



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

**April 18, 2017**

**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 Session**

*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 Guy Pegan, 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.*

Victoria Baca, Mayor Pro Tem  
David Marquez, Council Member

Dr. Yxstian A. Gutierrez, Mayor

Jeffrey J. Giba , Council Member  
Vacant

**AGENDA**  
**CITY COUNCIL OF THE CITY OF MORENO VALLEY**  
**April 18, 2017**

**CALL TO ORDER - 5:30 PM**

SPECIAL PRESENTATIONS

1. Earth Day Proclamation
2. Arbor Day Proclamation
3. Recycle All Stars Awards (Waste Management)
4. Officer of the Quarter - 4th Quarter - Officer Dawn Gouvion

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

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

**REGULAR MEETING – 6:00 PM  
APRIL 18, 2017**

**CALL TO ORDER**

Joint Meeting of the City Council, Community Services District, City as Successor Agency for the Community Redevelopment Agency, Housing Authority and the Board of Library Trustees - actions taken at the Joint Meeting are those of the Agency indicated on each Agenda item.

**PLEDGE OF ALLEGIANCE**

**INVOCATION**

Pastor Mark Orellana, Victory Outreach Church

**ROLL CALL**

**INTRODUCTIONS**

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

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

Those wishing to speak should complete and submit a BLUE speaker slip to the Sergeant-at-Arms. There is a three-minute time limit per person. All remarks and questions shall be addressed to the presiding officer or to the City Council.

## **JOINT CONSENT CALENDARS (SECTIONS A-D)**

All items listed under the Consent Calendars, Sections A, B, C, and D are considered to be routine and non-controversial, and may be enacted by one motion unless a member of the City Council, Community Services District, City as Successor Agency for the Community Redevelopment Agency, Housing Authority or the Board of Library Trustees requests that an item be removed for separate action. The motion to adopt the Consent Calendars is deemed to be a separate motion by each Agency and shall be so recorded by the City Clerk. Items withdrawn for report or discussion will be heard after public hearing items.

### **A. CONSENT CALENDAR-CITY COUNCIL**

#### **A.1. MINUTES - CITY COUNCIL - REGULAR MEETING - MARCH 21, 2017**

**Recommendation:** Approve as submitted.

#### **A.2. APPROVE THE SECOND AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES WITH HDR ENGINEERING, INC. AND APPROPRIATE ADDITIONAL FUNDS TO COMPLETE THE DESIGN AND PROVIDE CONSTRUCTION SUPPORT FOR THE KITCHING STREET ELECTRICAL SUBSTATION AND SWITCHYARD PROJECT NO. 805 0027 (Report by: Financial & Management Services)**

##### **Recommendations:**

1. Approve the Second Amendment for Professional Consultant Services with HDR Engineering, Inc. for the Kitching Street Electrical Substation and Switchyard Project.
2. Authorize the City Manager to execute the Second Amendment for Professional Consultant Services with HDR Engineering, Inc.
3. Authorize the issuance of a Purchase Order increase to HDR Engineering, Inc. for the amount of \$75,394 when the amendment has been signed by all parties.
4. Authorize the Chief Financial Officer/City Treasurer to execute any subsequent related amendments to the Agreement for Professional Consultant Services with HDR Engineering, Inc. not to exceed the Purchase Order amount, subject to the approval of the City Attorney.
5. Appropriate additional funds for the Kitching Street Electrical Substation and Switchyard Project totaling \$75,394 to complete the design and provide engineer of record construction support.

- A.3. AUTHORIZATION TO SUBMIT GRANT APPLICATIONS UNDER THE SB821 BICYCLE AND PEDESTRIAN FACILITIES PROGRAM (Report by: Public Works)

**Recommendation:**

1. Authorize the submission of grant applications for the SB 821 Bicycle and Pedestrian Facilities Program as administered by the Riverside County Transportation Commission (RCTC).

- A.4. APPROVE A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY TO AMEND THE ELECTRIC RATES AND RULES FOR MORENO VALLEY UTILITY (MVU) (Report by: Financial & Management Services)

**Recommendation:**

1. Approve Resolution No. 2017-20. A Resolution of the City Council of the City of Moreno Valley, California, to Amend the Electric Rates and Rules for Moreno Valley Utility (MVU).

- A.5. APPROVE APPROPRIATION OF FUNDS FOR PURCHASED POWER COSTS FOR FISCAL YEAR 2016/2017 (Report by: Financial & Management Services)

**Recommendation:**

1. Authorize the Chief Financial Officer to appropriate \$1,095,000 in fund 6010 for purchased power costs.

- A.6. AUTHORIZATION TO SUBMIT A GRANT APPLICATION UNDER THE CALIFORNIA NATURAL RESOURCES AGENCY URBAN GREENING PROGRAM AND ADOPT RESOLUTION THEREOF (Report by: Public Works)

**Recommendations:**

1. Authorize staff to submit an application for a grant under the California Natural Resources Agency's Urban Greening Program.
2. Adopt Resolution No. 2017-21 in support of the grant application as required by the funding agency.

- A.7. PURSUANT TO A LANDOWNER PETITION, ANNEX CERTAIN PARCELS INTO COMMUNITY FACILITIES DISTRICT NO. 2014-01 (MAINTENANCE SERVICES) - AS AMENDMENT NO. 12 (Report by: Public Works)

**Recommendation:**

1. Acting as the legislative body of Community Facilities District No. 2014-01 (Maintenance Services), adopt Resolution No. 2017-22, a Resolution of the City Council of the City of Moreno Valley, California, ordering the annexation of territories to City of Moreno Valley Community Facilities District No. 2014-01 (Maintenance Services) and approving the amended map for said district.

- A.8. APPROVE THE CITY OF MORENO VALLEY'S MEASURE A LOCAL STREETS AND ROADS CAPITAL IMPROVEMENT PLAN FOR FISCAL YEARS 2017/18 – 2021/22 AND MAINTENANCE OF EFFORT CERTIFICATION FOR FISCAL YEAR 2017/18 (Report by: Public Works)

**Recommendations:**

1. Approve the City of Moreno Valley's Measure A Local Streets and Roads Five-Year Capital Improvement Plan for Fiscal Years 2017/18 – 2021/22 and Maintenance of Effort Certification for Fiscal Year 2017/18.
2. Authorize submittal of the Measure A Local Streets and Roads Five-Year Capital Improvement Plan for Fiscal Years 2017/18 – 2021/22 and Maintenance of Effort Certification for Fiscal Year 2017/18 to the Riverside County Transportation Commission.
3. Authorize staff to submit an amended five year plan to the Riverside County Transportation Commission if changes are made by City Council to the listed Measure A projects as part of the upcoming FY 2017/18 – 2018/19 budget approval process.

- A.9. Revision to Policy 1.7 - GUIDELINES FOR COUNCILMEMBERS AT SCENES OF EMERGENCIES (Report by: City Manager)

**Recommendation:**

1. Approve proposed amendments to Administrative Policy 1.7 to address the definition, purpose and access to Crime Scenes.

- A.10. LIST OF PERSONNEL CHANGES (Report by: Administrative Services)

**Recommendation:**

1. Ratify the list of personnel changes as described.

## **B. CONSENT CALENDAR-COMMUNITY SERVICES DISTRICT**

### **B.1. MINUTES - REGULAR MEETING OF MARCH 21, 2017 (See A.1)**

**Recommendation:** Approve as submitted.

### **B.2. PURSUANT TO A LANDOWNER PETITION, ANNEX FOUR PARCELS INTO COMMUNITY FACILITIES DISTRICT NO. 1 (PARK MAINTENANCE) — AS ANNEXATION NO. 2016-40 (Report by: Public Works)**

**Recommendation:**

1. That the Community Services District (CSD) of the City of Moreno Valley acting as the legislative body of Community Facilities District No. 1 (Park Maintenance) approve and adopt Resolution No. CSD 2017-04, a Resolution of the Board of Directors of the Moreno Valley Community Services District of the City of Moreno Valley, California, ordering the annexation of territory for Annexation No. 2016-40 to its Community Facilities District No. 1 and approving the amended map for said district.

## **C. CONSENT CALENDAR - HOUSING AUTHORITY**

### **C.1. MINUTES - REGULAR MEETING OF MARCH 21, 2017 (See A.1)**

**Recommendation:** Approve as submitted.

## **D. CONSENT CALENDAR - BOARD OF LIBRARY TRUSTEES**

### **D.1. MINUTES - REGULAR MEETING OF MARCH 21, 2017 (See A.1)**

**Recommendation:** Approve as submitted.

## **E. PUBLIC HEARINGS**

Questions or comments from the public on a Public Hearing matter are limited to five minutes per individual and must pertain to the subject under consideration.

Those wishing to speak should complete and submit a GOLDENROD speaker slip to the Sergeant-at-Arms.

### **E.1. PUBLIC HEARING FOR DELINQUENT NUISANCE ABATEMENT (Report by: Fire Department)**

**Recommendations:**

1. Conduct a public hearing and accept public testimony on delinquent nuisance abatement account.

2. Adopt Resolution No. 2017-23. A Resolution of the City Council of the City of Moreno Valley, California, confirming Statements of Costs against real property located in the City of Moreno Valley, for abatements of public nuisances and direction that said Statement of Costs constitute a Lien upon said properties.
3. Approve placing the submitted Property Assessment List of delinquent nuisance abatement accounts on the Fiscal Year (FY) 2017/2018 Riverside County property tax roll for collection.
4. Direct the City Clerk to file with the Riverside County Assessor's office a certified copy of Resolution No. 2017-23 and the Property Assessment List as required by Section 6.04.120 of the City of Moreno Valley Municipal Code.

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

**G. GENERAL BUSINESS - NONE**

**H. REPORTS**

H.1. CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES  
(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

Southern California Association of Governments (SCAG)

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

H.3. CITY ATTORNEY'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 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](http://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](http://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](http://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: April 6, 2017

**MINUTES  
CITY COUNCIL REGULAR MEETING OF THE CITY OF MORENO VALLEY  
March 21, 2017**

**CALL TO ORDER - 5:30 PM**

**SPECIAL PRESENTATIONS**

1. Inland United Soccer Club Moreno Valley Recognitions: a) Hector Ruano  
b) Manuel Aguiar c) Maria Paula Aguiar (Mayor Gutierrez)

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

**REGULAR MEETING – 6:00 PM  
March 21, 2017**

**CALL TO ORDER**

The Joint Meeting of the City Council of the City of Moreno Valley, Moreno Valley Community Services District, City as Successor Agency for the Community Redevelopment Agency of the City of Moreno Valley, Moreno Valley Housing Authority and the Board of Library Trustees was called to order at 6:00 p.m. by Mayor Gutierrez in the Council Chamber located at 14177 Frederick Street.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Frank Wright.

**INVOCATION**

Pastor Eddie Ogwo, Heartbeat of God Assembly

**ROLL CALL**

Council:	Dr. Yxstian A. Gutierrez	Mayor
	Jeffrey J. Giba	Council Member
	David Marquez	Council Member
	Victoria Baca	Mayor Pro Tem

**INTRODUCTIONS**

Staff:	Michelle Dawson	City Manager
	Martin Koczanowicz	City Attorney
	Pat Jacquez-Nares	City Clerk
	Marshall Eyerman	Chief Financial Officer
	Thomas M. DeSantis	Assistant City Manager
	Ahmad Ansari	Public Works Director/City Engineer
	Joel Ontiveros	Police Chief
	Abdul Ahmad	Fire Chief
	Terrie Stevens	Administrative Services Director

Minutes Acceptance: Minutes of Mar 21, 2017 6:00 PM (CONSENT CALENDAR-CITY COUNCIL)

Betsy Adams

Allen Brock

Jacqueline Melendez

Interim Parks & Community Services  
Director

Community Development Director

Project Manager, Economic  
Development

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

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

Rafael Bruqueras

1. His City's journey
2. Scripture John 15:11-17

Fabian Ayub

1. New resident
2. Broken mailboxes and theft of mailboxes

Johnny Bright

1. RunnersDrop smart phone application

Irma Flores

1. Louise Palomarez impersonating a Council Member at League of California Cities Trip

Rachele Sterling

1. Concerned with Louise at the League of California Cities Conference.

Sean Fortine

1. Clarity of Planning Commission Applications
2. Homelessness problem

Daryl Terrel

1. President Lincoln an inspiration
2. Work together as a community

Eduardo Gomez

1. Council work together
2. Scripture John 15:16

Roy Bleckert

1. Community needs to unite
2. Invited Council to MVUSD Board meeting.

Louise Palomarez

- 1. Clarified League of California Cities Conference
- 2. Food App
- 3. President Trump

JOINT CONSENT CALENDARS (SECTIONS A-D)

Motion to Approve Joint Consent Calendar Items A.1 through D.1 with the exception of Items A.4 and A.5 which were pulled for separate discussion by Council Member Giba.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Victoria Baca, Mayor Pro Tem
<b>SECONDER:</b>	Dr. Yxstian A. Gutierrez, Mayor
<b>AYES:</b>	Dr. Yxstian A. Gutierrez, Jeffrey J. Giba, David Marquez, Victoria Baca

**A. CONSENT CALENDAR-CITY COUNCIL**

Mayor Gutierrez opened the Consent Agenda items for public comments, which were received from Rafael Brugueras (supports item nos. A.3, A.8, A.9, A.17, and A.20.)

- 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. MUNICIPAL CODE UPDATE – SECTIONS 9.14.210 AND 9.14.230 - AUTHORIZING THE CITY ENGINEER TO EXECUTE IMPROVEMENT SECURITY AGREEMENTS AND RELEASE OR REDUCE IMPROVEMENT SECURITIES AND DESIGNATING THE CITY ENGINEER TO ACCEPT STREETS AND PORTIONS THEREOF INTO THE CITY MAINTAINED STREET SYSTEM (Report of: Public Works)

**Recommendations: That the City Council:**

- 1. Conduct second reading by title only and Adopt Ordinance No. 921. An Ordinance of the City Council of the City of Moreno Valley, California, thereby amending the City of Moreno Valley Municipal Code Sections 9.14.210(B), 9.14.210(C), and 9.14.230 related to improvement securities and acceptance of completed improvements into the City maintained street system.

A.3. FINAL PURCHASE AND SALE AGREEMENT FOR SOUTHERN CALIFORNIA EDISON STREET LIGHTS (Report of: Public Works)

**Recommendations: That the City Council:**

1. Approve the final Purchase and Sale Agreement, including the Light Pole License Agreement, with Southern California Edison to acquire approximately 9,411 street lights and authorize the City Manager to execute the necessary documents.

A.4. Item A.4 was removed for separate discussion moved to Item F.

A.5. Item A.5 was removed for separate discussion and moved to Item F.

A.6. LIST OF PERSONNEL CHANGES (Report of: Administrative Services)

**Recommendation:**

1. Ratify the list of personnel changes as described.

A.7. TRACT 22180-2 – APPROVE COOPERATIVE AGREEMENT AMONG THE RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT, CITY OF MORENO VALLEY, AND RSI COMMUNITIES LLC FOR THE SUNNYMEAD -BLACK SHADOW DRIVE STORM DRAIN, STAGE 1, LOCATED AT THE NORTHWEST CORNER OF GENTIAN AVENUE AND PERRIS BOULEVARD. DEVELOPER: RSI COMMUNITIES LLC (Report of: Public Works)

**Recommendations:**

1. Approve the Cooperative Agreement with the Riverside County Flood Control and Water Conservation District (the District), the City of Moreno Valley, and RSI Communities LLC for the Sunnymead – Black Shadow Drive Storm Drain, Stage 1.
2. Authorize the City Manager to execute the Cooperative Agreement.
3. Direct the City Clerk to forward the signed Cooperative Agreement to the District.

- A.8. TRACT 22180-2 – ACCEPT THE AGREEMENT AND SECURITY FOR PUBLIC IMPROVEMENTS AT THE NORTHWEST CORNER OF GENTIAN AVENUE AND PERRIS BOULEVARD DEVELOPER: RSI COMMUNITIES LLC (Report of: Public Works)

**Recommendations:**

1. Accept the Agreement and Security for Public Improvements for RSI Communities LLC.
2. Authorize the Mayor to execute the Agreement.
3. Direct the City Clerk to forward the signed Agreement to the County Recorder's Office for recordation.
4. Authorize the City Engineer to execute any future time extension amendments to the agreement, subject to City Attorney approval, if the required public improvements are not completed within said timeframe.

- A.9. ADOPT RESOLUTION NO. 2017-13 DECLARING SUPPORT FOR AN ENERGY PARTNERSHIP BETWEEN SOUTHERN CALIFORNIA EDISON COMPANY AND SOUTHERN CALIFORNIA GAS COMPANY TO BE KNOWN AS "ENERGY PARTNERSHIP" (Report of: Administrative Services)

**Recommendation:**

1. Adopt Resolution No. 2017-13. A resolution of the City Council of the City of Moreno Valley, California, declaring support for an energy partnership between Southern California Edison, Southern California Gas Company, and Western Riverside Council of Governments to promote energy efficiency and sustainability.

- A.10. APPROVE CALTRANS MASTER AGREEMENT, ADMINISTERING AGENCY-STATE AGREEMENT FOR FEDERAL-AID PROJECTS, AGREEMENT NO. 08-5441F15 AND ADOPT THE PROPOSED RESOLUTION (Report of: Public Works)

**Recommendations:**

1. Approve Master Agreement, Administering Agency-State Agreement for Federal-Aid Projects, Agreement No. 08-5441F15.
2. Authorize the Public Works Director to execute the Master Agreement, Administering Agency-State Agreement for Federal-Aid Projects, Agreement No. 08-5441F15 upon City Council Approval.
3. Adopt Resolution No. 2017-14. A resolution of the City Council of the

City of Moreno Valley, California, authorizing the Public Works Director to execute all future Master Agreements, Program Supplement Agreements, Fund Exchange Agreements, Fund Transfer Agreements and/or any amendments thereto with the California Department of Transportation (Caltrans) subject to the approval of the City Attorney.

A.11. ACCEPTANCE OF CYCLE 8 HIGHWAY SAFETY IMPROVEMENT PROGRAM (HSIP) GRANT AND FUNDING APPROPRIATION FOR THE SOUTH LASSELLE STREET SAFETY CORRIDOR PROJECT (Report of: Public Works)

**Recommendations:**

1. Accept the California Department of Transportation (Caltrans) Highway Safety Improvement Program (HSIP) Cycle 8 grant award of up to \$522,300 in funds for the South Lasselle Street Safety Corridor project.
2. Authorize the Chief Financial Officer to appropriate \$522,300 as revenue and expense in the Capital Projects Reimbursements fund (Fund 2301).
3. Amend the Fiscal Year 16/17 Adopted Capital Improvement Plan to include the South Lasselle Street Safety Corridor project as a funded project.

A.12. ACCEPTANCE OF CYCLE 8 HIGHWAY SAFETY IMPROVEMENT PROGRAM (HSIP) GRANT AND FUNDING APPROPRIATION FOR THE UPGRADE OF MARKED CROSSWALKS ON ARTERIALS (Report of: Public Works)

**Recommendations:**

1. Accept the California Department of Transportation (Caltrans) Highway Safety Improvement Program (HSIP) Cycle 8 grant award of up to \$250,000 in funds for the upgrade of existing marked crosswalks on arterials.
2. Authorize the Chief Financial Officer to appropriate \$250,000 as revenue and expense in the Capital Projects Reimbursements fund (Fund 2301).
3. Amend the Fiscal Year 16/17 Adopted Capital Improvement Plan to include the project as a funded project.



- A.13. TRACT 22180-3 – ACCEPT DEVELOPMENT IMPACT FEE (DIF) IMPROVEMENT CREDIT AGREEMENT #D17-001 FOR INDIAN STREET AND GENTIAN AVENUE ROAD IMPROVEMENTS ASSOCIATED WITH THE AUGUSTA TRACT PROJECT DEVELOPER: RSI COMMUNITIES LLC (Report of: Public Works)

**Recommendations:**

1. Accept the Development Impact Fee Improvement Credit Agreement #D17-001 (DIF Agreement) for Tract 22180-3 improvements.
2. Authorize the City Manager to execute the DIF Agreement.

- A.14. ACCEPTANCE OF CYCLE 8 HIGHWAY SAFETY IMPROVEMENT PROGRAM (HSIP) GRANT AND FUNDING APPROPRIATION FOR THE UPGRADE OF GUARDRAIL SYSTEMS (Report of: Public Works)

**Recommendations:**

1. Accept the California Department of Transportation (Caltrans) Highway Safety Improvement Program (HSIP) Cycle 8 grant award of up to \$779,900 in funds for implementing guardrail system upgrades.
2. Authorize the Chief Financial Officer to appropriate \$779,900 as revenue and expense in the Capital Projects Reimbursements fund (Fund 2301).
3. Amend the Fiscal Year 16/17 Adopted Capital Improvement Plan to include the Guardrail Upgrades project as a funded project.

- A.15. APPROVAL OF THE FISCAL YEAR 2017/2018 STORM WATER PROTECTION PROGRAM BUDGET FOR COUNTY SERVICE AREA 152 (Report of: Public Works)

**Recommendations:**

1. Approve the County Service Area (CSA) 152 Budget for Fiscal Year (FY) 2017/2018 in the amount \$675,693.
2. Authorize the levy of County Service Area 152 Assessment at \$8.15 per Benefit Assessment Unit (BAU) for FY 2017/2018.

- A.16. APPROVE COOPERATIVE AGREEMENT WITH RIVERSIDE COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT FOR THE SUNNYMEAD MASTER DRAINAGE PLAN LINE H-1A, STAGE 3, AKA HUBBARD STREET STORM DRAIN PROJECT NO. 804 0010 (Report of: Public Works)

**Recommendations:**

1. Approve the Cooperative Agreement with Riverside County Flood Control and Water Conservation District (District) for the Sunnymead Master Drainage Plan Line H-1A, Stage 3, aka Hubbard Street Storm Drain Project.
2. Authorize the City Manager to execute the Cooperative Agreement in the form attached hereto upon concurrence by the District.
3. Authorize the Public Works Director/City Engineer to approve any minor changes that may be requested by the District and/or the City subject to the approval of the City Attorney.
4. Authorize the Public Works Director/City Engineer to execute any future amendments subject to the approval of the City Attorney.
5. Authorize the Chief Financial Officer to appropriate \$467,000 as revenue and expense in the Public Work General Capital Projects Fund (3002) to provide adequate funding for the Hubbard Street Storm Drain project construction.

- A.17. AUTHORIZATION TO AWARD CONSTRUCTION CONTRACT TO FS CONTRACTORS, INC. FOR THE CYCLE 7 CITYWIDE PEDESTRIAN AND BICYCLE ENHANCEMENT PROJECT NO. 801 0068 (Report of: Public Works)

**Recommendations:**

1. Award a construction contract to FS Contractors, Inc., 14838 Bledsoe Street, Sylmar, CA 91342, the lowest responsible bidder, for the Cycle 7 Citywide Pedestrian and Bicycle Enhancement.
2. Authorize the City Manager to execute a contract with FS Contractors, Inc.
3. Authorize the issuance of a Purchase Order for FS Contractors, Inc., in the amount of \$113,344 (\$98,560 bid amount plus 15% contingency) when the contract has been signed by all parties.
4. Authorize the Public Works Director/City Engineer to execute any

subsequent related minor change orders to the contract with FS Contractors, Inc. up to, but not exceeding, the contingency amount of \$14,784 subject to the approval of the City Attorney.

A.18. XEROX COLOR PRINTER LEASES (Report of: Administrative Services)

**Recommendations: That the City Council and CSD:**

1. Award the five year lease of two XC60 color printers and ancillary equipment to Xerox Corporation.
2. Approve the amended budget and instruct the Purchasing Manager to sign the leases and issue purchase orders based on the lease terms.
3. Allow the Administrative Services Director to process any contract amendments and/or change orders up to a 10% increase of the initial amount for added copy volume charges or other required items.

A.19. PURSUANT TO LANDOWNER PETITIONS, ANNEX CERTAIN PARCELS INTO COMMUNITY FACILITIES DISTRICT NO. 2014-01 (MAINTENANCE SERVICES) - AS AMENDMENT NO. 21 (Report of: Public Works)

**Recommendation:**

1. Acting as the legislative body of Community Facilities District No. 2014-01 (Maintenance Services), adopt Resolution No. 2017-15, a Resolution of the City Council of the City of Moreno Valley, California, ordering the annexation of territories to City of Moreno Valley Community Facilities District No. 2014-01 (Maintenance Services) and approving the amended maps for said district.

A.20. Police K9 Donation (Report of: Police Department)

**Recommendation:**

1. Accept one donated Police K9, valued at \$11,000, from Adlerhorst International.

**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. ADOPTION OF A RESOLUTION TO CERTIFY REDUCED DAYS OF OPERATION AND ATTENDANCE OF "A CHILD'S PLACE" PROGRAM DUE

TO EMERGENCY CONDITIONS ON JANUARY 23, 2017 (Report of: Parks & Community Services)

**Recommendation:**

1. Adopt Resolution No. CSD 2017-03. A resolution of the Moreno Valley Community Services District of the City of Moreno Valley, California, to certify reduced days of operation and attendance of A Child's Place Program due to emergency conditions on January 23, 2017.

**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.

**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.

**E. PUBLIC HEARINGS**

- E.1. LEGACY PARK PROJECT PROPOSES A GENERAL PLAN AMENDMENT, A CHANGE OF ZONE, CONDITIONAL USE PERMIT, AND TENTATIVE TRACT MAP 36760 FOR A 53 ACRE SINGLE FAMILY DWELLING PROJECT AT THE SOUTHEAST CORNER OF INDIAN STREET AND GENTIAN AVENUE, PROPOSED RELATED ENVIRONMENTAL DOCUMENT MITIGATED NEGATIVE DECLARATION (Report of: Community Development)

Mayor Gutierrez opened the public hearing at 6:50 p.m.

Rafael Brugueras supports the item.

Mayor Gutierrez closed the public hearing at 6:54 p.m.

