this property is one of few that can meet the need for the Fire Department’s facility designs and emergency resource deployments.

Staff is requesting approval of the Agreement for Conveyance of Property for acquisition of APN 482-020-064 for the future Fire Station site, appraised at market value for a total amount of \$435,000. The proceeds of this sale will be restricted by the City’s Housing Authority for future investment in support of the City’s affordable housing programs.

ALTERNATIVES

1. Approve the recommend actions to allow for the purchase of the parcel for a future fire station. *Staff recommends this alternative.*

2. Do Not Approve the recommend actions to allow for the purchase of the parcel for a future fire station. *Staff does not recommend this alternative*

FISCAL IMPACT

Funding from the Fire Departments DIF are required to complete the purchase of APN 482-020-064, in the amount of \$435,000. The requested budget adjustment of \$435,000 from Fire DIF funds will fully fund the project. The needed adjustment will be as follows:

Description	Fund	GL Account No.	Type (Rev/Exp)	FY 20/21 Budget	Proposed Adjustments	FY 20/21 Amended Budget
Fire DIF Fund – Transfer Out	2903	2903-99-95-92903-901010	Exp	\$0	\$435,000	\$435,000
General Fund – Transfer In	1010	1010-99-99-91010-802903	Rev	\$0	\$435,000	\$435,000
Fire Services – Land Acquisition	1010	1010-40-45-80010-720128	Exp	\$0	\$440,000	\$440,000

NOTIFICATION

NA

PREPARATION OF STAFF REPORT

Prepared By:
Felicia London
Public Safety Contracts Administrator

Department Head Approval:
Marshall Eyerman
Assistant City Manager

Concurred By:
Abdul Ahmad
Fire Chief

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.

CITY COUNCIL STRATEGIC PRIORITIES

- 1. Economic Development
- 2. Public Safety
- 3. Library
- 4. Infrastructure
- 5. Beautification, Community Engagement, and Quality of Life
- 6. Youth Programs

ATTACHMENTS

- 1. appraisal - apn 482-020-064 nwc atwood ave and liberty st (Temp) (Converted)
- 2. Fire Parcel Maps

APPROVALS

Budget Officer Approval	<u>✓ Approved</u>	2/10/21 1:37 PM
City Attorney Approval	<u>✓ Approved</u>	
City Manager Approval	<u>✓ Approved</u>	2/10/21 1:39 PM

CBRE VALUATION & ADVISORY SERVICES

APPRAISAL REPORT

A RESIDENTIAL SITE
NORTHWEST CORNER OF ATWOOD AVENUE
& LIBERTY STREET
MORENO VALLEY, CALIFORNIA 92553
CBRE GROUP, INC. FILE NO. 20-251PS-6085-1

CITY OF MORENO VALLEY

CBRE

Attachment: appraisal - apn 482-020-064 nwc atwood ave and liberty st (Temp) (Converted) [Revision 1] (4325 : APPROVE AND EXECUTE THE

VALUATION & ADVISORY SERVICES



3501 Jamboree Road, Suite 100
Newport Beach, CA 92660

T 949-809-4070
F 949-725-8440

www.cbre.com

Date of Report: January 11, 2021

Ms. Felicia London
Public Safety Contracts Administrator
CITY OF MORENO VALLEY
22870 Calle San Juan de los Lagos
Moreno Valley, California 92553

RE: Appraisal of: A Residential Site
Northwest Corner of Atwood Avenue & Liberty Street
Moreno Valley, Riverside County, California 92553
CBRE, Inc. File No. 20-251PS-6085-1

Dear Ms. London:

At your request and authorization, CBRE, Inc. has prepared an appraisal of the market value of the referenced property. The analysis is presented in the following Appraisal Report.

The subject is the real property located at the northwest corner of Atwood Avenue and Liberty Street in the city of Moreno Valley, Riverside County, state of California. Comprised of a single parcel measuring 1.32 acres, the subject is a basically rectangular shaped, generally level site which is unimproved. Utilities necessary to support its highest and best use are located nearby and off-site improvements (curb, gutter, and sidewalk) are in place. The property is zoned SP 204 VR, The Village Specific Plan, Village Residential, a specific plan zoning designation that has a primary focus of providing for a range of densities from small, single family lots with detached homes to attached multi-family complexes. The maximum residential development density for the subject site is 15 dwelling units per acre. Owned by the Moreno Valley Housing Authority, the subject is neither listed for sale nor in escrow to be purchased. Additionally, the current ownership does not have near-term development plans.

Based on the analysis contained in the following report, the market value of the subject is concluded as follows:

MARKET VALUE CONCLUSION			
Appraisal Premise	Interest Appraised	Date of Value	Value Conclusion
As Is	Fee Simple Estate	January 3, 2021	\$435,000
Compiled by CBRE			

Attachment: appraisal - apn 482-020-064 nwc atwood ave and liberty st (Temp) (Converted) [Revision 1] (4325 : APPROVE AND EXECUTE THE

Ms. Felicia London
 January 11, 2021
 Page 2

The report, in its entirety, including all assumptions and limiting conditions, is an integral part of, and inseparable from, this letter.

As of the date of value and the date of this report, the nation, region, and market area are impacted by the COVID-19 pandemic. This could have a prolonged effect on macroeconomic conditions, though at this time the length of duration is unknown. The perceived impact on real estate varies on several factors including asset class, use, tenancy, and location. Our analysis considers available information as of the effective date.

The following appraisal sets forth the most pertinent data gathered, the techniques employed, and the reasoning leading to the opinion of value. The analyses, opinions and conclusions were developed based on, and this report has been prepared in conformance with, the guidelines and recommendations set forth in the 2020-2021 edition of the Uniform Standards of Professional Appraisal Practice (USPAP), and the requirements of the Code of Professional Ethics and Standards of Professional Appraisal Practice of the Appraisal Institute.

The intended use and user of our report are specifically identified in our report as agreed upon in our contract for services and/or reliance language found in the report. As a condition to being granted the status of an intended user, any intended user who has not entered into a written agreement with CBRE in connection with its use of our report agrees to be bound by the terms and conditions of the agreement between CBRE and the client who ordered the report. No other use or user of the report is permitted by any other party for any other purpose. Dissemination of this report by any party to any non-intended users does not extend reliance to any such party, and CBRE will not be responsible for any unauthorized use of or reliance upon the report, its conclusions or contents (or any portion thereof).

It has been a pleasure to assist you in this assignment. If you have any questions concerning the analysis, or if CBRE can be of further service, please contact us.

Respectfully submitted,

CBRE - VALUATION & ADVISORY SERVICES



Ben Duda, MAI, MRICS | Vice President
 California State Certified General
 Lic. No. AG 038158 (exp 1/27/2022)
 Phone: (949) 809-4070
 Email: ben.duda@cbre.com



Certification

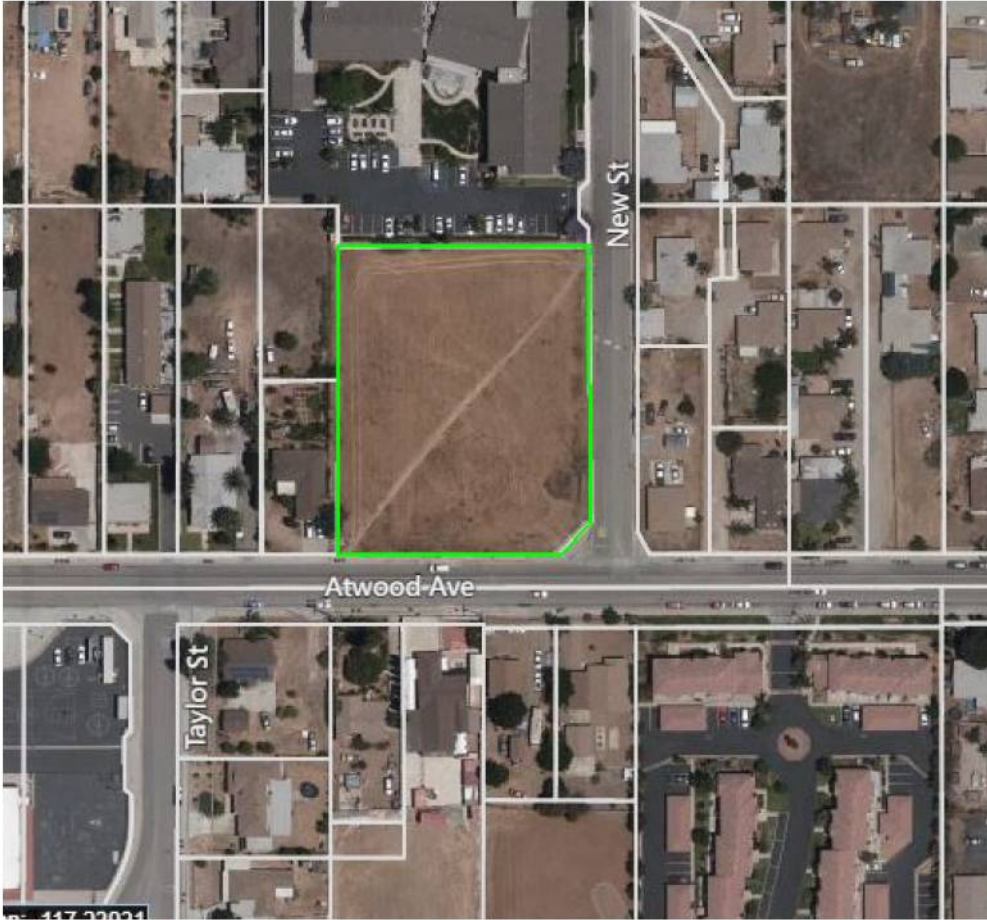
I certify to the best of my knowledge and belief:

1. The statements of fact contained in this report are true and correct.
2. The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions and are my personal, impartial and unbiased professional analyses, opinions, and conclusions.
3. I have no present or prospective interest in or bias with respect to the property that is the subject of this report and have no personal interest in or bias with respect to the parties involved with this assignment.
4. My engagement in this assignment was not contingent upon developing or reporting predetermined results.
5. My compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
6. This appraisal assignment was not based upon a requested minimum valuation, a specific valuation, or the approval of a loan.
7. My analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the 2020-2021 edition of the Uniform Standards of Professional Appraisal Practice, as well as the requirements of the State of California.
8. The reported analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the requirements of the Code of Professional Ethics and Standards of Professional Appraisal Practice of the Appraisal Institute.
9. The use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives.
10. As of the date of this report, Ben Duda, MAI, MRICS, has completed the continuing education program for Designated Members of the Appraisal Institute.
11. Ben Duda, MAI, MRICS, made a personal inspection of the property that is the subject of this report.
12. No one provided significant real property appraisal assistance to the person signing this report.
13. Valuation & Advisory Services operates as an independent economic entity within CBRE, Inc. Although employees of other CBRE, Inc. divisions may be contacted as a part of our routine market research investigations, absolute client confidentiality and privacy were maintained at all times with regard to this assignment without conflict of interest.
14. Ben Duda, MAI, MRICS, has not provided services, as an appraiser or in any other capacity, regarding the property that is the subject of this report within the three-year period immediately preceding acceptance of this assignment.



Ben Duda, MAI, MRICS
California State Certification No. AG 038158

Subject Photographs



Aerial View-Site Boundaries are Approximate

Attachment: appraisal - apn 482-020-064 nwc atwood ave and liberty st (Temp) (Converted) [Revision 1] (4325 : APPROVE AND EXECUTE THE

Subject Photographs



Photo 1-View of Site



Photo 2-View of Site



Photo 3-Looking North on Liberty Street



Photo 4-Looking South on Liberty Street



Photo 5-Loking West on Atwood Avenue



Photo 6-Loking East on Atwood Avenue

Executive Summary

Property Name	A Residential Site	
Location	Northwest Corner of Atwood Avenue & Liberty Street Moreno Valley, Riverside County, CA 92553	
Parcel Number(s)	482-020-064	
Client	City of Moreno Valley	
Highest and Best Use	As If Vacant	
	Develop with a Multi-Family Use	
Property Rights Appraised	Fee Simple Estate	
Date of Inspection	January 3, 2021	
Estimated Exposure Time	7 Months	
Estimated Marketing Time	7 Months	
Primary Land Area	1.32 AC	57,499 SF
Zoning	SP 204 VR, The Village Specific Plan, Village Residential	
Buyer Profile	Developer	

VALUATION	Total	Per SF
Land Value	\$435,000	\$7.57

CONCLUDED MARKET VALUE			
Appraisal Premise	Interest Appraised	Date of Value	Value
As Is	Fee Simple Estate	January 3, 2021	\$435,000

Compiled by CBRE

COVID-19 WARNING STATEMENT- MARKET UNCERTAINTY CLAUSE

The outbreak of the Novel Coronavirus (COVID-19), declared by the World Health Organization as a "Global Pandemic" on the 11th March 2020, has impacted global financial markets. Travel restrictions have been implemented by many countries. Market activity is being impacted in many sectors. As at the valuation date, we consider that we can attach less weight to previous market evidence for comparison purposes, to inform opinions of value. Indeed, the current response to COVID-19 means that we are faced with an unprecedented set of circumstances on which to base a judgement. Our valuations are therefore reported as being subject to 'material valuation uncertainty' as set out in VPS 3 and VPGA 10 of the RICS Valuation – Global Standards. Consequently, less certainty – and a higher degree of caution – should be attached to our valuation than would normally be the case. Given the unknown future impact that COVID-19 might have on the real estate market, we recommend that you keep the valuation of [this property] under frequent review. For the avoidance of doubt, the inclusion of the 'material valuation uncertainty' declaration above does not mean that the valuation cannot be relied upon. Rather, the declaration has been included to ensure transparency of the fact that – in the current extraordinary circumstances – less certainty can be attached to the valuation than would

otherwise be the case. The material uncertainty clause is to serve as a precaution and does not invalidate the valuation.

EXTRAORDINARY ASSUMPTIONS

An extraordinary assumption is defined as “an assignment-specific assumption as of the effective date regarding uncertain information used in an analysis which, if found to be false, could alter the appraiser’s opinions or conclusions.”¹

- None noted

HYPOTHETICAL CONDITIONS

A hypothetical condition is defined as “a condition, directly related to a specific assignment, which is contrary to what is known by the appraiser to exist on the effective date of the assignment results but is used for the purposes of analysis.”²

- None noted

OWNERSHIP AND PROPERTY HISTORY

OWNERSHIP SUMMARY	
Item	Current
Current Ownership	
Owner:	MORENO VALLEY HOUSING AUTHORITY
Seller:	Not Recorded
Purchase Price:	Not Recorded
Transaction Date:	Not Recorded
Pending Sale	
Under Contract:	No
Listing	
Currently Listed For Sale:	No
Compiled by CBRE	

EXPOSURE/MARKETING TIME

Current appraisal guidelines require an estimate of a reasonable time period in which the subject could be brought to market and sold. This reasonable time frame can either be examined historically or prospectively. In a historical analysis, this is referred to as exposure time. Exposure time always precedes the date of value, with the underlying premise being the time a property would have been on the market prior to the date of value, such that it would sell at its appraised value as of the date of value. On a prospective basis, the term marketing time is most often

¹ The Appraisal Foundation, *USPAP, 2020-2021*

² The Appraisal Foundation, *USPAP, 2020-2021*

used. The exposure/marketing time is a function of price, time, and use. It is not an isolated estimate of time alone. In consideration of these factors, we have analyzed the exposure periods for comparable sales used in this appraisal. The following table presents the information derived from this source as well as the CBRE estimate.

EXPOSURE/MARKETING TIME DATA			
Investment Type	Exposure/Mktg. (Months)		
	Range	Average	
Comparable Sales Data	2.0 - 7.0	4.7	
CBRE Exposure Time Estimate	7 Months		
CBRE Marketing Period Estimate	7 Months		
Compiled by CBRE			

Attachment: appraisal - apn 482-020-064 nwc atwood ave and liberty st (Temp) (Converted) [Revision 1] (4325 : APPROVE AND EXECUTE THE



Table of Contents

Certification i

Subject Photographs..... ii

Executive Summaryiv

Table of Contentsvii

Scope of Work..... 1

Area Analysis 5

Neighborhood Analysis 7

Site Analysis 12

Zoning 15

Tax Assessment Data 16

Market Analysis 17

Highest and Best Use 20

Land Value..... 21

Assumptions and Limiting Conditions 27

ADDENDA

A Land Sale Data Sheets

B Legal Description

C Client Contract Information

D Qualifications

Attachment: appraisal - apn 482-020-064 nwc atwood ave and liberty st (Temp) (Converted) [Revision 1] (4325 : APPROVE AND EXECUTE THE

Scope of Work

This Appraisal Report is intended to comply with the reporting requirements set forth under Standards Rule 2 of USPAP. The scope of the assignment relates to the extent and manner in which research is conducted, data is gathered, and analysis is applied.

INTENDED USE OF REPORT

This appraisal is to be used for internal use and no other use is permitted.

CLIENT

The client is the City of Moreno Valley.

INTENDED USER OF REPORT

This appraisal is to be used by the City of Moreno Valley. No other user(s) may rely on our report unless as specifically indicated in this report.

Intended Users - the intended user is the person (or entity) who the appraiser intends will use the results of the appraisal. The client may provide the appraiser with information about other potential users of the appraisal, but the appraiser ultimately determines who the appropriate users are given the appraisal problem to be solved. Identifying the intended users is necessary so that the appraiser can report the opinions and conclusions developed in the appraisal in a manner that is clear and understandable to the intended users. Parties who receive or might receive a copy of the appraisal are not necessarily intended users. The appraiser's responsibility is to the intended users identified in the report, not to all readers of the appraisal report.³

PURPOSE OF THE APPRAISAL

The purpose of this appraisal is to estimate the market value of the subject property.

DEFINITION OF VALUE

The current economic definition of market value agreed upon by agencies that regulate federal financial institutions in the U.S. (and used herein) is as follows:

The most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently and knowledgeably, and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:

1. buyer and seller are typically motivated;

³ Appraisal Institute, The Appraisal of Real Estate, 14th ed. (Chicago: Appraisal Institute, 2013), 50.

2. both parties are well informed or well advised, and acting in what they consider their own best interests;
3. a reasonable time is allowed for exposure in the open market;
4. payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto; and
5. the price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.⁴

INTEREST APPRAISED

The value estimated represents the Fee Simple Estate as defined below:

Fee Simple Estate - Absolute ownership unencumbered by any other interest or estate, subject only to the limitations imposed by the governmental powers of taxation, eminent domain, police power and escheat.⁵

Leased Fee Interest - The ownership interest held by the lessor, which includes the right to receive the contract rent specified in the lease plus the reversionary right when the lease expires.⁶

Leasehold Interest - The tenant's possessory interest created by a lease.⁷

Going Concern – An established and operating business having an indefinite future life.⁸

Extent to Which the Property is Identified

The property is identified through the following sources:

- postal address
- assessor's records
- legal description

Extent to Which the Property is Inspected

On the date of value, the appraiser viewed portions of the subject site.

Type and Extent of the Data Researched

CBRE reviewed the following:

- applicable tax data
- zoning requirements
- flood zone status
- demographics

⁴ Interagency Appraisal and Evaluation Guidelines; December 10, 2010, Federal Register, Volume 75 Number 237, Page 77472.

⁵ Appraisal Institute, The Dictionary of Real Estate Appraisal, 6th ed. (Chicago: Appraisal Institute, 2015), 90.

⁶ Dictionary of Real Estate Appraisal, 128.

⁷ Dictionary of Real Estate Appraisal, 128.

⁸ Dictionary of Real Estate Appraisal, 102.

- comparable data

Type and Extent of Analysis Applied

CBRE, Inc. analyzed the data gathered through the use of appropriate and accepted appraisal methodology to arrive at a probable value indication via each applicable approach to value. The steps required to complete each approach are discussed in the methodology section.

Data Resources Utilized in the Analysis

DATA SOURCES	
Item:	Source(s):
Site Data	
Size	Riverside County Assessor Records
Compiled by CBRE	

APPRAISAL METHODOLOGY

In appraisal practice, an approach to value is included or omitted based on its applicability to the property type being valued and the quality and quantity of information available. Depending on a specific appraisal assignment, any of the following four methods may be used to determine the market value of the fee simple interest of land:

- Sales Comparison Approach;
- Income Capitalization Procedures;
- Allocation; and
- Extraction.

The following summaries of each method are paraphrased from the text of *The Appraisal of Real Estate*.

The first is the sales comparison approach. This is a process of analyzing sales of similar, recently sold parcels in order to derive an indication of the most probable sales price (or value) of the property being appraised. The reliability of this approach is dependent upon (a) the availability of comparable sales data, (b) the verification of the sales data regarding size, price, terms of sale, etc., (c) the degree of comparability or extent of adjustment necessary for differences between the subject and the comparables, and (d) the absence of nontypical conditions affecting the sales price. This is the primary and most reliable method used to value land (if adequate data exists).

The income capitalization procedures include three methods: land residual technique, ground rent capitalization, and Subdivision Development Analysis. A discussion of each of these three techniques is presented in the following paragraphs.

The land residual method may be used to estimate land value when sales data on similar parcels of vacant land are lacking. This technique is based on the principle of balance and the related concept of contribution, which are concerned with equilibrium among the agents of production--i.e. labor, capital, coordination, and land. The land

residual technique can be used to estimate land value when: 1) building value is known or can be accurately estimated, 2) stabilized, annual net operating income to the property is known or estimable, and 3) both building and land capitalization rates can be extracted from the market. Building value can be estimated for new or proposed buildings that represent the highest and best use of the property and have not yet incurred physical deterioration or functional obsolescence.

The subdivision development method is used to value land when subdivision and development represent the highest and best use of the appraised parcel. In this method, an appraiser determines the number and size of lots that can be created from the appraised land physically, legally, and economically. The value of the underlying land is then estimated through a discounted cash flow analysis with revenues based on the achievable sale price of the finished product and expenses based on all costs required to complete and sell the finished product.

The ground rent capitalization procedure is predicated upon the assumption that ground rents can be capitalized at an appropriate rate to indicate the market value of a site. Ground rent is paid for the right to use and occupy the land according to the terms of the ground lease; it corresponds to the value of the landowner's interest in the land. Market-derived capitalization rates are used to convert ground rent into market value. This procedure is useful when an analysis of comparable sales of leased land indicates a range of rents and reasonable support for capitalization rates can be obtained.

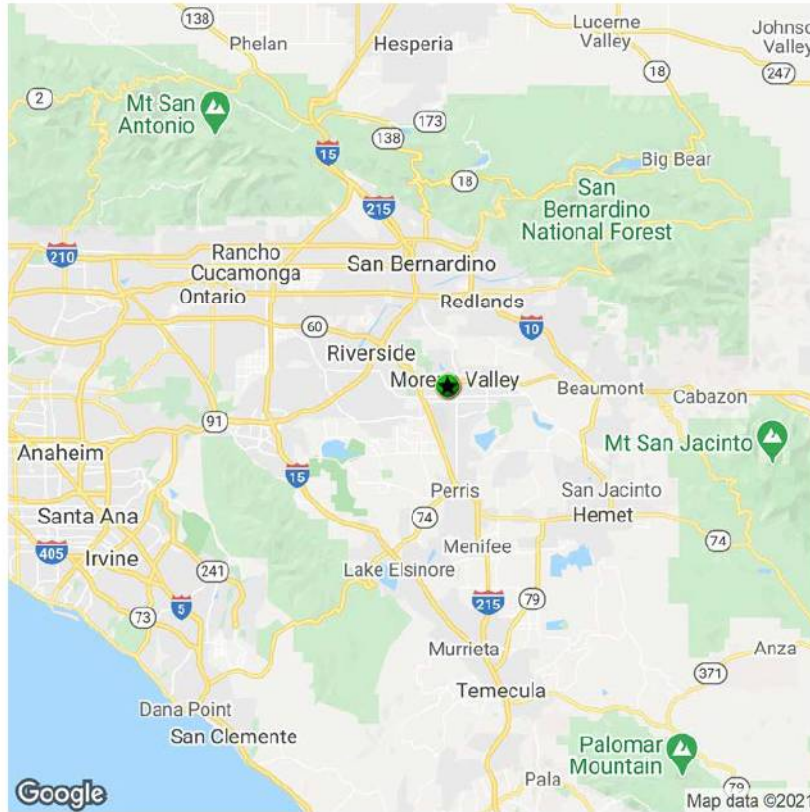
The allocation method is typically used when sales are so rare that the value cannot be estimated by direct comparison. This method is based on the principle of balance and the related concept of contribution, which affirm that there is a normal or typical ratio of land value to property value for specific categories of real estate in specific locations. This ratio is generally more reliable when the subject property includes relatively new improvements. The allocation method does not produce conclusive value indications, but it can be used to establish land value when the number of vacant land sales is inadequate.

The extraction method is a variant of the allocation method in which land value is extracted from the sale price of an improved property by deducting the contribution of the improvements, which is estimated from their depreciated costs. The remaining value represents the value of the land. Value indications derived in this way are generally unpersuasive because the assessment ratios may be unreliable and the extraction method does not reflect market considerations.

Methodology Applicable to the Subject

As sufficient data exists to complete it, the sales comparison approach is utilized. The other methodologies are used primarily when comparable land sales data is non-existent. Therefore, these approaches have not been

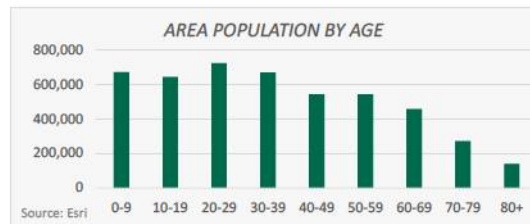
Area Analysis



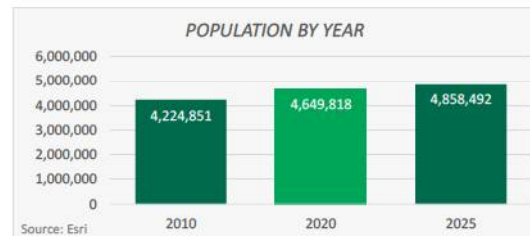
The subject is located in the Riverside-San Bernardino-Ontario, CA Metropolitan Statistical Area. Key information about the area is provided in the following tables.

POPULATION

The area has a population of 4,649,818 and a median age of 34, with the largest population group in the 20-29 age range and the smallest population in 80+ age range.



Population has increased by 424,967 since 2010, reflecting an annual increase of 1.0%. Population is projected to increase by an additional 208,674 by 2025, reflecting 0.9% annual population growth.



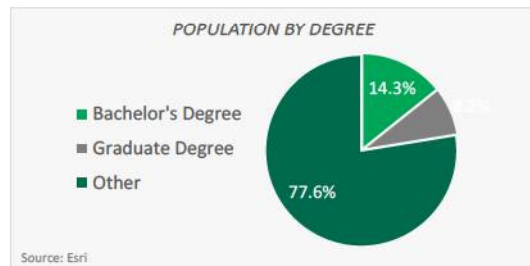
INCOME

The area features an average household income of \$89,572 and a median household income of \$66,193. Over the next five years, median household income is expected to increase by 10.7%, or \$1,418 per annum.

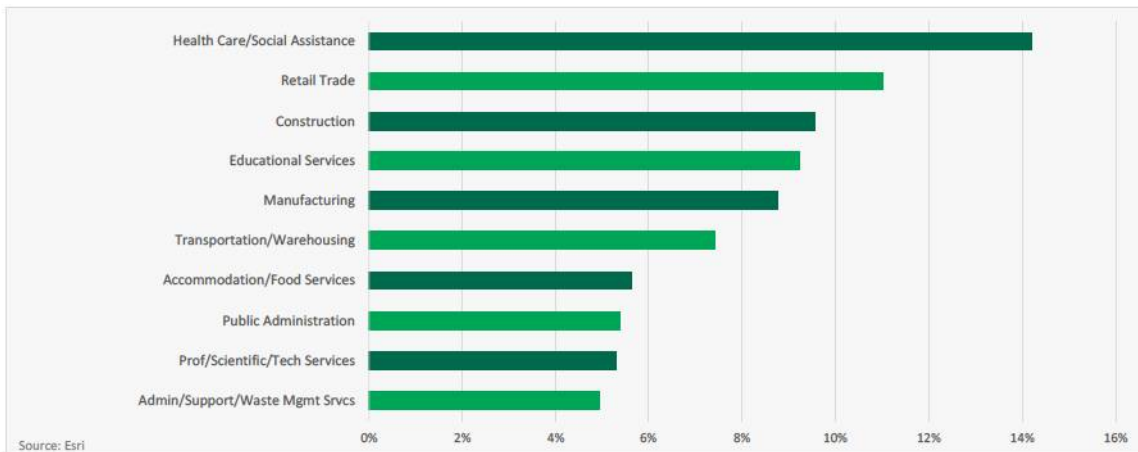


EDUCATION

A total of 22.4% of individuals over the age of 24 have a college degree, with 14.3% holding a bachelor's degree and 8.2% holding a graduate degree.



EMPLOYMENT



The area includes a total of 1,741,938 employees and has a 17.5% unemployment rate. The top three industries within the area are Health Care/Social Assistance, Retail Trade and Construction, which represent a combined total of 35% of the population.

In summary, the area is forecasted to experience an increase in population, an increase in household income, and an increase in household values.

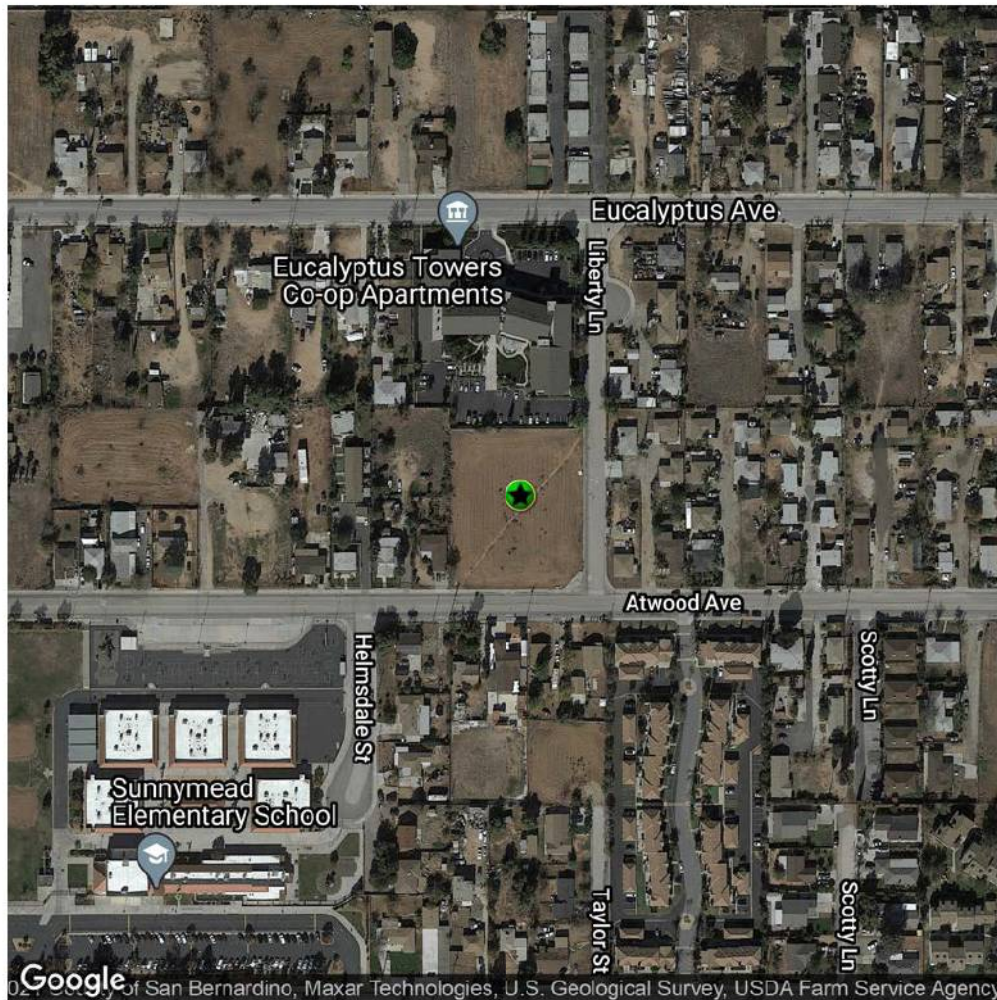
Neighborhood Analysis

LOCATION

The subject is located in the city of Moreno Valley which is located in Riverside County. Along with San Bernardino County, Riverside County comprises the Inland Empire region.

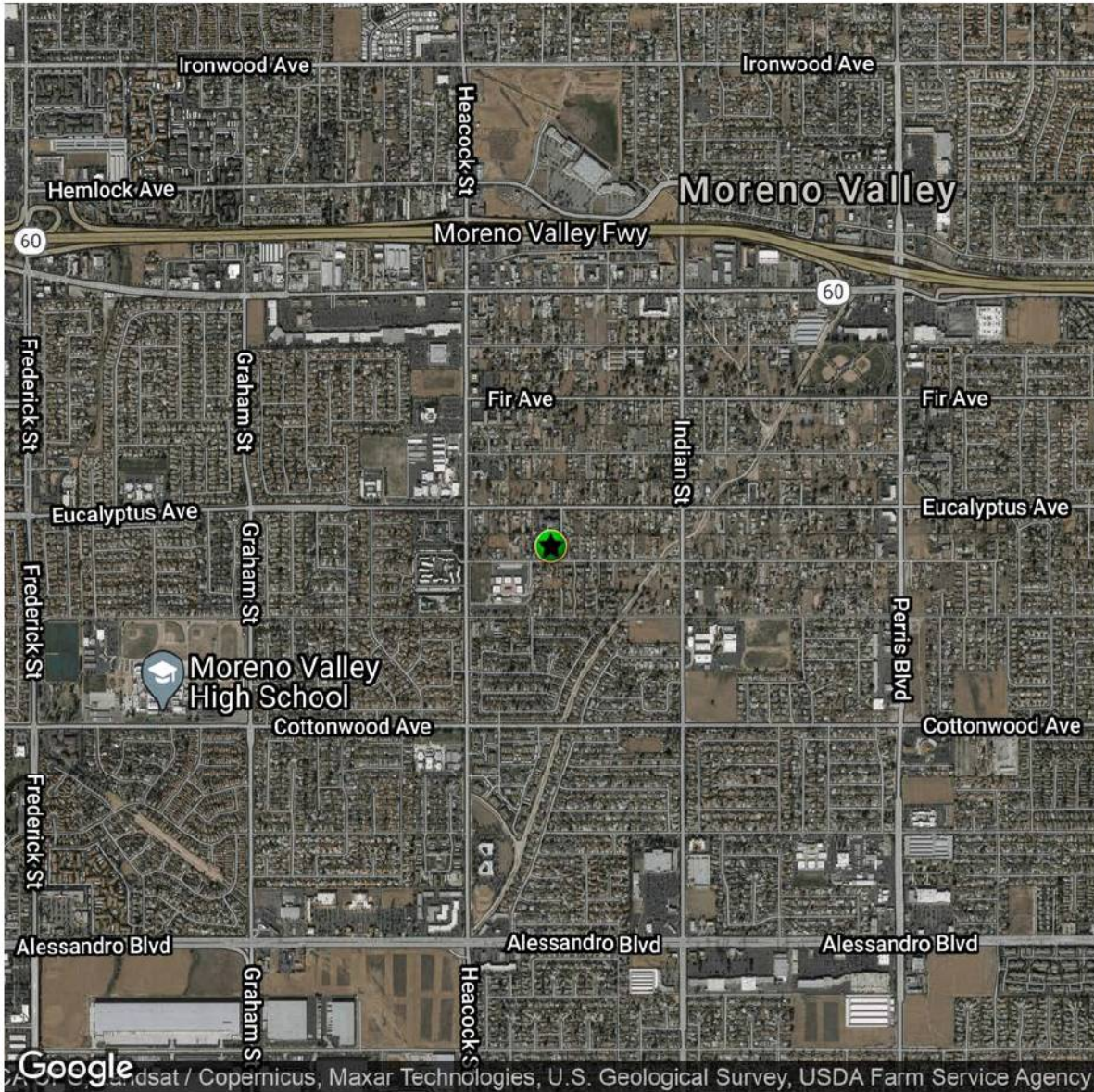
LAND USE

The following aerial photograph depicts the location of the subject within its immediate neighborhood.



The subject's immediate neighborhood is dominated by residential uses. These uses range from single-family detached homes to garden-style apartment projects. Additionally, an elementary school is located in the immediate neighborhood.

The following aerial photograph depicts the location of the subject within its broader neighborhood.



The subject's broader neighborhood is an area of suburban development characterized by mostly residential uses along secondary streets and commercial (mostly retail) uses located along arterial streets. Additionally, the subject neighborhood is improved with several schools. According to ESRI, the 2020 median value of owner-occupied housing units within a three-mile radius of the subject is \$293,866. ESRI further indicates that 48% of these housing units are owner occupied with the balance rented.

ACCESS

Local and regional vehicle access to the subject neighborhood is sufficient. Regional vehicle access to the neighborhood is provided most directly from the 60 Freeway. Arterial streets are

Neighborhood Analysis

Eucalyptus Avenue, Cottonwood Avenue, Alessandro Boulevard, Heacock Street, Indian Street, and Perris Boulevard. Public transportation servicing the neighborhood is limited to public bus lines.

DEMOGRAPHICS

Selected neighborhood demographics in one, three, and five-mile radii from the subject are shown in the following table:

SELECTED NEIGHBORHOOD DEMOGRAPHICS				
Northwest Corner of Atwood Avenue & Liberty Street Moreno Valley, CA 92553	1 Mile Radius	3 Mile Radius	5 Mile Radius	Riverside-San Bernardino- Ontario, CA Metropolitan Statistical Area
Population				
2025 Total Population	26,375	158,180	237,146	4,858,492
2020 Total Population	25,557	151,818	226,808	4,649,818
2010 Total Population	24,426	141,645	211,701	4,224,851
2000 Total Population	21,765	118,386	156,078	3,254,804
Annual Growth 2020 - 2025	0.63%	0.82%	0.90%	0.88%
Annual Growth 2010 - 2020	0.45%	0.70%	0.69%	0.96%
Annual Growth 2000 - 2010	1.16%	1.81%	3.10%	2.64%
Households				
2025 Total Households	6,634	41,294	63,806	1,475,634
2020 Total Households	6,464	39,875	61,387	1,418,077
2010 Total Households	6,227	37,420	57,670	1,297,878
2000 Total Households	5,851	32,555	43,726	1,034,805
Annual Growth 2020 - 2025	0.52%	0.70%	0.78%	0.80%
Annual Growth 2010 - 2020	0.37%	0.64%	0.63%	0.89%
Annual Growth 2000 - 2010	0.62%	1.40%	2.81%	2.29%
Income				
2020 Median Household Income	\$48,009	\$57,751	\$67,102	\$66,193
2020 Average Household Income	\$62,383	\$73,706	\$83,801	\$89,572
2020 Per Capita Income	\$15,652	\$19,518	\$22,739	\$27,361
2020 Pop 25+ College Graduates	1,266	13,671	27,816	674,930
Age 25+ Percent College Graduates - 2020	8.8%	14.7%	19.5%	22.4%

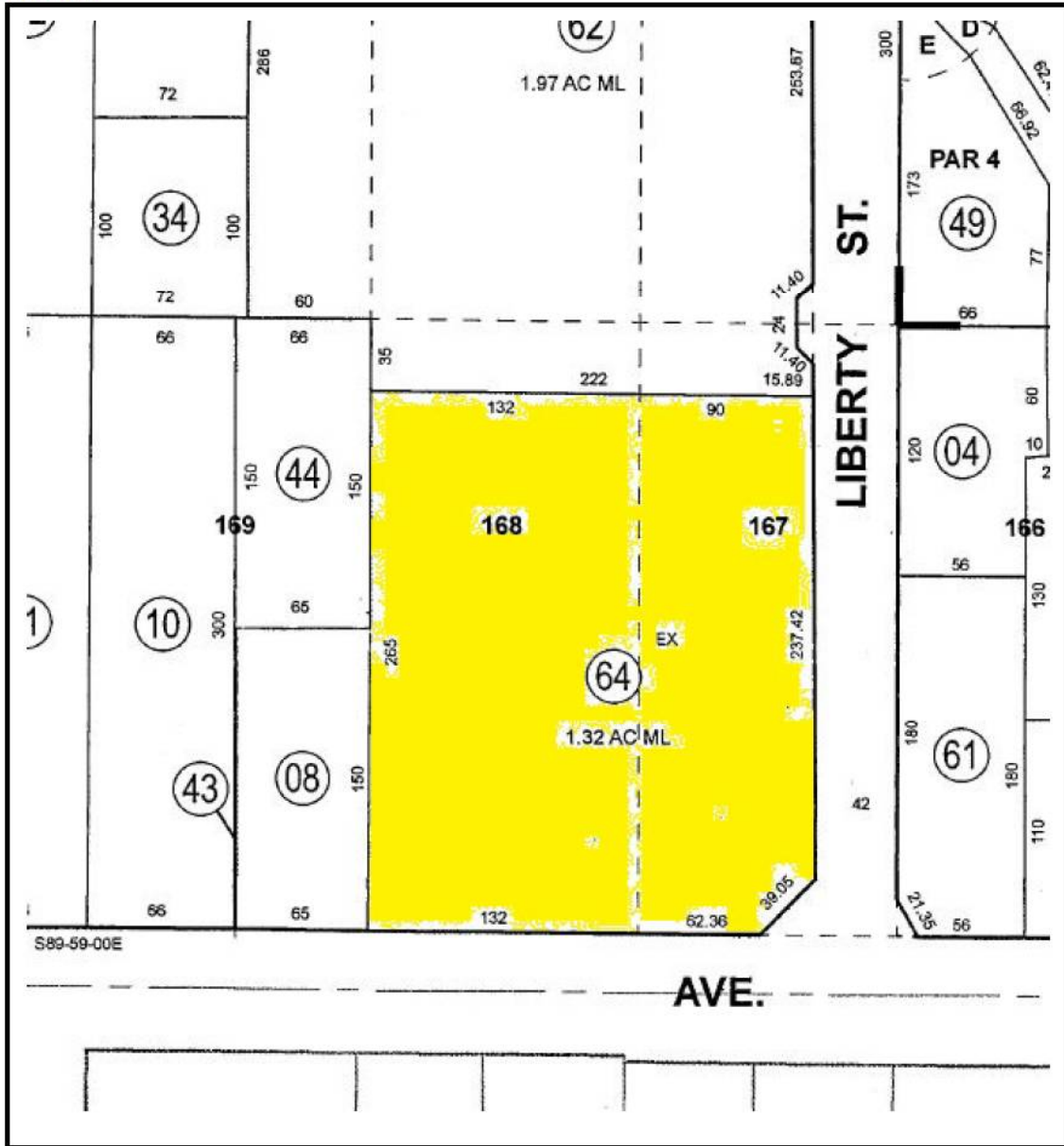
Source: ESRI

The subject neighborhood has a low-to-middle income resident profile and a population which is projected to grow moderately during the next five years.

CONCLUSION

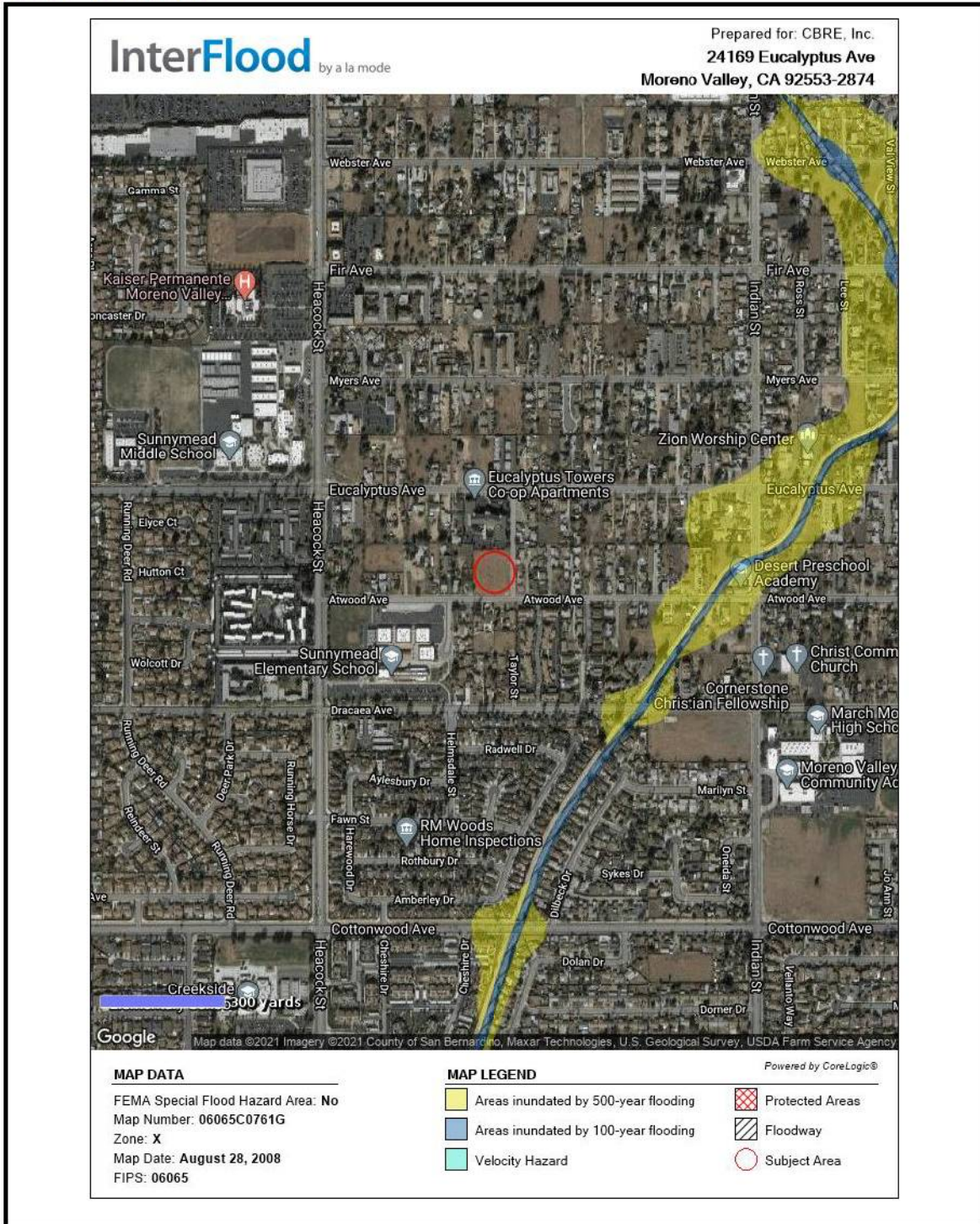
In conclusion, the subject neighborhood is nearing the maturity portion of the market area life cycle with small pockets available to accommodate future development, demand warranting.

PLAT MAP



Attachment: appraisal - apn 482-020-064 nwc atwood ave and liberty st (Temp) (Converted) [Revision 1] (4325 : APPROVE AND EXECUTE THE

FLOOD PLAIN MAP



Attachment: appraisal - apn 482-020-064 nwc atwood ave and liberty st (Temp) (Converted) [Revision 1] (4325 : APPROVE AND EXECUTE THE

Site Analysis

The following table summarizes the salient characteristics of the subject site.

SITE SUMMARY AND ANALYSIS			
Physical Description			
Gross Site Area	1.32 Acres	57,499 Sq. Ft.	
Net Site Area	1.32 Acres	57,499 Sq. Ft.	
Primary Road Frontage	Liberty Street	237 Feet	
Secondary Road Frontage	Atwood Avenue	194 Feet	
Excess Land Area	None	n/a	
Surplus Land Area	None	n/a	
Shape	Rectangular		
Topography	Generally Level		
Parcel Number(s)	482-020-064		
Zoning District	SP 204 VR, The Village Specific Plan, Village Residential		
Flood Map Panel No. & Date	06065C0765G	28-Aug-08	
Flood Zone	Zone X (Unshaded)		
Earthquake Zone	Not Located in an Alquist-Priolo Special Studies Area		
Comparative Analysis		Rating	
Visibility	Sufficient for Highest and Best Use		
Functional Utility	Sufficient for Highest and Best Use		
Adequacy of Utilities	Assumed Adequate		
Drainage	Assumed Adequate		
Utilities		Availability	
Water	Yes		
Sewer	Yes		
Natural Gas	Yes		
Electricity	Yes		
Telephone	Yes		
Mass Transit	Yes		
Other	<u>Yes</u>	<u>No</u>	<u>Unknown</u>
Detrimental Easements			X
Encroachments			X
Deed Restrictions			X
Reciprocal Parking Rights			X
Source: Various sources compiled by CBRE			

Attachment: appraisal - apn 482-020-064 nwc atwood ave and liberty st (Temp) (Converted) [Revision 1] (4325 : APPROVE AND EXECUTE THE

INGRESS/EGRESS

The subject site has frontage on two public streets. Curb cuts will need to be made for vehicle access onto the subject site as none currently exist.

TITLE EXCEPTIONS

A recent title commitment and accompanying ALTA survey were unavailable. It is recommended that the client/reader obtain a current title commitment and accompanying ALTA survey outlining and depicting all title exceptions, if any, prior to making a business decision. It is assumed that the subject's utility/marketability is not negatively affected by any title exceptions.

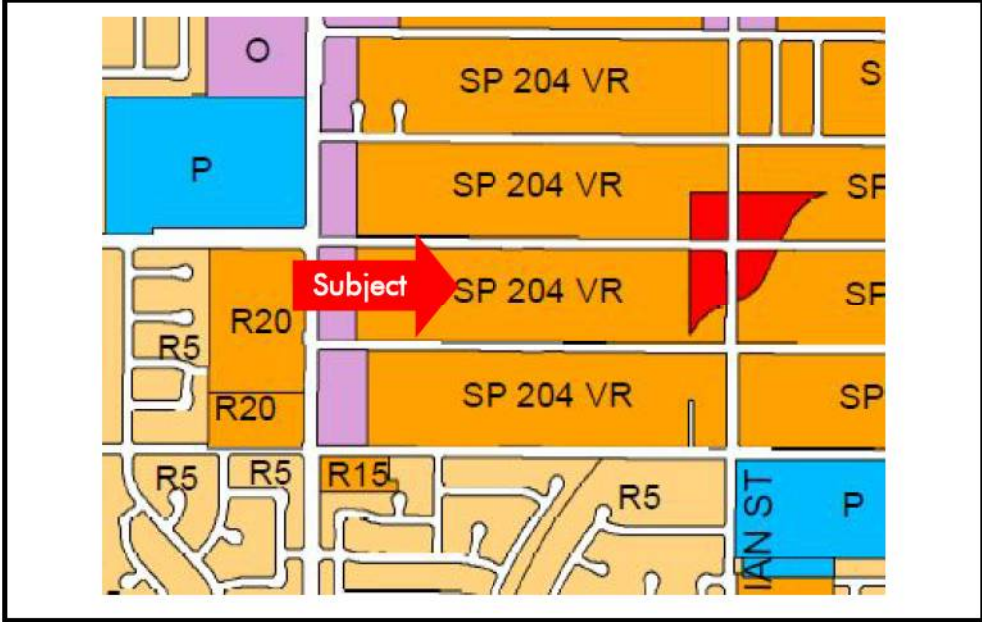
ENVIRONMENTAL ISSUES

A recent environmental site assessment for the subject was unavailable. The appraiser is not qualified to detect the existence of potentially hazardous material or underground storage tanks which may be present on or near the site. The existence of hazardous materials or underground storage tanks may affect the value of the property. For this appraisal, it is specifically assumed that the property is not affected by any hazardous materials that may be present on or near the property.

CONCLUSION

The subject site is comprised of a single, basically rectangular shaped, corner parcel which is generally level. The site is adequately serviced by utilities and has an adequate size, shape, and topography to be developed. All off-site improvements are in place. Curb cuts will need to be made for vehicle access onto the subject site as none currently exist. In conclusion, there are no known factors which materially and adversely affect the site.

ZONING MAP



Attachment: appraisal - apn 482-020-064 nwc atwood ave and liberty st (Temp) (Converted) [Revision 1] (4325 : APPROVE AND EXECUTE THE

Zoning

The following chart summarizes the subject’s zoning requirements.

ZONING SUMMARY	
Current Zoning	SP 204 VR, The Village Specific Plan, Village Residential
Legally Conforming	Yes
Uses Permitted	Single and Multi-Family, Day Care Centers, Churches, and Recreational Facilities
Zoning Change	Not Likely
Category	Zoning Requirement
Minimum Lot Size	10,000 Square Feet
Minimum Lot Depth	45 Feet (Single Family)/100 Feet (Multi
Minimum Lot Width	85 Feet (Single Family)/100 Feet (Multi
Maximum Height	35 Feet/2 Stories (Single Family)/50 Feet/3 Stories (Multi Family)
Minimum Setbacks	
Front Yard	20 Feet (Single Family)/25 Feet (Multi Family)
Street Side Yard	15 Feet (Single Family)/20 Feet (Multi Family)
Building Side Yard	5 Feet (Single Family)/10 Feet (Multi Family)
Rear Yard	15 Feet (Single Family)/20 Feet (Multi Family)
Maximum Bldg. Coverage	40% (Single Family)/45% (Multi Family)
Maximum Development Density	15 Dwelling Units/Acre
Source: Planning & Zoning Dept.	

The subject property is zoned SP 204 VR, The Village Specific Plan, Village Residential, a specific plan zoning designation that has a primary focus of providing for a range of densities from small, single family lots with detached homes to attached multi-family complexes. The maximum residential development density for the subject site is 15 dwelling units per acre which equates to 20 dwelling units.

Attachment: appraisal - apn 482-020-064 nwc atwood ave and liberty st (Temp) (Converted) [Revision 1] (4325 : APPROVE AND EXECUTE THE

Tax Assessment Data

In California, privately held real property is typically assessed at 100% of full cash value (which is interpreted to mean market value of the fee simple estate) as determined by the County Assessor. Generally, a reassessment occurs only when a property is sold (or transferred) or when new construction occurs (as differentiated from replacing existing construction). In the case of long-term ground leases, the general rule is that a reassessment is made at the time of assigning or terminating a lease where the remaining term is more than 35 years. For reassessment purposes, the lease term includes all options to extend. Assessments for properties that were acquired before the tax year 1975-1976 were stabilized as of the tax year 1975-1976. Property taxes are limited by state law to 1% of the assessed value plus voter-approved obligations and special assessments. If no sale (or transfer) occurs or no new building takes place, assessments may not increase by more than 2% annually.

TAX STATUS

The subject is owned by the Moreno Valley Housing Authority and is therefore tax exempt.

Market Analysis

INLAND EMPIRE APARTMENT MARKET

Recent Market Performance and Projections

The following table summarizes historical and projected performance for the Inland Empire apartment market, as defined by Axiometrics.

INLAND EMPIRE - CA APARTMENT MARKET								
Year Ending	Inventory (Units)	Completions (Units)	Occupied Stock (Units)	Occupancy	Asking Rent (\$/Unit / Mo.)	Asking Rent Change	Net Absorption (Units)	Transaction Price Per Area (Unit)
2010	153,230	529	143,063	93.4%	\$1,043	-0.40%	1,766	\$121,316
2011	153,145	-85	142,919	93.3%	\$1,061	1.74%	-142	\$102,423
2012	153,732	587	143,874	93.6%	\$1,086	2.32%	953	\$129,943
2013	153,782	50	145,086	94.3%	\$1,115	2.68%	1,214	\$122,986
2014	156,396	2,614	148,049	94.7%	\$1,157	3.74%	2,966	\$113,821
2015	157,769	1,373	150,320	95.3%	\$1,230	6.30%	2,272	\$114,471
2016	158,729	960	151,605	95.5%	\$1,302	5.85%	1,285	\$151,256
2017	159,752	1,023	152,488	95.5%	\$1,368	5.11%	885	\$116,691
2018	162,068	2,316	153,964	95.0%	\$1,430	4.55%	1,478	\$228,815
2019	164,075	2,007	155,144	94.6%	\$1,490	4.18%	1,185	\$190,814
2020 Q1	164,527	452	155,524	94.5%	\$1,493	2.59%	380	\$200,362
2020 Q2	165,228	701	157,402	95.3%	\$1,525	3.44%	1,881	\$144,307
2020 Q3	165,505	277	159,306	96.3%	\$1,576	6.26%	1,906	\$198,185
2020 Q4*	165,916	411	159,651	96.2%	\$1,575	5.67%	356	\$281,032
2021*	166,949	1,033	160,965	96.4%	\$1,656	5.14%	1,313	N/AP
2022*	166,874	-75	160,577	96.2%	\$1,776	7.26%	-387	N/AP
2023*	167,534	660	160,809	96.0%	\$1,850	4.15%	232	N/AP
2024*	168,723	1,189	161,619	95.8%	\$1,891	2.25%	810	N/AP
2025*	170,053	1,330	162,445	95.5%	\$1,919	1.49%	825	N/AP

* Future Projected Data according to Costar

Source: Costar, 3rd Quarter 2020

As shown, the Inland Empire apartment submarket grew from 153,230 units as of 2010 to the most recent reading of 165,505 units. During the 2011 to the end of the third quarter 2020 time period, market conditions strengthened from a landlord's perspective as evidenced by level to increasing occupancy rates, increasing asking rents, and mostly positive net absorption. CoStar projects continued market strengthening through the end of the forecast period.

Submarkets Snapshot

The following table provides a snapshot of the submarkets which comprise the Inland Empire apartment market. The subject is located in the Riverside/Corona submarket.

INLAND EMPIRE - CA SUBMARKET SNAPSHOT

Submarket	Inventory (Units)	Completions* (Units)	Asking Rent (\$/Unit / Mo.)	Occupancy
Greater Ontario/Rancho Cucamonga	38,894	244	\$1,921	96.7%
Outlying Riverside County	1,033	0	\$807	93.6%
Outlying San Bernardino County	12,439	160	\$1,058	96.5%
Palm Springs	14,500	97	\$1,266	96.6%
Riverside/Corona	38,439	766	\$1,649	94.9%
San Bernardino	39,884	659	\$1,371	96.9%
San Jacinto	8,231	0	\$1,328	97.5%
Southwest Riverside County/Temecula	12,085	330	\$1,784	95.8%

*Completions include trailing 4 quarters

Source: Costar, 3rd Quarter 2020

The subject's submarket is one of the largest with an average asking rent which is moderately above the average and an occupancy rate which is moderately below the average readings for the market as a whole.

Riverside/Corona Submarket Recent Market Performance and Projections

The following table summarizes historical and projected performance for the Riverside/Corona apartment submarket, as defined by CoStar.

RIVERSIDE/CORONA APARTMENT SUBMARKET

Year Ending	Inventory (Units)	Completions (Units)	Occupied Stock (Units)	Occupancy	Asking Rent (\$/Unit / Mo.)	Asking Rent Change	Net Absorption (Units)	Transaction Price Per Area (Units)
2010	34,087	66	32,074	94.1%	\$1,082	0.78%	271	\$117,842.47
2011	34,076	-11	31,882	93.6%	\$1,105	2.12%	-191	\$125,384.59
2012	34,480	404	32,174	93.3%	\$1,131	2.36%	289	\$123,093.75
2013	34,614	134	32,618	94.2%	\$1,162	2.68%	446	\$143,995.52
2014	34,974	360	33,135	94.7%	\$1,208	3.99%	521	\$97,314.97
2015	35,616	642	33,818	95.0%	\$1,282	6.08%	683	\$121,552.46
2016	35,794	178	34,154	95.4%	\$1,370	6.88%	337	\$193,834.52
2017	36,339	545	34,333	94.5%	\$1,435	4.79%	180	\$149,974.17
2018	36,979	640	35,189	95.2%	\$1,499	4.46%	857	\$223,568.19
2019	37,807	828	35,388	93.6%	\$1,557	3.85%	200	\$148,440.86
2020 Q1	38,259	452	35,454	92.7%	\$1,561	0.26%	65	\$145,228.58
2020 Q2	38,259	0	35,846	93.7%	\$1,586	1.57%	392	\$196,656.98
2020 Q3	38,439	180	36,479	94.9%	\$1,649	4.01%	634	\$334,102.97
2020 Q4*	38,429	-10	36,682	95.5%	\$1,654	0.28%	204	\$242,025.52
2021*	38,707	278	37,120	95.9%	\$1,738	5.06%	437	N/AP
2022*	38,667	-40	36,991	95.7%	\$1,861	7.11%	-128	N/AP
2023*	38,981	314	37,108	95.2%	\$1,937	4.07%	117	N/AP
2024*	39,549	568	37,500	94.8%	\$1,979	2.17%	393	N/AP
2025*	40,185	636	37,959	94.5%	\$2,007	1.42%	458	N/AP

*Future Projected Data according to Costar

Source: Costar, 3rd Quarter 2020

As shown, the Riverside/Corona apartment submarket grew from 34,087 units as of 2010 to the most recent reading of 38,439 units. During the 2010 to the end of the third quarter 2020 time period, market conditions strengthened from a landlord's perspective as evidenced by generally

level but high occupancy rates, increasing asking rents, and mostly positive net absorption. Consistent with the broader market, CoStar projects continued market strengthening through the end of the forecast period.

AB 1482 (RENT CONTROL)

The State of California recently enacted state-wide rent control with the title Assembly Bill 1482 in October 2019. Under Assembly Bill 1482, landlords of residential real property are prohibited from, over the course of any 12-month period, increasing the gross rental rate for a dwelling or unit more than 5% plus the percentage change in the cost of living, or 10%, whichever is lower, of the lowest gross rental rate charged for the immediately preceding 12 months. The cost of living is defined as the percentage change from April 1 of the prior year to April 1 of the current year in the regional Consumer Price Index for the residential real property is located, as published by the United States Bureau of Labor Statistics. The state's inflation rate averaged 2.5% over the past 25 years, meaning that the cap likely will be close to 7.5%. AB 1482 exempts apartments that have been issued a certificate of occupancy within the previous 15 years.

The bill prohibits owners from increasing the gross rental rate for the unit in more than 2 increments over a 12-month period, after the tenant remains in occupancy over a 12-month period. The new law is retroactive and applies to all rent increases occurring on or after March 15, 2019. If an owner increased the rent by more than the permitted amount between March 15, 2019, and January 1, 2020, the applicable rent on January 1, 2020, shall be the rent as of March 15, 2019, plus the maximum permissible increase, and the owner shall not be liable to the tenant for any corresponding rent overpayment. The bill would authorize an owner who increased the rent by less than the amount specified above between March 15, 2019 and January 1, 2020 to increase the rent twice within 12 months of March 15, 2019, but not by more than the amount specified above.

This bill, with certain exceptions, prohibit landlords from terminating a tenancy without just cause. The bill requires, for certain just cause terminations that are curable, that the owner give a notice of violation and an opportunity to cure the violation prior to issuing the notice of termination. The bill, if the violation is not cured within the time period set forth in the notice, authorize a 3-day notice to quit without an opportunity to cure to be served to terminate the tenancy. The bill requires, for no-fault just cause terminations, that the landlord provide a direct payment of one month's rent to the tenant, or waive in writing the payment of rent for the final month of the tenancy, prior to the rent becoming due. The bill requires the actual amount of relocation assistance or rent waiver provided to a tenant that fails to vacate after the expiration of the notice to terminate the tenancy to be recoverable as damages in an action to recover possession.

These provisions will last until January 1, 2030. Therefore, properties built between 2004 through 2015 will be eventually affected during the term of the bill. If developed with an apartment use the subject would not be subject to AB 1482.

Highest and Best Use

In appraisal practice, the concept of highest and best use represents the premise upon which value is based. The four criteria the highest and best use must meet are:

- * legal permissibility;
- * physical possibility;
- * financial feasibility; and
- * maximum profitability.

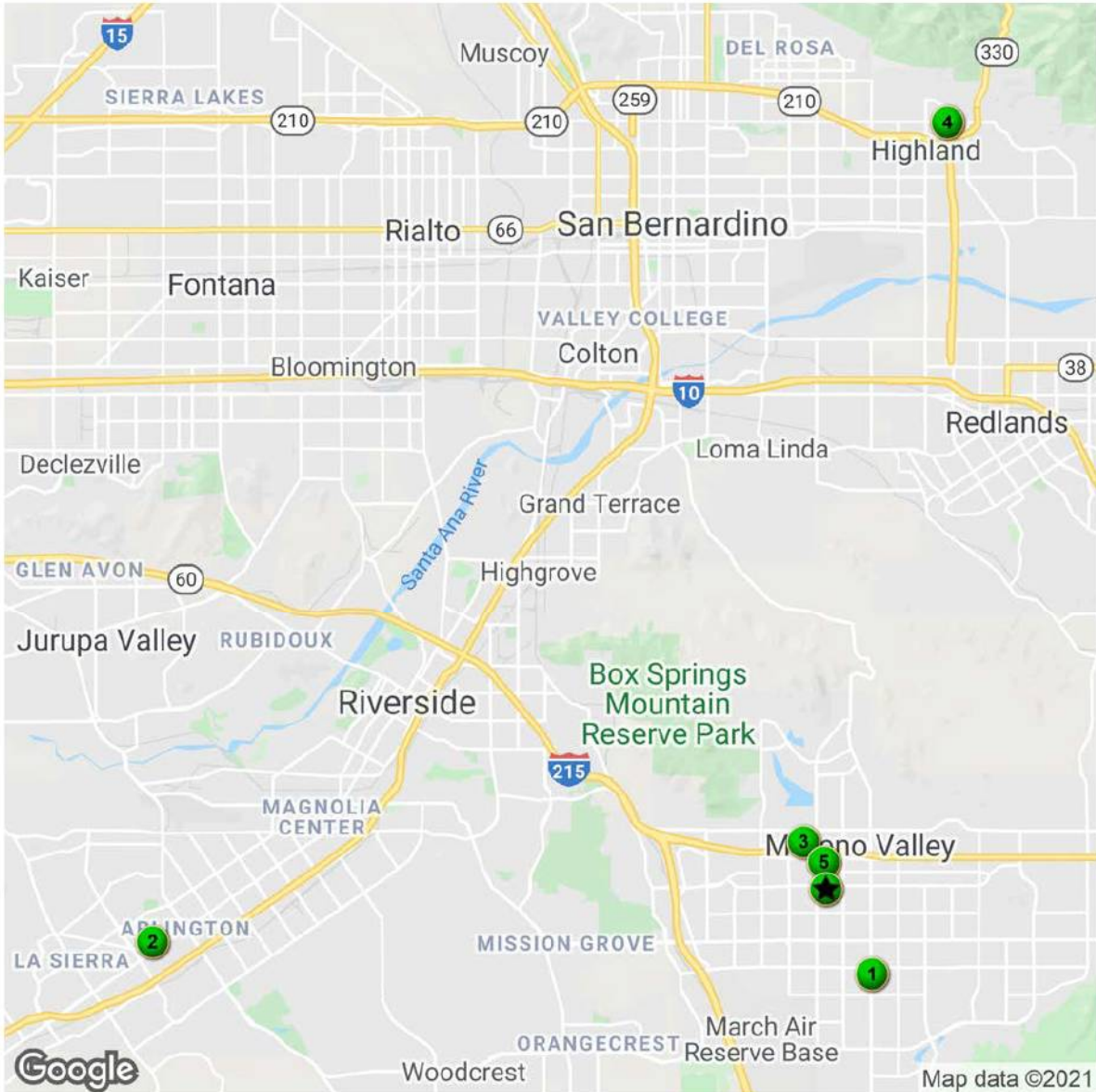
The highest and best use analysis incorporates the information presented in the market analysis section, as well as any unique characteristics of the subject described previously.

AS VACANT

The zoning district for the subject narrows the highest and best use of the property, as vacant, to single and multi-family, day care centers, churches, and recreational facilities. The physically possible constraint does not materially narrow the subject's highest and best use as vacant beyond the legally permissible constraint, as it is physically possible to develop the subject site, as vacant, with numerous of the legally permissible uses. Considering the intent of the subject's zoning district, the immediately surrounding uses, and development trends in the area, the most likely use of the subject site, as vacant, is multi-family. The majority of the land sales which have recently occurred within the subject's market area at a similar development density as the subject were purchased for condominium (for-sale) development; however, none of them have subsequently been developed as such. Additionally, nearby multi-family uses to the subject are rental projects. Considering the aforementioned, multi-family development at the subject would most likely occur as a rental project. If site acquisition costs were appropriate to allow for a sufficient entrepreneurial incentive, such a use would be financially feasible. The most likely purchaser of the subject site, as vacant, is a developer.

Land Value

The following map and table summarize the comparable data used in the valuation of the subject site. A data sheet for each transaction is included in the addenda.



Attachment: appraisal - apn 482-020-064 nwc atwood ave and liberty st (Temp) (Converted) [Revision 1] (4325 : APPROVE AND EXECUTE THE

SUMMARY OF COMPARABLE LAND SALES

No.	Property Location	Transaction Type	Transaction Date	Proposed Use	Actual Sale Price	Adjusted Sale Price ¹	Size (Acres)	Size (SF)	Density (UPA)	Allowable Units	Price Per SF	Price Per Bldg Unit
1	14600 Perris Boulevard Moreno Valley, CA 92553	Sale	Oct-18	52 Townhomes	\$1,000,000	\$1,000,000	4.28	186,437	12	52	\$5.36	\$19,231
2	3868 Dawes Street Riverside, CA 92503	Sale	Oct-18	Multi-Family	\$485,000	\$485,000	1.01	43,996	15	15	\$11.02	\$32,333
3	23802 & 824 Hemlock Avenue Moreno Valley, CA 92557	Sale	Sep-19	TBD	\$335,000	\$335,000	0.99	43,124	15	15	\$7.77	\$22,333
4	27688 21st Street Highland, CA 92346	Sale	Sep-20	49-Unit Townhome Project	\$1,066,000	\$1,066,000	4.18	182,081	12	49	\$5.85	\$21,755
5	24172 Webster Avenue Moreno Valley, CA 92553	Available/ Listing	Jan-21	12 Townhomes	\$488,000	\$488,000	0.90	39,204	13	12	\$12.45	\$40,667
Subject	Northwest Corner of Atwood Avenue & Liberty Street, Moreno Valley, California	---	---	Develop with a Multi-Family Use	---	---	1.32	57,499	15	20	---	---

¹ Adjusted sale price for cash equivalency and/or development costs (where applicable)
Compiled by CBRE



The comparable search was initially limited to recent sales of sites with a similar size and highest and best use as the subject located within its submarket. This search focused on sales of properties with similar maximum residential development densities as the subject. To obtain a sufficient dataset, the search criterion was expanded chronologically, geographically, and to include sites with materially different sizes. In addition, pertinent active sale listings were also considered. The comparables utilized are the best readily available to the appraiser for comparison with the subject.