**Recommendations:** That the City Council:

1. Conduct a public hearing for the Legacy Park Project.
2. Adopt Mitigated Negative Declaration prepared in connection with the

Project.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Victoria Baca, Mayor Pro Tem
<b>SECONDER:</b>	David Marquez, Council Member
<b>AYES:</b>	Dr. Yxstian A. Gutierrez, Jeffrey J. Giba, David Marquez, Victoria Baca

3. Approve Resolution No. 2017-16. A Resolution of the City Council of the City of Moreno Valley, California, Approving a General Plan Amendment (PEN16-0092) to change the Land Use Designation from Residential 30 to Residential 5 for approximately 15 acres located within Assessor's Parcel Number 485-220-040 located south of Gentian Avenue and on the west side of the California Aqueduct.
4. Introduce Ordinance No. 922. An Ordinance of the City Council of the City of Moreno Valley, California, Approving a Zone Change (PEN16-0093) from R30 to R5 for approximately 15 acres located within Assessor's Parcel Number 485-220-040 located south of Gentian Avenue and on the west side of the California Aqueduct.
5. Approve Resolution No. 2017-17. A Resolution of the City Council of the City of Moreno Valley, California, Approving Conditional Use Permit PEN16-0094 for a 221 lot Planned Unit Development on approximately 53 acres of Assessor's Parcel Numbers 485-220-023, 485-220-032, and 485-220-040 located at the southeast corner of Indian Street and Gentian Avenue.
6. Approve Resolution No. 2017-18. A Resolution of the City Council of the City of Moreno Valley, California, Approving Tentative Tract Map 36760 (Application PEN16-0095) to subdivide the approximately 53 acres of Assessor's Parcel Numbers 485-220-023, 485-220-032, and 485-220-040 located at the southeast corner of Indian Street and Gentian Avenue.

Approve staff's recommendations 3 through 6.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Jeffrey J. Giba, Victoria Baca
<b>SECONDER:</b>	David Marquez, Council Member
<b>AYES:</b>	Dr. Yxstian A. Gutierrez, Jeffrey J. Giba, David Marquez, Victoria Baca

E.2. PUBLIC HEARING TO APPROVE CDBG, HOME, AND ESG PROJECTS SELECTIONS FOR INCLUSION IN FY 2017-18 ANNUAL ACTION PLAN (Report of: Financial & Management Services)

Mayor Gutierrez opened the public hearing at 7:04 p.m.

Jessica Munoz, Voices for Children, supports the item.

Mayor Gutierrez closed the public hearing at 7:08 p.m.

**Recommendations: That the City Council:**

1. Conduct a Public Hearing for the Community Development Block Grant (CDBG), HOME Investment Partnership (HOME) and Emergency Solutions Grant (ESG) Programs to allow the public an opportunity to comment on the proposed project selections for Fiscal Year (FY) 2017/18 Annual Action Plan.
2. Approve the recommended projects for inclusion in the Annual Action Plan (FY 2017/18) as an application to the U.S. Department of Housing and Urban Development for funding under the federal CDBG, HOME and ESG programs.
3. Authorize the Chief Financial Officer to amend the City's Budget to include the allocations in the FY 2017/18 Action Plan.
4. Remove funding for item 33 in Capital Improvements.

<b>RESULT:</b>	<b>APPROVED [3 TO 1]</b>
<b>MOVER:</b>	Victoria Baca, Mayor Pro Tem
<b>SECONDER:</b>	Dr. Yxstian A. Gutierrez, Mayor
<b>AYES:</b>	Dr. Yxstian A. Gutierrez, David Marquez, Victoria Baca
<b>NAYS:</b>	Jeffrey J. Giba

E.3. PUBLIC HEARING FOR THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM MAIL BALLOT PROCEEDING (Report of: Public Works)

**Recommendations: That the City Council:**

1. Conduct the Public Hearing and accept public testimony regarding the mail ballot proceedings for First Industrial, LP and Corona South Main Development for approval of the National Pollutant Discharge Elimination System (NPDES) maximum commercial/industrial regulatory rate to be applied to the property tax bill.

Minutes Acceptance: Minutes of Mar 21, 2017 6:00 PM (CONSENT CALENDAR-CITY COUNCIL)

2. Direct the City Clerk to count the returned NPDES ballots.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Jeffrey J. Giba, Council Member
<b>SECONDER:</b>	Dr. Yxstian A. Gutierrez, Mayor
<b>AYES:</b>	Dr. Yxstian A. Gutierrez, Jeffrey J. Giba, David Marquez, Victoria Baca

Mayor Gutierrez opened the public testimony portion of the public hearing; there being none, public testimony was closed at 7:11 p.m.

The City Clerk announced the results as follows:  
First Industrial weighted ballot of 15 voted No.

Corona South Main weighted ballot of 4 voted Yes.

3. Verify and accept the results of the mail ballot proceeding as maintained by the City Clerk on the Official Tally Sheet.
4. Receive and file the Official Tally Sheet with the City Clerk’s office.
5. If approved, authorize and impose the NPDES maximum commercial/industrial regulatory rate to the Assessor’s Parcel Numbers mentioned in this report.

Approve staff’s recommendation on numbers 3 through 5 for the Corona South Main Development.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Victoria Baca, Mayor Pro Tem
<b>SECONDER:</b>	David Marquez, Council Member
<b>AYES:</b>	Dr. Yxstian A. Gutierrez, Jeffrey J. Giba, David Marquez, Victoria Baca

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

F.1. MAYORAL APPOINTMENTS FOR THE PLANNING COMMISSION (Report of: City Clerk)

Mayor Gutierrez opened the agenda item for public comments, which were received from the following, Scott Hevenan (opposes), Sean Fortine (opposes), Kathleen Dale (opposes), Frank Wright (supports), Robert Harris (supports), Louise Palomarez (supports), Eduardo Gomez (supports), and Jerry Mercado (opposes)

Minutes Acceptance: Minutes of Mar 21, 2017 6:00 PM (CONSENT CALENDAR-CITY COUNCIL)

**Recommendation:**

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

<u>Name</u>	<u>Position</u>	<u>Term</u>
Ray Baker	Commissioner	04/01/2017 to 03/31/2021
Rafael Brugueras	Commissioner	04/01/2017 to 03/31/2021

Other appointments may be made from the pool of applicants at the meeting.

<b>RESULT:</b>	<b>FAILED [2 TO 2]</b>
<b>MOVER:</b>	Victoria Baca, Mayor Pro Tem
<b>SECONDER:</b>	Dr. Yxstian A. Gutierrez, Mayor
<b>AYES:</b>	Dr. Yxstian A. Gutierrez, Victoria Baca
<b>NAYS:</b>	Jeffrey J. Giba, David Marquez

F.2. MAYORAL APPOINTMENTS FOR THE LIBRARY COMMISSION (Report of: City Clerk)

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

<u>Name</u>	<u>Position</u>	<u>Term</u>
Claudia Diaz Carrasco	Commissioner	04/01/2017 to 06/30/2018
Tamala Sha Jones	Commissioner	04/01/2017 to 06/30/2018

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Victoria Baca, Mayor Pro Tem
<b>SECONDER:</b>	Dr. Yxstian A. Gutierrez, Mayor
<b>AYES:</b>	Dr. Yxstian A. Gutierrez, Jeffrey J. Giba, David Marquez, Victoria Baca

**G. REPORTS**

**G.1. CITY COUNCIL REPORTS ON REGIONAL ACTIVITIES**

March Joint Powers Commission (JPC)

Mayor Gutierrez provided update from the March Joint Powers Commission meeting held on March 8th.

The JPC heard an update on the Adult Use of Marijuana Act and considered what regulations we may want to adopt in the future when Riverside County considers it.

We also received a presentation about the MARS Career Pipeline Promise Program. This is a very interesting workforce training program that is being formed with Val Verde Unified School District so that skills training links with future aerospace and defense career opportunities in the region.

That concludes my report on the last March Joint Powers Commission meeting.

Minutes Acceptance: Minutes of Mar 21, 2017 6:00 PM (CONSENT CALENDAR-CITY COUNCIL)



Riverside County Habitat Conservation Agency (RCHCA) - None

Riverside County Transportation Commission (RCTC)

Mayor Pro Tem Baca reported the following:

RCTC reported sales tax figures for the third quarter of 2016. Good news for Moreno Valley in that we experienced an overall 1.2% increase over the same quarter from the previous year, with the highest gains in restaurant activity and sales of building materials. I want to encourage everyone to continue to shop MoVal as sales tax provides key funding for all City services.

In addition, Angels Baseball Express is back. Consider taking the train for a stress-free ride to and from all weeknight home games that start at 7:07 p.m. The special Metrolink train drops you off only a few steps from Angel Stadium. The \$7 per person roundtrip service will begin with the March 30 and 31 pre-season games against the LA Dodgers.

Riverside Transit Agency (RTA) - None

Western Riverside Council of Governments (WRCOG) - None

Western Riverside County Regional Conservation Authority (RCA) - None

School District/City Joint Task Force - None

Southern California Association of Governments (SCAG) - None

Council Member Giba reported that he and City Manager Dawson attended the League of California Cities meeting in Indian Wells and unanimously voted to oppose AB199.

He also reported on his lobbying trip to Sacramento with the SCAG. The main areas lobbied were Transportation, Housing, and the Cap and Trade.

G.2. MOMENTUM MOVAL: STATUS UPDATE ON STRATEGIC PLAN (Report of: City Manager)

The City Council received and filed this report no additional action was required.

Mayor Gutierrez recessed the Meeting at 7:32 p.m.

Mayor Gutierrez reconvened the meeting at 7:43 p.m.

G.3. ADOPT A NEIGHBORHOOD PROGRAM (Report of: Financial & Management Services)

**Recommendations:**

1. Implement an Adopt-A-Neighborhood Program for the City of Moreno Valley.
2. Direct staff to publicize the new program to foster partnerships between neighborhood residents, churches, civic organizations, community based non-profits and businesses to leverage resources for the enhancement of our community and authorize staff to prepare and provide to the participants any necessary documents that define the scope of the Adopt-A-Neighborhood program.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Victoria Baca, Mayor Pro Tem
<b>SECONDER:</b>	David Marquez, Council Member
<b>AYES:</b>	Dr. Yxstian A. Gutierrez, Jeffrey J. Giba, David Marquez, Victoria Baca

**G.4. CITY MANAGER'S REPORT**

City Manager Dawson clarified that no City funds were used to pay for anyone else except for staff and Council Members that attended the League of California Cities Conference. She informed the Council that the Riverside County Homeless Point-in-Time (PIT) Count indicated 31 homeless people in the City of Moreno Valley, that number was preliminary and would be checked, it should be closer to last year's number of 61. City Manager Dawson encouraged everyone to go to the City's website and sign up to receive the Moreno Valley at Work e-newsletter delivered every Friday morning.

**G.5. CITY ATTORNEY'S REPORT**

City Attorney Koczanowicz stated that the Permitting Streamlining Act puts a timeline on the responses and processing of the applications. He informed the Council that there were seven very qualified applicants interviewed today for the Deputy City Attorney position. He will be interviewing the top three candidates next week and will make his selection.

**H. LEGISLATIVE ACTIONS - NONE**

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

Mayor Pro Tem Baca

1. Thanked everyone who attended the meeting.
2. She will try to attend the School Board meeting next week.
3. Congratulated Mr. Freeze and encouraged residents to adopt pets from the shelter.
4. Thanked all the Planning Commission applicants.

Mayor Gutierrez

1. Announced his town hall meeting by phone Wednesday, March 29, 2017 at 6:00 p.m. sign-up at the City's website.
2. Thanked staff for the hard work on the CDBG funding especially Director Eyerman.
3. Congratulated the newly appointed Library Commissioners.

**ADJOURNMENT**

There being no further business the Regular Meeting was adjourned at 8:49 p.m.

Submitted by:

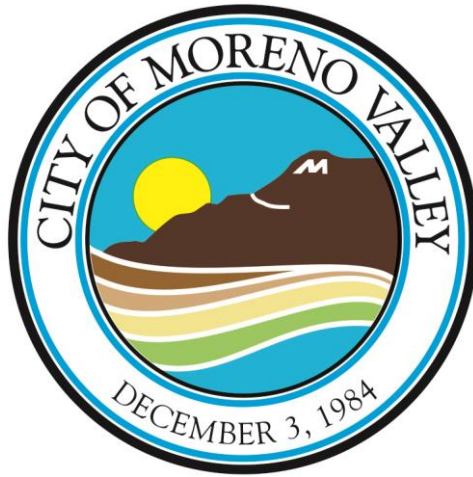
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Pat Jacquez-Nares, CMC & CERA  
 City Clerk  
 Secretary, Moreno Valley Community Services District  
 Secretary, City as Successor Agency for the Community Redevelopment Agency of the  
 City of Moreno Valley  
 Secretary, Moreno Valley Housing Authority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

Approved by:

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Dr. Yxstian Gutierrez, Mayor  
 President, Moreno Valley Community Services District  
 Chairperson, City as Successor Agency for the Community Redevelopment Agency of  
 the City of Moreno Valley  
 Chairperson, Moreno Valley Housing Authority  
 Chairperson, Board of Library Trustees



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## Report to City Council

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**TO:** Mayor and City Council

**FROM:** Marshall Eyerman, Chief Financial Officer

**AGENDA DATE:** April 18, 2017

**TITLE:** APPROVE THE SECOND AMENDMENT TO AGREEMENT FOR PROFESSIONAL CONSULTANT SERVICES WITH HDR ENGINEERING, INC. AND APPROPRIATE ADDITIONAL FUNDS TO COMPLETE THE DESIGN AND PROVIDE CONSTRUCTION SUPPORT FOR THE KITCHING STREET ELECTRICAL SUBSTATION AND SWITCHYARD PROJECT NO. 805 0027

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### **RECOMMENDED ACTION**

#### **Recommendations:**

1. Approve the Second Amendment for Professional Consultant Services with HDR Engineering, Inc. for the Kitching Street Electrical Substation and Switchyard Project.
2. Authorize the City Manager to execute the Second Amendment for Professional Consultant Services with HDR Engineering, Inc.
3. Authorize the issuance of a Purchase Order increase to HDR Engineering, Inc. for the amount of \$75,394 when the amendment has been signed by all parties.
4. Authorize the Chief Financial Officer/City Treasurer to execute any subsequent related amendments to the Agreement for Professional Consultant Services with HDR Engineering, Inc. not to exceed the Purchase Order amount, subject to the approval of the City Attorney.
5. Appropriate additional funds for the Kitching Street Electrical Substation and Switchyard Project totaling \$75,394 to complete the design and provide engineer of record construction support.

### **SUMMARY**

This report recommends approval of the Second Amendment for Professional Consultant Services with HDR Engineering, Inc. to complete the design of the Project. Appropriation of additional funds in the amount of \$75,394 is required to complete the remaining design work, compensate for additional work performed thus far, and for additional design engineer support during construction. The additional funds represent 7.7% of the budgeted scope of work. This project has been approved in the FY 2016/2017 Capital Improvement Plan.

This item was presented to the Utilities Commission on March 30, 2017.

## **DISCUSSION**

On November 24, 2015 the City Council approved an Agreement for Professional Consultant Services for the Kitching Street Electrical Substation and Switchyard Project with HDR Engineering, Inc. to provide environmental and design services. A First Amendment to Agreement was executed on April 11, 2016 which authorized HDR Engineering, Inc. to proceed with the design of the Kitching Switchyard which will be owned and operated by Southern California Edison, pursuant to the conditions of a recommended action item in the November 24<sup>th</sup> staff report. The Second Amendment to the Agreement is necessary because of the following tasks completed outside the original scope of work: 1) increased contract time due to the protracted negotiations with SCE regarding the approval of MVU designing and constructing the Switchyard, saving the project approximately \$8 million; 2) increased review time and frequency of the plans for the Switchgear and Bus Duct in order to keep the delivery of the equipment on schedule; 3) upgrade of the interconnect pole from a wood pole to a tubular steel pole for the purpose of improving service reliability to critical customers; 4) additional environmental studies required as part of permit issuance; and 5) power transformer witness testing to ensure adherence to design plans and specifications.

HDR Engineering, Inc. submitted a change order proposal in the amount of \$75,394 after negotiation with City staff. The Second Amendment to Agreement will increase the "Not-to-Exceed" fee to \$1,053,855 (\$699,866 Original Agreement plus \$278,595 First Amendment to Agreement plus \$75,394 Second Amendment to Agreement).

## **ALTERNATIVES**

1. Approve and authorize the recommended actions as presented in this staff report. *This alternative will provide for the timely design completion and additional construction support of the Kitching Street Electrical Substation and Switchyard.*
2. Do not approve and authorize the recommended actions as presented in this staff report. *This alternative will delay design completion and timely construction of the Kitching Street Electrical Substation and Switchyard.*

## **FISCAL IMPACT**

The Kitching Street Electrical Substation and Switchyard Project is funded by 2015 Lease Revenue Funds. An additional \$75,394 appropriation is needed for the design phase of the project.

Fund	Project Number (PN) GL Account (GL)	Type	FY 16/17 Budget	Proposed Adjustment	FY 16/17 Amended Budget
6011	6011-30-80-80005-720199	Exp	\$978,461	\$75,394	\$1,053,855

## **NOTIFICATION**

Publication of the Agenda.

## **PREPARATION OF STAFF REPORT**

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

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

Concurred By:  
Jeannette Olko  
Electric Utility Division Manager

## **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 4.1: Develop a Moreno Valley Utility Strategic Plan to prepare for the 2020 expiration of the ENCO Utility Systems agreement.

## **ATTACHMENTS**

1. Second Amendment to Agreement

## **APPROVALS**

Budget Officer Approval	<u>✓ Approved</u>
City Attorney Approval	<u>✓ Approved</u>
City Manager Approval	<u>✓ Approved</u>

3/31/17 9:05 AM



**SECOND AMENDMENT TO AGREEMENT  
FOR PROJECT RELATED SERVICES  
PROJECT NO. 805 0027**

The Second Amendment to Agreement is by and between the CITY OF MORENO VALLEY, a municipal corporation, hereinafter referred to as "City," and HDR Engineering, Inc., hereinafter referred to as "Consultant." This Second Amendment to Agreement is made and entered into effective on the date the City signs this Amendment.

RECITALS:

Whereas, the City and Consultant entered into an Agreement entitled "AGREEMENT FOR PROJECT RELATED SERVICES, PROJECT NO. 805 0027," hereinafter referred to as "Agreement," dated December 1, 2015.

Whereas, the City and Consultant entered into a First Amendment to Agreement entitled "FIRST AMENDMENT TO AGREEMENT FOR PROJECT RELATED SERVICES, PROJECT NO. 805 0027," hereinafter referred to as "First Amendment to Agreement," dated April 11, 2016.

Whereas, the Consultant is providing or has provided additional design related work for the design of the Kitching Substation and Switchyard pertaining to the onsite, civil, electrical, and structural plans for both the substation and switchyard, is providing additional design reviews of the Switchgear and Bus Duct, has provided additional bi-weekly status meetings, has provided transformer witness testing, is providing additional Supervisory Control and Data Acquisition (SCADA) improvements, and will be providing additional support during construction, all of the above additional work not being part of the original scope of work.

Whereas, it is desirable to amend the Agreement to expand the scope of the work to be performed by the Consultant as is more particularly described in Section 1 of this Second Amendment.

SECOND AMENDMENT TO AGREEMENT FOR PROJECT RELATED SERVICES  
PROJECT NO. 805 0027

Whereas, the Consultant has submitted a Proposal dated February 10, 2017 for expansion of the scope of work to be performed. A copy of said Proposal is attached as “Exhibit A - Second Amendment” and is incorporated herein by this reference.

SECTION 1 AMENDMENT TO ORIGINAL AGREEMENT:

1.1 The Agreement termination date of June 30, 2017 is extended by this Amendment to December 31, 2017.

1.2 Exhibit “B” to the Agreement is hereby amended by adding to the scope of work section described in “Exhibit A – Second Amendment,” entitled “Kitching Substation Change Order Proposal No. 1.”

1.3 Exhibit “D” to the Agreement is hereby further amended by adding to the cost proposal section thereof described in “Exhibit A – Second Amendment,” entitled “Kitching Substation Change Order Proposal No. 1.”

1.4 The City agrees to pay the Consultant and the Consultant agrees to receive a “Not-to-Exceed” fee of \$75,394, as set forth in the above-referenced Cost Summary, in consideration of the Consultant’s performance of the work set forth in “Exhibit A – Second Amendment.”

1.5 The total “Not-to-Exceed” fee for this contract is \$1,053,855 (\$699,866 for the original Agreement plus \$278,595 for the First Amendment to Agreement plus \$75,394 for the Second Amendment to Agreement).

SECTION 2

2.1 Except as otherwise specifically provided in this Amendment, all other terms and conditions of the Agreement and the First Amendment to Agreement shall remain in full force and effect.

SECOND AMENDMENT TO AGREEMENT FOR PROJECT RELATED SERVICES  
PROJECT NO. 805 0027

**SIGNATURE PAGE TO FOLLOW**

**Attachment: Second Amendment to Agreement (2473 : APPROVE THE SECOND AMENDMENT TO AGREEMENT FOR PROFESSIONAL**

SECOND AMENDMENT TO AGREEMENT FOR PROJECT RELATED SERVICES  
PROJECT NO. 805 0027

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

City of Moreno Valley

HDR Engineering, Inc.,  
a Nebraska Corporation

By: \_\_\_\_\_  
City Manager

By: Scott A. Hereim  
Scott A. Hereim

Date: \_\_\_\_\_

Title: Senior Vice President

Date: 3/14/17

INTERNAL USE ONLY

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney

\_\_\_\_\_  
Date

By: Bernice J. Kudron

Title: Asst. Secretary

(Corporate Secretary)

Date: 3/15/17

RECOMMENDED FOR APPROVAL:

\_\_\_\_\_  
Department Head

\_\_\_\_\_  
Date

Attachments: Exhibit A – Second Amendment – Kitching Substation Change Order  
Proposal No. 1

Attachment: Second Amendment to Agreement (2473 : APPROVE THE SECOND AMENDMENT TO AGREEMENT FOR PROFESSIONAL

**CERTIFICATE**

The undersigned hereby certifies that she is the Assistant Secretary of HDR Engineering, Inc., a Nebraska corporation (the "Corporation"), and that, as such, has custody of the minute books of the Corporation, and that, by Consent and Agreement of the Board of Directors dated January 15, 2017, the following resolution was unanimously adopted:

**"RESOLVED**, that effective January 1, 2017 and until June 20, 2017, or until termination of said individual from the Corporation, or until rescision by the Corporation's Board of Directors, whichever occurs first, the following individuals are hereby granted the nondelegable authority to execute or approve on behalf of the Corporation, contracts, amendments or change orders for engineering services and architectural services incidental to engineering services to be rendered by the Corporation, . . . , or releases of claim or lien in connection with such services, such contracts, amendments, change orders or releases so executed or approved shall be binding upon the Corporation:

. . . Scott A. Hereim, Senior Vice President . . ."

The undersigned further certifies that the foregoing resolution has been spread in full upon the minute books of the Corporation and is in full force and effect.

DATED March 15, 2017.



*Bonnie J. Kudron*  
Bonnie J. Kudron, Asst. Secretary

Attachment: Second Amendment to Agreement (2473 : APPROVE THE SECOND AMENDMENT TO AGREEMENT FOR PROFESSIONAL

ALL-PURPOSE CERTIFICATE

STATE OF NEBRASKA

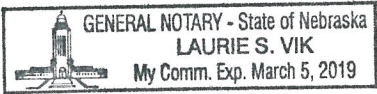
COUNTY OF DOUGLAS

On March 15, 2017, before me, Laurie S. Vik, Notary Public, personally appeared Bonnie J. Kudron, personally known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her authorized capacity, and that by her signature on the instrument, the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Signature Laurie S. Vik

(Seal)



Attachment: Second Amendment to Agreement (2473 : APPROVE THE SECOND AMENDMENT TO AGREEMENT FOR PROFESSIONAL

Exhibit A – Second Amendment  
Kitching Substation Change Order Proposal No. 1

Attachment: Second Amendment to Agreement (2473 : APPROVE THE SECOND AMENDMENT TO AGREEMENT FOR PROFESSIONAL



February 10, 2017

Mr. Clement Jimenez  
 Sr. Engineer, P.E.  
 City of Moreno Valley  
 14177 Frederick St, Moreno Valley, CA 92553

**SUBJECT:** Kitching Substation  
 Change Order Proposal No. 1

Dear Mr. Jimenez:

The following change order proposal accounts for the level of effort HDR has incurred on the project which was not part of the original scope of work as part of the Kitching substation project. It also summarizes the budget that's remaining on the project plus the budget needed to bring the project to completion.

The following work has been performed by HDR and it was not included in our original proposal:

1. Schedule increase.

Design started on 12/7/15 and it was extended from 6/2/16 through 3/10/17.

a. Additional bi-weekly status meetings.

Original scope accounted for 11 one hour bi-weekly progress meetings. This change order proposal accounts for 22 additional one hour bi-weekly progress meetings from 6/2/16 through 3/6/17.

- b. Additional accounting support
- c. Additional Project Management

2. Additional submittals

- a. Second submittal for Kitching 75% electrical and structural designs. Proposal included one submittal with final vendor drawings. HDR submitted an additional submittal without vendor drawings.

3. Additional design reviews for Crown Switchgear

- a. The following summarizes the proposed switchgear vendor reviews and the additional reviews:

Proposed	Actual
(1) Building and Switchgear Structural, Mechanical, and Electrical	(2) Building and Switchgear Structural, Mechanical, and Electrical
(1) Switchgear Schematic Diagrams	(2) Switchgear Schematic Diagrams
(1) Switchgear Wiring Diagrams	(2) Switchgear Wiring Diagrams
(1) High Side Schematic Diagrams	(2) High Side Schematic Diagrams
(1) High Side Wiring Diagrams	(2) High Side Wiring Diagrams

4. Virginia Transformer Factory Acceptance Test Transformer #2





- a. Site visit to Virginia Transformer facilities to participate in the factory acceptance test for transformer unit #2.