DESCRIPTION OF COMPARABLES

Land Sale One

This comparable is comprised of two contiguous parcels which form a 4.28-acre site addressed as 14600 Perris Boulevard in the city of Moreno Valley. At the time of sale this rectangular-shaped site was generally level with curb, gutter, and sidewalk, as well as utilities available to it. It is zoned R-15 which permits a maximum development density of 15 dwelling units per acre. At the time of sale, the property had received tentative tract map approval for development with a 52-unit townhome project (12.15 dwelling units per acre). The sale price of \$1,000,000 equals \$5.36 per square foot of land area or \$19,230.77 per proposed dwelling unit.

Land Sale Two

This is the October 2018 sale of a previously developed site located along Dawes Street in the city of Riverside. The 1.01-acre site is rectangular in shape, generally level, and zoned R-3-3000, a zoning district with a maximum development density of 15 dwelling units per acre. There were no reported entitlements or approvals for the site at the time of sale. The sale price was \$485,000 which is equivalent to \$11.02 per square foot of land area or \$32,333 per allowable dwelling unit.

Land Sale Three

This is the sale of two long and narrow contiguous parcels improved with single family homes totaling just under one acre located at the northwest corner of Hemlock Avenue and Webb Street in the city of Moreno Valley. Its location is just north of the 60 Freeway and west of Hemlock Street in the western portion of the city. Surrounding uses are residential in nature. The property is moderately sloping, has all off-site improvements, and utilities are to it. Its R-15 zoning permits a maximum development density of 15 dwelling units per acre. During September 2019 the property sold for \$335,000 which equals \$7.77 per square foot of land area or \$22,333.33 per maximum allowable dwelling unit. The property was unentitled at the time of sale for redevelopment with a higher density use.

Land Sale Four

This comparable is comprised of one parcel measuring 4.18 acres located near 27688 21st Street in the city of Highland. At the time of sale this irregularly-shaped site was moderately sloping with no off-site improvements. However, utilities are nearby. It is zoned PD, planned development,

and at the time of sale had received tentative tract map approval for development with a 49-unit townhome project (11.72 dwelling units per acre). The sale price of \$1,066,000 equals \$5.85 per square foot of land area or \$21,755.10 per proposed dwelling unit.

Land Sale Five

This comparable is comprised of two contiguous parcels which form a 0.90-acre site addressed as 24172 Webster Avenue in the city of Moreno Valley. This rectangular-shaped site is generally level with curb, gutter, and sidewalk, as well as utilities available to it. It is zoned SP 204 VOR which permits a maximum development density of 15 dwelling units per acre. The property has received tentative tract map approval for development with a 12-unit townhome project (13.33 dwelling units per acre). The asking price of \$488,000 equals \$12.45 per square foot of land area or \$40,666.67 per proposed dwelling unit.

ANALYSIS OF COMPARABLES

POST COVID-19 MARKET CONDITIONS ADJUSTMENT

Based on the data presented in the market analysis section, a market conditions adjustment is not made to the sale prices of the comparables to account for the changing economic conditions precipitated by the COVID-19 pandemic.

SUMMARY

The following table presents the adjustments warranted to each comparable, as compared to the subject. The following adjustment grid implies a level of accuracy that does not exist in the current market and is provided only to illustrate the thought process of the appraiser. Where available, the quantified adjustments are based on market-derived data; however, due to the significant number of variables for properties similar to the subject isolating the effect of the elements of comparison is not typically possible. In these cases, the appraiser used his best judgment to make a reasonable estimate for the appropriate warranted adjustment.

LAND SALES ADJUSTMENT GRID						Subject
Comparable Number	1	2	3	4	5	---
Transaction Type	Sale	Sale	Sale	Sale	Available/Listing	---
Transaction Date	Oct-18	Oct-18	Sep-19	Sep-20	Jan-21	---
Proposed Use	52 Townhomes	Multi-Family	TBD	49-Unit Townhome Project	12 Townhomes	Develop with a Medium- Density Residential Use
Actual Sale Price	\$1,000,000	\$485,000	\$335,000	\$1,066,000	\$488,000	---
Adjusted Sale Price ¹	\$1,000,000	\$485,000	\$335,000	\$1,066,000	\$488,000	---
Size (Acres)	4.28	1.01	0.99	4.18	0.90	1.32
Size (SF)	186,437	43,996	43,124	182,081	39,204	57,499
Density (UPA)	12	15	15	12	13	15
Allowable Units	52	15	15	49	12	20
Price Per Unit	\$19,231	\$32,333	\$22,333	\$21,755	\$40,667	---
Price (\$ Per Unit)	\$19,231	\$32,333	\$22,333	\$21,755	\$40,667	
Property Rights Conveyed	0%	0%	0%	0%	0%	
Financing Terms ¹	0%	0%	0%	0%	0%	
Conditions of Sale	0%	0%	0%	0%	-5%	
...due to:					its listing status	
Market Conditions (Time)	7%	7%	4%	0%	0%	
...reflects:	the improved market conditions since the date of sale up until the onset of the COVID- 19 pandemic	the improved market conditions since the date of sale up until the onset of the COVID- 19 pandemic	the improved market conditions since the date of sale up until the onset of the COVID- 19 pandemic			
Subtotal	\$20,577	\$34,597	\$23,227	\$21,755	\$38,633	
Size	5%	0%	0%	5%	0%	
...with respect to:	its larger size and smaller buyer pool			its larger size and smaller buyer pool		
Shape	0%	0%	0%	0%	0%	
Topography	0%	0%	0%	0%	0%	
Location	0%	-25%	-5%	5%	0%	
...due to:		its superior location as exhibited by higher home prices for its zip code	its superior location as exhibited by higher home prices for its zip code	its inferior location as exhibited by lower home prices for its zip code		
Utilities	0%	0%	0%	0%	0%	
Off-Site Improvements	0%	0%	0%	10%	0%	
...given:				its lack of off-site improvements		
Entitlements	0%	0%	0%	0%	0%	
Total Other Adjustments	5%	-25%	-5%	20%	0%	
Value Indication for Subject	\$21,606	\$25,947	\$22,065	\$26,106	\$38,633	
Absolute Adjustment	12%	32%	9%	20%	5%	

¹ Adjusted sale price for cash equivalency and/or development costs (where applicable)

Compiled by CBRE

CONCLUSION

After adjustments, the comparables provide a value range of \$21,606 to \$38,633 per dwelling unit for the subject. The range is skewed by Land Sale Five, a listing, which sets the top of the adjusted range with a value indication which is materially greater than those provided by the closed sales. The closed sales provide a considerably narrower value range of \$21,606 to

Land Value

\$26,106 per dwelling unit. Greatest weighting is given to Land Sale One and Three which required relatively low absolute adjustments in part because of their Moreno Valley locations. The following table provides the land value estimate.

CONCLUDED LAND VALUE				
\$ Per Unit		Subject Units		Total
\$21,606	x	20	=	\$432,115
\$22,065	x	20	=	\$441,307
Indicated Value:				\$435,000
(Rounded \$ Per Unit)				\$21,750
Compiled by CBRE				

Attachment: appraisal - apn 482-020-064 nwc atwood ave and liberty st (Temp) (Converted) [Revision 1] (4325 : APPROVE AND EXECUTE THE



Assumptions and Limiting Conditions

1. CBRE, Inc. through its appraiser (collectively, "CBRE") has inspected through reasonable observation the subject property. However, it is not possible or reasonably practicable to personally inspect conditions beneath the soil and the entire interior and exterior of the improvements on the subject property. Therefore, no representation is made as to such matters.
2. The report, including its conclusions and any portion of such report (the "Report"), is as of the date set forth in the letter of transmittal and based upon the information, market, economic, and property conditions and projected levels of operation existing as of such date. The dollar amount of any conclusion as to value in the Report is based upon the purchasing power of the U.S. Dollar on such date. The Report is subject to change as a result of fluctuations in any of the foregoing. CBRE has no obligation to revise the Report to reflect any such fluctuations or other events or conditions which occur subsequent to such date.
3. Unless otherwise expressly noted in the Report, CBRE has assumed that:
 - (i) Title to the subject property is clear and marketable and that there are no recorded or unrecorded matters or exceptions to title that would adversely affect marketability or value. CBRE has not examined title records (including without limitation liens, encumbrances, easements, deed restrictions, and other conditions that may affect the title or use of the subject property) and makes no representations regarding title or its limitations on the use of the subject property. Insurance against financial loss that may arise out of defects in title should be sought from a qualified title insurance company.
 - (ii) Existing improvements on the subject property conform to applicable local, state, and federal building codes and ordinances, are structurally sound and seismically safe, and have been built and repaired in a workmanlike manner according to standard practices; all building systems (mechanical/electrical, HVAC, elevator, plumbing, etc.) are in good working order with no major deferred maintenance or repair required; and the roof and exterior are in good condition and free from intrusion by the elements. CBRE has not retained independent structural, mechanical, electrical, or civil engineers in connection with this appraisal and, therefore, makes no representations relative to the condition of improvements. CBRE appraisers are not engineers and are not qualified to judge matters of an engineering nature, and furthermore structural problems or building system problems may not be visible. It is expressly assumed that any purchaser would, as a precondition to closing a sale, obtain a satisfactory engineering report relative to the structural integrity of the property and the integrity of building systems.
 - (iii) Any proposed improvements, on or off-site, as well as any alterations or repairs considered will be completed in a workmanlike manner according to standard practices.
 - (iv) Hazardous materials are not present on the subject property. CBRE is not qualified to detect such substances. The presence of substances such as asbestos, urea formaldehyde foam insulation, contaminated groundwater, mold, or other potentially hazardous materials may affect the value of the property.
 - (v) No mineral deposit or subsurface rights of value exist with respect to the subject property, whether gas, liquid, or solid, and no air or development rights of value may be transferred. CBRE has not considered any rights associated with extraction or exploration of any resources, unless otherwise expressly noted in the Report.
 - (vi) There are no contemplated public initiatives, governmental development controls, rent controls, or changes in the present zoning ordinances or regulations governing use, density, or shape that would significantly affect the value of the subject property.
 - (vii) All required licenses, certificates of occupancy, consents, or other legislative or administrative authority from any local, state, nor national government or private entity or organization have been or can be readily obtained or renewed for any use on which the Report is based.
 - (viii) The subject property is managed and operated in a prudent and competent manner, neither inefficiently or super-efficiently.
 - (ix) The subject property and its use, management, and operation are in full compliance with all applicable federal, state, and local regulations, laws, and restrictions, including without limitation environmental laws, seismic hazards, flight patterns, decibel levels/noise envelopes, fire hazards, hillside ordinances, density, allowable uses, building codes, permits, and licenses.
 - (x) The subject property is in full compliance with the Americans with Disabilities Act (ADA). CBRE is not qualified to assess the subject property's compliance with the ADA, notwithstanding any discussion of possible readily achievable barrier removal construction items in the Report.

Assumptions and Limiting Conditions

- (xi) All information regarding the areas and dimensions of the subject property furnished to CBRE are correct, and no encroachments exist. CBRE has neither undertaken any survey of the boundaries of the subject property nor reviewed or confirmed the accuracy of any legal description of the subject property.

Unless otherwise expressly noted in the Report, no issues regarding the foregoing were brought to CBRE's attention, and CBRE has no knowledge of any such facts affecting the subject property. If any information inconsistent with any of the foregoing assumptions is discovered, such information could have a substantial negative impact on the Report. Accordingly, if any such information is subsequently made known to CBRE, CBRE reserves the right to amend the Report, which may include the conclusions of the Report. CBRE assumes no responsibility for any conditions regarding the foregoing, or for any expertise or knowledge required to discover them. Any user of the Report is urged to retain an expert in the applicable field(s) for information regarding such conditions.

4. CBRE has assumed that all documents, data and information furnished by or behalf of the client, property owner, or owner's representative are accurate and correct, unless otherwise expressly noted in the Report. Such data and information include, without limitation, numerical street addresses, lot and block numbers, Assessor's Parcel Numbers, land dimensions, square footage area of the land, dimensions of the improvements, gross building areas, net rentable areas, usable areas, unit count, room count, rent schedules, income data, historical operating expenses, budgets, and related data. Any error in any of the above could have a substantial impact on the Report. Accordingly, if any such errors are subsequently made known to CBRE, CBRE reserves the right to amend the Report, which may include the conclusions of the Report. The client and intended user should carefully review all assumptions, data, relevant calculations, and conclusions of the Report and should immediately notify CBRE of any questions or errors within 30 days after the date of delivery of the Report.
5. CBRE assumes no responsibility (including any obligation to procure the same) for any documents, data or information not provided to CBRE, including without limitation any termite inspection, survey or occupancy permit.
6. All furnishings, equipment and business operations have been disregarded with only real property being considered in the Report, except as otherwise expressly stated and typically considered part of real property.
7. Any cash flows included in the analysis are forecasts of estimated future operating characteristics based upon the information and assumptions contained within the Report. Any projections of income, expenses and economic conditions utilized in the Report, including such cash flows, should be considered as only estimates of the expectations of future income and expenses as of the date of the Report and not predictions of the future. Actual results are affected by a number of factors outside the control of CBRE, including without limitation fluctuating economic, market, and property conditions. Actual results may ultimately differ from these projections, and CBRE does not warrant any such projections.
8. The Report contains professional opinions and is expressly not intended to serve as any warranty, assurance or guarantee of any particular value of the subject property. Other appraisers may reach different conclusions as to the value of the subject property. Furthermore, market value is highly related to exposure time, promotion effort, terms, motivation, and conclusions surrounding the offering of the subject property. The Report is for the sole purpose of providing the intended user with CBRE's independent professional opinion of the value of the subject property as of the date of the Report. Accordingly, CBRE shall not be liable for any losses that arise from any investment or lending decisions based upon the Report that the client, intended user, or any buyer, seller, investor, or lending institution may undertake related to the subject property, and CBRE has not been compensated to assume any of these risks. Nothing contained in the Report shall be construed as any direct or indirect recommendation of CBRE to buy, sell, hold, or finance the subject property.
9. No opinion is expressed on matters which may require legal expertise or specialized investigation or knowledge beyond that customarily employed by real estate appraisers. Any user of the Report is advised to retain experts in areas that fall outside the scope of the real estate appraisal profession for such matters.
10. CBRE assumes no responsibility for any costs or consequences arising due to the need, or the lack of need, for flood hazard insurance. An agent for the Federal Flood Insurance Program should be contacted to determine the actual need for Flood Hazard Insurance.
11. Acceptance or use of the Report constitutes full acceptance of these Assumptions and Limiting Conditions and any special assumptions set forth in the Report. It is the responsibility of the user of the Report to read in full, comprehend and thus become aware of all such assumptions and limiting conditions. CBRE assumes no responsibility for any situation arising out of the user's failure to become familiar with and understand the same.
12. The Report applies to the property as a whole only, and any pro ration or division of the title into fractional interests will invalidate such conclusions, unless the Report expressly assumes such pro ration or division of interests.

Assumptions and Limiting Conditions

13. The allocations of the total value estimate in the Report between land and improvements apply only to the existing use of the subject property. The allocations of values for each of the land and improvements are not intended to be used with any other property or appraisal and are not valid for any such use.
14. The maps, plats, sketches, graphs, photographs, and exhibits included in this Report are for illustration purposes only and shall be utilized only to assist in visualizing matters discussed in the Report. No such items shall be removed, reproduced, or used apart from the Report.
15. The Report shall not be duplicated or provided to any unintended users in whole or in part without the written consent of CBRE, which consent CBRE may withhold in its sole discretion. Exempt from this restriction is duplication for the internal use of the intended user and its attorneys, accountants, or advisors for the sole benefit of the intended user. Also exempt from this restriction is transmission of the Report pursuant to any requirement of any court, governmental authority, or regulatory agency having jurisdiction over the intended user, provided that the Report and its contents shall not be published, in whole or in part, in any public document without the written consent of CBRE, which consent CBRE may withhold in its sole discretion. Finally, the Report shall not be made available to the public or otherwise used in any offering of the property or any security, as defined by applicable law. Any unintended user who may possess the Report is advised that it shall not rely upon the Report or its conclusions and that it should rely on its own appraisers, advisors and other consultants for any decision in connection with the subject property. CBRE shall have no liability or responsibility to any such unintended user.

Addenda

ADDENDA

Attachment: appraisal - apn 482-020-064 nwc atwood ave and liberty st (Temp) (Converted) [Revision 1] (4325 : APPROVE AND EXECUTE THE

Addendum A

LAND SALE DATA SHEETS

Attachment: appraisal - apn 482-020-064 nwc atwood ave and liberty st (Temp) (Converted) [Revision 1] (4325 : APPROVE AND EXECUTE THE

Sale Land - Residential Subdivision No. 1

Property Name	Iris Town Homes Site
Address	14600 Perris Boulevard Moreno Valley, CA 92553
County	Riverside
Govt./Tax ID	Multiple
Land Area Net	4.280 ac/ 186,437 sf
Land Area Gross	4.280 ac/ 186,437 sf
Site Development Status	Finished
Utilities	All to Site
Maximum FAR	N/A
Min Land Bldg Ratio	N/A
Shape	Rectangular
Topography	Generally Level
Flood Zone Class	N/A
Flood Panel No./ Date	N/A
Zoning	R-15
Entitlement Status	Tentative Tract



Transaction Details

Type	Sale	Primary Verification	Attempted with Principals, Confirmed with Public Records Only
Interest Transferred	Fee Simple	Transaction Date	10/26/2018
Condition of Sale	None	Recording Date	N/A
Recorded Buyer	Aman Company, Inc.	Sale Price	\$1,000,000
Buyer Type	Private Investor	Financing	Cash to Seller
Recorded Seller	Anvari Assoc Corp	Cash Equivalent	\$1,000,000
Marketing Time	N/A	Capital Adjustment	\$0
Listing Broker	Nonw Known	Adjusted Price	\$1,000,000
Doc #	0424944	Adjusted Price / ac and / sf	\$233,645 / \$5.36
		Adjusted Price/ FAR	N/A
		Adjusted Price/ Unit	\$19,231

Comments

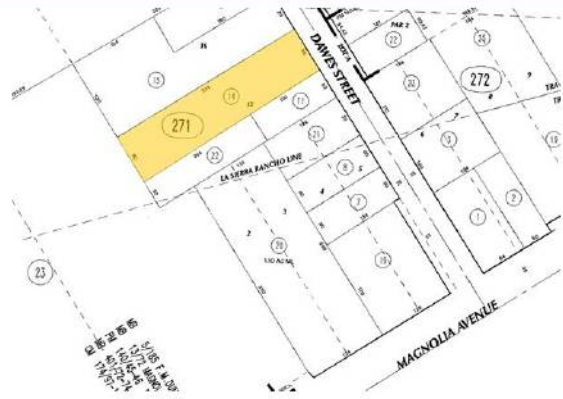
This comparable is comprised of two contiguous parcels which form a 4.28-acre site addressed as 14600 Perris Boulevard in the city of Moreno Valley. At the time of sale this rectangular-shaped site was generally level with curb, gutter, and sidewalk, as well as utilities available to it. It is zoned R-15 which permits a maximum development density of 15 dwelling units per acre. At the time of sale, the property had received tentative tract map approval for development with a 52-unit townhome project (12.15 dwelling units per acre). The sale price of \$1,000,000 equals \$5.36 per square foot of land area or \$19,230.77 per proposed dwelling unit.

Attachment: appraisal - apn 482-020-064 nwc atwood ave and liberty st (Temp) (Converted) [Revision 1] (4325 : APPROVE AND EXECUTE THE

Sale Land - Multi Unit Residential No. 2

Property Name 3868 Dawes Street
 Address 3868 Dawes Street
 Riverside, CA 92503

County Riverside
 Govt./Tax ID Multiple
 Land Area Net 1.010 ac/ 43,996 sf
 Land Area Gross 1.010 ac/ 43,996 sf
 Site Development Status Finished
 Utilities All to site
 Maximum FAR N/A
 Min Land Bldg Ratio N/A
 Shape Rectangular
 Topography Level, At Street Grade
 Flood Zone Class N/A
 Flood Panel No./ Date N/A
 Zoning R-3-3000
 Entitlement Status None



Transaction Details

Type	Sale	Primary Verification	Mike Noreikas - (951) 354-7770
Interest Transferred	Fee Simple	Transaction Date	10/30/2018
Condition of Sale	None	Recording Date	10/30/2018
Recorded Buyer	Nash EZ Investments, LLC	Sale Price	\$485,000
Buyer Type	Private Investor	Financing	All Cash
Recorded Seller	Noreikas Family Trust	Cash Equivalent	\$485,000
Marketing Time	5 Month(s)	Capital Adjustment	\$0
Listing Broker	Mike Noreikas - (951) 354-7770	Adjusted Price	\$485,000
Doc #	426218	Adjusted Price / ac and / sf	\$480,198 / \$11.02
		Adjusted Price/ FAR	N/A
		Adjusted Price/ Unit	\$32,333

Comments

This is the October 2018 sale of a previously developed site located along Dawes Street in the city of Riverside. The 1.01-acre site is rectangular in shape, generally level, and zoned R-3-3000. There were no reported entitlements or approvals for the site at the time of sale. The sale price was \$485,000 which is equivalent to \$11.02 per square foot of land area or \$32,333 per allowable dwelling unit.

Attachment: appraisal - apn 482-020-064 nwc atwood ave and liberty st (Temp) (Converted) [Revision 1] (4325 : APPROVE AND EXECUTE THE

Sale Land - Multi Unit Residential No. 3

Property Name	R-15 Zoned Land
Address	23802 & 824 Hemlock Avenue Moreno Valley, CA 92557
County	Riverside
Govt./Tax ID	292-181-005 & 006
Land Area Net	0.990 ac/ 43,124 sf
Land Area Gross	N/A/ N/A
Site Development Status	Finished
Utilities	All to Site
Maximum FAR	N/A
Min Land Bldg Ratio	N/A
Shape	Rectangular
Topography	Moderate Slope
Flood Zone Class	N/A
Flood Panel No./ Date	N/A
Zoning	R-15
Entitlement Status	None



Transaction Details

Type	Sale	Primary Verification	CoStar, LandVision, Broker
Interest Transferred	Fee Simple	Transaction Date	09/20/2019
Condition of Sale	None	Recording Date	N/A
Recorded Buyer	GUTIERREZ, FERNANDO	Sale Price	\$335,000
Buyer Type	Private Investor	Financing	Cash to Seller
Recorded Seller	HAGER, WARREN P	Cash Equivalent	\$335,000
Marketing Time	7 Month(s)	Capital Adjustment	\$0
Listing Broker	Lori Bright - Realty One 9092144013	Adjusted Price	\$335,000
Doc #	0372348	Adjusted Price / ac and / sf	\$338,384 / \$7.77
		Adjusted Price/ FAR	N/A
		Adjusted Price/ Unit	\$22,333

Comments

This is the sale of two long and narrow contiguous parcels improved with single family homes totaling just under one acre located at the northwest corner of Hemlock Avenue and Webb Street in the city of Moreno Valley. Its location is just north of the 60 Freeway and west of Hemlock Street in the western portion of the city. Surrounding uses are residential in nature. The property is moderately sloping, has all off-site improvements, and utilities are to it. Its R-15 zoning permits a maximum development density of 15 dwelling units per acre. During September 2019 the property sold for \$335,000 which equals \$7.77 per square foot of land area or \$22,333.33 per maximum allowable dwelling unit. The property was unentitled at the time of sale for redevelopment with a higher density use.

Attachment: appraisal - apn 482-020-064 nwc atwood ave and liberty st (Temp) (Converted) [Revision 1] (4325 : APPROVE AND EXECUTE THE

Sale Land - Residential Subdivision No. 4

Property Name	49-Unit Townhome Project
Address	27688 21st Street Highland, CA 92346
County	San Bernardino
Govt./Tax ID	1200-041-02
Land Area Net	4.180 ac/ 182,081 sf
Land Area Gross	4.180 ac/ 182,081 sf
Site Development Status	Raw
Utilities	All to Site
Maximum FAR	N/A
Min Land Bldg Ratio	N/A
Shape	Irregular
Topography	Moderate Slope
Flood Zone Class	N/A
Flood Panel No./ Date	N/A
Zoning	PD, Planned Development
Entitlement Status	Tentative Tract



Transaction Details

Type	Sale	Primary Verification	Attempted with Principals, Confirmed with Public Records and Listing Brochure
Interest Transferred	Fee Simple	Transaction Date	09/04/2020
Condition of Sale	None	Recording Date	N/A
Recorded Buyer	Jianlong Xu	Sale Price	\$1,066,000
Buyer Type	Private Investor	Financing	Cash to Seller
Recorded Seller	KJ Development Group, LLC	Cash Equivalent	\$1,066,000
Marketing Time	2 Month(s)	Capital Adjustment	\$0
Listing Broker	Nick Giannini with The Hoffman Company	Adjusted Price	\$1,066,000
Doc #	330889	Adjusted Price / ac and / sf	\$255,024 / \$5.85
		Adjusted Price/ FAR	N/A
		Adjusted Price/ Unit	\$21,755

Comments

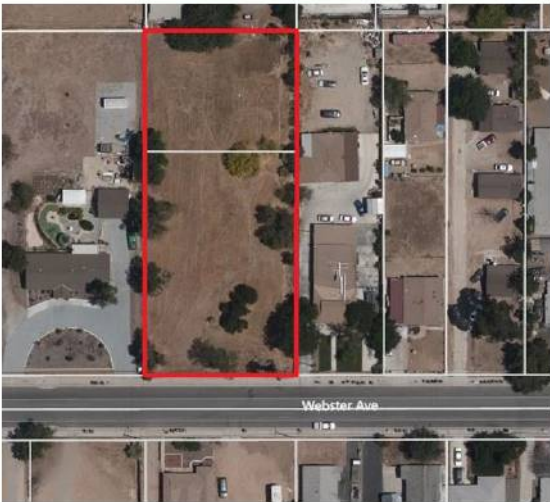
This comparable is comprised of one parcel measuring 4.18 acres located near 27688 21st Street in the city of Highland. At the time of sale this irregularly-shaped site was moderately sloping with no off-site improvements. However, utilities are nearby. It is zoned PD, planned development, and at the time of sale had received tentative tract map approval for development with a 49-unit townhome project (11.72 dwelling units per acre). The sale price of \$1,066,000 equals \$5.85 per square foot of land area or \$21,755.10 per proposed dwelling unit.

Attachment: appraisal - apn 482-020-064 nwc atwood ave and liberty st (Temp) (Converted) [Revision 1] (4325 : APPROVE AND EXECUTE THE

Available/Listing Land - Residential Subdivision No. 5

Property Name A 12-Unit Townhome Site
 Address 24172 Webster Avenue
 Moreno Valley, CA 92553

County Riverside
 Govt./Tax ID Multiple
 Land Area Net 0.900 ac/ 39,204 sf
 Land Area Gross 0.900 ac/ 39,204 sf
 Site Development Status Finished
 Utilities All to Site
 Maximum FAR N/A
 Min Land Bldg Ratio N/A
 Shape Rectangular
 Topography Generally Level
 Flood Zone Class N/A
 Flood Panel No./ Date N/A
 Zoning SP 204 VOR
 Entitlement Status Tentative Tract



Transaction Details

Type	Available/Listing	Primary Verification	Listing Brochure
Interest Transferred	Fee Simple	Transaction Date	01/07/2021
Condition of Sale	None	Recording Date	N/A
Recorded Buyer	TBD	Sale Price	\$488,000
Buyer Type	N/A	Financing	Not Available
Recorded Seller	PI OPZ FUND 1 LP	Cash Equivalent	\$488,000
Marketing Time	N/A	Capital Adjustment	\$0
Listing Broker	Countrywide Group Inc.	Adjusted Price	\$488,000
Doc #	TBD	Adjusted Price / ac and / sf	\$542,222 / \$12.45
		Adjusted Price/ FAR	N/A
		Adjusted Price/ Unit	\$40,667

Comments

This comparable is comprised of two contiguous parcels which form a 0.90-acre site addressed as 24172 Webster Avenue in the city of Moreno Valley. This rectangular-shaped site is generally level with curb, gutter, and sidewalk, as well as utilities available to it. It is zoned SP 204 VOR which permits a maximum development density of 15 dwelling units per acre. The property has received tentative tract map approval for development with a 12-unit townhome project (13.33 dwelling units per acre). The asking price of \$488,000 equals \$12.45 per square foot of land area or \$40,666.67 per proposed dwelling unit.

Attachment: appraisal - apn 482-020-064 nwc atwood ave and liberty st (Temp) (Converted) [Revision 1] (4325 : APPROVE AND EXECUTE THE

Addendum B

LEGAL DESCRIPTION

Attachment: appraisal - apn 482-020-064 nwc atwood ave and liberty st (Temp) (Converted) [Revision 1] (4325 : APPROVE AND EXECUTE THE

1/5/2021

Full Property Detail

Property Detail Report

MORENO VALLEY CA 92553

Owner Information

Owner Name 1	MORENO VALLEY HOUSING AUTHORITY	Owner Name 2	--
		Mailing Address	14177 FREDERICK ST MORENO VALLEY CA 92553
Owner Type	--	Vesting Code	GV
Vesting Code Desc	GOVERNMENT		

Location Information

Legal Description	1.32 ACRES M/L IN POR LOTS 167 & 168 MB		
County	RIVERSIDE	Parcel No. (APN)	482-020-064
FIPS Code	06065	Alternative APN	--
Census Trct/Blk	042515/2	Legal Book/Page	--
Twnshp-Rnge-Sect	--	Map Reference	--
Legal Land Lot	167	School District	Moreno Valley Unified School District
Legal Block	--	Subdivision	--

Last Market Sale Information

Recording Date	--	New Construction	--
Sale Date	--	1st Mtg Amount	--
Sale Price	--	1st Mtg Type	--
Price Per SF	--	1st Mtg Doc. No.	--
Price Per Acre	--	Sale Doc. No.	--
Deed Type	--	Transfer Doc. No.	2014-0446421
Sale Type	--	Seller Name	--
Title Company	--	Lender	--

Last Transfer of Ownership

Recording Date	2014/11/21 00:00:00	Book Number	--
Doc. Number	2014-0446421	Page Number	--
Doc. Type	QC		

Prior Sale Information

Recording Date	--	Sale Type	--
Sale Date	--	Transfer Doc. No.	--
Sale Price	--	New Construction	--
Sale Doc. No.	--	Title Company	--
Seller Name	--	Lender	--

Property Characteristics

Building Area	--	Total Rooms	--
No. of Units	--	Bedrooms	--
No. of Stories	--	Bathrooms	--
Year Built	--	Basement	--
Condition	--	Basement Area	--
Construction	--	Heat Type	--
Roof Type	--	Air Cond. Type	--
Roof Material	--	Fireplace	--
Parking Spaces	--		

Attachment: appraisal - apn 482-020-064 nwc atwood ave and liberty st (Temp) (Converted) [Revision 1] (4325 : APPROVE AND EXECUTE THE

1/5/2021

Full Property Detail

Site Information

Zoning	--
County Use Code	CY
County Use Code Desc.	VACANT COMMERCIAL LAND
Land Use Code	8002
Land Use Desc.	COMMERCIAL-VACANT LAND
Land Use Category	VACANT LAND

Assessor Acreage	1.32
Calculated Acreage	1.32
Assessed Lot SF	57,499
Calculated Lot SF	57,416
Assessor Lot W/D	/
Topography	--

Tax and Value Information

Tax Year	--
Property Tax	--
Tax Rate Code	21-329
Tax Exemption	--
Assessed Year	2020
Assessed Value	--
Land Value	--

Improvement Value	--
Improvement %	--
Market Value Year	--
Total Market Value	--
Land Market Value	--
Market Imprv. Value	--
AVM Value	--

Hazard Information

Flood Zone	--
Flood Panel Date	08/28/2008
Wetland Classification	--

Flood Panel	06065C0761G
Wetland Type	--

Attachment: appraisal - apn 482-020-064 nwc atwood ave and liberty st (Temp) (Converted) [Revision 1] (4325 : APPROVE AND EXECUTE THE

Addendum C

CLIENT CONTRACT INFORMATION

Attachment: appraisal - apn 482-020-064 nwc atwood ave and liberty st (Temp) (Converted) [Revision 1] (4325 : APPROVE AND EXECUTE THE

VALUATION & ADVISORY SERVICES

Proposal and Contract for Services



CBRE, Inc.
3501 Jamboree Road, Ste 100
Newport Beach, CA 92660
www.cbre.us/valuation

Mark Prottas, MAI
Managing Director

December 21, 2020

Felicia London
Public Safety Contracts Administrator
City of Manger's Office
City of Moreno Valley
22870 Calle San Juan de los Lagos
Moreno Valley, California 92553
Phone: 951 486-6848
Email: felicial@moval.org

RE: Assignment Agreement
Land
Vacant Site, Atwood Avenue and Liberty Lane
Moreno Valley, CA 92553

Dear Ms. London:

We are pleased to submit this proposal and our Terms and Conditions for this assignment.

PROPOSAL SPECIFICATIONS

Purpose:	To estimate the Market Value of the referenced real estate
Premise:	As Is
Rights Appraised:	Fee Simple
Intended Use:	Internal Decision Making purposes
Intended User:	The intended user is City of Moreno Valley ("Client"), and such other parties and entities (if any) expressly recognized by CBRE as "Intended Users" (as further defined herein).
Reliance:	Reliance on any reports produced by CBRE under this Agreement is extended solely to parties and entities expressly acknowledged in a signed writing by CBRE as Intended Users of the respective reports, provided that any conditions to such acknowledgement required by CBRE or hereunder have been satisfied. Parties or entities other than Intended Users who obtain a copy of the report or any portion thereof (including Client if it is not named as an Intended User), whether as a result of its direct dissemination or by any other means, may not rely upon any opinions or conclusions contained in the report or such portions thereof, and CBRE will not be responsible for any unpermitted use of the report, its conclusions or contents or have any liability in connection therewith.

VALUATION & ADVISORY SERVICES

City of Moreno Valley
Assignment Agreement
Page 2 of 8
December 21, 2020

Client Reliance:	To be provided by client if applicable
Inspection:	Will Inspect - land only
Valuation Approaches:	Only the Sales Comparison Approach will be completed.
Report Type:	Standard Appraisal Report
Appraisal Standards:	USPAP
Appraisal Fee:	\$7,500
Expenses:	Fee includes all associated expenses
Retainer & Payment Terms:	A retainer is not required for this assignment. Final payment is due upon delivery of the final report or within thirty (30) days of your receipt of the draft report, whichever is sooner. The fee is considered earned upon delivery of the draft report.
Delivery Instructions:	<p>We will invoice you for the assignment in its entirety at the completion of the assignment.</p> <p>CBRE encourages our clients to join in our environmental sustainability efforts by accepting an electronic copy of the report.</p> <p>An Adobe PDF file via email will be delivered to felicial@moval.org. The client has requested 2 bound final copy (ies).</p>
Delivery Schedule:	
Preliminary Value:	Not Required
Draft Report:	15 business days after the Start Date
Final Report:	Upon Client's request
Start Date:	The appraisal process will start upon receipt of your signed agreement and the property specific data.
Acceptance Date:	These specifications are subject to modification if this proposal is not accepted within 5 business days from the date of this letter.

Market Volatility:

The outbreak of the Novel Coronavirus (COVID-19), declared by the World Health Organization as a global pandemic on the 11th March 2020, is causing heightened uncertainty in both local and global market conditions. Our valuation is based on the information available to us at the date of valuation. You acknowledge that our reports may include clauses highlighting heightened uncertainty if appropriate, and we recommend our valuation is kept under frequent review.

Both governments and companies are initiating travel restrictions, quarantine and additional safety measures in response to the COVID-19 pandemic. If, at any point, our ability to deliver the services under this LOE are restricted due to the pandemic, we will inform you within a reasonable timeframe and work with you on how to proceed. Whilst we will endeavor to meet the required timeframe for delivery, you acknowledge any Government or company-imposed restrictions due to the virus may impede our ability to meet the timeframe and/or deliverables of this engagement, and delays may follow. Any delays or inability to deliver on this basis would not constitute a failure to meet the terms of this engagement.

When executed and delivered by all parties, this letter, together with the Terms and Conditions and the Specific Property Data Request attached hereto and incorporated herein, will serve as the Agreement for appraisal services by and between CBRE and Client. Each person signing below represents that it is authorized to enter into this Agreement and to bind the respective parties hereto.

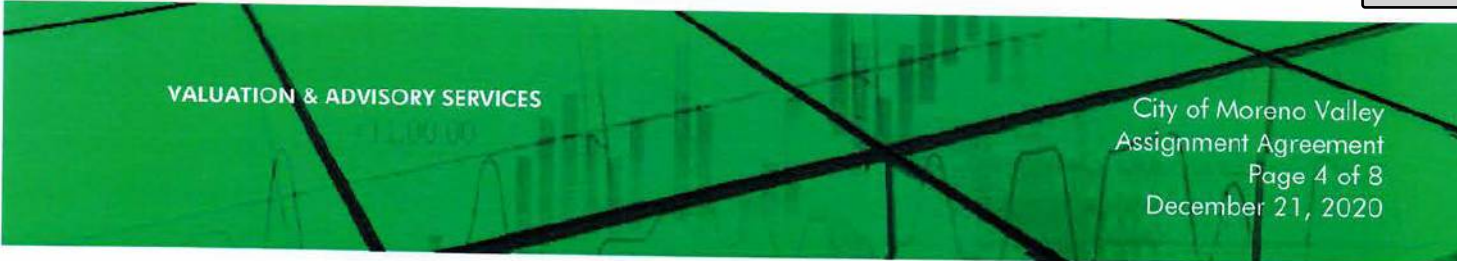
We appreciate this opportunity to be of service to you on this assignment. If you have additional questions, please contact us.

Sincerely,

CBRE, Inc.
Valuation & Advisory Services



Mark Prottas, MAI
Managing Director
As Agent for CBRE, Inc.
T +1 949 7258411
Mark.Prottas@cbre.com



VALUATION & ADVISORY SERVICES

City of Moreno Valley
Assignment Agreement
Page 4 of 8
December 21, 2020

AGREED AND ACCEPTED

FOR CITY OF MORENO VALLEY ("CLIENT"):

Felicia London
Signature

12/22/20
Date

Felicia London
Name

Public Safety Contracts Administrator
Title

951 486-6848
Phone Number

felicial@moval.org
E-Mail Address

TERMS AND CONDITIONS

1. The Terms and Conditions herein are part of an agreement for appraisal services (the "Agreement") between CBRE, Inc. (the "Appraiser") and the client signing this Agreement, and for whom the appraisal services will be performed (the "Client"), and shall be deemed a part of such Agreement as though set forth in full therein. The Agreement shall be governed by the laws of the state where the appraisal office is located for the Appraiser executing this Agreement.
2. Client shall be responsible for the payment of all fees stipulated in the Agreement. Payment of the appraisal fee and preparation of an appraisal report (the "Appraisal Report, or the "report") are not contingent upon any predetermined value or on an action or event resulting from the analyses, opinions, conclusions, or use of the Appraisal Report. Final payment is due as provided in the Proposal Specifications Section of this Agreement. If a draft report is requested, the fee is considered earned upon delivery of the draft report. It is understood that the Client may cancel this assignment in writing at any time prior to delivery of the completed report. In such event, the Client is obligated only for the prorated share of the fee based upon the work completed and expenses incurred (including travel expenses to and from the job site), with a minimum charge of \$500. Additional copies of the Appraisal Reports are available at a cost of \$250 per original color copy and \$100 per photocopy (black and white), plus shipping fees of \$30 per report.
3. If Appraiser is subpoenaed or ordered to give testimony, produce documents or information, or otherwise required or requested by Client or a third party to participate in meetings, phone calls, conferences, litigation or other legal proceedings (including preparation for such proceedings) because of, connected with or in any way pertaining to this engagement, the Appraisal Report, the Appraiser's expertise, or the Property, Client shall pay Appraiser's additional costs and expenses, including but not limited to Appraiser's attorneys' fees, and additional time incurred by Appraiser based on Appraiser's then-prevailing hourly rates and related fees. Such charges include and pertain to, but are not limited to, time spent in preparing for and providing court room testimony, depositions, travel time, mileage and related travel expenses, waiting time, document review and production, and preparation time (excluding preparation of the Appraisal Report), meeting participation, and Appraiser's other related commitment of time and expertise. Hourly charges and other fees for such participation will be provided upon request. In the event Client requests additional appraisal services beyond the scope and purpose stated in the Agreement, Client agrees to pay additional fees for such services and to reimburse related expenses, whether or not the completed report has been delivered to Client at the time of such request.
4. Appraiser shall have the right to terminate this Agreement at any time for cause effective immediately upon written notice to Client on the occurrence of fraud or the willful misconduct of Client, its employees or agents, or without cause upon 5 days written notice.
5. In the event Client fails to make payments when due then, from the date due until paid, the amount due and payable shall bear interest at the maximum rate permitted in the state where the office is located for the Appraiser executing the Agreement. In the event either party institutes legal action against the other to enforce its rights under this Agreement, the prevailing party shall be entitled to recover its reasonable attorney's fees and expenses. Each party waives the right to a trial by jury in any action arising under this Agreement.
6. Appraiser assumes there are no major or significant items or issues affecting the Property that would require the expertise of a professional building contractor, engineer, or environmental consultant for Appraiser to prepare a valid report. Client acknowledges that such additional expertise is not covered in the Appraisal fee and agrees that, if such additional expertise is required, it shall be provided by others at the discretion and direction of the Client, and solely at Client's additional cost and expense.
7. In the event of any dispute between Client and Appraiser relating to this Agreement, or Appraiser's or Client's performance hereunder, Appraiser and Client agree that such dispute shall be resolved by means of binding arbitration in accordance with the commercial arbitration rules of the American Arbitration Association, and judgment upon the award rendered by an arbitrator may be entered in any court of competent jurisdiction. Depositions may be taken and other discovery obtained during such arbitration proceedings to the same extent as authorized in civil judicial proceedings in the state where the office of the Appraiser executing this Agreement is located. The arbitrator shall be limited to awarding compensatory damages and shall have no authority to award punitive, exemplary or similar damages. The prevailing party in the arbitration proceeding shall be entitled to recover its expenses from the losing party, including costs of the arbitration proceeding, and reasonable attorney's fees. Client acknowledges that Appraiser is being retained hereunder as an independent contractor to perform the services described herein and nothing in this Agreement shall be deemed to create any other relationship between

Revised May 3, 2020

VALUATION & ADVISORY SERVICES

City of Moreno Valley
Assignment Agreement
Page 6 of 8
December 21, 2020

- Client and Appraiser. This engagement shall be deemed concluded and the services hereunder completed upon delivery to Client of the Appraisal Report discussed herein.
8. All statements of fact in the report which are used as the basis of the Appraiser's analyses, opinions, and conclusions will be true and correct to Appraiser's actual knowledge and belief. Appraiser does not make any representation or warranty, express or implied, as to the accuracy or completeness of the information or the condition of the Property furnished to Appraiser by Client or others. TO THE FULLEST EXTENT PERMITTED BY LAW, APPRAISER DISCLAIMS ANY GUARANTEE OR WARRANTY AS TO THE OPINIONS AND CONCLUSIONS PRESENTED ORALLY OR IN ANY APPRAISAL REPORT, INCLUDING WITHOUT LIMITATION ANY WARRANTY OF FITNESS FOR ANY PARTICULAR PURPOSE EVEN IF KNOWN TO APPRAISER. Furthermore, the conclusions and any permitted reliance on and use of the Appraisal Report shall be subject to the assumptions, limitations, and qualifying statements contained in the report.
 9. Appraiser shall have no responsibility for legal matters, including zoning, or questions of survey or title, soil or subsoil conditions, engineering, or other similar technical matters. The report will not constitute a survey of the Property analyzed.
 10. Client shall provide Appraiser with such materials with respect to the assignment as are requested by Appraiser and in the possession or under the control of Client. Client shall provide Appraiser with sufficient access to the Property to be analyzed, and hereby grants permission for entry unless discussed in advance to the contrary.
 11. The data gathered in the course of the assignment (except data furnished by Client) and the report prepared pursuant to the Agreement are, and will remain, the property of Appraiser. With respect to data provided by Client, Appraiser shall not violate the confidential nature of the Appraiser-Client relationship by improperly disclosing any proprietary information furnished to Appraiser. Notwithstanding the foregoing, Appraiser is authorized by Client to disclose all or any portion of the report and related data as may be required by statute, government regulation, legal process, or judicial decree, including to appropriate representatives of the Appraisal Institute if such disclosure is required to enable Appraiser to comply with the Bylaws and Regulations of such Institute as now or hereafter in effect.
 12. Unless specifically noted, in preparing the Appraisal Report the Appraiser will not be considering the possible existence of asbestos, PCB transformers, or other toxic, hazardous, or contaminated substances and/or underground storage tanks (collectively, "Hazardous Material") on or affecting the Property, or the cost of encapsulation or removal thereof. Further, Client represents that there is no major or significant deferred maintenance of the Property that would require the expertise of a professional cost estimator or contractor. If such repairs are needed, the estimates are to be prepared by others, at Client's discretion and direction, and are not covered as part of the Appraisal fee.
 13. In the event Client intends to use the Appraisal Report in connection with a tax matter, Client acknowledges that Appraiser provides no warranty, representation or prediction as to the outcome of such tax matter. Client understands and acknowledges that any relevant taxing authority (whether the Internal Revenue Service or any other federal, state or local taxing authority) may disagree with or reject the Appraisal Report or otherwise disagree with Client's tax position, and further understands and acknowledges that the taxing authority may seek to collect additional taxes, interest, penalties or fees from Client beyond what may be suggested by the Appraisal Report. Client agrees that Appraiser shall have no responsibility or liability to Client or any other party for any such taxes, interest, penalties or fees and that Client will not seek damages or other compensation from Appraiser relating to any such taxes, interest, penalties or fees imposed on Client, or for any attorneys' fees, costs or other expenses relating to Client's tax matters.
 14. Appraiser shall have no liability with respect to any loss, damage, claim or expense incurred by or asserted against Client arising out of, based upon or resulting from Client's failure to provide accurate or complete information or documentation pertaining to an assignment ordered under or in connection with this Agreement, including Client's failure, or the failure of any of Client's agents, to provide a complete copy of the Appraisal Report to any third party.
 15. LIMITATION OF LIABILITY. EXCEPT TO THE EXTENT ARISING FROM SECTION 16 BELOW, OR SECTION 17 IF APPLICABLE, IN NO EVENT SHALL EITHER PARTY OR ANY OF ITS AFFILIATE, OFFICERS, DIRECTORS, EMPLOYEES, AGENTS, OR CONTRACTORS BE LIABLE TO THE OTHER, WHETHER BASED IN CONTRACT, WARRANTY, INDEMNITY, NEGLIGENCE, STRICT LIABILITY OR OTHER TORT OR OTHERWISE, FOR ANY SPECIAL, CONSEQUENTIAL, PUNITIVE, INCIDENTAL OR INDIRECT DAMAGES, AND AGGREGATE DAMAGES IN CONNECTION WITH THIS AGREEMENT FOR EITHER PARTY (EXCLUDING THE OBLIGATION TO PAY THE FEES REQUIRED HEREUNDER) SHALL NOT EXCEED THE GREATER OF THE TOTAL FEES PAYABLE TO APPRAISER UNDER THIS AGREEMENT OR TEN THOUSAND DOLLARS (\$10,000). THIS LIABILITY LIMITATION SHALL NOT APPLY IN THE EVENT OF A FINAL FINDING BY AN ARBITRATOR OR A COURT OF COMPETENT JURISDICTION THAT SUCH LIABILITY IS THE RESULT OF A PARTY'S FRAUD OR WILLFUL MISCONDUCT.

Revised May 3, 2020

VALUATION & ADVISORY SERVICES

City of Moreno Valley
Assignment Agreement
Page 7 of 8
December 21, 2020

16. Client shall not disseminate, distribute, make available or otherwise provide any Appraisal Report prepared hereunder to any third party (including without limitation, incorporating or referencing the Appraisal Report, in whole or in part, in any offering or other material intended for review by other parties) except to (i) any third party expressly acknowledged in a signed writing by Appraiser as an "Intended User" of the Appraisal Report provided that either Appraiser has received an acceptable release from such third party with respect to such Appraisal Report or Client provides acceptable indemnity protections to Appraiser against any claims resulting from the distribution of the Appraisal Report to such third party, (ii) any third party service provider (including rating agencies and auditors) using the Appraisal Report in the course of providing services for the sole benefit of an Intended User, or (iii) as required by statute, government regulation, legal process, or judicial decree. In the event Appraiser consents, in writing, to Client incorporating or referencing the Appraisal Report in any offering or other materials intended for review by other parties, Client shall not distribute, file, or otherwise make such materials available to any such parties unless and until Client has provided Appraiser with complete copies of such materials available to any such parties all such materials in writing. Client shall not modify any such materials once approved by Appraiser. In the absence of satisfying the conditions of this paragraph with respect to a party who is not designated as an Intended User, in no event shall the receipt of an Appraisal Report by such party extend any right to the party to use and rely on such report, and Appraiser shall have no liability for such unauthorized use and reliance on any Appraisal Report. In the event Client breaches the provisions of this paragraph, Client shall indemnify, defend and hold Appraiser, and its affiliates and their officers, directors, employees, contractors, agents and other representatives (Appraiser and each of the foregoing an "Indemnified Party" and collectively the "Indemnified Parties"), fully harmless from and against all losses, liabilities, damages and expenses (collectively, "Damages") claimed against, sustained or incurred by any Indemnified Party arising out of or in connection with such breach, regardless of any negligence on the part of any Indemnified Party in preparing the Appraisal Report.
17. Furthermore, Client shall indemnify, defend and hold each of the Indemnified Parties harmless from and against any Damages in connection with (i) any transaction contemplated by this Agreement or in connection with the appraisal or the engagement of or performance of services by any Indemnified Party hereunder, (ii) any Damages claimed by any user or recipient of the Appraisal Report, whether or not an Intended User, (iii) any actual or alleged untrue statement of a material fact, or the actual or alleged failure to state a material fact necessary to make a statement not misleading in light of the circumstances under which it was made with respect to all information furnished to any Indemnified Party or made available to a prospective party to a transaction, or (iv) an actual or alleged violation of applicable law by an Intended User (including, without limitation, securities laws) or the negligent or intentional acts or omissions of an Intended User (including the failure to perform any duty imposed by law); and will reimburse each Indemnified Party for all reasonable fees and expenses (including fees and expenses of counsel) (collectively, "Expenses") as incurred in connection with investigating, preparing, pursuing or defending any threatened or pending claim, action, proceeding or investigation (collectively, "Proceedings") arising therefrom, and regardless of whether such Indemnified Party is a formal party to such Proceeding. Client agrees not to enter into any waiver, release or settlement of any Proceeding (whether or not any Indemnified Party is a formal party to such Proceeding) without the prior written consent of Appraiser (which consent will not be unreasonably withheld or delayed) unless such waiver, release or settlement includes an unconditional release of each Indemnified Party from all liability arising out of such Proceeding.
18. Time Period for Legal Action. Unless the time period is shorter under applicable law, except in connection with paragraphs 16 and 17 above, Appraiser and Client agree that any legal action or lawsuit by one party against the other party or its affiliates, officers, directors, employees, contractors, agents, or other representatives, whether based in contract, warranty, indemnity, negligence, strict liability or other tort or otherwise, relating to (a) this Agreement or the Appraisal Report, (b) any services or appraisals under this Agreement or (c) any acts or conduct relating to such services or appraisals, shall be filed within two (2) years from the date of delivery to Client of the Appraisal Report to which the claims or causes of action in the legal action or lawsuit relate. The time period stated in this section shall not be extended by any incapacity of a party or any delay in the discovery or accrual of the underlying claims, causes of action or damages.

Revised May 4, 2020

SPECIFIC PROPERTY DATA REQUEST

In order to complete this assignment under the terms outlined, CBRE, Inc., Valuation & Advisory Services, will require the following specific information for the property:

1. PLEASE NOTIFY US IMMEDIATELY IF ANY OTHER CBRE SERVICE LINE (INCLUDING CAPSTONE) IS INVOLVED IN THE BROKERAGE, FINANCING, INVESTMENT OR MANAGEMENT OF THIS ASSET.
2. Current title report and title holder name
3. Legal description
4. Survey and/or plat map
5. Site plan for proposed or entitled development, if applicable
6. Current county property tax assessment or tax bill
7. Details on any sale, contract, or listing of the property within the past three years
8. Engineering studies, soil tests or environmental assessments
9. Ground lease, if applicable
10. Planning/Zoning application or approval, if applicable
11. Any previous market/demand studies or appraisals
12. Name and telephone number of property contact for physical inspection and additional information needed during the appraisal process
13. Any other information that might be helpful in valuing this property

If any of the requested data and information is not available, CBRE, Inc., reserves the right to extend the delivery date by the amount of time it takes to receive the requested information or make other arrangements. Please have the requested information delivered to the following:

Mark Prottas, MAI
Managing Director
Mark.Prottas@cbre.com
CBRE, Inc.
Valuation & Advisory Services
3501 Jamboree Road, Ste 100
Newport Beach, CA 92660

Addendum D

QUALIFICATIONS

Attachment: appraisal - apn 482-020-064 nwc atwood ave and liberty st (Temp) (Converted) [Revision 1] (4325 : APPROVE AND EXECUTE THE

Ben Duda, MAI, MRICS

Vice President, Newport Beach, CA



T + 949 809 4070
F+ 949 725 8440
ben.duda@cbre.com

3501 Jamboree Rd., Suite 100
Newport Beach, CA 9266

Multiple Assignments Completed For

- Bank of the West
- BBVA Compass
- BOK Financial
- California Bank & Trust
- Cathay Bank
- CW Capital
- Dividend Capital Total Realty Trust
- FirstBank
- First Choice Bank
- First Hawaiian Bank
- First Western Trust Bank
- Hunt Mortgage
- Liberty Savings Bank
- LNR Partners
- M&T Bank
- Pacific Western Bank
- Rabobank
- RGA Reinsurance Co.
- TA Associates Realty
- The Bank of Hemet
- UBS Real Estate Finance Group
- UMB Bank

Experience

Ben Duda, MAI, MRICS, is a Vice President with CBRE, Inc. within its Valuation and Advisory Services division. Currently licensed in the state of California, Mr. Duda began his appraisal career in 2004 and became a designated member of the Appraisal Institute during 2010 and a member of the Royal Institute of Chartered Surveyors during 2016. He has completed appraisal reports for properties located in the states of California, Colorado, Wyoming, and Montana. His primary geographical experience within Southern California is Los Angeles, San Bernardino, Riverside, and Orange County. Secondary geographical experience within Southern California is San Diego, Ventura, Kern, San Luis Obispo, Imperial, and Santa Barbara County.

Mr. Duda's professional experience includes over fifteen years of analysis of real estate and preparation of appraisals primarily for use in lending and internal decision-making purposes. His appraisal experience includes the valuation of industrial (flex, warehouse/distribution, manufacturing, truck terminals, cold storage, incubator), office (suburban and urban), mobile-home parks, RV parks, self-storage, mixed-use, commercial land, residential land, as well as special-purpose properties such as airplane hangars, auto dealerships, fitness centers, gas stations, and correctional facilities. In addition, Mr. Duda has experience as a third-party review appraiser and in performing market rent analyses as part of lease renewal negotiations.

Recent appraisal report assignments of note are:

- Pomona Business Park II, a 531,669 SF light-industrial park
- Rize Irvine, a proposed 363-unit apartment
- Indian Waters RV Resort and Cottages, a 273-pad RV park
- Cerritos Corporate Center, a 386,021 SF light-industrial park
- Gateway Pointe, a 989,195 SF warehouse/distribution park
- Hamilton Place, a 239,096 SF suburban office
- 6275 Lance Drive, Riverside, CA, a proposed 1,012,995 SF warehouse/distribution facility
- Riverside Business Park, a 119,199 SF incubator park
- 1890 Rutherford Road, Carlsbad, CA, a 61,089 SF flex/R&D building
- Del Amo Gardens, a 230-unit affordable senior housing apartment community
- Towers on Wilshire, a 391,062 SF urban office

Professional Affiliations / Accreditations

- Designated member of the Appraisal Institute (MAI)
- Member of the Royal Institute of Chartered Surveyors (MRICS)
- Certified General Appraiser-State of California

Education

- Bachelor of Science in Management, concentration in finance, Georgia Institute of Technology
 - Graduated with highest honors
- Master of Science in Real Estate, Georgia State University
 - Graduated with highest honors



Business, Consumer Services & Housing Agency
**BUREAU OF REAL ESTATE APPRAISERS
REAL ESTATE APPRAISER LICENSE**

Benjamin T. Duda


has successfully met the requirements for a license as a residential and commercial real estate appraiser in the State of California and is, therefore, entitled to use the title:

“Certified General Real Estate Appraiser”

This license has been issued in accordance with the provisions of the Real Estate Appraisers' Licensing and Certification Law.

BREA APPRAISER IDENTIFICATION NUMBER: AG 038158

Effective Date: January 28, 2020
Date Expires: January 27, 2022


Jim Martin, Bureau Chief, BREA

3048873

THIS DOCUMENT CONTAINS A TRUE WATERMARK - HOLD UP TO LIGHT TO SEE "CHAIN LINK"

Attachment: appraisal - apn 482-020-064 nwc atwood ave and liberty st (Temp) (Converted) [Revision 1] (4325 : APPROVE AND EXECUTE THE



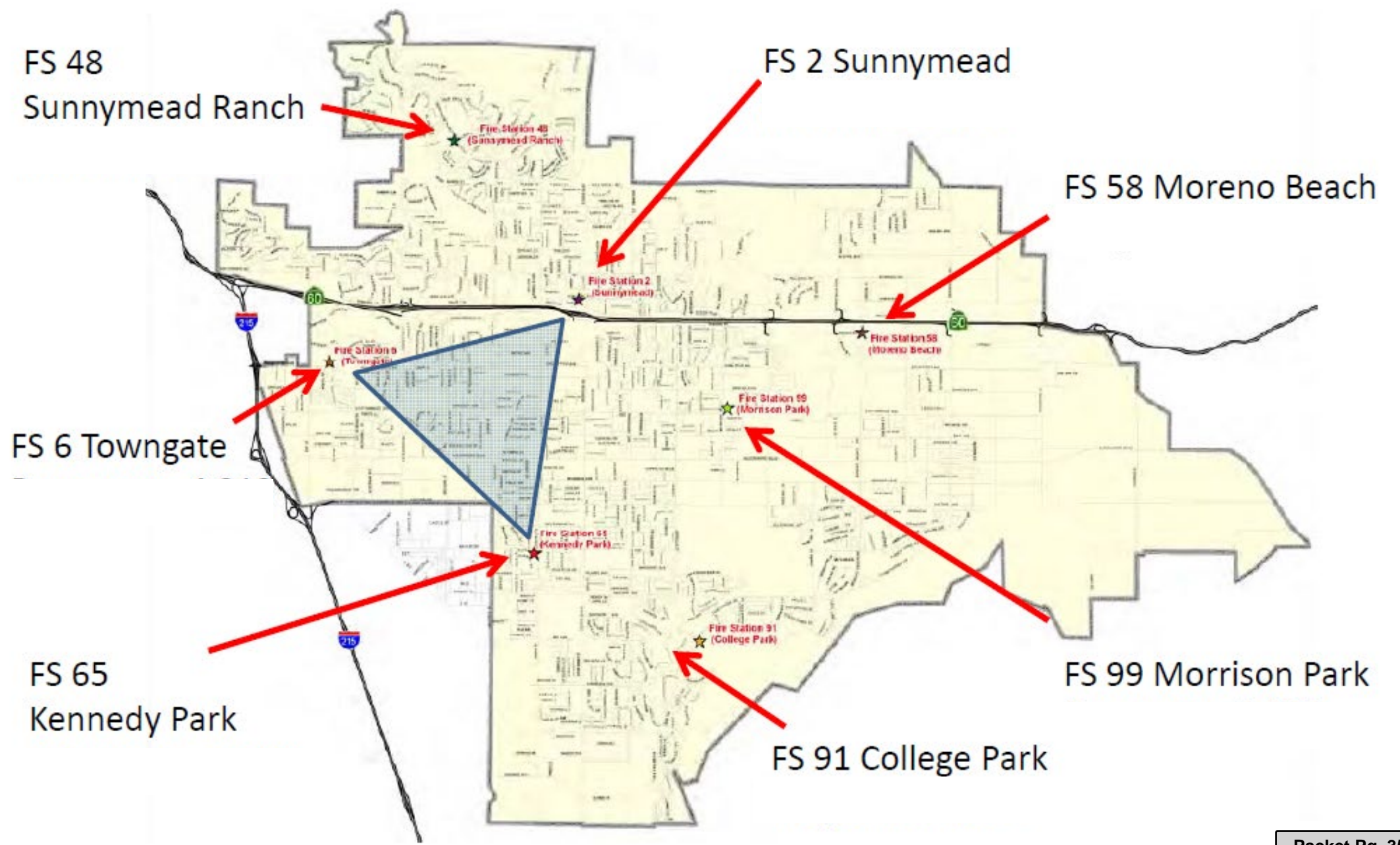
- Legend**
- Public Facilities
 - Public Facilities
 - ★ Fire Stations
 - Parcels
 - ▭ City Boundary
 - ▨ Sphere of Influence

Image Source: Nearmap

Notes:

- APN 482-020-058
- 1.32 Acres
- Adjacent to Moreno Valley Senior Housing Inc. (70 units)
- Currently owned by the Housing Authority

Attachment: Fire Parcel Maps (4325 : APPROVE AND EXECUTE THE AGREEMENT FOR



Attachment: Fire Parcel Maps (4325 : APPROVE AND EXECUTE THE AGREEMENT FOR



Report to City Council

TO: Mayor and City Council

FROM: John Salisbury, Chief of Police

AGENDA DATE: February 16, 2021

TITLE: SUPPLEMENTAL LAW ENFORCEMENT SERVICES ACCOUNT (SLESA) EXPENDITURE PLAN FOR FY 20-21

RECOMMENDED ACTION

Recommendations:

1. Accept the Supplemental Law Enforcement Services Account (SLESA) grant award for FY 20-21 for frontline municipal police services.
2. Approve an increase of \$148,879 to the SLESA Grant Fund (Fund 2410) FY 20-21 *revenue* budget to reflect the total FY 20-21 allocation of \$496,317
3. Approve an increase of \$148,879 to the SLESA Grant Fund (Fund 2410) FY 20-21 *expenditure* budget to reflect the FY 20-21 planned expenditure of \$496,317.

SUMMARY

This report requests the City Council accept the Supplemental Law Enforcement Services Account (SLESA) grant award used for frontline municipal police services. Council's approval to accept the SLESA award for FY 20-21 will approve the FY 20-21 allocation of \$496,317. This allocation is \$148,879 greater than the originally anticipated FY 20-21 budget allocation. The budgetary adjustments being requested will increase the current FY 20-21 appropriations for both SLESA revenues and expenditures by \$148,879.

DISCUSSION

The State of California allocates SLESA funding to various counties for the purpose of law enforcement services. The California Government Code Sections 30061 – 30065, detail the requirements for the funding to be reallocated between County Jail

Operations, the District Attorney’s Office, Juvenile Justice and Local Law Enforcement Municipalities based on a specified percentage set by the State.

The City of Moreno Valley uses the SLESA grant to fully fund one (1) sworn police officer assigned to the Career Criminal Apprehension Team (C-CAT) and fund 47% of a second sworn C-CAT police officer. The city General Fund will fund the remaining 53% of the second C-CAT position in its Special Enforcement Team (SET) budget.

Staff is requesting City Council to approve the award allocation and to adjust the FY 20-21 SLESA budget based on recent notice of detailed calculations from Riverside County Sheriff’s Department.

ALTERNATIVES

- 1. Approve and accept the attached Supplemental Law Enforcement Services Account (SLESA) grant award for FY 20-21 and related budgetary adjustments. *This alternative will ensure that the City receives all of this public safety funding.*
- 2. Do not approve or accept the attached Supplemental Law Enforcement Services Account (SLESA) grant award for FY 20-21 and related budgetary adjustments. *This alternative will jeopardize SLESA funding and impact law enforcement services.*

FISCAL IMPACT

The recommended adjustments will increase the SLESA budgeted revenues and expenditures by \$148,878.15 as identified in the following table.

Description	Fund	GL Account No.	Type (Rev/Exp)	FY 20-21 Approved Budget	FY 20-21 Proposed Amendment	FY 20-21 Amended Budget
SLESA Grant	2410	60-69-76012-486000	Rev	\$347,438	\$148,879	\$496,317
Grant Expenditures	2410	60-69-76012-620320	Exp	\$347,438	\$148,879	\$496,317

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.

CITY COUNCIL STRATEGIC PRIORITIES

- 1. Economic Development
- 2. Public Safety
- 3. Library
- 4. Infrastructure

- 5. Beautification, Community Engagement, and Quality of Life
- 6. Youth Programs

ATTACHMENTS

- 1. SLESA FY20-21 Expenditure Plan Form
- 2. MT13598 JJCPA_Aproved Form 11

APPROVALS

Budget Officer Approval	<u>✓ Approved</u>	2/03/21 2:32 PM
City Attorney Approval	<u>✓ Approved</u>	
City Manager Approval	<u>✓ Approved</u>	2/04/21 11:42 AM

Supplemental Law Enforcement Standardized Forms

Expenditure Plan

FY20-21

City Name: CITY OF MORENO VALLEY

Beginning Fund Balance	-
Prior Year Allocation/Adjustment	179,075.15
Current Year Allocation	317,241.00
Total Allocation	496,316.15

EXPENDITURE PLANNED

Salaries and Benefits	496,316.15
Services and Supplies	
Equipment	
Administrative Overhead	
Total Expenditure Planned	496,316.15

Date approved by the City Council: 2/16/2021

The City Manager hereby certifies that the Supplemental Law Enforcement Services Plan was submitted to the City Council and approved as listed. **NOTE:** As of FY19-20, this form is only used for Internal Purposes.

Please provide the name of a contact person if there are any questions:

Felicia London
Name

2/16/2021
Date

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



A.18.b

ITEM: 3.4
(ID # 13598)

MEETING DATE:
Tuesday, October 27, 2020

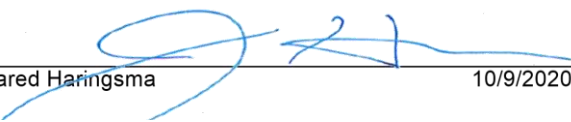
FROM : AUDITOR CONTROLLER:

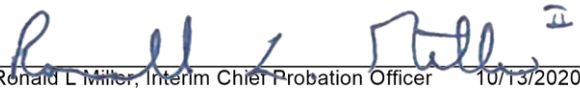
SUBJECT: AUDITOR-CONTROLLER: Fiscal Year 20/21 Allocation of Enhancing Law Enforcement Activities Sub-account (ELEAS) for Citizen's Option for Public Safety (COPS) Program and Juvenile Justice Crime Prevention Act (JJCPA), Districts All. [\$12,431,911 - State Funds 100%]

RECOMMENDED MOTION: That the Board of Supervisors:

1. Receive and file the attached FY 20/21 report on the distribution of the annual Enhancing Law Enforcement Activities Subaccount (ELEAS) for Citizen's Option for Public Safety (COPS) Program and Juvenile Justice Crime Prevention Act (JJCPA) from September 1, 2020 through August 31, 2021. (Attachment A).

ACTION:Consent


Jared Haringsma 10/9/2020


Ronald L. Miller, Interim Chief Probation Officer 10/13/2020


Paul A. Angulo, County Auditor-Controller 10/13/2020

MINUTES OF THE BOARD OF SUPERVISORS

Attachment: MT13598 JJCPA_ Approved Form 11 (4317 : SUPPLEMENTAL LAW ENFORCEMENT SERVICES ACCOUNT (SLESA) EXPENDITURE

**SUBMITTAL TO THE BOARD OF SUPERVISORS COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA**

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	9,024,500	3,407,411	\$ 12,431,911	\$
NET COUNTY COST	\$	\$	\$	\$
SOURCE OF FUNDS: State Funds 100%			Budget Adjustment: No	
			For Fiscal Year: 20/21 & 21/22	

C.E.O. RECOMMENDATION: APPROVE

BACKGROUND:

Summary

Pursuant to current law, the State Controller is required to allocate funds to each County that established an Enhancing Law Enforcement Service Activities Subaccount (ELEAS) in accordance with the proportionate share of the State's total population that resides in the cities within the County and the unincorporated area of the County.

Government Code 30061 requires the County Auditor-Controller to allocate the moneys in the County's ELEAS within 30 days of the deposit of those moneys into the fund.

Fiscal Year 20/21 Allocation ELEAS for COPS and JJCPA allocation is \$12,431,911 and will be received in monthly installment payments. The data on Attachment A represents the distribution for the COPS Program and the JJCPA. The Cities share of the total ELEAS allocation is \$3,917,076 and the County's share is \$8,514,835. The County's share will be distributed as follows: \$1,939,876 to the COPS Program and \$6,574,959 to JJCPA.

Impact on Residents and Businesses

Fiscal Year 20/21 ELEAS allocation is used to fund jail operations, criminal prosecution, front-line law enforcement, and a comprehensive multi-agency juvenile justice program.

SUPPLEMENTAL:

Additional Fiscal Information

Fiscal Year 20/21 ELEAS payments are received from the State between the months of September 2020 and August 2021, therefore payments to the Cities and the County will be allocated between FY21 and FY22. During FY21 total estimated amount to be allocated is \$9,024,500 and \$3,407,411 in FY22.

ATTACHMENT A. Allocation of Enhancing Law Enforcement Activities Subaccount (ELEAS)



Stephanie Perez, Principal Management Analyst 10/19/2020

Attachment: MT13598 JJCPA_Approved Form 11 (4317 : SUPPLEMENTAL LAW ENFORCEMENT SERVICES ACCOUNT (SLESA) EXPENDITURE



Report to City Council

TO: Mayor and City Council

FROM: Michael L. Wolfe P.E., Assistant City Manager

AGENDA DATE: February 16, 2021

TITLE: PUBLIC HEARING AND RESOLUTION ADJUSTING DEVELOPMENT IMPACT FEES FOR RESIDENTIAL AND COMMERCIAL & INDUSTRIAL DEVELOPMENT

RECOMMENDED ACTION

1. Conduct a Public Hearing for the adjustment of the City of Moreno Valley Development Impact Fees for Residential and Commercial & Industrial Development;
2. Adopt Resolution No. 2021- XXXX adjusting Development Impact Fees for Residential and Commercial & Industrial Development; and
3. Direct staff to finalize an update to the 2012 Development Impact Fee Nexus Study.

SUMMARY

Pursuant to the Moreno Valley Municipal Code, Sections 3.38.160 and 3.42.130, the City may amend annually or from time to time the amount of any residential impact fee and/or commercial & industrial development impact fee in accordance with established procedures. This report recommends modifying the 2012 adopted Developer Impact Fees to account for the escalation in construction costs, using the Engineering News Record's Building Cost Index. This report also recommends conducting an updated Developer Impact Fee Nexus Study.

DISCUSSION

Moreno Valley adopted its Development Impact Fee (DIF) program in 2000 in compliance with AB 1600. Moreno Valley adopted two Ordinances codifying Chapter 3.38 Residential Development Impact Fees and Chapter 3.42 Commercial and Industrial Development Impact Fees. The two chapters of the City's government code

permit Moreno Valley to collect Development Impact Fees based on the impacts of future development on capital facilities and infrastructure in the community. An original DIF Nexus Study was done in 2000 and subsequent changes made to the Study in 2005 and 2006. In October of 2012, the City Council accepted an updated Nexus Study and adopted a resolution setting the rates based upon the 2012 study.

Since 2012, the cost of constructing infrastructure required to support the needs of the community impacted by new development has increased. The Engineering News Record's Building Cost Index identifies a 23.8487% increase from October 2012 to December 2020. The City continues to identify, plan, design, and construct infrastructure improvement projects necessary to mitigate the impact of new development. However, without accounting for the increased cost to construct those improvements, projects either are subsidized by other funding sources or not constructed until sufficient funding is in place.

The cost of development involves many factors, one of which includes development impact fees. As such, it is important to avoid discouraging development from occurring by making it too costly to complete new projects. Research was conducted to see how Moreno Valley compares to other adjacent municipalities and agencies with respect to one of the cost-factors related to development (i.e. DIF). The attached charts show that the City's 2012 developer impact fees result in the lowest or one of the lowest DIF program costs for sample development projects. Furthermore, even with the proposed adjustment based upon the Engineering News Record's Building Cost Index, Moreno Valley would still stay one of the lowest DIF programs when compared to other local jurisdictions.

Pursuant to the Moreno Valley Municipal Code, Sections 3.38.160 and 3.42.130, the City may amend the amount of any residential impact fee and/or commercial & industrial development impact fee in accordance with established procedures, using the Engineering News Record's (ENR) Building Cost Index (BCI). As such, staff recommends adjusting all categories of the City's DIF program by the BCI as reported by ENR.

In September 2019 the City Council authorized the funding necessary to examine any potential fee modifications, and approved an amendment to an agreement with Willdan. As priorities changed in early 2020 due to the COVID-19 Pandemic response, the examination of potential fee modifications was placed on hold. Current workload allows for the reengagement of the examination. Staff recommends updating the DIF Nexus study to account for program changes (e.g. completion of DIF eligible infrastructure projects) that have occurred since 2012 that may affect the fee calculations.

ALTERNATIVES

1. Approve and authorize the recommended actions as presented in this staff report and as set forth in the proposed Resolutions. Staff recommends this alternative as it will allow for planning, design, and construction of necessary infrastructure improvements to mitigate the impact of development on the community.

2. Do not approve and authorize the recommended actions as presented in this staff report and as set forth in the proposed Resolutions. Staff does not recommend this alternative as it will delay or stop the planning, design, and construction of necessary infrastructure improvements to mitigate the impact of development on the community.

FISCAL IMPACT

Approving the recommended changes to the City Development Impact Fee Program does not result in any fiscal impact to the City. The cost to conduct an updated DIF Program Nexus Study has already been approved by the City Council and is paid by administrative fees collected as part of the DIF program.

NOTIFICATION

A notice was published in the Press Enterprise on February 5, 2021 and again on February 12, 2021.

PREPARATION OF STAFF REPORT

Prepared By:
Name: Michael L. Wolfe, P.E.
Title: Assistant City Manager/Public Works Director/City Engineer

CITY COUNCIL GOALS

Public Facilities and Capital Projects. Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

CITY COUNCIL STRATEGIC PRIORITIES

1. Economic Development
2. Public Safety
3. Library
4. Infrastructure
5. Beautification, Community Engagement, and Quality of Life
6. Youth Programs

Objective 4.2: Develop and maintain a comprehensive Infrastructure Plan to invest in and deliver City infrastructure.

ATTACHMENTS

1. DIF BCI Increase Reso_2021-XXXX

2. Comparison Charts for CCI Only

APPROVALS

Budget Officer Approval	<u>✓ Approved</u>	2/09/21 9:19 AM
City Attorney Approval	<u>✓ Approved</u>	
City Manager Approval	<u>✓ Approved</u>	2/09/21 9:46 AM

RESOLUTION NO. 2021-_____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
 MORENO VALLEY, CALIFORNIA, AMENDING
 RESIDENTIAL AND COMMERCIAL & INDUSTRIAL
 DEVELOPMENT IMPACT FEES

WHEREAS, the City of Moreno Valley (“City”) previously recognized that there was insufficient funding to address the impacts of new development on certain capital facilities in the City (the “City System”); and

WHEREAS, in order to address this shortfall, the City formulated a plan whereby a development impact fee would be assessed on new development and would be used to fund the necessary improvements for the City System; and

WHEREAS, in furtherance of this plan, the City Council adopted the “Development Impact Fee Update Study,” dated October 11, 2005, (the “2005 DIF Nexus Study”); and

WHEREAS, based on the 2005 DIF Nexus Study, the City amended Chapter 3.38 and 3.42 of the Moreno Valley Municipal Code as adopted by Ordinance No. 695 on October 11, 2005, pursuant to California Government Code sections 66000 et seq. authorizing the City to impose the Development Impact Fee (“DIF”) upon new development; and

WHEREAS, Section 3.38.160 of Chapter 3.38 and Section 3.42.130 of Chapter 3.42 authorizes periodic review and adjustment to the applicable DIF in accordance with any adjustments made by the City Council; and

WHEREAS, the fees collected pursuant to this Resolution shall be used to finance the certain capital facilities described or identified in the DIF Nexus Study; and

WHEREAS, in October 2012, the City conducted a Public Hearing, updated the Development Impact Fee Nexus Study, and adjusted the Development Impacts Fees for Residential and Commercial & Industrial Development; and

WHEREAS, this levying of development impact fees has been reviewed by the City Council and staff in accordance with the California Environmental Quality Act (“CEQA”) and the CEQA Guidelines, and it has been determined that the adoption of this resolution is exempt from CEQA pursuant to Section 15061(b)(3) of the CEQA Guidelines.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1
 Resolution No. 2021-_____
 Date Adopted: February 16, 2021

Section 1. The City Council hereby finds that in accordance with the California Environmental Quality Act (“CEQA”) and the CEQA Guidelines, the adoption of this Resolution is exempt from CEQA pursuant to Section 15061(b)(3).

Section 2. The recitals set forth above are hereby adopted as findings in support of this Resolution. In addition, the City Council re-adopts the findings contained in Sections 3.38 and 3.42 of the Moreno Valley Municipal Code in support of the adjusted DIF contained herein.

Section 3. The terms of this Resolution shall have the same meaning ascribed to them in Sections 3.38 and 3.42 of the Moreno Valley Municipal Code.

Section 4. A temporary reduction shall be in place for Affordable Residential Single-Family, Residential Multi-Family and Residential Mobile/Senior categories until such time as the City Council deems it appropriate to amend the resolution further. The continued availability of this rate will assist in the City’s housing element compliance. To qualify, an affordable housing project must:

- Comply with the required Area Median Income levels to ensure affordability qualification.
- Record appropriate affordability covenants.

Section 5. In accordance with Chapter 3.38 and 3.42 of the Moreno Valley Municipal Code, the Development Impact Fees shall be amended based upon the figures published in the Engineering News Record’s Building Cost Index – 20 Cities Annual Average.

Section 6. In accordance with Section 3.38.160 of Chapter 3.38 and Section 3.42.130 of Chapter 3.42 of the Moreno Valley Municipal Code, there is hereby adopted the revised DIF Fee Table, attached hereto as Exhibit A, which replaces the summary of Development impact fees within the City’s Schedule of City Fees, Charges and Rates, summarized below:

- (1) \$11,008.64 per DU for Residential Single-Family
- (2) \$5504.33 per DU for Affordable Residential Single-Family
- (3) \$7275.89 per DU for Residential Multi-Family
- (4) \$3637.95 per DU for Affordable Residential Multi-Family
- (5) \$4433.58 per DU for Residential Mobile/Senior
- (6) \$2216.80 per DU for Affordable Residential Mobile/Senior
- (7) \$5864.84 per 1,000 square foot of a General Commercial project
- (8) \$5230.63 per 1,000 square foot of a Regional Commercial project
- (9) \$2827.43 per 1,000 square foot of a General Industrial project
- (10) \$1232.94 per 1,000 square foot of a High Cube Commercial project
- (11) \$3926.32 per 1,000 square foot of an Office project
- (12) 2.0% for Future Updates to the DIF Nexus Study (See note below)

Note: A 2.0% charge will be added to the total DIF Fee for each project to be set aside for reimbursement of the update to the DIF Nexus Study to account for changes in land values, equipment cost, and construction costs of those certain capital improvements.

The fees may be adjusted annually to reflect any changes in costs for those certain capital improvements using the Council approved figures published in the Engineering News Record's Building Cost Index – 20 Cities Annual Average.

Section 8. This resolution shall become effective 60 days after its approval.

APPROVED AND ADOPTED this 16th day of February, 2021.

Dr. Yxstian A. Gutierrez
Mayor City of Moreno Valley

ATTEST:

Pat Jacquez-Nares, City Clerk

APPROVED AS TO FORM:

Steven B. Quintanilla, Interim City Attorney

Resolution No. 2021-3
Date Adopted: February 16, 2021

Attachment: DIF BCI Increase Reso_2021-XXXX (4321 : PUBLIC HEARING AND RESOLUTION ADJUSTING DIF FOR RESIDENTIAL AND

RESOLUTION JURAT

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF MORENO VALLEY)

I, Pat Jacquez-Nares, City Clerk of the City of Moreno Valley, California, do hereby certify that Resolution No. 2021-____ was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the 16th day of February, 2021 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem, and Mayor)

PAT JACQUEZ-NARES, CITY CLERK

(SEAL)

Resolution No. 2021- ⁴
Date Adopted: February 16, 2021

Attachment: DIF BCI Increase Reso_2021-XXXX (4321 : PUBLIC HEARING AND RESOLUTION ADJUSTING DIF FOR RESIDENTIAL AND

EXHIBIT "A"

Development Impact Fees

Unit	----- Residential -----						----- Commercial -----		-----Industrial-----		-----Office-----
	Single Family	Affordable Single Family	Multi-Family	Affordable Multi-Family	Mobile/Senior	Affordable Mobile/Senior	General	Regional	General	High-Cube	
	Current	Current	Current	Current	Current	Current	Current	Current	Current	Current	Current
	DU	DU	DU	DU	DU	DU	KSF	KSF	KSF	KSF	KSF
Arterial Streets	\$ 1,393.52	\$ 696.77	\$ 975.47	\$ 487.73	\$ 627.09	\$ 313.55	\$1,832.69	\$1,607.31	\$ 903.68	\$ 211.14	\$1,266.85
Traffic Signals	\$ 946.91	\$ 473.45	\$ 662.83	\$ 331.42	\$ 426.10	\$ 213.06	\$1,245.32	\$1,092.17	\$ 614.05	\$ 143.47	\$ 860.82
Interchange Improvements	\$ 867.99	\$ 433.99	\$ 607.59	\$ 303.80	\$ 390.60	\$ 195.30	\$1,141.54	\$1,001.15	\$ 562.87	\$ 131.52	\$ 789.08
Fire Facilities	\$ 1,214.88	\$ 607.45	\$ 323.97	\$ 161.98	\$ 485.95	\$ 242.98	\$ 446.24	\$ 446.24	\$ 318.74	\$ 318.74	\$ 371.86
Police Facilities	\$ 611.36	\$ 305.69	\$ 237.46	\$ 118.73	\$ 155.88	\$ 77.94	\$ 800.49	\$ 685.21	\$ 143.38	\$ 143.38	\$ 305.57
Park Improvements	\$ 3,379.25	\$ 1,689.63	\$ 2,888.72	\$ 1,444.36	\$ 1,322.91	\$ 661.46	\$ -	\$ -	\$ -	\$ -	\$ -
Recreation Centers	\$ 859.88	\$ 429.94	\$ 735.05	\$ 367.52	\$ 336.62	\$ 168.31	\$ -	\$ -	\$ -	\$ -	\$ -
Libraries and Materials	\$ 406.10	\$ 203.05	\$ 347.16	\$ 173.59	\$ 158.99	\$ 79.50	\$ -	\$ -	\$ -	\$ -	\$ -
Animal Shelter	\$ 243.66	\$ 121.83	\$ 208.29	\$ 104.15	\$ 95.39	\$ 47.69	\$ -	\$ -	\$ -	\$ -	\$ -
Maintenance Equipment	\$ 188.76	\$ 94.39	\$ 50.33	\$ 25.17	\$ 75.51	\$ 37.76	\$ 69.33	\$ 69.33	\$ 49.53	\$ 49.53	\$ 57.78
City Hall	\$ 223.54	\$ 111.77	\$ 59.61	\$ 29.81	\$ 89.42	\$ 44.71	\$ 82.11	\$ 82.11	\$ 58.64	\$ 58.64	\$ 68.43
Corporate Yard	\$ 672.80	\$ 336.40	\$ 179.41	\$ 89.70	\$ 269.13	\$ 134.56	\$ 247.13	\$ 247.13	\$ 176.52	\$ 176.52	\$ 205.94
Total	\$11,008.64	\$ 5,504.33	\$ 7,275.89	\$ 3,637.95	\$ 4,433.58	\$ 2,216.80	\$5,864.84	\$5,230.63	\$2,827.43	\$ 1,232.94	\$3,926.32

NOTES:

1. Amounts reflect a Building Cost Index increase of 23.8497% in the 2013 Council approved fees
2. The fees may be adjusted to reflect the annual increase using the Council approved 20-City Average Building Cost Index of the Engineering News-Record.

UNITS LEGEND

DU = Dwelling Unit for residential development types

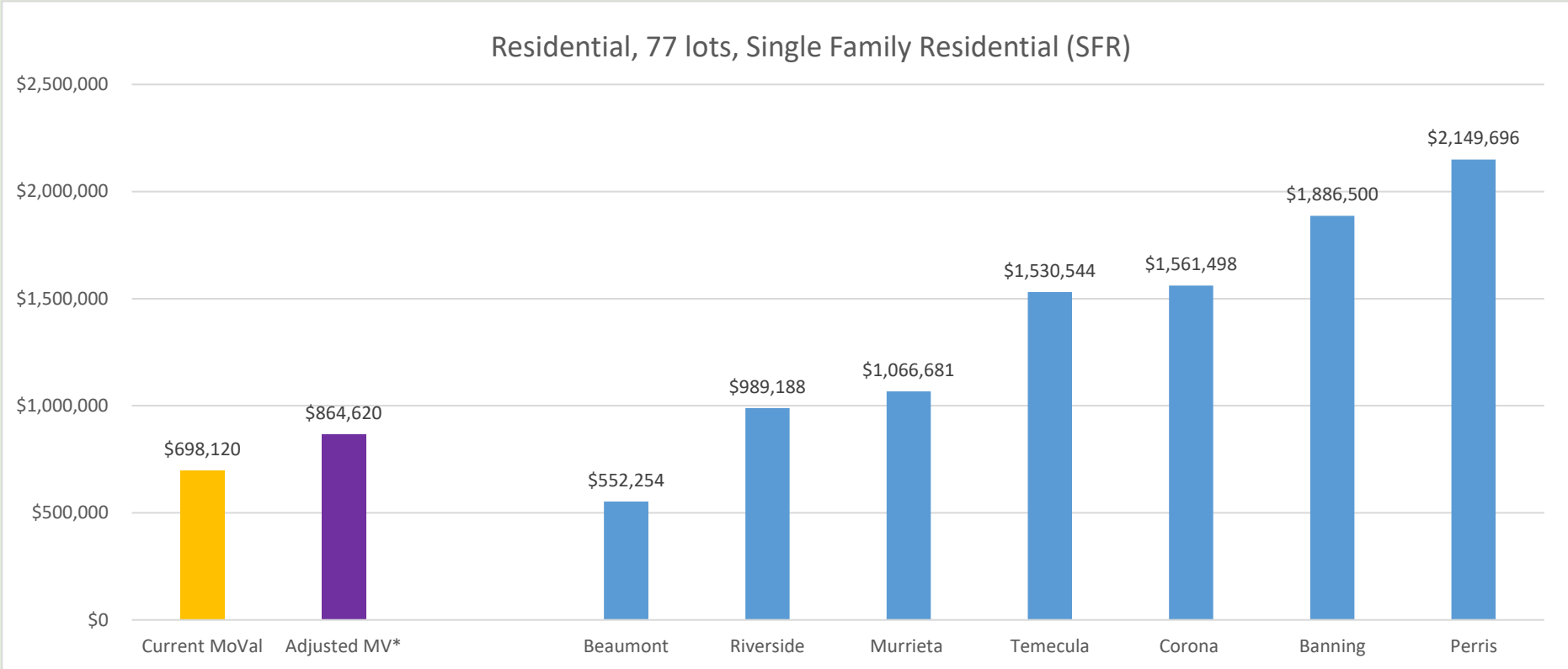
KSF = 1,000 gross square feet of building area for commercial, industrial, and office development types

IMPLEMENTATION NOTES:

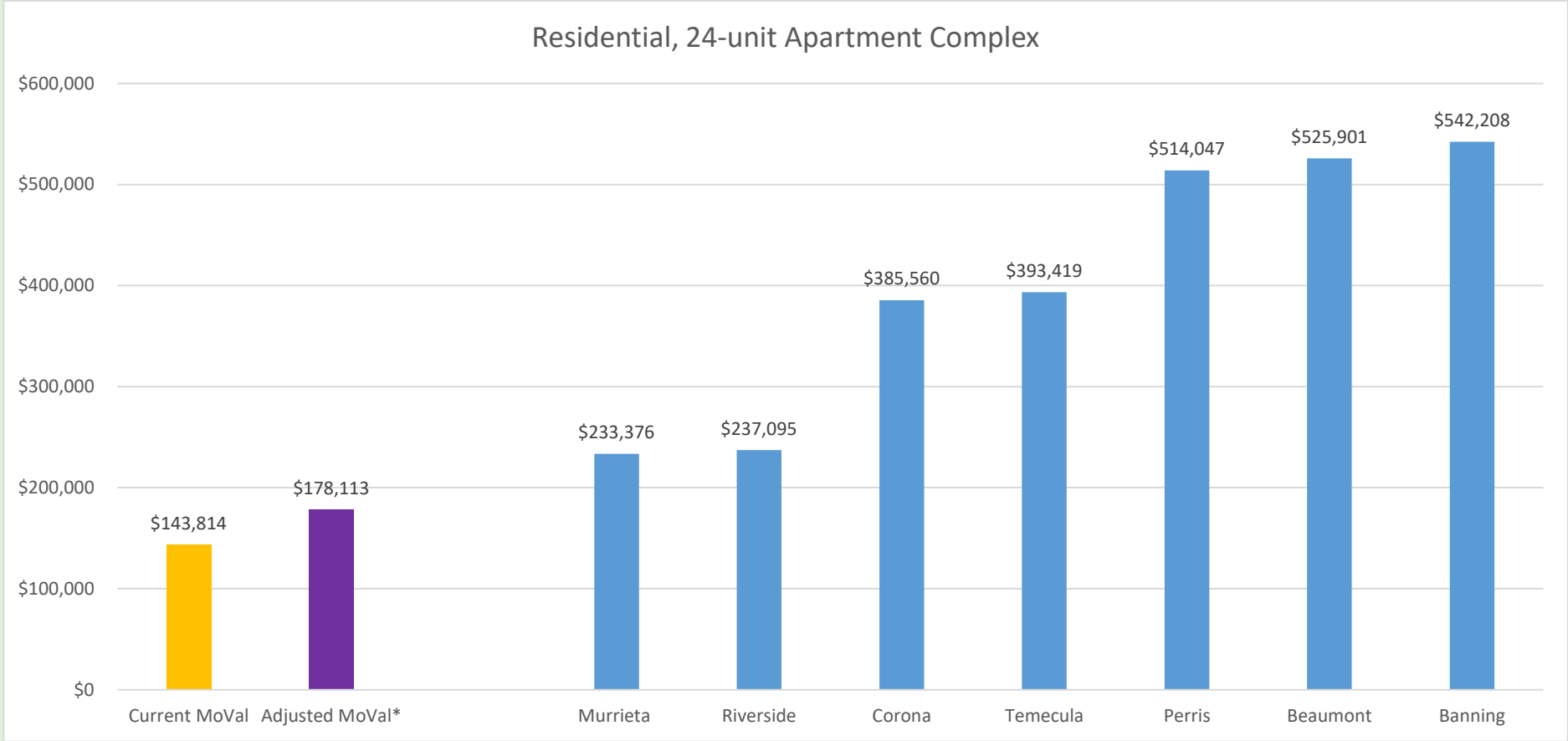
With respect to each accessory dwelling unit on a single-family residential, the fees shall equal one-half of the fees applicable to each multi-family dwelling unit.

With respect to affordable housing, these fees shall be collected at the amount outlined by the City Municipal Code.

These fees do not increase the impacts on other residential developments.

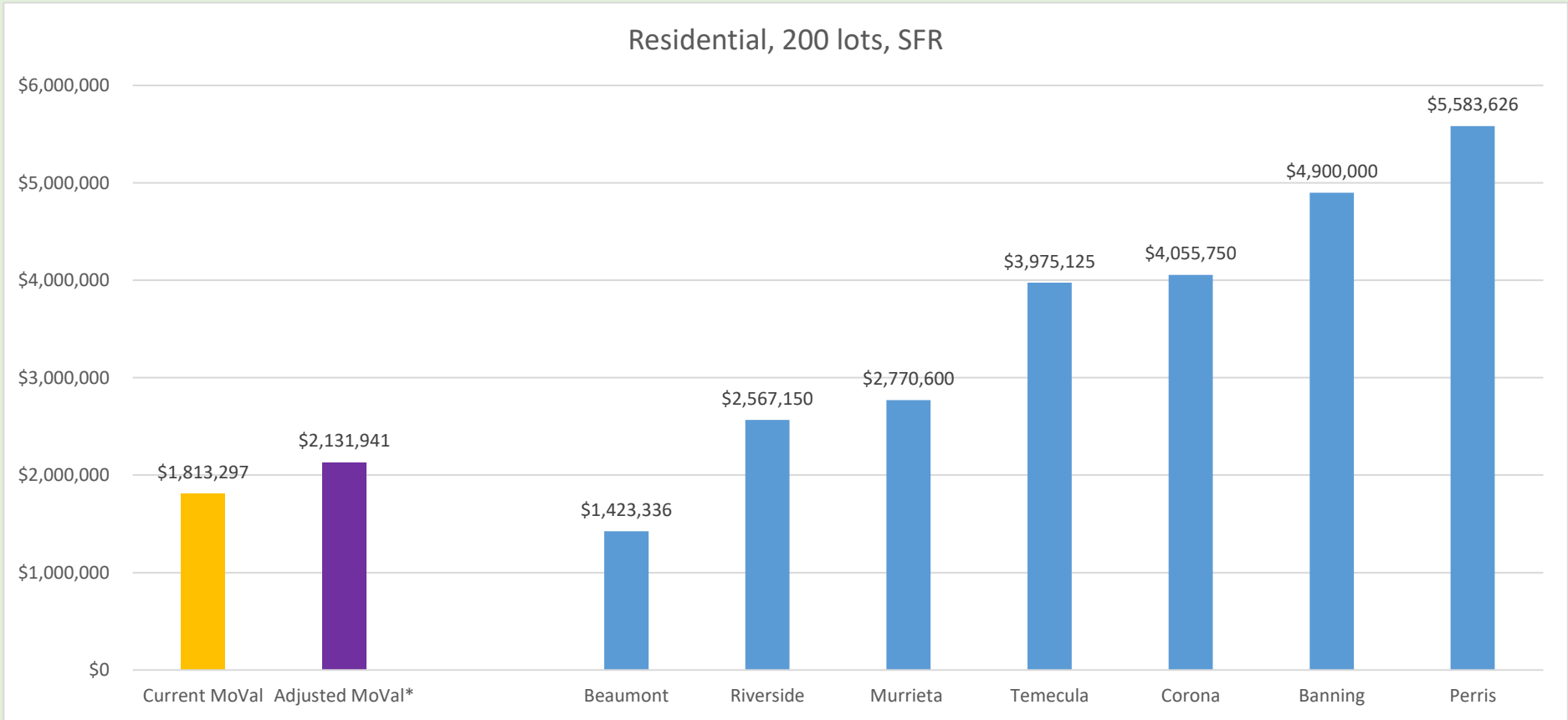


*Engineering News Record's Building Cost Index 23.8497% (Oct 2012 - Dec 2020)
Comparison excludes regional agency fees (e.g. TUMF, drainage, etc.)

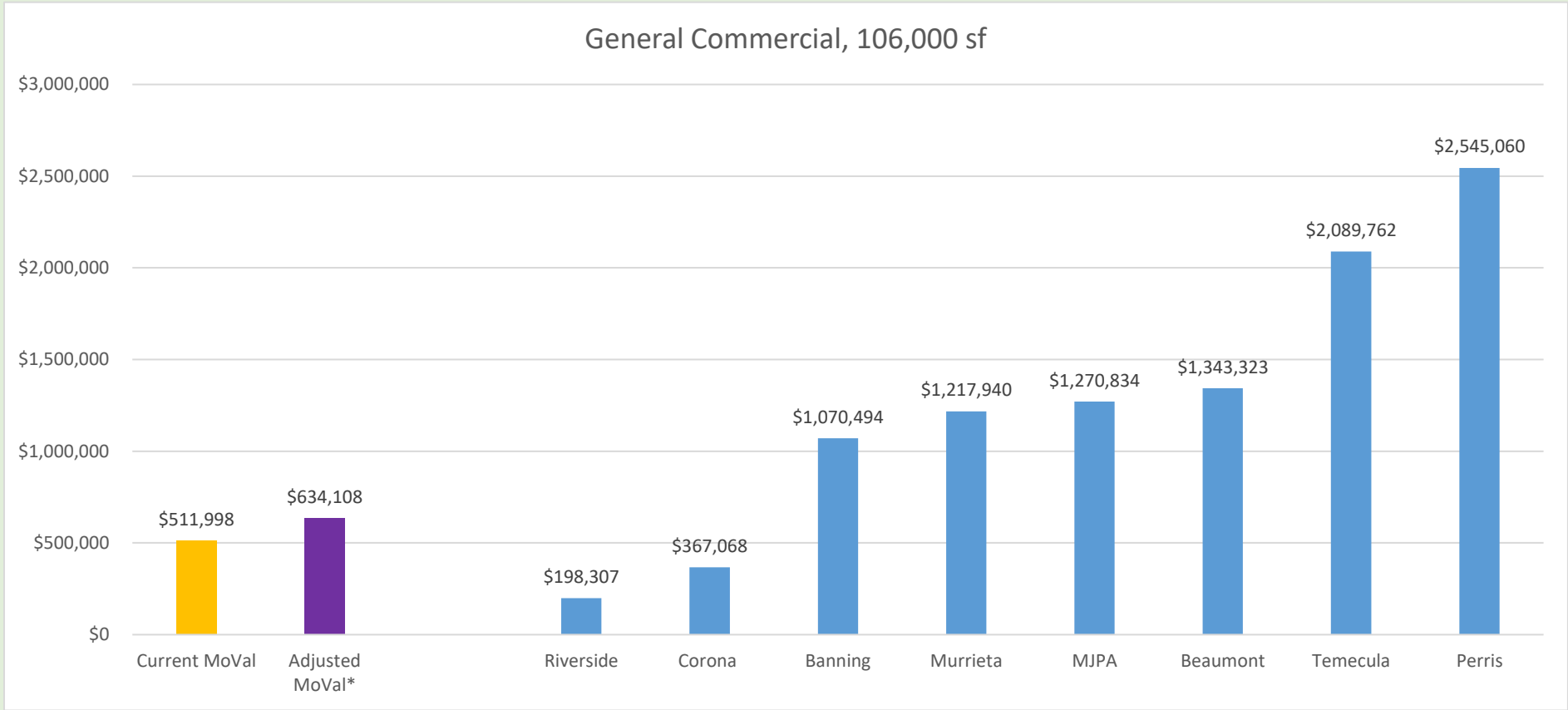


*Engineering News Record's Building Cost Index 23.8497% (Oct 2012 - Dec 2020)
Comparison excludes regional agency fees (e.g. TUMF, drainage, etc.)

Attachment: Comparison Charts for CCI Only (4321 : PUBLIC HEARING AND RESOLUTION ADJUSTING

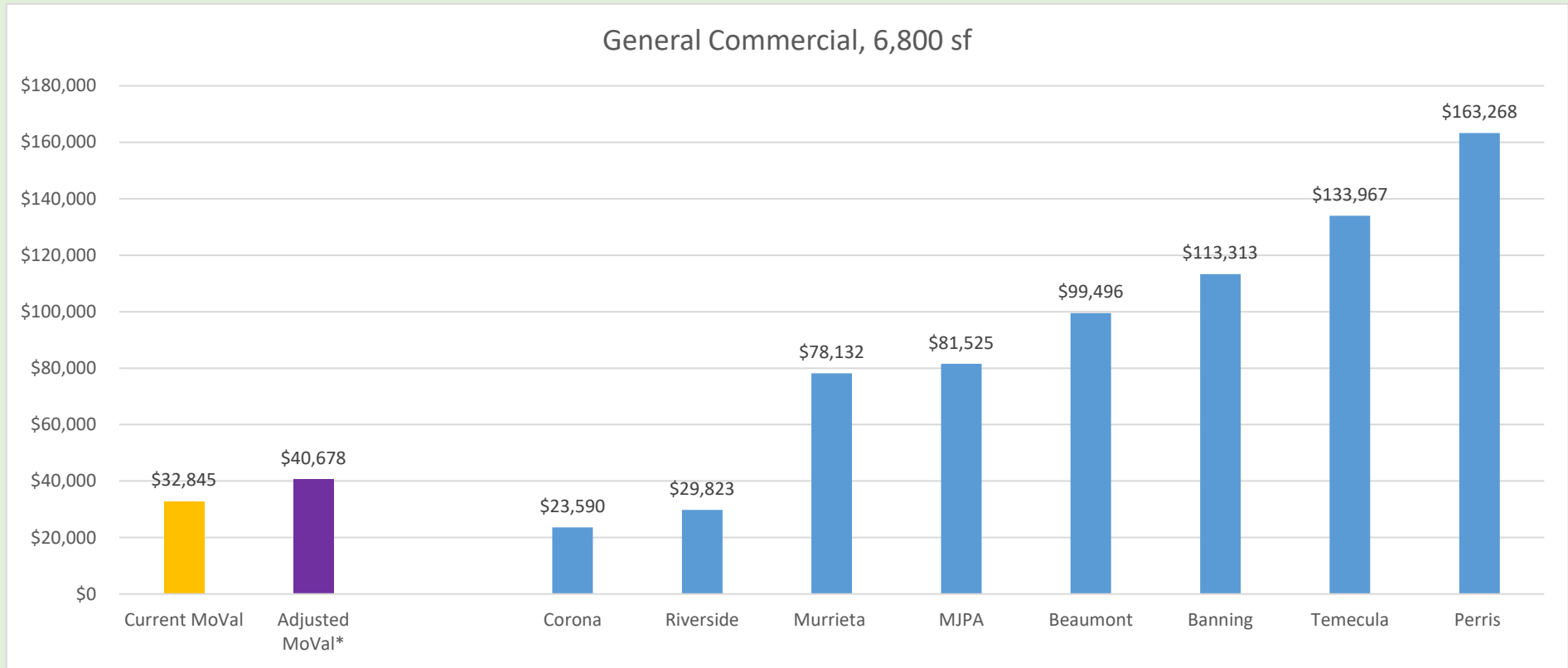


*Engineering News Record's Building Cost Index 23.8497% (Oct 2012 - Dec 2020)
Comparison excludes regional agency fees (e.g. TUMF, drainage, etc.)

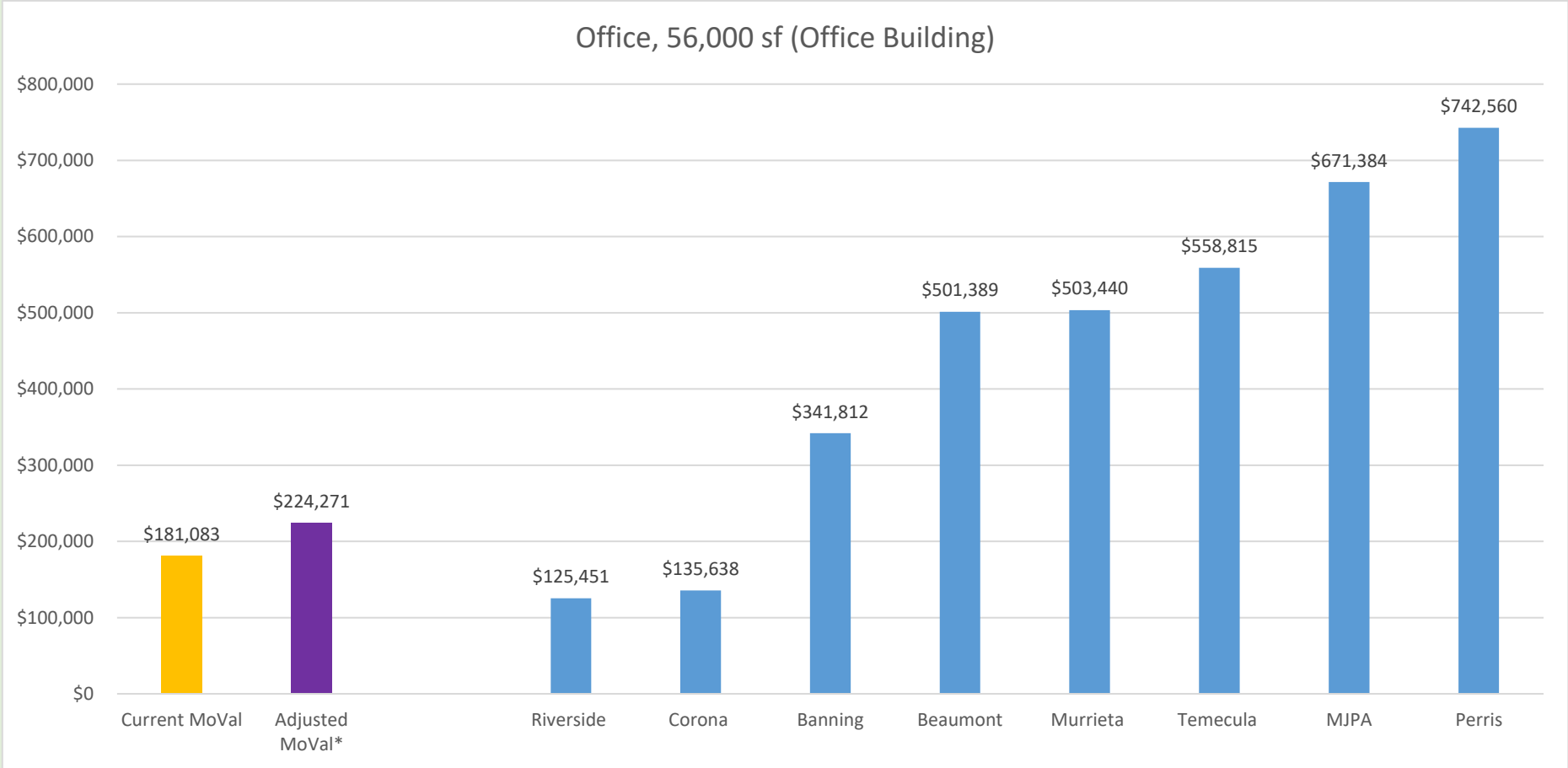


*Engineering News Record's Building Cost Index 23.8497% (Oct 2012 - Dec 2020)
Comparison excludes regional agency fees (e.g. TUMF, drainage, etc.)

Attachment: Comparison Charts for CCI Only (4321 : PUBLIC HEARING AND RESOLUTION ADJUSTING

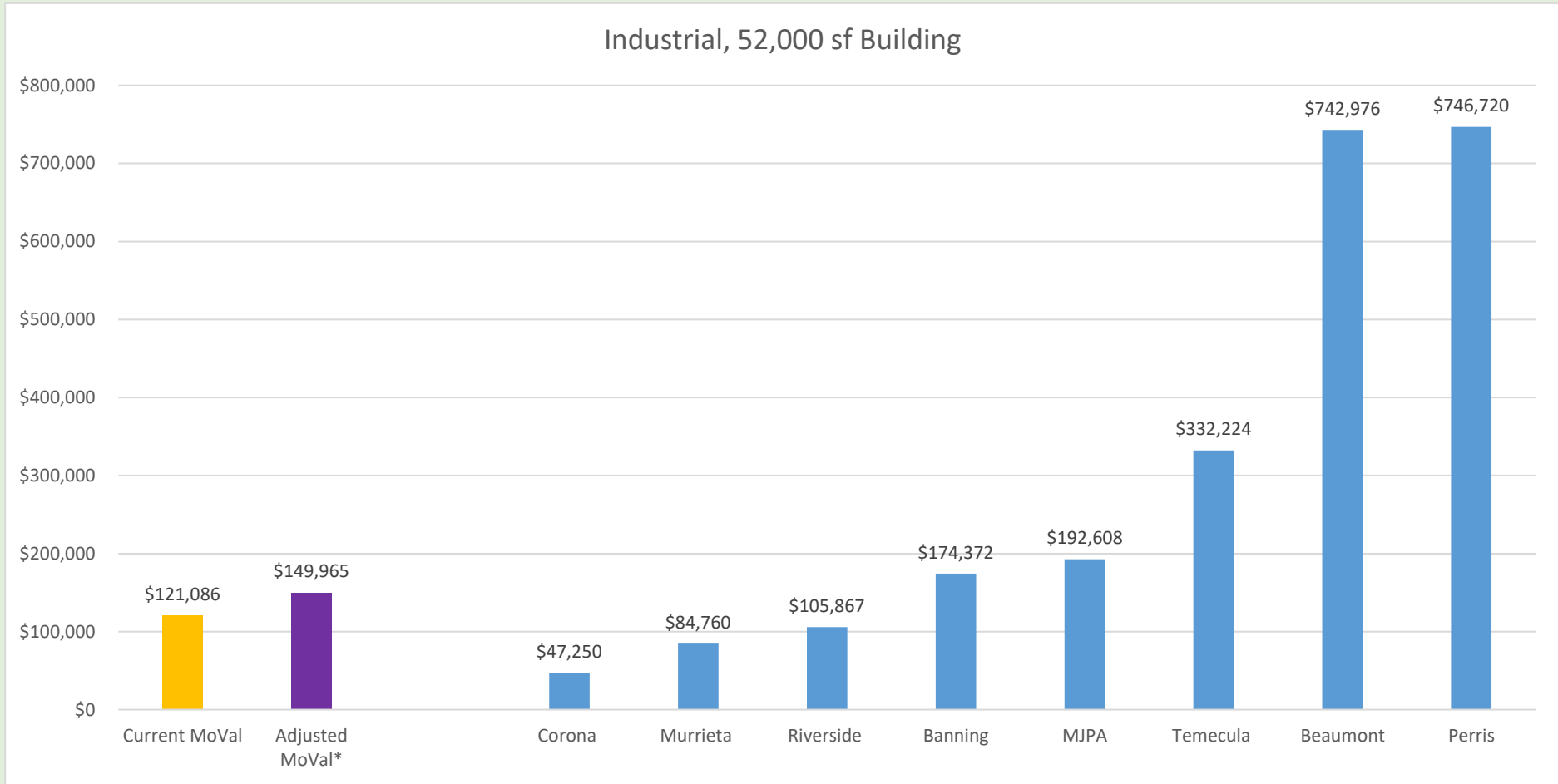


*Engineering News Record's Building Cost Index 23.8497% (Oct 2012 - Dec 2020)
Comparison excludes regional agency fees (e.g. TUMF, drainage, etc.)



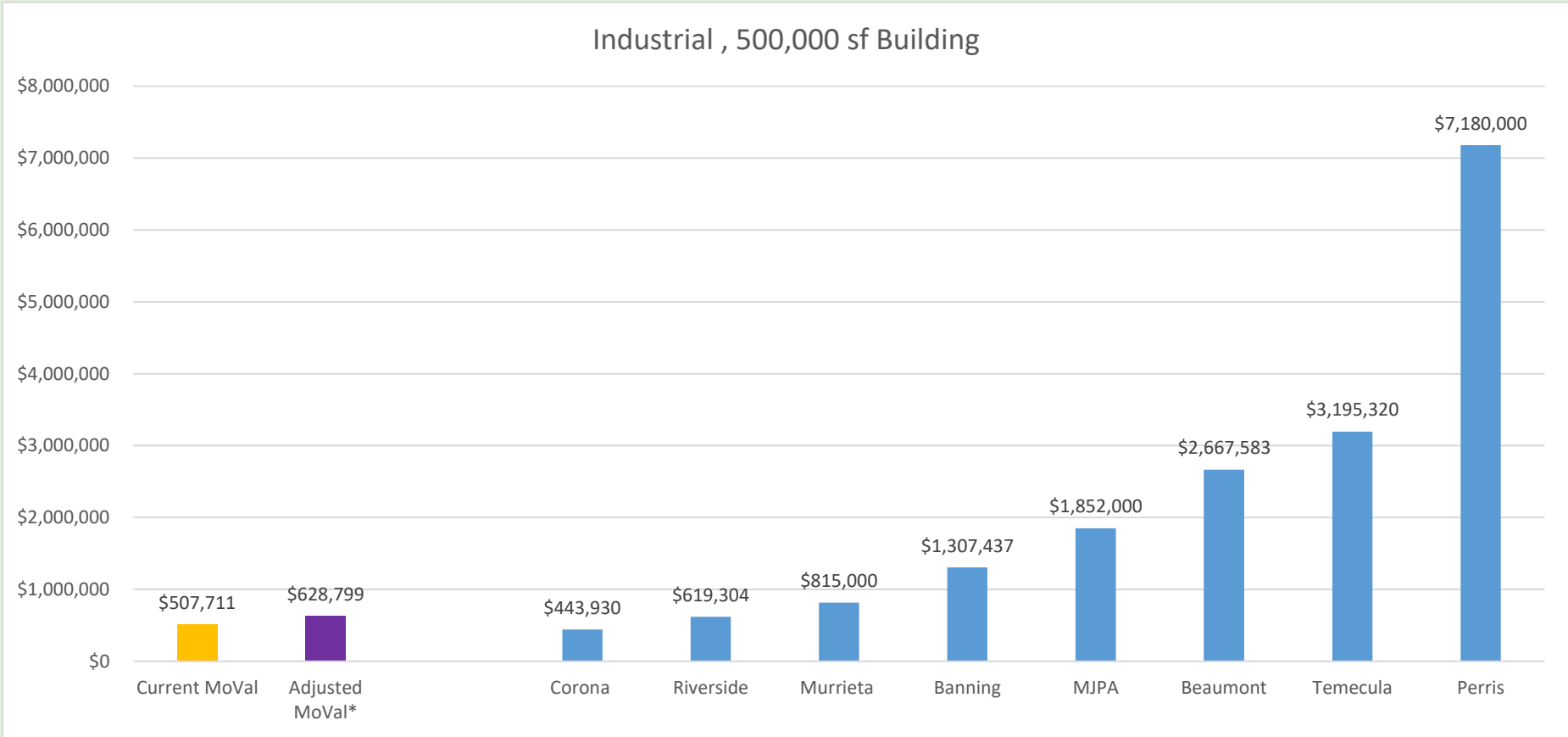
*Engineering News Record's Building Cost Index 23.8497% (Oct 2012 - Dec 2020)
Comparison excludes regional agency fees (e.g. TUMF, drainage, etc.)

Attachment: Comparison Charts for CCI Only (4321 : PUBLIC HEARING AND RESOLUTION ADJUSTING



*Engineering News Record's Building Cost Index 23.8497% (Oct 2012 - Dec 2020)
Comparison excludes regional agency fees (e.g. TUMF, drainage, etc.)

Attachment: Comparison Charts for CCI Only (4321 : PUBLIC HEARING AND RESOLUTION ADJUSTING



*Engineering News Record's Building Cost Index 23.8497% (Oct 2012 - Dec 2020)
Comparison excludes regional agency fees (e.g. TUMF, drainage, etc.)

Attachment: Comparison Charts for CCI Only (4321 : PUBLIC HEARING AND RESOLUTION ADJUSTING



Report to City Council

TO: Mayor and City Council

FROM: Manuel A. Mancha, Community Development Director

AGENDA DATE: February 16, 2021

TITLE: MUNICIPAL CODE AMENDMENT MODIFYING CHAPTER 3.48 "WESTERN RIVERSIDE COUNTY MULTIPLE SPECIES HABITAT CONSERVATION FEE PROGRAM."

RECOMMENDED ACTION

Recommendation:

1. Introduce and conduct the first reading of Ordinance No. XXX amending Chapter 3.48 "Western Riverside County Multiple Species Habitat Conservation Plan Fee Program" of Title 3 the City of Moreno Valley Municipal Code to update the Local Development Mitigation Fee, which is a pass-through fee for the Western Riverside County Regional Conservation Authority (RCA), for funding the preservation of natural ecosystems in accordance with the Western Riverside County Multiple Species Habitat Conservation Plan;
2. Schedule the second reading and adoption of Ordinance No. XXX for the next regular Council meeting; and
3. Adopt Resolution No. 2021-XX. A Resolution of the City Council of the City of Moreno Valley, California, approving an increase to the Multiple Species Habitat Conservation Plan (MSHCP) Local Development Mitigation Fee.

SUMMARY

The proposed Municipal Code Amendment revises Chapter 3.48 "Western Riverside County Multiple Species Habitat Conservation Plan Fee Program" of Title 3 the City of Moreno Valley Municipal Code to update the Local Development Mitigation Fee for funding the preservation of natural ecosystems in accordance with the Western Riverside County Multiple Species Habitat Conservation Plan.

DISCUSSION

The Measure A sales tax ordinance ("Measure A") adopted by the Riverside County Transportation Commission ("RCTC") requires the City of Moreno Valley to participate in the Western Riverside County Multiple Species Habitat Conservation Plan ("MSHCP") as a condition of receiving Measure A local street and roads funds. Under Measure A, RCTC may not distribute Measure A local streets and road funds to any city in Western Riverside County if the city is not certified by Western Riverside County Regional Conservation Authority ("RCA") as participating in the MSHCP.

On January 27, 2004, the City adopted Ordinance No. 654 which imposed the MSHCP Fee, also known as the Local Development Mitigation Fee ("LDMF") throughout the City. Ordinance No. 654 was codified as Chapter 3.48 ("Western Riverside County Multiple Species Habitat Conservation Plan Fee Program") in the Moreno Valley Municipal Code ("MVMC"). Since the City adopted the original local ordinance in 2004 the Local Development Impact Fee has been increased on a regular basis utilizing CPI adjustments. The most recent increase occurred in 2020.

On December 7, 2020 the RCA Board of Directors approved the 2020 Nexus Study updating the MSHCP Local Development Mitigation Fee ("LDMF") for the first time since it was initial adopted in 2004, along with an updated model ordinance, resolution, and MSHCP Mitigation Fee Implementation Manual. Implementation in the LDMF rates will occur in two steps with the first change occurring on July 1, 2021 and the second on January 1, 2022. The table below identifies the current fee along with the two scheduled rate adjustments.

MSHCP Local Development Mitigation Fee Schedule			
Fee Category	Current Fee	Fee Effective July 1, 2021 through December 31, 2021	Fee Effective January 1, 2022
Residential density less than 8.0 dwelling units per acre (fee per dwelling unit)	\$2,234	\$2,935	\$3,635
Residential density between 8.0 and 14.0 dwelling units per acre (fee per dwelling unit)	\$1,430	\$1,473	\$1,515
Residential density greater than 14.0 dwelling units per acre (fee per dwelling unit)	\$1,161	\$670	\$670
Non-Residential/Commercial, and Industrial (fee per acre)	\$7,606	\$11,982	\$16,358

ENVIRONMENTAL

As provided for in Section 21080(b)(8) of the California Public Resources Code and Sections 15273 and 15378(b)(4) of the State CEQA Guidelines, the proposed fee adjustment is an activity that is exempt from the California Environmental Quality Act

(CEQA) as the action taken will not have a significant impact on the environment.

ALTERNATIVES

1. Approve the proposed Ordinance and Resolution and implement the modifications to the MSHCP fees. Staff recommends this alternative as it is consistent with the City's approved agreements pertaining to the MSHCP.
2. Do not approve the proposed Ordinance and Resolution. Staff does not recommend this alternative as it would be inconsistent with agreements pertaining to the MSHCP and would create a potential financial liability for the City.

FISCAL IMPACT

The MSHCP Local Development Mitigation Fees are pass-through fees to the RCA for the purpose of habitat conservation. The proposed fee adjustments will ensure the fee amounts are consistent with the provisions for escalation as set forth in the proposed Ordinance. This action would ensure there is no direct fiscal impact on the City. If the City does not approve the proposed Ordinance and Resolution, the City could become liable for any subsequent under collected fees.

NOTIFICATION

Notice is provided via publication of the agenda. A notice was also published in the Press Enterprise on February 6, 2021.

CITY COUNCIL GOALS

Advocacy. Develop cooperative intergovernmental relationships and be a forceful advocate of City policies, objectives, and goals to appropriate external governments, agencies and corporations.

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.

CITY COUNCIL STRATEGIC PRIORITIES

1. Economic Development
2. Public Safety
3. Library

- 4. Infrastructure
- 5. Beautification, Community Engagement, and Quality of Life
- 6. Youth Programs

Objective 5.5: Promote a healthy community and lifestyle.

ATTACHMENTS

- 1. Ordinance XXX_Title 3 Amendment
- 2. Resolution No. 2021-XX_LDMF
- 3. RCA Letter dated December 30, 2020
- 4. Western Riverside County Multiple Species Habitat Conservation Plan Nexus Fee Study Update
- 5. MSHCP Mitigation Fee Implementation Manual

APPROVALS

Budget Officer Approval	<u>✓ Approved</u>	2/11/21 2:43 PM
City Attorney Approval	<u>✓ Approved</u>	
City Manager Approval	<u>✓ Approved</u>	2/11/21 2:46 PM

ORDINANCE NO. ____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY TO UPDATE THE LOCAL DEVELOPMENT MITIGATION FEE FOR FUNDING THE PRESERVATION OF NATURAL ECOSYSTEMS IN ACCORDANCE WITH THE WESTERN RIVERSIDE COUNTY MULTIPLE SPECIES HABITAT CONSERVATION PLAN

WHEREAS, the City of Moreno Valley is a General Law city organized pursuant to Article XI of the California Constitution; and

WHEREAS, the proposed Municipal Code Amendments as set forth in this Ordinance revises various sections of Title 3 Revenue and Finance; and

WHEREAS, the proposed Municipal Code Amendments include revisions to certain provisions of Chapter 3.48 Western Riverside County Multiple Species Habitat Conservation Plan Fee Program; and

WHEREAS, the City Council of the City of Moreno Valley ("City") finds that the ecosystems of the City and western Riverside County, and the vegetation communities and sensitive species they support are fragile, irreplaceable resources that are vital to the general welfare of all residents;

WHEREAS, these vegetation communities and natural areas contain habitat value which contributes to the City's and the region's environmental resources;

WHEREAS, special protections for these vegetation communities and natural areas are being established to prevent future endangerment of the plant and animal species that are dependent upon them;

WHEREAS, adoption and implementation of this Ordinance will help to enable the City to achieve the conservation goals set forth in the Western Riverside County Multiple Species Habitat Conservation Plan ("MSHCP"), adopted by the City Council on January 27, 2004, to implement the associated Implementing Agreement executed by the City Council on January 27, 2004, and to preserve the ability of affected property owners to make reasonable use of their land consistent with the requirements of the National Environmental Policy Act ("NEPA"), the California Environmental Quality Act ("CEQA"), the Federal Endangered Species Act ("FESA"), the California Endangered Species Act ("CESA"), the California Natural Community Conservation Planning Act ("NCCP Act"), and other applicable laws;

WHEREAS, the purpose and intent of this Ordinance is to update its Local Development Mitigation Fee to assist in the maintenance of biological diversity and the natural ecosystem processes that support this diversity; the protection of 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; the maintenance of economic development within the City by providing

a streamlined regulatory process from which development can proceed in an orderly process; and the protection of the existing character of the City and the region through the implementation of a system of reserves which will provide for permanent open space, community edges, and habitat conservation for species covered by the MSHCP;

WHEREAS, the findings set forth herein are based on the MSHCP and the 2020 Nexus Study, and the estimated implementation costs of the MSHCP as set forth in the 2020 Nexus Study, a copy of which is on file in the City Clerk's office;

WHEREAS, The Western Riverside County Regional Conservation Authority ("RCA") has prepared an updated nexus study entitled "WESTERN RIVERSIDE COUNTY MULTIPLE SPECIES HABITAT CONSERVATION PLAN NEXUS FEE STUDY UPDATE" (2020 Nexus Study) pursuant to California Government code sections 66000 et seq. for the purpose of updating the Local Development Mitigation Fee ("LDMF"). On December 7, 2020, the RCA Board of Directors reviewed the 2020 Nexus Study and directed RCA Permittees to adopt this updated MSHCP fee ordinance.

WHEREAS, pursuant to Article 11, Section 7 of the California Constitution, the City[County] is authorized to enact measures that protect the health, safety, and welfare of its citizens;

WHEREAS, pursuant to Government Code sections 66000 et seq., the City is empowered to impose fees and other exactions to provide necessary funding and public facilities required to mitigate the negative effect of new development projects;

WHEREAS, on January 27, 2004, the City Council took action on the MSHCP and the associated Implementing Agreement and adopted the original LDMF, and made appropriate findings pursuant to CEQA;

WHEREAS, the levying of LDMF has been reviewed by the City Council and staff in accordance with the California Environmental Quality Act ("CEQA") and the State CEQA Guidelines and it has been determined that the adoption of this ordinance is exempt from CEQA pursuant to Section 21080(b)(8) of the California Public Resources Code and Sections 15273 and 15378(b)(4) of the State CEQA Guidelines; and

WHEREAS, pursuant to Government Code sections 66016, 66017, and 66018, the City has: (a) made available to the public, at least ten (10) days prior to its public hearing, data indicating the estimated cost required to provide the facilities and infrastructure for which these development fees are levied and the revenue sources anticipated to provide those facilities and infrastructure; (b) mailed notice at least fourteen (14) days prior to this meeting to all interested parties that have requested notice of new or increased development fees; and (c) held a duly noticed, regularly scheduled public hearing at which oral and written testimony was received regarding the proposed fees.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY DOES ORDAIN AS FOLLOWS:

Section 1. RECITALS

That the above recitals are true and correct and are incorporated herein as though set forth at length herein.

Section 2. AUTHORITY

That this Ordinance is adopted pursuant to the authority granted by Article 11, Section 7 of the Constitution of the State of California and California Government Code Section 37100. The Ordinance is not intended to be duplicative of state law, or be preempted by state legislation.

Section 3. FINDINGS. The City Council finds and determines as follows:

A. The preservation of vegetation communities and natural areas within the City and western Riverside County which support species covered by the MSHCP is necessary to protect and promote the health, safety, and welfare of all the citizens of the City by reducing the adverse direct, indirect, and cumulative effects of urbanization and development and providing for permanent conservation of habitat for species covered by the MSHCP.

B. It is necessary to update certain development impact fees to ensure that all new development within the City pays its fair share of the costs of acquiring and preserving vegetation communities and natural areas within the City and the region which are known to support plant and wildlife species covered by the MSHCP.

C. A proper funding source to pay the costs associated with mitigating the direct, indirect, and cumulative impacts of development to the natural ecosystems within the City and the region, as identified in the MSHCP, is a development impact fee for residential, commercial, and industrial development. The amount of the fee is determined by the nature and extent of the impacts from the development to the identified natural ecosystems and or the relative cost of mitigating such impacts.

D. The MSHCP and the 2020 Nexus Study, a copy of which is on file in the City Clerk's office, provides a basis for the imposition of development impact fees on new construction.

E. The use of the development impact fees to mitigate the impacts to the City's and the region's natural ecosystems is reasonably related to the type and extent of impacts caused by development within the City.

F. The costs of funding the proper mitigation of natural ecosystems and biological resources impacted by development within the City and the region are apportioned relative to the type and extent of impacts caused by the development.

G. The facts and evidence provided to the City establish that there is a reasonable relationship between the need for preserving the natural ecosystems in the

City and the region, as defined in the MSHCP, and the direct, indirect, and cumulative impacts to such natural ecosystems and biological resources created by the types of development on which the fee will be imposed, and that there is a reasonable relationship between the fee's use and the types of development for which the fee is charged. This reasonable relationship is described in more detail in the MSHCP and the 2020 Nexus Study.

H. The cost estimates for mitigating the impact of development on the City's and the region's natural ecosystem and biological resources, as set forth in the MSHCP, are reasonable and will not exceed the reasonably estimated total of these costs.

I. The fee set forth herein does not reflect the entire cost of the lands which need to be acquired in order to implement the MSHCP and mitigate the impact caused by new development. Additional revenues will be required from other sources. The City Council finds that the benefit to each development project is greater than the amount of the fee to be paid by the project.

J. The fees collected pursuant to this Ordinance shall be used to finance the acquisition and perpetual conservation of the natural ecosystems and certain improvements necessary to implement the goals and objectives of the MSHCP.

Section 4. ADMINISTRATIVE RESPONSIBILITY. The RCA is hereby reaffirmed as the Administrator of this Ordinance. The RCA is hereby authorized to receive all fees generated from the Local Development Mitigation Fee within the City, and to invest, account for, and expend such fees in accordance with the provisions of the MSHCP, MSHCP Implementing Ordinance, this Ordinance, and the MSHCP Mitigation Fee Implementation Manual. The detailed administrative procedures concerning the implementation of this Ordinance shall be contained in the MSHCP Mitigation Fee Implementation Manual adopted December 7, 2020 and as may be amended from time to time. The RCA Board of Directors may adopt a policy that will allow the City to authorize the RCA to calculate the fees due and collect those amounts directly from property owners. If such a policy is adopted, it will be included in the MSHCP Mitigation Fee Implementation Manual.

Section 5. AMENDMENT OF TITLE 3 (REVENUE AND FINANCE) OF THE MORENO VALLEY MUNICIPAL

That Title 3 (Revenue and Finance) of the Municipal Code is hereby amended as follows:

“3.48.010 Title.

This chapter shall be known as the “Western Riverside Multi-Species Habitat Conservation Plan Fee Program Ordinance.

3.48.020 Purpose.

The purpose and intent of this chapter is to establish a local development mitigation fee to assist in the maintenance of biological diversity and the natural ecosystem processes that support this diversity; the protection of 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; the maintenance of economic development within the city by providing a streamlined regulatory process from which development can proceed in an orderly process; and the protection of the existing character of the city and the region through the implementation of a system of reserves which will provide for permanent open space, community edges, and habitat conservation for species covered by the MSHCP.

3.48.030 Definitions.

As used in this chapter, the following terms shall have the following meanings:

"Accessory Dwelling Unit" means an accessory dwelling unit as defined by California Government Code section 65852.2(j)(l), or as defined in any successor statute.

"Board of Supervisors" means the Board of Supervisors of the County of Riverside, California.

"City" means the City of Moreno Valley, California.

"City Council" means the City Council of the City of Moreno Valley, California.

"Credit" means a credit allowed pursuant to Section 10 of this Ordinance, which may be applied against the development impact fee paid.

"Development" means a human-created change to improved or unimproved real estate, including buildings or other structures, mining, dredging, filling, grading, paving, excavating, and drilling.

"Development Project" or "Project" means any project undertaken for the purpose of development pursuant to the issuance of a building permit by the City pursuant to all applicable ordinances, regulations, and rules of the City and state law.

"Junior Accessory Dwelling Unit" means a junior accessory dwelling unit as defined by California Government Code section 65852.22(h)(l), or as defined in any successor statute.

"Local Development Mitigation Fee" or "Fee" means the development impact fee imposed pursuant to the provisions of this Ordinance.

"Multiple Species Habitat Conservation Plan" or "MSHCP" means the Western Riverside County Multiple Species Habitat Conservation Plan, adopted by the City Council on January 27, 2004.

"MSHCP Conservation Area" has the same meaning and intent as such term is defined and utilized in the MSHCP.

"Project Area" means the area, measured in acres, within the Development Project including, without limitation, any areas to be developed as a condition of the Development Project. Except as otherwise provided herein, the Project Area is the area upon which the project will be assessed the Local Development Mitigation Fee. See the MSHCP Mitigation Fee Implementation Manual for additional guidance for calculating the Project Area.

"Revenue" or "Revenues" means any funds received by the City pursuant to the provisions of this Chapter for the purpose of defraying all or a portion of the cost of acquiring and preserving vegetation communities and natural areas within the City and the region which are known to support threatened, endangered, or key sensitive populations of plant and wildlife species.

"Western Riverside County Regional Conservation Authority" or "RCA" means the governing body established pursuant to the MSHCP that is delegated the authority to oversee and implement the provisions of the MSHCP.

Any capitalized term not otherwise defined herein shall carry the same meaning and definition as that term is used and defined in the MSHCP.

3.48.040 Local Development Mitigation and Infrastructure Fee.

- A. Adoption of Local Development Mitigation Fee Schedule. The City Council shall adopt an applicable Local Development Mitigation Fee schedule provided by the RCA through a separate resolution, which may be amended from time to time.
- B. Public Projects. The City is required to mitigate the impacts of Public Projects pursuant to the MSHCP and the MSHCP Implementing Agreement. The definition of Public Project and the method for mitigating Public Projects will be set forth in the MSHCP Mitigation Fee Implementation Manual.

- C. Periodic Fee Adjustment. The Local Development Mitigation Fee schedule set forth in the fee resolution referenced above may be periodically reviewed and the amounts adjusted as set forth in the MSHCP Mitigation Fee Implementation Manual.
- D. Automatic Annual Fee Adjustment. In addition to the Periodic Fee Adjustment mentioned above, the RCA shall provide the City with an automatic annual fee adjustment for the Local Development Mitigation Fee established by this Chapter as set forth in the MSHCP Mitigation Fee Implementation Manual.

3.48.050 Imposition of the Local Development Mitigation.

- A. The Local Development Mitigation Fee will be paid no later than at the issuance of a building permit. Notwithstanding any other provision of the City's Municipal Code, no building permit shall be issued for any Development Project unless the Local Development Mitigation Fee applicable to such Development Project has been paid. The amount of the Fee shall be calculated in accordance with the MSHCP Mitigation Fee Implementation Manual.
- B. In lieu of the payment of the Local Development Mitigation Fee as provided above, the Fee for a Development may be paid through a Community Facilities District, provided that such arrangement is approved by the RCA in writing.

3.48.060 Payment of Local Development Mitigation Fee.

- A. The Local Development Mitigation Fee shall be paid in full in accordance with applicable law.
- B. The Local Development Mitigation Fee required to be paid under this Chapter shall be the fee in effect at the time the fee is paid for which the Local Development Mitigation Fee is assessed; provided, however, that Housing Development Projects as defined by California Government Code section 65589.5(h)(2) may be entitled to pay the fee in effect at the time of the preliminary application was submitted.
- C. Notwithstanding anything in the City's Municipal Code, or any other written documentation to the contrary, the Local Development Mitigation Fee shall be paid whether or not the Development Project is subject to conditions of approval by the City imposing the requirement to pay the fee.
- D. If all or part of the Development Project is sold prior to payment

of the Local Development Mitigation Fee, the Project shall continue to be subject to the requirement to pay the fee as provided herein.

- E. The fee title owner(s) of the Property is responsible for the payment of the Local Development Mitigation Fee.

3.48.070 Refunds.

Under certain circumstances, such as double payment, expiration of a building permit, or fee miscalculation due to clerical error, an applicant may be entitled to a refund. Refunds will be reimbursed by the end of the fiscal year on a first come, first served basis, depending upon the net revenue stream. Refunds will only be considered reimbursable if requested within 3 years of the original LDMF payment. In all cases, the applicant must promptly submit a refund request with proof of LDMF payment to the RCA if RCA collected the LDMF, or if collected by a local jurisdiction, the refund request shall be submitted to that local jurisdiction, which will subsequently forward the request to RCA for verification, review, and possible action.

- A. Expiration Of Building Permits - If a building permit should expire, is revoked, or is voluntarily surrendered and is, therefore voided and no construction or improvement of land has commenced, then the applicant may be entitled to a refund of the LDMF collected which was paid as a condition of approval, less administration costs. Any refund must be requested within three (3) years of the original payment. The applicant shall pay the current LDMF in effect at the time in full if they reapply for the permit.
- B. Double Payments - on occasion due to a clerical error, a developer has paid all or a portion of the required LDMF for project twice. In such cases, a refund of the double payment may be required.
- C. Balance Due - when LDMF is incorrectly calculated due to City clerical error, it is the City's responsibility to remit the balance due to RCA. The error must be discovered within three (3) years of the original payment for the City to be held accountable. The amount due can be remitted through alternate methods agreed to by the RCA Executive Committee. If first approved through RCA staff in writing, the calculation is not subject to additional review.

3.48.080 Accounting and Disbursement of Collected Local

Development Mitigation Fees.

- A. All fees paid pursuant to this Chapter shall be deposited, invested, accounted for, and expended in accordance with Section 66006 of the Government Code and all other applicable provisions of law.
- B. Subject to the provisions of this section, all fees collected pursuant to this Chapter shall be remitted to the Western Riverside County Regional Conservation Authority at least quarterly.
- C. In the resolution mentioned in Section 4.A, the City may also add an additional cost to the Local Development Mitigation Fee schedule to cover the costs of collecting the fees from project proponents. Any amounts collected by the City shall not reduce the amount collected and remitted to the RCA under this Chapter.

3.48.090 Exemptions.

The following types of construction shall be exempt from the provisions of this Chapter:

- A. Reconstruction or improvements that were damaged or destroyed by fire or other natural causes, provided that the reconstruction or improvements do not result in additional usable square footage.
- B. Rehabilitation or remodeling to an existing Development Project, provided that the rehabilitation or remodeling does not result in additional usable square footage.
- C. Accessory Dwelling Units, but only to the extent such fee is exempted under state law.
- D. Junior Accessory Dwelling Units, but only to the extent such fee is exempted under state law.
- E. Existing structures where the use is changed from an existing permitted use to a different permitted use, provided that no additional improvements are constructed and does not result in additional usable square footage.
- F. Certain Agricultural Operations as allowed by the MSHCP, as amended.
- G. Vesting Tentative Tract Maps entered into pursuant to Government Code section 66452 et seq. (also, Government

Code section 66498.1 et seq.) and Development Projects which are the subject of a development agreement entered into pursuant to Government Code section 65864 et seq., prior to the effective date of Ordinance No. 654, wherein the imposition of new fees are expressly prohibited, provided that if the term of such a vesting map or development agreement is extended by amendment or by any other manner after the effective date of Ordinance No. 654, the MSHCP Fee shall be imposed.

Except as exempted above, all projects are required to make a mitigation payment/ contribution and where no mitigation payment process is specified, the project will pay the updated per acre mitigation fee.

3.48.100 Fee Credits.

Any Local Development Mitigation Fee credit that may be applicable to a Development Project shall be determined by the City and approved by the RCA. All Fee Credits shall comply with the resolutions, ordinances, Implementing Agreement, and policies of the Western Riverside County Regional Conservation Authority including, without limitation, the MSHCP Mitigation Fee Implementation Manual.

3.48.110 Severability.

This Ordinance and the various parts, sections, and clauses thereof, are hereby declared to be severable. If any part, sentence, paragraph, section, or clause is adjudged unconstitutional or invalid, the remainder of this Ordinance shall be affected thereby. If any part, sentence, paragraph, section, or clause of this Ordinance, or its application to any person entity is adjudged unconstitutional or invalid, such unconstitutionality or invalidity shall affect only such part, sentence, paragraph, section, or clause of this Ordinance, or person or entity; and shall not affect or impair any of the remaining provision, parts, sentences, paragraphs, sections, or clauses of this Ordinance, or its application to other persons or entities. The City Council hereby declares that this Ordinance would have been adopted had such unconstitutional or invalid part, sentence, paragraph, section, or clause of this Ordinance not been included herein; or had such person or entity been expressly exempted from the application of this Ordinance.”

Section 6. CEQA FINDINGS.

The City Council hereby finds that in accordance with CEQA and the CEQA Guidelines the adoption of this Ordinance is exempt from CEQA pursuant to Section

21080(b)(8) of the California Public Resources Code and Sections 15273 and 15378(b)(4) of the State CEQA Guidelines.

SECTION 7. ORDINANCE SUPERSEDED.

This Ordinance supersedes the provisions of Ordinance Nos. 654, 742, and 972 provided this Ordinance is not declared invalid or unenforceable by a court of competent jurisdiction. If, for whatever reason, this Ordinance is declared invalid or unenforceable by a court of competent jurisdiction; Ordinance Nos.654, 742 and 972 and all other related ordinances and policies shall remain in full force and effect.

Section 8. SEVERABILITY

That the City Council declares that, should any provision, section, paragraph, sentence or word of this Ordinance be rendered or declared invalid by any final court action in a court of competent jurisdiction or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences or words of this ordinance as hereby adopted shall remain in full force and effect.

Section 9. REPEAL OF CONFLICTING PROVISIONS

That all the provisions of the Municipal Code as heretofore adopted by the City of Moreno Valley that are in conflict with the provisions of this Ordinance are hereby repealed.

Section 10. EFFECTIVE DATE

The Mayor shall sign this Ordinance and the City Clerk shall attest thereto and shall within fifteen (15) days of its adoption cause it, or a summary of it, to be published in the Press Enterprise a newspaper published and circulated in the City of Moreno Valley, and thereupon and thereafter this Ordinance shall take effect and be in force according to law. Pursuant to Section 13.2(A) of the MSHCP Implementing Agreement, the City Clerk shall send a copy of this Ordinance to RCA within 30 days of the date of adoption.

Section 11. CERTIFICATION

That the City Clerk shall certify to the passage of this Ordinance and shall cause the same to be published according to law.

INTRODUCED at a regular meeting of the City Council on _____, 2021 and PASSED, APPROVED, and ADOPTED by the City Council on _____, 2021, by the following roll call vote, to wit:

Dr. Yxstian A. Gutierrez
Mayor
City of Moreno Valley

ATTEST:

Pat Jacquez-Nares, City Clerk

APPROVED AS TO FORM:

Steven B. Quintanilla, Interim City Attorney

Attachment: Ordinance XXX_Title 3 Amendment [Revision 2] (4320 : MSHCP Municipal Code Amendment)

ORDINANCE JURAT

STATE OF CALIFORNIA)

COUNTY OF RIVERSIDE) ss.