HDR also needs to perform the following work which was not included in our original proposal:

5. Relay Settings for (5) new SEL-751A relays located at the 12kV interconnection sites.  
Relay settings for (5) existing Eaton EDR-5000 relays located at Moval South substation to include local/remote indication and update mapping for MODBUS map within the relay.
6. Engineering construction support

### CHANGE ORDER PROPOSAL COSTS

The following table summarizes the remaining budget on the project (\$52,129) and the change order request for \$75,394. It also describes the revised allocation of the funds between the tasks.

Task	Activity	Base Cost	Remaining Budget	Budget to Complete the Project	Change Order #1	Total Cost After CO #1
1	Environmental Compliance Report	\$55,355	<b>-\$6,947</b>			\$48,407
2	SWPPP Plans	\$12,454	<b>-\$3,531</b>			\$8,924
3	Grading Design, Hydrology Report & WQMP	\$55,801	\$14,185			\$69,986
4	Off Site Street Improvement Plans and Specs	\$50,647	<b>-\$16,303</b>			\$34,344
5	Landscape Plans and Specs	\$54,345	<b>-\$10,066</b>			\$44,279
6	Fence/Block Wall/Gate Plans and Specs	\$15,931	\$0			\$15,932
7	On-Site Civil, Mechanical, Electrical Plans & Specs	\$340,759	\$20,197	\$82,737		\$443,693
8	Specifications for Ordering of Equipment and Materials	\$5,352	<b>-\$81</b>			\$5,271
9	Plans and Specifications for SCADA System	\$52,593	<b>-\$2,933</b>	\$26,960		\$76,620
10	Prepare RFP for Substation Construction	\$6,629	\$704			\$7,333
11	Additional Services as Required by the City	\$50,000	<b>-\$6,881</b>	\$2,544		\$45,663
12	SCE Switchyard	\$278,595	<b>-\$40,474</b>	\$15,282		\$253,403
	<b>Total with Switchyard</b>	<b>\$978,461</b>	<b>-\$52,129</b>	<b>\$127,523</b>	<b>\$75,394</b>	<b>\$1,053,855</b>

### PERFORMANCE PERIOD

The agreement is effective until June 30, 2017.

Based on the project revised schedule this change order proposal requests the agreement to be extended through December 31, 2017.



MVU – Kitching Substation  
Change Order Proposal No. 1

Should you have any questions or if Additional information is needed please contact Fernando Garcia ([Fernando.Garcia@hdrinc.com](mailto:Fernando.Garcia@hdrinc.com)) at (714) 227-8705.

A handwritten signature in black ink, appearing to read 'Fernando Garcia'.

Fernando Garcia  
Project Manager  
Vice President  
**HDR Engineering**

Attachment: Second Amendment to Agreement (2473 : APPROVE THE SECOND AMENDMENT TO AGREEMENT FOR PROFESSIONAL

**MORENO VALLEY UTILITY**



**KITCHING SUBSTATION**

Work Needed to Complete the Project

10-FEB-17

	No of Dwgs	PM/PE	Senior Engineer	Engineer	Assistant Engineer	Protection Engineer	Drafting Tech	Clerical	Total
<b>1.0 PROJECT MANAGEMENT</b>									
PROJECT MANAGEMENT, BUDGET CONTROL, SCHEDULE TRACKING		30						20	50
<b>1.0 Project Management (Hours) Subtotal</b>		<b>30</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>20</b>	<b>50</b>
<b>1.0 Project Management (Dollars) Subtotal</b>		<b>\$6,000</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$1,580</b>	<b>\$7,580</b>
<b>2.0 KARMA SUBSTATION</b>									
ENGINEERING DESIGN (PICK UP SCE'S QA COMMENTSS)			12	24			24		60
ENGINEERING DESIGN (UPDATE VENDOR DRAWINGS)			6	12			12		30
DELIVER IFC OUTDOOR SET		1	2				4	3	10
DELIVER IFC INDOOR SET (AFTER RTU VENDOR DRAWINGS ARE AVAILABLE)		1	2				4	3	10
QA/QC		4							4
<b>2.0 Karma Substation (Hours) Subtotal</b>		<b>6</b>	<b>22</b>	<b>36</b>	<b>0</b>	<b>0</b>	<b>44</b>	<b>6</b>	<b>114</b>
<b>2.0 Karma Substation (Dollars) Subtotal</b>		<b>\$1,200</b>	<b>\$4,400</b>	<b>\$5,688</b>	<b>\$0</b>	<b>\$0</b>	<b>\$3,520</b>	<b>\$474</b>	<b>\$15,282</b>
<b>3.0 KITCHING SUBSTATION AND RELAY SETTINGS</b>									
REVIEW FINAL SWITCHGEAR DRAWINGS FROM CROWN		6							6
KITCHING SUBSTATION RELAY SETTINGS			10			230			240
KITCHING SUBSTATION RELAY SETTINGS QC		46							46
12KV INTERCONNECTION RELAY SETTINGS						40			40
12KV INTERCONNECTION RELAY SETTINGS QA/QC		10							10
MOVAL SOUTH SUBSTATION RELAY SETTINGS						12			12
MOVAL SOUTH SUBSTATION RELAY SETTINGS QC		4							4
<b>3.0 Kitching Substation and Relay Setting (Hours) Subtotal</b>		<b>66</b>	<b>10</b>	<b>0</b>	<b>0</b>	<b>282</b>	<b>0</b>	<b>0</b>	<b>358</b>
<b>3.0 Kitching Substation and Relay Setting (Dollars) Subtotal</b>		<b>\$13,200</b>	<b>\$2,000</b>	<b>\$0</b>	<b>\$0</b>	<b>\$31,584</b>	<b>\$0</b>	<b>\$0</b>	<b>\$46,784</b>
<b>4.0 SCADA</b>									
MASTER POINT LIST (NEED RELAY SETTINGS TO FINALIZE)			2	4	18				24
LOCAL ORION PROGRAMING (NEED RELAY SETTINGS)			2	6	12				20
MASTER ORION PROGRAMMING (NEED RELAY SETTINGS)			2	8	16				26
LOCAL ORION HISTORIAN DEVELOPMENT (NEED RELAY SETTINGS)			2	6	12				20
MASTER ORION HISTORIAN DEVELOPMENT (NEED RELAY SETTINGS)			2	8	16				26
LOCAL ORION HMI SCREENS (NEED RELAY SETTINGS FOR ANIMATION)			2	4	16				22
MASTER ORION HMI SCREENS (NEED RELAY SETTINGS FOR ANIMATION)			2	4	22				28
LOCAL ORION TESTING (NEED RELAY SETTINGS)				4	20				24
ISS VPN CONFIGURATION INSTRUCTIONS				2	6				8
ISS STATIC IP CONFIGURATION INSTRUCTIONS				2	6				8
RTU UPGRADE INSTRUCTIONS					4				4
<b>4.0 SCADA (Hours) Subtotal</b>		<b>0</b>	<b>14</b>	<b>48</b>	<b>148</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>210</b>
<b>4.0 SCADA (Dollars) Subtotal</b>		<b>\$0</b>	<b>\$2,800</b>	<b>\$7,584</b>	<b>\$16,576</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$26,960</b>
<b>5.0 ADDITIONAL SERVICES AS REQUIRED BY THE CITY</b>									
TSP FOUNDATION DESIGN			2	8			6		16
TSP FOUNDATION DESIGN QC		2							2
									0
<b>5.0 Additional Services as Required by the City (Hours) Subtotal</b>		<b>2</b>	<b>2</b>	<b>8</b>	<b>0</b>	<b>0</b>	<b>6</b>	<b>0</b>	<b>18</b>
<b>5.0 Additional Services as Required by the City (Dollars) Subtotal</b>		<b>\$400</b>	<b>\$400</b>	<b>\$1,264</b>	<b>\$0</b>	<b>\$0</b>	<b>\$480</b>	<b>\$0</b>	<b>\$2,544</b>
<b>6.0 CONSTRUCTION SUPPORT</b>									
KITCHING AND KARMA SUBSTATION ENGINEERING CONSTRUCTION SUPPORT (OFFICE)		40							40
LANDSCAPE CONSTRUCTION SUPPORT (OFFICE)		2							2
STREET IMPROVEMENT CONSTRUCTION SUPPORT (OFFICE)		4							4
ON SITE SCADA FIELD SUPPORT				24					24
ON SITE PROTECTION FIELD SUPPORT			24						24
AS BUILTS			6	16			16		38
<b>6.0 Construction Support (Hours) Subtotal</b>		<b>46</b>	<b>30</b>	<b>40</b>	<b>0</b>	<b>0</b>	<b>16</b>	<b>0</b>	<b>132</b>
<b>6.0 Construction Support (Dollars) Subtotal</b>		<b>\$9,200</b>	<b>\$6,000</b>	<b>\$6,320</b>	<b>\$0</b>	<b>\$0</b>	<b>\$1,280</b>	<b>\$0</b>	<b>\$22,800</b>
<b>7.0 DIRECT EXPENSES</b>									
TECH CHARGE				882	Each	\$3.70			\$3,263
ENGINEERING PLOTS (2 FULL SIZE SETS FOR KARMA)				240	Copies	\$1.50			\$360
OVERNIGHT MAIL				0	Each	\$50.00			\$0
TRIP EXPENSES FOR PROTECTION ON SITE SUPPORT				3	Each	\$150.00			\$450
TRIP EXPENSES FOR SCADA ON SITE SUPPORT				1	Each	\$1,500.00			\$1,500
<b>7.0 Direct Expenses (Dollars) Subtotal</b>									<b>\$5,573</b>

Attachment: Second Amendment to Agreement (2473 : APPROVE THE SECOND AMENDMENT TO AGREEMENT FOR PROFESSIONAL

	No of Dwgs	PM/PE	Senior Engineer	Engineer	Assistant Engineer	Protection Engineer	Drafting Tech	Clerical	Total
<b>ENGINEERING COMPLETION</b>									
<b>PERSONNEL RESOURCES</b>									
				Qty	Units	Hr Rate	Total		
Project Manager / Professional Engineer				150	Hours	\$200	\$30,000		
Senior Engineer				78	Hours	\$200	\$15,600		
Engineer				132	Hours	\$158	\$20,856		
Assistant Engineer				148	Hours	\$112	\$16,576		
Protection Engineer				282	Hours	\$112	\$31,584		
Drafting Tech				66	Hours	\$80	\$5,280		
Clerical				26	Hours	\$79	\$2,054		
<b>COST SUMMARY</b>									
				<b>Total</b>	<b>Hours</b>		<b>Drawings</b>		
1.0 Project Management				\$7,580	50				
2.0 Karma Substation				\$15,282	114				
3.0 Kitching Substation and Relay Setting				\$46,784	358		240		
4.0 SCADA				\$26,960	210				
5.0 Additional Services as Required by the City				\$2,544	18				
6.0 Construction Support				\$22,800	132				
7.0 Direct Expenses				\$5,573					
<b>Total Fixed Price</b>				<b>\$127,523</b>	<b>882</b>		<b>240</b>		

Attachment: Second Amendment to Agreement (2473 : APPROVE THE SECOND AMENDMENT TO AGREEMENT FOR PROFESSIONAL



## Report to City Council

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**TO:** Mayor and City Council

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

**AGENDA DATE:** April 18, 2017

**TITLE:** AUTHORIZATION TO SUBMIT GRANT APPLICATIONS UNDER THE SB821 BICYCLE AND PEDESTRIAN FACILITIES PROGRAM

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### **RECOMMENDED ACTION**

#### **Recommendation:**

1. Authorize the submission of grant applications for the SB 821 Bicycle and Pedestrian Facilities Program as administered by the Riverside County Transportation Commission (RCTC).

### **SUMMARY**

The SB 821 Bicycle and Pedestrian Facilities Program administered by RCTC provides funding for sidewalks, bicycle lanes, access ramps, and pedestrian related enhancements. Staff recommends submitting applications for projects that improve mobility and safety for pedestrians and bicyclists in accordance with program guidelines.

### **DISCUSSION**

SB 821, the Bicycle and Pedestrian Facilities Program, is provided through the Transportation Development Act (TDA) and is funded through a ¼-cent statewide general sales tax. Based upon FY2016/17 and 2017/18 apportionments, the total funding available for this Call for Projects is approximately \$3,467,784.

On February 6, 2017, the City received notification from RCTC of a Call for Projects with a submittal deadline of April 27, 2017. Notification of projects selected to receive program funding will occur in July 2017.

Eligible projects were developed based upon results of the City's ADA Transition Plan,

the Bicycle Master Plan. Other factors included requests from disabled residents and the opportunity to close gaps in the pedestrian and bicycle network. The following is a list potential grant funded projects:

1. Juan Bautista De Anza Trail segment: construct multi-use trail from Bay Avenue to Frederick Street.
2. Heacock Street south of Gregory Street: construct sidewalk along the east side
3. Towngate Boulevard / Eucalyptus Avenue - Install Class IV protected bike lanes from Frederick Street to Day Street
4. Gentian Avenue – implement a Road Diet and install buffered bike lanes from Kitching Street to Lasselle Street.
5. Eucalyptus Avenue – install class II bike lanes from Elsworth Street to Frederick Street

Staff presented the SB821 list of potential projects to the Traffic Safety Commission (TSC) at their regular meeting of April 5, 2017. The TSC unanimously supported the project list and recommended to submit the grant applications as presented.

Approval of the recommended actions would help achieve Initiatives 4.6.1 – “Complete the Juan Bautista De Anza Trail” and 4.7.1- “Seek a demonstration project for a Protected Intersection / Protected Bicycle Lanes (Cycle tracks) Corridor” of the *Momentum MoVal* Strategic Plan and support Objective 4.6: “Advance the development of a well-connected and balanced transportation network that serves all modes.”

### **ALTERNATIVES**

1. Approve and authorize the recommended actions as presented in this staff report. *This alternative will allow staff to pursue funding to construct needed improvements.*
2. Do not approve and authorize the recommended actions. *This alternative would eliminate a potential funding source for projects.*

### **FISCAL IMPACT**

The SB821 program requires no matching funds. However, applications score higher if matching funding is provided. Matching funding amounts may range from ten percent to 50 percent of the total project costs. The source of the matching funding would come from available Measure A as available. Measure A funding may be used only to implement transportation related programs. There is no impact to the General Fund with this action.

### **NOTIFICATION**

N/A

### **PREPARATION OF STAFF REPORT**

Prepared By:  
Eric Lewis, P.E., T.E.  
City Traffic Engineer.

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

**CITY COUNCIL GOALS**

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

**Public Facilities and Capital Projects**. Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

**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

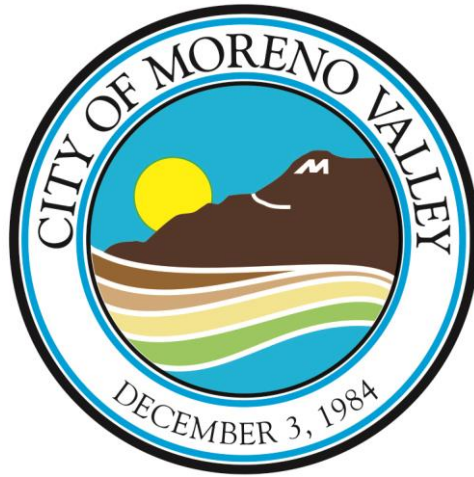
Objective 4.6: Advance the development of a well-connected and balanced citywide transportation network that serves all modes.

**ATTACHMENTS**

None

**APPROVALS**

Budget Officer Approval	<u>✓ Approved</u>	3/28/17 2:39 PM
City Attorney Approval	<u>✓ Approved</u>	3/28/17 10:35 AM
City Manager Approval	<u>✓ Approved</u>	4/04/17 2:21 PM



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## Report to City Council

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**TO:** Mayor and City Council

**FROM:** Marshall Eyerman, Chief Financial Officer

**AGENDA DATE:** April 18, 2017

**TITLE:** APPROVE A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY TO AMEND THE ELECTRIC RATES AND RULES FOR MORENO VALLEY UTILITY (MVU)

---

### **RECOMMENDED ACTION**

#### **Recommendation:**

1. Approve Resolution No. 2017-20. A Resolution of the City Council of the City of Moreno Valley, California, to Amend the Electric Rates and Rules for Moreno Valley Utility (MVU).

### **SUMMARY**

This report recommends approval of a resolution that would amend Moreno Valley Utility rates and rules to correspond with Southern California Edison rates that became effective on January 1, 2017.

Resolution 2015-32, adopted by the City Council on May 12, 2015, approved the adjustment of MVU rates two times per year (in the spring and the fall) to provide rate stability to its customers. These semi-annual adjustments also allow the rates to be adjusted to correspond with the SCE electric rates as required under the current ENCO agreement and City Council policy.

The proposed adjustments were presented to the Utilities Commission on March 30, 2017.

### **DISCUSSION**

Staff recommends approval of the resolution that will amend the electric rates for the Moreno Valley Utility (MVU) to keep them generally the same as the rates charged by

Southern California Edison (SCE). Since the inception of MVU, City Council policy has been to maintain parity with SCE electric rates. Resolution 2006-112 approved implementing a schedule to adjust MVU's rates to reflect the same rate schedule as SCE. This policy is also incorporated within the Professional Services Agreement with ENCO Utility Services Moreno Valley, LLC, which requires that MVU adjusts its electric rates to have them correspond with those charged by SCE.

Resolution No. 2017-20 adjusts the following items:

1. Amends the electric rates for MVU to correspond with SCE rates that became effective on January 1, 2017. The recommended adjustments ensure compliance with the policies and resolutions noted above.
2. Amends Electric Service Rule 7 to include language regarding deposits for residential solar customers.

As with all electric utilities, Moreno Valley Utility's service year is divided into two categories: Winter (October to June) and Summer (June to October). Adjusting rates to have them correspond with the SCE rates as presented in this report will generally increase MVU's rate schedules for both the summer season and the winter season.

Rates are structured to reflect usage; the table below shows the monthly impact to customers during the summer season and winter season.

Average Residential Usage	SUMMER		WINTER	
792 kWh	\$9.42	6.07%		
542 kWh			\$6.27	5.93%

Average Small Commercial Usage	SUMMER		WINTER	
800 kWh	\$10.82	6.23%	\$8.61	5.89%

Average Large Commercial Usage	SUMMER		WINTER	
26,500 kWh, 90 kW Demand	\$504.50	8.33%	\$267.56	6.87%

Average Large Commercial, TOU Usage	SUMMER		WINTER	
386,896 kWh, 865 kW Demand	\$6,286.52	10.27%		
392,333 kWh, 666 kW Demand			\$3,763.85	10.08%

Average Traffic Controller Usage	SUMMER		WINTER	
	364 kWh	\$2.51	3.69%	\$2.51

Street Lights	SUMMER		WINTER	
	Schedule SL-1 9,500 Lumen (1,056 lights)	\$309.39	2.45%	\$309.39
Schedule SL-1 22,000 Lumen (627 lights)	\$370.84	3.67%	\$370.84	3.67%
Schedule SL-1 LED 14,700 Lumen (109 lights)	\$51.86	3.06%	\$51.86	3.06%
Schedule SL-3 (total of all accounts based on average usage)	\$13.23	1.65%	\$13.23	1.65%

The language added in Rule 7 (Deposits) includes the following: *Residential solar accounts are eligible for a special metering and billing option called Net Energy Metering (NEM). Under this billing option, each NEM customer is billed monthly for their total bill, but is not required to pay for the consumed energy until the end of each 12-month period [as established by law]. If a deposit is required for a residential solar account, the amount of the deposit shall be the annual total billed amount plus twice the average monthly bill as estimated by the City.*

### **ALTERNATIVES**

1. Approve proposed resolution to amend the Electric Rates and Rule for Moreno Valley Utility. *Staff recommends this alternative as the proposed amended electric rates and rules will allow the City's utility to comply with established Council-adopted policies and practices.*
2. Do not approve proposed resolution to amend the Electric Rates and Rule for Moreno Valley Utility. *Staff does not recommend this alternative because the resolution is needed to keep the Utility in compliance with established Council-adopted policies and practices.*

### **FISCAL IMPACT**

The proposed rate adjustment is estimated to increase revenue by an average of approximately \$176,400 per month. It is anticipated that net income will remain positive for fiscal year 2016/2017.

### **NOTIFICATION**

Publication of the Agenda.

**PREPARATION OF STAFF REPORT**

Prepared By:  
Jeannette Olko  
Electric Utility Division Manager

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

**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.

**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 2020 expiration of the ENCO Utility Systems agreement.

**ATTACHMENTS**

- 1. Resolution Rate Adjustment 04182017
- 2. MVU Rates 04182017
- 3. MVU Rules Fees Charges 04182017

**APPROVALS**

Budget Officer Approval	<u>✓ Approved</u>	3/30/17 5:50 PM
City Attorney Approval	<u>✓ Approved</u>	
City Manager Approval	<u>✓ Approved</u>	

## RESOLUTION NO. 2017-20

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
MORENO VALLEY, CALIFORNIA, TO AMEND THE  
ELECTRIC RATES FOR MORENO VALLEY UTILITY

WHEREAS, the City of Moreno Valley (the "City"), a municipal corporation, is authorized pursuant to Article XI, Section 9(a) of the California Constitution to establish, purchase, and operate public works to furnish its inhabitants with light, water, power, heat, transportation, or means of communication; and

WHEREAS, on June 26, 2001, the City Council of the City of Moreno Valley approved Resolution No. 2001-33 and, as amended by Resolution 2002-46, authorized the formation of a municipally owned utility for the purpose of providing electrical power, storm water, telephone telecommunications, cable TV, water, natural gas, and sanitary sewer; and

WHEREAS, on July 8, 2003, the City Council approved Resolution No. 2003-58 adopting the Electric Service Rules, Fees and Charges document for Moreno Valley Utility which states, in part, that the rates to be charged by and paid to the City for electric service will be the rates legally in effect and on file with the City Council; and

WHEREAS, on January 13, 2004, the City Council approved Resolution No. 2004-05 establishing the electric rates for Moreno Valley Utility; and

WHEREAS, on September 26, 2006, the City Council approved Resolution No. 2006-112 implementing a schedule to adjust Moreno Valley Utility electric rates to reflect the same schedule as Southern California Edison; and

WHEREAS, there are sections of the Electric Service Rules, Fees and Charges document that contain rules which define the terms and conditions under which electric service will be provided to the customer; and

WHEREAS, there are rules, fees, charges, and rates associated with providing the services identified in these documents. These rules, fees, charges, and rates are deemed necessary and equitable for services rendered and are required to fund in whole or in part, all of the services required to facilitate the delivery of electric distribution pursuant to the rules; and

WHEREAS, Urgency Ordinance No. 651 was adopted by the City Council on December 9, 2003, allowing for the adoption of rates by resolution.

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

1  
Resolution No. 2017-XX  
Date Adopted: April 18, 2017

1. The City Council hereby adopts the amended Moreno Valley Utility Rates, attached hereto as Exhibit A and incorporated herein, and on file in the Financial and Management Services Department.
2. The City Council hereby adopts the amended Rule 7 of the Moreno Valley Utility Electric Service Rules, Fees and Charges attached hereto as Exhibit B and incorporated herein, and on file in the Financial and Management Services Department.

APPROVED AND ADOPTED this 18th day of April 2017.

\_\_\_\_\_  
 Mayor of the City of Moreno Valley

ATTEST:

\_\_\_\_\_  
 City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
 City Attorney

2  
 Resolution No. 2017-XX  
 Date Adopted: April 18, 2017

Attachment: Resolution Rate Adjustment 04182017 [Revision 1] (2491 : APPROVE A RESOLUTION OF THE CITY COUNCIL TO AMEND THE

**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. 2017-XX was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the 18th day of April 2017 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

\_\_\_\_\_  
CITY CLERK

(SEAL)

Resolution No. 2017-XX<sup>3</sup>  
Date Adopted: April 18, 2017

Attachment: Resolution Rate Adjustment 04182017 [Revision 1] (2491 : APPROVE A RESOLUTION OF THE CITY COUNCIL TO AMEND THE

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# Moreno Valley Utility

## Electric Rates

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Attachment: MVU Rates 04182017 (2491 : APPROVE A RESOLUTION OF THE CITY COUNCIL TO AMEND THE ELECTRIC RATES AND RULES



# Electric Rates - Table of Contents

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Attachment: MVU Rates 04182017 (2491 : APPROVE A RESOLUTION OF THE CITY COUNCIL TO AMEND THE ELECTRIC RATES AND RULES

## SCHEDULE A – RESIDENTIAL SERVICE

### Applicability

Applicable to electric service for residential uses.

### Territory

Within the designated areas served by the Moreno Valley Utility.

### Rates

#### **Basic Charge - \$/Day:**

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

#### **Energy Usage Charge - \$/kWh:**

##### **Summer:**

Tier 1 -Baseline Quantities, all kWh, per kWh	\$ 0.14793
Tier 2 – 101% to 400% of Baseline	\$ 0.23340
Tier 3 – All excess kWh, per kwh	\$ 0.29838

##### **Winter:**

Tier 1 -Baseline Quantities, all kWh, per kWh	\$ 0.14793
Tier 2 – 101% to 400% of Baseline	\$ 0.23340
Tier 4 – All excess kWh, per kWh	\$ 0.29838

#### **Public Purpose Programs:**

All kWh per kWh	\$ 0.01524
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#### **Monthly Minimum Charge:**

Monthly Minimum Charge	\$ 10.00
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### Energy Cost Adjustment

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

### Special Conditions

- 1. Baseline Rates: Baseline rates are applicable only to separately metered residential use.
- 2. Baseline Quantities: The residential allocation shall be 15.5 kWhs per day in the Summer season and 11.0 kWhs per day in the Winter season.
- 3. Summer and Winter Seasons are defined as follows: The Summer season begins at 12:00 a.m. on June 1 and will continue until 12:00 a.m. on October 1 each year. The Winter season begins at 12:00 a.m. on October 1 and continues until 12:00 a.m. on June 1 of the following year.
- 4. Voltage: Service will be supplied at one standard voltage.
- 5. For the purposes of applying the Basic Charge, the following definitions shall be used:

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

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

- 6. Medical Baseline Allocation: Upon application and acceptance of a certification from a medical doctor or osteopath licensed to practice medicine in California, eligible residential customers are provided a standard year-round medical baseline allocation of 15.5 kWh per day in addition to the applicable baseline allocation for the season.