CITY OF MORENO VALLEY)

I, Pat Jacquez-Nares, City Clerk of the City of Moreno Valley, California, do hereby certify that Ordinance No. YYYY-____ was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the _____ day of _____, YYYY, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

CITY CLERK

(SEAL)

Attachment: Ordinance XXX_Title 3 Amendment [Revision 2] (4320 : MSHCP Municipal Code Amendment)

RESOLUTION NO.

**A RESOLUTION OF THE CITY OF MORENO VALLEY ESTABLISHING
THE WESTERN RIVERSIDE COUNTY MULTIPLE SPECIES HABITAT
CONSERVATION PLAN LOCAL DEVELOPMENT MITIGATION FEE
APPLICABLE TO ALL DEVELOPMENTS IN THE PLAN AREA**

WHEREAS, the City of Moreno Valley ("City") is a member agency of the Western Riverside County Regional Conservation Authority ("RCA"), a joint powers agency comprised of the County of Riverside and the 18 cities located in western Riverside County; and

WHEREAS, the member agencies of RCA recognized that a habitat conservation plan is necessary to provide special protections for vegetation communities and natural areas containing habitat values to prevent future endangerment of the plant and animal species impacted by new development in western Riverside County; and

WHEREAS, in order to address these issues, the member agencies formulated a plan called the Western Riverside County Multiple Species Habitat Conservation Plan (the "MSHCP") whereby a mitigation fee would be assessed on new development and would be used to fund the implementation of the MSHCP; and

WHEREAS, in furtherance of the MSHCP, the City is approving and adopting the updated "Western Riverside County Multiple Species Habitat Conservation Plan Nexus Fee Study", dated October 2020 (the "2020 Nexus Study") attached hereto and incorporated herein by this reference as Exhibit "A;" and

WHEREAS, based on the 2020 Nexus Study, the City adopted Ordinance No. ___ on March __, 2021 (the "2021 Local Development Mitigation Fee Ordinance") pursuant to California Government Code sections 66000 *et seq.* authorizing the County to impose the Local Development Mitigation Fee upon new development; and

WHEREAS, section 4.A. of the 2021 Local Development Mitigation Fee Ordinance authorizes the City to adopt an applicable Local Development Mitigation Fee schedule by resolution; and

WHEREAS, the fees collected pursuant to this Resolution shall be used to finance the public facilities described or identified in the 2020 Nexus Study; and

WHEREAS, the levying of Local Development Mitigation Fee has been reviewed by the City Council and staff in accordance with the California Environmental Quality Act ("CEQA") and the State CEQA Guidelines and it has been determined that the adoption of this resolution is exempt from CEQA pursuant to Section 21080(b)(8) of the California Public Resources Code and Sections 15273 and 15378(b)(4) of the State CEQA Guidelines.

NOW, THEREFORE, the City Council does resolve as follows:

SECTION 1. Findings.

The City Council finds and determines as follows:

A. The preservation of vegetation communities and natural areas within western Riverside County which support species covered by the MSHCP is necessary to protect and promote the health, safety, and welfare of all the residents of the City by reducing the adverse direct, indirect, and cumulative effects of urbanization and development and providing for permanent conservation of habitat for species covered by the MSHCP.

B. It is necessary to establish a mitigation fee to ensure that all new development within the City pays its fair share of the costs of acquiring and preserving vegetation communities and natural areas within the City and the region which are known to support plant and wildlife species covered by the MSHCP.

C. A proper funding source to pay the costs associated with mitigating the direct, indirect and cumulative impacts of development to the natural ecosystems within the City and the region, as identified in the MSHCP, is a development impact fee for residential, commercial, and industrial development. The amount of the fee is determined by the nature and extent of the impacts from the development to the identified natural ecosystems and or the relative cost of mitigating such impacts.

D. The MSHCP and the 2020 Nexus Study, a copy of which is on file in the City Clerk's office, provides a basis for the imposition of development impact fees on new construction.

E. The use of the development impact fees to mitigate the impacts to the City's and the region's natural ecosystems is reasonably related to the type and extent of impacts caused by development within the City.

F. The costs of funding the proper mitigation of natural ecosystems and biological resources impacted by development within the City and the region are apportioned relative to the type and extent of impacts caused by the development.

G. The facts and evidence provided to the City establish that there is a reasonable relationship between the need for preserving the natural ecosystems in the City and the region, as defined in the MSHCP, and the direct, indirect and cumulative impacts to such natural ecosystems and biological resources created by the types of development on which the fee will be imposed, and that there is a reasonable relationship between the fee's use and the types of development for which the fee is charged. This reasonable relationship is described in more detail in the MSHCP and the 2020 Nexus Study.

H. The cost estimates for mitigating the impact of development on the City's and the region's natural ecosystem and biological resources, as set forth in the MSHCP, are reasonable and will not exceed the reasonably estimated total of these

costs.

I. The fee set forth herein does not reflect the entire cost of the lands which need to be acquired in order to implement the MSHCP and mitigate the impact caused by new development. Additional revenues will be required from other sources. The City Council finds that the benefit to each development project is greater than the amount of the fee to be paid by the project.

J. The fees collected pursuant to this Resolution shall be used to finance the acquisition and perpetual conservation of the natural ecosystems and certain improvements necessary to implement the goals and objectives of the MSHCP.

SECTION 2. Local Development Mitigation Fee.

There is hereby adopted the Local Development Mitigation Fee schedule as set forth below:

MSHCP Local Development Mitigation Fee Schedule Effective July 1, 2021 through December 31, 2021	
Fee Category	Fee
Residential density less than 8.0 dwelling units per acre (fee per dwelling unit)	\$2,935
Residential density between 8.0 and 14.0 dwelling units per acre (fee per dwelling unit)	\$1,473
Residential density greater than 14.0 dwelling units per acre (fee per dwelling unit)	\$670
Non-Residential/Commercial (fee per acre)	\$11,982
Industrial (fee per acre)	\$11,982

MSHCP Local Development Mitigation Fee Schedule Effective January 1, 2022	
Fee Category	Fee
Residential density less than 8.0 dwelling units per acre (fee per dwelling unit)	\$3,635
Residential density between 8.0 and 14.0 dwelling units per acre (fee per dwelling unit)	\$1,515
Residential density greater than 14.0 dwelling units per acre (fee per dwelling unit)	\$670
Non-Residential/Commercial (fee per acre)	\$16,358
Industrial (fee per acre)	\$16,358

SECTION 3: Periodic Fee Adjustment.

The Local Development Mitigation Fee schedule set forth above may be periodically reviewed and the amounts adjusted as set forth in the MSHCP Mitigation Fee Implementation Manual adopted pursuant to the Local Development Mitigation Fee Ordinance

SECTION 4. Automatic Annual Fee Adjustment.

In addition to the Periodic Fee Adjustment mentioned above, the RCA shall provide the City with an automatic annual fee adjustment for the Local Development Mitigation Fee established by this Ordinance as set forth in the MSHCP Mitigation Fee Implementation Manual adopted pursuant to the Local Development Mitigation Fee Ordinance.

SECTION 5. Adoption of 2020 Nexus Study.

The City Council hereby adopts the 2020 Nexus Study and its findings.

SECTION 6. CEQA Findings.

The City Council hereby finds that in accordance with CEQA and the State CEQA Guidelines the adoption of this Resolution is exempt from CEQA pursuant to Section 21080(b)(8) of the California Public Resources Code and Sections 15273 and 15378(b)(4) of the State CEQA Guidelines.

SECTION 7. Severability.

This Resolution and the various parts, sections, and clauses thereof, are hereby declared to be severable. If any part, sentence, paragraph, section, or clause is adjudged unconstitutional or invalid, the remainder of this Resolution shall not be affected thereby. If any part, sentence, paragraph, section, or clause of this Resolution, or its application to any person entity is adjudged unconstitutional or invalid, such unconstitutionality or invalidity shall affect only such part, sentence, paragraph, section, or clause of this Resolution, or person or entity; and shall not affect or impair any of the remaining provision, parts, sentences, paragraphs, sections, or clauses of this Resolution, or its application to other persons or entities. The Board of Supervisors hereby declares that this Resolution would have been adopted had such unconstitutional or invalid part, sentence, paragraph, section, or clause of this Resolution not been included herein; or had such person or entity been expressly exempted from the application of this Resolution.

If the fees collected for the conservation of the land, including the monitoring and management thereof, are later adjudged by a final unappealable judgment of a court of competent jurisdiction to be unconstitutional or invalid, the prior Local Development Mitigation Fee adopted under the prior 2003 Local Development Mitigation Fee Nexus Study and the corresponding Ordinance No.____, shall each be revived and shall continue for the life of the MSHCP.

SECTION 9. Effective Date. This Resolution shall become effective on July 1, 2021.

SECTION 10. Certification

That the City Clerk for the City Council shall certify to the passage of this Resolution.

PASSED AND ADOPTED THIS _____ day of _____, 2021.

CITY OF MORENO VALLEY
CITY COUNCIL

Dr. Yxstian A. Gutierrez
Mayor of the City of Moreno Valley

ATTEST:

Pat Jacquez-Nares, City Clerk

APPROVED AS TO FORM:

Steven B. Quintanilla, Interim City Attorney

Attachment: Resolution No. 2021-XX_LDMF [Revision 1] (4320 : MSHCP Municipal Code Amendment)



Natasha Johnson
Chairperson
City of Lake Elsinore

Jeff Hewitt
Vice- Chairperson
County of Riverside

Vacant
City of Banning

Julio Martinez
City of Beaumont

Jeff Cervantez
City of Calimesa

Larry Greene
City of Canyon Lake

Jacque Casillas
City of Corona

Jocelyn Yow
City of Eastvale

Vacant
City of Hemet

Lorena Barajas
City of Jurupa Valley

Lesia Sobek
City of Menifee

David Marquez
City of Moreno Valley

Jonathan Ingram
City of Murrieta

Kevin Bash
City of Norco

David Starr Rabb
City of Perris

Andy Melendrez
City of Riverside

Crystal Ruiz
City of San Jacinto

Maryann Edwards
City of Temecula

Joseph Morabito
City of Wildomar

Kevin Jeffries
County of Riverside

Karen Spiegel
County of Riverside

Chuck Washington
County of Riverside

V. Manuel Perez
County of Riverside

Executive Staff

Honey Bernas, Interim
Executive Director

3403 10th Street, Suite 320
Riverside, California 92501

P.O. Box 1667
Riverside, California 92502-1667

Phone: (951) 955-9700
Fax: (951) 955-8873
www.wrc-rca.org

December 30, 2020

Mike Lee, City Manager
City of Moreno Valley
14177 Frederick Street
Moreno Valley, CA 92552

RE: MSHCP NEXUS STUDY AND LDMF UPDATE

Dear Mr. Lee:

On December 7, 2020, the Western Riverside County Regional Conservation Authority (RCA) Board of Directors approved the 2020 Nexus Study updating the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) Local Development Mitigation Fee ("LDMF") for the first time since initially adopted in 2004, along with an updated model ordinance and resolution, and MSHCP Mitigation Fee Implementation Manual. As such, in this package, we are enclosing a copy of the 2020 Nexus Study, the model fee ordinance, the model fee resolution (the ordinance and resolution are designed to be used together), and the MSHCP Mitigation Fee Implementation Manual. Please prepare the ordinance and resolution to be considered and approved by the City Council [Board of Supervisors] in time to implement the new fee by July 1, 2021, consistent with the City's [County's] obligation as a signatory to the Implementation Agreement and permittee under the MSHCP.

With regard to applicants who may wish to pre-pay the LDMF prior to July 1, 2021, the RCA has no current restrictions on pre-payment of the fees. Please use whatever existing mechanisms for pre-payment that may already be addressed in your existing MSHCP fee ordinance. RCA considers the prepayment of fees under the existing fee ordinance to be at the City's [County's] discretion, and RCA approval is not required.

If you have any questions or need additional information, please contact Jennifer Fuller, Director of Administrative Services, at (951) 955-9700.

Sincerely,

Honey Bernas
Interim Executive Director

Enclosures

1. 2020 Nexus Study
2. Model Fee Ordinance
3. Model Fee Resolution
4. MSHCP Mitigation Fee Implementation Manual

cc: David Marquez, RCA Board Member
Yxstian Gutierrez, Mayor
Manual Mancha, Director of Community Development
Marshall Eyerman, Chief Financial Officer

Attachment: RCA Letter dated December 30, 2020 (4320 : MSHCP Municipal Code Amendment)

Final Report

Western Riverside County Multiple Species Habitat Conservation Plan Nexus Fee Study Update

The Economics of Land Use



Prepared for:

Western Riverside County Regional Conservation Authority

Prepared by:

Economic & Planning Systems, Inc.

October 2020

*Economic & Planning Systems, Inc.
1330 Broadway
Suite 450
Oakland, CA 94612
510 841 9190 tel*

*Oakland
Sacramento
Denver
Los Angeles*

EPS #171034

www.epsys.com

Table of Contents

1. INTRODUCTION AND KEY FINDINGS 1

 Background..... 1

 Original and Existing Fee Schedule 2

 Updated Mitigation Fee Schedules 3

 Key Drivers of Fee Change 6

 Organization of Report..... 8

2. MSHCP POLICIES, GOALS, AND FINANCING STRATEGY..... 9

 MSHCP Purpose, Basis, and Goals..... 9

 MSHCP Financing Strategy 11

 MSHCP Implementation Costs and Funding Sources 13

 Development Mitigation Fees and Calculation 16

3. HABITAT PROTECTION TO DATE AND FUTURE CONSERVATION SCENARIO..... 18

 Habitat Protection Accomplishments Through 2019 18

 Conservation Goals and Progress 18

 Land Dedications 20

 Future Conservation Scenario 21

4. FORECASTS OF DEVELOPMENT, DEDICATION, FEE PAYMENT 25

 Historic Development and HCP Fees..... 25

 Growth Projections..... 26

5. MSHCP IMPLEMENTATION COSTS..... 31

 Land Costs..... 31

 Other Costs—Administration, Management, and Monitoring..... 35

 Endowment Funding 38

 Total Implementation Costs..... 40

6. RCA NON-FEE REVENUES 43

 MSHCP Forecast of Non-Fee Revenues 43

 New Forecast of Non-Fee Revenues 44

7. MITIGATION FEE CALCULATION 46

- 8. MITIGATION FEE ACT (NEXUS) FINDINGS..... 52
 - Purpose of Fee 52
 - Use of Fee Revenues 53
 - Relationship 53
 - Need 54
 - Proportionality 54
- 9. FEE IMPLEMENTATION 56
 - Adoption of Revised LDMF 56
 - Securing Supplemental Funding 56
 - Annual Review..... 56
 - Surplus Funds 57
 - Annual and Periodic Updates..... 57

Appendix I: Detailed Time Series of Implementation Costs, Excluding Endowment Funding

Appendix II: Detailed Time Series of Endowment Funding

List of Tables

- Table 1 2004 and 2021 MSHCP Fee Schedule 3
- Table 2 Updated MSHCP Implementation Costs and Per Acre Mitigation Fees..... 4
- Table 3 Updated Mitigation Fee Schedule by Extension Scenario..... 6
- Table 4 MSHCP Goals by Area Plan 11
- Table 5 2004 Estimates: MSHCP Implementation Costs and Funding Sources..... 14
- Table 6 2004 and 2021 MSHCP Fee Schedule 17
- Table 7 Conservation Through End of 2019 18
- Table 8 Required Acquisition Acres to Achieve ARL Goals 24
- Table 9 Projected Growth in Western Riverside County, through 2050..... 29
- Table 10 Projected Developed Acres in Western Riverside County, by
Extension Scenario 30
- Table 11 Per-Acre Land Value Estimates—2003 Dollars (2003 Nexus Study) 32
- Table 12 Local Conservation Costs Through 2018 32
- Table 13 Planning Level Per Acre Land Value Estimates by Category..... 33

Table 14	Illustrative Distribution of Land Acquisitions by Land Use and Size.....	34
Table 15	Aggregate Land Value of Remaining Areas (2017 dollars).....	34
Table 16	Administrative and Professional Services Costs	36
Table 17	Management and Monitoring Anticipated Costs in 2004 and 2019 Dollars	38
Table 18	Annual Implementation Cost Estimate (2019\$).....	39
Table 19	Endowment Funding (2019\$), by Extension Scenario	40
Table 20	Total Implementation Costs (2019\$*), by Extension Scenario.....	41
Table 21	Average Annual Implementation Costs (2019\$), by Extension Scenario.....	42
Table 22	2004 MSHCP Anticipated Funding Sources	44
Table 23	Annual Non-Fee Revenue Projection (2019\$s)	45
Table 24	MSHCP Implementation Costs and Per Acre Mitigation Fees	47
Table 25	Recommended Fee Level—No Extension	48
Table 26	Recommended Fee Level—5-Year Extension.....	49
Table 27	Recommended Fee Level—10-Year Extension	50
Table 28	Recommended Fee Level—15-Year Extension	51

List of Figures

Figure 1	State of Conservation in 2003: Conserved Land, Additional Reserve Land to be Acquired, and Total MSHCP Conservation Area Needed	10
Figure 2	MSHCP Estimated Annual Costs in Millions, 2004 Dollars.....	15
Figure 3	MSHCP Estimated Annual Revenues in Millions, 2004 Dollars	16
Figure 4	MSHCP Conservation Goals, 2019 and 2029 Goals Highlighted.....	19
Figure 5	Progress Towards ARL Through End of 2019	20
Figure 6	Residential Unit Development, Western Riverside County, 2005-2019.....	25
Figure 7	New Housing Units per Year, SCAG and MSHCP Projections and Historic Production (2005-2019).....	27
Figure 8	Newly Developed Commercial Acres per Year	27
Figure 9	Comparison of Costs by Category	40
Figure 10	2004 MSHCP Anticipated Funding Sources	44

1. INTRODUCTION AND KEY FINDINGS

This Updated Nexus Study (2020 Nexus Study) provides the technical justification for changes to the Local Development Mitigation Fee schedule that applies to Local Permittee participants in the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP or Plan). These changes are necessary to ensure adequate funding of the obligations of the Local Permittees under the MSHCP and the associated Incidental Take Permit and Implementing Agreement. The resulting increased fee revenues will support the continued implementation of the MSHCP and the streamlining of endangered species incidental take permitting for new Western Riverside County development provided under the MSHCP. This Nexus Study is consistent with the requirements of California Government Code 66000 et seq. (the Mitigation Fee Act) that requires specific findings (as well as administration and implementation procedures) for "any action establishing, increasing, or imposing a fee as a condition of approval of a development project by a local agency."

Background

The Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP or Plan), originally adopted in 2004, is a comprehensive, multi-jurisdictional Habitat Conservation Plan (HCP) focusing on the conservation of species and their associated habitats in Western Riverside County. The MSHCP was developed in response to the need for future growth opportunities in Western Riverside County while addressing the requirements of the State and federal Endangered Species Acts. The MSHCP serves as an HCP pursuant to Section 10(a)(1)(B) of the federal Endangered Species Act of 1973 as well as a Natural Communities Conservation Plan under the NCCP Act of 2001. The MSHCP streamlines these environmental permitting processes by allowing the participating jurisdictions to authorize "take" of plant and wildlife species identified within the Plan Area. At the same time, Plan implementation provides a coordinated MSHCP Conservation Area and implementation program to preserve biological diversity and maintain the region's quality of life.

The MSHCP and the associated Implementing Agreement and Incidental Take Permit collectively determine a set of conservation actions that must be taken to meet the terms of the Incidental Take Permit and benefit from the regulatory streamlining and other benefits of the MSHCP. This includes the identification of the responsible parties, including the responsibilities of the Local Permittees.¹ One of the key requirements of the MSHCP, Implementing Agreement, and Incidental Take Permit (consistent with the requirements of the federal Endangered Species Act) is the provision of adequate funding by Local Permittees to the Implementing Entity (the Western Riverside County Regional Conservation Authority²) to conduct their portion of the conservation actions identified in the MSHCP.

¹ Local Permittees include the Western Riverside cities, the County of Riverside, County Flood Control and Water Conservation District, County Regional Park and Open-Space District, County Department of Waste Resources, and Riverside County Transportation Commission.

² The Western Riverside County Regional Conservation Agency is a Joint Powers Authority established in 2004 to implement the MSHCP.

Section 8.0 of the MSHCP outlines the MSHCP funding/financing approach. It also identified best estimates of Plan implementation costs at the time of Plan adoption, including the local funding commitment that represents a portion of the overall land acquisition, management and monitoring, and Plan administration costs. The Local Funding Program included a mix of funding sources to provide “an equitable distribution of the cost for local mitigation under the MSHCP.” The proposed funding sources included Local Development Mitigation Fees (and land dedications), regional infrastructure project public contributions (including contributions to mitigate for transportation infrastructure, regional utility projects, local public capital construction projects, and regional flood control projects), and landfill tipping fees.

Participating cities and the County were each required to implement a Local Development Mitigation Fee under California Government Code Section 66000 et seq. (the “Mitigation Fee Act”) and supported by the separate “Final Mitigation Fee Nexus Study Report for the Western Riverside County Multiple Species Habitat Conservation Plan,” July 1, 2003 (Original or 2003 Nexus Study). The MSHCP funding chapter notes the need for frequent evaluations of the performance of the funding mechanisms and assessments of the funding plan and the need to make any necessary modifications to the funding mechanisms. The MSHCP also notes that the mitigation fee will need to be “reevaluated and revised should it be found to insufficiently cover mitigation of new development.”

In addition to the common practice of updating mitigation fees periodically to account for changing circumstances, the Western Riverside County Regional Conservation Authority (RCA) has determined that significant changes have occurred and/or circumstances have arisen that justify an update to the mitigation fees. These changes include, but are not limited to, the following:

- The need to acquire more land than originally forecast due to the lower than expected land dedication.
- The lower-than-expected levels of non-fee funding from local and regional funding sources.
- The lower than expected levels of residential development.
- The need to diversify land acquisitions away from a focus on the larger, more remote parcels to also acquiring parcels closer to urbanized areas, consistent with the reserve assembly requirements of the MSHCP.

Original and Existing Fee Schedule

All local jurisdictions participating in the MSHCP and obtaining coverage for public and private take in their jurisdictions were required to adopt and implement the 2004 Mitigation Fee Schedule through ordinance and resolution and then to pass through the fee funding (except for any additional administrative charges added by the jurisdictions) to the RCA to fund MSHCP implementation. The ordinances allowed for periodic inflationary increases based on the annual change in the Consumer Price Index for the Los Angeles-Anaheim-Riverside area. In 2018 the Bureau of Labor Statistics implemented a geographic revision, establishing Riverside as its own Core Based Statistical Area. As a result, Riverside was removed from the Consumer Price Index encompassing Los Angeles and Anaheim. Going forward, inflationary increases will be based on the annual change in the Consumer Price Index for the newly established Riverside-San

Bernardino-Ontario area. As outlined in the 2003 Nexus Study (Original Nexus Study), all new development in Western Riverside County is required to pay the mitigation fee.

Table 1 shows the original 2004 Local Development Mitigation Fee schedule and the current 2021 Fee Schedule that reflects periodic inflationary fee adjustments using the indexing process that collectively increased the fees by 35 percent between 2004 and 2020 (this was below the overall inflation index increase over this period).

Table 1 2004 and 2021 MSHCP Fee Schedule

Fee Category	2004 Fee per unit or per acre	2021 Fee per unit or per acre ³
Residential: Up to 8.0 dwelling units per acre (DUAC)	\$1,651	\$2,234
Residential: 8.0-14.0 DUAC	\$1,057	\$1,430
Residential: 14.0+ DUAC	\$859	\$1,161
Commercial (per acre)	\$5,620	\$7,606
Industrial (per acre)	\$5,620	\$7,606

Updated Mitigation Fee Schedules

This 2020 Nexus Study has estimated the increased fee level that would be required to provide sufficient revenues, based on the best available forecasts of future growth, to support the full implementation of the MSHCP, including the completion of all land acquisition and the establishment of the necessary endowment, by 2029 (Year 25 of Plan implementation).⁴ Because, as shown below, this would require a major increase in the fee levels, three other scenarios are also considered where different time extensions provide more time for land acquisition.⁵ These extensions allow for the costs of Plan implementation (including land acquisitions) to be spread across more development and, as a result, moderate the level of mitigation fee increase required. In addition, the longer extension scenarios require a pace of land acquisition that is more consistent with what has proven to be achievable. All of these fee

³ Note it is RCA procedure to refer to fees during, for example, Fiscal Year 2020/2021, as the 2021 fee. The 2021 fee became effective July 1, 2020, and applies for the fiscal year of 2020-21 (i.e., until June 30, 2021 when the 2022 Fee begins).

⁴ The MSHCP provided a 25-year period of the required land acquisition with the larger 75-year permit term. This is labelled the "No Extension" or "Baseline Scenario" in this Update Study.

⁵ The baseline scenario as well as the extension scenarios assume that all land acquisition as well as the full endowment will be completed/ established by the end of the specified implementation/ land acquisition period. Interest from the non-depleting endowment will fund all ongoing costs thereafter.

increases would be consistent with the Mitigation Fee Act and the MSHCP and associated Incidental Take Permit and Implementing Agreement.

The mitigation fee levels shown for each extension scenario are the fee levels required to cover the appropriate portion of the Local Permittee MSHCP implementation costs based on the best information available at this time. The revised mitigation fee levels reflect changes in estimated costs, expected levels of land dedication, and non-fee funding. Consistent with the MSHCP and Original Nexus Study, it is assumed that all new development in Western Riverside County will pay the mitigation fee because, as noted in the MSHCP, "new development affects the environment through construction activity and cumulatively through population bases that result from such development."⁶ Importantly, the revised mitigation fee levels also reflect the decision to determine the mitigation fee that applies to different land uses on a consistent per gross acre basis. This approach is considered to provide a clear, consistent, and proportionate method for determining mitigation fees on new development.⁷ The 2020 Nexus Study does convert the overarching per gross acre fee into per unit residential fees for different density ranges; this conversion was conducted to provide implementation/administrative consistency for member jurisdictions.

Table 2 Updated MSHCP Implementation Costs and Per Acre Mitigation Fees

Fee Per Acre	No Extension	5-Year Extension	10-Year Extension	15-Year Extension
Net Cost	\$912,756,583	\$902,353,150	\$892,767,438	\$883,987,805
Acres of Development				
Residential	14,026	21,818	29,611	37,403
Nonresidential	<u>6,239</u>	<u>9,705</u>	<u>13,171</u>	<u>16,637</u>
Total	20,265	31,523	42,782	54,040
Mitigation Fee per Acre	\$45,041	\$28,625	\$20,868	\$16,358

Sources: Southern California Association of Governments; Western Riverside County RCA; Economic & Planning Systems, Inc.

⁶ Consistent with the Original Nexus Study and the technical analysis in this study update (and as described in more detail in the Fee Implementation Handbook), certain types of public improvements/infrastructure projects will make mitigation payments calculated as a percent of total improvement cost. All projects are required to make a mitigation payment/contribution (except where exempted as specified in the Ordinance); where no mitigation payment process is specified, the project will pay the updated per acre mitigation fee.

⁷ This is the approach taken by the majority of regional Habitat Conservation Plans in California, including the Coachella Valley Multiple Species Habitat Conservation Plan mitigation fee.

As shown in **Table 2**, the required mitigation fee per gross acre of development varies substantially based on level of extension as follows:

- **No Extension.** Under the current structure, where all land acquisition must occur by the end of Year 25 of MSHCP implementation (2029), a mitigation fee of **\$45,041 per acre** of development would be required.
- **5-Year Extension.** With a 5-year extension, where all land acquisition must occur by the end of Year 30 of MSHCP Implementation (2034), a mitigation fee of **\$28,625 per acre** of development would be required.
- **10-Year Extension.** With a 10-year extension, where all land acquisition must occur by the end of Year 35 of MSHCP implementation (2039), a mitigation fee of **\$20,868 per acre** of development would be required.
- **15-Year Extension.** With a 15-year extension, where all land acquisition must occur by the end of Year 40 of MSHCP implementation (2044), a mitigation fee of **\$16,358 per acre** of development would be required.

For residential development, the per gross acre fee is translated into per residential unit fees by density category to provide for a fee framework that is consistent with the current fee structure. The per residential unit fees are calculated by dividing the per gross acre fee by an assumed typical/ average density for each of the three density ranges (low, medium, and high).⁸ The full mitigation fee schedule (for each extension scenario) is shown in **Table 3**, including the per unit residential fees by density category and per gross acre fees for non-residential development. The typical/ average residential densities used to calculate the per-unit residential fees are the same as the density assumptions in the Original Nexus Study.⁹

⁸ For example, the \$3,635 per unit Residential – Low fee under the 15-year extension is derived by dividing the overall per gross acre mitigation fee of \$16,358 (shown in Figure 2) by the assumed typical/average density of Residential Low of 4.5 units/acre.

⁹ The Fee Implementation Handbook provides more specifics on how to determine a project's residential density and therefore the appropriate per unit residential fee that applies.

Table 3 Updated Mitigation Fee Schedule by Extension Scenario

Fee Per Unit	Current Fee 2021 ¹	No Extension	5-Year Extension	10-Year Extension	15-Year Extension
Residential - Low (Up to 8.0 DUAC) ^{2,3}	\$2,234	\$10,009	\$6,361	\$4,637	\$3,635
Residential - Medium (8.0-14.0 DUAC) ^{2,3}	\$1,430	\$4,170	\$2,650	\$1,932	\$1,515
Residential - High (14.0+ DUAC) ^{2,3}	\$1,161	\$1,846	\$1,173	\$855	\$670
Commercial / Industrial (per acre)	\$7,606	\$45,041	\$28,625	\$20,868	\$16,358

1. Western Riverside County Multiple Species Conservation. Local Development Mitigation Fee Schedule for FY 2020-21 (Effective July 1, 2020 – June 30, 2021), annually adjusted using the Consumer Price Index.

2. Per acre mitigation fees translated into per unit fees based on the following residential densities: for low density, 4.5 units per acre; for medium density, 10.8 units per acre; for high density, 24.4 units per acre, consistent with the assumptions used in Appendix E of the original Nexus Study.

3. DUAC stands for Dwelling Units per Acre.

Sources: Southern California Association of Governments; Western Riverside County RCA; Economic & Planning Systems, Inc.

Key Drivers of Fee Change

The change in Local Development Mitigation Fee is the result of a number of different contributing factors (“moving parts”), fully documented and detailed in **Chapters 2** through **7**. This Nexus Study is based on the most current information available including, for some inputs, recent years of experience from MSHCP implementation. The factors that have had the most significant effect on the Local Development Mitigation Fee calculations are summarized below.

- 1. Lower-than-expected land dedications substantially increase the Local Permittee habitat acquisition cost component of MSHCP implementation.** The MSHCP assumed that 41,000 of the 97,000 acres (42 percent) to be conserved by Local Permittee action/funding would be provided at no cost through land dedication associated with development inside the Criteria Cells. Through the first sixteen years of Plan implementation, less than 1,000 acres of the Local Permittee habitat conservation obligations have been generated through these dedications. An additional 10,000 acres of land dedication requirements have been required as part of proposed developments that have yet to occur. Beyond the dedication associated with previously proposed projects, additional land dedication is not expected.¹⁰ As a result, the 2020 Nexus Study assumes the noted 10,000 acres of land dedication is formalized over the next eight years (an average annual land dedication of 1,250 acres per year) prior to the end of the current land acquisition period. No additional land dedication is assumed, even if the acquisition period is extended. As a result, at the end of the current habitat acquisition period (Year 25 of Plan

¹⁰ In September 2016, the RCA revised its fee credit and waiver policy, limiting the likelihood of projects paying fees and dedicating land.

implementation), total land dedication is expected to represent about 11,000 acres and about 11 percent of the Local Permittee land conservation requirement. The RCA therefore needs to directly acquire an additional 30,000 acres of land relative to the expectations of the Original Nexus Study.

2. **Lower than expected regional infrastructure public contributions have reduced the non-fee funding available, increasing the costs to be funded through the mitigation fee.** The MSHCP assumed a substantial level of funding from regional infrastructure project public contributions, including transportation infrastructure, regional utility projects, local public capital construction projects, and regional flood control projects, as well as from landfill tipping fees. While the Measure A sales tax has provided substantial funding as expected, other revenue sources, on aggregate, have provided (and are expected to continue to provide) substantially less funding than forecast in the 2003 Nexus Study. As a result, mitigation fees will need to cover about 91 percent of Local Permittee MSHCP implementation costs relative to the original assumption of about 56 percent.
3. **The change towards a consistent “per gross developed acre” fee basis provides a more consistent approach for all land use development types.** The 2003 Nexus Study used an “Equivalent Benefit Unit” approach to distributing mitigation costs between different land use categories. This Nexus Study adjusts the fee calculation to the more commonly used per gross acre basis. Under this approach, the new Local Development Mitigation Fees are all based on one “across the board” per gross acre fee determination. Non-residential development then pays this per acre fee, while per unit residential fees by density category are derived from this common per gross acre fee.¹¹ This change evens out some of the prior differences in mitigation fee levels.
4. **The estimates of average per acre land values have not changed substantially, so they have had a limited effect on the change in mitigation fees.** The original MSHCP implementation cost estimate was based on an average land value of about \$13,100 per acre. This was based on research on land transactions of parcels with different land use designations and sizes in 2001/2002. The land valuation analysis conducted for this Nexus Study estimated a planning-level land value of about \$14,300 per acre based on land transactions primarily in the 2014 to 2017 period (inflated to 2019-dollar terms). As a result, land value estimates have not changed substantially in nominal dollar terms since the Original Nexus Study. This estimated per acre land value is above the cost of most RCA transactions to date, though the average land values of future RCA land acquisition are expected to increase due to the increasing need to purchase more expensive land in “linkage” areas.

¹¹ Similar to the Original Nexus Study, all new development in Western Riverside County is required to pay the mitigation fee (or otherwise provide the necessary mitigation). The conversion from per gross acre to per unit fees for residential development is conducted to provide administrative continuity for member agencies.

Organization of Report

This Nexus Study includes several chapters. **Chapter 1**, this chapter, describes the purpose and need for this Nexus Study, the recommended changes in the Local Development Mitigation Fee, and the key drivers of these changes. **Chapters 2 through 7** provide the technical analysis that supports the updated fees and nexus findings. **Chapter 2** summarizes the purpose of and basis for the MSHCP, the conservation requirements of the MSHCP, and the financing strategy and approach developed to implement the MSHCP in 2004. **Chapter 3** describes the conservation achievements to date, identifies the remaining conservation requirements, and identifies expected land dedication. **Chapter 4** provides the development forecast used in the calculation of the updated mitigation fees. **Chapter 5** provides the estimates of MSHCP implementation costs, including land acquisition, management and monitoring, program administration, and endowment. **Chapter 6** describes the historical levels of non-fee revenues available to help fund Local Permittee MSHCP implementation costs. **Chapter 7** brings together the technical analysis in **Chapters 2 through 6** to estimate the updated 2020 Local Development Mitigation Fees. **Chapter 8** provides the nexus findings required under the Mitigation Fee Act as require to establish the updated fees. Finally, **Chapter 9** highlights some of the administration and implementation requirements under the Mitigation Fee Act, recognizing that the Fee Implementation Handbook provides more specific guidance to the RCA and its partner agencies on the implementation of the mitigation fee program.

2. MSHCP POLICIES, GOALS, AND FINANCING STRATEGY

MSHCP Purpose, Basis, and Goals

In response to the need to maintain future growth opportunities in Western Riverside County while addressing the requirements of the state and federal Endangered Species Acts, the County and the Riverside County Transportation Commission initiated the Riverside County Integrated Project (RCIP) in 1999. The Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) is one part of the RCIP that includes:

- **Updated County General Plan.** Addresses the required general plan elements such as land use, circulation, housing and open space, and conservation and includes programs to implement the MSHCP, enhance transit alternatives, and encourage development of mixed-use centers.
- **Community and Environment Transportation Acceptability Process.** Identifies future transportation corridors in Western Riverside and provides needed environmental documentation to allow preservation of future right-of-ways.
- **MSHCP.** The Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP or Plan) is a comprehensive, multi-jurisdictional Habitat Conservation Plan (HCP) focusing on the conservation of species and their associated habitats in Western Riverside County. The MSHCP conserves vulnerable plant and animal species and their associated habitats in Western Riverside County and supports economic development.

The MSHCP was adopted in 2003 by the Riverside County Board of Supervisors. Subsequently, all of the Western Riverside cities, the County of Riverside, County Flood Control and Water Conservation District, County Regional Parks and Open-Space District, County Department of Waste Resources, Riverside County Transportation Commission, California Department of Transportation, California Department of Parks and Recreation, California Department of Fish and Game, the US Fish and Wildlife Service and the RCA signed an Implementing Agreement for the MSHCP. The Implementing Agreement includes terms to ensure MSHCP-implementation, defines remedies and recourses should any of the parties of the Agreement fail to perform obligations, and provides assurances that, as long as the MSHCP is being implemented, the Wildlife Agencies will not require additional mitigation from the Permittees.¹²

The MSHCP serves as an HCP pursuant to Section 10(a)(1)(B) of the federal Endangered Species Act of 1973 as well as a Natural Communities Conservation Plan under the NCCP Act of 2001. The MSHCP streamlines these environmental permitting processes by allowing the participating jurisdictions to authorize "take" of plant and wildlife species identified within the Plan Area. At the same time, Plan implementation provides a coordinated MSHCP Conservation Area and implementation program to preserve biological diversity and maintain the region's quality of life.

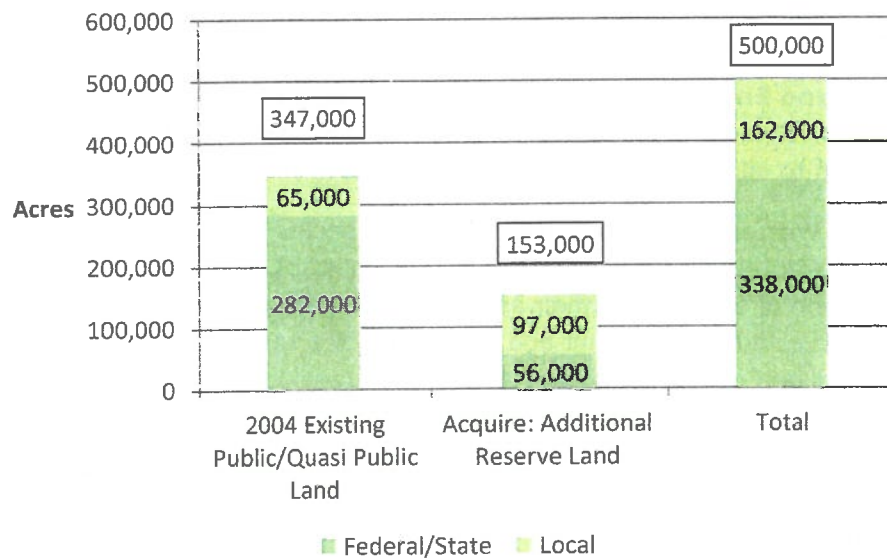
¹² The Wildlife Agencies include the US Fish and Wildlife Service and the California Department of Fish and Wildlife and the Permittees include all of the other parties to the Implementing Agreement.

The MSHCP and the associated Implementing Agreement and Incidental Take Permit collectively determine a set of conservation actions, and the associated responsible parties, that must be taken to meet the terms of the Incidental Take Permit and benefit from the regulatory streamlining and other benefits of the MSHCP. This includes the identification of the responsibilities of the Local Permittees.¹³

MSHCP Conservation Requirements

The goal of the MSHCP is to enhance and maintain biological diversity and ecosystems processes while allowing future economic growth. The MSHCP calls for an MSHCP Conservation Area of 500,000 acres and focuses on the conservation of 146 species.

Figure 1 State of Conservation in 2003: Conserved Land, Additional Reserve Land to be Acquired, and Total MSHCP Conservation Area Needed



As shown in **Figure 1**, when the MSHCP was adopted, existing public and quasi-public conservation lands covered 347,000 acres, leaving a need for 153,000 acres of land, called Additional Reserve Land (ARL), to meet the goals of the MSHCP (see **Figure 1**). The MSHCP specifies that responsibility for the conservation of the 153,000-acre Additional Reserve Lands is shared by the local development process (97,000 acres) and state and federal purchases (56,000).

¹³ Local Permittees include the Western Riverside cities, the County of Riverside, County Flood Control and Water Conservation District, County Regional Park and Open Space District, County Department of Waste Resources, and Riverside County Transportation Commission.

Table 4 MSHCP Goals by Area Plan

Area Plan	Total Area of Criteria Cells	Low End of Goal	High End of Goal	Midpoint
Cities of Riverside and Norco	1,756	90	240	165
Eastvale	665	145	290	220
Elsinore	28,946	11,700	18,515	15,110
Harvest Valley / Winchester	820	430	605	515
Highgrove	1,452	345	675	510
Jurupa	5,476	890	1,870	1,380
Lake Mathews / Woodcrest	11,673	3,215	5,470	4,340
Lakeview / Nuevo	14,682	6,650	10,235	8,445
Mead Valley	7,703	1,885	3,635	2,760
Reche Canyon / Badlands	26,000	10,520	15,610	13,065
REMAP	78,423	41,400	58,470	49,935
San Jacinto Valley	32,828	11,540	19,465	15,500
Southwest Area	66,076	22,500	36,360	29,430
Sun City / Menifee Valley	2,059	1,120	1,585	1,355
Temescal Canyon	10,007	3,485	5,800	4,645
The Pass	22,652	8,540	13,925	11,230
Total	311,218	124,455	192,750	158,605

The MSHCP includes methods to determine whether the goals of the Plan are being met. One of the methods is measuring the extent to which conservation acquisitions are moving toward acquisition goals by each Area Plan.¹⁴ Area Plans are established in the County's General Plan and are used in the MSHCP as a common geographic unit in Western Riverside County. The MSHCP established low, high, and midpoint acquisition goals for each Area Plan based on biological needs. The midpoint acquisition goals for each Area Plan range from 165 to nearly 49,935 acres, as shown in **Table 4**. The midpoint goals sum to 158,605 which represents 5,605 acres more than are needed to fulfill the MSHCP goals. As a result, acquisitions in some Area Plans can fall below the mid-point targets while the total ARL can still achieve the 153,000-acre goal.

MSHCP Financing Strategy

One of the key requirements of the MSHCP, Implementing Agreement, and Incidental Take Permit (consistent with the requirements of the federal Endangered Species Act) is the provision of adequate funding by Local Permittees to the Implementing Entity (the Regional Conservation Authority) to conduct the conservation actions identified in the MSHCP as the responsibility of the Local Permittees.

¹⁴ Other geographic units include Rough Steps, city jurisdictions, and Area Plan subunits. For the purposes of this analysis, Area Plans have been selected as the primary unit of analysis because they are the middle-sized unit (smaller than Rough Steps and larger than Area Plan subunits) and have not changed over time (unlike jurisdictions, several of which have incorporated since the adoption of the MSHCP).

Section 8.0 of the MSHCP addresses “MSHCP Funding/Financing of Reserve Assembly and Management.” This section provides best estimates of Plan implementation costs at the time of Plan adoption, including the local funding commitment – the portion of Plan implementation costs that represents the Local Permittees’ portion of the overall land acquisition, management, monitoring, adaptive management, and Plan administration costs. Section 8.5 describes the Local Funding Program. The Local Funding Program included a mix of funding sources to provide “an equitable distribution of the cost for local mitigation under the MSHCP.” The proposed funding sources included Local Development Mitigation Fees, density bonus fees, regional infrastructure project public contributions (including transportation infrastructure, regional utility projects, local public capital construction projects, and regional flood control projects), and landfill tipping fees. Key components of the overall MSHCP implementation and funding strategy are highlighted below:

- The Regional Conservation Authority would implement the MSHCP with funding from different sources.
- The permanent protection of 97,000 acres in Additional Reserve Lands by Year 25 of the Plan (2029) would be achieved through direct purchase of habitat lands by the RCA using local funding and through the HANS dedication process.¹⁵
- Local funding sources would fund the ongoing management and maintenance costs of the local portion of the Additional Reserve Lands acquired through local funding (97,000 acres by end of acquisition period).
- Local funding sources would fund monitoring activities on the pre-Plan local conservation and all the new Additional Reserve Lands (500,000 acres by end of acquisition period).
- The permanent protection of 56,000 acres in Additional Reserve Lands by Year 25 would be achieved using state/federal funding sources or contributions.
- State and federal funding sources would fund the management and maintenance costs of the State/federal portion of the required Additional Reserve Lands.
- Local Development Mitigation Fees (on private development) would fund the Local Permittee MSHCP implementation costs that were not funded by other local/regional funding sources or public contributions for public development project mitigation.
- The overall permit period was set at 75 years. Once habitat acquisition was completed by Year 25, remaining funds along with newly created revenue sources were to be used to fund

¹⁵ Section 6.1.1 of the MSHCP describes the HANS process. The Habitat Evaluation and Acquisition Negotiation Strategy (HANS) process applied to any property owner applying for a discretionary permit for land within a Criteria Area/Criteria Cell. Under the process, the County determined whether portions of the property are needed for conservation and then may send their evaluation to the RCA for Joint Project Review (JPR). During JPR, the project applicant negotiated the terms of the development and conservation of the project. The applicant also paid fees on the new development. This approach was refined when a new fee credit policy, adopted in 2016, provided for fee credits where appropriate lands are dedicated.

monitoring and management as well as to fund the establishment of an endowment to cover ongoing post-permit costs (beyond Year 75).

Importantly, the MSHCP funding chapter notes that frequent evaluations of the performance of the funding mechanisms and assessments of the funding plan will occur and that any necessary modifications to the funding mechanisms will be developed.

MSHCP Implementation Costs and Funding Sources

The original estimated costs and proposed funding sources were documented in the MSHCP and are summarized in **Table 5**. These were developed based on research and analysis conducted as part of MSHCP development.

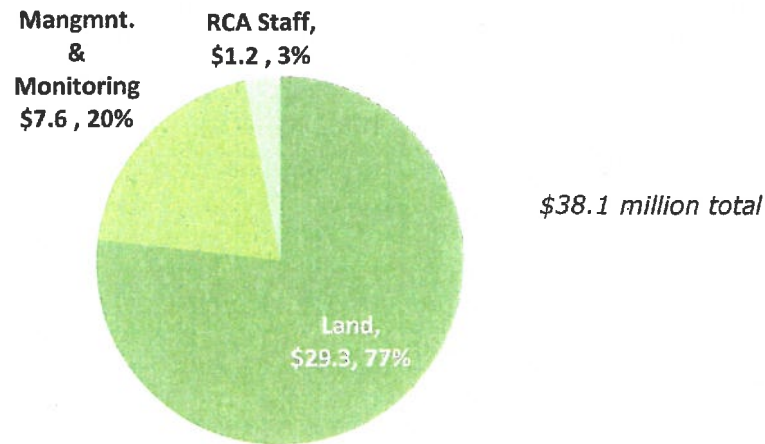
As shown, Plan implementation costs over the first 25 years of implementation were estimated at about \$950 million in 2004-dollar terms. Key assumptions driving the implementation cost estimates included:

- **Dedications.** Direct acquisition using local funding sources would be required to acquire 56,000 acres, with 41,000 acres (or 42 percent) of the required local habitat protection coming through HANS dedication.
- **Land Cost.** Average land value of \$13,100 per acre for Additional Reserve Lands purchased by the RCA.
- **Management and Monitoring:** Management and monitoring costs included three key components as follows: Reserve Management, Adaptive Management, and Biological Monitoring.¹⁶
- **Program Administration.** RCA program administration costs would average about \$1.2 million each year in 2004 dollars during the 25-year period where land acquisition was required.
- **Cost Distribution.** Overall, land acquisition costs were estimated at 77 percent of total implementation costs, with management and monitoring at 20 percent, and program administration at 3 percent (see **Figure 2**).

¹⁶ See Chapter 5 of the MSHCP for a description of these activities.

Table 5 2004 Estimates: MSHCP Implementation Costs and Funding Sources

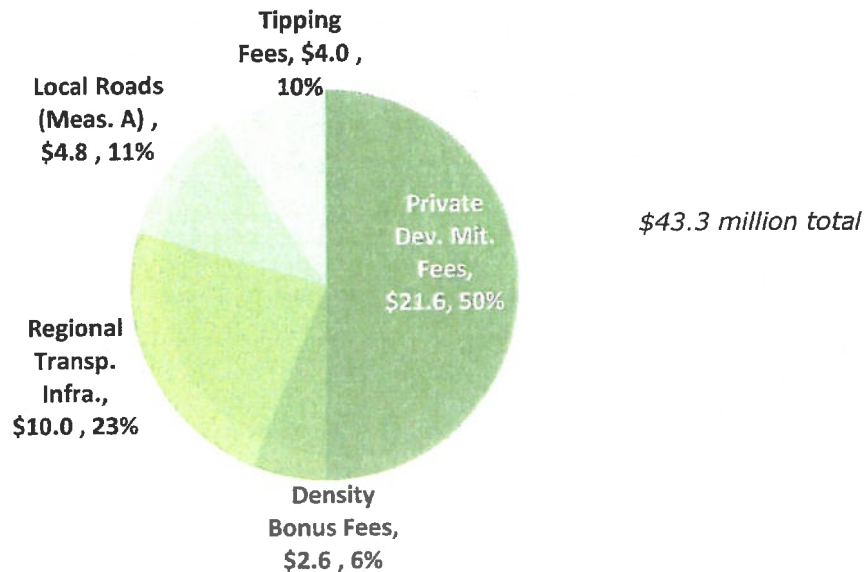
Item	Total for 2004 - 2028 (Years 1 - 25)	Average Annual	% of Total Cost/ Funding Need
Local Permittee Land Requirements			
Preservation Requirement	97,000 acres	3,880 acres	na
HANS Dedication	41,000 acres	1,640 acres	na
Local Permittee Acquisition	56,000 acres	2,240 acres	na
Local Permittee MSHCP Implementation Costs			
Land (1)	\$733,600,000	\$29,344,000	76.91%
Management & Monitoring	\$190,200,000	\$7,608,000	19.94%
RCA Staff	\$30,000,000	\$1,200,000	3.15%
Other Costs	na	na	na
Endowment	not included	not included	na
Total Costs	\$953,800,000	\$38,152,000	100.0%
Local Revenues			
Private Development Mitigation Fees	\$539,600,000	\$21,584,000	50.1%
Density Bonus Fees	\$66,000,000	\$2,640,000	6.1%
Regional Transportation Infra. (2)	\$250,000,000	\$10,000,000	23.2%
Local Roads (Measure A)	\$121,000,000	\$4,840,000 (3)	11.2%
Tipping Fees (4)	\$100,000,000	\$4,000,000	9.3%
Miscellaneous Revenues (5)	\$0	\$0	0.0%
Total Revenues	\$1,076,600,000	\$43,064,000	100%
<p>(1) Average land value per acre assumed to be \$13,100 per acre. (2) Public contributions at specified % of new road construction. (3) \$121 million to be provided over 10 years, so \$12.1 million annually over that period. (4) Includes \$90 million from El Sobrante Landfill and \$10 million from other County landfills. (5) Other potential revenues, including public contributions from other public projects, tipping fees from Eagle Mountain Landfill, and potential new voter-approved regional funding were noted but not estimated.</p>			
Source: Chapter 8 of MSHCP; Economic & Planning Systems.			

Figure 2 MSHCP Estimated Annual Costs in Millions, 2004 Dollars

As also shown in **Table 5**, MSHCP funding from local/regional sources was estimated to be about \$1.0 billion in 2004 dollars through Year 25, sufficient to cover the implementation costs over this period. Key assumptions driving the funding estimates included:

- **Measure A.** Measure A (local sales tax transportation funding measure) would provide \$121 million over 10 years in 2004-dollar terms.
- **Regional Transportation Funding.** Public contributions from regional transportation infrastructure projects would provide an average of \$10 million each year or \$250 million through Year 25.
- **Tipping Fees.** Landfill tipping fees would provide about \$100 million in revenue over 25 years, about \$4 million each year, primarily from the El Sobrante landfill.
- **Mitigation Fees.** Private development fees, including private development mitigation fees and density bonus fees, would generate over \$600 million over the first 25 years, about \$24 million annually.
- **Development Forecast and Participation.** The forecast of private development fees was based on a preliminary fee schedule and the forecast of 336,000 new residential units (13,440 units each year) and 371 acres each year of commercial and industrial development. All new development was assumed to pay the private development mitigation fee with a portion paying the density bonus fee.
- **Other Funding Options.** Potential additional funding might come through contributions from other local/regional public entities, other landfills, or new voter-approved funding initiatives.
- **Funding Distribution.** Overall, about 55 percent of the estimated funding was expected to be generated by private development fees, with 45 percent from other funding sources.

Figure 3 MSHCP Estimated Annual Revenues in Millions, 2004 Dollars



Development Mitigation Fees and Calculation

The MSHCP notes that “new development affects the environment directly through construction activity and cumulatively through population bases that result from Development.” As a result, the cities and County are required to implement a Local Development Mitigation Fee that was expected to represent one of the primary sources of funding for the implementation of the MSHCP. The MSHCP indicates that the Local Development Mitigation Fee will be adopted under California Government Code Section 66000 et seq. (the “Mitigation Fee Act”) that “allows cities and counties to charge new development for the costs of mitigating the impacts of new development.”

The MSHCP identified preliminary estimates of Local Development Mitigation Fees and indicated that these mitigation fees were expected to generate the majority of funding for Local Permittee obligations. The MSHCP noted that, under the Mitigation Fee Act, “a nexus study is required to demonstrate that the proposed fee is proportionate to the impacts of new development.” The Mitigation Fee Act also includes a number of reviewing and reporting requirements. The MSHCP also notes that the fee will need to be “reevaluated and revised should it be found to insufficiently cover mitigation of new development.”

A nexus study entitled “Final Mitigation Fee Nexus Study Report for the Western Riverside County Multiple Species Habitat Conservation Plan” was completed on July 1, 2003 (2003/Original Nexus Study). This nexus study conducted a detailed analysis of the costs of implementing the Plan, identified the Local Permittee funding obligations, determined the portion to be funded through the Local Development Mitigation Fee, and made the necessary nexus findings under the Mitigation Fee Act. The MSHCP and 2003 Nexus Study both indicated that all new development in the Western Riverside County Plan Area affects covered species and habitat and so the Local Development Mitigation Fees would apply to all new development in participating jurisdictions in Western Riverside County.

Mitigation Fee Schedule and Adjustments

All local jurisdictions participating in the MSHCP and obtaining coverage for public and private take in their jurisdictions were required to adopt and implement this mitigation fee schedule through ordinance and resolution and then to pass through the fee funding (minus any additional administrative charges) to the RCA to fund MSHCP implementation. Indexed-increases based on the annual change in the Consumer Price Index for the Los Angeles-Anaheim-Riverside area were provided for in the ordinances to allow modest adjustments in mitigation fees to respond to inflationary cost increases. Due to the geographic revision implemented by the Bureau of Labor Statistics, going forward indexed-adjustments will be based on the annual change in the Consumer Price Index for the Riverside-San Bernardino-Ontario area.

Table 6 shows the original 2004 Local Development Mitigation Fee schedule and current 2021 Fee schedule that reflects periodic inflationary fee adjustments using the indexing process.

Table 6 2004 and 2021 MSHCP Fee Schedule

Fee Category	2004 Fee per unit or per acre	2021 Fee per unit or per acre
Residential: Up to 8.0 dwelling units per acre (DUAC)	\$1,651	\$2,234
Residential: 8.0-14.0 DUAC	\$1,057	\$1,430
Residential: 14.0+ DUAC	\$859	\$1,161
Commercial (per acre)	\$5,620	\$7,606
Industrial (per acre)	\$5,620	\$7,606

3. HABITAT PROTECTION TO DATE AND FUTURE CONSERVATION SCENARIO

The RCA has achieved substantial levels of habitat protection to date using the funding sources established and the associated variable flows of incoming revenues. The level of habitat protection achieved, because of lower levels of funding and land dedication than expected, has however fallen behind the pace of protection forecast in the Original Nexus Study. This chapter summarizes the achieved protection to (1) establish both the scale of future acquisitions required to meet the overall Additional Reserve Land (ARL) goals, (2) consider the annual pace of habitat protection through acquisitions and dedications in absolute terms and relative to the original MSHCP forecasts, and (3) inform the development of the Conservation Scenario that forms the baseline (project description) for estimating future MSHCP implementation costs and associated funding requirements and updated mitigation fees.

Habitat Protection Accomplishments Through 2019

Between the start of the MSHCP program and the end of 2019, the most recent full calendar year, about 40 percent of the 153,000-acre ARL target has been achieved, totaling almost 62,000 acres in acquisitions, easements, or dedications (see **Table 7**).¹⁷ As shown of the 97,000 acres in Local Permittee ARL obligation about 40,200 acres had been protected by the end of 2019. Of the 56,000 acres in State/Federal ARL obligation, about 21,600 acres have been protected to date.

Table 7 Conservation Through End of 2019

Party	Need	Conserved		Total	Remaining Need
		2000-2003	2004 - 2019	Conserved 2000 - 2019	
Local	97,000	4,531	35,681	40,212	56,788
State + Fed	56,000	12,408	9,200	21,608	34,392
Total	153,000	16,939	44,881	61,820	91,180

Sources: Western Riverside County Regional Conservation Authority MSHCP Annual Reports; RCA information on 2019 purchases; Economic & Planning Systems, Inc.

Conservation Goals and Progress

The MSHCP anticipated that acquisition would take place for 25 years, through the end of 2029, with 97,000 acres conserved through local means and 56,000 acres conserved with State/federal funding. To achieve this goal, an average of 6,120 acres of conservation is required each year,

¹⁷ Note that while the MSHCP was adopted in 2004, certain conservation which took place between 2000 and 2003 was counted toward the MSHCP reserve.

including an average of 3,880 annually from local funding sources/dedications and 2,240 annually from State and federal conservation.

Figure 4 illustrates how steady progress would result in achievement of the ARL goals by 2029. **Figure 5** shows actual progress toward the goals, through 2019. More than 21,000 acres have been conserved through State/federal means, and over 40,000 acres have been conserved through local actions. These totals sum to about 40 percent of the total ARL goal of 153,000 acres. As shown in **Figure 5**, with 16 years of the 25-year acquisition period completed, the ARL acquisitions have fallen behind the pace forecast in the Original Nexus Study. Protection through the end of 2019 represents 63 percent of the original forecast (65 percent for Local obligations and 60 percent for State/federal obligations). For the Local Permittee obligations, as discussed further below, the lower level of land dedication relative to the original forecasts account for much of the habitat protection gap that has emerged over the last 16 years.

Figure 4 MSHCP Conservation Goals, 2019 and 2029 Goals Highlighted

MSHCP Goals, 2019 and 2028 Highlighted

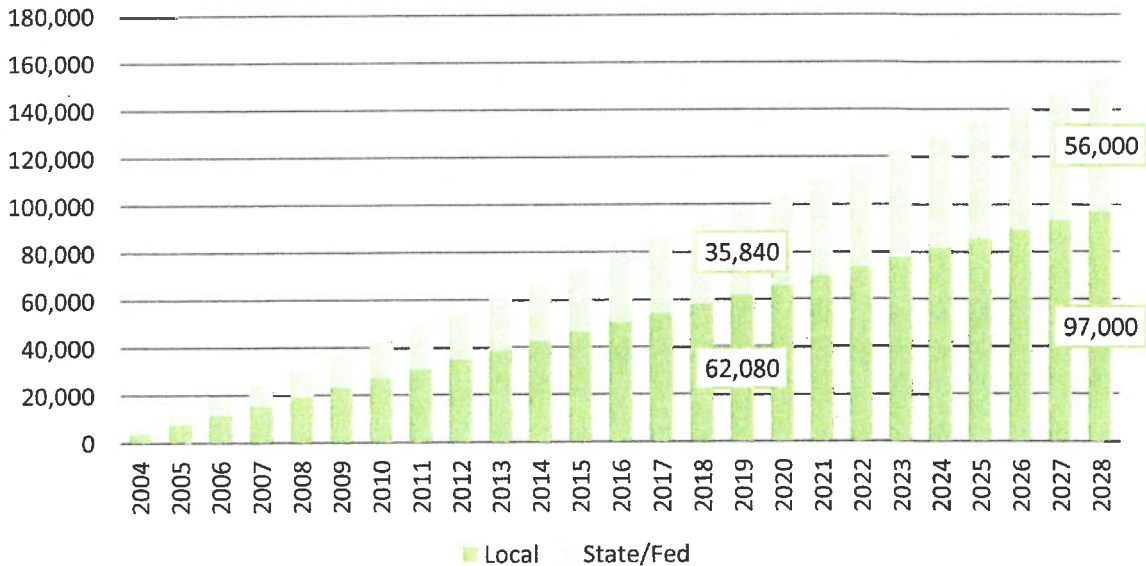
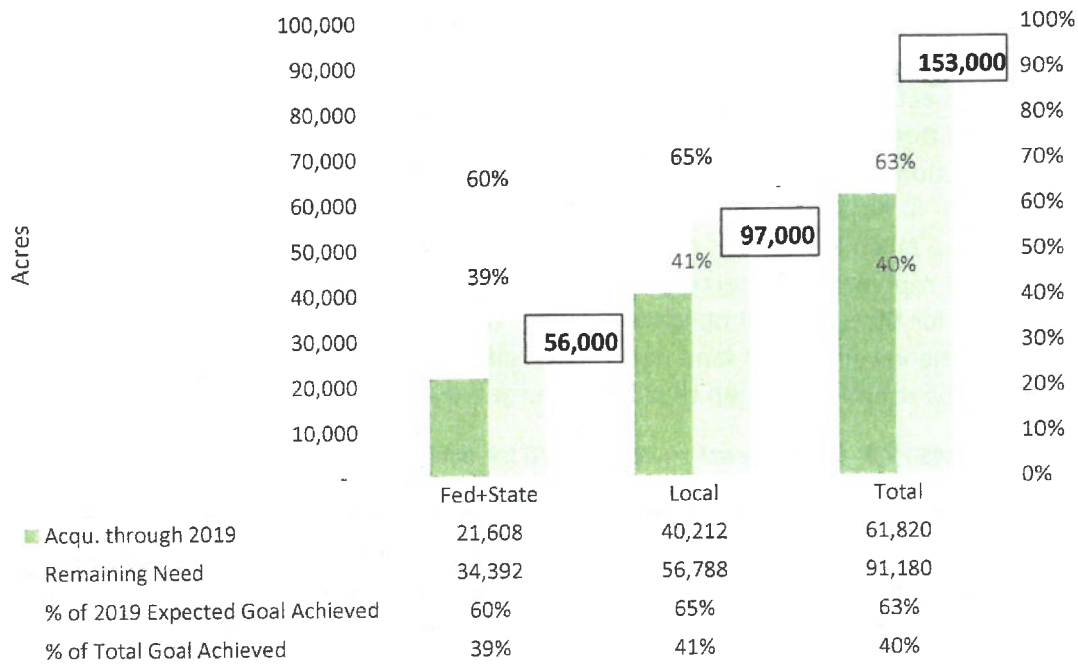


Figure 5 Progress Towards ARL Through End of 2019



Sources: Western Riverside County Regional Conservation Authority; Economic & Planning Systems, Inc.

Land Dedications

The MSHCP envisioned a conservation program where land and easements would be purchased by the RCA and land would be dedicated to the RCA through the development process.¹⁸ In addition, the potential for no-cost and low-cost donations for tax benefit purposes was also created. The MSHCP did not assume donations or conservation easement acquisitions as part of its financial analysis (this is appropriate given the limited number of such transactions). The MSHCP did, however, anticipate that 41,000 acres would be conserved through dedications, 56,000 acres through purchases on behalf of local permittees, and 56,000 acres through purchases conducted by or funded by federal and State agencies/sources for a total of 153,000 acres.

For the local portion of the goal (97,000 acres), this translates into about 42 percent of the goal conserved via dedications associated with the development review process—called Habitat Evaluation and Acquisition Negotiation Strategy (HANS)—and the other 58 percent purchased by the RCA from willing sellers. The level of dedication is a key assumption for the MSHCP implementation cost estimate as each acre dedicated through HANS is one fewer acre which must be conserved through land acquisitions at market values.

The HANS process was established to apply to developments proposed within the Criteria Cells of the MSHCP Study Area. The Criteria Cells represent areas with high conservation values relative to the areas outside of the Criteria Cells. The HANS process was designed to indicate what conservation (dedication) may be needed from new development from a biological needs

¹⁸ This process is known as the Habitat Evaluation and Acquisition Negotiation Strategy (HANS).

perspective. Subsequent to that technical analysis, applicants could then proceed to the Joint Project Review (JPR) process during which the parties negotiate an implementation plan for the project, consistent with the HANS findings. The applicants would also pay mitigation fees on the actual development. To date, a modest amount of land (less than 1,000 acres) has been conserved via the HANS/JPR method compared to the 26,000 acres that was forecast to have occurred by this point in the MSHCP implementation.

While very little land has been dedicated to the RCA through HANS/JPR, several projects went through the HANS/JPR process and have agreements in place for dedication/conservation of lands, but the start date (if any) for these projects is unknown (i.e., may be far in the future). These projects cover about 35,000 acres in the Criteria Cells and, under the JPR agreements, have set aside about 30 percent of that total or about 10,000 acres for conservation/dedication.

The adoption of Resolution No. 2016-003 in September 2016 revised the RCA's fee credit and waiver policy. This resolution indicated that MSHCP fee credit should be provided in exchange for land that contributes to reserve assembly. As a result, after the adoption of this resolution, new development is not be expected to pay mitigation fees and dedicate land in the manner originally envisioned in the MSHCP limiting the likelihood of the types of dedications envisioned in the Original Nexus Study.

Future Conservation Scenario

This updated financial analysis, nexus study, and mitigation fees estimate require a base description of the additional habitat protection required. In subsequent chapters, cost estimates are developed in reference to, and in application to, this conservation scenario to develop the overall implementation costs and the associated funding required, both in aggregate and through time during the land acquisition period of the program. Four questions are of particular importance:

1. **Remaining Habitat Protection.** The amount of habitat protection required to meet the MSHCP requirements.
2. **Dedications.** The amount of land dedication assumed to occur through the HANS/JPR process over the habitat protection period and the associated amount of habitat that must be acquired.
3. **Time Frame.** The period over which habitat protection goals must be met.
4. **Land Characteristics.** The characteristics of the land to be protected to meet MSHCP requirements (e.g., goals by Area Plan, habitat cores and linkages etc., land use designations and parcel sizes).

The answers to question 1 are provided in the data above (see **Table 7**). The answer to question 4 is provided in the subsequent chapter on land costs, with illustrative answers coming from RCA data and GIS analysis. The answer to question 2 is addressed below and is based on information on accomplishments to date (described above), discussions with RCA staff, the current Fee Waiver and Credit Policy, and an assessment of realistic opportunities and expectations. Finally, question 3 raises the issue of whether an extension to the MSHCP land acquisition implementation period should be provided. As described below, three different

extension scenarios (5-, 10-, and 15-year extension scenarios) are evaluated, as well as the baseline, "No Extension Scenario," to indicate the outcomes under different scenarios.

Habitat Protection, Land Dedication, and Conservation Scenarios

As shown in **Table 8**, there is a total of about 91,200 acres of land protection still required to complete the land protection obligations under the MSHCP and to bring the Additional Reserve Lands to 153,000 acres. Of this, the State/federal requirements is for about 34,400 acres, while the Local Permittee requirement is for about 56,800 acres.

The experience of the last 16 years indicates that the MSHCP was overly optimistic in terms of land dedications, assuming that 41,000 acres would be dedicated to the RCA. As noted above, about 10,000 acres of potential future land dedication is associated with a range of previously proposed projects. Based on historical information on actual, dedications agreements on proposed projects, current RCA policy, and consultations with RCA staff, minimal additional dedication is expected or assumed. This analysis, therefore, assumes that the prior agreement concerning dedications, summing to about 10,000 acres, will be secured over the next eight years and prior to the end of the current habitat protection period. Even if the implementation period were extended, no extra land dedication is forecast to occur.

As a result, and as shown in **Table 8**, a total of about 46,800 acres of Additional Reserve Land acquisition is required by Local Permittees for MSHCP implementation once the forecast of dedications is incorporated. As shown in **Table 8**, the required average annual pace of habitat protection varies considerably under the different acquisition period extension scenarios, as described below: ¹⁹

- **Baseline/No Extension Scenario.** As currently structured, RCA is required to complete land acquisition by the end of Year 25 of Plan implementation in 2029. This provides nine (9) years to protect the 47,000 acres through direct land acquisition (distinct from the assumed dedications), an average annual acquisition pace of about 5,200 acres each year.
- **5-Year Extension.** With a 5-year extension to the acquisition period, the RCA would be required to complete land acquisitions by the end of Year 30 of Plan implementation in 2034. This provides fourteen (14) years to protect the 47,000 acres through direct land acquisition (distinct from the assumed dedications), an average annual acquisition pace of about 3,300 acres each year.
- **10-Year Extension.** With a 10-year extension to the acquisition period, the RCA would be required to complete land acquisitions by the end of Year 35 of Plan implementation in 2039. This provides nineteen (19) years to protect the 47,000 acres through direct land acquisition (distinct from the assumed dedications), an average annual acquisition pace of about 2,500 acres each year.

¹⁹ As a point of reference, the historical pace of Local Permittee-driven habitat protection has been somewhat above 2,000 acres each year with availability of funding being an important determinant of the pace of acquisition. The pace of State/federal-driven acquisition has averaged about 1,000 acres each year.

- **15-Year Extension.** With a 15-year extension to the acquisition period, the RCA would be required to complete land acquisitions by the end of Year 40 of Plan implementation in 2044. This provides twenty-four (24) years to protect the 47,000 acres through direct land acquisition (distinct from the assumed dedications), an average annual acquisition pace of about 2,000 acres each year.

Table 8 Required Acquisition Acres to Achieve ARL Goals

Entity/Item	Through 2019	2020-End of Acquisition Period	Years Remaining	Annual Conservation Acres Required	Total Acres
NO EXTENSION					
State/Federal	21,608	34,392	9	3,821	56,000
Local					
HANS Dedication (1)	715	10,000	9	1,111	10,715
Net Local Acquisition	39,497	46,788	9	5,199	86,285
Total Local Conservation	40,212	56,788	9	6,310	97,000
State/Federal + Local = ARL Goal	61,820	91,180	9	10,131	153,000
5 YEAR EXTENSION					
State/Federal			14	2,457	56,000
Local					
HANS Dedication	<i>See above</i>		14	714	10,715
Net Local Acquisition			14	3,342	86,285
Total Local Conservation			14	4,056	97,000
State/Federal + Local = ARL Goal			14	6,513	153,000
10 YEAR EXTENSION					
State/Federal			19	1,810	56,000
Local					
HANS Dedication	<i>See above</i>		19	526	10,715
Net Local Acquisition			19	2,463	86,285
Total Local Conservation			19	2,989	97,000
State/Federal + Local = ARL Goal			19	4,799	153,000
15 YEAR EXTENSION					
State/Federal			24	1,433	56,000
Local					
HANS Dedication	<i>See above</i>		24	417	10,715
Net Local Acquisition			24	1,950	86,285
Total Local Conservation			24	2,366	97,000
State/Federal + Local = ARL Goal			24	3,799	153,000
20 YEAR EXTENSION					
State/Federal			29	1,186	56,000
Local					
HANS Dedication	<i>See above</i>		29	345	10,715
Net Local Acquisition			29	1,613	86,285
Total Local Conservation			29	1,958	97,000
State/Federal + Local = ARL Goal			29	3,144	153,000

1. About 10,000 acres of potential future land dedication is associated with a range of previously proposed projects. Based on historical information on actual, dedications agreements on proposed projects, current RCA policy, and consultations with RCA staff, minimal additional dedication is expected or assumed beyond these agreements. This analysis, therefore, assumes that the prior agreements concerning dedications will occur with future dedications summing to about 10,000 acres. The precise timing of these dedications is uncertain, but are assumed to occur over the next eight years. Average annual numbers in this table are shown distributed across the full remaining acquisition period of each extension scenario.

Shading indicates acreage to be acquired with fee revenue.

Sources: Western Riverside County Regional Conservation Authority; and Economic & Planning Systems, Inc.

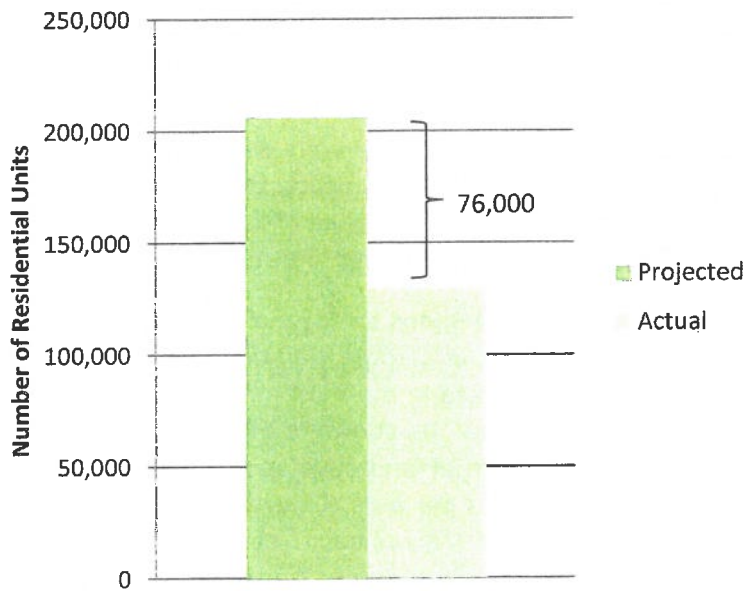
4. FORECASTS OF DEVELOPMENT, DEDICATION, FEE PAYMENT

Future development within Western Riverside County will both reduce land available for conservation while also serving as a primary funding mechanism for habitat acquisitions. This chapter identifies forecasts of future growth in Western Riverside County and develops an associated forecast of land development that is a key component of the fee calculation.

Historic Development and HCP Fees

The MSHCP anticipated that 13,000 to 14,000 residential units and about 370 commercial and industrial acres would be developed on average annually. Specifically, between 2005 and 2019, 206,000 residential units were expected in the Plan Area. A review of new units in the Plan Area indicates about 130,000 units were developed over the period (see **Figure 6**), about 37 percent below the forecast.²⁰ While the substantial volatility in the real estate market over the period (including the housing boom, deep recession, and modest recovery) may explain some of this difference, the slower pace of development means that fee revenues have been similarly constrained relative to the original revenue projections.

Figure 6 Residential Unit Development, Western Riverside County, 2005-2019



Source: California Department of Finance; MSHCP Projections

²⁰ Actual units developed have been derived from the California Department of Finance (DOF), Demographics Unit information through January 1, 2019. Note that the DOF reports data by city and for the entire Riverside County unincorporated area. Western Riverside’s portion of the total unincorporated area has been derived based on the area’s historic share of unincorporated County, taking into account the incorporations of new cities that occurred in Western Riverside County since MSHCP Plan adoption (Eastvale, Jurupa Valley, Menifee, and Wildomar).

Growth Projections

SCAG Forecasts in Context

The Southern California Association of Governments (SCAG) is a Metropolitan Planning Organization (MPO)²¹ representing six counties, 191 cities and more than 18 million residents. MPOs, such as SCAG are charged under California Senate Bill 375 with developing Sustainable Community Strategies (SCSs) as part of regional transportation plans. SCAG's SCS includes population, household, and job projections through 2040 by city and unincorporated area. SCAG consults with local governments within the region, including the Western Riverside Council of Governments (WRCOG) which represents Western Riverside County, to develop the projections. SCAG adopted the 2012-2040 Regional Transportation Plan/Sustainable Community Strategy (RTP/SCS) in 2016. The 2016 RTP/SCS forms the basis of the SCAG projections; EPS extrapolated an annual growth rate from the SCAG projections and, assuming consistent development trends through 2050, applied the rate in order to estimate development projections through 2050.

SCAG forecasts for the future, on an annualized basis, were compared with the MSHCP's original forecast along with historical information (when available) as described further below:

- Residential Development Forecast.** **Figure 7** shows, for Western Riverside County, the annual residential unit count for SCAG projections through 2050, MSHCP projections through 2029, and residential units produced in Western Riverside County between 2005 and 2019. As shown, the SCAG projections suggest about 8,750 units each. This is similar to the average annual historic pace of growth between 2005 and 2019 of about 9,260 units, but well below the original MSHCP projections of about 13,400 units each year. Based on the similarity between the historical average and the SCAG forecast, the SCAG forecast is considered a reasonable basis for determining the future pace of residential development and associated residential land development (based on assumed densities of development).
- Commercial Development Forecast.** The SCAG jobs forecast of about 15,000 jobs each year was converted into an annual gross amount of commercial/industrial development using the employment density and FAR assumptions used in the most recent Transportation Uniform Mitigation Fee (TUMF) update documents. As shown in **Figure 8**, this results in a forecast of about 690 acres of commercial/industrial land development each year (representing an overall average of about 21 jobs per acre of development), considerably above the original MSHCP projections of about 370 acres each year. The higher SCAG number, however, appears reasonable given recent and ongoing trends in Western Riverside County where substantial amounts of new logistics/distribution development have occurred covering substantial land areas and, as such, is considered reasonable as the basis of the future forecast of commercial/industrial land development.

²¹ Federal law requires that an urbanized area with a population of at least 50,000 be guided by a regional entity known as an MPO. California's Senate Bill 375 expands the role of the State's 18 MPOs to include regional plans that help the State reach its greenhouse gas reduction targets by encouraging compact development and new development near public transit.

Figure 7 New Housing Units per Year, SCAG and MSHCP Projections and Historic Production (2005-2019)

SCAG (2012-2040) and MSHCP Projections (2004-2029) and Historic Production (2005-2019)

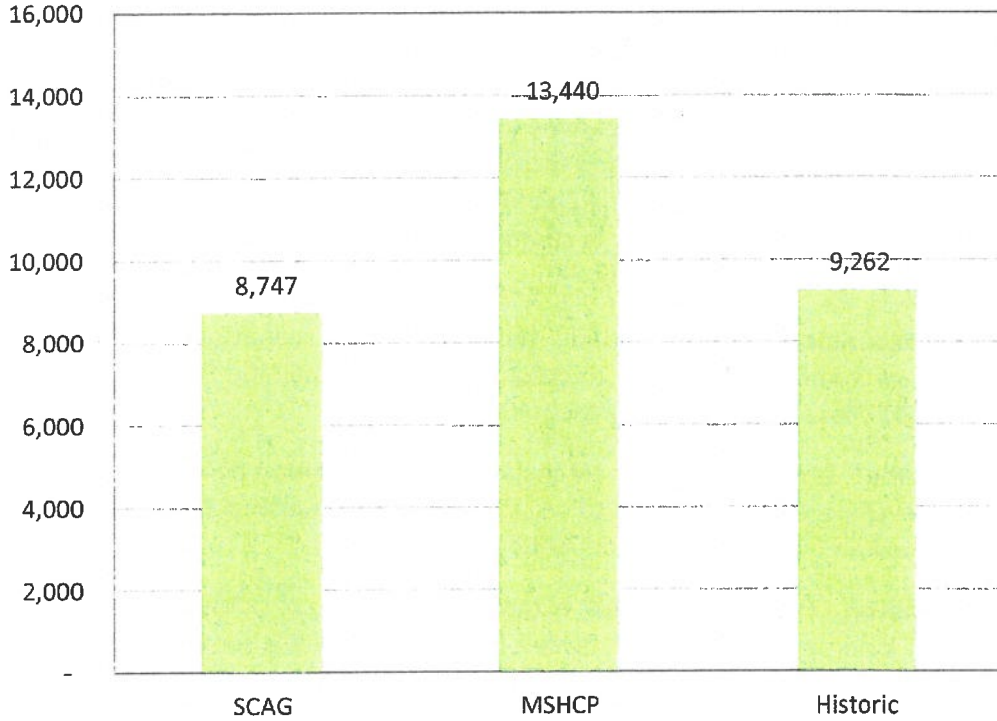
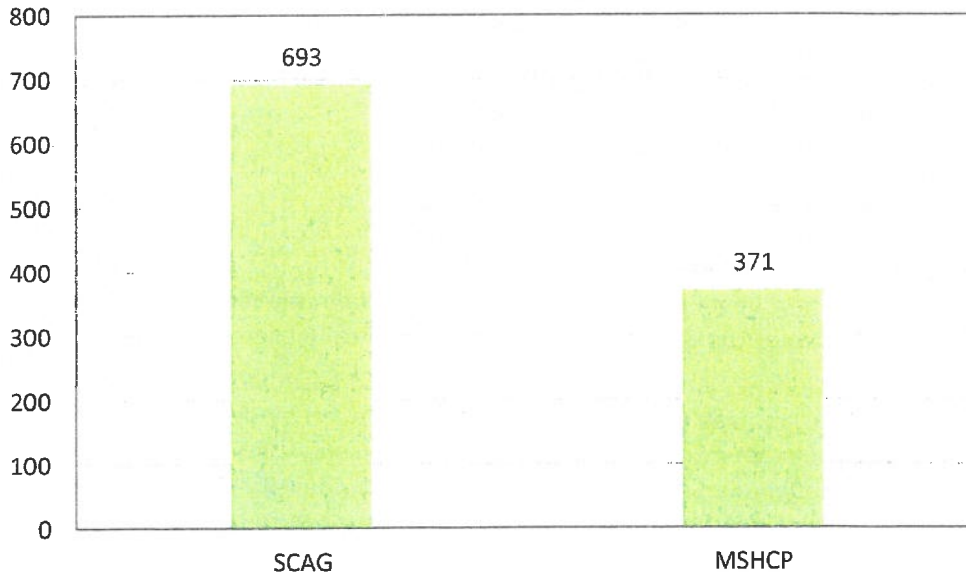


Figure 8 Newly Developed Commercial Acres per Year

SCAG (2012-2040) and MSHCP Projections



Note: SCAG job projections converted into acres by EPS

Forecasts for Fee Calculation

For this fee program update, the SCAG projections are considered a reasonable basis for forecasting future land development. Because all new development is expected to pay the mitigation fee, all of the forecasted household and job growth is converted into a land development forecast that is, in turn, used to calculate the mitigation fees. **Table 9** shows SCAG's overall projections for households and employment in Western Riverside County between 2012 and 2050, and **Table 10** shows the implied average annual land development rates, and, in turn, the overall level of residential and commercial/industrial land development that would be expected to occur through the end of the land acquisition period for each of the extension scenarios.²² As shown, all scenarios assume an overall average annual land development of 2,252 acres each year, including 693 acres in commercial/industrial land development and 1,558 acres in annual residential land development.²³

- **Baseline/No Extension Scenario.** Under the no extension scenario, a total of 20,265 acres of land development is expected to occur during the remaining Plan implementation period of nine (9) years and would pay the mitigation fees.
- **5-Year Extension.** Under the 5-year extension to the acquisition period, a total of 31,523 acres of land development is expected to occur during the remaining Plan implementation period of 14 years and would pay the mitigation fees.
- **10-Year Extension.** Under the 10-year extension to the acquisition period, a total of 42,782 acres of land development is expected to occur during the remaining Plan implementation period of 19 years and would pay the mitigation fees.
- **15-Year Extension.** Under the 15-year extension to the acquisition period, a total of 54,040 acres of land development is expected to occur during the remaining Plan implementation period of 24 years and would pay the mitigation fees.

²² Under the MSHCP, all new development is required to pay the mitigation fee and contribute to funding the implementation of the MSHCP except where specifically exempted in the Ordinance.

²³ The 1,558 acres of residential land development was derived based on the forecasted 8,747 residential units each year and assumptions concerning distribution by density category and an average density level. More specifically, consistent with the recent TUMF analysis assumptions, 70 percent of new residential units are assumed to be in the low density category (less than 8 units per acre) with an average of 4.5 units/acre, 20 percent are assumed to be the medium density category (8 to 16 units per acre) with an average of 10.8 units/acre, and 10 percent are assumed to be the high density category (over 16 units per acre) with an average of 24.4 units/acre. The unit per acre factors are consistent with those indicated in the Original Nexus Study. The overall implied average residential density is 5.6 units/gross acre.

Table 9 Projected Growth in Western Riverside County, through 2050

SCAG	Western Riverside MSHCP Plan Area	
	Households	Employment
2012	530,970	463,833
2040 Projection	775,882	869,792
2050 Projection (1)	863,350	1,014,777
New Households/Jobs Expected by 2050	332,380	550,944
Average Annual	8,747	14,499

(1) SCAG projections forecast growth through 2040. EPS assumes the annual growth rate from 2012 to 2040 remains constant through 2050 and applies the rate to an additional 10 years in order to project growth through 2050.

Sources: Southern California Association of Governments; Economic & Planning Systems, Inc.

5. MSHCP IMPLEMENTATION COSTS

This chapter describes the analysis and assumptions that underpin the estimation of the total remaining MSHCP implementation costs in 2019 dollars. Key cost factors evaluated include land costs, management and monitoring costs, administration and professional services costs, and endowment costs. Together these cost components form the total MSHCP implementation costs. Because the duration allowed for land acquisition and endowment establishment affect several of these cost items, distinct total implementation cost estimates are provided for all scenarios (i.e., Baseline/ No Extension and the three extension scenarios).

Land Costs

Planning-level estimates of the per acre values associated with potential Additional Reserve Land (ARL) acquisitions are a critical input into the estimation of total land acquisition costs associated with Plan implementation. Land acquisition costs represented the majority of the original estimates of MSHCP implementation costs. This chapter provides planning-level estimates of per acre land conservation costs in 2019-dollar terms based on available information. In combination with assumptions concerning the characteristics of the Additional Reserve Lands to be acquired and potential levels of dedication, the per acre land value estimates drive the estimate of overall land acquisition costs.

Actual per acre habitat conservation costs may vary from the average planning-level estimates presented in this chapter for a number of reasons, including differences in the specific characteristics of the actual parcels acquired as well as fluctuations in economic, real estate, and land market conditions over time. Individual transactions will require appraisals to establish their value at the time of acquisition based on parcel characteristics and pertinent market conditions at the time of appraisal. Over time, per acre and overall cost estimates typically change for a number of reasons as discussed further in **Chapter 9**.

MSHCP/Original Nexus Study

The initial adoption of the mitigation fees was based on a nexus study completed in July 2003 that included a land valuation analysis that was completed in December 2002. The land valuation analysis assumed the acquisition of vacant and unentitled lands in the Criteria Cells. The land value analysis provided planning-level estimates of per acre land values by grouped land use designation and by Area Plan. Planning-level land value estimates were based on sales comparables. The land value estimates indicated per acre land values that were primarily driven by differentiation in land use category. The land use designation categories represent groupings of the broad number of land use designations present in the Study Area. **Table 11** summarizes the per-acre land value ranges and resulting averages. Based on this analysis, an overall weighted average of \$13,100 per acre was applied in the MSHCP financial sections in the Original Nexus Study.

Table 11 Per-Acre Land Value Estimates—2003 Dollars (2003 Nexus Study)

Land Use Designation	Value Range	Resulting Average *
Open Space	\$2,500 to \$10,000 per acre	\$ 8,000 per acre
Rural/Agricultural	\$5,000 to \$25,000 per acre	\$11,000 per acre
Community Development	\$20,000 to \$80,000 per acre	\$45,000 per acre
Overall (1)	\$2,500 to \$80,000 per acre	Varied (1)

* Per acre values rounded to the nearest 1,000.

(1) Reported overall average land value per acre depends on mix of land types. Number varies by documents, though \$13,100 per acre was overall value applied in the MSHCP financing sections.

Source: Original 2003 Nexus Study

RCA Experience to Date

Table 12 summarizes average RCA land acquisition costs to date. Including land purchased shortly before the MSHCP was adopted through the end of 2018, costs for Local Permittee land acquisitions summed to \$352.5 million in nominal dollar terms, an average of \$9,400 per acre. However, for the year 2018, about 2,100 acres were acquired at the higher average per acre cost of \$13,200 per acre.

Table 12 Local Conservation Costs Through 2018

Item	Pre-MSHCP through 2018	2018
Total Acres Acquired (1)	37,547	2,066
Total Cost (millions)	\$352.5	\$27.4
Cost per Acre (Nominal \$s)	\$9,400	\$13,200

(1) Includes all acres purchased; does not include acres conserved via easement.

Sources: Western Riverside County Regional Conservation Authority MSHCP Annual Report 2018; Economic & Planning Systems, Inc.

To date, the overall historical level of per acre land acquisition expenditures is well below the original 2004 per acre land value estimates. The cost of RCA acquisitions during this timeframe were kept relatively low by concentrating more on lower cost parcels (larger parcels in remote areas with limited development potential). In 2018, as in the future, the average cost per acre is expected to be higher than this historical average due to the characteristics of land still needing to be acquired.

New Land Value Analysis and Conclusions

New 2019 per acre land value estimates were developed based on recent historical transactions as reported in the sales comparables sections of appraisals conducted for RCA acquisitions. This data set provided a substantial inventory of over 150 land sales between 2012 and 2017 that supported conclusions concerning per acre land values by key land value characteristic.

Similar to the Original Nexus Study, land values were determined to be substantially affected by land use designation and by parcel size. Land values were developed for twelve different value categories based on combinations of three land use designations and four different size ranges.

Based on the land valuation data and detailed GIS analysis by RCA staff, parcels were divided into three groups of development potential based on their land use designation:²⁴

- **Open Space.** Low development potential land use designations included open space, rural mountainous, and rural residential.
- **Rural.** Medium development potential land use designations include agriculture and rural communities land use designations.
- **Community Development.** High development potential land use designations include all community development designations, including residential, non-residential, and other community development designations.

In addition to these three land use designation groupings reflecting different levels of development potential, parcels were also divided by parcel size. The land value information indicated a per acre value distinction between the following parcels sizes:

- Parcels less than 5 acres.
- Parcels between 5 and 20 acres.
- Parcels between 20 and 80 acres.
- Parcels over 80 acres.

Based on the analysis of the sales comparables, **Table 13** shows the planning level per acre land value by land use designation grouping/size range in 2017 dollars.

Table 13 Planning Level Per Acre Land Value Estimates by Category

Land Use Designation	Per Acre Land Value (\$ / Acre) ¹			
	Less than 5 Acres	5 - 19.99 Acres	20 - 79.99 Acres	80 + Acres
Open Space	\$11,761	\$5,091	\$3,949	\$1,866
Rural	\$33,363	\$11,553	\$8,337	\$5,531
Community Development	\$177,414	\$76,050	\$72,369	\$24,335

1. Most land sale comparables used for pricing are from 2013 to 2017 and were converted to 2017 dollars using BLS CPI adjustments for the Los Angeles-Riverside-Orange County area.

Sources: Economic & Planning Systems, Inc.

²⁴ RCA staff developed a consistent set of land use designation categories across different jurisdictions in the Study Area for the purposes of this study. These formed the basis of the development potential categories.

The average land value per acre for future RCA acquisitions is dependent on the different land values per acre as well as the expected distribution of future acquisitions. The actual land to be acquired is uncertain and is dependent on the availability of land through willing sellers. However, based on the conservation needs by Area Plan, the suitable land available for protection, as well as the specific linkages that must be created between the core reserve areas, RCA staff provided sufficient information for EPS to develop a general expression of parcels by characteristic to support the land value analysis. An illustration of the expected distribution of acres by land use designation and size range is provided in **Table 14**.

Table 14 Illustrative Distribution of Land Acquisitions by Land Use and Size

Land Use Designation	Conservation Scenario (Acres) (1)				Total
	Less than 5 Acres	5 - 19.99 Acres	20 - 79.99 Acres	80 + Acres	
Open Space	535	1,531	3,626	4,654	10,346
Rural	1,901	17,241	26,802	29,428	75,371
Community Development	<u>638</u>	<u>1,707</u>	<u>3,613</u>	<u>4,384</u>	<u>10,342</u>
Total Purchases by Acreage	3,074	20,479	34,041	38,466	96,059

1. Conservation scenario analysis was conducted in 2017 so overall acres acquired more than those required as of end of 2019.

Sources: RCA; Economic & Planning Systems, Inc.

Applying the per acre land values in **Table 13** to the illustrative land conservation distribution in **Table 14** provides an estimate of the aggregate land value, supporting the estimate of the average planning level land value per acre in 2017-dollar terms (see **Table 15**).

Table 15 Aggregate Land Value of Remaining Areas (2017 dollars)

Land Use Designation	Land Comparables by Acres				Total
	Less than 5 Acres	5 - 19.99 Acres	20 - 79.99 Acres	80 + Acres	
Open Space	\$6,292,633	\$7,795,633	\$14,319,467	\$8,682,942	\$37,090,674
Rural	\$63,411,345	\$199,183,566	\$223,437,526	\$162,777,034	\$648,809,470
Community Development	<u>\$113,198,910</u>	<u>\$129,817,405</u>	<u>\$261,456,200</u>	<u>\$106,682,740</u>	<u>\$611,155,254</u>
Total Cost of Purchases	\$182,902,887	\$336,796,603	\$499,213,192	\$278,142,716	\$1,297,055,399
% of Total	14%	26%	38%	21%	100%

1. This table is the average land value per acre multiplied by the Conservation Scenario. See Table E-1 and E-2.

Sources: RCA; Economic & Planning Systems, Inc.

As shown in **Table 15**, the aggregate land value of the approximately 96,000 acres remaining to be protected as part of the MSHCP as of 2017 is estimated at about \$1.3 billion in 2017 dollars. This represents an average land value of about \$13,500 per acre. To convert this land value into 2019 dollars terms (similar to the rest of the analysis), EPS indexed the value to about \$14,300 per acre in 2019-dollar terms.²⁵

Other Costs—Administration, Management, and Monitoring

Program administration, reserve management, and reserve monitoring are required functions that require annual funding. The forecasts for each of these cost categories are described below.

Administration and Professional Service Costs

The Western Riverside County Regional Conservation Authority is responsible for implementing the MSHCP. Since 2004, RCA staff members have directed the acquisition, management, and monitoring of the local portion of the Additional Reserve Land (ARL) required by the MSHCP, monitored State and federal Public/Quasi-Public lands and the State and federal portions of the ARL, and undertook all of the administrative tasks associated with maintaining the permit.

Costs categorized in this fee study under MSHCP administration include all RCA staff costs and other costs like building rents and average expenditures on non-acquisition related professional services that are not anticipated to vary as the size of the ARL increases. The forecast for the acquisition period assumes that these costs will remain at approximately \$4.2 million in constant 2019 dollars, increasing with inflation but not increasing as the size of the ARL grows (see **Table 16**). This includes salaries and benefits of about \$2.3 million annually and about \$1.5 million in professional services, supplies, and other costs.

²⁵ Two years of inflation (2017 – 2019) based on by BLS CPI adjustment for Riverside-San Bernardino-Ontario Metro Area.

Table 16 Administrative and Professional Services Costs

Expenditures	RCA FY16/17- 18/19 3-Year Average of Actuals	CPI Adjusted to 2019\$ ¹
Total Salaries and Employee Benefits	\$2,219,261	\$2,288,495
Professional Services and Supplies		
Environmental		
Legal	\$394,320	\$406,621
Auditing, Accounting & Financial Services	\$101,717	\$104,891
GIS Services	\$10,000	\$10,312
Personnel Services	\$13,920	\$14,354
Real Estate Services	\$653,774	\$674,169
<u>Other Services</u>	<u>\$247,979</u>	<u>\$255,715</u>
Subtotal	\$1,421,710	\$1,466,062
Other Charges	<u>\$388,145</u>	<u>\$400,254</u>
Total	\$4,029,116	\$4,154,811

(1) Three year average CPI-adjusted by one year, the average of the annual CPI adjustments for the three years.

Sources: Western Riverside County Regional Conservation Authority; Bureau of Labor Statistics;

Management and Monitoring

Reserve Management

The MSHCP describes reserve management activities focused on maintaining and improving habitat conditions and ecosystem functions including habitat and landscape-based activities and species-specific activities. For the purposes of this analysis, the average per acre cost estimate for Reserve Management as reported in the RCA actual spending for FY 2018-19 has been used to inform cost projections through the full acquisition period. Because RCA staff and relevant contractors have indicated that the current spending on staff capacity is not adequate to accomplish necessary management with existing land holdings, additional staffing and associated expenditures have been added to the current reserve management expenditures. Specifically, three new full time equivalent (FTE) positions are added to the current 2019 spending for reserve management. Overall, the 2019 per acre reserve management cost of \$25.39 per acre was adjusted to \$32.70 per acre (2019 dollars) to account for three new mid-level park ranger FTEs. While as of the end of 2019 about 40,200 acres were under management, ultimately, reserve management activities will cover the entire 97,000 acres to be acquired by the RCA.

Biological Monitoring

The purpose of biological monitoring is to provide Reserve Managers with information and data upon which reserve management decisions will be made. According to the MSHCP, the monitoring program must provide "sufficient, scientifically reliable data for Reserve Managers to assess the MSHCP's effectiveness at meeting resource objectives and achieving or maintaining a

healthy MSHCP Conservation Area in perpetuity.” Unlike the RCA’s reserve management activities which are limited to local ARL acres, the RCA will ultimately be responsible for monitoring all 500,000 acres of the reserve lands mandated under the MSHCP. The acreage currently being monitored totals roughly 408,000 acres. For the purposes of this analysis, the \$1.1 million annual cost estimate based on FY 2018-19 actual spending was used to inform cost projections through the full acquisition period. Because current staff capacity is not adequate to accomplish necessary biological monitoring with existing land holdings, to address the additional land acquisitions, two new full time equivalent (FTE) positions are added to the current 2019 spending for reserve monitoring. The 2019 per acre reserve monitoring cost of \$2.67 was adjusted to \$3.01 (2019 dollars) to account for two new entry-level biologist FTEs. (see **Table 17**). This constant dollar per acre cost was assumed to apply throughout the period of implementation.

Reserve Management and Biological Monitoring Costs

Table 17 summarizes estimated per acre costs for reserve management and monitoring in 2019 dollars. Applying these per acre costs (in 2019 dollars) to current acreage under management and monitoring projects results in annual costs of \$1.32 million and \$1.23 million, respectively. The annual reserve management and biological monitoring costs increase as new acquisitions occur.

Table 17 Management and Monitoring Anticipated Costs in 2004 and 2019 Dollars

Item	Actual FY 2019 Spending
Reserve Management¹	
Acres under Management	40,212
Existing Reserve Management Expenses	\$1,021,000
<u>Additional Staff Capacity Required³</u>	<u>\$294,000</u>
Total Reserve Management Expenses	\$1,315,000
\$/Acre	\$32.70
\$/Acre without additional staff capacity	\$25.39
Biological Monitoring²	
Acres being Monitored	408,820
Existing Biological Monitoring Expenses	\$1,092,000
<u>Additional Staff Capacity Required³</u>	<u>\$140,000</u>
Total Biological Monitoring Expenses	\$1,232,000
\$/Acre	\$3.01
\$/Acre without additional staff capacity	\$2.67

1. Reserve Management costs include Parks & Open Space contract fees, maintenance of motor vehicles, and HOA dues.
2. Biological Monitoring costs include SAWA contract fees, office and computer supplies, training, private mileage reimbursement, building rent, and rental vehicles/fuel.
3. Current staff capacity is not sufficient to accomplish necessary management and monitoring. An Expanded staff capacity scenario envisions adding 3 FTE mid-level park rangers to Reserve Management and 2 FTE entry-level biologists to Reserve Monitoring, with salaries and benefits of \$98,000 and \$70,000

Sources: Western Riverside County Regional Conservation Authority; and Economic & Planning Systems, Inc.

Endowment Funding

The overall permit period was set at 75 years, ending in 2079. To cover ongoing management and monitoring costs beyond the duration when mitigation fees will be collected, the establishment of a non-depleting endowment is required. In other words, the endowment must be sufficient such that expected average interest revenues (after inflation and transaction costs) can cover the ongoing costs associated with administration, management and monitoring in perpetuity. This section summarizes the estimated cost of establishing this endowment under the different scenarios. A key assumption is that the endowment must be fully established by

the end of the land acquisition period as it is assumed that no more mitigation fees will be collected at that time.²⁶

For the purposes of this analysis, we have assumed that habitat management and habitat monitoring costs continue in full, while administration costs are reduced by half following the end of the land acquisition period. All of these costs then continue in perpetuity. As a result and as shown in **Table 18**, the endowment is sized to cover the expected annual management and monitoring costs and 50 percent of the administration costs, totaling \$6.8 million (2019 dollars) once all lands have been acquired.

Table 18 Annual Implementation Cost Estimate (2019\$)

Cost Categories	Annual Cost by Last Year of Land Acquisition Period	Adjustment	Annual Post-Land Acquisition Cost
Ongoing Habitat Management	\$3,172,063	100%	\$3,172,063
Ongoing Habitat Monitoring	\$1,506,776	100%	\$1,506,776
Administration ¹	\$4,154,811	50%	\$2,077,406
Total	\$8,833,650		\$6,756,244

1. Administration includes salaries and benefits, accounting, auditing and reporting, contracts, etc.. Assumes less administration is needed following the land acquisition period; ongoing administrative needs include oversight, auditing and reporting, and board staffing.

Sources: Western Riverside County Regional Conservation Authority; and Economic & Planning Systems, Inc.

Consistent with many regional habitat conservations plans, the average annual net, real (allowing for inflation and institutional fees) interest rate is assumed to be three (3) percent.²⁷ Under all extension scenarios, the total required endowment funding is \$225.2 million. Because the longer extension periods provide more time for the accrual of interest revenues, the net endowment cost (that must be funded by mitigation fees) is different for each scenario. **Table 19** shows the consistent total endowment funding required by scenario as well as the different levels of aggregate endowment interest and associated net endowment funding requirement. For a detailed time-series accounting of endowment funding by extension scenario, see **Appendix II**.

²⁶ It is important to note that the RCA has collected a distinct set of endowment funds for situations where specific conservation activities are required over-and-above the core activities covered by this endowment calculation.

²⁷ This assumes that the implementing entity can use investment vehicles that may be not be typical for Riverside County.

Table 19 Endowment Funding (2019\$), by Extension Scenario

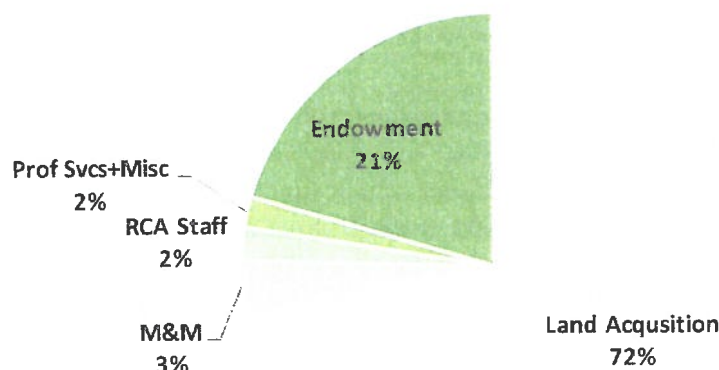
Item	No Extension	5-Year Extension	10-Year Extension	15-Year Extension
Total Endowment Funding Required	\$225,208,133	\$225,208,133	\$225,208,133	\$225,208,133
(Less) Endowment Interest	<u>(\$25,695,187)</u>	<u>(\$40,679,628)</u>	<u>(\$54,846,349)</u>	<u>(\$68,206,990)</u>
Net Endowment Funding Required	\$199,512,947	\$184,528,506	\$170,361,785	\$157,001,144

Sources: Western Riverside County Regional Conservation Authority; and Economic & Planning Systems, Inc.

Total Implementation Costs

Implementation costs include land costs, administrative and professional services expenses, management and monitoring costs, and the required net endowment funding. The remaining MSHCP implementation costs, as described in detail in the preceding sections, are all estimated in 2019 constant dollar terms. Under the Baseline/ No Extension scenario, as shown in **Figure 9**, the \$702 million in estimated land acquisition costs make up 72 percent of the total implementation cost of \$974 million. Administrative costs total about 4 percent of total costs, management and monitoring sum to 3 percent of total implementation costs, and the endowment constitutes 21 percent of total costs.

Figure 9 Comparison of Costs by Category



Total implementation costs vary by extension scenario. Land acquisition costs are the same for all scenarios. Administrative, management and monitoring costs increase the longer the acquisition period is extended, but the endowment funding required decreases the longer the

acquisition period is extended. As shown in **Table 20**, total implementation costs range from \$890 million to \$967 million depending on the extension period. Although total costs over time increase with longer extension periods the per-year implementation costs decrease with longer extension periods, as shown in **Table 21**. For a detailed time-series of all implementation costs excepting the endowment, see **Appendix I**.

Table 20 Total Implementation Costs (2019\$*), by Extension Scenario

Local Permittee MSHCP Implementation Costs	Total for 2020 - 2028 No Extension	Total for 2020 - 2033 5-Yr Extension	Total for 2020 - 2038 10-Yr Extension	Total for 2020 - 2043 15-Yr Extension
Land ¹	\$701,931,902	\$701,931,902	\$701,931,902	\$701,931,902
Management & Monitoring RCA Staff ²	\$33,582,193	\$51,646,790	\$69,711,387	\$87,775,983
Professional Services and Supplies ²	\$20,596,453	\$32,038,927	\$43,481,401	\$54,923,875
Loan Repayment ³	\$2,000,000	\$2,000,000	\$2,000,000	\$2,000,000
Other Costs ^{2,4}	\$3,602,285	\$5,603,554	\$7,604,824	\$9,606,093
Net Endowment Funding Required	<u>\$199,512,947</u>	<u>\$184,528,506</u>	<u>\$170,361,785</u>	<u>\$157,001,144</u>
Total Costs	\$974,420,341	\$998,274,552	\$1,022,946,483	\$1,048,424,494

1. Land value estimates at \$14,288 per acre in 2019 dollar terms.

2. RCA Administrative Costs are based on a three year average of FY 2016-17 through FY 2018-19 actual costs, adjusted to 2019 dollars.

3. RCA has "Other Long Term Obligations" totaling \$5 million, which was a loan received from the County in FY 2012/13 and is now payable in increments of \$1 million starting in FY 2018.

4. Includes rents and all other miscellaneous expenses.

NOTE: In some cases numbers may not perfectly sum due to rounding.

Sources: Western Riverside County RCA; Economic & Planning Systems, Inc.

* All costs are provided in constant 2019 dollar terms. Costs will change over time due to inflation and other factors. These changes will be addressed through the fee indexing/ updating process that will include automatic inflation-indexed fee changes annually based on the regional Consumer Price Index and periodic comprehensive updates to the Nexus Study.

Table 21 Average Annual Implementation Costs (2019\$), by Extension Scenario

Local Permittee MSHCP Implementation Costs	Average Annual			
	2020 - 2028	2020 - 2033	2020 - 2038	2020 - 2043
	No Extension	5-Yr Extension	10-Yr Extension	15-Yr Extension
Land ¹	\$77,992,434	\$50,137,993	\$36,943,784	\$29,247,163
Management & Monitoring	\$3,731,355	\$3,689,056	\$3,669,020	\$3,657,333
RCA Staff ²	\$2,288,495	\$2,288,495	\$2,288,495	\$2,288,495
Professional Services and Supplies ²	\$1,466,062	\$1,466,062	\$1,466,062	\$1,466,062
Loan Repayment ³	\$222,222	\$142,857	\$105,263	\$83,333
Other Costs ^{2,4}	\$400,254	\$400,254	\$400,254	\$400,254
Net Endowment Funding Required	<u>\$22,168,105</u>	<u>\$13,180,608</u>	<u>\$8,966,410</u>	<u>\$6,541,714</u>
Total Costs	\$108,268,927	\$71,305,325	\$53,839,289	\$43,684,354

1. Land value estimates at \$14,288 per acre in 2019 dollar terms.
 2. RCA Administrative Costs are based on a three year average of FY 2016-17 through FY 2018-19 actual costs, adjusted to 2019 dollars.
 3. RCA has "Other Long Term Obligations" totaling \$5 million, which was a loan received from the County in FY 2012/13 and is now payable in increments of \$1 million starting in FY 2018.
 4. Includes rents and all other miscellaneous expenses.
- NOTE: In some cases numbers may not perfectly sum due to rounding.

Sources: Western Riverside County RCA; Economic & Planning Systems, Inc.

6. RCA NON-FEE REVENUES

MSHCP Forecast of Non-Fee Revenues

The MSHCP forecast an array of revenue sources, in addition to fee revenue, supporting the conservation program. These sources were anticipated to total about 44 percent of the revenue for the program, including:

- **Transportation funding** – includes the Measure A sales tax which is authorized through 2039 and other transportation funding sources such as the Transportation Uniform Mitigation Fees (TUMF) charged on new development. Note that the MSHCP envisioned up to \$121 million of Measure A money to the HCP.
- **Other infrastructure projects** – funding from this source was not quantified in the MSHCP but reflected the expectation that local public construction projects such as schools, administrative facilities, libraries, jails, and other projects like flood control and utility projects would mitigate the construction through the payment of a per-acre fee.²⁸ Since MSHCP adoption, the standard contribution has been three to five percent of total project costs.
- **Landfill contributions** – Landfill tipping fees have been used in the County since the 1990 for conservation programs. Under county permitting of landfills, the County has committed to divert portions of tipping fees to MSHCP implementation.

Table 22 and **Figure 10** summarizes the revenue forecasts under the MSHCP. Including the fee revenues, these sources totaled \$1.07 billion or an estimated average almost \$43 million per year for 25-years (in 2004 dollars). Excluding fee revenues, a total of \$18.84 million in annual revenues were forecast, including Measure A funding, \$10 million each year from other transportation projects, and \$4.0 million from land fill contributions.

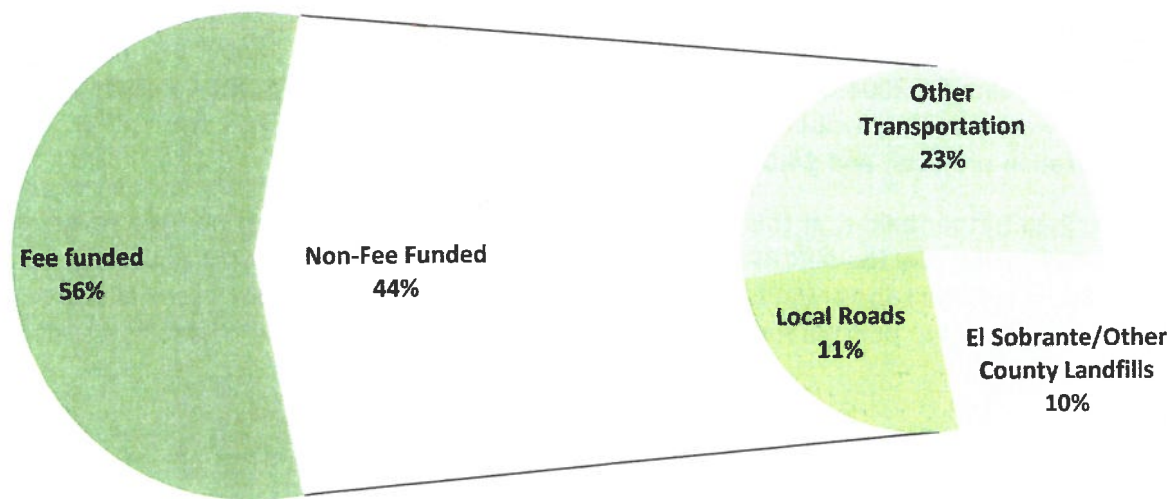
As described further below, at this point, the average annual funding from non-fee revenues sources are well below the MSCHP forecast. Measure A, a voter-approved ½ cent sales tax measure did provide substantial funding as envisioned (though is now fully used/ allocated) and, collectively, the other non-fee funding sources are well beyond what was originally envisioned.

²⁸ See Chapter 8.5.1 Funding Sources in the MSHCP.

Table 22 2004 MSHCP Anticipated Funding Sources

MSHCP Anticipated Funding Source	Estimate (millions)	% of Avg/Yr Total	(millions over 25 years)
Fee Funded Sources:			
Cities and County Development Mitigation Fees	\$539.6	50%	\$21,584,000
Density Bonus Fees	\$66.0	6%	\$2,640,000
Non-Fee Funded Sources	\$605.6		\$24,224,000.0
Public Funding Sources			
Local Roads (Measure A)	\$121.0	11%	\$4,840,000
Other Transportation	\$250.0	23%	\$10,000,000
Other infrastructure Projects	unknown	0%	\$0
El Sobrante Landfill	\$90.0	8%	\$3,600,000
County Landfills	\$10.0	1%	\$400,000
Eagle Mountain Landfill	unknown	0%	\$0
New Regional funding	unknown	0%	\$0
Non-Fee Funded Sources	\$471.0		\$18,840,000
Total, Local Funds	\$1,076.6	100%	\$43,064,000

Figure 10 2004 MSHCP Anticipated Funding Sources



New Forecast of Non-Fee Revenues

Non-fee revenues to the RCA are projected to be \$6.85 million annually in 2019 dollars. This estimate was derived from a line by line review of the major revenue items for a 3-year period from FY 2016-17 to FY 2018-19, projections by collection entities (e.g., TUMF revenue), and recent dynamics likely to affect the revenue source (e.g., greater diversion of trash to recycling

Attachment: Western Riverside County Multiple Species Habitat Conservation Plan Nexus Fee Study Update (4320 : MSHCP Municipal Code

will likely reduce tipping fees). The estimates have been inflated from a three-year average to 2019 dollars, as detailed in **Table 23**.

Table 23 Annual Non-Fee Revenue Projection (2019\$\$)

Non-Fee Revenue Item	RCA FY16/17- 18/19 3-Year Average of Actuals	CPI Adjusted to 2019\$
Transportation Mitigation¹		
TUMF Revenue-Developer Fees	\$950,000	\$979,637
Subtotal	\$950,000	\$979,637
Tipping Fee	\$3,865,728	\$3,986,326
Public Project Mitigation		
PSE Mitigation Fee ²	NA	\$500,000
Other Gov MSHCP Infrastructure	\$284,570	\$293,448
Other Gov MSHCP Civic Projects	\$93,629	\$96,550
Flood Control District	\$293,084	\$302,227
Subtotal	\$671,283	\$1,192,225
Other Revenue		
Interest and Other Sources	\$467,073	\$481,644
Rents	\$80,531	\$83,043
Joint Project Review Fees	\$124,762	\$128,654
Subtotal	\$672,365	\$693,341
Total Revenue	NA	\$6,851,529

1. All Measure A funding was provided prior to 2020 and the associated obligations have been met.

2. Participating Special Entities fees. This does not include Developer Mitigation Fees. These fees vary widely year over year, \$500,000 is used as an annual average per the recommendation of RCA staff.

Sources: Western Riverside County Regional Conservation Authority; Economic & Planning Systems, Inc.

7. MITIGATION FEE CALCULATION

The revised Local Development Mitigation Fee is based on a generally similar methodology to the Original Nexus Study that ensures the fee level is proportional to the development impact. This methodology looks at the remaining conservation requirements associated with Local Permittee obligations under the MSHCP and associated Incidental Take Permit and Implementing Agreement, determines the remaining Local Permittee implementation cost, subtracts out reasonable estimates of non-fee revenues and other contributions, to determine the overall fee-funding obligation. This obligation is then divided among the new development forecast to determine the required mitigation fee. In others words, the original 2003 and updated 2020 Local Development Mitigation Fee estimates are the outcome of the following formula (the 2003 and 2020 Nexus Studies differ in their process of allocating funding required between land uses):

1. Implementation Costs

minus

2. Non-Fee Funding

equals

3. Outstanding Funding Required

divided by

4. Development Forecast

equals

5. Local Development Mitigation Fee Schedule

Table 24 summarizes the estimated Net Implementation Costs, Expected Acres of Development, and the associated per gross acre mitigation fee. As shown, the average mitigation fee per gross acre decreases with each extension as similar levels of net implementation costs are spread across more development. **Tables 25** through **28** provide the detailed calculations that determine the total net MSHCP implementation costs shown in **Table 24**. As noted in **Chapter 1**, for residential development, the per-gross-acre fee is translated into a per-unit fee schedule for administrative continuity.

Table 24 MSHCP Implementation Costs and Per Acre Mitigation Fees

Fee Per Acre	No Extension	5-Year Extension	10-Year Extension	15-Year Extension
Net Cost	\$912,756,583	\$902,353,150	\$892,767,438	\$883,987,805
Acres of Development				
Residential	14,026	21,818	29,611	37,403
Nonresidential	<u>6,239</u>	<u>9,705</u>	<u>13,171</u>	<u>16,637</u>
Total	20,265	31,523	42,782	54,040
Mitigation Fee per Acre	\$45,041	\$28,625	\$20,868	\$16,358

Sources: Southern California Association of Governments; Western Riverside County RCA; Economic & Planning Systems, Inc.

Table 25 Recommended Fee Level—No Extension

Item	Total for 2020 - 2029 (Years 17 - 25)	8 yrs	Average Annual	% of Total Cost/ Funding Need
Local Permittee Land Requirements				
Preservation Requirement	56,788 acres		6,310 acres	na
(less) HANS Dedication	<u>10,000</u> acres		<u>1,111</u> acres	na
Local Permittee Acquisition	46,788 acres		5,199 acres	na
Local Permittee MSHCP Implementation Costs				
Land (1)	\$701,931,902		\$77,992,434	72.0%
Management & Monitoring	\$33,582,193		\$3,731,355	3.4%
RCA Staff (2)	\$20,596,453		\$2,288,495	2.1%
Professional Services and Supplies (2)	\$13,194,561		\$1,466,062	1.4%
Loan Repayment (3)	\$2,000,000		\$222,222	0.2%
Other Costs (2) (4)	\$3,602,285		\$400,254	0.4%
Net Endowment Funding Required	\$199,512,947		\$22,168,105	20.5%
Total Costs	\$974,420,341		\$108,268,927	100.0%
Offsetting Revenues (5) (exc. Private Development Mitigation)				
Public Project Mitigation (6)	\$10,730,025		\$1,192,225	1.4%
Transportation Mitigation (7)	\$8,816,731		\$979,637	1.1%
Tipping Fees	\$35,876,934		\$3,986,326	4.6%
Other Revenues (8)	<u>\$6,240,068</u>		<u>\$693,341</u>	<u>0.8%</u>
Total Selected Revenues	\$61,663,758		\$6,851,529	8.0%
Funding Required from Private Development Mitigation				
Net Cost	\$912,756,583		\$101,417,398	93.7%
Mitigation Fee Estimates (per gross acre of development)				
Growth Projection:				
Development	2020 - 2028		Annual	
Residential Units	79,000		8,778	
Residential Acres	14,026		1,558	
Non-Residential Acres	6,239		693	
Total Acres	20,265		2,252	
Mitigation Fee	\$45,041 per acre			

(1) Land value estimates at \$14,288 per acre in 2019 dollar terms plus a 5% transaction cost.
 (2) RCA Administrative Costs are based on a three year average of FY 2016-17 through FY 2018-19 actual costs, adjusted to 2019 dollars.
 (3) RCA has "Other Long Term Obligations" totaling \$2 million, which was a loan received from the County in FY 2012/13 and is now payable in increments of \$1 million over the course of two years.
 (4) Includes rents and all other miscellaneous expenses.
 (5) RCA Revenues are based on a three year average of FY 2016-17 through FY 2018-19 actual costs, adjusted to 2019 dollars.
 (6) Includes Flood Control District, PSE mitigation payments, and other government MSHCP infrastructure & civic project revenues.
 (7) Includes TUMF fees.
 (8) Includes interest and other sources, rents, and joint project review fees.

Sources: MSHCP; RCA; Economic & Planning Systems, Inc.

Table 26 Recommended Fee Level—5-Year Extension

Item	Total for 2020 - 2034 (Years 17 - 30)	14 yrs	Average Annual	% of Total Cost/ Funding Need
Local Permittee Land Requirements				
Preservation Requirement	56,788 acres		4,056 acres	na
(less) HANS Dedication	<u>10,000</u> acres		<u>714</u> acres	na
Local Permittee Acquisition	46,788 acres		3,342 acres	na
Local Permittee MSHCP Implementation Costs				
Land (1)	\$701,931,902		\$50,137,993	70.3%
Management & Monitoring	\$51,646,790		\$3,689,056	5.2%
RCA Staff (2)	\$32,038,927		\$2,288,495	3.2%
Professional Services and Supplies (2)	\$20,524,873		\$1,466,062	2.1%
Loan Repayment (3)	\$2,000,000		\$142,857	0.2%
Other Costs (2) (4)	\$5,603,554		\$400,254	0.6%
Net Endowment Funding Required	\$184,528,506		\$13,180,608	18.5%
Total Costs	\$998,274,552		\$71,305,325	100.0%
Offsetting Revenues (5) (exc. Private Development Mitigation)				
Public Project Mitigation (6)	\$16,691,150		\$1,192,225	2.1%
Transportation Mitigation (7)	\$13,714,915		\$979,637	1.7%
Tipping Fees	\$55,808,564		\$3,986,326	6.9%
Other Revenues (8)	<u>\$9,706,772</u>		<u>\$693,341</u>	<u>1.2%</u>
Total Selected Revenues	\$95,921,402		\$6,851,529	11.8%
Funding Required from Private Development Mitigation				
Net Cost	\$902,353,150		\$64,453,796	90.4%
Mitigation Fee Estimates (per gross acre of development)				
Growth Projection:				
Development	2020 - 2033		Annual	
Residential Units (4.2 DU/Acres)	122,456		8,747	
Residential Acres	21,818		1,558	
Non-Residential Acres	9,705		693	
Total Acres	31,523		2,252	
Mitigation Fee	\$28,625 per acre			

(1) Land value estimates at \$14,288 per acre in 2019 dollar terms plus a 5% transaction cost.

(2) RCA Administrative Costs are based on a three year average of FY 2016-17 through FY 2018-19 actual costs, adjusted to 2019 dollars.

(3) RCA has "Other Long Term Obligations" totaling \$2 million, which was a loan received from the County in FY 2012/13 and is now payable in increments of \$1 million over the course of two years.

(4) Includes rents and all other miscellaneous expenses.

(5) RCA Revenues are based on a three year average of FY 2016-17 through FY 2018-19 actual costs, adjusted to 2019 dollars.

(6) Includes Flood Control District, PSE mitigation payments, and other government MSHCP infrastructure & civic project revenues.

(7) Includes TUMF fees.

(8) Includes interest and other sources, rents, and joint project review fees.

Sources: MSHCP; RCA; Economic & Planning Systems, Inc.

Table 27 Recommended Fee Level—10-Year Extension

Item	Total for 2020 - 2039 (Years 17 - 35)	19 yrs	Average Annual	% of Total Cost/ Funding Need
Local Permittee Land Requirements				
Preservation Requirement	56,788 acres		2,989 acres	na
(less) HANS Dedication	<u>10,000</u> acres		<u>526</u> acres	na
Local Permittee Acquisition	46,788 acres		2,463 acres	na
Local Permittee MSHCP Implementation Costs				
Land (1)	\$701,931,902		\$36,943,784	68.6%
Management & Monitoring	\$69,711,387		\$3,669,020	6.8%
RCA Staff (2)	\$43,481,401		\$2,288,495	4.3%
Professional Services and Supplies (2)	\$27,855,185		\$1,466,062	2.7%
Loan Repayment (3)	\$2,000,000		\$105,263	0.2%
Other Costs (2) (4)	\$7,604,824		\$400,254	0.7%
Net Endowment Funding Required	\$170,361,785		\$8,966,410	16.7%
Total Costs	\$1,022,946,483		\$53,839,289	100.0%
Offsetting Revenues (5) (exc. Private Development Mitigation)				
Public Project Mitigation (6)	\$22,652,275		\$1,192,225	2.7%
Transportation Mitigation (7)	\$18,613,099		\$979,637	2.2%
Tipping Fees	\$75,740,195		\$3,986,326	8.9%
Other Revenues (8)	<u>\$13,173,476</u>		<u>\$693,341</u>	<u>1.5%</u>
Total Selected Revenues	\$130,179,045		\$6,851,529	15.3%
Funding Required from Private Development Mitigation				
Net Cost	\$892,767,438		\$46,987,760	87.3%
Mitigation Fee Estimates (per gross acre of development)				
<u>Growth Projection:</u>				
Development	2020 - 2038		Annual	
Residential Units (4.2 DU/Acres)	166,000		8,737	
Residential Acres	29,611		1,558	
Non-Residential Acres	13,171		693	
Total Acres	42,782		2,252	
Mitigation Fee	\$20,868 per acre			

(1) Land value estimates at \$14,288 per acre in 2019 dollar terms plus a 5% transaction cost.
 (2) RCA Administrative Costs are based on a three year average of FY 2016-17 through FY 2018-19 actual costs, adjusted to 2019 dollars.
 (3) RCA has "Other Long Term Obligations" totaling \$2 million, which was a loan received from the County in FY 2012/13 and is now payable in increments of \$1 million over the course of two years.
 (4) Includes rents and all other miscellaneous expenses.
 (5) RCA Revenues are based on a three year average of FY 2016-17 through FY 2018-19 actual costs, adjusted to 2019 dollars.
 (6) Includes Flood Control District, PSE mitigation payments, and other government MSHCP infrastructure & civic project revenues.
 (7) Includes TUMF fees.
 (8) Includes interest and other sources, rents, and joint project review fees.

Sources: MSHCP; RCA; Economic & Planning Systems, Inc.

Table 28 Recommended Fee Level—15-Year Extension

	Total for 2020 - 2044 (Years 17 - 40)	24 yrs Average Annual	% of Total Cost/ Funding Need
Local Permittee Land Requirements			
Preservation Requirement	56,788 acres	2,366 acres	na
(less) HANS Dedication	<u>10,000</u> acres	<u>417</u> acres	na
Local Permittee Acquisition	46,788 acres	1,950 acres	na
Local Permittee MSHCP Implementation Costs			
Land (1)	\$701,931,902	\$29,247,163	67.0%
Management & Monitoring	\$87,775,983	\$3,657,333	8.4%
RCA Staff (2)	\$54,923,875	\$2,288,495	5.2%
Professional Services and Supplies (2)	\$35,185,497	\$1,466,062	3.4%
Loan Repayment (3)	\$2,000,000	\$83,333	0.2%
Other Costs (2) (4)	\$9,606,093	\$400,254	0.9%
Net Endowment Funding Required	\$157,001,144	\$6,541,714	15.0%
Total Costs	\$1,048,424,494	\$43,684,354	100.0%
Offsetting Revenues (5) (exc. Private Development Mitigation)			
Public Project Mitigation (6)	\$28,613,400	\$1,192,225	3.2%
Transportation Mitigation (7)	\$23,511,283	\$979,637	2.6%
Tipping Fees	\$95,671,825	\$3,986,326	10.7%
Other Revenues (8)	<u>\$16,640,181</u>	<u>\$693,341</u>	<u>1.9%</u>
Total Selected Revenues	\$164,436,689	\$6,851,529	18.4%
Funding Required from Private Development Mitigation			
Net Cost	\$883,987,805	\$36,832,825	84.3%
Mitigation Fee Estimates (per gross acre of development)			
Growth Projection:			
Development	2020 - 2043	Annual	
Residential Units	210,000	8,750	
Residential Acres	37,403	1,558	
Non-Residential Acres	16,637	693	
Total Acres	54,040	2,252	
Mitigation Fee	\$16,358 per acre		

(1) Land value estimates at \$14,288 per acre in 2019 dollar terms plus a 5% transaction cost.

(2) RCA Administrative Costs are based on a three year average of FY 2016-17 through FY 2018-19 actual costs, adjusted to 2019 dollars.

(3) RCA has "Other Long Term Obligations" totaling \$2 million, which was a loan received from the County in FY 2012/13 and is now payable in increments of \$1 million over the course of two years.

(4) Includes rents and all other miscellaneous expenses.

(5) RCA Revenues are based on a three year average of FY 2016-17 through FY 2018-19 actual costs, adjusted to 2019 dollars.

(6) Includes Flood Control District, PSE mitigation payments, and other government MSHCP infrastructure & civic project revenues.

(7) Includes TUMF fees.

(8) Includes interest and other sources, rents, and joint project review fees.

Sources: MSHCP; RCA; Economic & Planning Systems, Inc.

8. MITIGATION FEE ACT (NEXUS) FINDINGS

Mitigation fees are utilized in California to finance public facilities necessary to mitigate impacts stemming from new development. In 1987, the California Legislature adopted the Mitigation Fee Act to provide a framework for the application and administration of such fees. Current prevailing practice among the majority of approved and permitted regional multiple-species Habitat Conservation Plans is that any habitat mitigation fees are to be adopted by the relevant jurisdictions (cities and Counties) consistent with the Mitigation Fee Act.²⁹ As discussed further in **Chapter 9**, the adoption of fees under the Mitigation Fee Act includes a number of auditing and reporting requirements.

The Mitigation Fee Act, defined in California Government Code Sections 66000 to 66025, requires all public agencies to document five findings when establishing or increasing a fee as a condition for new development. These findings were made when the Western Riverside County MSHCP Local Development Mitigation Fees were first justified and established.³⁰

This Chapter of the Western Riverside Habitat Conservation Plan Nexus Fee Study was prepared to describe how the proposed increase in the Local Development Mitigation Fee satisfies the five statutory findings required by the Mitigation Fee Act and is based on the appropriate nexus between new development and the imposition of a mitigation fee. The five statutory findings required for the establishment of a mitigation fee are summarized in the sections below and supported by the technical analysis in the prior chapters of this Study.

Purpose of Fee

Identify the purpose of the fee. (66001(a)(1))

The purpose of the Local Development Mitigation Fee is to contribute to the funding required to implement the MSCHP and, as a result, help maintain the incidental take permits for new private and public development in Western Riverside County under the federal and State Endangered Species Acts. Maintaining the incidental take permit is necessary to allow for future development, and without the development community paying for the cost of the MSHCP, individual applicants will need to apply independently for development approval under federal and State law if the project impacts a threaten or endangered species. The federal Endangered Species Act specifically requires that the applicant for incidental take permit "ensure that adequate funding for the plan will be provided."³¹ In addition, the Local Development Mitigation Fee helps provide the regional benefit of streamlined economic development in Western Riverside County as well as

²⁹ In addition to the current Western Riverside County habitat mitigation fee, see also the Coachella Valley habitat mitigation fee, the San Joaquin County Multi-Species Habitat Conservation and Open Space Fee, and the East Contra Costa County HCP/NCCP mitigation fee.

³⁰ See the Final Mitigation Nexus Report for the Western Riverside County Multiple Species Habitat Conservation Plan, published July 1, 2003.

³¹ See Section 1539(a)(2)Biii of the federal Endangered Species Act.

the provision of contiguous open spaces that will serve as a community amenity to residents, workers, and visitors.

Use of Fee Revenues

Identify the use to which the fee is to be put. If the use is financing public facilities, the facilities shall be identified. That identification may, but need not, be made by reference to a capital improvement plan as specific in Section 65403 or 66002, may be made in applicable general or specific plan requirements, or may be made in other public documents that identify the public facilities for which the fee is charged. (66001(a)(2)).

The MSHCP is the public document that outlines the actions required as a whole and the particular set of actions required by the Local Permittees (and the Regional Conservation Agency as their agent) to obtain incidental take permits—associated with State and federal Endangered Species Act requirements—for new public and private development in Western Riverside County. Failure to meet the requirements of the MSHCP will result in an inability to obtain or maintain incidental take permits through the MSHCP, which would require future development to secure individual take authorization if the project impacts a threaten or endangered species.

Revenues from the Local Development Mitigation Fee will be used, in conjunction with other local and regional funding sources, to fund the conservation actions identified as the responsibility of Local Permittees in the MSHCP. The revenue from the Local Development Mitigation Fee will be used to help fund the appropriate habitat acquisition (land acquisition and associated transaction costs), maintenance and monitoring of habitat land (preserve management, monitoring, and adaptive management), and program management, administration, and oversight activities and costs.³² **Chapter 3** of this report describes the Local Permittee conservation requirements, progress to date, and the remaining actions required under the MSHCP.

Relationship

Determine how there is a reasonable relationship between the fee's use and the type of development project on which the fee is imposed. (66001(a)(3)).

The implementation of the MSHCP, and the mitigation fee as a fundamental part of it, will benefit all new development by mitigating their collective impacts on covered species and associated habitat. All new public and private development in the Plan area will affect habitat and species either directly, indirectly, or as a cumulative effect. New infrastructure development, for example, in addition to its direct effects, will support new development on other parcels and other locations in the Plan Area. Similarly, new private development will require new infrastructure and also result in additional demand for new developments through linkages—for

³² Consistent with the interpretation applied to the majority of permitted and approved regional, multiple-species Habitat Conservation Plans in California and guidance from RCA Counsel, the Local Development Mitigation Fee is assumed to fund its proportionate share (as determined by the technical analysis and constrained by the statutory requirements) of applicable MSHCP implementation costs including, but also limited to, habitat acquisition costs (and associated transaction costs), the costs of managing and monitoring the habitat preserves in perpetuity, and the administrative and other costs of managing the overall program.

example, the need for new housing to accommodate new workers at commercial developments or the need for new retail developments to serve new residents at residential developments. In other words, all new development in Western Riverside County will benefit from the incidental take permits obtained through the MSHCP and via the use of the mitigation fee revenues.

In addition, the incidental take permits are necessary to permit any future development within the Plan Area, and in order to obtain or maintain such incidental take permits, the MSHCP must be fully funded. Because funding the MSHCP is required in order to allow for future development under the MSHCP, there is a direct relationship between the proposed use of the mitigation fee and development within the Plan Area.

Need

Determine how there is a reasonable relationship between the need for the public facility and the type of development project on which the fee is imposed. (66001(a)(4)).

Without new development, no MSHCP would be necessary and no further habitat conservation would be required under the federal and State Endangered Species Acts. To allow for any future development under the Plan, the MSHCP must be fully funded. New development in the Plan Area, as noted above, will directly, indirectly, or cumulatively affect species and habitat in Western Riverside County. Because of this, development of the MSHCP was undertaken to provide a regional, streamlined approach to benefit future development of all types in Western Riverside County, including the development and improvements envisioned under the numerous General Plans and the Regional Transportation Improvement Program. The requirements of the MSHCP (habitat acquisition, management and monitoring, program administration) are a direct result of the regional approach to mitigation that is engendered by all new development in the Plan Area under the pertinent environmental regulations. Meeting the requirements of the MSHCP is necessary to obtain the necessary federal authorization to develop within the Plan Area.

Proportionality

Determine how there is a reasonable relationship between the amount of the fee and the cost of the public facility or portion of the public facility attributable to the development on which the fee is imposed. (66001(b)).

The MSHCP includes detailed conservation requirements based on the scientific evaluations that form the basis of the MSHCP. Based on these evaluations, conservation responsibilities were allocated between the Local Permittees and other agencies, such as the State and federal governments. The Local Development Mitigation Fee appropriately provides funding towards the fulfillment of the Local Permittee conservation requirements. Furthermore, the Local Permittee obligations are not fully funded through the Local Development Mitigation Fee revenues. Other local and regional funding sources, such as the Measure A sales tax and tipping fees, provide additional mitigation and/or offsetting revenues that reduce the overall cost allocation to the Local Development Mitigation Fee Program. In addition, consistent with the relationship between new development in Western Riverside County and the need for the public facilities (conservation program) described above, proportional attribution between new development is ensured

through the determination of a consistent per gross acre Local Development Mitigation Fee.³³ As a result, the Local Development Mitigation Fee level calculations are carefully determined to fund only the proportionate (or less than) conservation costs attributable to the new development on which the fee is imposed and to allocate the fee levels proportionally across all new development. It is this process of careful calculation based on the requirements of the MSHCP that is the subject of a substantial portion of this Nexus Study (see **Chapters 2** through **7**).

³³ Determining habitat mitigation fees on a gross acre basis is the clearest way of ensuring proportionate cost allocations among new developments and is a common practice among adopted Habitat Conservation Plans. For purposes of implementation/administrative consistency, for residential uses, the per-gross-acre fee is translated into per unit fees for different density categories.

9. FEE IMPLEMENTATION

The revised Local Development Mitigation Fee must be implemented consistent with the MSHCP (and associated Incidental Take Permit and Implementing Agreement) as well as the California Mitigation Fee Act. A detailed set of guidance is included in the Fee Implementation Handbook to support clarity and specificity in the implementation of the updated fee program by Local Permittees. The sections below summarize some of the key implementation and administration actions to be consistent with the requirements.

Adoption of Revised LDMF

- Consistent with the MSHCP and associated documents, each Local Permittee (i.e., all participating jurisdictions) must adopt an updated LDMF ordinance and a fee resolution establishing the revised fee level as prescribed by the Mitigation Fee Act.
- Consistent with the Mitigation Fee Act, the revised ordinance and associated fee resolution will become effective after a public hearing and 60 days.
- RCA Legal Counsel will prepare a Fee Update Ordinance and Resolution to facilitate the consistent adoption of the updated LDMF by Local Permittees.

Securing Supplemental Funding

The revised Local Development Mitigation Fee is set at the level that would cover the Local Permittee cost obligations once expected non-fee revenues are subtracted out. To the extent any discounts/exemptions are provided to new Western Riverside County development below the updated fee level, additional funding will be required to backfill the fee revenue losses. To the extent, these revenues do not make up for any fee discounts provided, other sources of funding will need to be sought by the RCA and the Local Permittees to fulfill their Plan obligations. At the same time, if new substantial funding sources become available to the RCA for Local Permittee obligations, the funding required through fees may decrease, in turn reducing the required fee levels through a new update.

Annual Review

The Mitigation Fee Act (at Gov. C. §§ 66001(c), 66006(b)(1)) stipulates that each local agency that requires payment of a fee make specific information available to the public annually within 180 days of the last day of the fiscal year. In this case, the RCA can play this role on behalf of the Local Permittees. This information includes the following:

- A description of the type of fee in the account.
- The amount of the fee (the mitigation fee schedule).
- The beginning and ending balance of the fund.
- The amount of fees collected and interest earned.
- Identification of the improvements constructed.
- The total cost of the improvements constructed.
- The fees expended to construct the improvement.
- The percentage of total costs funded by the fee.

If sufficient fees have been collected to fund specific improvement cost, the agency must specify the approximate date for the cost of that improvement. Because of the dynamic nature of growth and MSHCP implementation costs and consistent with current practice, the RCA should continue to monitor progress towards MSHCP goals. The overall adequacy of the fee revenues and other available funding in meeting these goals should be reviewed annually.

Surplus Funds

The Mitigation Fee Act also requires that if any portion of a fee remains unexpended or uncommitted in an account for 5 years or more after deposit of the fee, the RCA, acting for the Local Permittees, shall make findings once each year (1) to identify the purpose to which the fee is to be put, (2) to demonstrate a reasonable relationship between the fee and the purpose for which it was charged, (3) to identify all sources and amounts of funding anticipated to complete financing of incomplete improvements, and (4) to designate the approximate dates on which the funding identified in (3) is expected to be deposited into the appropriate fund (§66001(d)).

If adequate funding has been collected for specific investments, an approximate date must be specified as to when the cost of the investment will be incurred. If the findings show no need for the unspent funds, or if the conditions discussed above are not met, and the administrative costs of the refund do not exceed the refund itself, the local agency that has collected the funds must refund them (Gov. C §66001(e)(f)).

Annual and Periodic Updates

Consistent with the current practice, the Fee Ordinance should allow an automatic annual adjustment to the fees based on the Riverside-San Bernardino-Ontario, CA Consumer Price Index (CPI) or a similar inflation factor. In addition, a more comprehensive update should be conducted required periodically. The Nexus Study and the technical information it contains should be reviewed periodically by the RCA (every five years is recommended) to identify any necessary refinements to the Local Development Mitigation Fees to ensure adequate funding to implement the MSHCP. Under certain circumstances, the RCA may wish to conduct a Nexus Study update sooner than after five years. For example, to the extent there are significant and unexpected changes in implementation costs, in the level of non-fee funding, and/ or the level of fee-paying private development over time, a more immediate fee update may be appropriate.