	Regular Baseline Daily kWh Allocation	Additional Medical Baseline Daily kWh Allocation	Total Baseline Daily kWh Allocation
Summer	15.5	15.5	31.0
Winter	11.0	15.5	26.5

Medical Baseline Allocation Eligibility:

- a) Regular use in the customer's home of one or more medical life-support devices essential to maintain the life of a full-time resident of the household; and/or

b) A full-time resident of the household is: a paraplegic, hemiplegic, quadriplegic, multiple sclerosis or scleroderma patient, being treated for life-threatening illness, and/or has a compromised immune system.

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

Life-support devices include:

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

Applying for the Medical Baseline Allocation:

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

applies to energy charges only. The customer charge, public purpose charge, service fees and all taxes are calculated at the standard rates.

8. Family Electric Rate Assistance (FERA) Program: The FERA discount program is offered under the standard residential rate. To be considered for this discount, an application must be filed with Moreno Valley Utility. To be eligible for this discount the household must consist of three or more persons where the total gross income from all sources is no more than 250% of Federal Poverty Guidelines. Under this program a discount for qualified FERA households of 12% is provided on monthly energy charges. Discount applies to energy charges only. The customer charge, public purpose charge, service fees and all taxes are calculated at the standard rates.

## SCHEDULE B – GENERAL SERVICE

### Applicability

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

### Territory

Within the designated areas served by the Moreno Valley Utility.

### Rates

#### **Customer Charge - \$/Day:**

Single-Phase Service	\$ 0.777
Polyphase Service	\$ 0.058

#### **Energy Usage Charge - \$/kWh:**

Summer, all kWh, per kWh	\$ 0.16223
Winter, all kWh, per kWh	\$ 0.12962

#### **Public Purpose Programs:**

All kWh per kWh	\$ 0.01267
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#### **Monthly Minimum Charge:**

Monthly Minimum Charge	\$ 10.00
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### Energy Cost Adjustment

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

### Special Conditions

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

2. Direct Current Fast Charger (DCFC) Charging Stations: DCFC Station installations shall be billed on this rate regardless of the kW demand until other rates are adopted for this use.

## SCHEDULE C – LARGE GENERAL SERVICE

### Applicability

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

### Territory

Within the designated areas served by the Moreno Valley Utility.

### Rates

#### **Customer Charge - \$/Meter/Month:**

Single Phase	\$ 222.79
Polyphase	\$ 208.45

#### **Energy Usage Charge - \$/kWh:**

Summer, all kWh, per kWh	\$ 0.06867
Winter, all kWh, per kWh	\$ 0.06069

#### **Demand Charge - \$/kW:**

	<u>Summer</u>	<u>Winter</u>
Facilities Related Demand Charge, per kW	\$ 15.37	\$ 15.37
Time Related Demand Charge, per kW	\$ 18.31	\$ 0.00

#### **Public Purpose Programs:**

All kWh per kWh	\$ 0.01214
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#### **Monthly Minimum Charge:**

Monthly Minimum Charge	\$ 10.00
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### Energy Cost Adjustment

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



## Special Conditions

1. Summer and Winter Seasons are defined as follows:

The Summer season begins at 12:00 a.m. on June 1 and will continue until 12:00 a.m. on October 1 each year. The Winter season begins at 12:00 a.m. on October 1 and continues until 12:00 a.m. on June 1 of the following year.

2. Voltage: Service will be supplied at one standard voltage.
3. Billing Demand: The Billing Demand shall be the kilowatts of Maximum Demand, determined to the nearest kW. The Billing Demand shall be the greater of the kilowatts of Maximum Demand recorded (or established for) the monthly billing period or 50% of the highest Maximum Demand established in the preceding eleven months (Ratcheted Demand).
4. Maximum Demand: The maximum demand in any month shall be the measured maximum average kilowatt input, indicated or recorded by instruments to be supplied by the City, during any 15-minute metered interval in the month.
5. Voltage Discount: The monthly Facilities Related Demand Charge will be reduced by 23.3% for service delivered and metered at voltages of 4 kV through 12 kV. The energy charge will be reduced by \$.00074 per kWh for service delivered and metered at voltages of 2 kV through 12 kV.
6. Excess Transformer Capacity: Excess Transformer Capacity is the amount of transformer capacity requested by a customer in excess of that which the City would normally install to serve the customer's Maximum Demand. Excess Transformer Capacity shall be billed at the amount shown in the rates section above.
7. Power Factor Adjustment: When Maximum Demand has exceeded 200 kW for three consecutive months, kilovar metering will be installed as soon as practical, and thereafter, until the Maximum Demand has been less than 150 kW for twelve consecutive months, the billing will be adjusted each month for power factor.
  - a. Adjustment Rate:
    - i. For service delivered and metered at voltages 12 kV or less, the billing will be increased by \$0.55 per kilovar of maximum reactive demand.
  - b. Determining the Reactive Demand:

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

## SCHEDULE SL – STREET LIGHTING SERVICE MVU OWNED SYSTEM

### Applicability

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

### Territory

Within the designated areas served by the Moreno Valley Utility.

### Rates

#### Energy Usage Charge - High Pressure Sodium Vapor Lamps

##### Basic Charge:

<u>Initial Lumens</u>	<u>Wattage</u>	<u>All Night Service kWhs/Month</u>	<u>\$/Lamp/Month</u>	<u>\$/Lamp/Month Public Purpose Programs</u>
9,500	100	40	\$11.23	\$0.34
16,000	150	67	\$13.45	\$0.57
22,000	200	85	\$15.06	\$0.72
27,500	250	108	\$16.74	\$0.92

#### Energy Usage Charge – Light Emitting Diode (LED) Lamps

##### Basic Charge:

<u>Initial Lumens</u>	<u>Wattage</u>	<u>All Night Service kWhs/Month</u>	<u>\$/Lamp/Month</u>	<u>\$/Lamp/Month Public Purpose Programs</u>
14,700	173	75	14.45	\$0.67

### Energy Cost Adjustment

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

**Special Conditions**

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

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

**Applicability**

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

**Territory**

Within the designated areas served by the Moreno Valley Utility.

**Rates**

**Energy Usage Charge - High Pressure Sodium Vapor Lamps**

**Basic Charge:**

<u>Initial Lumens</u>	<u>Wattage</u>	<u>All Night Service kWhs/Month</u>	<u>\$/Lamp/Month</u>	<u>\$/Lamp/Month Public Purpose Programs</u>
9,500	100	40	\$ 5.13	\$0.34
16,000	150	67	\$ 6.97	\$0.57
22,000	200	85	\$ 8.26	\$0.72
27,500	250	108	\$ 9.89	\$0.92

**Energy Cost Adjustment**

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

**Special Conditions**

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

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

**Applicability**

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

**Territory**

Within the designated areas served by the Moreno Valley Utility.

**Rates**

<b>Customer Charge – Per Meter Per Month:</b>	\$ 12.52
<b>Energy Usage Charge - \$/kWh:</b>	
All Year - all kWh, per kWh	\$ 0.05920
<b>Public Purpose Programs:</b>	
All kWh, per kWh	\$ 0.00854

**Energy Cost Adjustment**

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

**Special Conditions**

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

## SCHEDULE TC-1 – TRAFFIC CONTROL SERVICE

### Applicability

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

### Territory

Within the designated areas served by the Moreno Valley Utility.

### Rates

#### **Customer Charge – Per Meter Per Day:**

Single-Phase Service	\$ 0.482
Polyphase Service	\$ 0.030

#### **Energy Usage Charge - \$/kWh:**

All kWh per kWh	\$ 0.12168
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#### **Public Purpose Programs:**

All kWh per kWh	\$ 0.01347
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### Energy Cost Adjustment

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

### Special Conditions

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



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

### Applicability

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

### Territory

Within the designated areas served by the Moreno Valley Utility.

### Rates – Primary Voltage

#### Customer Charge:

\$/Meter/Month \$ 303.25

#### Energy Usage Charge - \$/kWh:

##### Summer

On-Peak	\$ 0.08445
Mid-Peak	\$ 0.06103
Off-Peak	\$ 0.04538

##### Winter

Mid-Peak	\$ 0.05952
Off-Peak	\$ 0.05018

#### Demand Charge - \$/kW:

	<u>Summer</u>	<u>Winter</u>
Facilities Related Demand Charge, per kW	\$18.34	18.34
Time Related Demand Charge, per kW		
On-Peak	\$18.97	\$0.00
Mid-Peak	\$3.58	\$0.00
Off-Peak	\$0.00	\$0.00

#### Public Purpose Programs:

All kWh per kWh \$0.01053

Minimum Monthly Charge See Conditions #4

Attachment: MVU Rates 04182017 (2491 : APPROVE A RESOLUTION OF THE CITY COUNCIL TO AMEND THE ELECTRIC RATES AND RULES

**Rates – Secondary Voltage**

**Customer Charge:**

\$/Meter/Month \$ 634.89

**Energy Usage Charge - \$/kWh:**

**Summer**

On-Peak \$ 0.08648  
Mid-Peak \$ 0.06304  
Off-Peak \$ 0.04703

**Winter**

Mid-Peak \$ 0.06143  
Off-Peak \$ 0.05190

**Demand Charge - \$/kW:**

	<u>Summer</u>	<u>Winter</u>
Facilities Related Demand Charge, per kW	\$18.55	\$18.55
Time Related Demand Charge, per kW:		
On-Peak	\$18.92	\$0.00
Mid-Peak	\$3.63	\$0.00
Off-Peak	\$0.00	\$0.00

**Public Purpose Programs:**

All kWh per kWh \$ 0.01107

**Minimum Monthly Charge:**

Minimum Monthly Charge See Condition #4

**Energy Cost Adjustment**

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

**Special Conditions**

- Time periods are defined as follows:

On-Peak: Noon to 6:00 p.m. Summer weekdays except holidays

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

Off-Peak: All other hours

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

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

2. Summer and Winter Seasons are defined as follows: The Summer season begins at 12:00 a.m. on June 1 and will continue until 12:00 a.m. on October 1 each year. The Winter season begins at 12:00 a.m. on October 1 and continues until 12:00 a.m. on June 1 of the following year.
3. Voltage: Service will be supplied at one standard voltage.
4. Billing Demand: The Billing Demand shall be the kilowatts of Maximum Demand, determined to the nearest kW. The Billing Demand shall be the greater of the kilowatts of Maximum Demand recorded (or established for) the monthly billing period or 50% of the highest Maximum Demand established in the preceding eleven months (Ratcheted Demand).
5. Maximum Demand: The maximum demand in any month shall be the measured maximum average kilowatt input, indicated or recorded by instruments to be supplied by the City, during any 15-minute metered interval in the month.
6. Excess Transformer Capacity: Transformer Capacity is the amount of transformer capacity requested by a customer in excess of that which the City would normally install to serve the customer's Maximum Demand. Excess Transformer Capacity shall be billed at the amount shown in the rates section above.
7. Power Factor Adjustment: The billing will be adjusted each month for power factor.
  - a. Adjustment Rate: The customer's bill will be increased each month for the power factor \$0.51 per kilovar of maximum reactive demand.
  - b. The maximum reactive demand shall be the highest measured maximum average kilovar demand indicated or recorded by metering during any 15 minute metered interval in the month. For customers with metering used for billing that measures kilovar-hours instead of reactive demand, the kilovars of reactive demand shall be calculated by multiplying the kilowatts of measured maximum demand by the ratio of the kilovar-hours

to the kilowatt-hours. Demands in kilowatts and kilovars shall be determined to the nearest unit. A device will be installed on the kilovar-hour meter to prevent its reverse operation on leading power factors.

## **SCHEDULE SE - SERVICE ESTABLISHMENT CHARGE**

### **Applicability**

Applicable to general service and domestic service customers.

### **Territory**

Within the entire territory served by Moreno Valley Utility.

### **Rate**

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

### **Special Conditions**

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

## SCHEDULE NEM – NET ENERGY METERING

### **Applicability**

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

### **Territory**

Within the entire territory served by Moreno Valley Utility.

### **Net Surplus Compensation Rate**

The net surplus compensation rate shall be \$0.05852 per kWh applied to any net surplus energy remaining at the end of the customer's twelve (12) month billing period ("relevant period").

### **Special Conditions**

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

9. Customers may choose to either roll over the monetary value of any net surplus energy to the next billing cycle, or receive payment for any net surplus energy at the end of your 12-month relevant period.
10. Customers will be billed monthly for nominal non-energy-related charges such as taxes.

## SCHEDULE ED – ECONOMIC DEVELOPMENT (“ED”) RATE

### Applicability

Commercial or industrial end-use customers that would otherwise receive service under Electric Rate Schedule TOU-LGS (Time of Use-Large General Service) and meet certain criteria as established and adopted by resolution of the City Council of the City of Moreno Valley may take advantage of the ED rate as a New Customer or Expanded Load Customer. This ED rate is applicable to all or part of the services provided to New Customers and Expanded Load Customers, as such terms are defined herein. Local Hiring Incentive applicable to certain other rate classes as described in Special Condition No. 6.

1. A New Customer shall be a customer seeking to locate a new business or relocate an existing business (not currently located within the territory served by Moreno Valley Utility) within Moreno Valley Utility’s service territory.
  
2. An Expanded Load Customer shall be an existing Moreno Valley Utility TOU-LGS customer that is adding new load to Moreno Valley by a minimum of 200 kW based upon the customer’s past electrical demand as determined by Moreno Valley Utility. The expanded load can be at the customer’s current site, or at a new site within the Moreno Valley Utility service territory. The ED rate will only be applied to the expanded load as determined in Section 5 below.
  
3. A New Customer shall meet the following criteria:
  - a. Targeted industries
    - i. Logistics/Distribution
    - ii. Medical/Healthcare
    - iii. Auto Dealerships
  
  - b. Job Creation
 

i. Tier 1 Discount Rate	150 – 499 jobs
ii. Tier 2 Discount Rate	500 – 999 jobs
iii. Tier 3 Discount Rate	greater than 1000 jobs
iv. Tier 4 Discount Rate	350 jobs minimum
v. Tier 5 Discount Rate	200 jobs minimum
  
  - c. City Revenue Producer – either sales tax or use tax generation
    - i. Tier 1a Discount Rate



- ii. Tier 4 Discount Rate - minimum \$40,000 annual sales tax revenue to the City

**Territory**

Within the entire territory served by Moreno Valley Utility.

**Character of Service**

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

**Rates**

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

	<b>Tier 1/Tier 1a</b>	<b>Tier 2</b>	<b>Tier 3</b>	<b>Tier 4</b>
<b>Year 1</b>	19.00%	21.50%	24.00%	26.50%
<b>Year 2</b>	16.00%	18.50%	21.00%	23.50%
<b>Year 3</b>	13.00%	15.50%	18.00%	20.50%
<b>Year 4</b>	10.00%	12.50%	15.00%	17.50%
<b>Year 5</b>	7.00%	9.50%	12.00%	14.50%

	<b>Tier 5</b>
<b>Years 1 – 4</b>	20.00%
<b>Years 5 – 8</b>	15.00%
<b>Years 9 – 12</b>	10.00%
<b>Years 13 - 16</b>	5.00%

## Special Conditions

1. Term: Economic Development Rate Agreements entered into under this Schedule shall be for a single five-year term, except for Tier 5, which shall be for a single sixteen-year term.
2. Approval: Application of this Rate Schedule shall be subject to the approval of the City Manager or his designee, based on meeting the eligibility criteria outlined herein.
3. Agreement: The customer must sign a standard Moreno Valley Economic Development Rate Agreement in order for the rates under this Schedule to be applicable. In addition to the other terms of this Schedule, the Economic Development Rate Agreement shall require the customer to reimburse Moreno Valley for all rate reductions received under this Schedule, if the customer fails to maintain the required minimum load during the applicable term of the Agreement.
4. Minimum Load: Customers qualifying under this Schedule as a New Customer with a projected minimum monthly electric demand of at least 500 kW or as an Expanded Load Customer under Applicability Sections 1 and 2 above, respectively, must agree to maintain a minimum level of load for five years for Tiers 1 through 4 and sixteen years for Tier 5 from the date service is first rendered under this Schedule as set forth in the Economic Development Rate Agreement.
5. Jobs: Job as prescribed in Section 3c above is defined as Full Time Equivalent that is working at least 1750 hours per year. The Customer retains authority in making individual hiring decisions. This program does not require the Customer to hire any person who does not have the experience and ability to qualify such persons for a job.
6. Local Hiring Incentive: The Local Hiring Incentive is available for Tier 1 through Tier 5. Customers who qualify under Tiers 1 – 4 and voluntarily hire at least 20% of Full Time Equivalent (FTE) employees that are City of Moreno Valley residents will receive an additional discount of 2%; those Customers who hire at least 40% of Full Time Equivalent (FTE) employees that are City of Moreno Valley residents will receive an additional discount of 4%. For Customers eligible for the Tier 5 discount, the Local Hiring Incentive is an additional 1% discount for Customers who voluntarily hire at least 20% of FTE employees that are City of Moreno Valley residents. The additional 1% discount will be applied to the first five years of the sixteen-year term. Any additional discounts will apply to the Energy Charge and Demand Charge. Customers must certify the local hire percentage each year to remain eligible for the additional discount.
7. Base Period Usage: Base Period Usage shall be established and agreed to in the Economic Development Rate Agreement for Expanded Load

Customers. Base Period Usage shall be the average monthly energy use and demand for the customer during the last three years of service to the customer, from the date ending the last payment period before the date of the Agreement. Expanded Load qualifying for the rate under this Schedule shall be measured as the difference between the new monthly, meter documented energy use and demand, and the Base Period Usage.

8. State Mandated Public Purpose Program Charge: All bills rendered under this Schedule shall be subject to the Public Purpose Program Charge as established by the City Council.
9. Miscellaneous Fees and Charges: Rates charged pursuant to this Schedule shall be subject to any Energy Users Taxes, Utility Users Taxes, and any other governmental taxes, duties, or fees which are applicable to Electric Service provided to Customer by the City of Moreno Valley. Rates are also subject to adjustment, as established by the City of Moreno Valley City Council in response to federal or state climate change laws, renewable portfolio standard or other mandated legislation. These adjustments may include but are not limited to charges to mitigate the impacts of greenhouse gas emissions or “green power” premiums.
10. Expanded Load: Expanded Load customers applying for this rate must demonstrate to the satisfaction of the Utility that the expanded load is new to Moreno Valley.
11. Effective Date: The effective date of the Economic Development Rate Agreement shall commence within 12 months from the date of the City’s approval, or the Agreement becomes null and void. The Agreement becomes effective upon execution by the parties, and the Economic Development Rate commences upon written notice by customer, and coincides with the customer’s normal billing cycle.
12. Reapplication: Customers who have received service under the Economic Development Rate are eligible to reapply for the rate as an Expanded Load Customer 12 months after their current Economic Development Rate Agreement has expired, if they meet the criteria therefore.
13. Restrictions: Residential customers and federal, state or local government agencies are not eligible to apply for service under this Schedule.
14. City Manager: The City Manager or his/her designee may offer to customers an Economic Development Rate and term based upon the actual cost to serve the customer. The customer must sign a Moreno Valley Economic Development Rate Agreement, and such Agreement shall be approved by the City Council. All other terms and conditions under this rate schedule shall apply.

## **SCHEDULE ED-BR - ECONOMIC DEVELOPMENT- BUSINESS RETENTION RATE**

### **Applicability**

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

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

### **Territory**

Within the entire territory served by Moreno Valley Utility.

### **Rates**

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

- Year 1            20%
- Year 2            20%
- Year 3            20%
- Year 4            0%
- Year 5            0%

### **Special Conditions**

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

7. Effective Date: The Agreement becomes effective upon execution by the parties, and the Economic Development Business Retention Rate commences with the customer's normal billing cycle following execution of the Agreement by both parties.
8. Restrictions: Residential customers, small commercial customers, and federal, state or local government agencies are not eligible to apply for service under this Schedule.

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*City of Moreno Valley*  
*Electric Service Rules, Fees and Charges*

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Attachment: MVU Rules Fees Charges 04182017 (2491 : APPROVE A RESOLUTION OF THE CITY COUNCIL TO AMEND THE ELECTRIC RATES

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## **ELECTRIC RULE 1—ADOPTION OF ELECTRIC RULES AND DEFINITIONS**

These Electric Rules established by the City of Moreno Valley (“City”) and approved by the City Council are effective throughout the service area of the City of Moreno Valley’s Electric Utility.

All rules are subject to change. Copies of the rules currently in effect will be kept in the offices of the Electric Utility Division, Department of Public Works. Customers or others contemplating any expenditures or activities governed by these rules should assure themselves that they have the current version by contacting the Electric Utility Division. A copy of the current rates is also available on the City’s website – www.moval.org.

For the purpose of these rules, the following terms shall have the following meanings:

**Applicant:** A person, persons, firm, association, governmental agency, corporation or other concern that submits a request for electric service from the Utility and who will be responsible for all related charges.

**Billing Demand:** The load or demand, measured in kilowatts and kilovars, used for computing charges under rate schedules based on the size of the Customer's load or demand. It may be connected load, the measured maximum demand, or a modification of either as provided for by the applicable rate schedule.

**City Council:** The City Council of the City of Moreno Valley, designated as the governing body of the Utility.

**Connected Load:** The sum of the nameplate-rated capacities of all of the Customer's equipment that can be connected to the Utility's lines at any one time as more completely described in the rate schedules.

**Customer:** The person, persons, firm, association, governmental agency, corporation or other concern that use, are entitled to use, or benefit from the use of electricity from the Utility.

**Date of Presentation:** The date upon which a bill or notice is mailed or delivered by the Utility to the Customer.

**Distribution Lines:** Overhead pole lines and underground facilities consisting of conduit, wire and cable that are operated at distribution voltages.

**Energy Diversion:** Electricity being received by a Customer without registering through the meter due to either tampering with the meter or bypassing the meter.

**HP:** Horsepower.

**kVAR:** Kilovar

**kVARh:** Kilovar-hour

**kW:** Kilowatt.

**kWh:** Kilowatt-hour.

**On-Site Facilities:** On-site facilities include the facilities located on the Premises as well as those in adjacent rights-of-way, easements and a proportionate share of any facilities on adjacent property used to provide service to the Premises.

**Nominal Voltage:** The nominal voltage of a circuit is the approximate voltage between conductors in a circuit or system of a given class, assigned for the purpose of convenient designation. For any specific nominal voltage, the operating voltage actually existing at different points and times on the system will vary.

**Person:** Any individual, partnership, corporation, public agency or legal entity.

**Premises:** All real property, buildings, and appurtenances upon an integral parcel of land undivided by a street, highway or other public thoroughfare.

**Service Wires or Connection:** The group of conductors connecting the service entrance conductors of the Customer to the Utility's supply line, regardless of the location of the Utility's meters or transformers.

**Utility:** City of Moreno Valley

## **ELECTRIC RULE 2—DESCRIPTION OF SERVICE**

### **A. GENERAL**

1. The type of service available at any particular location should be determined by inquiry at City's local office.
2. Alternating-current service will be regularly supplied at a frequency of approximately 60 Hertz (cycles per second).
3. In areas where a certain standard secondary voltage is presently being served to one or more Customers, an Applicant applying for new service in such areas may be required by City to receive the same standard voltage supplied to existing Customers.
4. All electric service described in this rule is subject to the conditions in the applicable rate schedule and other pertinent rules.
5. It is the responsibility of the Applicant to ascertain and comply with the requirements of governmental authorities having jurisdiction.
6. Service to a premise is normally established at one delivery point, through one meter, and at one voltage class. Other arrangements for service at multiple service delivery points, or for services at more than one voltage class, are permitted only where feasible and with the approval of City. For purposes of this rule, distribution service voltage classes, delta or wye connected, are described as:
  - a. 0-600 volt source, single-phase, 1Ø
  - b. 0-600 volt source, three-phase, 3Ø
  - c. above 600 volt source, three-phase, 3Ø
7. Direct-current (d-c) or two-phase service is not available.

## B. SERVICE DELIVERY VOLTAGES

- Following are the standard service voltages normally available, although not all of them are or can be made available at each service delivery point:

Distribution Voltages		
Single-phase Secondary	Three-phase Secondary	Three-phase Primary
120/240, 3-wire	240/120, 4-wire 480/277, 4-wire*	12,000, 3-wire 2,400, 3-wire*
120/208, 3-wire*	208Y/120, 4-wire	4,160, 3-wire*
		4,160Y/2,400, 4-wire*
		12,000Y/6,930, 4-wire*

**\*Limited Availability.**

- All voltages referred to in this rule and appearing in some rate schedules are nominal service voltages at the service delivery point. City's facilities are designed and operated to provide sustained service voltage at the service delivery point, but the voltage at a particular service delivery point, at a particular time, will vary within fully satisfactory operating range limits established in Section C.
- The point of delivery and point of metering will normally be at the same voltage and within close proximity to each other. When City determines it is not feasible for the point of delivery and point of metering to be at the same voltage and within close proximity to each other, the demand and energy meter readings used in determining the charges will be adjusted to correct for transformation and line losses. An estimated transformer loss adjustment factor of two percent (2%) will be applied to the demand and energy meter readings for each stage of transformation between the point of delivery and the point of metering, unless City and the Customer agree that specific transformer manufacturer test data support a different transformer loss adjustment. Line losses will be calculated as a function of the current through, and the electrical characteristics of, the line between the point of delivery and point of metering.