APPENDIX I:
Detailed Time Series of Implementation Costs



APPENDIX II:

Detailed Time Series of Endowment Funding



All Implementation Costs Over Time - No Extension

	17	18	19	20	21	22	23	24	25
	2026	2027	2028	2029	2030	2031	2032	2033	2034
ACRES									
Land Acquisition Costs									
Local	6,310	6,310	6,310	6,310	6,310	6,310	6,310	6,310	6,310
(less) HANS/JPR Dedications	-1,250	-1,250	-1,250	-1,250	-1,250	-1,250	-1,250	-1,250	0
Total Local	5,060	5,060	5,060	5,060	5,060	5,060	5,060	5,060	6,310
State/Fed	3,821	3,821	3,821	3,821	3,821	3,821	3,821	3,821	3,821
Total	8,881	8,881	8,881	8,881	8,881	8,881	8,881	8,881	10,131
Land Acquisition (Cumulative)									
Local ¹	45,272	55,391	60,451	65,511	70,571	75,630	80,690	85,750	87,000
State/Fed	25,429	33,072	36,893	40,715	44,538	48,357	52,179	56,000	56,000
Local - HANS/JPR Dedications	1,250	3,750	5,000	6,250	7,500	8,750	10,000	11,250	10,000
Total	71,951	92,213	102,344	112,476	122,607	132,738	142,869	152,999	153,000
Management and Monitoring Costs									
Reserve Summary									
State/Federal	282,000	282,000	282,000	282,000	282,000	282,000	282,000	282,000	282,000
PCA	25,429	29,251	33,072	36,893	40,715	44,538	48,357	52,179	56,000
ARL	307,429	311,251	315,072	318,893	322,715	326,538	330,357	334,179	338,000
Total	615,858	622,502	630,144	637,786	645,428	653,070	660,712	668,354	676,000
Local	65,000	65,000	65,000	65,000	65,000	65,000	65,000	65,000	65,000
PCA	46,522	58,141	58,141	71,761	71,761	84,380	84,380	96,999	97,000
ARL	111,522	124,141	130,451	136,761	143,071	149,380	155,690	162,000	162,000
Total	223,044	247,942	253,592	315,142	316,832	419,760	420,760	493,989	500,000
Total Acres under RCA Management	46,522	58,141	58,141	71,761	71,761	84,380	84,380	96,999	97,000
Total Acres under RCA Monitoring	418,951	439,213	449,344	459,476	469,607	479,738	489,869	499,999	500,000
COSTS (all constant 2018 dollars)									
Land Acquisition Costs									
Local, ARL Annual	\$72,294,065	\$72,294,065	\$72,294,065	\$72,294,065	\$72,294,065	\$72,294,065	\$72,294,065	\$72,294,065	\$80,154,055
Local, ARL Annual	\$3,614,703	\$3,614,703	\$3,614,703	\$3,614,703	\$3,614,703	\$3,614,703	\$3,614,703	\$3,614,703	\$4,507,703
Local, Land Transaction Costs	\$75,908,768	\$75,908,768	\$75,908,768	\$75,908,768	\$75,908,768	\$75,908,768	\$75,908,768	\$75,908,768	\$94,961,758
Total Land Acquisition Costs	\$151,817,536	\$151,817,536	\$151,817,536	\$151,817,536	\$151,817,536	\$151,817,536	\$151,817,536	\$151,817,536	\$179,623,516
Local, ARL, Cumulative	\$151,817,536	\$227,726,304	\$303,635,072	\$379,543,840	\$455,452,608	\$531,361,376	\$607,270,144	\$683,178,912	\$759,087,680
Management and Monitoring Costs									
Management, Annual	\$1,521,340	\$1,727,881	\$1,934,421	\$2,140,961	\$2,346,702	\$2,553,042	\$2,759,382	\$2,965,723	\$3,172,063
Management, Cumulative	\$1,521,340	\$3,249,221	\$5,183,642	\$7,324,403	\$9,465,105	\$11,605,807	\$13,746,509	\$15,887,211	\$18,027,913
Monitoring, Annual	\$3.01	\$3.01	\$3.01	\$3.01	\$3.01	\$3.01	\$3.01	\$3.01	\$3.01
Monitoring, Cumulative	\$3.01	\$6.02	\$9.03	\$12.04	\$15.05	\$18.06	\$21.07	\$24.08	\$27.09
Endowment Costs									
Net Endowment Funding, Annual	\$22,168,105	\$22,168,105	\$22,168,105	\$22,168,105	\$22,168,105	\$22,168,105	\$22,168,105	\$22,168,105	\$22,168,105
Net Endowment Funding, Cumulative	\$22,168,105	\$44,336,210	\$66,504,315	\$88,672,420	\$110,840,525	\$133,008,630	\$155,176,735	\$177,344,840	\$199,512,945
Administrative Costs									
RCA Staff Costs	\$2,288,495	\$2,288,495	\$2,288,495	\$2,288,495	\$2,288,495	\$2,288,495	\$2,288,495	\$2,288,495	\$2,288,495
Professional Services	\$1,466,062	\$1,466,062	\$1,466,062	\$1,466,062	\$1,466,062	\$1,466,062	\$1,466,062	\$1,466,062	\$1,466,062
Loan Repayment ³	\$1,000,000	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Other	\$400,254	\$400,254	\$400,254	\$400,254	\$400,254	\$400,254	\$400,254	\$400,254	\$400,254
Total Annual	\$5,154,811	\$5,154,811	\$5,154,811	\$5,154,811	\$5,154,811	\$5,154,811	\$5,154,811	\$5,154,811	\$5,154,811
Cumulative Costs	\$5,154,811	\$10,309,622	\$15,464,433	\$20,619,244	\$25,774,055	\$30,928,866	\$36,083,677	\$41,238,488	\$46,393,299
TOTAL ALL COSTS									
Total Annual	\$106,015,555	\$106,252,428	\$106,489,297	\$106,726,166	\$106,963,039	\$107,199,912	\$107,436,781	\$107,673,650	\$107,910,519
TOTAL Cumulative	\$106,015,555	\$212,267,981	\$317,757,279	\$423,246,577	\$528,735,875	\$634,225,173	\$739,714,471	\$845,203,769	\$950,693,067

1. All local land conserved to date, including all HANS dedications to date, are captured in the year 17 number.
 2. RCA Administrative Costs are based on a three year average of FY 2016-17 through FY 2018-19 actual costs, adjusted to 2018 dollars.
 3. Annual administrative costs decrease in year 19 due to assumption that loan repayment is completed.

All Implementation Costs Over Time - 5 Year Extension

Category	17	18	19	20	21	22	23	24	25	26	27	28	29	30
Code	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033
ACRES														
Land Acquisition Costs														
Local Acquisition (Annual)	4,056	4,056	4,056	4,056	4,056	4,056	4,056	4,056	4,056	4,056	4,056	4,056	4,056	4,056
(less) HANS/JPR Deductions	-1,250	-1,250	-1,250	-1,250	-1,250	-1,250	-1,250	-1,250	-1,250	-1,250	-1,250	-1,250	-1,250	-1,250
Total Local	2,806	2,806	2,806	2,806	2,806	2,806	2,806	2,806	2,806	2,806	2,806	2,806	2,806	2,806
State/Fed	2,457	2,457	2,457	2,457	2,457	2,457	2,457	2,457	2,457	2,457	2,457	2,457	2,457	2,457
Total	5,263	5,263	5,263	5,263	5,263	5,263	5,263	5,263	5,263	5,263	5,263	5,263	5,263	5,263
Land Acquisition (Cumulative)														
Local	43,018	48,831	51,437	54,243	56,896	62,662	66,719	74,831	78,887	82,944	87,000	91,056	95,112	99,168
State/Fed	24,065	28,978	31,434	33,891	36,347	38,804	41,261	43,717	46,174	48,630	51,087	53,543	56,000	58,456
Local - HANS/JPR Deductions	1,250	2,500	3,750	5,000	6,250	7,500	8,750	10,000	11,250	12,500	13,750	15,000	16,250	17,500
Total	68,333	74,846	81,359	87,871	94,384	100,897	107,410	113,923	120,436	126,949	133,461	139,974	146,487	152,000
Management and Monitoring Costs														
Reserve Summary														
Financial Responsibility														
Monitoring														
State/Federal	282,000	282,000	282,000	282,000	282,000	282,000	282,000	282,000	282,000	282,000	282,000	282,000	282,000	282,000
RCA	24,065	26,521	28,978	31,434	33,891	36,347	38,804	41,261	43,717	46,174	48,630	51,087	53,543	56,000
RCA	308,065	308,521	313,978	319,434	324,891	330,347	335,804	341,261	346,717	352,174	357,630	363,087	368,543	374,000
Total	614,130	617,042	624,956	632,870	640,784	648,698	656,612	664,526	672,440	680,354	688,268	696,182	704,096	712,010
Local	85,000	85,000	85,000	85,000	85,000	85,000	85,000	85,000	85,000	85,000	85,000	85,000	85,000	85,000
PQP	44,268	44,268	44,268	44,268	44,268	44,268	44,268	44,268	44,268	44,268	44,268	44,268	44,268	44,268
RCA	109,268	113,325	117,381	121,437	125,493	129,550	133,606	137,662	141,718	145,775	149,831	153,887	157,944	162,000
Total	44,268	48,325	52,381	56,437	60,493	64,550	68,606	72,662	76,718	80,775	84,831	88,887	92,944	97,000
Total Acres under RCA Management	415,333	421,846	428,359	434,871	441,384	447,897	454,410	460,923	467,436	473,949	480,461	486,974	493,487	500,000
COSTS (all consistent with dollars)														
Land Acquisition Costs														
Local, ARL, Annual	\$14,288	\$14,288	\$14,288	\$14,288	\$14,288	\$14,288	\$14,288	\$14,288	\$14,288	\$14,288	\$14,288	\$14,288	\$14,288	\$14,288
Local, ARL, Annual	\$14,288	\$14,288	\$14,288	\$14,288	\$14,288	\$14,288	\$14,288	\$14,288	\$14,288	\$14,288	\$14,288	\$14,288	\$14,288	\$14,288
Land Transaction Costs	\$2,004,809	\$2,004,809	\$2,004,809	\$2,004,809	\$2,004,809	\$2,004,809	\$2,004,809	\$2,004,809	\$2,004,809	\$2,004,809	\$2,004,809	\$2,004,809	\$2,004,809	\$2,004,809
Land Acquisition Costs	\$42,100,997	\$42,100,997	\$42,100,997	\$42,100,997	\$42,100,997	\$42,100,997	\$42,100,997	\$42,100,997	\$42,100,997	\$42,100,997	\$42,100,997	\$42,100,997	\$42,100,997	\$42,100,997
Local, ARL, Cumulative	\$54,201,895	\$54,201,895	\$54,201,895	\$54,201,895	\$54,201,895	\$54,201,895	\$54,201,895	\$54,201,895	\$54,201,895	\$54,201,895	\$54,201,895	\$54,201,895	\$54,201,895	\$54,201,895
Management and Monitoring Costs														
Management Annual	\$32.70	\$32.70	\$32.70	\$32.70	\$32.70	\$32.70	\$32.70	\$32.70	\$32.70	\$32.70	\$32.70	\$32.70	\$32.70	\$32.70
Management Annual	\$32.70	\$32.70	\$32.70	\$32.70	\$32.70	\$32.70	\$32.70	\$32.70	\$32.70	\$32.70	\$32.70	\$32.70	\$32.70	\$32.70
Monitoring, Annual	\$3.01	\$3.01	\$3.01	\$3.01	\$3.01	\$3.01	\$3.01	\$3.01	\$3.01	\$3.01	\$3.01	\$3.01	\$3.01	\$3.01
Monitoring Cumulative	\$3.01	\$3.01	\$3.01	\$3.01	\$3.01	\$3.01	\$3.01	\$3.01	\$3.01	\$3.01	\$3.01	\$3.01	\$3.01	\$3.01
Endowment Costs														
Net Endowment Funding, Annual	\$13,180,608	\$13,180,608	\$13,180,608	\$13,180,608	\$13,180,608	\$13,180,608	\$13,180,608	\$13,180,608	\$13,180,608	\$13,180,608	\$13,180,608	\$13,180,608	\$13,180,608	\$13,180,608
Net Endowment Funding, Cumulative	\$26,361,215	\$26,361,215	\$26,361,215	\$26,361,215	\$26,361,215	\$26,361,215	\$26,361,215	\$26,361,215	\$26,361,215	\$26,361,215	\$26,361,215	\$26,361,215	\$26,361,215	\$26,361,215
Administrative Costs														
RCA Staff Costs	\$2,288,495	\$2,288,495	\$2,288,495	\$2,288,495	\$2,288,495	\$2,288,495	\$2,288,495	\$2,288,495	\$2,288,495	\$2,288,495	\$2,288,495	\$2,288,495	\$2,288,495	\$2,288,495
Professional Services	\$1,466,062	\$1,466,062	\$1,466,062	\$1,466,062	\$1,466,062	\$1,466,062	\$1,466,062	\$1,466,062	\$1,466,062	\$1,466,062	\$1,466,062	\$1,466,062	\$1,466,062	\$1,466,062
Loan Repayment	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000
Other	\$400,254	\$400,254	\$400,254	\$400,254	\$400,254	\$400,254	\$400,254	\$400,254	\$400,254	\$400,254	\$400,254	\$400,254	\$400,254	\$400,254
Total Annual Costs	\$5,154,811	\$5,154,811	\$5,154,811	\$5,154,811	\$5,154,811	\$5,154,811	\$5,154,811	\$5,154,811	\$5,154,811	\$5,154,811	\$5,154,811	\$5,154,811	\$5,154,811	\$5,154,811
Cumulative Costs	\$5,154,811	\$10,309,622	\$15,464,433	\$20,619,244	\$25,774,055	\$30,928,866	\$36,083,677	\$41,238,488	\$46,393,299	\$51,548,110	\$56,702,921	\$61,857,732	\$67,012,543	\$72,167,354
TOTAL ALL COSTS														
TOTAL Annual	\$63,135,690	\$63,135,690	\$63,135,690	\$63,135,690	\$63,135,690	\$63,135,690	\$63,135,690	\$63,135,690	\$63,135,690	\$63,135,690	\$63,135,690	\$63,135,690	\$63,135,690	\$63,135,690
TOTAL Cumulative	\$63,135,690	\$126,271,380	\$189,407,070	\$252,542,760	\$315,678,450	\$378,814,140	\$441,949,830	\$505,085,520	\$568,221,210	\$631,356,900	\$694,492,590	\$757,628,280	\$820,763,970	\$883,900,000

1. All local land conserved to date, including all HANS dedications to date, are captured in the year 17 number.
 2. RCA Administrative Costs are based on a three year average of FY 2016-17 through FY 2018-19 actual costs, adjusted to 2019 dollars.
 3. Annual administrative costs decrease in year 19 due to assumption that loan repayment is completed.

APPENDIX II:
Detailed Time Series of Endowment Funding



Annual Cost Estimate for Management and Monitoring, Constant 2019\$

Cost Categories	Annual Cost by Last Year of Land Acquisition Period	Adjustment	Annual Post-Land Acquisition Cost
Ongoing Habitat Management	\$3,172,063	100%	\$3,172,063
Ongoing Habitat Monitoring	\$1,506,776	100%	\$1,506,776
Administration ¹	\$4,154,811	50%	\$2,077,406
Total	\$8,833,650		\$6,756,244

1. Administration includes salaries and benefits, accounting, auditing and reporting, contracts, etc. Assumes less administration is needed following the land acquisition period; ongoing administrative needs include oversight, auditing and reporting, and board staffing.

Sources: Western Riverside County Regional Conservation Authority; and Economic & Planning Systems, Inc.

Endowment Funding – No Extension Scenario

Item	1	2	3	4	5	6	7	8	9	Post-Permit
New Impact Acres (avg. annual)	2,252	2,252	2,252	2,252	2,252	2,252	2,252	2,252	2,252	2,252
Average Per Acre Endowment Fee	\$9,845	\$9,845	\$9,845	\$9,845	\$9,845	\$9,845	\$9,845	\$9,845	\$9,845	\$9,845
Annual Endowment Funding	\$22,168,105	\$22,168,105	\$22,168,105	\$22,168,105	\$22,168,105	\$22,168,105	\$22,168,105	\$22,168,105	\$22,168,105	\$22,168,105
Endowment Balance	\$22,168,105	\$44,336,210	\$67,169,359	\$90,687,502	\$114,911,189	\$139,861,586	\$165,560,496	\$192,030,373	\$219,294,346	
Annual Interest	\$0	\$665,043	\$1,350,038	\$2,055,582	\$2,782,293	\$3,630,804	\$4,301,772	\$5,095,868	\$5,913,787	
Cumulative Interest Earnings	\$0	\$665,043	\$2,015,081	\$4,070,663	\$6,852,955	\$10,383,760	\$14,685,531	\$19,781,399	\$25,695,187	
Total Endowment	\$22,168,105	\$45,001,254	\$68,519,396	\$92,743,083	\$117,693,481	\$143,392,391	\$169,862,268	\$197,126,241	\$225,208,133	
Average Annual Post Permit Interest										\$6,756,244

(1) Endowment fee set to ensure that, at the end of the permit term, the total endowment (including endowment fee revenues and interest) are sufficient to provide annual interest revenues equal to the post-permit annual cost. The real interest rate is assumed to be 3 percent annually.

Assumptions
20,265 impact acres developed 9 year plan
3% interest rate (real, net)
\$6,756,244 annual post-permit cost estimate
\$9,845 Endowment Funding Per Acre of Conservation

Endowment Funding - 5 Year Extension Scenario

Permit	1	2	3	4	5	6	7	8	9	10	11	12	13	14	Post-Permit
New Impact Acres (avg. annual)	2,252	2,252	2,252	2,252	2,252	2,252	2,252	2,252	2,252	2,252	2,252	2,252	2,252	2,252	2,252
Average Per Acre Endowment Fee	\$5,854	\$5,854	\$5,854	\$5,854	\$5,854	\$5,854	\$5,854	\$5,854	\$5,854	\$5,854	\$5,854	\$5,854	\$5,854	\$5,854	\$5,854
Annual Endowment Funding	\$13,180,608	\$13,180,608	\$13,180,608	\$13,180,608	\$13,180,608	\$13,180,608	\$13,180,608	\$13,180,608	\$13,180,608	\$13,180,608	\$13,180,608	\$13,180,608	\$13,180,608	\$13,180,608	\$13,180,608
Endowment Balance	\$26,361,215	\$39,937,241	\$53,920,547	\$68,323,353	\$83,158,243	\$98,438,180	\$114,176,514	\$130,386,999	\$147,083,789	\$164,281,502	\$181,995,136	\$200,240,180	\$219,032,574		
Annual Interest	\$0	\$395,418	\$802,699	\$1,222,198	\$1,654,282	\$2,069,329	\$2,557,727	\$3,029,877	\$3,516,192	\$4,017,088	\$4,533,027	\$5,064,438	\$5,611,767	\$6,175,559	
Cumulative Interest Earnings	\$0	\$395,418	\$1,198,117	\$2,420,315	\$4,074,598	\$6,173,927	\$8,731,654	\$11,761,531	\$15,277,723	\$19,294,819	\$23,827,846	\$28,882,281	\$34,504,059	\$40,679,628	
Total Endowment	\$13,180,608	\$26,756,633	\$40,739,940	\$55,142,746	\$69,977,638	\$85,257,572	\$100,995,907	\$117,206,392	\$133,903,191	\$151,100,894	\$169,814,529	\$187,059,572	\$205,851,967	\$225,208,133	
Average Annual Post-Permit Interest															\$6,756,244

(1) Endowment fee set to ensure that, at the end of the permit term, the total endowment (including endowment fee revenues and interest) are sufficient to provide annual interest revenues equal to the post-permit annual cost. The real interest rate is assumed to be 3 percent annually.

Assumptions	
31,523	impact acres developed
14	year plan
3%	interest rate (real, net)
\$6,756,244	annual post-permit cost estimate
\$5,854	Endowment Funding Per Acre of Conservation

Endowment Funding – 15 Year Extension Scenario

Item	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
New Impact Acres (avg. annual)	2,252	2,252	2,252	2,252	2,252	2,252	2,252	2,252	2,252	2,252	2,252	2,252	2,252	2,252	2,252
Average Per Acre Endowment Fee	\$2,905	\$2,905	\$2,905	\$2,905	\$2,905	\$2,905	\$2,905	\$2,905	\$2,905	\$2,905	\$2,905	\$2,905	\$2,905	\$2,905	\$2,905
Annual Endowment Funding	\$6,541,714	\$6,541,714	\$6,541,714	\$6,541,714	\$6,541,714	\$6,541,714	\$6,541,714	\$6,541,714	\$6,541,714	\$6,541,714	\$6,541,714	\$6,541,714	\$6,541,714	\$6,541,714	\$6,541,714
Endowment Balance	\$6,541,714	\$13,083,429	\$19,821,394	\$26,761,499	\$33,909,907	\$41,272,564	\$48,856,204	\$56,667,353	\$64,712,836	\$72,989,684	\$81,535,138	\$90,326,655	\$99,381,917	\$108,708,838	\$118,315,666
Annual Interest	\$0	\$196,251	\$396,390	\$606,594	\$821,043	\$1,041,925	\$1,269,435	\$1,503,769	\$1,745,134	\$1,993,739	\$2,249,803	\$2,513,548	\$2,785,206	\$3,065,014	\$3,353,216
Cumulative Interest Earnings	\$0	\$196,251	\$594,642	\$1,201,235	\$2,022,278	\$3,064,204	\$4,333,638	\$5,837,407	\$7,582,541	\$9,576,280	\$11,826,083	\$14,339,631	\$17,124,837	\$20,189,851	\$23,543,067
Total Endowment	\$6,541,714	\$13,279,680	\$20,219,795	\$27,368,093	\$34,730,850	\$42,314,490	\$50,125,639	\$58,171,122	\$66,457,970	\$74,983,424	\$83,784,941	\$92,840,203	\$102,167,123	\$111,773,652	\$121,668,781
Average Annual Post Permit Interest															

	16	17	18	19	20	21	22	23	24	Post-Permit
2,252	2,252	2,252	2,252	2,252	2,252	2,252	2,252	2,252	2,252	2,252
\$2,905	\$2,905	\$2,905	\$2,905	\$2,905	\$2,905	\$2,905	\$2,905	\$2,905	\$2,905	\$2,905
\$6,541,714	\$6,541,714	\$6,541,714	\$6,541,714	\$6,541,714	\$6,541,714	\$6,541,714	\$6,541,714	\$6,541,714	\$6,541,714	\$6,541,714
\$128,210,496	\$138,402,273	\$148,899,805	\$159,712,262	\$170,849,092	\$182,320,028	\$194,135,092	\$206,304,607	\$218,839,209	\$231,742,996	\$245,016,974
\$3,650,063	\$3,955,817	\$4,270,743	\$4,595,116	\$4,929,221	\$5,273,349	\$5,627,801	\$5,992,887	\$6,368,925	\$6,756,244	\$7,154,925
\$27,193,130	\$31,148,947	\$35,419,689	\$40,014,806	\$44,944,027	\$50,217,377	\$55,845,178	\$61,838,065	\$68,206,990	\$74,952,044	\$82,077,229
\$131,860,559	\$142,358,090	\$153,170,547	\$164,307,378	\$175,776,314	\$187,593,377	\$199,762,893	\$212,287,494	\$225,208,133	\$238,527,417	\$252,244,461
										\$6,756,244

(1) Endowment fee set to ensure that, at the end of the permit term, the total endowment (including endowment fee revenues and interest) are sufficient to provide annual interest revenues equal to the post-permit annual cost. The real interest rate is assumed to be 3 percent annually.

Assumptions
54,040 impact acres developed
24 year plan
3% interest rate (real, net)
\$6,756,244 annual post-permit cost estimate
\$2,905 Endowment Funding Per Acre of Conservation



MSHCP Mitigation Fee Implementation Manual

December 2020

Attachment: MSHCP Mitigation Fee Implementation Manual (4320 : MSHCP Municipal Code Amendment)

RCA's MSHCP MITIGATION FEE IMPLEMENTATION MANUAL

The Western Riverside County Regional Conservation Authority ("RCA") was formed in 2004 to achieve one of America's most ambitious environmental efforts, the Western Riverside County Multiple Species Habitat Conservation Plan ("MSHCP" or the "Plan"). As the nation's largest habitat conservation plan of its kind, the MSHCP strengthens the sustainability and quality of life in western Riverside County by nurturing economic development opportunities, alleviating traffic congestion, protecting natural resources, and improving air quality.

This MSHCP Mitigation Fee Implementation Manual ("Manual") provides direction to Local Jurisdictions under the MSHCP concerning their obligations under the MSHCP and Permits regarding the imposition, collection, accounting, remittance and calculation of the Local Development Mitigation Fee. The Local Development Mitigation Fee Program is administered by the RCA. The instructions in this Manual are intended to be consistent with and based on the MSHCP, the Implementing Agreement (IA), and the 2020 Nexus Study. The Manual is also intended to provide direction to Member Agencies concerning their Fee Ordinances and any related Resolutions. For questions and clarifications, please contact the RCA.

TABLE OF CONTENTS

	Page
Chapter I. INTRODUCTION	4
A. Background on MSHCP and Implementation Agreements	4
B. Purpose of MSHCP and Local Development Mitigation Fee.....	4
C. Public Projects	5
D. RCA Administration of Fee Program.....	5
E. Purpose of Implementation Manual	6
Chapter II. LOCAL JURISDICTION INSTRUCTIONS	7
A. Legal Authority	7
B. Member Agency Obligations under MSHCP and Implementation Agreements.	7
C. Fee Credits and Fee Credit Agreements	9
D. Fee Exemptions.....	11
E. Project Area.....	12
F. Developer Refunds and Appeals	12
G. Options for Administrative Add-On Costs to Fees	13
H. Public Project Fees.....	13
I. Monthly Payment.....	14
J. No Withholding.	14
K. Audit.....	14
L. Late Payments.....	14
M. No Effect on Withdrawal.	15
N. Periodic Fee Adjustment.....	15
O. Automatic Annual Fee Adjustment.....	15
P. Authority.....	15
Chapter III. MITIGATION PAYMENT REQUIREMENTS	16
A. General Project Categories.....	16
B. Private Projects.....	17
C. Public Projects	22
D. Participating Special Entity Projects	26

Attachment: MSHCP Mitigation Fee Implementation Manual (4320 : MSHCP Municipal Code Amendment)

TABLE OF CONTENTS
(continued)

	Page
Chapter IV. MITIGATION PAYMENT EXAMPLES	28
A. Private Projects: Residential/Mixed Use Examples	28
Example 1 - All Residential – Low Density	28
Example 2 – All Residential – Low Density – Including Backbone Road Construction.....	32
Example 3 – All Residential – High Density – Including Backbone Road Construction.....	35
Example 4 – All Residential – Combination of Densities	37
Example 5 – Horizontal Mixed Use – Residential and Commercial – Including Backbone Road Construction	40
Example 6 – Vertical Mixed Use – Residential and Commercial	43
B. Public Project Examples	48
Example 7 – Member Agency Civic Project.....	49
Example 8 – Road Widening with No Measure A or TUMF Funding	50
Example 9 – Road Widening Project with 20% Measure A/ TUMF Funding	52
Example 10 – Combined New Road/ Road Rehabilitation Project with 50% Measure A / TUMF Funding.....	54
Chapter V. DEFINITIONS	57

Attachment: MSHCP Mitigation Fee Implementation Manual (4320 : MSHCP Municipal Code Amendment)

I. Introduction

CHAPTER I. INTRODUCTION

A. Background on MSHCP and Implementation Agreements

The MSHCP, originally adopted in 2004, is a comprehensive, multi-jurisdictional Habitat Conservation Plan focusing on the permanent conservation of 500,000 acres and the protection of 146 species, including 33 that are currently listed as threatened or endangered. The MSHCP was developed in response to the need for future growth opportunities in western Riverside County while addressing the requirements of the State and federal Endangered Species Acts. The MSHCP serves as an HCP pursuant to Section 10(a)(1)(B) of the federal Endangered Species Act of 1973 as well as a Natural Communities Conservation Plan under the NCCP Act of 2001. The MSHCP streamlines these environmental permitting processes by allowing the participating jurisdictions to authorize “take” of plant and wildlife species identified within the Plan Area and has saved taxpayers more than \$500 million by expediting the construction of more than 30 major freeway and road improvements in Riverside County valued at more than \$5 billion. At the same time, Plan implementation provides a coordinated MSHCP Conservation Area and implementation program to preserve biological diversity and maintain the region’s quality of life.

The MSHCP and the associated Implementing Agreement (“IA”) and Incidental Take Permit collectively determine a set of conservation actions that must be taken to meet the terms of the Incidental Take Permit and benefit from the regulatory streamlining and other benefits of the MSHCP. This includes the identification of the responsible parties, including the responsibilities of the Local Permittees.¹ One of the key requirements of the MSHCP, IA, and Incidental Take Permit (consistent with the requirements of the federal Endangered Species Act) is the provision of adequate funding by Local Permittees to the Implementing Entity (the Western Riverside County Regional Conservation Authority²) (“RCA”) to conduct their portion of the conservation actions identified in the MSHCP.

B. Purpose of MSHCP and Local Development Mitigation Fee

The purpose of the Local Development Mitigation Fee (“LDMF”) is to contribute to the funding required to implement the MSHCP and, as a result, help maintain the Incidental Take Permit for new private and public development in western Riverside County under the federal and State Endangered Species Acts. Maintaining the Incidental Take Permit is necessary to allow for future development, and without the development community paying for the cost of the MSHCP, individual applicants would need to apply

¹Local Permittees include the western Riverside Cities, the County of Riverside, County Flood Control and Water Conservation District, County Regional Park and Open-Space District, County Department of Waste Resources, and Riverside County Transportation Commission.

²The Western Riverside County Regional Conservation Authority is a joint powers authority established in 2004 to implement the MSHCP.

independently for development approval under federal and State law if the project impacts a threatened or endangered species. The Federal Endangered Species Act specifically requires that the applicant for Incidental Take Permit “ensure that adequate funding for the [MSHCP] will be provided.”³ In addition, the LDMF helps provide the regional benefit of streamlined economic development in western Riverside County as well as the provision of contiguous open spaces that will serve as a community amenity to residents, workers, and visitors.

New development in the MSHCP Area will directly, indirectly, or cumulatively affect species and habitat in western Riverside County. Because of this, the County of Riverside along with several other agencies prepared and adopted the MSHCP to provide a regional, streamlined approach to benefit future development of all types in western Riverside County, including the development and improvements envisioned under the numerous General Plans and the Regional Transportation Improvement Program. The requirements of the MSHCP (habitat acquisition, management and monitoring, and program administration) are a direct result of the regional approach to mitigation that is engendered by all new development in the Plan Area under the pertinent environmental regulations. Consequently, the LDMF applies to all new development in western Riverside County whether or not the development is within a Criteria Cell.

The overall permit period was set at 75 years, ending in 2079. To cover ongoing management and monitoring costs beyond the duration when mitigation fees will be collected, the establishment of a non-depleting endowment is required. In other words, the endowment must be sufficient such that expected average interest revenues (after inflation and transaction costs) can cover the ongoing costs associated with management and monitoring in perpetuity. The endowment must be fully established by the end of the land acquisition period as it is assumed that no more mitigation fees will be collected after that time.

Finally, the LDMF is required by the MSHCP and the IA (IA §13.2(A); MSHCP § 8.5.1).

C. Public Projects

A number of Public Projects also pay fees related to the MSHCP in order to mitigate the impact of public projects in accordance with the terms of the IA. These different types of Public Projects and the fees related to them are discussed more in the later chapters of this Manual.

D. RCA Administration of Fee Program

Section 2 of the Member Agencies’ Fee Ordinance provides that the RCA is appointed as the Administrator of the Fee Ordinance. The RCA is authorized to receive all fees generated from the LDMF within the Cities or County, and to invest, account for, and expend such fees in accordance with the provisions of the Plan, IA, and Fee Ordinances.

³See Section 1539(a)(2)(B)(iii) of the federal Endangered Species Act.

The RCA's Executive Director or his/her designee is authorized to act on behalf of the RCA as the Administrator of the LDMF Program. Furthermore, the RCA shall have the final determination regarding collection of the fee, the appropriate methodology to calculate the fee based on the information provided, and the interpretation of this Manual.

E. Purpose of Implementation Manual

The purpose of this Manual is to provide those jurisdictions and agencies that are participants in the MSHCP and IA with direction and policies for implementation of the LDMF Ordinance and Resolution adopted by each of the member jurisdictions. The Manual specifies implementation and responsibilities for the LDMF Ordinance and Resolution. The instructions in this Manual shall control the administration of the Local Development Mitigation Fee except where directly in conflict with the adopting Ordinance. Capitalized terms in this Manual shall have the same meaning as in the adopting Ordinance.

The RCA may, from time to time, amend this Manual as necessary to add additional direction, clarification, or guidance regarding implementation of the LDMF Ordinance.

II. Local Jurisdiction Instructions



CHAPTER II. LOCAL JURISDICTION INSTRUCTIONS

A. Legal Authority

Any capitalized terms used within this Manual which are not defined herein are the same as those defined in the LDMF Ordinances.

The MSHCP notes that “new development affects the environment directly through construction activity and cumulatively through population bases that result from Development.” As a result, the Member Agencies are required to implement a LDMF that was expected to represent one of the primary sources of funding for the implementation of the MSHCP. The LDMF has been developed in accordance with California Government Code Section 66000 et seq. (the “Mitigation Fee Act”) that “allows cities and counties to charge new development for the costs of mitigating the impacts of new development.” Fees charged to Public Projects have been imposed pursuant to the MSHCP IA.

B. Member Agency Obligations under MSHCP and Implementation Agreements.

As set forth in Section 11.1 of the MSHCP Implementing Agreement, the Member Agencies and the RCA have selected legal mechanisms to ensure implementation of the terms of the MSHCP and the IA.

1. **Enactment of Fee Ordinance and Resolution.** Pursuant to Sections 11.1.1 and 11.1.2 of the MSHCP IA, the Member Agencies shall adopt an Ordinance imposing the LDMF in substantially the form proposed by the RCA and the related Resolution within 90 days’ notice from the RCA. The Member Agencies shall also adopt any updated Fee Ordinance or Resolution within 90 days’ notice from the RCA.
2. **Imposition of Fee.**
 - a. The LDMF will be paid no later than at the issuance of a building permit. Notwithstanding any other provision of the Municipal or County Ordinance, as relevant, no building permit shall be issued for any Development Project unless the LDMF applicable to such Development Project has been paid. The amount of the Fee shall be calculated in accordance with this Manual.
 - b. In lieu of the payment of the LDMF as provided above, the Fee for a Development may be paid through a Community Facilities District, provided that such arrangement is approved by the RCA in writing.

3. Remittance of Fees to the RCA

- a. Timing. The Member Agencies shall remit all LDMFs which are collected or should have been collected for any Development, as defined in the MSHCP, and contributions for Public Projects to the RCA on a monthly basis to be expended to fulfill the terms of the MSHCP. Payment to the RCA shall be made no later than 90 days after the LDMFs were collected. Payment to the RCA shall be made no later than 90 days after the construction contract for the Public Project is approved by the Member Agency.
- b. Documentation and Records Requirements. The Member Agencies shall maintain complete and accurate records with respect to all LDMF revenues collected under their LDMF Ordinances and the calculation of contributions for all Public Projects. All such records shall be clearly identifiable.
- c. Annual audits. The Member Agencies shall allow a representative of the RCA during normal business hours to examine, audit, and make transcripts or copies of such records.

4. Imposition of CPI increases and other Fee Adjustments

- a. Automatic Annual Fee Adjustment. The RCA will provide the Member Agencies with an automatic annual fee adjustment for the fee established by Resolution based on the average percentage change over the previous calendar year set forth in the Consumer Price Index for the Riverside-San Bernardino-Ontario metropolitan area or a replacement CPI index issued by the federal government. The Member Agencies shall adopt a resolution implementing the fee adjustment no later than 60 days after receiving notice from the RCA.
- b. Periodic Fee Adjustment. The fee schedule may be periodically reviewed, and the amounts adjusted by the RCA Board of Directors. By amendment to the fee Resolution referenced in the Fee Ordinance, the fees may be increased or decreased to reflect the changes in actual and estimated costs of the MSHCP including, but not limited to, management and monitoring, endowment, and acquisition costs. The adjustment of the fees may also reflect changes in the facilities required to be acquired, in estimated revenues received pursuant to the Fee Ordinances, as well as the availability or lack thereof of other funds with which to

implement the MSHCP. The Member Agencies shall adopt a resolution implementing the fee adjustment no later than 60 days after receiving notice from the RCA.

C. Fee Credits and Fee Credit Agreements

1. Fee Credits

When a Member Agency determines that a request for a fee credit (“Fee Credit”) is appropriate for on-site conservation which meets the standards in Section II below, the Member Agency shall notify the RCA’s Executive Director (“Executive Director”) in writing as part of the Joint Project Review (“JPR”) Application. This notification shall include all relevant documentation related to the project, including project description, map, criteria cells, and designation of land proposed for conservation.

Fee Credits shall be applied only to the Project they are associated with in the JPR. Fee Credits shall only be provided to the underlying property owner or development company at the time the LDMF applies and are not transferrable to other entities, individuals, or development projects. Fee Credits shall not be applied retroactively. Fee Credits shall not be granted for on-site conservation that would not be considered developable land in the absence of the MSHCP. Some examples of such undevelopable land include that which could not be developed under the California Environmental Quality Act, land with topography consisting of 50% or greater slopes, land that is in a flood way, or land that could not be developed due to other local ordinance restrictions. In cases where both developable and undevelopable land are included in on-site conservation, only that land that is developable in the absence of the MSHCP shall be considered for Fee Credit.

2. STANDARDS. Fee credits shall meet the following standards:

- a. Proposed conservation land must be within Criteria Cells and contribute to Reserve Assembly;
- b. Conservation land must be of a size, configuration, and location such that it can be managed as part of the MSHCP Conservation Area;
- c. In addition to the exclusions identified in Section I above, fuel modification/hazardous vegetation areas, manufactured slopes, storm drain or detention basin outfalls, constructed slope protection, utility easement areas, and Best Management Practices such as bioswales, infiltration trenches, and basins will be excluded from Fee Credits and will not be accepted for management by the RCA.

3. APPRAISAL

- a. The RCA or Member Agency will obtain an appraisal for the property being offered in exchange for the Fee Credit. The cost of the appraisal will be borne by the entity that commissions the appraisal.
- b. The appraisal shall be prepared by a licensed appraiser and meet the standards in Section 6.1.1 of the MSHCP. The property owner may select the appraiser from an approved list of appraisers used by the RCA.

4. DECISION.

- a. Member Agency – Approval Authority up to \$200,000 A Member Agency may approve Fee Credits up to \$200,000. The RCA will assist Member Agency in making a determination on the Fee Credits if requested. Notwithstanding the above, the RCA is authorized to review and audit a Member Agency's approval of Fee Credits hereunder. In the event of a disagreement between RCA and a Member Agency regarding Fee Credits provided under this Section IV.A, the matter shall be referred to the RCA Board of Directors for consideration and further action.
- b. Board of Directors – Approval Authority Over \$200,000 All Fee Credits over \$200,000 require approval of the RCA Board of Directors. The Executive Director shall place the Fee Credit request on the agenda for the next regularly scheduled meeting of the RCA Board of Directors for which an agenda has not been posted.

5. REPORTING. The Member Agency will provide the RCA with a copy of all Fee Credit agreements within 30 days of execution. The Executive Director shall provide monthly reports to the RCA Board of Directors of all notifications concerning Fee Credits.

6. CONVEYANCE OF CONSERVATION LAND. Conservation land associated with approved Fee Credits shall be conveyed in fee title to the RCA or another entity or organization lawfully authorized to acquire and hold conservation easements pursuant to Civil Code Section 815.3. The conservation land shall be free of encumbrances that could adversely impact the ability to manage the conservation land in accordance with the MSHCP. Conveyance of the conserved land must occur prior to the point in time when MSHCP Fee payment is due for the Project, and the Member Agency shall not issue occupancy permits for the Project until such time as the conservation

land has been conveyed and any Fee balance has been paid to the RCA. If a non-member agency holds title to the land, the entity must enter into a Management MOU with the RCA agreeing to manage the land in accordance with the MSHCP prior to issuance of a grading permit for the Project.

D. Fee Exemptions.

The following types of construction shall be exempt from the provisions of this Ordinance:

1. Reconstruction or improvements that were damaged or destroyed by fire or other natural causes, provided that the reconstruction or improvements do not result in additional usable square footage.
2. Rehabilitation or remodeling to an existing Development Project, provided that the rehabilitation or remodeling does not result in additional usable square footage.
3. Accessory Dwelling Units, but only to the extent such fee is exempted under state law.
4. Junior Accessory Dwelling Units, but only to the extent such fee is exempted under state law.
5. Existing structures where the use is changed from an existing permitted use to a different permitted use, provided that no additional improvements are constructed and does not result in additional usable square footage.
6. Certain Agricultural Operations as allowed by the MSHCP, as amended.
7. Vesting Tentative Tract Maps entered into pursuant to Government Code section 66452 et seq. (also, Government Code section 66498.1 et seq.) and Development Projects which are the subject of a development agreement entered into pursuant to Government Code section 65864 et seq., prior to the effective date of a Member Agency's original LMDF Ordinance, wherein the imposition of new fees are expressly prohibited, provided that if the term of such a vesting map or development agreement is extended by amendment or by any other manner after the effective date of the Member Agency's original LDMF Ordinance, the Fee shall be imposed.

Except as exempted above, all projects are required to make a mitigation payment/contribution and where no mitigation payment process is specified, the project will pay the updated per acre mitigation fee.

E. Project Area.

As defined in the Fee Ordinance, the “Project Area” means the area, measured in acres, within the Development Project including, without limitation, any areas to be developed as a condition of the Development Project. The Project Area shall be calculated in accordance with the following guidelines:

1. The Project Area shall be determined by the Member Agency staff based on the subdivision map, plot plan, and other information submitted to or required by the Member Agency.
2. An applicant may elect, at his or her own expense, to have a Project Area dimensioned, calculated, and certified by a registered civil engineer or licensed land surveyor. The engineer or land surveyor shall prepare a wet-stamped letter of certification of the Project Area dimensions and a plot plan exhibit thereto that clearly delineates the Project Area. Upon receipt of the letter of certification and plot plan exhibit, the Member Agency shall calculate the LDMF required to be paid based on the certified Project Area.
3. Where construction or other improvements on Project Area are prohibited due to legal restrictions on the Project Area, such as Federal Emergency Management Agency designated floodways or areas legally required to remain in their natural state, that portion of the Project Area so restricted shall be excluded for the purpose of calculating the LDMF.

F. Developer Refunds and Appeals

Under certain circumstances, such as double payment, expiration of a building permit, or fee miscalculation due to clerical error, an applicant may be entitled to a refund. Refunds will be reimbursed by the end of the fiscal year on a first come, first served basis, depending upon the net revenue stream. Refunds will only be considered reimbursable if requested within three (3) years of the original LDMF payment. In all cases, the applicant must promptly submit a refund request with proof of LDMF payment to the RCA if the RCA collected the LDMF, or if collected by a local jurisdiction, the refund request shall be submitted to that local jurisdiction, which will subsequently forward the request to the RCA for verification, review, and possible action.

1. **Expiration of Building Permits** If a building permit should expire, be revoked, or is voluntarily surrendered and is, therefore voided and no construction or improvement of land has commenced, then the applicant may be entitled to a refund of the LDMF collected which was paid as a condition of approval, less administration costs. Any refund must be requested within three (3) years of the original payment. The applicant shall pay the current LDMF in effect at the time in full if s/he reapplies for the permit.

2. **Double Payments** On occasion due to a clerical error, a developer has paid all or a portion of the required LDMF for project twice. In such cases, a refund of the double payment may be required if the request is made within three (3) years of the original payment.
3. **Balance Due** When LDMF is incorrectly calculated due to a Member Agency's clerical error, it is the Member Agency's responsibility to remit the balance due to the RCA. The error must be discovered within three (3) years of the original payment for the Member Agency to be held accountable. The amount due can be remitted through alternate methods agreed to by the RCA Executive Committee. If first approved through RCA staff in writing, the calculation is not subject to additional review.

G. Options for Administrative Add-On Costs to Fees

In the Fee Resolution mentioned in the Fee Ordinance, the Member Agencies are permitted to add an additional cost to the LDMF schedule to cover the Member Agency's costs of imposing, administering, collecting, and remitting the fees.

H. Public Project Fees

1. **City/County Roadways** The Member Agencies shall contribute 5% of the facility construction costs for city/County roads for impacts related to City/County roadways to the RCA as set forth herein.
 - a. The 5% contribution shall apply to the construction of new roads, the widening of existing roads, or other improvements which increase roadway throughput.
 - b. Maintenance projects, as defined herein, are exempt from the 5% contribution.
 - c. The 5% does not apply to:
 - i. Projects, or portions thereof, paid for by the existing Measure A (contribution already paid directly by RCTC); and
 - ii. Projects, or portions thereof, paid for by TUMF (contribution already paid directly by WRCOG).
 - d. The Member Agency will include the payment of MSHCP fees within its grant applications to the Federal Highway Administration.
 - e. Only contributions for the Caltrans-funded portion of a Caltrans highway project shall be exempted from the Public

Project fee. Caltrans contributions are covered pursuant to MSHCP section 8.4.4 (pages 8-11 & 8-12).

2. **City/County Civic Projects** The Member Agency will contribute a per acre mitigation fee based upon the current commercial/industrial fee for these types of facilities.
3. **Riverside County Flood Control District Projects.** Riverside County Flood Control District will contribute mitigation through payment of 3% of total capital costs for a Covered Activity. Such payment may be offset through acquisition of replacement habitat or creation of new habitat for the benefit of Covered Species, as appropriate. Such mitigation shall be implemented prior to impacts to Covered Species and their habitats.

I. Monthly Payment.

Pursuant to Section 8.5 of the MSHCP, Sections 12.2.1 and 12.2.2 of the IA, and Sections 19.A and 19.B of the Joint Powers Agreement (JPA), the Member Agencies shall remit all LDMFs which are collected or should have been collected for any Development, as defined in the MSHCP, and contributions for Public Projects to the RCA on a monthly basis to be expended to fulfill the terms of the MSHCP.

1. Payment to the RCA shall be made no later than 90 days after the LDMFs were collected.
2. Payment to the RCA shall be made no later than 90 days after the construction contract for the Public Project is approved by the County or the City/County.

J. No Withholding.

The Member Agencies may not recover the costs of administering the provisions of their LDMF Ordinance using the LDMF revenues generated by them through said Ordinance.

K. Audit.

Pursuant to the JPA, the Member Agencies shall maintain complete and accurate records with respect to all LDMFs collected under their LDMF Ordinance and the calculation of contributions for all Public Projects. All such records shall be clearly identifiable. The Member Agencies shall allow a representative of the RCA during normal business hours to examine, audit, and make transcripts or copies of such records.

L. Late Payments.

Starting January 1, 2008, if a Member Agency fails to remit the monthly payment within 90 days as required in Section 2.0 above, any delinquent amounts will be assessed interest at the rate of the RCA's prevailing rate for invested funds. Notwithstanding the

prior sentence, no interest shall be assessed on delinquent fees remitted prior to January 1, 2008.

M. No Effect on Withdrawal.

The obligations imposed under this Article on the Member Agencies shall not affect any more strict obligation imposed on each of them under Section 22.1 of the I A pertaining to withdrawal from the MSHCP.

N. Periodic Fee Adjustment.

The fee schedule may be periodically reviewed, and the amounts adjusted by the RCA Board of Directors; the LDMF may be increased or decreased to reflect the changes in actual and estimated costs of the MSHCP including, but not limited to, debt service, lease payments, and acquisition costs. The adjustment of the fees may also reflect changes in the facilities required to be acquired, in estimated revenues received pursuant to this Ordinance, as well as the availability or lack thereof of other funds with which to implement the MSHCP.

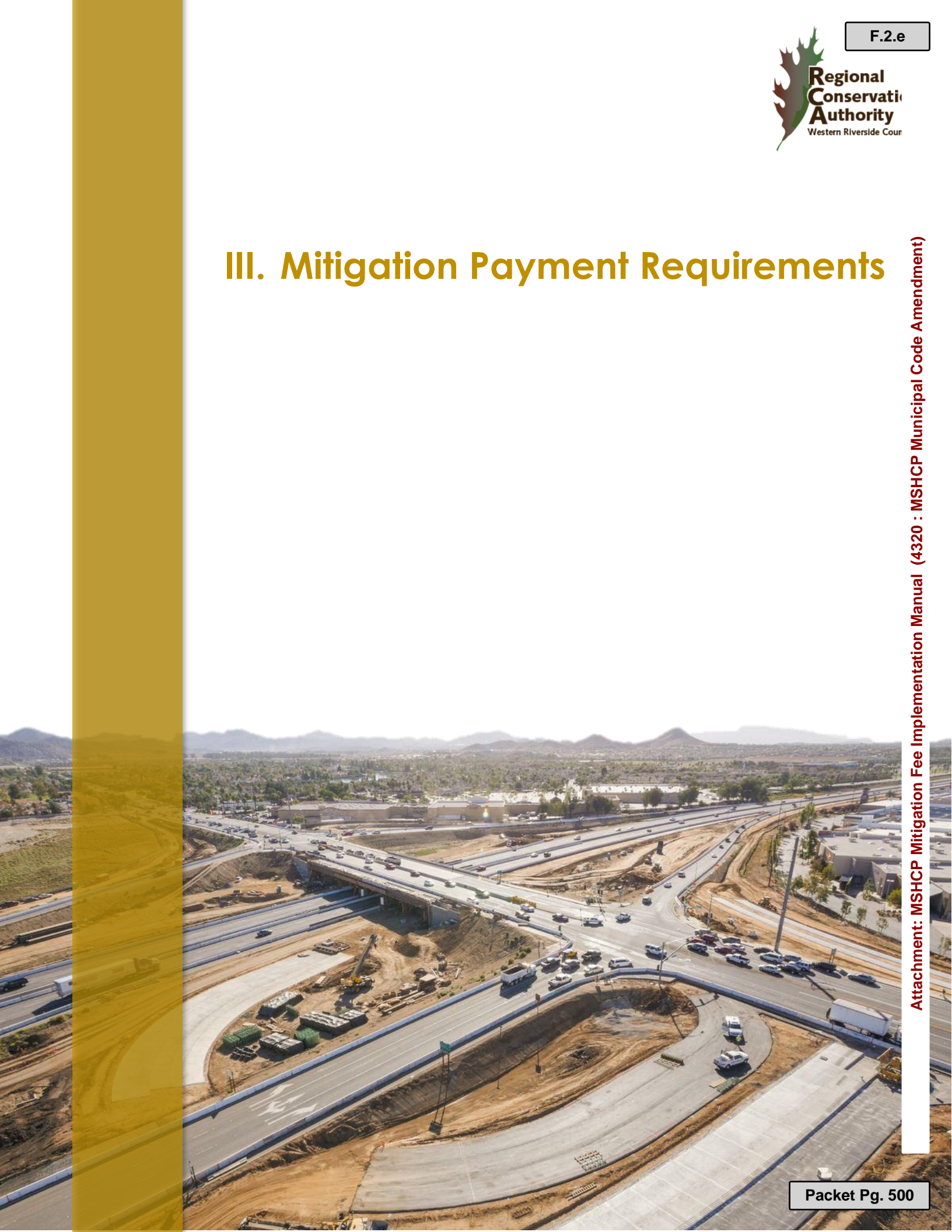
O. Automatic Annual Fee Adjustment.

In addition to the Periodic Fee Adjustment mentioned above, the RCA will provide the Member Agencies with an automatic annual fee adjustment for the fee established by this Ordinance based on the average percentage change over the previous calendar year set forth in the Construction Price Index for the Riverside-San Bernardino-Ontario metropolitan area.

P. Authority.

The RCA shall have final determination regarding the appropriate methodology to calculate the fee based on the information provided.

III. Mitigation Payment Requirements



CHAPTER III. MITIGATION PAYMENT REQUIREMENTS

New private, public, and other development activity in western Riverside County must comply with the MSHCP, IA, Ordinances, and Resolutions to obtain permits and make the appropriate mitigation payment. This Chapter describes the mitigation payment mechanisms and formulae that apply to different types of projects. It first defines three broad project categories and then provides more detail on the different mitigation payment calculations that apply to different types of projects under these broad categories. The subsequent **Chapter IV** provides illustrative fee calculations for Private and Public Project examples to clarify the appropriate calculation of mitigation payments.⁴ RCA staff is available to answer questions if there are questions about mitigation payment requirements for a specific project.

A. General Project Categories

All projects fall into one of three (3) general categories as described below. Local Permittees should first determine which general category any project falls under.

1. Private Projects

Private Projects include projects where the primary project purpose is for use by households, businesses, or other private entities (i.e. not accessible to the public except where allowed by private owner/ renter). These projects include homes, apartments, offices, industrial buildings, and retail stores, among others. This category also includes Private Projects that receive public support (e.g., support through direct public investments in infrastructure, ground leases of publicly owned land, or direct investment of public dollars in projects such as affordable housing).

Private Projects often require the development of public infrastructure, improvements, and amenities (e.g., streets, parks, and community buildings) by the project developer. In these cases, the Private Project developer will be responsible for making payments for the private and public components of the project. As discussed in more detail in subsequent sections, the mitigation fee payment calculation for privately developed public infrastructure, improvements, and amenities depends on the type of project (residential versus non-residential) and the nature and role of the improvements (whether they solely serve project residents or serve a broader community).

2. Public Projects

Public Projects include projects whose primary goal is to provide publicly accessible/ useable infrastructure, improvements, or other amenities. Public Projects include a broad range of project types, including transportation, flood control, water, wastewater, stormwater, parks, community centers and other public buildings, among others.

⁴All projects are required to make mitigation payments, except where specifically exempted in the Fee Ordinance.

Some Public Projects will involve the private sector. Private sector involvement could be through design, construction, operation, and/or funding. For mitigation purposes, these projects are considered Public Projects and are treated the same from a mitigation perspective.⁵

3. Participating Special Entities (PSE) Projects

Some types of projects can obtain the MSHCP benefits of permit streamlining by participating as Participating Special Entities (“PSE’s”). This is a third category of project and its mitigation payment requirements are described separately, though in many ways PSE projects are treated similarly to Public Projects.

B. Private Projects

This section categorizes the different types of Private Projects and the associated mitigation payment requirements. Private project mitigation payments are determined by the MSHCP LDMF for the current fiscal year and project characteristics. Chapter IV provides illustrative examples of different types of Private Projects to further clarify and support the calculation of the appropriate mitigation payment.

1. Private Project Types

Private Projects are further distinguished into three (3) types (along with some sub-types). In all cases, mitigation occurs through mitigation fee payment, though as described further below the mitigation fee type and calculation varies for these different types.

a. Non-Residential

The non-residential category of Private Projects encompasses the full and broad range of Private Projects that do not incorporate residential development. Uses include all commercial, industrial, and any other private non-residential projects.

b. Residential

The residential category of Private Projects covers the full range of residential development projects, including, but not limited to, residential subdivisions, apartment complexes, infill residential projects, affordable housing projects, single homesite developments, and Accessory Dwelling Units (“ADUs”). Mixed-use Private Projects (projects that combine residential and commercial/ industrial uses) are addressed distinctly, as described below.

⁵As described above under Private Projects and explained in more detail below, when public infrastructure/ improvements/ amenities are part of a Private Project, the mitigation for the public part of the Private Project is incorporated into the Private Project mitigation requirement.

Because of the variation in the type and extent of public infrastructure, improvements, and amenities developed as part of private residential projects, distinctions between different types of residential projects are required. Distinctions are also required as State law limits and specifies the application of mitigation fees to ADUs.

- **Type I. Residential Development with Resident-Serving Public Improvements Only.** Residential projects whose public infrastructure, improvements, and amenities only serve project residents (e.g., in-tract roads, resident clubhouses, pocket parks, and parking for project resident/ guest use) and do not provide broader community access or benefits.
- **Type II. Residential Development with Community-Serving Public Improvements.** Residential projects that include the development of public infrastructure, improvements, and amenities that serve more than project residents alone; e.g., backbone infrastructure such as roads that serve beyond the project residents or parks and amenities that serve more than just the new residential units.
- **Type III. Accessory Dwelling Units.** State law restricts the imposition of mitigation fees on ADUs of less than 750 square feet and provides a formula for ADUs above this size.

c. Mixed-Use Projects

The mixed-use category of Private Projects encompasses projects that include private residential and private non-residential uses. The mixed-use project category is divided into two types because of the two distinct mixed-use project forms – horizontally mixed-use and vertically mixed-use.

- **Type I. Horizontally Mixed-Use Projects.** Mixed-use projects where a distinct portion of the project land area is developed as residential and a distinct portion as non-residential. For example, a project that includes a residential subdivision and neighborhood shopping center.
- **Type II. Vertically Mixed-Use Projects.** Mixed-use projects where one or more land use is developed vertically above another. For example, a project where apartment units are developed above ground floor retail.

2. Private Project Mitigation Fee Schedule

The updated 2020 Nexus Study developed a consistent per gross acre mitigation fee. For residential projects, this per gross acre fee was then translated into per residential unit fees for three different residential development density categories (to allow for a continuation of the existing fee structure). The mitigation fee schedule is shown in Table 3-1 and includes the mitigation fees provided under the updated 2020 Nexus Study (actual fee levels will vary with fee phase-in and annual adjustments).

Table 3-1: Updated Fee Levels (effective January 1, 2022)

Development Type		Fee
Residential Development		
Low Density	(fewer less than or equal to 8.0 units per Gross Residential Project Acre)	\$3,635 per Unit
Medium Density	(between 8.0 and 14.0 units per Gross Residential Project Acre)	\$1,515 per Unit
High Density	(more than 14.0 units per Gross Residential Project Acre)	\$670 per Unit
Non-Residential Development		
Commercial/ Industrial/ Non-Residential Mitigation Fee ¹		\$16,358 per Gross Project Acre

[1] The per gross acre also applies to the public components to private projects and to certain types of public and PSE Projects.

Private Project Mitigation Fee Calculations by Project Type

The table below shows the mitigation payment approach for residential projects.

Table 3-2: Mitigation Payment Approach for Residential Projects

MITIGATION PAYMENT FORMULA FOR DIFFERENT TYPES OF RESIDENTIAL PROJECTS *

Residential Developments - Type I

Residential Development with Resident-Serving Public Improvements Only

Fee Calculation:

Fee Payment = Number of Residential Units x Per Unit Mitigation Fee for Appropriate Density Category

Notes:

- 1. Density Category = Total Number of Residential Units / Gross Residential Project Acres
- 2. Type I Residential Development cannot include any public improvements that serve beyond the project residents (i.e. only resident-serving public improvements; not "community-serving" public improvements)

Residential Developments - Type II

Residential Development with Community-Serving Public Improvements

Fee Calculation:

Fee Payment = Number of Residential Units x Per Unit Mitigation Fee for Appropriate Density Category
plus Gross Acres of community-serving Public Improvements x Per Gross Acre Fee

Notes:

- 1. Density Category = Total Number of Residential Units / Gross Residential Project Acres
- 2. Type II Residential Development includes "Community-serving" Public Improvements that serve beyond the project residents and are not covered by the per residential unit mitigation fee
- 3. Gross Project Acres = Gross Residential Project Acres + Gross Community-Serving Public Improvement Acres

Residential Developments - Type III

Development of an Accessory Dwelling Unit (ADU)

Fee Calculation:

Fee Payment for ADUs of less than 750 square feet
= \$0

Fee Payment for ADUs of more than 750 square feet
= Per Unit Mitigation Fee for Low Density Category x (ADU square feet / Primary Residence square feet)

Notes:

- 1. State Law does not allow charging of mitigation fees to ADUs of less than 750 square feet
- 2. State law provides the formula for calculating fee payments by larger ADUs

* The term "Public Improvements" is used as a collective term for all Public Infrastructure, Improvement, and Amenities.

The table below shows the approach for non-residential projects and mixed-use projects.

Table 3-3: Mitigation Payment Approach for Non-Residential and Mixed-Use Projects

MITIGATION PAYMENT FORMULA FOR NON-RESIDENTIAL AND MIXED USE PROJECTS *

Non Residential Projects

All Non-Residential Projects

Fee Calculation:

Fee Payment = Gross Project Acres x Per Gross Acre Fee

Notes:

1. Gross Project Acres include all project acres including non-residential development areas and all associated project acreage (i.e. including all parking, landscaping, public improvements etc.)

Mixed-Use Project - Type I

Horizontally mixed-use project with residential and non-residential private development

Fee Calculation:

Fee Payment = Number of Residential Units x Per Unit Mitigation Fee for Appropriate Density Category
plus Gross Acres of Community-serving Public Improvements x Per Gross Acre Fee
plus Gross Acres of Non-Residential Development x Per Gross Acre Fee

Notes:

1. Density Category = Total Number of Residential Units / Gross Residential Project Acres
2. All gross project acres outside of the Gross Residential Project Acres contribute through the per gross acre fee

Mixed-Use Project - Type II

Vertically mixed-use project with residential and non-residential private development

Fee Payment is the higher of two (2) calculations:

Calculation 1: Fee Payment = Gross Project Acres x Per Gross Acre Fee

Calculation 2:

Fee Payment = Number of Residential Units x Per Unit Mitigation Fee for Appropriate Density Category
plus Gross Acres of Community-serving Public Improvements x Per Gross Acre Fee

Notes:

1. Density Category = Total Number of Residential Units / Gross Project Residential Acres
(Gross Residential Acres = Gross Project Acres minus Community-serving Public Improvements Acres)

* The term "Public Improvements" is used as a collective term for all Public Infrastructure, Improvement, and Amenities.

Key definitions associated with the above mitigation formula table include:

- **Gross Project Area/ Acres.** This is the total or gross areas of the project. This overall acreage can only be reduced under unique circumstances.⁶
- **Gross Residential Area/ Acres.** This is the total area of the project dedicated to residential land uses and includes residential buildings as well as “Project Resident-Serving” Infrastructure/ Improvements/ Amenities.
- **Project Resident-Serving Infrastructure/ Improvements/ Amenities.** Infrastructure/ improvements, and amenities that only serve project residents and include, but are not limited to, roads, parks, and non-residential buildings that only serve project residents.
- **Gross “Community-Serving” Area/ Acres.** This is the area of residential projects that provide infrastructure, improvements, and amenities that go beyond only serving project residents and hence are “community-serving”. This includes, but is not limited to, roads that serve multiple projects, parks that serve more than one residential project, parking that serves other uses/ developments etc. The acreage associated with these improvements/ amenities are part of the gross project acreage but distinct from project resident-serving improvements/ amenities and the gross residential area.

For further clarification, mitigation fee payment calculations for illustrative Private Projects are provided in **Chapter IV**.

C. Public Projects

This section categorizes the different types of Public Projects and the associated mitigation payment requirements. The MSHCP, Implementing Agreement, and other documents established the mitigation system for Public Projects that includes a mix of approaches typically tied to a percent of capital cost or the adopted per gross acre mitigation fee for non-residential uses. The mitigation payments for road projects are more complex as certain funding sources (Measure A and TUMF) provide direct mitigation payments for the portions of transportation projects they fund. **Chapter IV** provides illustrative examples of selected Public Projects to further clarify and support the calculation of the appropriate mitigation payment.

1. Public Project Types

Public Projects include the full range of projects that provide public infrastructure, improvements, or amenities. This includes, but is not limited to, public roads, parks, libraries, administrative facilities, jails, courts, and flood control projects among others. As

⁶Specifically, the MSHCP exempts flood control areas that cannot be developed from mitigation fee calculations.

described in the following section, certain public/ quasi-public improvements are covered as Participating Special Entity projects (the third major project category type). These include public (and private) utility districts/ companies, School Districts, Special Districts, and other quasi-public entities.

Per the MSHCP, Implementing Agreement, and other documents, the mitigation payment requirement/ obligation varies between the following Public Project types.

- **City/ County Road Projects.** Includes all City and County road projects.
- **City/County Civic Projects.** Includes all non-road City and County projects, including City/ County administrative facilities, jails, courts, juvenile facilities, parks, libraries, and all other facilities that serve the public.
- **Riverside County Flood Control District Projects.** Includes all Riverside County Flood Control District projects.

As noted in the MSHCP and the Implementing Agreement, mitigation contributions for Caltrans Projects are intended to be covered through a combination of Measure A funds, 3,000 acres of land dedication, and support for the endowment and ongoing positions. Mitigation for federal projects (e.g., development of a federal building) occurs through the Section 7 consultation process of the Federal Endangered Species Act; in some cases, these projects might be required to provide mitigation similar to those of other Public Projects under the MSHCP.

2. Mitigation Requirements and Transportation Funding Sources

For transportation projects, the mitigation payment calculations are more complicated due to the distinct mitigation payments/ contributions directly incorporated into certain types of transportation funding, as described below:

- **TUMF Funding.** The TUMF includes a small component tied to the mitigation of the portions of projects funded by TUMF revenues. This portion of the TUMF is passed directly from WRCOG to the RCA. As a result, the proportion of transportation projects that are funded by TUMF revenues are netted out from transportation project mitigation payments (described in more detail below).
- **Measure A Funding.** A portion of the Measure A sales tax revenues was collected and provided to the RCA to support MSHCP implementation. This contribution represented the mitigation payment for the portions of projects funded with Measure A dollars. As a result, the proportion of transportation projects that are funded by Measure A funds are netted out from transportation project mitigation payments (described in more detail below).
- **Federal Funding.** Unlike TUMF and Measure A funding, direct mitigation funding has not been provided for the portions of transportation projects that are federally funded. As a result, federal funding is not excluded from the mitigation payment

calculation. It is recommended that Local Permittees incorporate the mitigation payment associated with federally funded portions of their transportation projects into any grant applications for federal transportation funding.

3. Public Project Mitigation Payment Approaches

There are two primary approaches that underlie the calculation of Public Project mitigation payments, including:

- **Per Gross Acre Fee Payments.** For some Public Projects, the required mitigation payment is based on the application of the per gross acre fee to the gross project acres. The per gross acre fee is the same fee that applies to Private Projects. The fee will vary each year/ periodically and is calculated at \$16,358 per Gross Project Acre in the updated 2020 Nexus Study.
- **Percent of Construction Costs.** For some Public Projects, the mitigation payment requirement is three (3) percent or five (5) percent of total construction costs (described in more detail below).

4. Public Project Mitigation Fee Calculations by Project Type

The table below shows fee calculations for different Public Projects types.

Table 3-4: Mitigation Payment Approach for Public Projects

MITIGATION PAYMENT FORMULA FOR DIFFERENT TYPES OF PUBLIC PROJECTS

City/ County Road Projects

All City and County Road Projects

Fee Calculation:

Fee Payment = 5% x Total Construction Costs

Notes:

1. Applies to all new road projects, all road widening projects, and other road investments that are not maintenance efforts.
2. The proportion of total project costs covered by TUMF funding and Measure A funding is discounted from the total construction costs (where applicable) prior to fee payment calculation.
3. Total construction costs are a portion of total project costs. Total construction costs include all direct/ hard costs, including contingencies and change orders. ROW acquisition costs and soft costs are not included in total construction costs.

City/ County Civic Projects

All City and County (non-road) public projects, including City/ County administrative facilities, jails, courts, juvenile facilities, parks, libraries, or other facilities that serve the public.

Fee Calculation:

Fee Payment = Gross Project Acres x Per Gross Acre Fee

Notes:

1. No exceptions unless specifically noted in the Ordinance.
2. School District, Special District, and certain other public projects are covered as PSE's.

Riverside County Flood Control District Projects

All Riverside County Flood Control District projects

Fee Calculation

Fee Payment = 3% x Total Construction Costs

Notes

1. Total construction costs are a portion of total project costs. Total construction costs include all direct/ hard costs, including contingencies and change orders. ROW acquisition costs and soft costs are not included in total construction costs.
-

D. Participating Special Entity Projects

Participating Special Entities (“PSE’s”) are entities that are not formally covered under the MSHCP but are allowed to obtain the same MSHCP streamlined permitting by making the appropriate mitigation payments. This section categorizes the different types of PSE projects and the associated mitigation payment requirements. The mitigation payment system for PSE projects is similar to the one for public projects and includes a mix of approaches typically tied to percent of construction costs or the adopted per gross acre mitigation fee for non-residential uses.

1. PSE Project Types

Participating Special Entities includes entities/ agencies such as public and private utility districts/ companies, School Districts, Special Districts, and Quasi-Public entities, among others. Public water districts, private water companies, telecommunication companies, Investor Owned Utilities (IOU’s), Schools, Colleges, and Universities would all fall in this project category.

The mitigation payment requirement/ obligation varies between the following Public Project types.

- Non-Linear Projects. Includes all projects that are non-linear in form.
- Linear Projects. Includes all linear projects with differentiation in payment amount between permanent and temporary projects.

2. PSE Mitigation Payment Approaches

There are two primary approaches that underlie the calculation of Public Project mitigation payments, including:

- Per Gross Acre Fee Payments. For non-linear Public Projects, the required mitigation payment is based on the application of the per gross acre fee to the gross project acres. The per gross acre fee is the same fee that applies to Private Projects. The fee will vary each year/ periodically and is calculated at \$16,358 per Gross Project Acre in the updated 2020 Nexus Study.
- Percent of Construction Costs. For linear projects, the mitigation payment requirement is 5 percent of total construction costs for permanent impacts and three (3) percent of total construction costs for temporary impacts.

3. PSE Project Mitigation Fee Calculations by Project Type

The table below shows fee calculations for different PSE project types.

Table 3-5: Mitigation Payment Approach for PSE Projects

MITIGATION PAYMENT FORMULA FOR DIFFERENT TYPES OF PSE PROJECTS

Non-Linear Projects

All PSE projects that are not linear in form

Fee Calculation:

Fee Payment = Gross Project Acres x Per Gross Acre Fee

Linear Projects - Permanent Impacts

All PSE projects that are linear in form and permanent

Fee Calculation

Fee Payment = 5% x Total Construction Costs

Linear Projects - Temporary Impacts

All PSE projects that are linear in form and temporary

Fee Calculation

Fee Payment = 3% x Total Construction Costs

Notes

1. Total construction costs are a portion of total project costs. Total construction costs include all direct/ hard costs, including contingencies and change orders. ROW acquisition costs and soft costs are not included in total construction costs.

IV. Mitigation Payment Examples



CHAPTER IV. MITIGATION PAYMENT EXAMPLES

This chapter provides illustrative fee calculations for examples of Private and Public Projects. Building off the comprehensive description of mitigation requirements and formulae by project type in **Chapter III**, this chapter provides fee calculations for an illustrative set of projects. Illustrative examples were developed for a range of circumstances and are designed to help Local Permittees identify the appropriate approach for estimating mitigation payments. The examples included in this chapter are for illustration purposes only. In the event of a conflict between these examples and the Fee Ordinance of the applicable City/County, the Fee Ordinance shall control the administration of the Local Development Mitigation Fee. Please contact RCA staff if you are unclear on how to conduct the mitigation payment calculation for a particular project.

A. Private Projects: Residential/Mixed Use Examples

This section contains six (6) examples of private development projects, including four (4) residential projects and two (2) mixed-use projects. More specifically, they include:

- Example 1: All Residential – Low Density
- Example 2: All Residential – Low Density – including Backbone Road Construction
- Example 3: All Residential – High Density - including Backbone Road Construction
- Example 4: All Residential – Combination of Densities
- Example 5: Horizontal Mixed Use – Residential/ Commercial – including Backbone Road Construction
- Example 6: Vertical Mixed Use – Residential/ Commercial

These examples are not intended to be all inclusive but rather give permittees guidance on calculating the mitigation fee payment given different project types and characteristics. Included in each example is a narrative of the example project, a figure representation of the project layout, the development program description, and the mitigation fee calculation. No stand-alone commercial project examples are included as the application of the per gross acre mitigation fee to the gross project acres is universal for all non-residential Private Projects.

Example 1 - All Residential – Low Density

Residential project to be developed on a total of ten acres (area inside red boundary). The project will include residential units, a community building/ area for the residents of the development (project residents only), and streets within the development (in-tract streets). All roads leading to the development have already been built and do not require investments by the developer. A total of 50 residential units are planned within the ten gross acres, resulting in an average residential density of five units per acre. This represents a low-density residential project for the purpose of the fee program. Please

see the visual representation of the project layout (Figure 1-1), the development program data (Table 1-1), and mitigation payment calculation (Table 1-2) below.

Figure 1-1: Illustrative Project Layout

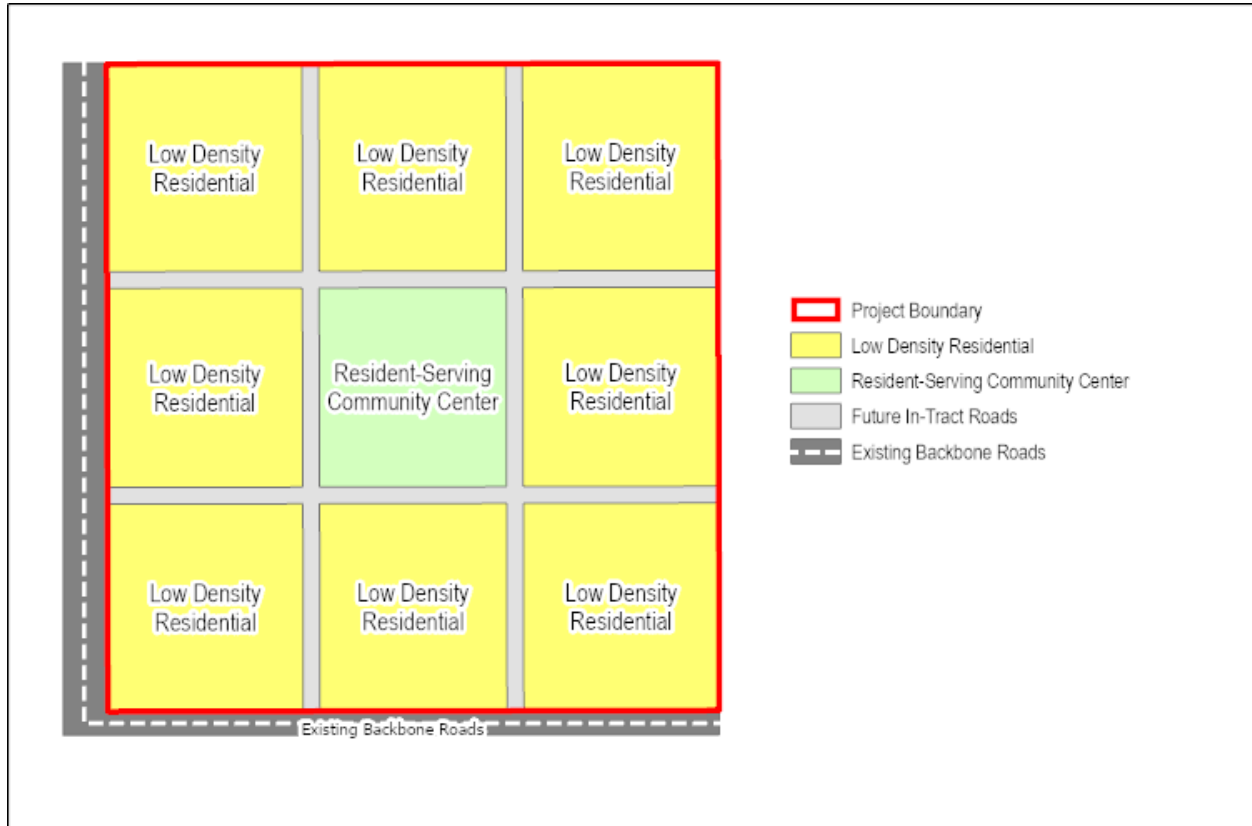


Table 1-1: Illustrative Development Program

Item	Amount
Gross Project Area	10 acres
<u>Residential Development Area</u>	
Residential Development Area	8.25
In-Tract/ Project Resident Serving (Residential)	<u>1.75</u>
Total/ Gross Residential Acres	10.00
<u>All Other Development</u>	
Non-Residential Development Area	0
Backbone/ Area-Serving	<u>0</u>
Total Non-Residential Development	0
Residential Development	
Low Density (1)	50
Medium Density (1)	0
High Density (1)	<u>0</u>
Total Units	50 units
Residential Project Density	
Residential Project Density	5 units/ acre
Residential Fee Density Category (1)	LOW

- (1) Residential density categories as follows:
- Low Density - less than or equal to 8 residential units/ gross residential acre.
 - Medium Density - greater than 8 and less than 16 residential units/ gross residential acre.
 - High Density - greater than 16 residential units/ gross residential acre.

Attachment: MSHCP Mitigation Fee Implementation Manual (4320 : MSHCP Municipal Code Amendment)

Table 1-2: Mitigation Fee Payment Calculation

Item	Units/ Acres	Per Unit/ Per Acre Mitigation Fee (1)	Mitigation Fee Payment
Residential Development (2)	50 units	\$3,635 (low density)	\$181,750
Non-Residential Development (3)	0 acres	\$16,358	\$0
Backbone/ Community-Serving (4)	0 acres	\$16,358	\$0
Total Mitigation Fee Payment (5)			\$181,750

(1) Fee schedule will be updated periodically. Fee schedule used for Example Calculations as follows:

Residential Development

Low Density (on average)	\$3,635	per unit
Medium Density (on average)	\$1,515	per unit
High Density (on average)	\$670	per unit
<u>All Other Development</u>	\$16,358	per gross acre

(2) Residential mitigation fee payment covers residential units and associated in-tract infrastructure/ improvements and project resident-serving amenities. All infrastructure, improvements, and amenities that serve beyond the project residents is covered in separate component of the fee calculation.

(3) Includes land area associated with non-residential development, such as commercial/ industrial buildings, parking, and landscaping, among other components.

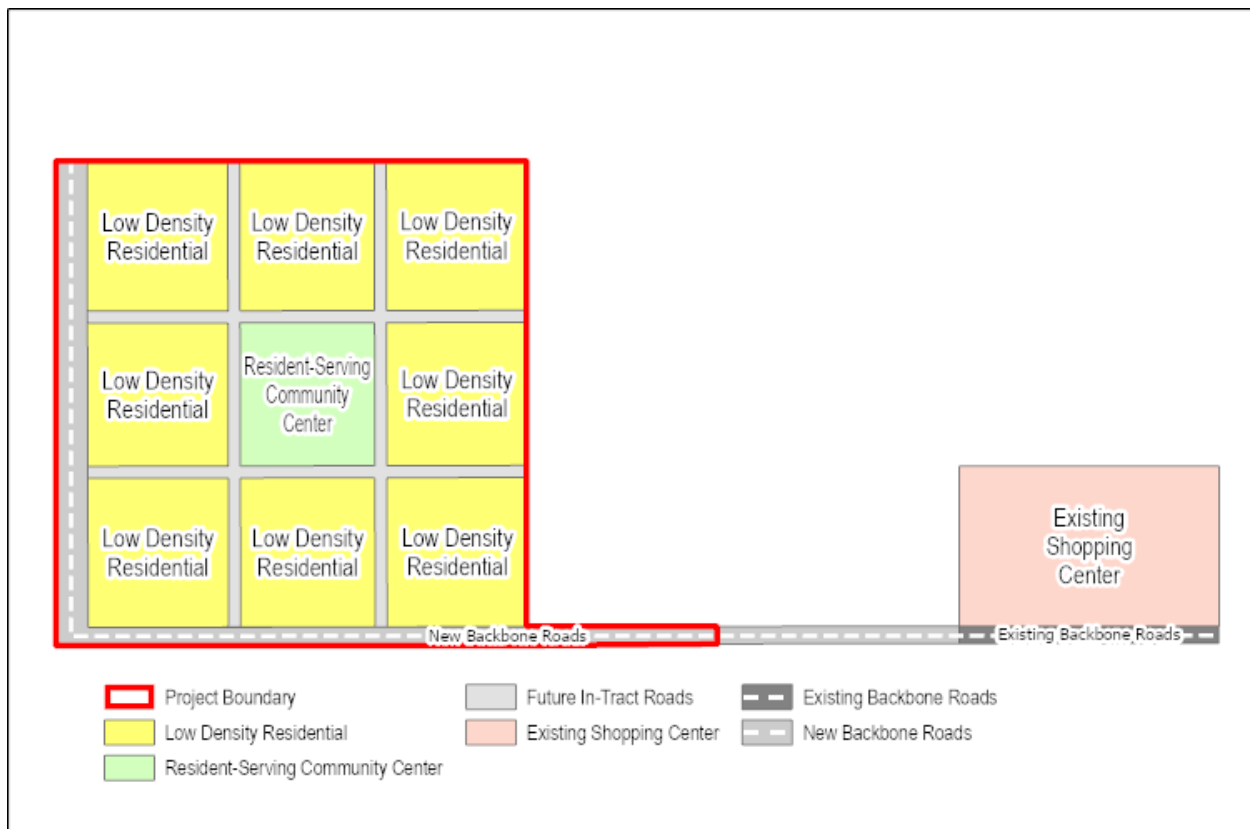
(4) All infrastructure/ improvements/ amenities that serve beyond the project/ project residents and that are not included in the non-residential development fee payment calculation included here.

(5) Mitigation fee payment calculation does not include any additional member jurisdiction administrative charges.

Example 2 – All Residential – Low Density – Including Backbone Road Construction

Residential project to be developed on a total of 12.5 acres (inside red boundary). The project will include residential units, a community building/ area for the residents of the development (project residents only), streets within the development (in-tract streets), and new streets leading to the project (backbone/ community-serving streets). The member agency has required the builder to construct backbone roads as a condition of the permit. The backbone roads will be built on an additional 2.5 acres of land distinct from the 10 acres that will incorporate the residential development and project resident-serving improvements/ amenities. A total of 50 residential units are planned within the 10 gross acres (gross residential acres) that exclude the backbone/community-serving infrastructure. This results in an average residential density of five units per acre and represents a low-density residential project for the purpose of the fee program. Please see the visual representation of the project layout (Figure 2-1), the development program data (Table 2-1), and the mitigation payment calculation (Table 2-2) below.

Figure 2-1: Illustrative Project Layout



Attachment: MSHCP Mitigation Fee Implementation Manual (4320 : MSHCP Municipal Code Amendment)

Table 2-1: Illustrative Development Program

Item	Amount
Gross Project Area	12.5 acres
<u>Residential Development Area</u>	
Residential Development Area	8.25
In-Tract/ Project Resident Serving (Residential)	<u>1.75</u>
Total/ Gross Residential Acres	10.00
<u>All Other Development</u>	
Non-Residential Development Area	0
Backbone/ Area-Serving	<u>2.5</u>
Total Non-Residential Development	2.5
Residential Development	
Low Density (1)	50
Medium Density (1)	0
High Density (1)	<u>0</u>
Total Units	50 units
Residential Project Density	
Residential Project Density	5 units/ acre
Residential Fee Density Category (1)	LOW

(1) Residential density categories as follows:

- Low Density - less than or equal to 8 residential units/ gross residential acre.
- Medium Density - greater than 8 and less than 16 residential units/ gross residential acre.
- High Density - greater than 16 residential units/ gross residential acre.

Table 2-2: Mitigation Payment Calculation

Item	Units/ Acres	Per Unit/ Per Acre Mitigaiton Fee (1)	Mitigation Fee Payment
Residential Development (2)	50 units	\$3,635 (low density)	\$181,750
Non-Residential Development (3)	0 acres	\$16,358	\$0
Backbone/ Community-Serving (4)	2.5 acres	\$16,358	\$40,895
Total Mitigation Fee Payment (5)			\$222,645

(1) Fee schedule will be updated periodically. Fee schedule used for Example Calculations as follows:

Residential Development

Low Density (on average)	\$3,635	per unit
Medium Density (on average)	\$1,515	per unit
High Density (on average)	\$670	per unit
<u>All Other Development</u>	\$16,358	per gross acre

(2) Residential mitigation fee payment covers residential units and associated in-tract infrastructure/ improvements and project resident-serving amenities. All infrastructure, improvements, and amenities that serve beyond the projet residents is covered in separate component of the fee calculation.

(3) Includes land area associated with non-residential development, such as commercial/ industrial buildings, parking, and landscaping, among other components.

(4) All infrastructure/ improvements/ amenities that serve beyond the project/ project residents and that are not included in the non-residential development fee payment calculation included here.

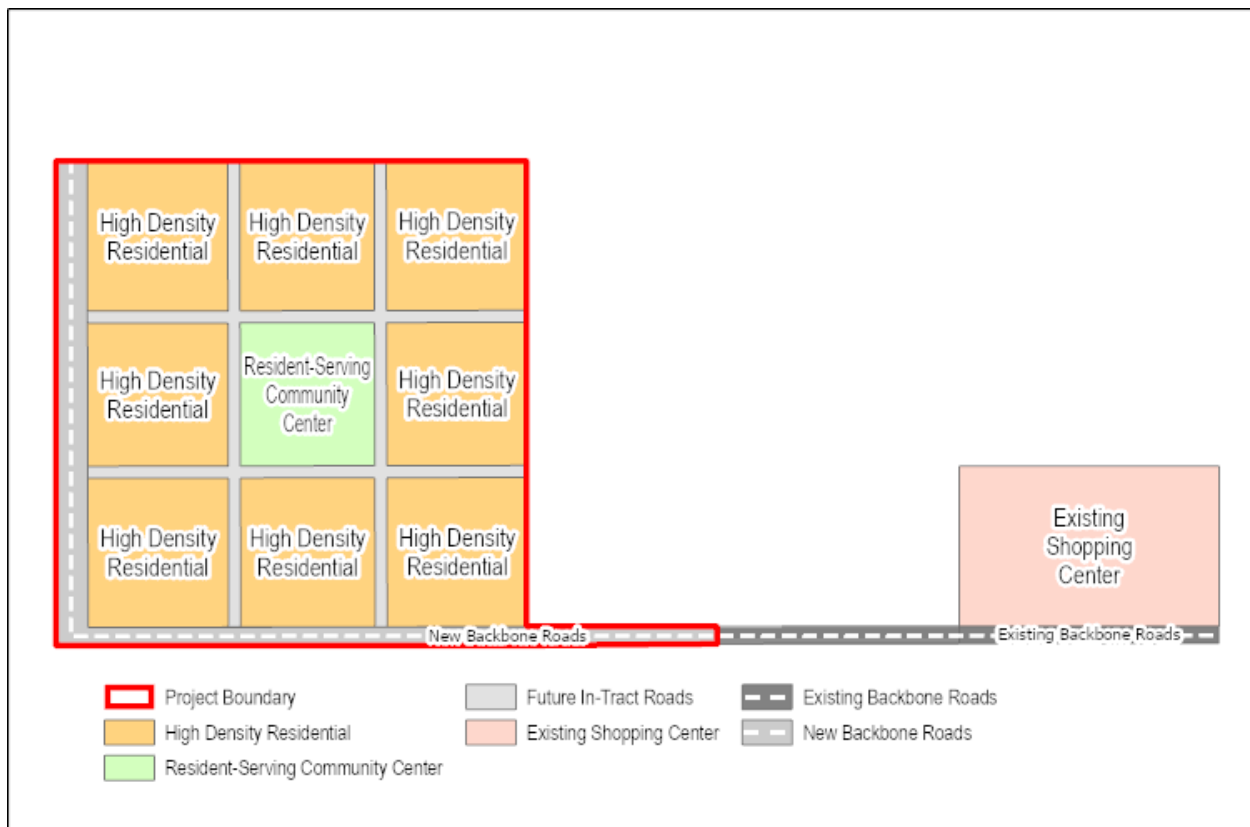
(5) Mitigation fee payment calculation does not include any additional member jurisdiction adminstrative charges.

Attachment: MSHCP Mitigation Fee Implementation Manual (4320 : MSHCP Municipal Code Amendment)

Example 3 – All Residential – High Density – Including Backbone Road Construction

Residential project to be developed on a total of 12.5 acres (inside red boundary). The project will include residential units, a community building/area for the residents of the development (project residents only), streets within the development (in-tract streets), and new streets leading to the project (backbone/ community-serving streets). The member agency has required the builder to construct backbone roads as a condition of the permit. The backbone roads will be built on an additional 2.5 acres of land distinct from the 10 acres that will incorporate the residential development and project resident-serving improvements/ amenities. A total of 200 residential units are planned within the 10 gross acres that exclude the backbone/ community-serving infrastructure. This results in an average residential density of 20 units per acre and represents a high-density residential project for the purpose of the fee program. Please see the visual representation of the project layout (Figure 3-1), the illustrative development program data (Table 3-1), and the mitigation payment calculation (Table 3-2) below.

Figure 3-1: Project Layout



Attachment: MSHCP Mitigation Fee Implementation Manual (4320 : MSHCP Municipal Code Amendment)

Table 3-1: Illustrative Development Program

Item	Amount
Gross Project Area	12.5 acres
<u>Residential Development Area</u>	
Residential Development Area	8.00
In-Tract/ Project Resident Serving (Residential)	<u>2.00</u>
Total/ Gross Residential Acres	10.00
<u>All Other Development</u>	
Non-Residential Development Area	0
Backbone/ Area-Serving	<u>2.5</u>
Total Non-Residential Development	2.5
Residential Development	
Low Density (1)	0
Medium Density (1)	0
High Density (1)	<u>200</u>
Total Units	200 units
Residential Project Density	
Residential Project Density	20 units/ acre
Residential Fee Density Category (1)	HIGH

- (1) Residential density categories as follows:
- Low Density - less than or equal to 8 residential units/ gross residential acre.
 - Medium Density - greater than 8 and less than 16 residential units/ gross residential acre.
 - High Density - greater than 16 residential units/ gross residential acre.

Attachment: MSHCP Mitigation Fee Implementation Manual (4320 : MSHCP Municipal Code Amendment)

Table 3-2: Mitigation Payment Calculation

Item	Units/ Acres	Per Unit/ Per Acre Mitigation Fee (1)	Mitigation Fee Payment
Residential Development (2)	200 units	\$670 (high density)	\$134,000
Non-Residential Development (3)	0 acres	\$16,358	\$0
Backbone/ Community-Serving (4)	2.5 acres	\$16,358	\$40,895
Total Mitigation Fee Payment (5)			\$174,895

(1) Fee schedule will be updated periodically. Fee schedule used for Example Calculations as follows:

Residential Development

Low Density (on average) \$3,635 per unit

Medium Density (on average) \$1,515 per unit

High Density (on average) \$670 per unit

All Other Development \$16,358 per gross acre

(2) Residential mitigation fee payment covers residential units and associated in-tract infrastructure/ improvements and project resident-serving amenities. All infrastructure, improvements, and amenities that serve beyond the project residents is covered in separate component of the fee calculation.

(3) Includes land area associated with non-residential development, such as commercial/ industrial buildings, parking, and landscaping, among other components.

(4) All infrastructure/ improvements/ amenities that serve beyond the project/ project residents and that are not included in the non-residential development fee payment calculation included here.

(5) Mitigation fee payment calculation does not include any additional member jurisdiction administrative charges.

Example 4 – All Residential – Combination of Densities

Residential project to be developed on a total of 7.25 acres (area inside red boundary). The project will include residential units, a community building/area for the residents of the development (project residents only), and streets within the development (in-tract streets). All roads leading to the development have already been built and do not require investments by the developer. A total of 50 residential units are planned within the 7.25 gross acres, including a mix of low- and high-density development. The 50 residential units planned on 7.5 gross acres result in an average residential density of 6.9 units per acre. This represents a low-density residential project for the purpose of the fee program. Please see the visual representation of the project layout (Figure 4-1), the illustrative development program data (Table 4-1), and the mitigation payment calculation (Table 4-2) below.

Figure 4-1: Illustrative Project Layout

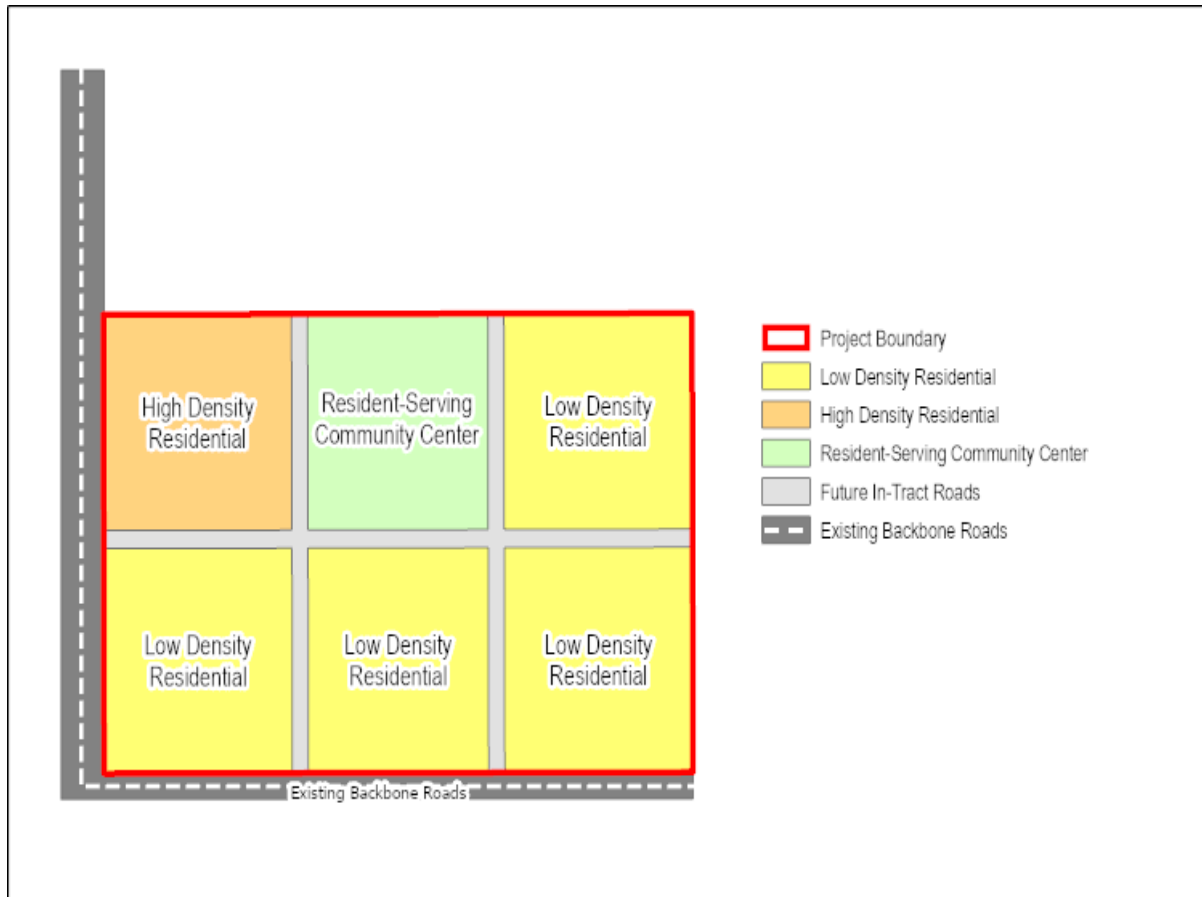


Table 4-1: Illustrative Development Program

Item	Amount
Gross Project Area	7.25 acres
<u>Residential Development Area</u>	
Residential Development Area	5.75
In-Tract/ Project Resident Serving (Residential)	<u>1.50</u>
Total/ Gross Residential Acres	7.25
<u>All Other Development</u>	
Non-Residential Development Area	0
Backbone/ Area-Serving	<u>0</u>
Total Non-Residential Development	0
Residential Development	
Low Density (1)	25
Medium Density (1)	0
High Density (1)	<u>25</u>
Total Units	50 units
Residential Project Density	
Residential Project Density	6.9 units/ acre
Residential Fee Density Category (1)	LOW

(1) Residential density categories as follows:

- Low Density - less than or equal to 8 residential units/ gross residential acre.
- Medium Density - greater than 8 and less than 16 residential units/ gross residential acre.
- High Density - greater than 16 residential units/ gross residential acre.

Table 4-2: Mitigation Payment Calculation

Item	Units/ Acres	Per Unit/ Per Acre Mitigation Fee (1)	Mitigation Fee Payment
Residential Development (2)	50 units	\$3,635 (low density)	\$181,750
Non-Residential Development (3)	0 acres	\$16,358	\$0
Backbone/ Community-Serving (4)	0 acres	\$16,358	\$0
Total Mitigation Fee Payment (5)			\$181,750

(1) Fee schedule will be updated periodically. Fee schedule used for Example Calculations as follows:

Residential Development

Low Density (on average)	\$3,635	per unit
Medium Density (on average)	\$1,515	per unit
High Density (on average)	\$670	per unit
<u>All Other Development</u>	\$16,358	per gross acre

(2) Residential mitigation fee payment covers residential units and associated in-tract infrastructure/ improvements and project resident-serving amenities. All infrastructure, improvements, and amenities that serve beyond the project residents is covered in separate component of the fee calculation.

(3) Includes land area associated with non-residential development, such as commercial/ industrial buildings, parking, and landscaping, among other components.

(4) All infrastructure/ improvements/ amenities that serve beyond the project/ project residents and that are not included in the non-residential development fee payment calculation included here.

(5) Mitigation fee payment calculation does not include any additional member jurisdiction administrative charges.

Example 5 – Horizontal Mixed Use – Residential and Commercial – Including Backbone Road Construction

Mixed use project to be developed on a total of 22.5 acres (inside red boundary). Residential project to be developed on ten acres. The project will include three components: (1) residential units, a community building/area for the residents of the development (project residents only), and streets within the residential development (in-tract streets); (2) a commercial development (e.g. shopping center) and project -serving improvements (e.g. parking, landscaping, and any other component that is not restricted to use by the residents only); and, (3) backbone/community serving roads on 2.5 acres of land that the member agency has required the builder to construct as a condition of the permit. A total of 50 residential units are planned within the 10 gross residential acres that exclude the backbone/community-serving infrastructure and the commercial development. This results in an average residential density of five units per acre, meaning that the residential component of the project is low density for the purpose of the fee program. Please see the visual representation of the project layout (Figure 5-1), the

illustrative development program data (Table 5-1), and the mitigation payment calculation (Table 5-2) below.

Figure 5-1: Illustrative Project Layout

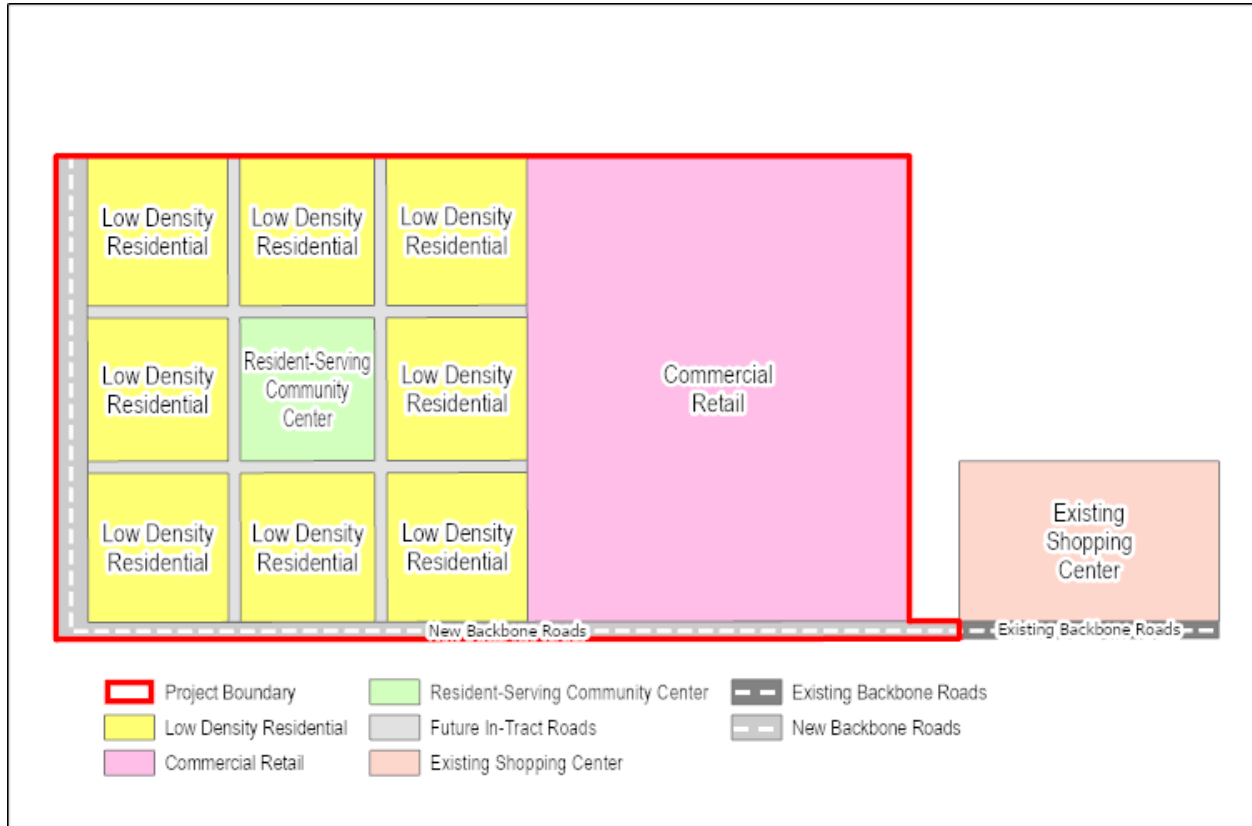


Table 5-1: Illustrative Development Program

Item	Amount
Gross Project Area	22.5 acres
<u>Residential Development Area</u>	
Residential Development Area	8.25
In-Tract/ Project Resident Serving (Residential)	<u>1.75</u>
Total/ Gross Residential Acres	10.00
<u>All Other Development</u>	
Non-Residential Development Area	10.0
Backbone/ Area-Serving	<u>2.5</u>
Total Non-Residential Development	12.5
Residential Development	
Low Density (1)	50
Medium Density (1)	0
High Density (1)	<u>0</u>
Total Units	50 units
Residential Project Density	
Residential Project Density	5.0 units/ acre
Residential Fee Density Category (1)	LOW

(1) Residential density categories as follows:
 - Low Density - less than or equal to 8 residential units/ gross residential acre.
 - Medium Density - greater than 8 and less than 16 residential units/ gross residential acre.
 - High Density - greater than 16 residential units/ gross residential acre.

Attachment: MSHCP Mitigation Fee Implementation Manual (4320 : MSHCP Municipal Code Amendment)

Table 5-2: Mitigation Fee Payment Calculation

Item	Units/ Acres	Per Unit/ Per Acre Mitigation Fee (1)	Mitigation Fee Payment
Residential Development (2)	50 units	\$3,635 (low density)	\$181,750
Non-Residential Development (3)	10 acres	\$16,358	\$163,580
Backbone/ Community-Serving (4)	2.5 acres	\$16,358	\$40,895
Total Mitigation Fee Payment (5)			\$386,225

(1) Fee schedule will be updated periodically. Fee schedule used for Example Calculations as follows:

Residential Development

Low Density (on average)	\$3,635	per unit
Medium Density (on average)	\$1,515	per unit
High Density (on average)	\$670	per unit
<u>All Other Development</u>	\$16,358	per gross acre

(2) Residential mitigation fee payment covers residential units and associated in-tract infrastructure/ improvements and project resident-serving amenities. All infrastructure, improvements, and amenities that serve beyond the project residents is covered in separate component of the fee calculation.

(3) Includes land area associated with non-residential development, such as commercial/ industrial buildings, parking, and landscaping, among other components.

(4) All infrastructure/ improvements/ amenities that serve beyond the project/ project residents and that are not included in the non-residential development fee payment calculation included here.

(5) Mitigation fee payment calculation does not include any additional member jurisdiction administrative charges.

Example 6 – Vertical Mixed Use – Residential and Commercial

Mixed use project to be developed on a total of 3 acres (inside red boundary). The project will include a podium at street level that will include commercial/ retail as well as parking, residential units in the stories above the podium, as well as streets within the project area (in-tract streets). A total of 90 residential units are planned within the 3-acre project area. This results in an average residential density of 30 units per acre, meaning that the residential component of the project is high density for the purpose of the fee program. Please see the visual representations of the project layout (Figures 6-1 and 6-2), the illustrative development program data (Table 6-1), and the mitigation payment calculations (Tables 6-2 and 6-3) below. Two calculations must be conducted for mixed-use vertical projects and the higher of the two calculations must be used. One calculation treats the project like a residential project and the other calculation treats it like a commercial project. In the example below, the mitigation payment is \$60,300 under the first method and \$49,300 under the second method, so \$60,300 payment applies.

Figure 6-1: Illustrative Project Layout – Residential and Commercial Vertical View



Attachment: MSHCP Mitigation Fee Implementation Manual (4320 : MSHCP Municipal Code Amendment)

Figure 6-2: Illustrative Project Layout – Residential and Commercial Horizontal View

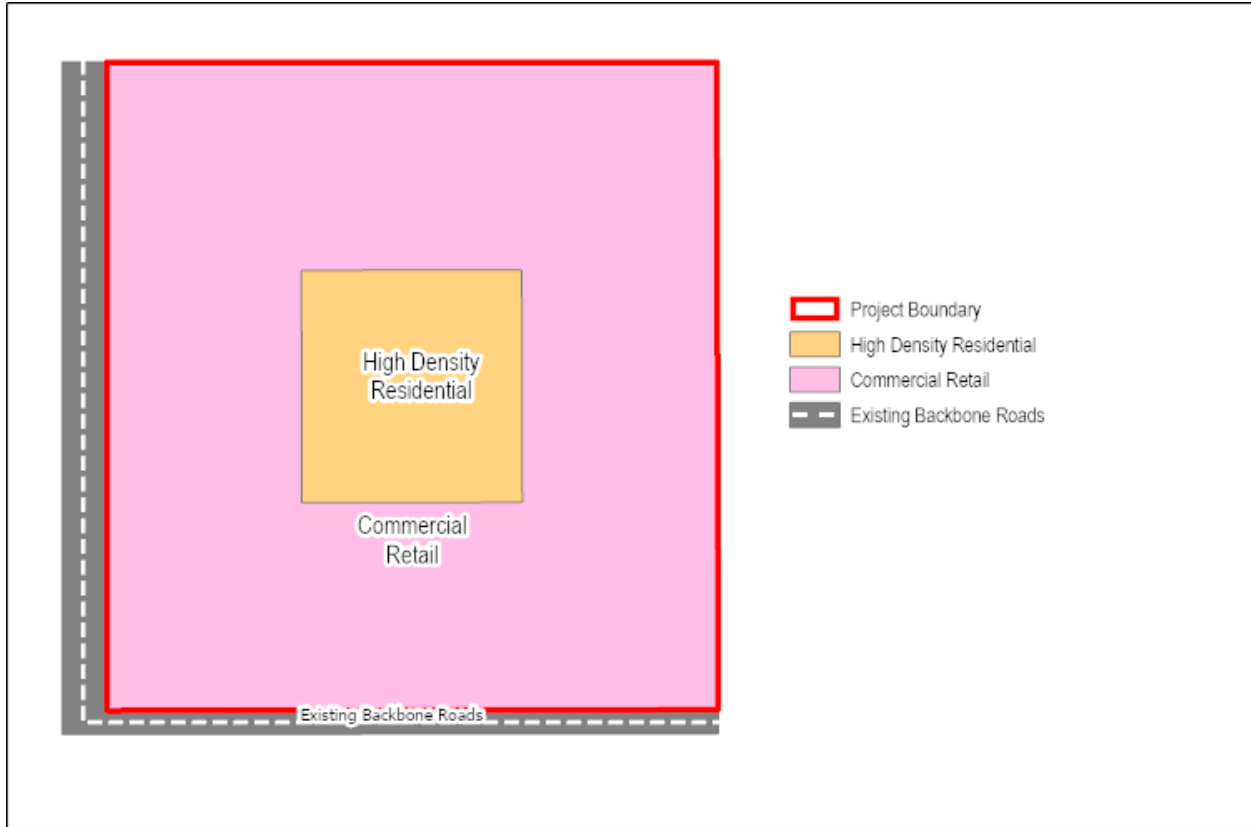


Table 6-1: Illustrative Development Program

Item	Amount
Gross Project Area	3 acres
<u>Residential Development Area</u>	
Residential Development Area	2.75
In-Tract/ Project Resident Serving (Residential)	<u>0.25</u>
Total/ Gross Residential Acres	3.00
<u>All Other Development</u>	
Non-Residential Development Area	0.0
Backbone/ Area-Serving	<u>0</u>
Total Non-Residential Development	0
Residential Development	
Low Density (1)	0
Medium Density (1)	0
High Density (1)	<u>90</u>
Total Units	90 units
Residential Project Density	
Residential Project Density	30.0 units/ acre
Residential Fee Density Category (1)	HIGH

(1) Residential density categories as follows:
 - Low Density - less than or equal to 8 residential units/ gross residential acre.
 - Medium Density - greater than 8 and less than 16 residential units/ gross residential acre.
 - High Density - greater than 16 residential units/ gross residential acre.

Table 6-2: Mitigation Fee Payment Calculation – Method 1 (Residential Focus)

Item	Units/ Acres	Per Unit/ Per Acre Mitigation Fee (1)	Mitigation Fee Payment
Residential Development (2)	90 units	\$670 (high density)	\$60,300
Non-Residential Development (3)	0 acres	\$16,358	\$0
Backbone/ Community-Serving (4)	0 acres	\$16,358	\$0
Total Mitigation Fee Payment (5)			\$60,300

(1) Fee schedule will be updated periodically. Fee schedule used for Example Calculations as follows:

Residential Development

Low Density (on average)	\$3,635	per unit
Medium Density (on average)	\$1,515	per unit
High Density (on average)	\$670	per unit
<u>All Other Development</u>	\$16,358	per gross acre

- (2) Residential mitigation fee payment covers residential units and associated in-tract infrastructure/ improvements and project resident-serving amenities. All infrastructure, improvements, and amenities that serve beyond the project residents is covered in separate component of the fee calculation.
- (3) Includes land area associated with non-residential development, such as commercial/ industrial buildings, parking, and landscaping, among other components.
- (4) All infrastructure/ improvements/ amenities that serve beyond the project/ project residents and that are not included in the non-residential development fee payment calculation included here.
- (5) Mitigation fee payment calculation does not include any additional member jurisdiction administrative charges.

Attachment: MSHCP Mitigation Fee Implementation Manual (4320 : MSHCP Municipal Code Amendment)

Table 6-3: Mitigation Fee Payment Calculation – Method 2 (Commercial/ Project Area Focus)

Item	Units/ Acres	Per Unit/ Per Acre Mitigation Fee (1)	Mitigation Fee Payment
Residential Development (2)	0 units	\$670 (high density)	\$0
Non-Residential Development (3)	3 acres	\$16,358	\$49,074
Backbone/ Community-Serving (4)	0 acres	\$16,358	\$0
Total Mitigation Fee Payment (5)			\$49,074

(1) Fee schedule will be updated periodically. Fee schedule used for Example Calculations as follows:

Residential Development

Low Density (on average)	\$3,635	per unit
Medium Density (on average)	\$1,515	per unit
High Density (on average)	\$670	per unit
<u>All Other Development</u>	\$16,358	per gross acre

(2) Residential mitigation fee payment covers residential units and associated in-tract infrastructure/ improvements and project resident-serving amenities. All infrastructure, improvements, and amenities that serve beyond the project residents is covered in separate component of the fee calculation.

(3) Includes land area associated with non-residential development, such as commercial/ industrial buildings, parking, and landscaping, among other components.

(4) All infrastructure/ improvements/ amenities that serve beyond the project/ project residents and that are not included in the non-residential development fee payment calculation included here.

(5) Mitigation fee payment calculation does not include any additional member jurisdiction administrative charges.

B. Public Project Examples

This section contains four (4) examples of public development projects, including one (1) Member Agency Civic Project and three (3) transportation/ road projects. These examples are not intended to be all inclusive but rather give permittees guidance on calculating the mitigation fee payment given different project types, characteristics, and, in the case of road/ transportation projects, different sources of funding. The Member Agency Civic project example provides a brief narrative, a representation of the project layout, the development program description, and the mitigation payment calculation. The road/ transportation examples provide a brief narrative of the project, cost estimates, key funding source information, and the mitigation payment calculation. Graphic layouts for the public road projects are not provided as the mitigation payment calculation is tied to costs and funding sources (not the specific layout of the project.)

As described in Chapter III and illustrated in the private project examples provided above in this chapter, mitigation payments for road and Member Agency Civic Projects that are developed by a private developer as part of a Private Project are calculated and made as part of the Private Project development mitigation payment.

Example 7 – Member Agency Civic Project

Member Agency Civic Projects includes the development of a library and park with adjacent parking lot. The parking lot will also serve as a park and ride location. The total acreage of the project is 6 acres (area inside red boundary). Please see the visual representation of the project layout (Figure 7-1), the development program data (Table 7-1), and mitigation payment calculations (Table 7-2) below.

Figure 7-1: Project Layout

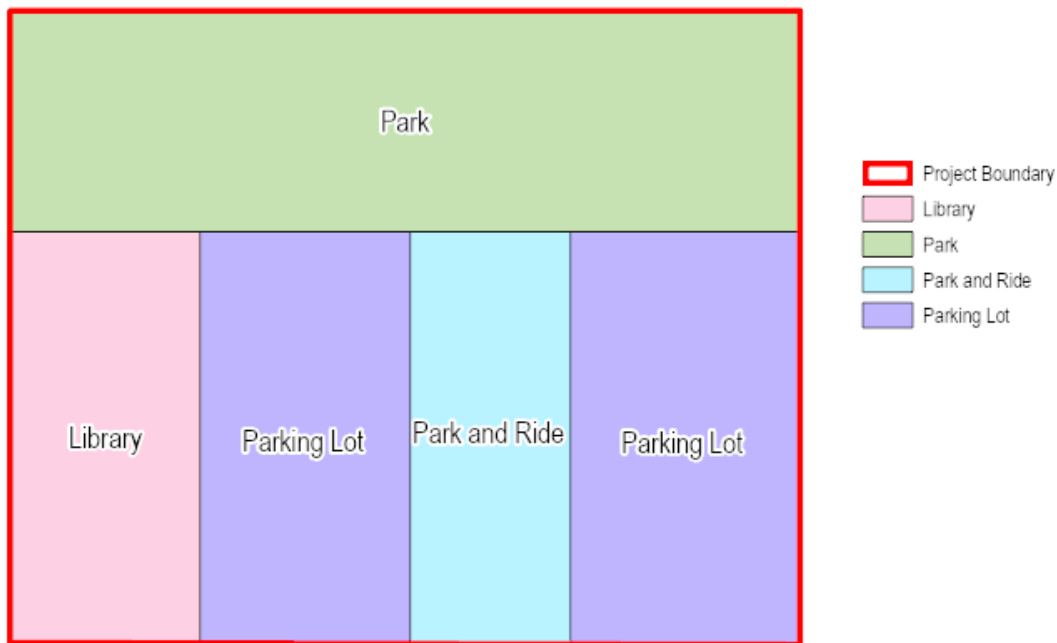


Table 7-1: Illustrative Development Program

Item	Amount
Library Area	1.0 acres
Park	2.0 acres
<u>Parking Area</u>	
Park and Ride Area	1.0 acres
General Parking Lot	<u>2.0</u> acres
Subtotal - Parking	3.0 acres
Gross Project Area	6.0 acres

Table 7-2: Mitigation Payment Calculation

Item	Amount
Gross Project Acres	6.0 acres
Mitigation Fee per Gross Acre (2)	\$16,358
Total Mitigation Payment	\$98,148

(1) Fee schedule will be updated periodically. Fee schedule used for Example Calculations as follows:

Commerical/ Industrial* \$16,358 per gross acre

* Per gross acre fee for Local Public Capital Projects is the same as for commerical/ industrial development.

Example 8 – Road Widening with No Measure A or TUMF Funding

Road widening project with no Measure A or TUMF funding. Whole project is required to mitigate as project falls into the “new road, road widening, and other non-maintenance road projects” category that are required to mitigate (only maintenance projects costs such as road rehabilitation, restriping, and resealing are not required to mitigate). Total project cost is estimated at \$5.5 million, including total direct construction costs of \$4.4 million (including the construction cost contingency), \$1.1 million in soft costs, and no land/ ROW acquisition costs. Please see the example road project cost estimates data

(Table 8-1), the funding source information (Table 8-2), and the mitigation payment calculations (Table 8-3) below.

Table 8-1: Illustrative Project Costs

Cost Item	Cost
NEW ROAD, ROAD WIDENING, OR OTHER NON-MAINTENANCE PROJECTS (1)	
Construction Costs	
Base Construction Costs	\$4,000,000
<u>Changes Orders/ Contingency</u>	\$400,000 (3)
Total Construction Costs	\$4,400,000
Soft Costs	\$1,100,000 (4)
Land Acquisition/ ROW Costs	\$0
Total Capacity-Increasing Cost	\$5,500,000
MAINTENANCE PROJECTS (2)	
Total Construction Costs	\$0
Total Soft Costs	\$0
Total Non-Capacity-Increasing Cost	\$0
TOTAL PROJECT COSTS/ USES	\$5,500,000

(1) Total Construction costs for new roads, road widening, and other non-maintenance projects are included in the mitigation fee payment calculation (see Table 8-3).

(2) Examples of maintenance projects include road rehabilitation, re-striping, and resealing. See Ordinance for full list of maintenance projects that are not required to mitigate.

(3) Initial fee payment calculations made on construction cost and construction contingency cost estimates. Additional fee payments also due on any change orders that add net costs above-and-beyond the initial construction cost contingency estimates

(3) For illustrative purposes shown as 10% of base construction cost. Contingency (and future Change Orders) will vary by project.

(4) For illustrative purposes shown as 25% of total construction costs.

Table 8-2: Illustrative Funding Sources

Cost Item	Amount	% of Total
TUMF/ Measure A Funding		
TUMF Fee Revenues	\$0	0%
Measure A Funding	<u>\$0</u>	<u>0%</u>
Subtotal	\$0	0%
Other Funding	\$5,500,000	100%
TOTAL PROJECT FUNDING/ SOURCES	\$5,500,000	100%

Table 8-3: Mitigation Payment Calculation

Cost Item	Amount	Source/ Calculation	
TOTAL PROJECT COSTS	\$5,500,000	a	See Table 8-1
TOTAL NON-MAINTENANCE CONSTRUCTION COSTS	\$4,400,000	b	See Table 8-1
% of FUNDING FROM OTHER FUNDING SOURCES (1)	100%	c	See Table 8-2
ELIGIBLE COST BASIS FOR MITIGATION PAYMENT CALCULATION	\$4,400,000	d = b *c	Calculation
MITIGATION FEE PAYMENT DUE FROM LOCAL JURISDICTION (2)	\$220,000	e = d * 5%	Calculation

(1) Other funding sources includes all costs not funded by TUMF or Measure A revenues as calculated in Table 8-2.

(2) Mitigation fee payment by permitting agency is 5% of eligible construction cost.

Example 9 – Road Widening Project with 20% Measure A/ TUMF Funding

Road widening project with 20% of funding from Measure A and TUMF funding. Whole project is required to mitigate as project - new road, road widening, and other non-maintenance road projects are required to mitigate (only maintenance costs are not required to mitigate). However, 20 percent of the project will be mitigated separately through TUMF or Measure A funding. Total projects cost is estimated at \$5.5 million, including total direct construction costs of \$4.4 million (including the construction cost contingency), \$1.1 million in soft costs, and no land/ ROW acquisition costs. Please see the example road project cost estimates data (Table 9-1), the funding source information (Table 9-2), and the mitigation payment calculations (Table 9-3) below.

Table 9-1: Illustrative Project Costs

Cost Item	Cost
NEW ROAD, ROAD WIDENING, OR OTHER NON-MAINTENANCE PROJECTS (1)	
Construction Costs (2)	
Base Construction Costs	\$4,000,000
<u>Changes Orders/ Contingency</u>	\$400,000 (3)
Total Construction Costs	\$4,400,000
Soft Costs	\$1,100,000 (4)
Land Acquisition/ ROW Costs	\$0
Total Capacity-Increasing Cost	\$5,500,000
MAINTENANCE PROJECTS (2)	
Total Construction Costs	\$0
Total Soft Costs	\$0
Total Non-Capacity-Increasing Cost	\$0
TOTAL PROJECT COSTS/ USES	\$5,500,000

(1) Total Construction costs for new roads, road widening, and other non-maintenance projects are included in the mitigation fee payment calculation (see Table 8-3).

(2) Examples of maintenance projects include road rehabilitation, re-striping, and resealing. See Ordinance for full list of maintenance projects that are not required to mitigate.

(3) Initial fee payment calculations made on construction cost and construction contingency cost estimates. Additional fee payments also due on any change orders that add net costs above-and-beyond the initial construction cost contingency estimates

(4) For illustrative purposes shown as 10% of base construction cost. Contingency (and future Change Orders) will vary by project.

(5) For illustrative purposes shown as 25% of total construction costs.

Table 9-2: Funding Sources

Cost Item	Amount	% of Total
TUMF/ Measure A Funding		
TUMF Fee Revenues	\$800,000	15%
Measure A Funding	<u>\$300,000</u>	<u>5%</u>
Subtotal	\$1,100,000	20%
Other Funding	\$4,400,000	80%
TOTAL PROJECT FUNDING/ SOURCES	\$5,500,000	100%

Table 9-3: Mitigation Fee Payment Calculation

Cost Item	Amount	Source/ Calculation
TOTAL PROJECT COSTS	\$5,500,000	a See Table 1
TOTAL NON-MAINTENANCE CONSTRUCTION COSTS	\$4,400,000	b See Table 1
% of FUNDING FROM OTHER FUNDING SOURCES (1)	80%	c See Table 2
ELIGIBLE COST BASIS FOR MITIGATION PAYMENT CALCULATION	\$3,520,000	d = b * c Calculation
MITIGATION FEE PAYMENT DUE FROM LOCAL JURISDICTION (2)	\$176,000	e = d * 5% Calculation

(1) Other funding sources includes all costs not funded by TUMF or Measure A revenues as calculated in Table 9-2. In cases where Measure A/ TUMF funding is allocated for specific project cost categories, additional calculations and allocations may be appropriate. In these cases, please contact RCA staff and provide documentation of funding restrictions for support on the appropriate mitigation fee payment calculation.

(2) Mitigation fee payment by permitting agency is 5% of eligible construction cost.

Example 10 - Combined New Road/ Road Rehabilitation Project with 50% Measure A / TUMF Funding

Road project that includes the development of a new segment of road along with rehabilitation of a segment of existing roadway. Road project is 50% funded through Measure A or TUMF funds. Total project costs are \$8 million. About \$6 million is associated with the new road, including \$4.4 million in direct construction costs (including the construction cost contingency), \$1.1 million in soft costs, and \$500,000 in land acquisition costs. About \$2 million (25% of overall project cost) is associated with rehabilitation of the existing roadway, including \$1.6 million in direct construction costs (including the construction cost contingency) and \$400,000 in soft costs. Please see the

example road project cost estimates data (Table 10-1), the funding source information (Table 10-2), and the mitigation payment calculations (Table 10-3) below.

Table 10-1: Cost Estimates

Cost Item	Cost
NEW ROAD, ROAD WIDENING, OR OTHER NON-MAINTENANCE PROJECTS (1)	
Construction Costs (2)	
Base Construction Costs	\$4,000,000
<u>Changes Orders/ Contingency</u>	\$400,000 (3)
Total Construction Costs	\$4,400,000
Soft Costs	\$1,100,000 (4)
Land Acquisition/ ROW Costs	\$500,000
Total Capacity-Increasing Cost	\$6,000,000
MAINTENANCE PROJECTS (2)	
Total Construction Costs	\$1,600,000
Total Soft Costs	\$400,000 (4)
Total Non-Capacity-Increasing Cost	\$2,000,000
TOTAL PROJECT COSTS/ USES	\$8,000,000

(1) Total Construction costs for new roads, road widening, and other non-maintenance projects are included in the mitigation fee payment calculation (see Table 8-3).

(2) Examples of maintenance projects include road rehabilitation, re-striping, and resealing. See Ordinance for full list of maintenance projects that are not required to mitigate.

(3) Initial fee payment calculations made on construction cost and construction contingency cost estimates. Additional fee payments also due on any change orders that add net costs above-and-beyond the initial construction cost contingency estimates

(4) For illustrative purposes shown as 10% of base construction cost. Contingency (and future Change Orders) will vary by project.

(5) For illustrative purposes shown as 25% of total construction costs.

Table 10-2: Funding Sources

Cost Item	Amount	% of Total
TUMF/ Measue A Funding		
TUMF Fee Revenues	\$2,000,000	25%
Measure A Funding	<u>\$2,000,000</u>	<u>25%</u>
Subtotal	\$4,000,000	50%
Other Funding	\$4,000,000	50%
TOTAL PROJECT FUNDING/ SOURCES	\$8,000,000	100%

Table 10-3: Mitigation Payment Calculation

Cost Item	Amount	Source/ Calculation
TOTAL PROJECT COSTS	\$8,000,000	a See Table 1
TOTAL NON-MAINTENANCE CONSTRUCTION COSTS	\$4,400,000	b See Table 1
% of FUNDING FROM OTHER FUNDING SOURCES (1)	50%	c See Table 2
ELIGIBLE COST BASIS FOR MITIGATION PAYMENT CALCULATION	\$2,200,000	d = b *c Calculation
MITIGATION FEE PAYMENT DUE FROM LOCAL JURISDICTION (2)	\$110,000	e = d * 5% Calculation

(1) Other funding sources includes all costs not funded by TUMF or Measue A revenues as calculated in Table 10-2. In cases where Measue A/ TUMF funding is allocated for specific project cost categories, additional calculations and allocations may be appropriate. In these cases, please contact RCA staff and provide documentation of funding restrictions for support on the appropriate mitigation fee payment calculation.

(2) Mitigation fee payment by permitting agency is 5% of eligible construction cost.

V. Definitions



CHAPTER V. DEFINITIONS

DEFINITIONS

(Including Definitions defined in the Fee Ordinances):

“Accessory Dwelling Unit” means an accessory dwelling unit as defined by California Government Code section 65852.2(j)(1), or as defined in any successor statute.

“City/County Civic Projects” means all non-road City and County projects, including City/ County administrative facilities, jails, courts, juvenile facilities, parks, libraries, and all other facilities that serve the public.

“City/ County Road Projects” means all City and County road projects.

“Construction Cost” means and includes the cost of the entire construction of the roadway project, including all supervision, materials, supplies, labor, tools, equipment, transportation and/or other facilities furnished, used or consumed, without deduction on account of penalties, liquidated damages or other amounts withheld from payment to the contractor or contractors, but such cost shall not include the Consulting Engineer/Architect’s fee, or other payments to the Consulting Engineer/Architect and shall not include cost of land or Rights-of-Way and Easement acquisition.

“Credit” means a credit allowed pursuant to Section 10 of this Ordinance, which may be applied against the development impact fee paid.

“Development” means a human-created change to improved or unimproved real estate, including buildings or other structures, mining, dredging, filing, grading, paving, excavating, and drilling.

“Development Project” or **“Project”** means any project undertaken for the purpose of development pursuant to the issuance of a building permit by the City/County pursuant to all applicable ordinances, regulations, and rules of the City/County and state law.

“Fuel modification area” means an area established adjacent to structures or roads in which highly combustible native plants, invasive introduced, or ornamental plants are modified and/or totally replaced with fire resistant or drought resistant alternatives; or areas subject to hazardous abatement orders.

“Gross “Community-Serving” Area/ Acres” means the area of residential projects that provide infrastructure, improvements, and amenities that go beyond only serving project residents and hence are “community-serving”. This includes, but is not limited to, roads that serve multiple projects, parks that serve more than one residential project, parking that serves other uses/ developments etc. The acreage associated with these improvements/ amenities are part of the gross project acreage but distinct from project resident-serving improvements/ amenities and the gross residential area.

“Gross Project Area/ Acres” means is the total or gross areas of the project. This overall acreage can only be reduced under unique circumstances.

“Gross Residential Area/ Acres” means the total area of the project dedicated to residential land uses and includes residential buildings as well as “Project Resident-Serving” Infrastructure/ Improvements/ Amenities.

“Hazardous vegetation” means vegetation that is flammable and endangers the public safety by creating a fire hazard, including, but not limited to, seasonal and recurrent weeds, stubble, brush, dry leaves, and tumbleweeds.

“Junior Accessory Dwelling Unit” means a junior accessory dwelling unit as defined by California Government Code section 65852.22(h)(1), or as defined in any successor statute.

“Linear Projects” means all linear PSE projects with differentiation in payment amount between permanent and temporary projects.

“Local Development Mitigation Fee” or **“Fee”** means the development impact fee imposed pursuant to the provisions of this Ordinance.

“Maintenance Projects” means projects that include, but are not limited to, pavement repairs, tree trimming, bridge maintenance, and pavement restriping and roadway reconstruction which do not add new lanes.

“Manufactured slope” means a slope created by natural landform alteration (grading), by cutting or filling a natural slope, or importing fill material to create a slope.

“Member Agency” or **“Member Agencies”** means those Cities and Counties that are signatories to the RCA Joint Powers Agreement.

“Multiple Species Habitat Conservation Plan” or **“MSHCP”** means the Western Riverside County Multiple Species Habitat Conservation Plan

“MSHCP Conservation Area” has the same meaning and intent as such term is defined and utilized in the MSHCP.

“Non-Linear Projects” means all PSE projects that are non-linear in form.

“Ordinance” means the Fee Ordinance adopted by the Cities and the County to implement the MSHCP Local Development Mitigation Fee.

“Private Projects” means those projects where the primary project purpose is for use by households, business, or other private entities (i.e. not accessible to the public except where allowed by private owner/ renter). This category also includes Private Projects that receive public support (e.g., support through direct public investments in infrastructure, ground leases of publicly owned land, or direct investment of public dollars in projects such as affordable housing).

“Project Area” means the area, measured in acres, within the Development Project including, without limitation, any areas to be developed as a condition of the Development Project. Except as otherwise provided herein, the Project Area is the area upon which the project will be assessed the Local Development Mitigation Fee. See the RCA Mitigation Fee Implementation Handbook Manual for additional guidance for calculating the Project Area.

“Project Resident-Serving Infrastructure/ Improvements/ Amenities” means Infrastructure/ improvements, and amenities that only serve project residents and include, but are not limited to, roads, parks, and non-residential buildings that only serve project residents.

“Public Projects” means all City/County Civic Projects and all City/County Road Projects. These Public Projects include infrastructure projects, civic projects and Riverside County Flood Control District projects.

“Revenue” or **“Revenues”** means any funds received by the City/County pursuant to the provisions of this Ordinance for the purpose of defraying all or a portion of the cost of acquiring and preserving vegetation communities and natural areas within the City/County and the region which are known to support threatened, endangered, or key sensitive populations of plant and wildlife species.

“Riverside County Flood Control District Projects” means all Riverside County Flood Control District projects.

“Western Riverside County Regional Conservation Authority” or **“RCA”** means the governing body established pursuant to the MSHCP that is delegated the authority to oversee and implement the provisions of the MSHCP.

Any capitalized term not otherwise defined herein shall carry the same meaning and definition as that term is used and defined in the MSHCP.



Report to City Council

TO: Mayor and City Council
 Mayor and City Council Acting in its Capacity as
 President and Members of the Board of Directors of the
 Moreno Valley Community Services District (CSD)

FROM: Marshall Eyerman, Assistant City Manager
 Mike Lee, City Manager

AGENDA DATE: February 16, 2021

TITLE: FISCAL YEAR 2020/21 MID-YEAR BUDGET REVIEW AND
 APPROVAL OF THE FY2020/21 MID-YEAR BUDGET
 AMENDMENTS

RECOMMENDED ACTION

Recommendations: That the City Council:

1. Receive and file the Fiscal Year 2020/21 Mid-Year Budget Review.
2. Adopt Resolution No. 2021-XX. A resolution of the City Council of the City of Moreno Valley, California, adopting the revised budgets for fiscal year 2020/21.
3. Approve the revised City Position Summary.
4. Approve the Job Class Specification for the Principal Engineer.

Recommendations: That the CSD:

1. Adopt Resolution No. CSD 2020-XX. A resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, adopting the revised operating and capital budgets for Fiscal Year (FY) 2020/21.

SUMMARY

This report provides the Mid-Year Budget Report, which updates the Mayor and City Council regarding current year financial trends, and provides the Fiscal Year 2020/21 Mid-Year Budget Review through December 31, 2020. This report also requests the

approval of certain FY 2020/21 revenue and expenditure budget amendments.

DISCUSSION

Based on a long-term practice of maintaining a structurally balanced budget and being identified as one of the most fiscally fit cities in the Country, on May 7, 2019, the City Council continued this trend and adopted the Two-Year Operating Budget for Fiscal Years 2019/20 – 2020/21, while adhering to those past practices. Additionally, as established after the last recession, the budget continues to fund and maintain separate reserves specifically established for periods of economic uncertainty or natural disasters. The budget included all component units of the City, including the General Fund, Community Services District, Housing Authority and Successor Agency. During the two-year budget period, the City Council will be updated of the City's financial condition through the process of Quarterly Budget Reviews. This ongoing process ensures a forum to review expenditure and revenue changes from the estimates made in the budget document. Additionally, any significant changes in projected revenue or unanticipated expenditures that may occur will be presented to the City Council.

This report provides the FY 2020/21 Mid-Year Review for the first 6 months, July thru December. The Mid-Year budget review will focus primarily on the City's General Fund. This review will also present six-month operational results from other key funds.

The City Council's direction of "Maintain a Balanced General Fund Budget" serves as a foundation for the fiscal status of City operations. Ongoing funding is directed to sustain ongoing operational expenses; one-time funding is directed toward one-time expenditures. This report identifies the budget adjustments as recommended by the City Manager.

FISCAL YEAR 2020/21 MID-YEAR REVIEW:

This Mid-Year Report updates the Mayor and City Council regarding current year financial trends and provides the opportunity for the City Council to review the recommended actions as they relate to revenues and expenditures.

General Fund Revenue Update

Revenue receipts do not follow an even schedule. Although 50% of the fiscal year has elapsed, based on historic trends revenues are estimated to be at approximately 30% of the budgeted amount. Actual revenues received are currently 30% of budget. As the FY 2020/21 revenue estimates were developed prior to the adoption of the budget on May 7, 2019, the revenue estimates may require adjustments based on the FY 2020/21 actuals and revised projections throughout the year. Although there will be variances in some of the amounts budgeted, the total is expected to remain within 1% of the amended budget for the year. It should be noted that the lag in timing of revenue receipts helps illustrate the need for an operating cash reserve throughout each fiscal year.

General Fund Expenditure Update

Although not all expenditures follow a straight-line spending pattern, operating expenditures should track close to within 50% of budget for the year at the end of the first six months. As of December 31, 2020, total General Fund expenditures were at 43%. This pace is within expectations for most activities in the General Fund.

FISCAL YEAR 2020/21 BUDGET ADJUSTMENTS

The FY 2020/21 General Fund revenue budget, as amended, totals approximately \$111.7 million. Based on economic activity and revenue collections through December 2020, staff is recommending Mid-Year budget minor increase of \$75,000 to approximately \$111.7 million.

The FY 2020/21 General Fund expenditures budget as currently amended, and excluding one-time expenditures from fund balance, totals approximately \$111.7 million. The recommended Mid-Year budget amendments increase expenditures by \$15,000 to \$111.7 million. *The fund continues to be structurally balanced, without the use of fund balance for ongoing operations.* The specific budget adjustments for the General Fund are summarized in Exhibit A attached to the City Council Resolutions recommended for approval.

Fund	Type (Rev/Exp)	FY 2020//21 Amended Budget	Proposed Adjustments	FY 2020/21 Amended Budget	Proposed Adjustments (%)
General Fund	Rev	\$111,683,653	\$75,000	\$111,758,653	<1%
General Fund	Exp	\$111,743,653	\$15,000	\$111,758,653	<1%
	Net Total	(\$60,000)	\$60,000	\$0	

Summaries of Other Major Funds

The following provides a summary of some of the proposed budget adjustments to other major funds. A complete list of all changes are identified in Exhibit A to the Resolutions.

Gas Tax (Fund 2000)

Revenue increase of \$1,025,779 based on the League of California Cities revenue projections.

Debt Service (Fund 3711 & 3715)

Revenue and expense increase of \$20,382,556 to record the refunding of the 2013 TRIP COP's with the 2020 TRIP Bond.

City Position Summary Action

The City Position Summary as amended by the City Council serves as an important internal control tool for City Council to establish authorized positions for the City while enabling staff to manage within the authorized and funded positions. The City Position Summary addresses career authorized positions and does not include temporary positions. As a result of operational changes, some positions are being requested to be adjusted based on current and projected demands for those positions and services. Staff recommends the following updates to the City Position Summary:

<u>Department / Position Title</u>		<u>Adjustment</u>	<u>FY 2020/21 Requested Budget Amendment</u>
<u>Parks & Community Services</u>			
Community Services Supervisor	FT	(1)	\$ -
Community Services Superintendent	FT	1	\$ -
Community Services Coordinator	FT	(4)	\$ -
Community Services Supervisor	FT	4	\$ -
Senior Recreation Program Leader	PT	(2)	\$ -
Community Services Coordinator	PT	4	\$ -
Recreation Program Leader	PT	(7)	(\$27,000)
Community Services Asst. Coordinator	PT	4	\$ -
<u>Public Works</u>			
Management Analyst	FT	(1)	\$ -
Senior Management Analyst	FT	1	\$ -
Transportation Division Manager/City Traffic Engineer	FT	(1)	(\$ 27,604)
Principal Engineer/City Traffic Engineer	FT	1	\$ -
Capital Projects Division Manager	FT	(1)	(\$17,556)
Principal Engineer	FT	1	\$ -
Senior Engineer	FT	(1)	\$17,226
Principal Engineer	FT	1	\$ -
Total Adjustments		(1)	(\$54,934)

ALTERNATIVES

1. Approve Recommended Actions as set forth in this staff report, including the approval of the budget adjustments, as presented in Exhibit A. The approval of these items will allow ongoing activities to be carried out in the current fiscal year and the City is able to modify budgets and operations as necessary through this quarterly review, while retaining a structurally balanced General Fund budget. *Staff recommends this alternative.*

1. Do not approve proposed Recommended Actions as set forth in this staff report, including the resolutions adopting the budget adjustments to the budget, as presented in Exhibit A. *Staff does not recommend this alternative.*

FISCAL IMPACT

The City's Operating and Capital Budgets provide the funding and expenditure plan for all funds. As such, they serve as the City's financial plan for the fiscal year. The fiscal impacts for the proposed budget amendments are identified in Exhibits A.

NOTIFICATION

Publication of the agenda.

PREPARATION OF STAFF REPORT

Prepared By:
Stephanie Cuff
Management Analyst

Department Head Approval:
Marshall Eyerman
Chief Financial Officer/City Treasurer

Concurred By:
Brian Mohan
Financial Resources Division Manager

Approved by:
Mike Lee
City Manager

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.

Public Facilities and Capital Projects. Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

CITY COUNCIL STRATEGIC PRIORITIES

1. Economic Development
2. Public Safety
3. Library
4. Infrastructure
5. Beautification, Community Engagement, and Quality of Life
6. Youth Programs

Objective 1.1: Proactively attract high-quality businesses.

Objective 1.2: Market all the opportunities for quality industrial development in Moreno Valley by promoting all high-profile industrial and business projects that set the City apart from others.

Objective 1.6: Establish Moreno Valley as the worldwide model in logistics development.

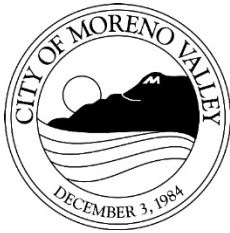
Objective 6.2: Improve health, wellness and fitness for Moreno Valley youth through recreation and sports programs.

ATTACHMENTS

- 1. Mid-Year Financial Report FY 2020-21
- 2. City Resolution 2021-XX
- 3. CSD Resolution 2021-XX
- 4. Exhibit A - Proposed Amendments v1
- 5. City Position Summary FY 19/20 - 20/21
- 6. Principal Engineer Class Specification

APPROVALS

Budget Officer Approval	<u>✓ Approved</u>	2/10/21 1:44 PM
City Attorney Approval	<u>✓ Approved</u>	
City Manager Approval	<u>✓ Approved</u>	2/11/21 2:49 PM



City of Moreno Valley

Fiscal Year 2020/21

Mid-Year Financial Summary

TO: Mayor and City Council

FROM: Marshall Eyerman, Chief Financial Officer/City Treasurer

DATE: February 16, 2021

Note from the Chief Financial Officer/City Treasurer

Due to the public health emergency related to the COVID-19 pandemic, the State of California issued a Statewide “Stay-at-Home” directive (EO N-33-20) on March 19, 2020. At the time of this directive, economic forecasting models estimated revenue shortfalls at \$9.9 million for FY 2020/21. The City Council approved a budget plan to reduce revenues and expenditures accordingly in order to comply with our budget and fiscal policies. As we are now nine months into the pandemic for this reporting period, the actual revenues have been negatively impacted, but not as severe as economist had originally thought.

The economic climate is ever changing during this pandemic due to constant changing of the opening/closing guidelines based on the number of positive cases that are continuing to increase. For these reasons, the City must remain optimistically cautious and only increase revenues when they are actually received. Staff will continue to monitor and request quarterly revenue adjustment based on this approach. These revenue adjustments will be offset by replenishing our expenditure levels accordingly.

INTRODUCTION

On May 7, 2019, the City Council adopted the Two-Year Operating Budget for Fiscal Years (FY) 2019/20 – 2020/21. During the two-year budget period, the City Council will be kept apprised of the City’s financial condition through the process of Mid-Year, Mid-Year Budget and Third Quarter Reviews. This ongoing process ensures a forum to look at expenditure and revenue deviations from the estimates made in the budget document. Additionally, any significant changes in projected revenue or unanticipated expenditures that may occur will be shared with the City Council.

This report provides a review of the unaudited financial results at the Mid-Year of FY 2020/21 (July 2020 – December 2020, 50% of the fiscal year).

CITYWIDE OPERATING EXPENDITURE SUMMARY

The following table contains a summary of the adopted budget, amended budget and the Mid-Year expenditures. The totals represent each major fund type and component unit of the City.

Table 1. Citywide Operating Expenditures**Citywide Expenditures**

Fund/Component Unit	FY 2020/21 Adopted Budget	FY 2020/21 Amended Budget	Actuals as of 12/31/20 (unaudited)	% of Amended Budget
General Fund	\$ 116,773,613	\$ 111,743,653	\$ 48,258,234	43.2%
Community Services District (CSD)	21,936,223	22,446,855	8,916,232	39.7%
Successor Agency	5,089,728	2,957,002	1,350,441	45.7%
Housing Fund	250,000	1,452,000	1,247,581	85.9%
Special Revenue Funds	41,270,569	90,926,598	21,372,310	23.5%
Capital Projects Funds	5,935,000	29,953,318	5,208,798	17.4%
Electric Utility Funds	32,751,206	43,771,882	20,887,184	47.7%
Internal Service Funds	10,013,938	14,105,555	4,806,147	34.1%
Debt Service Funds	4,327,834	4,327,834	43,463,185	1004.3% *
Total	\$ 238,348,111	\$ 321,684,697	\$ 155,510,111	48.3%

*Due to bond refinancing.