## C. VOLTAGE AND FREQUENCY CONTROL

### 1. CUSTOMER SERVICE VOLTAGES

- a. Under all normal load conditions, City's distribution circuits will be operated so as to maintain secondary service voltage levels to Customers within the service voltage ranges specified below:

Nominal Two-Wire and Multi-Wire Service Voltage	Minimum Voltage to All Services	Maximum Service Voltage on All Services
120	114	126
208	197	218
240	228	252
277	263	291
480	456	504

City's distribution voltage will be regulated to the extent practicable to maintain service voltage on residential and commercial distribution circuits within the minimum and maximum voltages specified above.

- b. Exceptions to Voltage Limits. Voltage may be outside the limits specified when the variations:
- 1) Arise from the temporary action of the elements.
  - 2) Are infrequent momentary fluctuations of a short duration
  - 3) Arise from service interruptions.
  - 4) Arise from temporary separation of parts of the system from the main system.
  - 5) Are from causes beyond the control of City, and which may be sustained duration.
- c. Where the operation of the Applicant's equipment requires unusually stable voltage regulation or other stringent voltage control beyond that supplied by City in the normal operation of its system, the Applicant, at his own expense, is responsible for installing, owning, operating, and maintaining any special or auxiliary equipment on the load side of the service delivery point as deemed necessary by the Applicant.
- d. The Applicant shall be responsible for designing and operating his service facilities between the service delivery point and the utilization equipment to maintain proper utilization voltage at the line terminals of the utilization equipment.

## 2. CUSTOMER UTILIZATION VOLTAGES

- a. All Customer-owned utilization equipment must be designed and rated in accordance with the following utilization voltages specified by the American National Standard Institute C84.1 if Customer equipment is to give fully satisfactory performance:

<b>Nominal Utilization Voltage</b>	<b>Minimum Utilization Voltage</b>	<b>Maximum Utilization Voltage</b>
120	100	125
208	191	216
240	220	250
277	254	289
480	440	500

Minimum utilization voltages from ANSI C84.1 are shown for Customer information only as City has no control over voltage drop in Customer's wiring.

## D. GENERAL LOAD LIMITATIONS

### 1. SINGLE-PHASE SERVICE

Single-phase service normally will be three-wire, 120/240 volts where the size of any single motor does not exceed 7.5 horsepower (10 horsepower at the option of City). For any single-phase service, the maximum demand as determined by City is limited to the capability of a 100-kVA transformer and 400 amp main disconnect unless otherwise approved by City. If the load requires a transformer installation in excess of 100 kVA, the service normally will be three-phase.

### 2. THREE-PHASE SERVICE (LESS THAN 600 VOLTS)

- a. Secondary service from underground primary distribution systems (where City maintains existing 3-phase primary circuits):

Nominal Voltage	Minimum Load	Maximum Demand
208Y/120, 4-wire	Demand load justifies a 75 kVA transformer	3,000 kVA
480Y/277, 4-wire	Demand load justifies a 75 kVA transformer	3,000 kVA

- b. Where three-phase service is supplied, City reserves the right to use single-phase transformers connected open-delta or closed-delta, or three-phase transformers.
- c. Three-phase service will be supplied on request for installations aggregating less than the minimums listed above where existing transformer capacity is available and approved by City.
- d. Three-phase metering for one service voltage supplied to installations on one premise at one delivery location normally is limited to a maximum of a 4,000 ampere service rating. Metering for larger installations, or installations having two (2) or more service switches with a combined rating in excess of 4,000 amperes, or service for loads in excess of the maximum demand load permitted, may be installed provided approval of City has been first obtained as to the number, size, and location of switches, circuits, transformers and related facilities. Service supplied to such approved installations in excess of one 4,000 ampere switch or breaker at one service delivery point may be totaled for billing purposes.

### 3. THREE-PHASE SERVICE (OVER 600 VOLTS)

- a. Following are three-phase voltages that may be transformed from higher existing primary distribution voltages and provided only as isolated services for a single Applicant where the Applicant's demand load justifies, as determined by City, the installation of the minimum size transformer bank used by City:

Nominal Voltage	Minimum Size Bank Installed	Maximum Demand Load Permitted
2,400*	500 kVA	5,000 kVA
4,160*	500 kVA	5,000 kVA
12,000	500 kVA	12,000 kVA

\*Limited Availability.

- b. For its operating convenience and necessity, City may elect to supply an Applicant whose demand load is in excess of 2,000 kVA from a substation on the Applicant's Premises supplied from a transmission source.
- c. City reserves the right to change its distribution or transmission voltage to another standard service voltage when, in its judgment, it is necessary or advisable for economic reasons or for proper service to its Customers. Where a Customer is receiving service at the voltage being changed, the Customer then has the option to: (1) accept service at the new voltage, (2) accept service at the secondary side of an additional stage of transformation to be supplied by City at a location on the Customer's Premises in accordance with City's requirements, or (3) contract with City for an additional stage of transformation to be installed as Special Facilities (including any applicable Contributions in Aid of Construction taxes) under the provisions of Section I, below, whereby the Customer will be considered as accepting service at the primary side of the additional stage of transformation. Metering not relocated to the primary side of the additional stage of transformation will be subject to a transformer loss adjustment in accordance with Section B.4 of this Rule. The option to contract with City for an additional stage of transformation (option 3, above) is available only once in conjunction with a change in standard voltage by City.



#### 4. LOAD BALANCE

The Applicant must balance his demand load as nearly as practicable between the two sides of a three-wire single-phase service and between all phases of a three-phase service. The difference in amperes between any two phases at the Customer's peak load should not be greater than 10 percent or 50 amperes (at the service delivery voltage), whichever is greater; except that the difference between the load on the lighting phase of a four-wire delta service and the load on the power phase may be more than these limits. It will be the responsibility of the Customer to keep his demand load balanced within these limits.

#### E. PROTECTIVE DEVICES

1. It shall be the Applicant's responsibility to furnish, install, inspect and keep in good and safe condition at his own risk and expense, all appropriate protective devices of any kind or character, which may be required to properly protect the Applicant's facilities. City shall not be responsible for any loss or damage occasioned or caused by the negligence, or wrongful act of the Applicant or of any of his agents, employees or licensees in omitting, installing, maintaining, using, operating or interfering with any such protective devices.
2. It shall be the Applicant's responsibility to select and install such protective devices as may be necessary to coordinate properly with City's protective devices to avoid exposing other Customers to unnecessary service interruptions.
3. It shall be the Applicant's responsibility to equip his three-phase motor installations with appropriate protective devices, or use motors with inherent features, to completely disconnect each such motor from its power supply, in accordance with National Electrical Code, giving particular consideration to the following:
  - a. Protection in each set of phase conductors to prevent damage due to overheating in the event of overload.
  - b. Protection to prevent automatic restarting of motors or motor driven machinery, which has been, subjected to a service interruption and, because of the nature of the machinery itself or the product it handles, cannot safely resume operation automatically.
  - c. Open-phase protection to prevent damage due to overheating in the event of loss of voltage on one phase.
  - d. Reverse-phase protection where appropriate to prevent uncontrolled reversal of motor rotation in the event of accidental phase reversal. (Appropriate installations would include, but are not limited to, motors driving elevators, hoists, tramways, cranes, pumps, conveyors, etc.)
4. The available short-circuit currents vary from one location to another, and also depends on available generation, condition of the system loads, and the ultimate

design characteristics of City's supply and service facilities. Consult City for the ultimate maximum short-circuit current at each service termination point.

5. Where an Applicant proposes to use a ground-fault sensing protective system which would require special City-owned equipment, such a system may be installed only where feasible and with written approval of City.
6. Any non-City-owned emergency standby or other generation equipment that can be operated to supply power to facilities that are also designed to be supplied from City's system shall be controlled with suitable protective devices by the Applicant to prevent parallel operation with City's system in a fail-safe manner, such as the use of a double-throw transfer switch to disconnect all conductors, except where there is a written agreement or service contract with City permitting such parallel operation.

## **F. INTERFERENCE WITH SERVICE**

### **1. GENERAL**

City reserves the right to refuse to serve new loads or to discontinue supply to existing loads of a size or character that may be detrimental to City's operations or to the service of its Customers. Any Customer who operates or plans to operate any equipment such as, but not limited to, pumps, welders, saw mill apparatus, furnaces, compressors or other equipment where the use of electricity is intermittent, causes intolerable voltage fluctuations, or otherwise causes intolerable service interference, must reasonably limit such interference or restrict the use of such equipment upon request by City. The Customer is required either to provide and pay for whatever corrective measures are necessary to limit the interference to a level established by City as reasonable, or avoid the use of such equipment, whether or not the equipment has previously caused interference.

### **2. HARMFUL WAVE FORM**

Customer shall not operate equipment that superimposes a current of any frequency or waveform upon City's system, or draws current from City's system of a harmful waveform, which causes interference with City's operations, or the service to other Customers, or inductive interference to communication facilities.

### **3. CUSTOMER'S RESPONSIBILITY**

Any Customer causing service interference to others must diligently pursue and take corrective action after being given notice and a reasonable time to do so by City. If the Customer does not take corrective action in the time set, or continues to operate the equipment causing the interference without restriction or limit, City may, without liability, after giving five (5) days written notice to Customer, either install and activate control devices on its facilities that will temporarily prevent the detrimental operation, or discontinue electric service until a suitable permanent solution is provided by the Customer and it is operational.

#### 4. MOTOR STARTING CURRENT LIMITATIONS

- a. The starting of motors shall be controlled by the Customer as necessary to avoid causing voltage fluctuations that will be detrimental to the operation of City's distribution or transmission system, or to the service of any of City's customers.
- b. If the starting current for a single motor installation exceeds the value listed for Class C or better (per National Electrical Code Section 430) and the resulting voltage disturbance causes or is expected to cause detrimental service to others, reduced voltage starters or other suitable means must be employed, at the Customer's expense, to limit the voltage fluctuations to a level equivalent to a Class C motor.
- c. Where service conditions permit, subject to City's approval, motor starters may be deferred in the original installation. City may later order the installation of a suitable starter or other devices when it has been determined that the operation of the Customer's motors interfere with service to others. Also, City may require starting current values lower than those set forth herein where conditions at any point on its system require such reduction to avoid interference with service to other Customers.
- d. Starters may be omitted on the smaller motors of a group installation when their omission will not result in a starting current in excess of the allowable starting current of the largest motor of the group. Where motors start simultaneously, they will be treated as a single unit equal to the sum of their individual starting currents.
- e. City may limit the maximum size and type of any motor that may be operated at any specific location on its system to that which will not be detrimental to City's system operations or to the service of its customers, as determined by City.
- f. For installations of motors where the equipment is started automatically by means of float, pressure, or thermostat devices, such as with pumps or wind machines for frost protection, irrigation pumps or other similar installations, City may require the Customer to install, at his own expense and in accordance with City's operating requirements, suitable preset time-delay devices to stagger the automatic connection of load to the supply system and to prevent simultaneous start-up for any reason.

#### G. POWER FACTOR

When lighting devices, such as neon, fluorescent, luminous gaseous, mercury vapor, and other lighting equipment having low power factors are served on street lighting

schedules, the Customer shall provide, at his own expense, power factor corrective equipment to increase the power factor of each complete lighting device to not less than 90 percent.

## H. CONNECTED LOAD RATINGS

1. The connected load is the sum of the rated capacities of all of the Customer's electric utilization equipment that is served through one metering point and that may be operated at the same time, computed to the nearest one-tenth of a horsepower, kilowatt (kW) or kilovolt-ampere (kVA). Motors will be counted at their nameplate ratings in horsepower output and other devices at their nameplate input ratings in kW or kVA, except that resistance welders will be rated in accordance with the section of this rule regarding "Welder Service." Unless otherwise stated in the rate schedule, conversions between horsepower, kW and/or kVA ratings will be made on a one-to-one basis.
2. The normal operating capacity rating of any motor or other device may be determined from the nameplate rating. Where the original nameplate has been removed or altered, the manufacturer's published rating may be used or the rating determined by test at the expense of the Customer.
3. Motor-generator sets shall be rated at the nameplate rating of the alternating-current drive motor of the set.
4. X-Ray Equipment
  - a. X-ray equipment shall be rated at the maximum nameplate kVA input operating at the highest rated output amperes. If the kVA input rating is not shown, it will be determined for single-phase loads by taking the product of the amperes input rating times the input voltage rating divided by 1,000. For three-phase equipment, multiply this product times the square root of three (1.73).
  - b. Where X-ray equipment is separately metered and supplied from a separate transformer installed by City to serve the X-ray installation only, the kVA rating of City's transformer or the total X-ray equipment input capacity, whichever is smaller, will be considered the load for billing purposes.
5. Where a Customer operates a complete unit of equipment connected for three-phase service, but consisting of single-phase components which cannot be readily reconnected for single-phase service, City shall consider the connected load of such a unit as three-phase load.
6. Where a Customer has, or expects to have, permanently-connected, three-phase load that is used infrequently or for short duration, such as, but not limited to, equipment for fire pumps, frost protection, flood control, emergency sirens or other similar installations which make it impractical to record proper demands on a monthly basis for billing purposes, the Customer may, for his own reasons and with

City's approval, guarantee an appropriate billing demand or connected three-phase load for billing purposes in order to reserve suitable capacity in City's facilities.

## I. SPECIAL FACILITIES

1. City normally installs only those standard facilities, which it deems are necessary to provide regular service in accordance with the tariff schedules. Where the Applicant requests City to install Special Facilities and City agrees to make such an installation, the additional costs thereof shall be borne by the Applicant, including such continuing ownership costs as may be applicable.
2. Special Facilities are: (a) facilities requested by an Applicant which are in addition to or in substitution for standard facilities which City would normally provide for delivery of service at one point, through one meter, at one voltage class under its tariff schedules, or (b) a pro rata portion of the facilities requested by an Applicant, allocated for the sole use of such Applicant, which would not normally be allocated for such sole use. Unless otherwise provided by City's rate schedules, Special Facilities will be installed, owned and maintained by City as an accommodation to the Applicant only if acceptable for operation by City, and the reliability of service to City's other customers is not impaired and Applicant funds construction and pays incremental costs.
3. Special Facilities will be installed under the terms and conditions of a contract in the form on file with the Utility. Such contract will include, but is not limited to, the following terms and conditions:
  - a. Where new facilities are to be installed for Applicant's use as Special Facilities, the Applicant shall advance to City the estimated additional installed cost of the Special Facilities over the estimated cost of standard facilities. At City's option, City may finance the new facilities.

## J. WELDER SERVICE

### 1. RATING OF WELDERS

Electric welders will be rated for billing purposes as follows:

- a. MOTOR-GENERATOR ARC WELDERS - The horsepower rating of the motor driving a motor-generating type arc welder will be taken as the horsepower rating of the welder.
- b. TRANSFORMER ARC WELDERS - Nameplate maximum kVA input (at rated output amperes) will be taken as the rating of transformer type arc welders.
- c. RESISTANCE WELDERS - Resistance welder ratings will be determined by multiplying the welder transformer nameplate rating (at 50 percent duty cycle) by the appropriate factor listed below:

<b>TYPE OF WELDER</b>	<b>TRANSFORMER NAMEPLATE RATING @ 50% Duty Cycle**</b>	<b>FACTOR City Owned Distribution Transformer</b>
1. Rocker Arm, Press or Projection Spot	20 kVA or less	0.60
2. Rocker Arm, Press Spot Project Spot Flash or Butt Seam or Portable Gun	Over 20 kVA 21 to 75 kVA, inclusive 100 kVA or over All sizes	0.80
3. Flash or Butt	67 to 100 kVA, inclusive	***
4. Projection Spot Flash or Butt	Over 75 kVA 66 kVA or less	1.20
<p>** The kVA rating of all resistance welders to which these rating procedures are applied must be at or equivalent to 50 percent duty cycle operation. Duty cycle is the percent of the time welding current flows during a given operating cycle. If the operating kVA nameplate rating is for some other operating duty cycle, then the thermally equivalent kVA rating at 50 percent duty cycle must be calculated.</p> <p>*** Each flash or butt welder in this group will be rated at 80 kVA.</p>		

- d. Ratings prescribed by a, b, and c above normally will be determined from nameplate data or from data supplied by the manufacturer. If such data are not available or are believed by either City or Customer to be unreliable, the rating will be determined by test at the expense of the Customer.
- e. If established by seals approved by City, the welder rating may be limited by the sealing of taps, which provide capacity greater than the selected tap, and/or by the interlocking lockout of one or more welders with other welders.
- f. When conversion of units is required for tariff application, one welder kVA will be taken as one horsepower for rules stated on a horsepower basis and one welder kVA will be taken as one kilowatt for rates stated on a kilowatt basis.

## 2. BILLING OF WELDERS

Welders will be billed at the regular rates and conditions of the rules on which they are served, subject to the following provisions:

- a. **CONNECTED LOAD TYPE OF SCHEDULE.** Welder load will be included as part of the connected load with ratings as determined under Section 1, above, based on the maximum load that can be connected at any one time, and no allowance will be made for diversity between welders.
- b. **DEMAND METERED TYPE OF SCHEDULE.** Where resistance welders are served on these schedules, the computation of diversified resistance welder load shall be made as follows:

Multiply the individual resistance welder ratings, as prescribed in Sections 1.c. to 1.f. inclusive (above) by the following factors, and add to the results thus obtained:

- 1.0 times the rating of the largest welder
- 0.8 times the rating of the next largest welder
- 0.6 times the rating of the next largest welder
- 0.4 times the rating of the next largest welder
- 0.2 times the ratings of all additional welders

If this computed, diversified, resistance welder load is greater than the metered demand, the diversified resistance welder load will be used in lieu of the metered demand for rate computation purposes.

## **ELECTRIC RULE 3—APPLICATION FOR SERVICE**

### **A. APPLICATIONS**

City may require each Customer to sign an application for the service desired, and also to establish credit. Generally, applications for service will be taken over the telephone, but may be taken in person or received by mail.

Application form shall set forth:

1. Legal name of Applicant.
2. Location of Premises.
3. Date Applicant will be ready for service.
  - a. Service restoration: When the Customer's service has been terminated either because of a determination by City that an unsafe apparatus or condition exists on the Premises, or because the Customer has threatened to create a hazardous condition, service will not be restored until City determines the Customer's electrical wiring or equipment or the use of either, has been made safe. When service is denied or terminated solely under these sections, the Customer may seek remedies before the City Council.
  - b. When the Customer's service has been terminated because of an order of termination issued to City by a governmental agency, service will not be restored until City has received authorization to restore the service from the appropriate governmental agency.
4. Whether electric service was previously supplied to the Premises.
5. Purpose for which service is to be used, with description of appliances.
6. Address to which bills are to be mailed or delivered.
7. Whether Applicant is owner, agent, or tenant of Premises.
8. Rate schedule desired where an optional rate is available.
9. Information necessary to the design, installation, maintenance, and operation of City's facilities.
10. Such other information as City may reasonably require for service.

The application is merely a request for service, and does not in itself bind City to serve except under reasonable conditions, nor does it bind the Customer to take service for a longer period than the minimum requirements of the rate. City may disconnect or refuse to provide service to the Applicant if the acts of the Applicant or the conditions upon the



Premises indicate that false, incomplete, or inaccurate information was provided to City. City shall provide the Applicant the reason for such refusal.

**C. INDIVIDUAL LIABILITY FOR JOINT SERVICE**

Where two or more persons join in one application or contract for service, they shall be jointly and severally liable thereunder and shall be billed by means of a single periodic bill mailed to the person designated on the application to receive the bill. Whether or not City obtained a joint application, where two (2) or more adults occupy the same Premises, they shall be jointly and severally liable for bills for energy supplied.

**D. CHANGE OF CUSTOMER'S APPARATUS OR EQUIPMENT**

In the event that the Customer shall make any material change either in the amount or character of the loads, protective equipment, or characteristic apparatus changes (reactive vs. inductive loads) installed upon the Premises to be supplied with electric energy by City, the Customer shall immediately give City written notice of this fact.

**ELECTRIC RULE 4—CONTRACTS**

Contracts will not be required as a condition precedent for service except:

1. As may be required by conditions set forth in the regular schedule of rates approved or accepted by the City.
2. In the case of electric extensions, temporary service, or service to speculative projects, in which case a contract may be required.

## **ELECTRIC RULE 5—SPECIAL INFORMATION REQUIRED ON FORMS**

### **A. CONTRACTS**

Each contract for electric service will contain the following provisions: “This contract shall at all times be subject to such changes or modification by the City Council as may, from time to time, direct in the exercise of its jurisdiction.”

### **B. CUSTOMERS’ BILLS**

Each bill for electric service will include the following statements: “This bill is now due and payable. If you believe your bill is incorrect, call the MVU Customer Service Center. If you are not satisfied with the explanation provided and still believe you have been billed incorrectly, send the bill and a statement supporting your belief that the bill is not correct to the City of Moreno Valley Council Utility Hearing Board (Board) at 14177 Frederick Street, Moreno Valley, CA 92552. To avoid having service turned off if the bill has not been paid, enclose a deposit for the amount of the bill made payable to City Council. If you are unable to pay the amount in dispute, you must inform the Board of your inability to pay. Your service will remain on until the Board completes its review. The Board will review the basis of the billed amount, communicate the results of its review to the parties and make disbursement of the deposit. The Board will not, however, accept deposits when the dispute appears to be over matters that do not directly relate to the accuracy of the bill. Such matter includes the quality of a utility’s service, general level of rates, pending rate changes, and sources of fuel and power.”

### **C. DISCONTINUANCE OF SERVICE NOTICE**

Each Discontinuance of Service Notice for nonpayment of bills will include the following information:

1. The name and address of the Customer whose account is delinquent.
2. The amount of the delinquency.
3. The date by which payment (or arrangements for payment) is required, or the date by which the dispute must be documented in order to avoid termination.
4. The procedure by which the Customer may initiate a complaint or request an investigation concerning service or charges as defined herein.
5. The telephone number of a representative of City who can provide additional information or institute arrangements for payment.
6. The telephone number of the Board to which inquiries by the Customer may be directed.

## **ELECTRIC RULE 6—ESTABLISHMENT AND RE-ESTABLISHMENT OF CREDIT**

An Applicant for City service may be required to establish credit. A Customer whose City service has been terminated for nonpayment of an energy bill or whose payments have been past due, as set forth below, may be required to re-establish credit.

### **A. ESTABLISHMENT OF CREDIT**

When, for Applicant's convenience, City provides service to the Applicant before credit is established and the Applicant fails to establish credit in accordance with this rule, service may be terminated after notice is given in accordance with these regulations.

Credit can be established if the Applicant:

- a. is the owner with a substantial equity, of value satisfactory to City, in the Premises to be served; or
- b. makes a deposit to secure payment of bills as prescribed in Rule 7; or
- c. furnishes a qualified guarantor to secure payment of Applicant's City bills; or
- d. has been a Customer of City for a similar type of service within the past two years, and during the last twelve consecutive months of that prior service, Customer has had not more than two past due bills as defined in Rules 8 and 11. The periodic bill for such previous service must equal at least 50 percent of the estimated bill amount(s) for the new service, and provided further, that the credit of Applicant is unimpaired in the opinion of City; or
- e. otherwise establishes credit to the satisfaction of City; and
- f. has paid all bills for nonresidential electric service previously supplied to Applicant by City.

### **B. RE-ESTABLISHMENT OF CREDIT**

1. An Applicant who previously has been a Customer of City, and whose electric service has been discontinued by City during the last twelve (12) months of that prior service because of nonpayment of bills, may be required to re-establish credit.
  - a. A Customer who fails to pay bills before they become past due and who further fails to pay such bills within five days after presentation of a discontinuance of service notice for nonpayment of bills, may be required to pay said bills and re-establish credit by depositing the amount established by City. A deposit may be required regardless of whether or not service has been discontinued for such nonpayment.

## **ELECTRIC RULE 7—DEPOSITS**

### **A. AMOUNT OF DEPOSIT**

#### **1. ESTABLISHMENT OF CREDIT**

- a. Residential accounts: The amount of deposit required to establish credit shall be twice the average monthly bill as estimated by City.
- b. Nonresidential accounts: The amount of deposit required to establish credit shall be twice the maximum monthly bill as estimated by City.
- c. Residential and nonresidential accounts: The amount of deposit taken to establish credit shall be subject to adjustment upon request by the Customer or upon review by City.
- d. Residential solar accounts are eligible for a special metering and billing option called Net Energy Metering (NEM). Under this billing option, each NEM customer is billed monthly for their total bill, but is not required to pay for the consumed energy until the end of each 12-month period. Therefore, if a deposit is required, the amount of the deposit taken to establish credit shall be the annual total billed amount plus twice the average monthly bill as estimated by City.

#### **2. RE-ESTABLISHMENT OF CREDIT**

Should the Customer's payment history with the City warrant it, the City may require the Customer to re-establish credit by paying a re-establishment deposit. The amount of deposit required to re-establish credit for residential and nonresidential accounts will be twice the maximum monthly bill as determined by City. For residential solar accounts, the amount will be the annual total billed amount plus twice the maximum monthly bill as determined by the City.

### **B. RETURN OF DEPOSIT**

1. City may refund a Customer's deposit by draft or by applying the deposit to the Customer's account. If the Customer establishes service at a new location, City may retain the deposit for such new account, subject to the conditions of Sections B.3 and B.4 below.
2. Upon discontinuance of service, City will refund the Customer's deposit or the balance thereof that is in excess of unpaid bills for service furnished by City.
3. When the Customer's credit is otherwise established, City will refund the deposit either upon the Customer's request for return of the deposit or upon review by City.
4. For residential and nonresidential accounts, the City will review the Customer's

account at the end of the first twelve- (12) months that the deposit is held and each month thereafter. After the Customer has not had more than two past due bills during the twelve (12) months prior to any such review, and has not had service temporarily or permanently discontinued for nonpayment of bills during such period, the deposit will be refunded in accordance with this section. For residential solar accounts billed on Net Energy Metering (NEM), if a deposit is required to establish or re-establish credit on the account, the deposit shall be held on the account for the life of the account or until the utility determines that a deposit is no longer required.