Actions taken by the City Council subsequent to the May 7, 2019 adoption of the two-year budget and included in the Amended Budget are:

- Throughout the fiscal year there are also budget amendments to reflect the acceptance of grants and adjustments to contractual services and material/supplies. The individual amendments are reviewed as part of separate City Council agenda items.
- The majority of this Mid-Year update will focus on the General Fund, as it supports all basic services provided to City residents. Highlights for other key component funds will be discussed at a summary level as well.
- Due to the public health emergency related to the COVID-19 pandemic, the State of California issued a Statewide "Stay-at-Home" directive (EO N-33-20) on March 19, 2020. At the time of this directive, economic forecasting models estimated revenue shortfalls at \$9.9 million for FY 2020/21. The City Council approved a budget plan to reduce revenues and expenditures accordingly in order to comply with our budget and fiscal policies

GENERAL FUND OPERATING

Table 2. General Fund Operations

	FY 2020/21 Adopted Budget	FY 2020/21 Amended Budget	Actuals as of 12/31/20 (unaudited)	% of Amended Budget
Revenues:				
Taxes:				
Property Tax	\$ 16,553,200	\$ 16,637,300	\$ 5,323,275	32.0%
Property Tax in-lieu	21,290,000	21,290,000	-	0.0%
Utility Users Tax	16,100,000	15,717,540	7,271,179	46.3%
Sales Tax	21,635,000	17,127,026	7,743,374	45.2%
Other Taxes	15,915,000	12,627,832	4,358,524	34.5%
Licenses & Permits	5,153,936	4,973,535	2,212,428	44.5%
Intergovernmental	313,000	3,016,243	2,825,478	93.7%
Charges for Services	13,045,435	11,613,657	6,228,016	53.6%
Use of Money & Property	5,097,806	5,122,806	(2,629,863)	-51.3%
Fines & Forfeitures	604,500	301,343	239,121	79.4%
Miscellaneous	165,600	165,600	193,446	116.8%
Total Revenues	\$ 115,873,477	\$ 108,592,882	\$ 33,764,978	31.1%
Expenditures:				
Personnel Services	\$ 25,662,073	\$ 23,092,443	\$ 10,048,586	43.5%
Contractual Services	78,868,243	74,900,925	31,393,068	41.9%
Material & Supplies	2,097,824	4,252,613	1,067,917	25.1%
General Government	-	-	-	-
Debt Service	-	-	-	-
Fixed Charges	5,933,338	4,934,910	2,623,405	53.2%
Fixed Assets	50,000	57,546	48,944	85.1%
Total Expenditures	\$ 112,611,478	\$ 107,238,437	\$ 45,181,920	42.1%
<i>Excess (Deficiency) of Revenues Over (Under) Expenditures</i>	\$ 3,261,999	\$ 1,354,445	\$ (11,416,942)	
Transfers:				
Transfers In	\$ 913,836	\$ 3,090,771	\$ 25,002	0.8%
Transfers Out	4,162,135	4,505,216	3,076,314	68.3%
Net Transfers	\$ (3,248,299)	\$ (1,414,445)	\$ (3,051,312)	
Total Revenues & Transfers In	\$ 116,787,313	\$ 111,683,653	\$ 33,789,980	30.3%
Total Expenditures & Transfers Out	116,773,613	111,743,653	48,258,234	43.2%
Net Change of Fund Balance	\$ 13,700	\$ (60,000)	\$ (14,468,254)	

General Fund Operating Revenues

The General Fund is comprised of several revenue types. However, the main sources include property tax, utility users tax, and sales tax. Each of these is affected by different economic activity cycles and pressures.

Table 3. General Fund Operating Revenues

	FY 2020/21 Adopted Budget	FY 2020/21 Amended Budget	Actuals as of 12/31/20 (unaudited)	% of Amended Budget
Revenues:				
Taxes:				
Property Tax	\$ 16,553,200	\$ 16,637,300	\$ 5,323,275	32.0%
Property Tax in-lieu	21,290,000	21,290,000	-	0.0%
Utility Users Tax	16,100,000	15,717,540	7,271,179	46.3%
Sales Tax	21,635,000	17,127,026	7,743,374	45.2%
Other Taxes	15,915,000	12,627,832	4,358,524	34.5%
Licenses & Permits	5,153,936	4,973,535	2,212,428	44.5%
Intergovernmental	313,000	3,016,243	2,825,478	93.7%
Charges for Services	13,045,435	11,613,657	6,228,016	53.6%
Use of Money & Property	5,097,806	5,122,806	(2,629,863)	-51.3%
Fines & Forfeitures	604,500	301,343	239,121	79.4%
Miscellaneous	165,600	165,600	193,446	116.8%
Total Revenues	\$ 115,873,477	\$ 108,592,882	\$ 33,764,978	31.1%

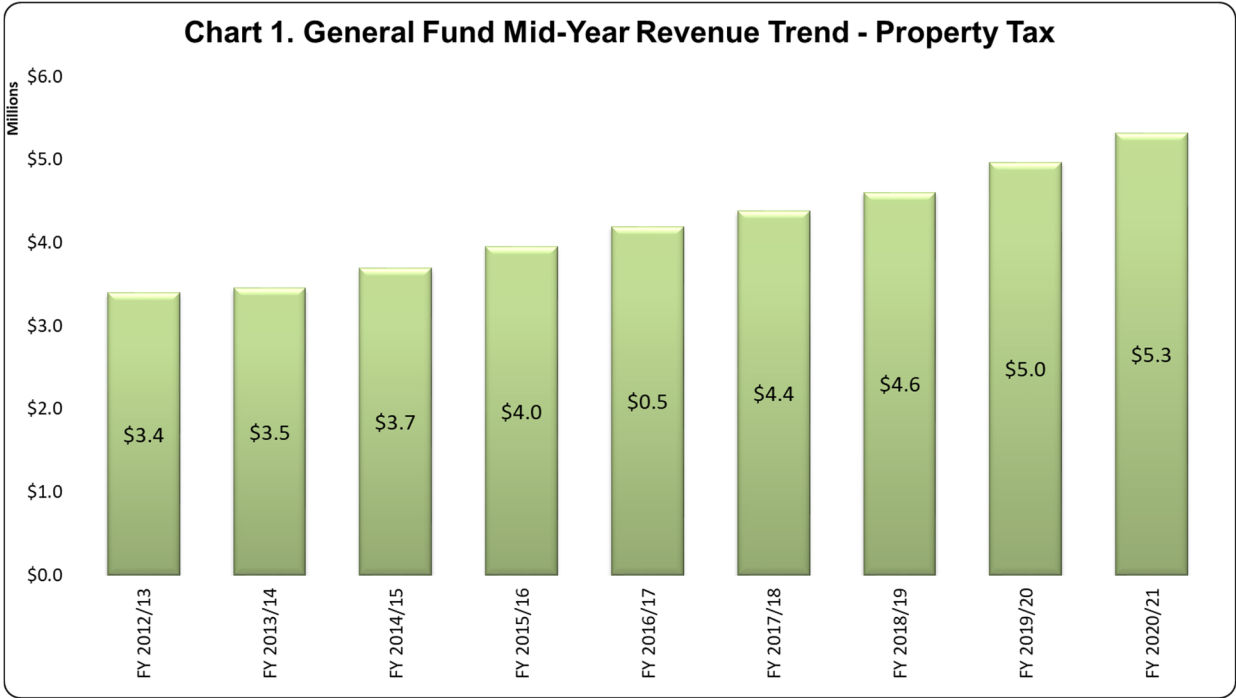
Property Taxes/Property Taxes In-Lieu

Property taxes were budgeted to increase by 2.7% from the FY 2019/20 Amended Budget. The annual schedule of property tax payments from the County of Riverside will provide payments to the City based on the following estimated schedule:

Secured Property Tax Payment Dates

Settlement 1	January
Settlement 2	May
Settlement 3	August
Teeter Settlement	October

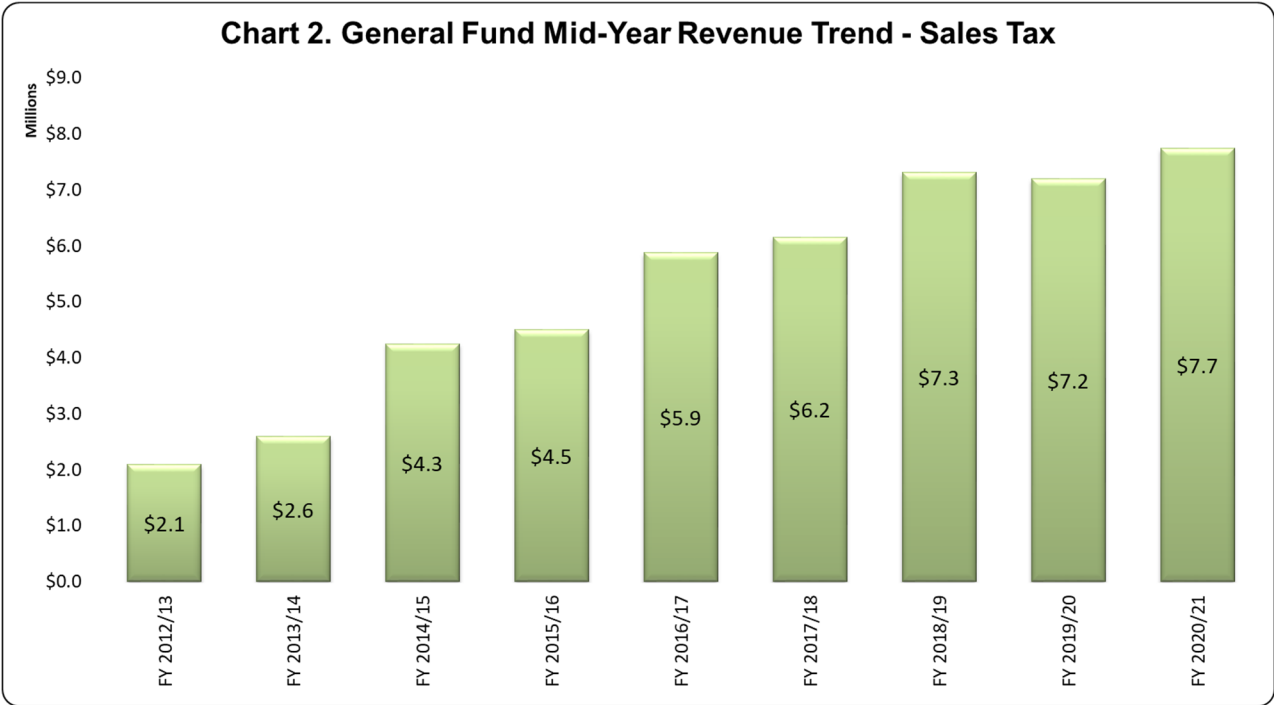
Based on historical averages of actual receipts, the City is estimated to receive up to 14% of the budgeted property tax revenue through Mid-Year. The City has currently received 14% through Mid-Year. Property taxes will continue to be monitored as property valuations may adjust through the year based on property sales and assessment appeals filed with the County.



Sales Taxes

Sales taxes were budgeted to increase by 4% from the FY 2019/20 Amended Budget. Sales tax receipts will need to be continually monitored through the year to determine if current trends begin to plateau or begin to decrease.

Based on historical averages of actual receipts, the City is estimated to receive 28% of the budgeted sales tax revenue through Mid-Year. The City has currently received 45% through d Mid-Year.

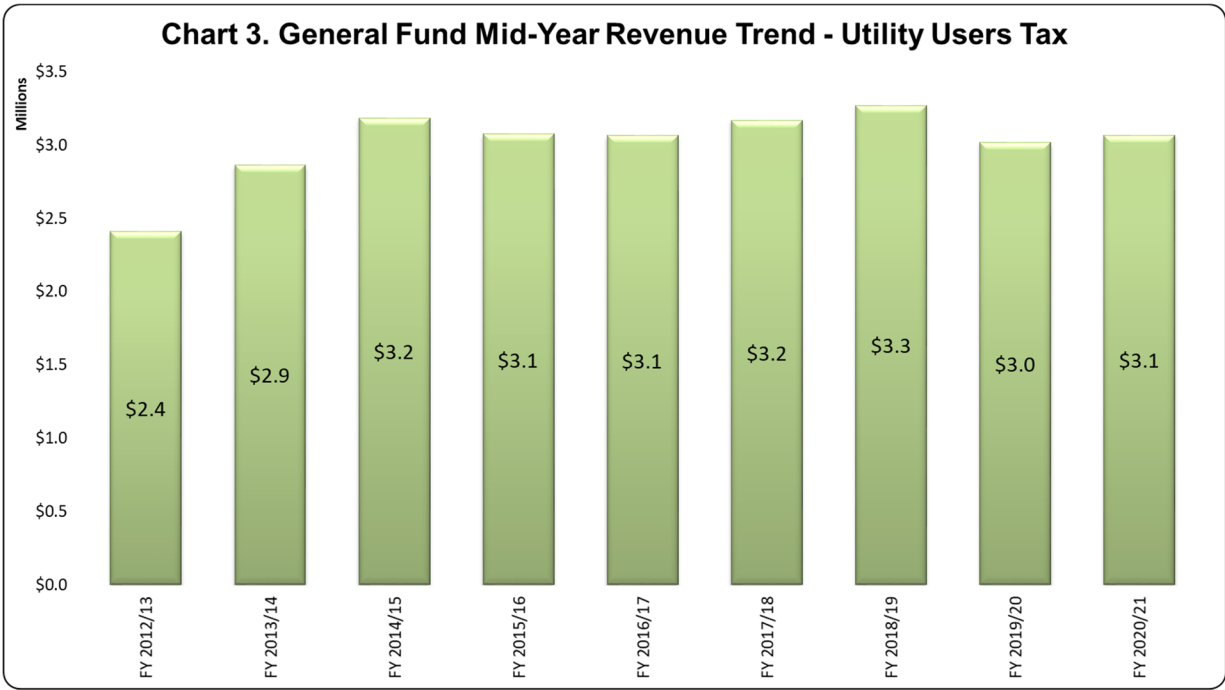


Note: For FY 2017/18, the reversal of revenues accrued to the prior fiscal year in accordance with the Government Accounting Standards Board (GASB) did not occur until the second quarter.

Utility Users Tax

Utility Users taxes were budgeted to increase less than 1% from the FY 2019/20 Amended Budget. This projection is primarily due to competitive forces within the communications markets. Both the wireless and wired markets experienced downturns year over year. Based on our discussions with utility tax experts, there are a couple of causes for this trend. First is competition and bundling practices within the market as more small players continue to join the market. Second is the migration of customers from contract plans to prepaid plans.

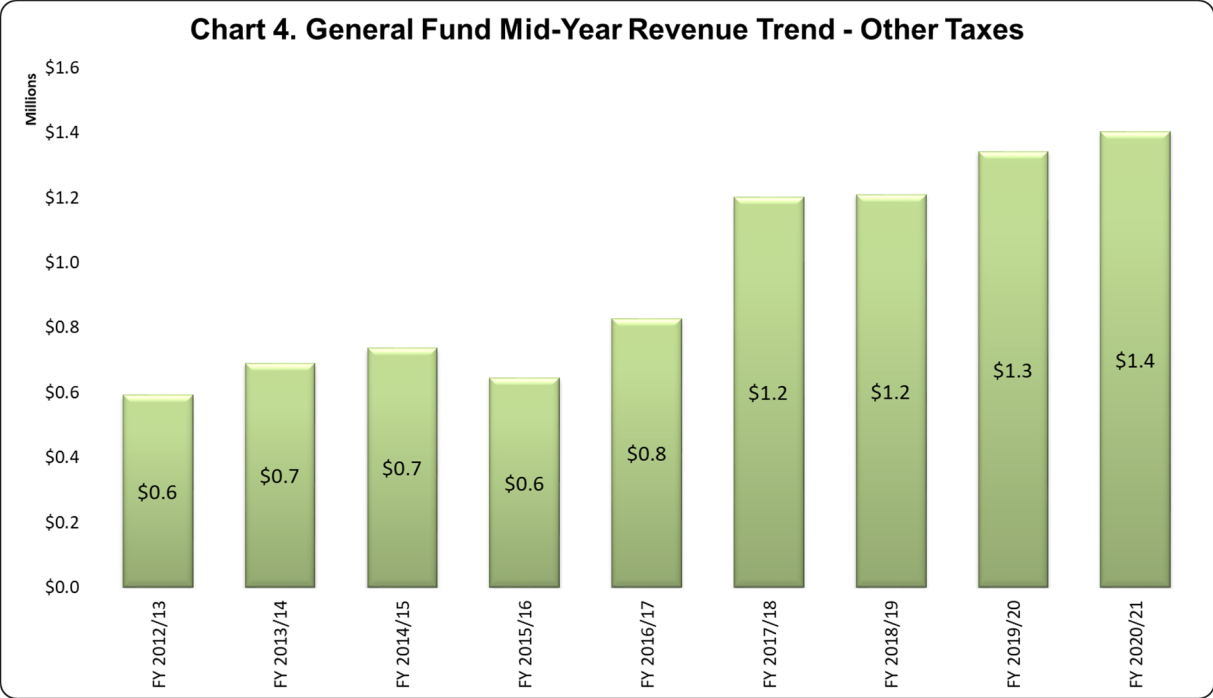
Based on historical averages of actual receipts, the City is estimated to receive 44% of the budgeted utility users tax revenue through Mid-Year. The City has currently received 46% through Mid-Year.



Other Taxes

Other taxes are primarily composed of Business Gross Receipts, Transient Occupancy Tax, Documentary Transfer Tax, and Franchise Fees. Collectively, other taxes were budgeted to increase 7.7% from the FY 2019/20 Amended Budget.

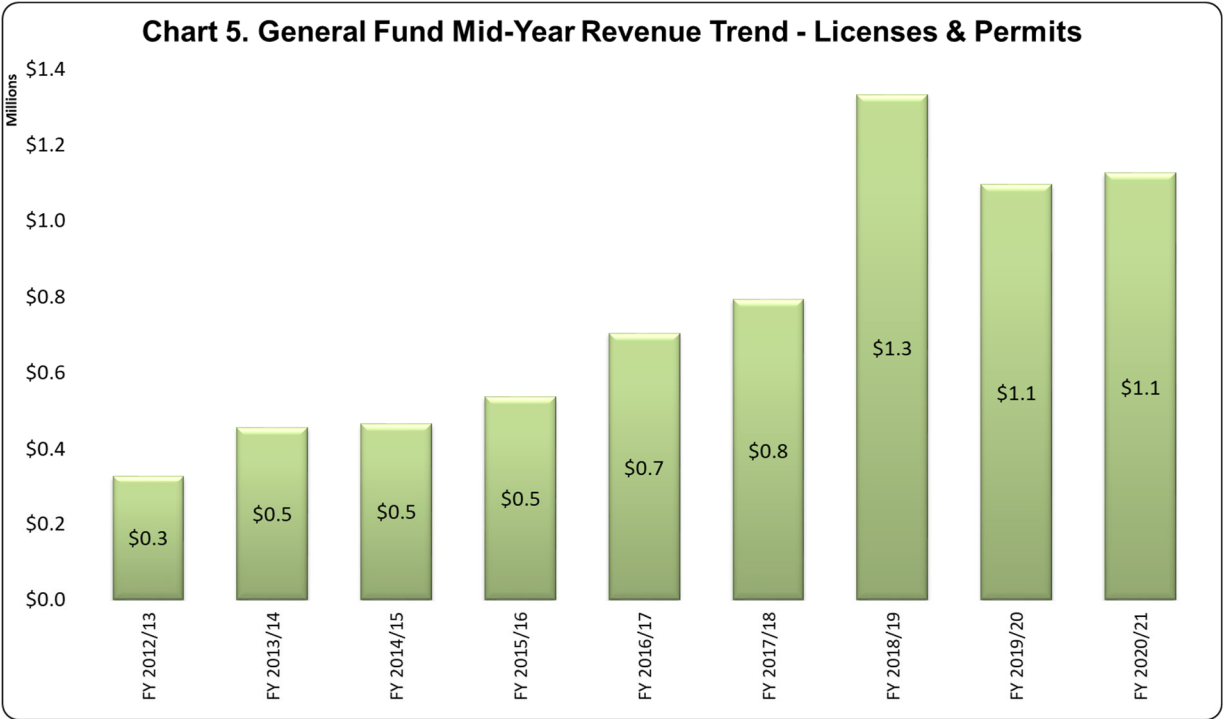
Based on historical averages of actual receipts, the City is estimated to receive 26% of the budgeted Other Taxes revenue through Mid-Year. The City has currently received 35% through Mid-Year.



Licenses & Permits

Licenses & Permits are primarily composed of Business and Animal Licenses, along with Building, Electrical, Mechanical, Plumbing and other permits. Collectively, Licenses & Permits were budgeted to decrease by 4% from the FY 2019/20 Amended Budget. This increase reflects increases due to Commercial Cannabis Business Permits. This budget will be monitored for a possible future increase.

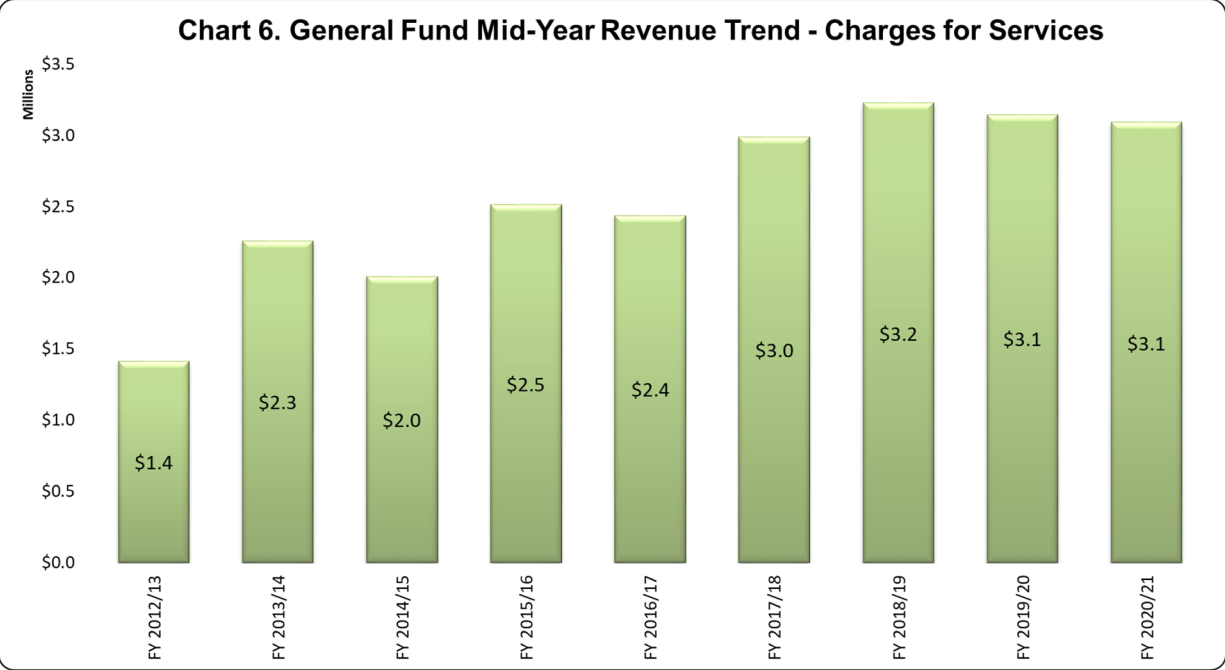
Based on historical averages of actual receipts, the City is estimated to receive 53% of the budgeted Licenses & Permits revenue through Mid-Year. The City has currently received 44% through Mid-Year. The collection rate is related primarily to building and business license permit activities.



Charges for Services

Charges for Services are primarily composed of Plan Check Fees, Inspection Fees, Administrative Charges to other funds, and Parking Control Fines. Collectively, Charges for Services were conservatively budgeted to decrease by 2% from the FY 2019/20 Amended Budget.

Based on historical averages of actual receipts, the City is estimated to receive 50% of the budgeted Charges for Services revenue through Mid-Year. The City has currently received 54% through Mid-Year.



Use of Money and Property

Investment income continues to remain low due to extremely low rates of return for fixed income investments, but has increased over the last year due to actions taken by the Federal Open Market Committee (FOMC). The investments achieved a Yield to Maturity (YTM) for December 2020 of 1.75%. In addition, the City maintained funds in the State Local Agency Investment Fund Pool (LAIF) with a YTM of .54%. In the first six months, the FOMC decreased the federal funds target rate by 225 basis points to 0.0% - 0.50%. This is a very low rate of return compared to historical experience, but is indicative of how investment income is performing everywhere, which is the reason the City utilizes the active management approach.

General Fund Expenditures

Expenditures are being spent in-line with prior year expenditures. Each Department's activities will be monitored throughout the year as they may be impacted by different operational activities and project timelines.

Table 4. General Fund Expenditures

Department	FY 2020/21 Adopted Budget	FY 2020/21 Amended Budget	Actuals as of 12/31/20 (unaudited)	% of Amended Budget
City Council	\$ 1,037,483	\$ 1,112,313	\$ 388,284	34.9%
City Clerk	1,054,060	855,366	240,743	28.1%
City Manager	2,039,696	1,819,639	627,143	34.5%
City Attorney	1,099,482	875,953	458,652	52.4%
Community Development	10,666,576	9,423,589	3,879,269	41.2%
Economic Development	2,464,235	2,203,524	706,755	32.1%
Financial & Management Services	11,818,382	12,501,344	4,556,545	36.4%
Public Works	7,771,229	7,636,732	3,545,508	46.4%
Non-Departmental	5,247,135	5,880,562	4,447,808	75.6%
Non-Public Safety Subtotal	\$ 44,758,786	\$ 42,309,022	\$ 18,850,707	44.6%
Public Safety				
Police	\$ 47,997,631	\$ 45,685,760	\$ 19,078,777	41.8%
Fire	24,017,196	23,748,871	10,328,750	43.5%
Public Safety Subtotal	\$ 72,014,827	\$ 69,434,631	\$ 29,407,527	42.4%
Total	\$ 116,773,613	\$ 111,743,653	\$ 48,258,234	

OTHER KEY FUNDS

The following summaries describe other major funds in the City.

Moreno Valley Community Services District

The Moreno Valley Community Services District (CSD) was formed by the voters in 1984 to collect fees and certain taxes to provide an array of services including parks, recreation and community services, streetlights, landscaping and ongoing maintenance. The CSD provides these services through separate “zones” that define the services that are provided.

For certain zones, the primary revenue source used to provide services to properties is parcel fees or taxes levied on properties via their annual tax bill. Proposition 218, passed by California voters in November 1996, and has posed a serious challenge to managing the future operation of the CSD zones. Prop. 218 requires any revenue increase to be addressed through a voting process by affected property owners. For a period following the initial implementation of Prop. 218, the CSD was successful in receiving approval for some new or increased revenues. There were also revenue increases due to the growth of developed parcels within the zones. However, due to cost increases that exceed any offsetting increases in the revenues over the past years, and the recent economic downturn slowing new parcel growth, property owners have been resistant to efforts to fully fund service levels.

Table 5. CSD Operations

	FY 2020/21 Adopted Budget	FY 2020/21 Amended Budget	Actuals as of 12/31/20 (unaudited)	% of Amended Budget
Revenues:				
Taxes:				
Property Tax	\$ 5,499,288	\$ 5,499,288	\$ 1,793,523	32.6%
Other Taxes	6,719,200	6,725,053	68,759	1.0%
Charges for Services	5,698,574	5,598,349	185,853	3.3%
Use of Money & Property	1,022,020	1,098,335	(106,309)	-9.7%
Fines & Forfeitures	30,000	30,000	-	0.0%
Miscellaneous	22,010	541,035	1,692	0.3%
Transfers In	2,040,727	1,700,030	753,108	44.3%
Total Revenues	\$ 21,031,819	\$ 21,192,090	\$ 2,696,626	12.7%
Expenditures:				
Library Services Fund (5010)	\$ 2,708,319	\$ 2,741,331	\$ 1,418,008	51.7%
Zone A Parks Fund (5011)	10,258,968	9,982,473	3,976,914	39.8%
LMD 2014-01 Residential Street Lighting Fund (5012)	1,516,919	1,516,919	432,851	28.5%
Zone C Arterial Street Lighting Fund (5110)	875,414	875,414	284,894	32.5%
Zone D Standard Landscaping Fund (5111)	1,426,105	1,527,445	424,453	27.8%
Zone E Extensive Landscaping Fund (5013)	289,398	471,130	98,709	21.0%
5014 LMD 2014-02	2,832,609	3,062,800	1,587,211	51.8%
Zone M Median Fund (5112)	468,229	569,853	106,998	18.8%
CFD No. 1 (5113)	1,482,660	1,621,888	570,591	35.2%
Zone S Financial & Management Svcs (5114)	-	77,602	15,603	20.1%
Zone S Public Works (5114)	77,602	-	-	0.0%
Total Expenditures	\$ 21,936,223	\$ 22,446,855	\$ 8,916,232	39.7%
Net Change or Adopted Use of Fund Balance	\$ (904,404)	\$ (1,254,765)	\$ (6,219,606)	

Community Services District Zone A – Parks & Community Services

The largest Zone within the CSD is Zone A. It accounts for the administration and maintenance of the Parks & Community Services facilities and programs. Funding sources for these services come from a combination of property taxes, fees for service and smaller amounts from other City funds.

Table 6. CSD Zone A Operations

	FY 2020/21 Adopted Budget	FY 2020/21 Amended Budget	Actuals as of 12/31/20 (unaudited)	% of Amended Budget
Revenues:				
Taxes:				
Property Tax	\$ 2,812,910	\$ 2,812,910	\$ 922,669	32.8%
Other Taxes	4,977,000	4,977,000	62,741	1.3%
Charges for Services	1,148,683	1,156,483	98,716	8.5%
Use of Money & Property	925,659	947,718	127,478	13.5%
Miscellaneous	18,000	42,700	1,000	2.3%
Transfers In	528,237	12,678	-	0.0%
Total Revenues	\$ 10,410,489	\$ 9,949,489	\$ 1,212,604	12.2%
Expenditures:				
35010 Parks & Comm Svcs - Admin	\$ 750,716	\$ 703,732	\$ 299,235	42.5%
35210 Park Maintenance - General	3,851,191	3,608,683	1,582,833	43.9%
35211 Contract Park Maintenance	467,121	463,557	155,116	33.5%
35212 Park Ranger Program	361,567	333,840	139,362	41.7%
35213 Golf Course Program	490,200	433,031	205,298	47.4%
35214 Parks Projects	223,598	207,256	89,320	43.1%
35310 Senior Program	588,633	561,281	254,583	45.4%
35311 Community Services	500,997	498,402	147,718	29.6%
35312 Community Events	285,606	262,455	83,366	31.8%
35313 Conf & Rec Cntr	420,626	643,818	308,677	47.9%
35314 Conf & Rec Cntr - Banquet	377,698	358,338	142,195	39.7%
35315 Recreation Programs	1,210,541	1,189,566	395,932	33.3%
35317 July 4th Celebration	111,990	110,190	308	0.3%
35318 Sports Programs	587,584	537,999	142,229	26.4%
35319 Towngate Community Center	30,900	28,520	9,993	35.0%
35320 Amphitheater	-	41,805.00	1,356	3.2%
95011 Non-Dept Zone A Parks	-	-	19,395	0.0%
Total Expenditures	\$ 10,258,968	\$ 9,982,473	\$ 3,976,914	39.8%

Electric Utility

The Moreno Valley Utility (MVU) manages the operation, maintenance and business planning of the City's electric utility. MVU's basic purpose is to purchase and distribute electricity to customers in newly developed areas of the City. The City began serving new customers in February 2004, and now serves more than 6524 customers. As it reaches fiscal and operational maturity, MVU will continue to be a key component of the City's economic development strategy. The City Council has established special tiered rates for electric utility customers based upon factors such as the number of jobs created.

The main revenue source for this fund is derived from charges for services. The customer base includes residential, commercial and industrial customers. The growth in customer base will continue to provide for the ability to create rate stabilization and replacement reserve funding.

Table 7. MVU Operations

	FY 2020/21 Adopted Budget	FY 2020/21 Amended Budget	Actuals as of 12/31/20 (unaudited)	% of Amended Budget
Revenues:				
Taxes:				
Charges for Services	\$ 35,344,376	\$ 35,344,376	\$ 19,759,442	55.9%
Use of Money & Property	158,000	158,000	(238,861)	-151.2%
Miscellaneous	152,500	152,500	1,597,852	1047.8%
Transfers In	-	-	535,332	0.0%
Total Revenues	\$ 35,654,876	\$ 35,654,876	\$ 21,653,764	60.7%
Expenditures:				
45510 Electric Utility - General	\$ 26,287,723	\$ 28,193,143	\$ 14,083,971	50.0%
45511 Public Purpose Program	1,702,376	1,781,857	552,135	31.0%
45512 SCE Served Street Lights	400,000	637,889	562,814	88.2%
80005 CIP - Electric Utility	-	7,529,886	837,675	11.1%
45530 2005 Lease Revenue Bonds	-	-	-	0.0%
96010 Non-Dept Electric	-	634,000	653,045	103.0%
96030 Non-Dept 2005 Lease Revenue Bonds	2,109,081	2,109,081	1,792,549	85.0%
96021 Non-Dept 2016 Tax LRB of 07 Tax	829,775	829,775	416,675	50.2%
96031 Non-Dept 2013 Refunding 05 LRB	21,336	21,336	170,826	800.6%
96032 Non-Dept 2014 Refunding 2005 LRB	119,174	119,174	59,859	50.2%
96040 Non-Dept 2015 Taxable LRB	447,769	447,769	437,784	97.8%
96050 Non-Dept 2018 Streetlight Fin	833,972	833,972	1,003,249	120.3%
96060 Non-Dept 2019 Taxable LRB	-	634,000	316,600	49.9%
Total Expenditures	\$ 32,751,206	\$ 43,771,882	\$ 20,887,184	47.7%
Net Change or				
Adopted Use of Fund Balance	\$ 2,903,670	\$ (8,117,006)	\$ 766,581	

MVU's revenues and expenses will fluctuate annually based on energy demands.

SUMMARY

The City of Moreno Valley has experienced certain levels of growth and continued to maintain a structurally balanced Budget without the use of reserves.

The economic climate is ever changing during this pandemic due to constant changing of the opening/closing guidelines based on the number of positive cases that are continuing to increase. For these reasons, the City must remain optimistically cautious and only increase revenues when they are actually received. Staff will continue to monitor and request quarterly revenue adjustment based on this approach. These revenue adjustments will be offset by replenishing our expenditure levels accordingly.

RESOLUTION NO. 2021-XX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ADOPTING THE REVISED OPERATING AND CAPITAL BUDGETS FOR FISCAL YEAR 2020/21

WHEREAS, the City Council approved the Operating and Capital Budgets for the City for Fiscal Year 2020/21, a copy of which, as may have been amended by the City Council, is on file in the Office of the City Clerk and is available for public inspection; and

WHEREAS, the City Council approves amendments to the budgets throughout the fiscal year and such prior amendments are reflected within the current amended budget and further ratified as part of the adoption of the quarterly budget amendments; and

WHEREAS, the City Manager has heretofore submitted to the City Council proposed amendments to the Operating and Capital Budgets for the City for Fiscal Year 2020/21, a copy of which, as may have been amended by the City Council, is on file in the Office of the City Clerk and is available for public inspection; and

WHEREAS, the said proposed amendments to the Operating and Capital Budgets contain estimates of the services, activities and projects comprising the budget, and contains expenditure requirements and the resources available to the City; and

WHEREAS, the said proposed amendments to the Operating and Capital Budgets contain the estimates of uses of fund balance as required to stabilize the delivery of City services during periods of operational deficits; and

WHEREAS, the City Council has made such revisions to the proposed amended Operating and Capital Budgets as so desired; and

WHEREAS, the amended Operating and Capital Budgets, as herein approved, will enable the City Council to make adequate financial plans and will ensure that City officers can administer their respective functions in accordance with such plans.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. The proposed amendments to the Operating and Capital Budgets, as Exhibit A to this Resolution and as on file in the Office of the City Clerk, and as may have been amended by the City Council, are hereby approved and adopted as the annual Operating and Capital Budgets of the City of Moreno Valley for Fiscal Year 2020/21.

1
Resolution No. 2021-XX
Date Adopted: February 16, 2021

- 2. The Proposed Amendments to City Position Summary included within the staff report and contained in the City Position Summary attached as Attachment 5 and on file in the Office of the City Clerk, and as may have been amended by the City Council, is hereby adopted as part of the Approved City Position Summary of the City of Moreno Valley for Fiscal Year 2020/21.
- 3. The amounts of proposed expenditures, which include the uses of fund balance specified in the approved budget, are hereby appropriated for the various budget programs and units for said fiscal year.
- 4. Within fifteen (15) days after the adoption of this Resolution, the City Clerk shall certify to the adoption hereof and, as so certified, cause a copy to be posted in at least three (3) public places within the City.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately upon its adoption.

APPROVED AND ADOPTED this 16th day of February, 2021.

Mayor of the City of Moreno Valley

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

2
Resolution No. 2021-XX
Date Adopted: February 16, 2021

Attachment: City Resolution 2021-XX (4315 : FISCAL YEAR 2020/21 MID-YEAR BUDGET REVIEW AND APPROVAL OF THE FY2020/21 MID-

RESOLUTION JURAT

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF MORENO VALLEY)

I, Pat Jacquez-Nares, City Clerk of the City of Moreno Valley, California, do hereby certify that Resolution No. 2021-XX was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the 16th day of February, 2021 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

CITY CLERK

(SEAL)

Resolution No. 2021-XX³
Date Adopted: February 16, 2021

Attachment: City Resolution 2021-XX (4315 : FISCAL YEAR 2020/21 MID-YEAR BUDGET REVIEW AND APPROVAL OF THE FY2020/21 MID-

RESOLUTION NO. CSD 2021-XX

A RESOLUTION OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, ADOPTING THE REVISED OPERATING AND CAPITAL BUDGETS FOR FISCAL YEAR YEAR 2020/21

WHEREAS, the CSD Board approved the Operating and Capital Budgets for the City for Fiscal Year 2020/21, a copy of which, as may have been amended by the CSD Board, is on file in the Office of the City Clerk and is available for public inspection; and

WHEREAS, the CSD Board approves amendments to the budgets throughout the fiscal year and such prior amendments are reflected within the current amended budget and further ratified as part of the adoption of the quarterly budget amendments; and

WHEREAS, the City Manager has heretofore submitted to the President and Board Members of the Moreno Valley Community Services District proposed amendments to the Operating and Capital Budgets for the District for Fiscal Year 2020/21, a copy of which, as may have been amended by the District's Board of Directors, is on file in the Office of the City Clerk and is available for public inspection; and

WHEREAS, the said proposed amendments to the Operating and Capital Budgets contain estimates of the services, activities and projects comprising the budget, and contain expenditure requirements and the resources available to the Community Services District; and

WHEREAS, the said proposed amendments to the Operating and Capital Budgets contain the estimates of uses of fund balance as required to stabilize the delivery of CSD services during periods of operational deficits; and

WHEREAS, the President and Board of Directors have made such revisions to the proposed amended Operating and Capital Budgets as so desired; and

WHEREAS, the amended Operating and Capital Budgets, as herein approved, will enable the Community Services District to make adequate financial plans and will ensure that District officers can administer their respective functions in accordance with such plans.

NOW, THEREFORE, THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. The proposed amendments to the Operating and Capital Budgets, as Exhibit

1
Resolution No. CSD 2021-XX
Date Adopted: February 16, 2020

A to this Resolution and as on file in the Office of the City Clerk, and as may have been amended by the Community Services District's Board of Directors, is hereby approved and adopted as the annual Operating and Capital Budgets of the Moreno Valley Community Services District for the Fiscal Year 2020/21.

- 2. The amounts of proposed expenditures, which include the uses of fund balance specified in the approved budget, are hereby appropriated for the various budget programs and units for said fiscal year.
- 3. Within fifteen (15) days after the adoption of this Resolution, the City Clerk shall certify to the adoption hereof and, as so certified, cause a copy to be posted in at least three (3) public places within the City.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately upon its adoption.

APPROVED AND ADOPTED this 16th day of February, 2021.

 Mayor of the City of Moreno Valley,
 Acting in the capacity of President of the
 Moreno Valley Community Services District

ATTEST:

 City Clerk, acting in the capacity of
 Secretary of the Moreno Valley
 Community Services District

APPROVED AS TO FORM:

 City Attorney, acting in the capacity
 of General Counsel of the Moreno
 Valley Community Services District

RESOLUTION JURAT

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF MORENO VALLEY)

I, Pat Jacquez-Nares, Secretary of the Moreno Valley Community Services District, Moreno Valley, California do hereby certify that Resolution No. CSD 2021-XX was duly and regularly adopted by the Board of Directors of the Moreno Valley Community Services District at a regular meeting held on the 16th day of February, 2021 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Board members, Vice-President and President)

SECRETARY

(SEAL)

Resolution No. CSD 2021-XX³
Date Adopted: February 16, 2021

CITY OF MORENO VALLEY
GENERAL FUND
FY 2020/21 Proposed Amendments

Department	Fund	Account Description	General Ledger Account	Project	Fiscal Year 2020/21 Amended Budget	Proposed Amendment	Revised Budget	Description - Proposed Adjustment
Community Development	1010	Building Permits	1010-20-28-20310-425000		\$ 2,600,000	\$ 200,000	\$ 2,800,000	Budgeting for expected revenue.
Community Development	1010	Parking Control Fees	1010-20-26-20110-501020		1,050,000	(300,000)	750,000	Adjusting budget based on expected revenue.
Community Development	1010	Foreclosure Registration Fees	1010-20-26-20110-525080		187,000	(107,000)	80,000	Adjusting budget based on expected revenue.
Community Development	1010	Planning Fees	1010-20-27-20211-525000		1,206,124	193,876	1,400,000	Budgeting for expected revenue.
Financial & Management Services	1010	Interest Income	1010-99-99-91010-460040		708,953	(708,953)	-	Adjust budget based on actual trends.
Financial & Management Services	1010	Sales Tax - General	1010-99-99-91010-402000		17,252,026	797,077	18,049,103	Budgeting for expected revenue.
REVENUE TOTAL					\$ 23,004,103	\$ 75,000	\$ 23,079,103	

Department	Fund	Account Description	General Ledger Account	Project	Fiscal Year 2020/21 Amended Budget	Proposed Amendment	Revised Budget	Description - Proposed Adjustment
Financial & Management Services	1010	Technical Svcs - Janitorial	1010-22-25-20012-620710		22,000	20,000	42,000	Adjust for expected expenses.
Financial & Management Services	1010	Technical Svcs - Janitorial	1010-60-66-40110-620710		15,000	(5,000)	10,000	Reallocation of budget.
Financial & Management Services	1010	Transfers to LMD 2014-01	1010-99-99-91010-905012		430,500	10,000	440,500	Budgeting for expected expenses.
EXPENSES TOTAL					\$ 467,500	\$ 25,000	\$ 492,500	

CITY OF MORENO VALLEY
NON - GENERAL FUND
FY 2020/21 Proposed Amendments

Department	Fund	Account Description	General Ledger Account	Project	Fiscal Year 2020/21 Amended Budget	Proposed Amendment	Revised Budget	Description - Proposed Adjustment
Financial & Management Services	5014	Turf Removal Rebate	5014-30-79-25721-585200		\$ 505,725	\$ 400,000	\$ 905,725	Budgeting for expected revenue.
Financial & Management Services	5012	Transfers in - from GENERAL FUND	5012-99-99-95012-801010		430,500	10,000	440,500	Budgeting for expected expenses.
Financial & Management Services	3711	Transfers in - from 2020 REFUNDING OF TRIP COP 13A	3711-99-90-93711-803715		0	20,382,556	20,382,556	Record the refunding of the 2013 TRIP COP with the 2020 TRIP Bond.
Financial & Management Services	3715	Bond Proceeds	3715-99-90-93715-589000		0	20,970,000	20,970,000	Record the refunding of the 2013 TRIP COP with the 2020 TRIP Bond.
Parks & Community Services	2905	Transfers in - from PCS CAPITAL PROJ (PARK IMPRVMTS)	2905-99-95-92905-803015		44,535	101,462	145,997	Project completion.
Parks & Community Services	2019	Transfers in - from PCS CAPITAL PROJ (QUIMBY)	2019-99-99-92019-803016		1,850	304,042	305,892	Project completion.
Parks & Community Services	3000	Transfers in - from DIF - PARK IMPROVEMENTS	3000-99-99-93000-802905		-	450,000	450,000	DIF transfer for park project.
Parks & Community Services	2201	Fed Grant-Operating Revenue	2201-50-92-75011-485000		290,341	8,142	298,483	Appropriation for FY2020/21 childcare budget.
Public Works	2300	Fed Reimb- Capital	2300-99-99-92300-482020	801 0021 70 77	-	1,875,000	1,875,000	Hazard Mitigation Grant Program award of FEMA Funds for Moreno Beach project.
Public Works	2000	State Gas Tax 2107	2000-99-99-92000-408000		1,501,775	(91,490)	1,410,285	Revised budget per California City Finance.
Public Works	2000	State Gas Tax 2106	2000-99-99-92000-408020		727,150	(52,171)	674,979	Revised budget per California City Finance.
Public Works	2000	State Gas Tax 2105	2000-99-99-92000-408030		1,209,759	(98,687)	1,111,072	Revised budget per California City Finance.
Public Works	2000	State Gas Tax 2103	2000-99-99-92000-408040		791,239	820,717	1,611,956	Revised budget per California City Finance.
Public Works	2000	State Gas Tax - Loan Repay	2000-99-99-92000-408050		235,039	(235,039)	-	Revised budget per California City Finance.
Public Works	2000	State Gas Tax - RMRA	2000-99-99-92000-408060		3,459,343	257,921	3,717,264	Revised budget per California City Finance.
Public Works	3002	Reimbursement Agreement	3002-99-99-93002-500600	804 0016-3002-98	6,904,386	(65,375)	6,839,011	Reallocation of project budget.
Public Works	3002	Reimbursement Agreement	3002-99-99-93002-500600	804 0014-3002-98	6,904,386	65,375	6,969,761	Reallocation of project budget.
REVENUE TOTAL					\$ 23,006,028	\$ 45,102,453	\$ 68,108,481	

Department	Fund	Account Description	General Ledger Account	Project	Fiscal Year 2020/21 Amended Budget	Proposed Amendment	Revised Budget	Description - Proposed Adjustment
Financial & Management Services	5014	Maint & Repair - Bldg & Ground	5014-30-79-79006-620910	806 0001-5014-SD LMMD ZN 03	\$ 389,991	\$ 400,000	\$ 789,991	For expected expenses.
Financial & Management Services	2201	Technical Svcs - Janitorial	2201-50-92-75011-620710		6,900	5,000	11,900	Reallocation of budget.
Financial & Management Services	5013	Utilities - Water	5013-30-79-25705-621030	SD ZN E-ZONE E8-Operations	37,200	2,000	39,200	Budgeting for expected expenses.
Financial & Management Services	5012	Utilities - Electricity	5012-30-79-25703-621010		1,332,000	10,000	1,342,000	Budgeting for expected expenses.
Financial & Management Services	3711	Bond Principal	3711-99-90-93711-670314		600,000	20,382,556	20,982,556	Record the refunding of the 2013 TRIP COP with the 2020 TRIP Bond.
Financial & Management Services	3715	Transfers to TRIP DEBT SERVICE	3715-99-90-93715-903711		-	20,382,556	20,382,556	Record the refunding of the 2013 TRIP COP with the 2020 TRIP Bond.
Parks & Community Services	2201	Oper Mtrls - Recreation	2201-50-92-75011-630312		8,142	8,142	16,284	Appropriation for FY2020/21 childcare budget.
Parks & Community Services	3016	CIP Other	3015-50-57-80007-720199	807 0043-3015-99	861,503	(76,717)	784,786	Project completion.
Parks & Community Services	3015	CIP Other	3015-50-57-80007-720199	807 0039-3015-99	442,346	(24,745)	417,601	Project completion.
Parks & Community Services	3016	CIP Other	3016-50-57-80003-720199	803 0027-3016-99	660,842	(200,000)	460,842	Project completion.
Parks & Community Services	3016	CIP Other	3016-50-57-80003-720199	803 0034-3016-99	660,842	(53,667)	607,175	Project completion.
Parks & Community Services	3015	CIP Other	3016-50-57-80007-720199	807 0043-3016-99	442,346	(50,375)	391,971	Project completion.
Parks & Community Services	5113	CIP Other	5113-50-57-80007-720199	807 0051-5113-99	171,228	(24,718)	146,510	Project completion.
Parks & Community Services	3015	Transfers to DIF - PARKLAND FACILITIES	3015-99-99-93015-902905		44,535	101,462	145,997	Project completion.
Parks & Community Services	3016	Transfers to - QUIMBY PARK FEES	3016-99-99-93016-902019		1,850	304,042	305,892	Project completion.
Parks & Community Services	2905	Transfers to FACILITY CONST FUND	2905-99-95-92905-903000		-	450,000	450,000	For expected expenses.
Parks & Community Services	3000	CIP Other	3000-50-57-80003-720199	803 0037-3000-99	5,596,854	450,000	6,046,854	For expected expenses.
Public Works	6010	Resource Adequacy	6010-70-80-45510-710146		1,264,800	334,500	1,599,300	Budgeting for expected expenses.
Public Works	2000	CIP Other	2000-70-77-80001-720199	801 0087-2000A-99	7,711,969	424,528	8,136,497	Budgeting for expected expense off-set by expected revenue.
Public Works	3002	CIP Other	3002-70-77-80004-720199	804 0016-3002-99	4,593,588	(65,375)	4,528,213	Reallocation of project budget.
Public Works	3002	CIP Other	3002-70-77-80004-720199	804 0014-3002-99	4,593,588	65,375	4,658,963	Reallocation of project budget.
Public Works	2300	CIP Other	2300-70-77-80001-720199	801 0021 70 77	-	1,875,000	1,875,000	Hazard Mitigation Grant Program award of FEMA Funds for Moreno Beach project.
Public Works	2000	CIP Other	2000-70-77-80001-720199	801 0081-2000A-99	7,711,969	(919)	7,711,050	Reallocation of project budget.
Public Works	2000	CIP Other	2000-70-77-80001-720199	801 0085-2000A-99	7,711,969	919	7,712,888	Reallocation of project budget.
EXPENSES TOTAL					\$ 44,844,462	\$ 44,699,564	\$ 89,544,026	

Attachment: Exhibit A - Proposed Amendments v1 [Revision 5] (4315 : FISCAL YEAR 2020/21 MID-YEAR

City of Moreno Valley
FY 2019/20 - 2020/21
City Position Summary

Position Title	FY 2019/20 No.	FY 2020/21 Adj.	FY 2020/21 No.
Accountant I	1	-	1
Accountant II	1	-	1
Accounting Asst	3	-	3
Accounting Technician	1	-	1
Accounts Payable Supervisor	1	-	1
Administrative Asst	8	(1)	7
Administrative Services Dir	-	-	-
After School Prog Coordinator	-	-	-
After School Prog Specialist	-	-	-
After School Prog Supervisor	-	-	-
Animal Care Technician	5	-	5
Animal Care Technician Supervisor	1	-	1
Animal Control Officer	7	-	7
Animal Rescue Coordinator	1	-	1
Animal Services Assistant	4	-	4
Animal Services Dispatcher	1	-	1
Animal Services Division Manager	1	-	1
Animal Services Field Supervisor	1	-	1
Animal Services License Inspector	1	-	1
Animal Svcs Office Supervisor	1	-	1
Applications & DB Admin	1	-	1
Applications Analyst	1	-	1
Assistant City Attorney	1	(1)	-
Assistant City Clerk	-	-	-
Assoc Environmental Engineer	-	-	-
Associate Engineer	4	-	4
Associate Planner	4	-	4
Asst Buyer	2	(2)	-
Asst City Manager	-	-	-
Asst Crossing Guard Spvr	1	-	1
Asst Network Administrator	1	-	1
Assistant City Manager (Development Services)	1	-	1
Asst. Applications Analyst	-	-	-
Assistant City Manager (Administration)/Chief Financial Officer	1	-	1
Banquet Facility Rep	1	-	1
Budget Officer	-	-	-
Building & Neighborhood Services Div Mgr	-	-	-
Building Safety Supervisor	1	-	1
Building Div Mgr / Official	-	-	-
Building Inspector I I	4	-	4
Business License Liaison	1	-	1
Bus. Support & Neigh Prog Admin	-	-	-
Cable TV Producer	2	-	2
Capital Projects Division Manager	1	(1)	-
Chief Financial Officer/City Treasurer	-	-	-

City of Moreno Valley
FY 2019/20 - 2020/21
City Position Summary

Position Title	FY 2019/20 No.	FY 2020/21 Adj.	FY 2020/21 No.
Child Care Asst	4	-	4
Child Care Instructor I I	4	-	4
Child Care Program Manager	1	-	1
Child Care Site Supervisor	4	-	4
City Attorney	1	(1)	-
City Clerk	1	-	1
City Manager	1	-	1
Code & Neigh Svcs Division Manager	1	-	1
Code & Neigh Svcs Official	-	-	-
Code Compliance Field Sup.	-	-	-
Code Compliance Officer I	2	-	2
Code Compliance Officer I I	2	-	2
Code Supervisor	-	-	-
Comm & Economic Dev Director	-	-	-
Community Dev Director	1	-	1
Community Enhancement Officer I	1	-	1
Community Enhancement Officer II	1	-	1
Community Services Assistant Coordinator	-	4	4
Community Services Coordinator	-	4	4
Community Svcs Superintendent	-	1	1
Community Svcs Supervisor	5	(1)	4
Construction Inspector	2	-	2
Construction Inspector Supervisor	1	-	1
Crossing Guard	35	-	35
Crossing Guard Supervisor	1	-	1
Customer Service Asst	-	-	-
Dep PW Dir /Asst City Engineer	-	-	-
Deputy City Attorney I	1	(1)	-
Deputy City Attorney I I I	-	-	-
Deputy City Clerk	1	-	1
Deputy City Manager	1	-	1
Deputy Finance Director	1	-	1
Dep. Comm & Economic Dev Director	-	-	-
Development Svcs Coordinator	-	-	-
Economic Dev Director	1	-	1
Economic Dev Division Mgr	2	-	2
Electric Utility Chief Engineer	1	-	1
Electric Utility Division Mgr	1	-	1
Electric Utility Program Coord	1	-	1
Emerg Mgmt & Vol Svc Prog Spec	1	-	1
Emerg Mgmt & Vol Svcs Prog Mgr	1	-	1
Engineering Division Manager/Assistant City Engineer	1	-	1
Engineering Technician I I	1	-	1
Enterprise Systems Admin	1	-	1
Environmental Analyst	-	-	-

City of Moreno Valley
FY 2019/20 - 2020/21
City Position Summary

Position Title	FY 2019/20 No.	FY 2020/21 Adj.	FY 2020/21 No.
Equipment Operator	4	-	4
Exec Asst to Mayor / City Council	1	-	1
Exec. Assistant to the City Manager	-	-	-
Executive Asst I	7	-	7
Executive Asst I I	1	(1)	-
Facilities Maint Mechanic	1	-	1
Facilities Maint Worker	3	-	3
Facilities Maintenance Spvr	-	-	-
Financial Analyst	-	-	-
Financial Operations Div Mgr	1	(1)	-
Financial Resources Div Mgr	1	-	1
Fire Inspector I	-	-	-
Fire Inspector I I	-	-	-
Fire Marshall	-	-	-
Fire Safety Specialist	-	-	-
Fleet Supervisor	-	-	-
Fleet & Facilities Maintenance Supervisor	1	-	1
GIS Administrator	-	1	1
GIS/Applications Analyst	-	1	1
GIS Specialist	1	-	1
GIS Technician	1	(1)	-
Housing Program Coordinator	-	-	-
Housing Program Specialist	-	-	-
Human Resources Analyst	1	-	1
Human Resources Director	-	-	-
Human Resources Division Manager	1	-	1
Human Resources Technician	-	-	-
Info Technology Technician	2	-	2
Landscape Development Coord	-	-	-
Landscape Irrigation Tech	-	-	-
Landscape Svcs Inspector	2	-	2
Landscape Svcs Supervisor	1	-	1
Lead Animal Care Technician	-	-	-
Lead Facilities Maint Worker	1	-	1
Lead Maintenance Worker	4	-	4
Lead Parks Maint Worker	6	-	6
Lead Traffic Sign/Marking Tech	2	-	2
Lead Vehicle / Equip Tech	1	-	1
Legal Secretary	-	-	-
Lib Serv Div Mgr	-	-	-
Librarian	-	-	-
Library Asst	-	-	-
Library Circulation Supervisor	-	-	-
Maint & Operations Div Mgr	1	-	1
Maintenance Worker I	-	-	-

City of Moreno Valley
FY 2019/20 - 2020/21
City Position Summary

Position Title	FY 2019/20 No.	FY 2020/21 Adj.	FY 2020/21 No.
Maintenance Worker II	1	-	1
Maintenance Worker I/II	17	-	17
Management Aide	5	2	7
Management Analyst	13	-	13
Management Asst	7	-	7
Media & Communications Division Manager	1	-	1
Media & Production Supervisor	-	-	-
Network Administrator	1	-	1
Office Asst	-	-	-
Paralegal	1	-	1
Park Ranger	3	-	3
Parking Control Officer	2	-	2
Parks & Community Services Deputy Director	1	-	1
Parks & Community Services Director	1	-	1
Parks & Community Services Division Manager	-	-	-
Parks Maintenance Division Manager	-	-	-
Parks Maint Supervisor	2	-	2
Parks Maint Worker	12	-	12
Parks Projects Coordinator	1	(1)	-
Payroll Supervisor	1	-	1
Permit Technician	5	-	5
Planning Commissioner	7	-	7
Planning Div Mgr / Official	1	-	1
Principal Accountant	1	-	1
Principial Engineer	-	2	2
Principial Engineer / City Traf Engr	-	1	1
Principal Planner	1	-	1
Public Information/Intergovernmental Relations Officer	1	-	1
Public Safety Contract Administrator	1	-	1
Purch & Facilities Div Mgr	1	-	1
PW Director / City Engineer	1	-	1
Recreation Program Coord	-	-	-
Recreation Program Leader	7	(7)	-
Recreation Supervisor	-	-	-
Recycling Specialist	1	-	1
Resource Analyst	-	-	-
Risk Division Manager	-	-	-
Security Guard	2	-	2
Spec Dist Budg & Accting Spvr	-	-	-
Spec Districts Div Mgr	1	-	1
Special Districts Prog Mgr	-	-	-
Sr Accountant	3	-	3
Sr Administrative Asst	15	(1)	14
Sr Applications Analyst	1	-	1
Sr Citizens Center Coord	-	-	-

City of Moreno Valley
FY 2019/20 - 2020/21
City Position Summary

Position Title	FY 2019/20 No.	FY 2020/21 Adj.	FY 2020/21 No.
Sr Code Compliance Officer	1	-	1
Sr. Community Enhancement Officer	1	-	1
Sr Construction Inspector	2	-	2
Sr Customer Service Asst	3	(3)	-
Sr Deputy City Clerk	1	-	1
Sr Electrical Engineer	1	-	1
Sr Engineer, P.E.	5	(1)	4
Sr Engineering Technician	1	-	1
Sr Equipment Operator	1	-	1
Sr Financial Analyst	-	-	-
Sr GIS Analyst	1	(1)	-
Sr Graphics Designer	1	-	1
Sr Human Resources Analyst	1	-	1
Sr IT Technician	-	-	-
Sr Landscape Svcs Inspector	-	-	-
Sr Management Analyst	3	1	4
Sr Office Asst	2	2	4
Sr Park Ranger	-	-	-
Sr Parking Control Officer	1	-	1
Sr Parks Maint Technician	2	-	2
Sr Payroll Technician	1	-	1
Sr Permit Technician	2	-	2
Sr Planner	1	-	1
Sr Recreation Program Leader	2	(2)	-
Sr Telecomm Technician	1	-	1
Sr Traffic Engineer	-	-	-
Sr Traffic Signal Technician	1	-	1
Storekeeper	1	(1)	-
Storm Water Prog Mgr	-	-	-
Strategic Initiatives Manager	1	-	1
Street Maintenance Supervisor	2	-	2
Sustainability & Intergovernmental Prog Mgr	-	-	-
Technology Services Div Mgr	-	-	-
Telecomm Engineer / Admin	1	-	1
Telecomm Technician	1	-	1
Traffic Operations Supervisor	1	-	1
Traffic Sign / Marking Tech I	1	-	1
Traffic Sign/Marking Tech II	2	-	2
Traffic Signal Technician	2	-	2
Trans Div Mgr / City Traf Engr	1	(1)	-
Treasury Operations Div Mgr	1	-	1
Tree Trimmer	-	-	-
Vehicle / Equipment Technician	3	-	3
Total	362	(10)	352

City of Moreno Valley

Date Council Approved _____

Date Effective _____

CLASS SPECIFICATION
Principal Engineer
(At-will Employment)

GENERAL PURPOSE

Under general direction from either the Public Works Director/City Engineer, Engineering Division Manager/Assistant City Engineer, Electric Utility Division Manager, or Electric Utility Chief Engineer, the Principal Engineer plans, assigns, supervises, and reviews the activities of the engineering function of an assigned work unit. Plans, organizes, directs, manages, oversees and integrates the operations and staff of an assigned work unit; provides expert professional advice and assistance to City officials and management staff in areas of expertise of Engineering disciplines, including but not limited to engineering plan review, capital improvement planning, design and implementation, water quality/stormwater management, and transportation related activities. Performs related duties as assigned.

DISTINGUISHING CHARACTERISTICS

This class is responsible for planning and supervising the activities of the engineering function of assigned work units within the Public Works Department. The incumbent is expected to carry out responsibilities independently and with awareness of good engineering principals, judgement, and safety issues and sensitivities. Assignments are broad in scope and allow for a high degree of administrative discretion in their execution.

The Principal Engineer is distinguished from the Senior Engineer and Senior Electrical Engineer in that the incumbent in the former class is responsible for planning, organizing, directing, and reviewing the work of staff engaged in the preparation of plans, specifications, designs, estimates, schedules, inspections, surveying, and project management activities for a variety of projects and programs. The incumbent is expected to use initiative and independent judgment in negotiating, prioritizing project activities, exercising cost and budget controls, and ensuring the coordination, quantity, and quality of work performed in accordance with project goals. This class is distinguished from the Engineering Division Manager/Assistant City Engineer and the Electric Utility Chief Engineer in that the latter have overall responsibility for all divisional leadership, engineering projects, and activities.

ESSENTIAL DUTIES AND RESPONSIBILITIES

The duties listed below are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related or a logical assignment to this class.

1. Plans, organizes, controls, manages and evaluates the work of the assigned work unit; with subordinate managers and supervisors, participates in establishing operational plans and initiatives to meet department/division goals and objectives; implements work unit plans, work programs, processes, procedures and policies required to achieve overall performance results;

coordinates and integrates functions and responsibilities to achieve optimal efficiency and effectiveness; participates in developing and monitoring performance against annual budgets; establishes performance requirements and personnel development targets; provides coaching for performance improvement and development; takes disciplinary action to address performance deficiencies, in accordance with the City's human resources policies and procedures and labor contract provisions.

2. Participates with other managers in establishing strategic plans for the Public Works Department; sets overall management and policy goals and objectives for assigned work unit; coordinates division program and policy issues with managers of other divisions and departments and/or on a City-wide basis. Provides day-to-day leadership and works with staff to ensure a high performance, customer service-oriented work environment which supports achieving City objectives and service expectations; provides leadership and participates in programs and activities that promote a positive employee relations environment.
3. Supervises, plans, organizes, directs, and reviews the work of professional and para-professional engineering teams in the preparation and/or review of engineering plans, specifications, designs, cost estimates, reviews and sets requirements/conditions for various types of development projects, easements and legal descriptions, plan checks, construction inspections, permit issuance, project water quality conformance, and materials testing for a wide variety of construction and maintenance projects; performs traffic engineering and transportation planning activities and studies; schedules and budgets and recommends adjustments as needed to expedite projects and ensure reasonableness; reviews drawings and specifications for compliance with City standards; ensures project compliance with federal, state and local laws, regulations and policies
4. Supervises the Project Manager or Resident Engineer on capital improvement projects; approves project descriptions, job scope, cost estimates and projections, schedules, procedures, timelines, right of way plans, acquisition and environmental documents and reports, and purchases. Confers with other professional and technical staff; coordinates work with other City departments, outside agencies, contractors and consultants.
5. Develops and monitors systems and procedures for contract administration to ensure compliance with technical and legal requirements; oversees preparation of bid documents and selection of consultants and contractors.
6. Performs difficult engineering work, contract administration, highly specialized design, research, analysis and economic evaluations; prepares and submits a variety of documents and reports
7. Coordinates and integrates multi-phase design, development and construction projects with various regional, state or federal jurisdictions, as well as with special-interest groups, other stakeholders and the public; drafts interagency agreements for reimbursement and conveyance of easements; reviews and verifies rights-of-way procedures for projects to ensure proper acquisition.
8. Represents the City with other public and governmental agencies, community and business organizations, citizens, the media and the public; promotes communication and understanding of City operations, policies and goals by attending and participating in various meetings, committees and task forces, internally and in the public arena; delivers presentations and prepares reports summaries for City Council meetings; responds to and provides information to external agencies

and citizens as required; participates and provides review and recommendations for Developer Project Design Review Committees and attends Planning Commission meetings as needed representing their work unit.

9. Oversees the preparation of complex grant applications for project funding from various governmental agencies. Oversees project compliance with grant requirements.
10. Maintains administrative and engineering records.
11. Supervise and participate in the preparation of special engineering studies and reports related to current and long-range assigned work unit goals and develops recommendations to meet these goals.
12. Coordinate related engineering activities with other City departments, divisions, and outside agencies.
13. Supervise, train, and evaluate professional and technical staff.

May be assigned to Land Development, Transportation Engineering, Capital Projects, or Moreno Valley Electric Utility

When assigned to the Electric Utility:

- Supervise the development of plans and estimates for design and construction and major repair of electrical systems, including underground distribution lines, street lights, substations, communications, and related facilities.
- Supervise and participate in electrical system planning and load management.
 - Review and approve engineering drawings and work authorizations.
 - Participate in development of power contracts and implementation of programs.
 - Direct and supervise technology development and support as it relates to the Electric Utility.
 - May act as the Electric Utility Chief Engineer in that individual's absence.

When assigned to Transportation Engineering:

Will be designated as the City Traffic Engineer as defined by the Municipal Code and is expected to carry out responsibilities independently and with awareness of traffic operations and safety issues and sensitivities. Oversee the operation and development of the City's Transportation Management Center. Conduct Transportation Safety Committee meetings.

OTHER DUTIES

1. Attends a variety of training sessions, committees, conferences and seminars as assigned.
2. Provides backup to other professional engineering staff as required.

3. May act as the Division Manager in that individual's absence.

QUALIFICATIONS

Knowledge of:

1. Applicable federal and state laws and regulations.
2. Modern developments, current literature, and sources of information regarding the assigned area of engineering.
3. Applicable laws and regulatory codes related to engineering, operations, and construction in the area of assignment.
4. Principles and practices of sound business communication.
5. Technical report writing.
6. Information technology and computer capabilities applicable to functional responsibilities.
7. Theories, principles and practices of civil, mechanical, structural, transportation/traffic and/or electrical/engineering design and construction.
8. Principles, methods, techniques, and standards used in the design, construction, and operation of a variety of engineering projects.
9. Principles and practices of public administration, including budgeting, purchasing, contract administration and maintenance of public records.
10. Project management methods and practices for planning, budgeting, scheduling, monitoring performance and evaluating results.
11. Research methods and analysis techniques.
12. Principles and practices of effective management and supervision.
13. City human resources policies and procedures and labor contract provisions.

When assigned to the Electric Utility:

1. Principles and practices of electrical engineering, engineering economics and other engineering disciplines used in the electric utility and/or communication industries.
2. Methods, techniques, and standards used in the design, construction, and operation of a variety of electric utility projects.

Ability to:

1. Plan, direct, manage, coordinate and integrate the activities of the engineering function within an assigned area.
2. Prepare, direct preparation of and review complex engineering designs, plans, specifications and legal contracts.
3. Perform difficult technical research and analyze complex engineering and mathematical problems, evaluating alternatives and recommending or adopting effective courses of action.
4. Define complex management and fiscal issues, perform difficult analyses and research, evaluate alternatives and develop sound conclusions and recommendations.
5. Understand, interpret, explain and apply federal, state and local policy, law, regulations and court decisions applicable to areas of responsibility.
6. Present proposals and recommendations clearly, logically and persuasively in public meetings.
7. Operate a personal computer using standard or customized software applications appropriate to assigned tasks.
8. Represent the City effectively in negotiations and other dealings on a variety of difficult, complex, sensitive and confidential issues.
9. Prepare clear, concise and comprehensive correspondence, reports, studies and other written materials.
10. Exercise sound, expert independent judgment within general policy guidelines.
11. Exercise tact and diplomacy in dealing with sensitive and complex issues and situations.
12. Establish and maintain effective working relationships with all levels of City management, the City Council, other governmental officials, consultants, contractors, employees, the public, the media and others encountered in the course of work.

Education, Training and Experience:

A bachelor's degree in civil, electrical, mechanical, or structural engineering or a related engineering discipline. A minimum of seven years of progressively responsible professional engineering experience, at least two of which were in a supervisory or program/project management capacity.

Licenses; Certificates; Special Requirements:

Current, valid certification as a Professional Civil, Electrical, Mechanical, or Structural Engineer issued by the California State Licensing Board for Professional Engineers.

A valid California driver's license and the ability to maintain insurability under the City's vehicle insurance policy.

PHYSICAL AND MENTAL DEMANDS

The physical and mental demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this class. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

Physical Demands

While performing the duties of this job, the employee is regularly required to sit; talk or hear, both in person and by telephone; use hands to finger, handle and feel computers and standard business equipment; and reach with hands and arms. The employee is frequently required to stand and walk.

Specific vision abilities required by this job include close vision and the ability to adjust focus.

Mental Demands

While performing the duties of this class, the incumbent is regularly required to use written and oral communication skills; read and interpret complex data, information and documents; analyze and solve complex problems; use math/mathematical reasoning; perform highly detailed work under changing, intensive deadlines, on multiple concurrent tasks; work with constant interruptions, and interact with all levels of City management, the City Council, other governmental officials, consultants, contractors, employees, the public, the media and others encountered in the course of work.

WORK ENVIRONMENT

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this class. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

The employee works under typical office conditions, and the noise level is usually quiet. The employee may occasionally be required to work in outside conditions, exposed to wet and/or humid conditions, where the noise level may be loud.