5. Deposits cannot be used to offset past due bills or to avoid or delay discontinuance of service.

### C. INTEREST ON DEPOSIT

1. City will pay interest on deposits, except as provided below. Interest shall be calculated on a daily basis, and compounded at the end of each calendar month, from the date fully paid to the date of refund by check or credit to the Customer's account. The interest rate applicable in each calendar month may vary and shall be equal to 1/12<sup>th</sup> of the interest rate on commercial paper (prime, 3 months) for the previous month as reported in the Federal Reserve Statistical Release, G.13, or its successor publication; except that when a refund is made within the first fifteen (15) days of a calendar month, the interest rate applicable in the previous month shall be applied for the elapsed portion of the month in which the refund is made.
2. No interest will be paid if service is temporarily or permanently discontinued for nonpayment of bills.
3. No interest will be paid for those months where the bill is paid after the due date (late pay or over date).

## **ELECTRIC RULE 8—NOTICES**

Any notice pursuant to City's rules may be given to the Customer in writing. Written notice is effective when it is either: (1) presented to the Customer, or (2) mailed to the Customer at the address where the Customer is receiving service, or (3) mailed to the customer at the mailing address provided by the Customer, or (4) delivered by door hanger at the address where the Customer is receiving service. City may also provide the Customer with verbal notice in person or by telephone. Any notice pursuant to City's rules from the Customer or the Customer's authorized agent may be given to City by telephone, in person, or in writing. Verbal notice is acceptable unless written notice is requested by City or required by the rules.

### **A. NOTICES OF TERMINATION OF SERVICE FOR NONPAYMENT**

Monthly bills for residential service are due and payable upon presentation and will be considered past due if payment is not received by City within fifteen (15) days after the bill is mailed to the Customer. Deposit requests are due and payable when request for service is made. When a deposit is billed, it will be considered past due if payment is not received by City within fifteen (15) days after the deposit request is mailed. If the past due amount is not paid, service may be terminated for nonpayment in accordance with Rule 11. A Field Notification Charge may appear on your next bill if City posts a collection notice at your Premises. If a termination order is processed for your account due to nonpayment, payment of the balance in full, plus a Collection Processing Fee and Deposit may be required prior to restoration of service. The Processing Fee may be charged whether or not electric service is actually terminated if the arrears balance is paid after the payment deadline has passed. Unpaid closing bills may be reported or forwarded to a credit reporting agency.

#### **1. 10-DAY NOTICE**

When a bill for service or deposit request has become past due, City will mail the Customer a notice that service may be terminated for nonpayment in 10 calendar days.

#### **2. 24-HOUR NOTICE**

When the past due balance on a 10-day notice is unpaid, City will make a reasonable attempt to contact an adult residing at the service address either by telephone or in person at least 24 hours prior to terminating service.

#### **3. NOTICE OF TERMINATION OF SERVICE FOR NONPAYMENT OF PAYMENT ARRANGEMENT AGREEMENT**

When City and the Customer enter into a payment arrangement agreement and the Customer does not abide by the terms of the agreement, in whole or in part, City will give the Customer at least 24 hours notice by telephone or in person prior to terminating service for nonpayment.

**B. NOTICES FOR UNPAID CLOSING BILLS**

Closing bills are due and payable upon presentation and will be considered past due if payment is not received by City within fifteen (15) days after the closing bill is mailed to the Customer. When City determines that the Customer has an open account for City service at one location and an unpaid closing bill in the Customer's name for City service at another location, City may transfer the unpaid closing bill to the open account, except that the unpaid closing bills for nonresidential service may not be transferred to a residential account. Before the Customer's open account may be terminated for nonpayment of the closing bill, the Customer will be given notices in accordance with Section A of this Rule.



## **ELECTRIC RULE 9—RENDERING AND PAYMENT OF BILLS**

### **A. BILLS PREPARED AT REGULAR INTERVALS**

Bills for electric service will be rendered at regular intervals. All bills will be based on meter registration, except as provided in Section C below, or as may otherwise be provided in City's rules. Meters will be read as nearly as possible at regular intervals. Except as otherwise stated, the regular billing period will be once each month. Due to Sundays and holidays and other factors, it is not always possible to read meters on the same day of each month.

### **B. PRO RATA CORRECTION**

Opening and closing bills rendered will be computed in accordance with the rate schedule applicable to that service, unless otherwise provided in this rule, or in the applicable rate schedule. The basic charge, customer charge, the amount of energy blocks, demand blocks, etc., and the service charge, demand charge, or minimum charge will be prorated on the basis of the number of days in the period in question to the total number of days in the subject month. However, where daily equivalents are used, there will be no pro rata correction. Instead, the calculation shall use the number of days in the billing period multiplied by the daily equivalent charge.

When one or more regularly scheduled meter readings have been missed, the proration factor for the next regularly scheduled meter reading shall be 1.000 times the number of monthly billing cycles in the period. When an interim bill based on a special reading for a period other than 27 to 33 days has been issued during the interval since the last regularly scheduled meter reading, the proration factor for the regularly scheduled bill shall be the factor derived above, less the proration factor applied to the interim bill. However, where daily equivalents are used, there will be no pro rata correction. Instead, the calculation shall use the number of days in the billing period by the daily equivalent charge.

### **C. ESTIMATED BILLS**

If, because of unusual conditions or for reasons beyond its control, City is unable to read the Customer's meter on the scheduled reading date, City may bill the Customer for estimated consumption during the billing period, and make any necessary corrections when a reading is obtained. Estimated consumption for this purpose will be calculated considering the Customer's prior usage, City's experience with other customers of the same class in that area, and the general characteristics of the Customer's operations. Adjustments for any underestimate or overestimate of a Customer's consumption will be reflected on the first regularly scheduled bill rendered and based on an actual reading following the period of inaccessibility.

### **D. READINGS OF SEPARATE METERS NOT COMBINED**

For the purpose of making charges, each meter upon the Customer's Premises will be considered separately, and the readings of two or more meters will not be combined, except as follows:

1. Where combinations of meter readings are specifically provided for in rate schedules; or
2. Where City's operating convenience or necessity shall require the installation of two or more meters upon the Customer's Premises instead of one meter.

**E. BILLS DUE ON PRESENTATION**

Bills for electric service are due and payable upon presentation. Payments shall be received at the office of City, or by an authorized agent of City.

**F. CLOSING BILL PAYABLE ON PRESENTATION**

Removal bills, special bills, bills rendered on vacation of Premises, or bills rendered to persons discontinuing the service, shall be due and payable upon presentation. Bills for connection or reconnection of service and payments for deposits or to re-establish credit as required under the rules of City shall be paid before service will be connected or reconnected.

**G. RETURNED CHECK CHARGE**

If a check, tendered in payment of amounts owing City, is not honored by a bank and is returned to City unpaid, City will add to the Customer's bill a charge for processing each such returned check consistent with these rules. Where service is subject to discontinuance under Rule 11, the returned check charge shall be included in the total amount due and payable.

**H. FIELD NOTIFICATION AND COLLECTION PROCESSING FEES**

City will require payment of a Collection Processing Fee when an authorized City representative makes a field call to a Customer's Premises to discontinue electric service in accordance with Rule 11 for nonpayment of a past due billing. City will also assess the Collection Processing Fee when an authorized City representative makes a field call to discontinue electric service for nonpayment of a deposit that was requested in accordance with Rule 6.

Where service is discontinued under the provisions of Rule 11, City will require payment of the balance in full, the balance of any unpaid closed accounts, plus any assessed Field Notification Charges, Collection Processing Fees and Deposits prior to restoration of service.

If the Customer makes payment in full or makes acceptable payment arrangements in order to avoid discontinuance of service, City may still assess the Processing Fee.

The City may assess a Field Notification Charge when notification must be made due to nonpayment. Generally, these notifications are in the form of a door hanger left at the Customer's Premises. The Field Notification Charge is in addition to any Collection Processing Fees that may apply.

**I. LATE PAYMENT CHARGE**

A late payment charge of 0.9% per month will be applied to the total unpaid balance of a Customer Account if the Customer's payment is not received by the date indicated on the Customer Account billing.

**J. ACCUMULATIVE AMOUNT DUE**

City reserves the right to accumulate bills until the total amount due exceeds \$2.00.

## **ELECTRIC RULE 10—DISPUTED BILLS**

### **A. CORRECTNESS OF BILL**

If the correctness of a bill is questioned or disputed by a Customer, an explanation should be promptly requested from the Customer Service Center. If the bill is determined to be incorrect, a corrected bill will be issued.

### **B. BILL REVIEW PROCEDURE**

A Customer who has initiated a complaint or requested an investigation shall be given an opportunity for review of his complaint by the City Utility Hearing Board.

1. After review, when a Customer and City agree on the amount of the bill, City will determine and advise the Customer: (a) if a payment arrangement to pay the unpaid balance is warranted, or (b) the date the unpaid balance of his account must be paid. If a payment arrangement is warranted and agreed to by the Customer, service will not be discontinued for nonpayment for any Customer complying with such payment arrangement agreement, provided the Customer also keeps current on his account for utility service as charges accrue in each subsequent billing period. If the Customer fails to comply with any such payment arrangement agreement, service shall be subject to discontinuance for nonpayment of bills as provided Rule 11.
2. After review, when a Customer and City fail to agree on the amount of the bill, and upon review, City has determined to its satisfaction that the bill is correct, City will inform the Customer that:
  - a. City has completed its investigation and review.
  - b. In lieu of paying the disputed bill, Customer may deposit with the City Council at its local office, the amount claimed by City to be due. A check or other form of remittance for such deposit should be made payable to the City Council. A Customer who is unable to deposit the full amount in dispute for a bill covering a period in excess of 90 days shall deposit an amount equal to 90 days at the average disputed charge per day of the disputed bill.
  - c. The Customer shall submit the disputed bill and a statement setting forth the basis for the dispute of the amount billed. The Board will not, however, accept deposits when the dispute appears to be over matters that do not directly relate to the accuracy of the bill. Such matters include the quality of a utility's service, general level of rates, pending rate applications, and sources of fuel and power. Disputes over termination policy will be resolved in accordance with Rule 11, which does not require such a deposit.
  - d. Upon receipt of the deposit, the Board will notify City, review the basis of the billed amount, and advise both parties of its findings and disburse any deposit in accordance therewith.

- e. Service will not be discontinued for nonpayment of the disputed bill when deposit has been made with the Board or notice of inability to pay per Rule 5 pending the outcome of the Board's review.
- f. Failure of the Customer to submit a dispute to the Board in accordance with this Rule above will warrant discontinuance of service in accordance with Rule 11.
- g. If, before completion of the Board's review, additional bills become due which the Customer also wishes to dispute, he should follow the procedures set forth in this Rule with regard to the additional amounts claimed by City to be due. Failure to follow the procedures in this Rule will warrant discontinuance of service in accordance with Rule 11.
- h. Subsequent bills, not in dispute, rendered prior to the settlement of the disputed bill, will be due and payable in accordance with Rules 9 and 11.

## **ELECTRIC RULE 11—DISCONTINUANCE AND RESTORATION OF SERVICE**

If City terminates or refuses to restore service to a Customer or any other person for any of the reasons or upon any of the grounds stated herein, City shall incur no liability whatsoever to said Customer or person or to any other Customers or persons.

### **A. CUSTOMER REQUEST TO TERMINATE LIABILITY FOR PAYMENT FOR SERVICE**

When a Customer wants to terminate liability for payment for service, the Customer shall give City not less than two days notice and state the date on which the termination is to become effective. The Customer may be held responsible for service furnished at the Premises until two days after receipt of such notice by City, or until the date of termination specified in the notice, whichever date is later.

### **B. TERMINATION OF SERVICE FOR NONPAYMENT—WEEKENDS AND HOLIDAYS**

Service will not be terminated for nonpayment of bills or deposit requests on Saturdays, Sundays, legal holidays or on days when the offices of City are closed to the public.

### **C. TERMINATION OF SERVICE FOR NONPAYMENT OF BILLS OR DEPOSIT REQUESTS**

Monthly bills are due and payable upon presentation and will be considered past due if payment is not received by City within 15 days after the bill is mailed to the Customer. Deposit requests are due and payable when request for service is made. When a deposit is billed, it will be considered past due if payment is not received by City within 15 days after the deposit request is mailed to the Customer. Customers who fail to pay their bills within this time period are subject to service disconnection.

### **D. FAILURE TO ESTABLISH OR RE-ESTABLISH CREDIT**

When City provides service to an Applicant before credit is established or continues service to a Customer pending re-establishment of credit, and the Applicant/Customer fails to establish or re-establish credit, any and all services the Customer is receiving may be terminated after notice has been given. City will not restore the Customer's service until the Customer has complied with the requirements to establish or re-establish credit.

### **E. TERMINATION OF SERVICE FOR NONPAYMENT OF BILLS AT OTHER LOCATIONS**

Any and all services the Customer is receiving may be terminated for nonpayment of a bill for service previously supplied by City to the same Customer at another location after the Customer has been given notices of termination, except that residential service shall not be terminated for nonpayment of a bill for any other class of service. Nonresidential service may be terminated for nonpayment of a bill for any class of service. Service shall not be terminated for nonpayment within 15 days after establishment of service at the

new location. If the Customer is receiving service at more than one location, any or all services may be terminated with proper notice for nonpayment of any bill at any location for City service.

#### **F. TERMINATION OF SERVICE—RETURNED CHECKS**

When the Customer has received notice of termination and a check tendered in payment of the past due bill or deposit request for service is returned unpaid, City may terminate service. When the Customer has received a 10-day notice of termination, the notice will remain in effect, and collection action will continue. When the Customer has received a 24-hour notice of termination, the notice will remain in effect, and service may be terminated without further notice.

#### **G. UNSAFE APPARATUS OR CONDITION**

1. City may deny or terminate service to the Customer immediately and without notice when:
  - a. City determines that the Premises wiring, or other electrical equipment, or the use of either, is unsafe, or endangers City's service facilities; or
  - b. The Customer threatens to create a hazardous condition; or
  - c. Any governmental agency, authorized to enforce laws, ordinances or regulations involving electric facilities and/or the use of electricity, notifies City in writing that the Customer's facilities and/or use of electricity is unsafe or not in compliance with applicable laws, ordinances, or regulations. City does not assume the responsibility of inspecting or repairing the Customer's facilities, appliances or other equipment for receiving or using service, or any part thereof. In the event the Customer has knowledge that the service is in any way defective, it is the Customer's responsibility to notify City at once. City shall not be liable or responsible for any plumbing, appliances, facilities, or apparatus beyond the point of delivery, which it does not own or maintain in accordance with these rules.

#### **H. SERVICE DETRIMENTAL TO OTHER CUSTOMERS**

City will not supply service to a Customer operating equipment, which is considered by City to be detrimental to either the service of other City Customers or to City. City will terminate service and refuse to restore service to any Customer who continues to operate such equipment after receiving notification from City to cease.

**I. UNAUTHORIZED USE**

1. City may terminate service without notice for unauthorized use of service as defined in Rule 17.2. When the Customer's service has been terminated under this section, City may refuse to restore service until:
  - a. the unauthorized use has ceased, and
  - b. City has received full compensation for all charges authorized in Rule 17.2.
2. City may terminate and refuse to restore service if the acts of the Customer or conditions on the Premises indicate intent to deny City full compensation for services rendered, including, but not limited to, any act which may result in a denial of service. City shall provide the Customer with the reasons for such termination and/or refusal to restore service. When the Customer's service has been terminated under this section, City may refuse to restore service until:
  - a. the acts and/or the conditions described above have ceased or have been corrected to City's satisfaction, and
  - b. City has received full compensation for all charges resulting from the Customer's acts or the conditions on the Premises.

**J. NONCOMPLIANCE WITH CITY'S RATES**

Unless otherwise specifically provided, City may terminate service to a Customer for noncompliance with any of City's rules if the Customer fails to comply within five days after the City's presentation of written notification of noncompliance to the Customer. The Customer shall comply with City's rules before service will be restored.

**K. REVOCATION OF PERMISSION TO USE PROPERTY**

If City's service facilities and/or a Customer's wiring to the meter are installed on property other than the Customer's property and the owner of such property revokes permission to use it, City will have the right to terminate service upon the date of such revocation. If service is terminated under these conditions, the Customer may have service restored under the provisions of City's line and service extension rules.

**L. CHARGES FOR TERMINATION AND/OR RESTORATION OF SERVICE**

1. City may require payment of the entire amount due, including the past due amount and current charges, payment of a deposit or additional deposit in accordance with Rule 7, and payment of other charges indicated herein, prior to restoring service to accounts which have been terminated for nonpayment.
2. City will require a returned check charge for processing a check, which is returned to City unpaid.



3. City will require payment of a Collection Processing Fee when a City representative makes a field call to a Customer's Premises to terminate service for nonpayment of bills or deposit.
4. City will require payment of a Collection Processing Fee per connection before restoring service that has been terminated for nonpayment of bills, to prevent fraud, or for failure to comply with City's rules. If the Customer requests that service be restored outside of regular business hours, an additional charge per connection may apply. Refer to the Chart of Charges and Fees for amounts of applicable charges.
5. In addition, City may charge and collect any unusual costs incidental to the termination or restoration of service, which have resulted from the Customer's action or negligence.
6. Service wrongfully terminated will be restored without charge.

## **ELECTRIC RULE 12—RATES AND OPTIONAL RATES**

### **A. EFFECTIVE RATES**

The rates to be charged by and paid to City for electric service will be the rates legally in effect, approved by the City Council, and on file with the Electric Utility Division, Department of Public Works. Complete schedules of all rates in effect will be kept at all times in City Utility's local office, where they will be available for public inspection. Unless stated otherwise on the rate schedules themselves, City's rate schedules are only applicable for service supplied entirely by City.

### **B. ESTABLISHING RATE SCHEDULES FOR NEW CUSTOMERS**

At the time of application for service, City will, based on information provided by the Applicant, ensure that the Applicant is placed on an applicable rate schedule approved by the City Council. Thereafter, City will take such measures as may be practical to provide the Customer with information regarding rate schedules or options applicable to the Customer's class of service.

### **C. CHANGING RATE SCHEDULES**

City may not be required to make more than one change in rate schedules within a twelve-month period unless a new rate schedule is approved or the Customer's operating conditions have changed sufficiently to warrant a change in rate schedule.

Changes in rate schedules will take effect starting with the next regular meter reading date or meter change date following receipt of the Customer's request to change the rate schedule, unless (1) the rate schedule states otherwise, (2) a written agreement between City and the Customer specifies another date, or (3) the required metering equipment is unavailable. In those cases, the change of schedule will take effect on the date stated in the schedule or agreement, or the date the metering equipment is available. It is the Customer's responsibility to request another schedule or option if the Customer's connected load, hours of operation, type of business or type of service have changed. Where the Customer changes equipment or operation without notifying City, City assumes no responsibility for advising the Customer of other rate options available to the Customer as a result of the Customer's equipment/operation changes.

### **D. NOTIFYING CUSTOMERS OF NEW RATE SCHEDULES**

Where City establishes new rate schedules, City shall take such measures as may be practical to advise affected Customers of the availability of the new rate schedules.

**E. ENERGY COST ADJUSTMENT**

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

## **ELECTRIC RULE 13—TEMPORARY SERVICE**

### **A. ESTABLISHMENT OF TEMPORARY SERVICE**

City shall, if no undue hardship to its existing Customers will result therefrom, furnish temporary service under the following conditions:

1. The Applicant shall pay, in advance or otherwise as required by City, the estimated cost installed plus the estimated cost of removal, less the estimated salvage of the facilities necessary for furnishing service.
2. The Applicant shall establish credit as required by Rule 6, except that the amount of deposit prescribed in Rule 7 shall not exceed the estimated bill for the duration of service.

### **B. CHANGE TO PERMANENT STATUS & REFUNDS**

1. If service to the electrical machinery or apparatus as originally installed, or its equivalent, is supplied to a temporary Customer on a continuous, intermittent or seasonal basis for a period of 36 consecutive months from the date electric service first was delivered under this rule, the Customer shall be classified as permanent. The payment made in excess of that required for permanent service or under the line extension rule for permanent Customers shall be refunded, provided the Customer then complies with all of the rules applicable to electric service.
2. If at any time the character of a temporary Customer's operations changes so that, in the opinion of City, the Customer may be classified as permanent, the amount of payment made in excess of that required for permanent service immediately shall be refunded to the Customer under the provisions of this section.

**ELECTRIC RULE 14—SHORTAGE OF SUPPLY AND INTERRUPTION OF DELIVERY**

City will exercise reasonable diligence and care to furnish and deliver a continuous and sufficient supply of electric energy to the Customer, but does not guarantee continuity or sufficiency of supply. City will not be liable for interruption or shortage or insufficiency of supply, or any loss or damage of any kind of character occasioned thereby City will not be liable for interruption or shortage or insufficiency of supply. If same is caused by inevitable accident, act of God, fire, strikes, riots, war, or any other cause except that arising from its failure to exercise reasonable diligence. City, whenever it shall find it necessary for the purpose of making repairs or improvements to its system, will have the right to suspend temporarily the delivery of electric energy. In case of shortage of supply and during the period of such shortage, City will make such apportionment of its available supply of energy among its customers as shall be ordered or directed from time to time by the State of California, acting either directly or by a power administrator or other official appointed by it for that purpose. In the absence of such order or direction, City will, in times of shortage, apportion its available supply of energy among all customers in the most reasonable manner possible.

## **ELECTRIC RULE 15—DISTRIBUTION LINE EXTENSIONS**

**APPLICABILITY:** This rule is applicable to extension of electric distribution lines of City's standard voltages (less than 50 kV) necessary to furnish Permanent electric service to Applicants and will be made in accordance with the following provisions:

### **A. GENERAL**

#### **1. EXTENSION BASIS**

- a. **Design:** City will be responsible for planning, designing, and engineering extensions using City's standards for material, design, and construction. The Applicant will furnish all necessary plot plans, utility plans, street improvement plans, tract maps and electric loads for the design of the system.

The Applicant may design the electrical Distribution Lines using qualified design firms approved by the City. The system will be designed in accordance with the City's standards and the final design will be approved by the City. Ownership of Applicant's final design and as-built documents shall be transferred to City upon completion of work.

- b. **Ownership:** The facilities installed under the provisions of this rule, shall be owned, operated, and maintained by City, except for substructures and enclosures that are on, under, within, or part of a building or structure.
- c. **Private Lines:** City shall not be required to serve any Applicant from extension facilities that are not owned, operated, and maintained by City.

#### **2. EXTENSION LOCATIONS**

- a. **Rights Of Way:** City will own, operate and maintain extension facilities only;
- 1) along public streets, alleys, roads, highways and other publicly dedicated ways and places which City has the legal right to occupy, and
  - 2) along public lands and private property across which rights of way and permits satisfactory to City may be obtained without cost to or condemnation by the City.
- b. **Normal Route Of Line:** The length and normal route of an extension will be determined by City and shall be considered as the distance along the shortest, most practical, available, and acceptable route which is clear of obstructions from City's nearest permanent and available distribution facility to the point from which the service facilities will be connected.

### 3. UNDERGROUND EXTENSIONS

Underground extensions shall be installed where required to comply with applicable laws and ordinances or similar requirements of governmental authorities having jurisdiction and where City maintains or desires to maintain underground distribution facilities.

### 4. OVERHEAD EXTENSIONS

Overhead extensions may be installed only where underground extensions are not required by other jurisdictions and as approved by City.

### 5. SPECIAL OR ADDED FACILITIES

Any special or added facilities City agrees to install at the request of Applicant will be installed at Applicant's expense in accordance with Rule 2— Description of Service.

### 6. TEMPORARY SERVICE

Facilities installed for temporary service or for operations of speculative character or questionable permanency shall be made in accordance with the fundamental installation and ownership provisions of this rule, except that all charges shall be made under the provisions of Rule 13—Temporary Service.

### 7. SERVICES

Service facilities connected to the Distribution Lines to serve an Applicant's Premises will be installed, owned and maintained as provided in Rule 16—Service Extensions.

### 8. STREET LIGHTS AND AREA LIGHTS

Streetlights, area lights, and other associated facilities shall be installed in accordance with the service provisions of the applicable street light schedule.

### 9. CONTRACTS

Each Applicant requesting an extension will be required to execute a written contract(s), prior to City performing its work on the extension. Such contracts shall be in the form on file with the Electric Utility Division, Department of Public Works.

## B. INSTALLATION RESPONSIBILITIES

### 1. UNDERGROUND EXTENSIONS

- a. Applicant Responsibility: In accordance with City's design, specifications, and requirements, Applicant is responsible for;
- 1) Excavation: All necessary trenching, backfilling, compaction and other digging as required as well as any pavement cutting or repair.
  - 2) Substructures and Conduits: Furnishing, installing, and upon acceptance by City, conveying to City the ownership of all necessary installed Substructures and Conduits, including Feeder and Service Conduits and related Substructures required to extend to and within subdivisions and developments.
  - 3) Protective Structures: Furnishing, installing, and upon acceptance by City, conveying to City the ownership of all necessary Protective Structures.
  - 4) Safety Barriers and Measures: Applicant is responsible for providing safety barriers, signs, and other suitable means to protect public from potential injuries arising from construction of underground extension.
- b. City Responsibility: City is responsible for installing cables, switches, transformers, and other distribution facilities as required to complete the extension.

The Applicant may install the system in accordance with the City's design and construction standards using qualified electrical contractors approved by the City.

### 2. OVERHEAD EXTENSIONS

City is responsible for installing all facilities required for a pole line extension at the Applicants expense and only where underground extensions are not required.

### 3. PERFORMED WORK

Where requested by Applicant and mutually agreed upon, City may perform that portion of the new extension work normally installed by Applicant, provided Applicant pays City its total estimated installed cost. Upon completion of the work, the difference between the estimated and actual cost of the work will be refunded or billed to the Applicant as appropriate.



## C. CONTRIBUTIONS OR ADVANCES BY APPLICANT

### 1. CASH ADVANCE

A cash advance will be required from every Applicant. If the scope of the work lends itself to progress payments in the sole judgment of the city, such progress payments will be considered by the City. The cash advance will be equal to the City's total estimated installed cost to complete an extension including transformers and meters. Upon completion of the work, the difference between the estimated and actual cost of the work will be refunded or billed to the Applicant as appropriate.

Applicant shall contribute or advance, before the start of City's construction, the following;

- a. **Underground Non-Refundable Amount:** Applicant's contribution is the portion of the City's total estimated installed cost, to complete the underground extension including transformers and meters for;
  - 1) **Cabling:** The estimated installed cost of any necessary cabling installed by City to complete the underground extension. This includes the cost of conversion of existing single-phase lines to three-phase lines, if required; plus
  - 2) **Substructures:** City's estimated value of substructures installed by Applicant and deeded to City as required.
  - 3) The cost of cabling and substructures installed and/or paid for by a previous Customer or developer in anticipation of providing service to the current Customer or development.
- b. **Underground Refundable Amount:**
  - 1) The cost of cabling and substructures in anticipation of providing service to a future Customer or developer. Such costs will be refunded at the time they are collected from the future Customer or developer in accordance with this Rule.
- c. **Overhead Non-Refundable Amount:** Applicant's contribution is the portion of the City's total estimated installed cost to complete the overhead extension including transformers and meters;
  - 1) **Pole Line;** All necessary facilities required for an overhead extension and, if required, the conversion of existing single-phase lines to three-phase lines; plus
  - 2) **Transmission Underbuilds;** City's total estimated installed cost of the underbuild, where all or a portion of an overhead extension is to be constructed on existing poles.

d. Other Non-Refundable Amounts: Applicant's non-refundable amount includes the City's estimated value of excavation, conduits, and protective structures required by City for the extension. The applicant will pay the City for the cost of inspection of any facilities installed by the applicant.

e. NOTE: ITCC is not a component in City's costs.

#### 4. JOINT APPLICANTS

The total contribution or advance from a group of Applicants will be apportioned among the members of the group in such manner as they may mutually agree.

#### 5. PAYMENT ADJUSTMENTS

Excess Facilities: If the loads provided by Applicant(s) result in City having installed facilities which are in excess of those needed to serve the actual loads, and City elects to reduce such excess facilities, Applicant shall pay City its estimated total costs to remove, abandon, or replace the excess facilities, less the estimated salvage of any removed facilities.

### D. SPECIAL CONDITIONS

#### 1. FACILITY RELOCATION OR REARRANGEMENT

Any relocation or rearrangement of City's existing facilities, at the request of, or to meet the convenience of an Applicant or Customer, and agreed upon by City, normally shall be performed by City. In all instances, City shall abandon or remove its existing facilities, at the option of City. Applicant or Customer shall be responsible for the costs of all related relocation, rearrangement and removal work.

## **ELECTRIC RULE 16—SERVICE EXTENSIONS**

**APPLICABILITY:** This rule is applicable to both (1) City service facilities that extend from City's distribution line facilities to the service delivery point, and (2) service related equipment required of Applicant on Applicant's Premises to receive electric service.

### **A. GENERAL**

#### **1. DESIGN**

City will be responsible for planning, designing, and engineering its Service Extension using City's standards for design, materials and construction. City will allow Applicant's design with City's approval.

#### **2. SERVICE FACILITIES**

City's service facilities shall consist of (a) primary or secondary underground or overhead service conductors, (b) poles conduits, sleeves, pedestals, pads, or structures to support service conductors, and service transformers, (c) City-owned metering equipment, and (d) other City-owned service related equipment.

#### **3. OWNERSHIP OF FACILITIES**

Service facilities installed under the provisions of this rule shall be owned, operated, and maintained by City if they are (a) located in the street, road or franchise area of City, (b) installed by City under on Applicant's Premises for the purpose of the delivery of electric energy to Applicant, or installed by Applicant under the provisions of this rule, and conveyed to City.

#### **4. PRIVATE LINES**

City shall not be required to connect service facilities to or serve any Applicant from electric facilities that are not owned, operated, and maintained by City.

#### **5. SPECIAL OR ADDED FACILITIES**

Any special or added facilities City installs at the request of Applicant, will be installed at Applicant's expense in accordance with Rule 2-Description of Service.

#### **6. TEMPORARY SERVICE FACILITIES**

Service facilities installed for temporary service or for operations of speculative character or questionable permanency shall be made in accordance with the fundamental installation and ownership provisions of this rule, except that all charges shall be made under the provisions of Rule 13-Temporary Service.

## 7. STREET LIGHTS AND AREA LIGHTS

Streetlight and area light services and other associated facilities shall be installed in accordance with the service provisions of the applicable street light schedule.

## 8. CONTRACTS.

Each Applicant requesting service may be required to execute a written contract(s) prior to City performing its work to establish service. Such contracts shall be in the form on file with the Public Works Department, Electric Utility Division office.

## 9. DISTRIBUTION LINE EXTENSIONS

Whenever City's distribution system is not complete to the point designated by City where the service extension is to be connected to City's distribution system, the extension of distribution line facilities will be installed in accordance with Rule 15-distribution line extensions.

## 10. RIGHTS-OF-WAY

Rights-of-way or easements may be required by City to install service facilities on Applicant's property to serve only Applicant.

- a. Service Facilities: If the service facilities must cross property owned by a third party to serve Applicant, City may, at its option, install such service facilities after appropriate rights-of-way or easements, satisfactory to City, are obtained without cost to City; or
- b. Distribution Line Extensions: If City's facilities installed on Applicants property or third-party property, will be or are designed to serve adjacent property, then City may, at its option, install its facilities under Rule 15, after appropriate rights-of-way or easements, satisfactory to City, are obtained without cost to City.
- c. Clearances: Any necessary rights-of-way or easements for City's facilities shall have provisions to maintain legal and operational clearances from adjacent structures.

## B. METERING FACILITIES

For revenue billing, electric service shall be individually metered to each tenant in a building or group of buildings or other development on a single Premises with multiple tenants or enterprises (such as, but not limited to a commercial business, a school campus, or shopping center complex). Alternative metering arrangements as determined by City may be allowed only as specified in these rules and applicable rate schedules.

## C. SERVICE EXTENSIONS

### 1. GENERAL LOCATION

The location of the service extension facilities shall be approved by the City as follows:

- a. Franchise Area: From the point of connection at the distribution line to Applicant's nearest property line abutting upon any street, highway, road, or right-of-way, along which it already has, or will install distribution facilities; and,
- b. Private Property: On private property, along the shortest, most practical and available route (clear of obstructions) as necessary to reach a service delivery point designated by City.

### 2. NUMBER OF SERVICE EXTENSIONS

City will not normally provide more than one service extension, including associated facilities, either overhead or underground, for any one building or group of buildings, for a single enterprise on a single Premises, except;

- a. Tariff Schedules: Where otherwise allowed or required under City's tariff schedules; or,
- b. City Convenience: At the option of and as determined by City, for its operating convenience, consistent with engineering design for different voltage and phase classification, or when replacing an existing service; or,
- c. Ordinance: Where required by ordinance or other applicable law, for such things as fire pumps, fire alarm systems, etc; and,
- d. Other: City may charge for additional services provided under this paragraph, as special or added facilities.

### 3. UNDERGROUND INSTALLATIONS

Underground Service Extensions will be installed;

- a. Underground Required: Underground service extensions (1) shall be installed where required to comply with applicable tariff schedules, laws, ordinances, or similar requirements of governmental authorities having jurisdiction, and (2) may be necessary as determined by City where Applicant's load requires a separate transformer installation of 75 kVA or greater.

- b. Underground Optional: An underground service extension may be installed in an area where it is not otherwise required and when requested by Applicant and agreed upon by City.

#### 4. UNUSUAL SITE CONDITIONS

In cases where Applicant's building is located a considerable distance from the available distribution line or where there is an obstruction or other deterrent obstacle or hazard such as plowed land, ditches, or inaccessible security areas between City's distribution line and Applicant's building or facility to be served that would prevent City from prudently installing, owning, and maintaining its service facilities, City may, at its discretion, waive the normal service delivery point location. In such cases, the service delivery point will be at such other location on Applicant's property as may be mutually agreed upon; or, alternatively, the service delivery point may be located at or near Applicant's property line as close as practical to the available distribution line.

### D. RESPONSIBILITIES FOR NEW SERVICE EXTENSIONS

#### 1. APPLICANT RESPONSIBILITY

In accordance with City's design, specifications, and requirements for the installation of service extensions, and subject to City's inspection and approval, Applicant is responsible for;

- a. Clear Route: Providing (or paying for) a route on any private property that is clear of obstructions which would inhibit the construction of either underground or overhead service extensions.
- b. Excavation: All necessary trenching, backfilling, and other digging as required including permit fees.
- c. Conduit and Substructures:
  - 1) Furnishing and installing all conduits (including pull wires) and substructures on Applicant's Premises.
  - 2) Installing (or paying for) any Conduits and Substructures in City's franchise area (or rights-of-way, if applicable) as necessary to install the service extension.
  - 3) Conveying ownership to City upon acceptance of those conduits and substructures not on Applicant's Premises.
- d. Protective Structures: Furnishing, installing, owning, and maintaining all necessary protective structures as specified by City for City's facilities on Applicant's Premises

- e. Applicant's Facility Design and Operation: Applicant shall be solely responsible to plan, design, install, own, maintain, and operate facilities and equipment beyond the service delivery point (except for City's metering facilities) in order to properly receive and utilize the type of electric service available from City. Refer to Rule 2 for a description, among other things, of;
- 1) Available service delivery voltages and the technical requirements and conditions to qualify for them,
  - 2) Customer utilization voltages,
  - 3) Load balancing requirements,
  - 4) Requirements for installing electrical protective devices,
  - 5) Loads that may cause service interference to others, and
  - 6) Motor starting limitations.
- f. Required Service Equipment: Applicant shall, at its sole liability, risk, and expense, be responsible to furnish, install, own, maintain, inspect, and keep in good and safe condition, all facilities of any kind or character on Applicant's Premises that are not the responsibility of City but are required by City for Applicant to receive service. Such facilities shall include but are not limited to the overhead or underground termination equipment, conduits, service entrance conductors from the service delivery point to the location of City's metering facilities, connectors, meter sockets, meter and instrument transformer housing, service switches, circuit breakers, fuses, relays, wireways, metered conductors, machinery and apparatus of any kind or character. Detailed information on City's service equipment requirements will be furnished by City. The Applicant shall provide all service conduit (s) from City's franchise area to City's metering facilities.
- g. Coordination Of Electrical Protective Devices: When, as determined by City, Applicant's load is of sufficient size as to require coordination of response time characteristics between Applicant's electrical protective devices (circuit breakers, fuses, relays, etc.) and those of City's, it shall be Applicants responsibility to provide such coordination in accordance with Rule 2.
- h. Liability: City shall incur no liability whatsoever, for any damage, loss or injury occasioned by;
- 1) Applicant-owned equipment or Applicant's transmission and delivery of energy; or,
  - 2) The negligence, omission of proper protective devices, want of proper care, or wrongful act of Applicant, or any agents, employees, or licensees of Applicant, on the part of Applicant in installing, maintaining, using,

operating, or interfering with any such conductors, lines, machinery, or apparatus.

- i. Facility Tampering: Applicant shall provide a suitable means acceptable to City for placing its seals on meter rings and covers of service enclosures and instrument transformer enclosures which protect unmetered energized conductors installed by Applicant. All City-owned meters and enclosure covers will be sealed only by City's authorized employees and such seals shall be broken only by City's authorized employees. However, in an emergency, City may allow a public authority or other appropriate party to break the seal. Any unauthorized tampering with City-owned seals or connection of Applicant-owned facilities to unmetered conductors at any time is prohibited and is subject to the provisions of Rule 11 - Discontinuance and Restoration of Service for unauthorized use.
- j. Transformer Installations on Applicant's Premises: Transformer installations on Applicant's Premises shall be as specified by City and in accordance with the following applicable provisions;
  - 1) Space For Transformers: Applicant shall provide space on Applicant's Premises at a location approved by City for a standard transformer installation (including any necessary equipment access for operation, and ancillary equipment such as switches, capacitors, and electric protective equipment, where required) if (a) in an overhead area, City determines that the load to be served is such that a separate transformer installation is required, or (b) if City determines that the installation of a padmounted or subsurface transformer of any size is required on Applicant's Premises to serve only Applicant.
  - 2) Padmounted Equipment: In City's standard installation, Applicant shall furnish, install and convey ownership to City for substructures and any required protective structures specified by City for the proper installation of the transformer, switches, capacitors, and other equipment as determined by City.
  - 3) Single Utility-Owned Customer Substation: When City elects, for its operating convenience, to supply Applicant from a transmission line and install a City-owned substation on Applicant's Premises, Applicant shall furnish, install and convey ownership to City the necessary site improvements as specified by City for the proper installation of the transformer. Such improvements shall include but are not limited to a concrete pad or foundation and grounding system. Applicant shall own and maintain all facilities not specifically conveyed to City yet associated with the service, such as fences and gates, access road, grading, and paving as required. Detailed information on City's requirements for a single Customer substation will be furnished by City.



- k. Transformer Room or Vault: Where Applicant requests and City approves the installation of the transformer(s) in a vault or room on Applicant's Premises, rather than City's standard padmounted installation;
- 1) The room or vault on Applicant's Premises shall be furnished, installed, owned, and maintained by Applicant and shall meet City's specifications for such things as access, operational and safety clearances ventilation, drainage, grounding system, etc.
  - 2) If space cannot be provided on Applicant's Premises for the installation of a transformer on either a pad or in a room or vault, a vault will be installed at Applicant's expense in the street near the property line. It shall be Applicant's responsibility to install (or pay for) such vault if not restricted by governmental authority having jurisdiction and Applicant shall convey ownership of the vault to City upon its acceptance. The additional facilities shall be treated as special or added facilities under the provisions of Rule 2.
  - 3) All the additional costs as well as ongoing maintenance shall be paid by Applicant for special or added facilities.
- l. Transformer Lifting Requirements: Where City has installed or agrees to install, transformers at locations where City cannot use its standard transformer lifting equipment and special lifting facilities are required to install or remove the transformers on Applicant's Premises, Applicant shall, at its expense, (a) furnish, install, own, and maintain permanent lifting facilities and be responsible for lifting the transformer to and from its permanent position, or (b) provide (or pay for) portable lifting facilities acceptable to City for installing or removing the transformers. Rights-of-way and space provisions shall be provided by Applicant such that access and required clearances from adjacent structures can be maintained. City may require a separate contract for transformer lifting requirements.
- m. Overhead Transformers: In remote areas or in areas not zoned for residential or commercial use or for underground services, pad-mounted transformers are preferred for installation on Applicant's Premises. However, where City determines that it is not practical to install a transformer on a pad, in a room or vault, City may furnish a pole-type structure for an installation not exceeding 500 kVA.

## 2. BUILDING CODE REQUIREMENTS

Any service equipment and other related equipment owned by Applicant, as well as any vault, room, enclosure, or lifting facilities for the installation of transformers shall conform with applicable laws, codes, and ordinances of all governmental authorities having jurisdiction.

## 3. REASONABLE CARE

Applicant shall exercise reasonable care to prevent City's Service Extensions, other City facilities, and meters owned by City or others, on the Applicant's Premises from being damaged or destroyed, and shall refrain from interfering with City's operation of the facilities and shall notify City of any obvious defect. Applicant may be required to provide and install suitable mechanical protection (barrier posts, etc.) as required by City.

#### 4. CITY RESPONSIBILITY

- a. Meter and Service: City will install, own, and maintain the following service facilities as applicable after Applicant meets all requirements to receive service:
  - 1) Underground Service: A set of service conductors to supply permanent service from the distribution line source to the service delivery point approved by City.
  - 2) Riser Material: Any necessary pole riser material for connecting underground services to an overhead distribution line.
  - 3) Overhead Service: A set of overhead service conductors to supply permanent service from a distribution line source to a suitable support at the service delivery point approved by City. Support shall be of a type and located such that service wires may be installed in accordance with good engineering practice and in compliance with all applicable laws, ordinances, rules, and regulations including those governing clearances and points of attachment.
  - 4) Metering: When the meter is owned by City, City will be responsible for the necessary instrument transformers where required, test facilities, meters, associated metering equipment, and the metering enclosures when City elects to locate metering equipment at a point that is not accessible to Applicant.
- b. Special Conduit Installations: City shall own and maintain service conduits only if: (1) they are located in the same trench with distribution facilities, and (2) when it is necessary to locate Conduits on property other than that owned by Applicant, as determined by City, or as may be required by local authorities.
- c. Cable-In-Conduit: In those cases where City elects to install its service conductors using pre-assembled cable-in-conduit (CIC), the conduit portion will be considered a part of the conductor installation provided by City.
- d. Government Inspection: City will establish electric service to Applicant following notice from the governmental authority having jurisdiction that the Applicant-owned facilities have been installed and inspected in accordance with any applicable laws, codes, ordinances, rules, or regulations, and are safe to energize.

## 5. CITY-PERFORMED WORK

- a. Where requested by Applicant and mutually agreed upon, City may perform that portion of the new service extension work normally the responsibility of Applicant provided Applicant pays City its estimated installed cost.

## E. PAYMENTS BY APPLICANT

### 1. PAYMENTS

Applicant is responsible to pay City the following non-refundable costs as applicable under this rule and in advance of City commencing its work:

- a. Pole Riser: City's estimated installed costs of any riser materials on its poles.
- b. City's total estimated installation cost (including appurtenant facilities, such as connectors, service conductors, service transformers, metering equipment, and the conduit portion of CIC cable).
- c. Other: City's total estimated cost of any work it performs that is Applicant's responsibility or performs for the convenience of the Applicant.

## F. EXISTING SERVICE FACILITIES

### 1. SERVICE REINFORCEMENT

- a. City-Owned: When City determines that its existing service facilities require replacement, the existing service facilities shall be replaced as new service facilities under the provisions of this rule.
- b. Applicant-Owned: When City determines that existing Applicant-owned service facilities require replacement; such replacement or reinforcement shall be accomplished under the provisions for a new service installation.

### 2. SERVICE RELOCATION OR REARRANGEMENT

- a. City Convenience: When, in the judgment of City, the relocation or rearrangement of a service, including City-owned transformers, is necessary for the maintenance of adequate service or for the operating convenience of City, City normally will perform such work at its own expense, except for Applicant convenience or damage.
- b. Applicant Convenience: Any relocation or rearrangement of City's existing service facilities at the request of Applicant (aesthetics, building additions, remodeling, etc.) and agreed upon by City shall be performed in accordance with this rule except that Applicant shall pay City its total estimated costs. In all instances, City shall abandon or remove its existing facilities at the option of City rendered idle by the relocation or rearrangement.

### 3. IMPAIRED ACCESS AND CLEARANCES

Whenever City determines that access or clearance to service facilities is impaired, correction action consistent with this section shall be enforced.

- a. Access: Its existing service facilities have become inaccessible for inspecting, operating, maintenance, meter reading, or testing.
- b. Clearances: A hazardous condition exists or any of the required clearances between the existing service facilities and any object becomes impaired under any applicable laws, ordinances, rules, or regulations of City or public authorities, then the following applies;

Corrective Action: Applicant or owner shall, at Applicant's or owner's expense, either correct the access or clearance infractions or pay the total estimated cost to relocate its facilities to a new location which is acceptable to City. Applicant or owner shall also be responsible for the expense to relocate any equipment, which Applicant owns and maintains. Failure to comply with corrective measures within a reasonable time may result in discontinuance of service.

### 4. OVERHEAD TO UNDERGROUND SERVICE CONVERSIONS

Applicant's Convenience: Where overhead services are replaced by underground services for Applicant's convenience, Applicant shall perform all excavation, furnish and install all substructures, and pay City its total estimated installed cost to complete the new service and remove the overhead facilities.

### 5. DAMAGED FACILITIES

When City's facilities are damaged by others, the repair will be made by City at the expense of the party responsible for the damage. Applicants are responsible for repairing their own facilities.

### 6. SUBDIVISION OF PREMISES

When City's service facilities are located on private property and such private property is subsequently subdivided into separate Premises with ownership divested to other than Applicant or Customer, the subdivider is required to provide City with adequate rights-of-way satisfactory to City for its existing facilities and to notify property owners of the subdivided Premises of the existence of the rights-of-way. When adequate rights-of-way are not granted as a result of the property subdivision, City shall have the right, upon written notice to Applicant, to discontinue service without obligation or liability. The existing owner, Applicant, or Customer shall pay to City the total estimated cost of any required relocation or removal of City's facilities. A new electric service will be re-established in accordance with the provisions of this Rule for new service and the provisions of any other applicable City rules.

## 7. EXCEPTIONAL CASES

When the application of this rule appears impractical or unjust to either party, or ratepayers, City or Applicant may refer the matter to the City for a special ruling or for approval of special conditions, which may be mutually agreed upon.

## **ELECTRIC RULE 17—METER TESTS AND ADJUSTMENT OF BILLS FOR METER ERROR**

### **A. METER TESTS**

Any Customer may, upon not less than five (5) working days notice, request that the City to test the Customer's electric meter. No payment or deposit will be required from the Customer for such tests except when a Customer requests a meter test within six months after the date of installation of the meter, or more often than once each six months thereafter. A deposit to cover the reasonable cost of the test will be required of the Customer, in accordance with the following:

1. Meter installed without current or potential transformer(s)
2. Meter installed with current transformer(s) or with current and potential transformer(s)

The deposit will be returned to the Customer if the meter is found to register more than two percent fast or slow under conditions of normal operation as a result of the test. A Customer shall have the right to request the City conduct the test in the Customer's presence or in the presence of an expert or other representative appointed by the Customer. A report giving the result of the test will be supplied to the Customer within a reasonable time after completion of the test. All electric meters will be tested at the time of their installation. No meter will be placed in service or allowed to remain in service which has an error in registration in excess of two percent under conditions of normal operation. On newly purchased single-phase meters, the manufacturer's test may be used as the installation test when City's random tests indicate satisfactory test results for a particular manufacturer and for a particular shipment.

### **B. ADJUSTMENT OF BILLS FOR METER ERROR**

Meter error is the incorrect registration of energy usage resulting from a malfunctioning or defective meter. It does not include incorrect registration attributable to billing error or unauthorized use. Where, as the result of a meter test, a meter is found to be non-registering or incorrectly registering, City may render an adjusted bill to the Customer for the amount of any undercharge without interest. City shall issue a refund or credit to the Customer for the amount of any overcharge, without interest, computed back to the date that is determined to be when the meter error commenced, except that the period of adjustment shall not exceed the limits set forth in this Rule. Such adjusted bill shall be computed as follows:

#### **1. FAST METER**

If a meter, for either residential or nonresidential service, is found to be registering more than two percent fast, City will calculate the amount of the overcharge for refund to the Customer based on the corrected meter. When it is known that the

period of meter error was less than six months, the overcharge will be calculated for only those months during which the meter error occurred.

## 2. SLOW METER

If a meter, for either residential or nonresidential service is found to be registering more than two percent slow, City may bill the Customer for the amount of the undercharge based on the corrected usage or based upon the City's estimate of the energy usage for a period of up to three years. However, if it is known that the period of meter error was less than three years, the undercharge will be calculated for only those months during which the meter error occurred.

## 3. NONREGISTERING METER

If a meter, for either residential or nonresidential service is found to be non-registering, City may bill the Customer for the amount of the undercharge based on City's estimate of the electricity used, but not registered, for a period of up to three years. However, if it is known that the period the meter was non-registering was less than three years, the undercharge will be calculated for only those months the meter was non-registering. Where the condition of the meter renders it un-testable (no-test), City may bill the Customer based upon the City's estimate of the unmetered energy. Nothing herein is intended to limit City's authority to bill the Customer for unauthorized use.

## 4. NO-TEST METERS

Where the condition of the meter renders it untestable (no-test), City may bill the Customer based upon the City's estimate of the unmetered energy. Nothing herein is intended to limit City's authority to bill the Customer for unauthorized use.

## 5. ESTIMATED USAGE

When regular, accurate meter readings are not available or when the electric usage has not been accurately measured, City may estimate the Customer's energy usage for billing purposes on the basis of information including, but not limited to, the physical condition of the metering equipment, available meter readings, records of historical use, and the general characteristics of the Customer's load and operation.

## **ELECTRIC RULE 17.1– ADJUSTMENTS OF BILLING ERROR**

### **A. BILLING ERROR DEFINED**

Billing error is the incorrect billing of an account due to an error by City or the Customer, which results in incorrect charges to the Customer. Billing error includes, but is not limited to, incorrect meter reads or clerical errors, wrong daily billing factor, incorrect voltage discount, wrong connected load information, crossed meters, incorrect billing calculation, incorrect meter multiplier, incorrect rate, or City’s failure to provide the Customer with notice of rate options. Field error, including, but not limited to, installing the meter incorrectly and failure to close the meter potential or test switches, is also considered billing error. Billing error which does not entitle the Customer to a credit adjustment includes failure of the Customer to notify City of changes in the Customer’s connected load, equipment or operation or failure of the Customer to take advantage of any noticed rate option or condition of service for which the Customer becomes eligible subsequent to the date of application for service.

### **B. ADJUSTMENT OF BILLS FOR BILLING ERROR**

Where City overcharges or undercharges a Customer as the result of a billing error, City may render an adjusted bill to the Customer for the amount of any undercharge, without interest, and shall issue a refund or credit to the Customer for the amount of any overcharge, without interest, in accordance with the procedures and limitations set forth below.

#### **1. BILLING ERROR RESULTING IN OVERCHARGES TO THE CUSTOMER**

If either a residential or nonresidential service is found to have been overcharged due to billing error, City will calculate the amount of the overcharge, for refund to the Customer, for a period of up to three years. However, if it is known that the period of billing error was less than three years, the overcharge will be calculated for only those months during which the billing error occurred.

#### **2. BILLING ERRORS RESULTING IN UNDERCHARGES TO THE CUSTOMER**

If either residential or nonresidential service is found to have been undercharged due to a billing error, City may bill the Customer for the amount of the undercharge for a period of up to three years. However, if it is known that the period of billing error was less than three years, the undercharge will be calculated for only those months during which the billing error occurred.



## **ELECTRIC RULE 17.2—ADJUSTMENT OF BILLS FOR UNAUTHORIZED USE**

### **A. UNAUTHORIZED USE DEFINED**

Unauthorized use includes, but is not limited to:

1. Unmetered use of electricity resulting from unauthorized connections, alterations or modifications to electric supply lines and/or electric meters;
2. Placing conductive material in the meter socket to allow energy to flow from the line side of the service to the load side of the service without a meter (cut in flat);
3. Installing an unauthorized electric meter in place of the meter assigned to the account;
4. Inverting or otherwise repositioning the meter, thereby altering registration;
5. Damaging the meter to stop registration, thereby rendering it untestable;
6. Using City service without compensation to City in violation of applicable rules and/or statutes.

Where City determines there has been unauthorized use, City shall have the legal right to recover, from any Customer or other person who caused or benefited from such unauthorized use, the estimated undercharges for the full period of such unauthorized use. The estimated bill shall indicate unauthorized use for the most recent three years and, separately, unauthorized use beyond the three-year period for collection as provided by law. Nothing in this rule shall be interpreted as limiting City's rights under any provisions of any applicable civil or criminal law.

### **B. INVESTIGATION OF UNAUTHORIZED USE**

Where unauthorized use is suspected by City, City shall promptly conduct an investigation.

Whenever possible, City shall collect and preserve evidence in the matter, test the meter, and obtain connected load information from the Customer or other person to be charged for the unauthorized energy use. If the meter cannot be tested or connected load data cannot be obtained, City will document the reasons why such information could not be obtained. Whenever possible, upon completion of City's investigation, the Customer or other person being billed will be advised of City's claim and shall be given an opportunity to respond to the claim. Notwithstanding any provisions herein, City reserves all evidentiary privileges and rights.

**C. ADJUSTMENT OF BILLS FOR UNAUTHORIZED USE****1. ACTUAL USAGE**

If accurate meter readings are available for the unauthorized use period, they will be used for billing purposes.

**2. ESTIMATED USAGE**

If accurate meter readings are not available or the electric usage has not been accurately measured, City may estimate the energy usage for billing purposes. The basis for the estimate may include, without limitation and for illustrative purposes only, the physical condition of the metering equipment, available meter readings, records of historical use, or the general characteristics of the load and operation of the service being billed, with consideration of any appropriate seasonal adjustment. Estimated bills for the unauthorized use period may be determined by City based on one or more of the following, without limitation and for illustrative purposes only:

- a. Accurately metered use from a remote check meter;
- b. The known percent error in metering attributable to the unauthorized use condition as determined by City;
- c. Accurately metered use prior to the onset of the unauthorized use;
- d. The equipment and hours of operation of the service being billed;
- e. Accurately metered subsequent use of 30 days or more (if available);
- f. Annual use profile of at least five Customers with similar connected load, Premises load profiles, hours of energy use, etc. (percent of annual use); or
- g. Other reasonable and supportable billing methodology when none of the aforementioned billing techniques is appropriate under the circumstances.

**D. INTEREST ON BILLS FOR UNAUTHORIZED USE**

1. City may bill and collect interest at a rate of 10 percent per annum on unauthorized use billings from the date the unauthorized use commenced, and/or
2. City may bill and collect interest at a rate of 10 percent per annum on amortized repayment agreements.

**E. RECOVERY OF ASSOCIATED COSTS**

City may recover the associated costs resulting from the unauthorized use including, but not limited to, investigative and equipment damage costs.

**F. DISCONTINUANCE OF SERVICE**

In accordance with the provisions of Rule 11, where City determines unauthorized use is occurring, City may refuse service or discontinue service. If any part of the Customer's wiring or any other equipment, or the use thereof, is determined by City or any other authorized public agency to be unsafe or in violation of applicable laws, ordinances, rules or regulations of public authorities, or is in such condition as to endanger City's service facilities, City may discontinue service. City may also discontinue service in accordance with the provisions of its rules, for nonpayment of a delinquent billing for unauthorized use, and for associated costs, including nonpayment under an amortization agreement.

## **ELECTRIC RULE 21— GENERATING FACILITY INTERCONNECTIONS**

## A. APPLICABILITY

**Applicability:** This Rule describes the Interconnection, operating and Metering requirements for Generating Facilities to be connected to Moreno Valley Utility's (MVU) Distribution System. Subject to the requirements of this Rule, MVU will allow the Interconnection of Generating Facilities with its Distribution System.

**Definitions:** Capitalized terms used in this Rule, and not defined in MVU's other rules, shall have the meaning ascribed to such terms in Section H of this Rule. The definitions set forth in Section H of this Rule shall only apply to this Rule and may not apply to MVU's other rules.

**Consistent with IEEE 1547:** This rule has been revised to be consistent with the requirements of ANSI/IEEE1 1547-2003 *Standard for Interconnecting Distributed Resources with Electric Power Systems* (IEEE 1547). In some cases, IEEE 1547 language has been adopted directly, in others, IEEE 1547 requirements were interpreted and this rule's language was changed to maintain the spirit of both documents.

Language from IEEE 1547 that has been adopted directly (as opposed to paraphrased language or previous language that was determined to be consistent with IEEE 1547) is followed by a citation that lists the Clause from which the language derived. For example, IEEE 1547-4.1.1 is a reference to Clause 4.1.1.

In the event of any conflict between this rule and any of the standards listed herein, the requirements of this rule shall take precedence.

## B. GENERAL RULES, RIGHTS AND OBLIGATIONS

1. **AUTHORIZATION REQUIRED TO OPERATE:** A Producer must comply with this Rule, execute an Interconnection Agreement with MVU, and receive MVU's express written permission before Parallel Operation of its Generating Facility with MVU's Distribution System. MVU shall apply this Rule in a non-discriminatory manner and shall not unreasonably withhold its permission for Parallel Operation of Producer's Generating Facility with MVU's Distribution System.
2. **SEPARATE AGREEMENTS REQUIRED FOR OTHER SERVICES:** A Producer requiring other electric services from MVU including, but not limited to, Distribution Service during periods of curtailment or interruption of the Producer's Generating Facility, enter into agreements with MVU for such services in accordance with MVU's City Council-approved rules.
3. **SERVICE NOT PROVIDED WITH INTERCONNECTION:** Interconnection with MVU's Distribution System under this Rule does not provide a Producer any rights to utilize MVU's System for the transmission, distribution, or wheeling of electric power, nor does it limit those rights.

4. **COMPLIANCE WITH LAWS, RULES AND TARIFF SCHEDULES:** A Producer shall ascertain and comply with applicable City Council-approved rules of MVU; applicable Federal Energy Regulatory Commission (FERC) approved rules, rules and regulations; and any local, state or federal law, statute or regulation which applies to the design, siting, construction, installation, operation, or any other aspect of the Producer's Generating Facility and Interconnection Facilities.
5. **DESIGN REVIEWS AND INSPECTIONS:** MVU shall have the right to review the design of a Producer's Generating and/or Interconnection Facilities and to inspect a Producer's Generating and/or Interconnection Facilities prior to the commencement of Parallel Operation with MVU's Distribution System. MVU may require a Producer to make modifications as necessary to comply with the requirements of this Rule. MVU's review and authorization for Parallel Operation shall not be construed as confirming or endorsing the Producer's design or as warranting the Generating and/or Interconnection Facilities' safety, durability or reliability. MVU shall not, by reason of such review or lack of review, be responsible for the strength, adequacy or capacity of such equipment.
6. **RIGHT TO ACCESS:** A Producer's Generating Facility and/or Interconnection Facilities shall be reasonably accessible to MVU personnel as necessary for MVU to perform its duties and exercise its rights under its rules approved by the City Council, and any Interconnection Agreement between MVU and the Producer.
7. **CONFIDENTIALITY OF INFORMATION:** Any information pertaining to Generating and/or Interconnection Facilities provided to MVU by a Producer shall be treated by MVU in a confidential manner. MVU shall not use information contained in the Application to propose discounted rates to the customer unless authorized to do so by the Customer or the information is provided to MVU by the Customer through other means.
8. **PRUDENT OPERATION AND MAINTENANCE REQUIRED:** A Producer shall operate and maintain its Generating Facility and Interconnection Facilities in accordance with Prudent Electrical Practices and shall maintain compliance with this Rule.
9. **CURTAILMENT AND DISCONNECTION:** MVU may limit the operation or disconnect or require the disconnection of a Producer's Generating Facility from MVU's Distribution System at any time, with or without notice, in the event of an Emergency, or to correct Unsafe Operating Conditions. MVU may also limit the operation or disconnect or require the disconnection of a Producer's Generating Facility from MVU's Distribution System upon the provision of reasonable written notice: 1) to allow for routine maintenance, repairs or modifications to MVU's Distribution System; 2) upon MVU's determination that a Producer's Generating Facility is not in compliance with this Rule; or 3) upon termination of the Interconnection Agreement. Upon the Producer's written request, MVU shall provide a written explanation of the reason for such curtailment or disconnection.

## C. APPLICATION AND INTERCONNECTION PROCESS

### 1. APPLICATION PROCESS

- a. **Applicant Initiates Contact with MVU:** Upon request, MVU will provide information and documents (such as sample agreements, Application, technical information, listing of Certified Equipment, Initial and Supplemental Review deposit information, applicable tariff schedules and Metering requirements) to a potential Applicant. Unless otherwise agreed upon, all such information shall normally be sent to an Applicant within three (3) business days following the initial request from the Applicant. MVU will establish an individual representative as the single point of contact for the Applicant, but may allocate responsibilities among its staff to best coordinate the Interconnection of an Applicant's Generating Facility.
- b. **Applicant Completes an Application:** All Applicants shall complete and file an Application and supply any relevant additional information requested by MVU. When applicable per Table C.1, an \$800 Initial Review deposit shall be included with the Application.
  - 1) Normally, within 10 business days of receiving the Application, MVU shall acknowledge its receipt and state whether the Application has been completed adequately. If defects are noted, MVU and Applicant shall cooperate in a timely manner to establish a satisfactory Application.
  - 2) The Initial Review deposit shall be waived for Net Energy Metering Applications requesting Interconnection.
  - 3) The deposit associated with the Initial Review will be returned to the Applicant if the Application is rejected by MVU or the Applicant retracts the Application.
  - 4) Applications that are over one year old (from the date of MVU's acknowledgement) without a signed Interconnection Agreement, or a Generating Facility that has not been approved for parallel operation within one year of completion of all applicable review and/or studies are subject to cancellation by MVU; however, MVU may not cancel an Application if the Producer provides reasonable evidence that the project is still active.
  - 5) The applicant may propose, and MVU may agree to reduced costs for reviewing atypical Applications, such as Applications submitted for multiple Generators, multiple sites, or otherwise as conditions warrant.

c. MVU Performs an Initial and Supplemental Review and Develops Preliminary Cost Estimates and Interconnection Requirements.

- 1) Upon receipt of a satisfactorily completed Application and any additional information necessary to evaluate the Interconnection of a Generating Facility, MVU shall perform an Initial Review using the process defined in Section I. The Initial Review determines if: (a) the Generating Facility qualifies for Simplified Interconnection; or (b) the Generating Facility requires a Supplemental Review.
- 2) MVU shall complete its Initial Review, absent any extraordinary circumstances, within 10 business days after its determination that the Application is complete. If the Initial Review determines the proposed Generating Facility can be Interconnected by means of a Simplified Interconnection, MVU will provide the Applicant with an Interconnection Agreement for Applicant's signature. Upon completion of the Initial Review, the difference between the deposit and the actual cost of the Review will be refunded or billed to the Applicant as appropriate.
- 3) If the Generating Facility does not pass the Initial Review for Simplified Interconnection as proposed, MVU will notify the applicant and perform a Supplemental Review as described in Section I. Applicant shall pay an additional \$600 deposit for the Supplemental Review, unless the Application is withdrawn. The Supplemental Review will result in MVU providing either: (a) Interconnection requirements beyond those for a Simplified Interconnection, and an Interconnection Agreement for Applicant's signature; or (b) a cost estimate and schedule for an Interconnection Study. The Supplemental Review shall be completed, absent any extraordinary circumstances, within 20 business days of receipt of a completed Application and fees. Upon completion of the Supplemental Review, the difference between the deposit and the actual cost of the Review will be refunded or billed to the Applicant as appropriate.

The Supplemental Review deposit shall be waived for Net Energy Metering Applications requesting Interconnection pursuant to Sections 2827, 2827.8, 2827.9, or 2827.10 of the Public Utilities Code.

- d. When Required, Applicant and MVU Commit to Additional Interconnection Study Steps. When a Supplemental Review reveals that the proposed Generating Facility cannot be Interconnected to MVU's Distribution System by means of a Simplified Interconnection, or that significant Interconnection Facilities installed on MVU's system or Distribution System modifications will be needed to accommodate an Applicant's Generating Facility, MVU and

Applicant shall enter into an agreement that provides for MVU to perform additional studies, facility design, and engineering and to provide detailed cost estimates for fixed price or actual cost billing to the Applicant at the Applicant’s expense. The Interconnection Study agreement shall set forth MVU’s estimated schedule and charges for completing such work. Interconnection Study fees for solar generating facilities up to 1 megawatt (MW) that do not sell power to the grid will be waived up to the amount of \$5,000. Generating Facilities eligible for Net Energy Metering under Public Utilities Code Section 2827, 2827.8, 2827.9, or 2827.10 are exempt from any costs associated with Interconnection Studies.

Table C.1 Summary of Deposits and Exemptions

<u>Facility Type</u>	<u>Initial Review Deposit</u>	<u>Supplemental Review Deposit</u>	<u>Interconnection Study Deposit</u>	<u>Additional Commissioning Test Verification</u> <u>(illustrative range of 2012 Rates)**</u>
Non-Net Energy Metering	\$2,000*	As Specified by MVU	As Specified by MVU	Actual cost
Net Energy Metering (per Public Utilities Code Sections 2827, 2827.8, 2827.9, or 2827.10)	\$0	\$0	\$0	N/A

\* Subject to refund pursuant to Section C.1.b.3

\*\* A range of rates is provided here because the actual rate may vary by MVU and will adjust periodically.

Table C.2 Summary of Producer Cost Responsibility for Multiple Tariff Interconnections

<u>Existing Generator</u>	<u>New Generator</u>	<u>Initial Review Deposit</u>		<u>Supplemental Review Deposit</u>		<u>Detailed Interconnection Study Cost</u>		<u>Interconnection Facilities Cost</u>		<u>Distribution System Modifications Cost</u>	
		YES	NO	YES	NO	YES	NO	YES	NO	YES	NO



NEM	Non-NEM	X		X		X		X		Xa	
NEM	NEM		X		X		X	X			X
Non-NEM	NEM		Xb		Xb		Xb	X			Xa,b
Simultaneous NEM and Non-NEM		X		X		X		X		Xa	
a) Proration will be based upon the annual expected energy output (kWh) derived from the nameplate of the generator(s) modified by technology-specific capacity/availability factors of all NEM eligible versus non-NEM eligible generators for the costs that cannot be clearly assigned to either type of tariff.											
b) Change of operating of a non-NEM eligible generator at any time to export is treated as a simultaneous NEM and non-NEM application, resulting in associated costs being allocated to the producer.											

2. INTERCONNECTION PROCESS

- a. Applicant and MVU Enter Into an Interconnection Agreement. MVU shall provide the Applicant with an executable version of the Interconnection Agreement or Net Energy Metering agreement appropriate for the Applicant’s Generating Facility and desired mode of operation. These agreements shall set forth MVU and the Applicant’s responsibilities, completion schedules, and fixed price or estimated costs for the required work.
- b. Where Applicable, MVU or Producer Installs Required Interconnection Facilities or Modifies MVU’s Distribution System. After executing the applicable agreements, MVU or Producer will commence construction/ installation of MVU’s Distribution System modifications or Interconnection Facilities which have been identified in the agreements. The parties will use good faith efforts to meet schedules and estimated costs as appropriate.
- c. Producer Arranges for and Completes Commissioning Testing of Generating Facility and Producer’s Interconnection Facilities. The Producer is responsible for testing new Generating Facilities and associated Interconnection Facilities according to Section J.5 to ensure compliance with the safety and reliability provisions of this Rule prior to being operated in parallel with MVU’s Distribution System. For non-Certified Equipment, the Producer shall develop a written testing plan to be submitted to MVU for its review and acceptance. Alternatively, the Producer and MVU may agree to have MVU conduct the required testing at the Producer’s expense. Where applicable, the test plan shall include the installation test procedures published by the manufacturer of the generation or Interconnection equipment. Facility testing shall be conducted at a mutually agreeable time, and depending on who conducts the test, MVU or Producer shall be given the opportunity to witness the tests.
- d. MVU Authorizes Parallel Operation or Momentary Parallel Operation. MVU shall authorize the Producer’s Generating Facility for Parallel Operation or Momentary Parallel Operation with MVU’s Distribution System, in writing, within 5 calendar days of satisfactory compliance with the terms of all applicable

agreements. Compliance may include, but not be limited to, provision of any required documentation and satisfactorily completing any required inspections or tests as described herein or in the agreements formed between the Producer and MVU. A Producer shall not commence Parallel Operation of its Generating Facility with MVU's system unless it has received MVU's express written permission to do so.

For Net Energy Metering Generating facilities, MVU authorization for Parallel Operation shall normally be provided no later than 30 business days following MVU's receipt of 1) a completed Net Energy Metering Application including all supporting documents and required payments; 2) a completed signed Net Energy Metering Interconnection Agreement; and 3) evidence of the Producer's final inspection clearance from the governmental authority having jurisdiction over the Generating Facility. If the 30-day period cannot be met, the MVU shall notify the Applicant and the Commission.

#### **D. GENERATING FACILITY DESIGN AND OPERATING REQUIREMENTS**

This section has been revised to be consistent with the requirements of ANSI/IEEE 1547-2003 *Standard for Interconnecting Distributed Resources with Electric Power Systems* (IEEE 1547).

##### **1. General Interconnection and Protective Function Requirements**

The Protective Functions and requirements of this Rule are designed to protect MVU's Distribution System and not the Generating Facility. A Producer shall be solely responsible for providing adequate protection for its Generating Facility and Interconnection Facilities. The Producer's Protective Functions shall not impact the operation of other Protective Functions utilized on MVU's Distribution System in a manner that would affect MVU's capability of providing reliable service to its Customers.

a. **Protective Functions Required:** Generating Facilities operating in parallel with MVU's Distribution System shall be equipped with the following Protective Functions to sense abnormal conditions on MVU's Distribution System and cause the Generating Facility to be automatically disconnected from MVU's Distribution System or to prevent the Generating Facility from being connected to MVU's Distribution System inappropriately:

- 1) Over and under voltage trip functions and over and under frequency trip functions;
- 2) A voltage and frequency sensing and time-delay function to prevent the Generating Facility from energizing a de-energized Distribution System circuit and to prevent the Generating Facility from reconnecting with MVU's Distribution System unless

MVU's Distribution System service voltage and frequency is within the ANSI C84.1-1995 Table 1 Range B Voltage Range of 106V to 127V (on a 120V basis), inclusive, and a frequency range of 59.3 Hz to 60.5 Hz, inclusive, and are stable for at least 60 seconds; and

- 3) A function to prevent the Generating Facility from contributing to the formation of an Unintended Island, and cease to energize the MVU's Distribution System within two seconds of the formation of an Unintended Island.

The Generating Facility shall cease to energize MVU's Distribution System for faults on MVU's Distribution System circuit to which it is connected (IEEE1547-4.2.1). The Generating Facility shall cease to energize MVU's Distribution circuit prior to re-closure by MVU' Distribution System equipment (IEEE1547-4.2.2).

- b. Momentary Paralleling Generating Facilities. With MVU's approval, the transfer switch or scheme used to transfer the Producer's loads from MVU's Distribution System to Producer's Generating Facility may be used in lieu of the Protective Functions required for Parallel Operation.
- c. Suitable Equipment Required. Circuit breakers or other interrupting equipment located at the Point of Common Coupling must be Certified or "Listed" (as defined in Article 100, the Definitions Section of the National Electrical Code) as suitable for their intended application. This includes being capable of interrupting the maximum available fault current expected at their location. Producer's Generating Facility and Interconnection Facilities shall be designed so that the failure of any single device or component shall not potentially compromise the safety and reliability of MVU's Distribution System. The Generating Facility paralleling-device shall be capable of withstanding 220% of the Interconnection Facility rated voltage (IEEE1547-4.1.8.3). The Interconnection Facility shall have the capability to withstand voltage and current surges in accordance with the environments defined in IEEE Std C62.41.2-2002 or IEEE Std C37.90.1-2002 as applicable and as described in J.3.e (IEEE1547-4.1.8.2).
- d. Visible Disconnect Required. When required by MVU's operating practices, the Producer shall furnish and install a ganged, manually-operated isolating switch (or a comparable device mutually agreed upon by MVU and the Producer) near the Point of Interconnection to isolate the Generating Facility from MVU's Distribution System. The device does not have to be rated for load break nor provide over-current protection.

The device must:

- 1) allow visible verification that separation has been accomplished. (This requirement may be met by opening the enclosure to observe contact separation.)
- 2) include markings or signage that clearly indicate open and closed positions.
- 3) be capable of being reached quickly and conveniently 24 hours a day by MVU personnel for construction, operation, maintenance, inspection, testing or reading, without obstacles or requiring those seeking access to obtain keys, special permission, or security clearances.
- 4) be capable of being locked in the open position.
- 5) be clearly marked on the submitted single line diagram and its type and location approved by the MVU prior to installation. If the device is not adjacent to the Point of Common Coupling, permanent signage must be installed at an MVU-approved location providing a clear description of the location of the device.

Generating Facilities with Non-Islanding inverters totaling one (1) kilovolt-ampere (kVA) or less are exempt from this requirement.

- e. Drawings Required. Prior to Parallel Operation or Momentary Parallel Operation of the Generating Facility, MVU shall approve the Producer's Protective Function and control diagrams. Generating Facilities equipped with Protective Functions and a control scheme previously approved by MVU for system-wide application or only Certified Equipment may satisfy this requirement by reference to previously approved drawings and diagrams.
  - f. Generating Facility Conditions Not Identified. In the event this Rule does not address the Interconnection conditions for a particular Generating Facility, MVU and Producer may agree upon other arrangements.
2. PREVENTION OF INTERFERENCE: The Producer shall not operate Generating or Interconnection Facilities that superimpose a voltage or current upon MVU's Distribution System that interferes with MVU operations, service to MVU customers, or communication facilities. If such interference occurs, the Producer must diligently pursue and take corrective action at its own expense after being given notice and reasonable time to do so by MVU. If the Producer does not take corrective action in a timely manner, or continues to operate the facilities causing interference without restriction or limit, MVU may, without liability, disconnect the Producer's facilities from MVU's Distribution System, in accordance with Section B.9 of this Rule. To eliminate undesirable interference caused by its operation, each Generating Facility shall meet the following criteria:

- a. **Voltage Regulation:** The Generating Facility shall not actively regulate the voltage at the Point of Common Coupling while in parallel with MVU's Distribution System. The Generating Facility shall not cause the service voltage at other customers to go outside the requirements of ANSI C84.1-1995, Range A (IEEE1547-4.1.1).
- b. **Operating Voltage Range:** The voltage ranges in Table D.1 define protective trip limits for the Protective Function and are not intended to define or imply a voltage regulation Function. Generating Facilities shall cease to energize MVU's Distribution System within the prescribed trip time whenever the voltage at the Point of Common Coupling deviates from the allowable voltage operating range. The Protective Function shall detect and respond to voltage on all phases to which the Generating Facility is connected.
  - 1) **Generating Facilities (30 kVA or less).** Generating Facilities with a Gross Nameplate Rating of 30 kVA or less shall be capable of operating within the voltage range normally experienced on MVU's Distribution System. The operating range shall be selected in a manner that minimizes nuisance tripping between 106 volts and 132 volts on a 120-volt base (88%-110% of nominal voltage). Voltage shall be detected at either the Point of Common Coupling or the Point of Interconnection.
  - 2) **Generating Facilities (greater than 30 kVA).** MVU may have specific operating voltage ranges for Generating Facilities with Gross Nameplate Ratings greater than 30 kVA, and may require adjustable operating voltage settings. In the absence of such requirements, the Generating Facility shall operate at a range between 88% and 110% of the applicable interconnection voltage. Voltage shall be detected at either the Point of Common Coupling or the Point of Interconnection, with settings compensated to account for the voltage at the Point of Common Coupling. Generating Facilities that are Certified Non-Islanding or that meet one of the options of the Export Screen (Section I.3.b) may detect voltage at the Point of Interconnection without compensation.
  - 3) **Voltage Disturbances.** Whenever MVU's Distribution System voltage at the Point of Common Coupling varies from and remains outside normal (nominally 120 volts) for the predetermined parameters set forth in Table D-1, the Generating Facility's Protective Functions shall cause the Generator(s) to become isolated from MVU's Distribution System:

Table D.1 Voltage Trip Settings

Voltage at Point of Common Coupling		Maximum Trip Time* # of Cycles	
(Assuming 120 V Base)	% of Nominal Voltage	(Assuming 60Hz Nominal)	Seconds
Less than 60 Volts	Less than 50%	10 Cycles	0.16 Seconds
Greater than or equal to 60 volts but less than 106 volts	Greater than or equal to 50% but less than 88%	120 Cycles	2 Seconds
Greater than or equal to 106 volts but less than 132 volts	Greater than or equal to 88% but less than 110%	Normal Operation	
Greater than or equal to 132 volts but less than 144 volts	Greater than or equal to 110% but less than 120%	60 Cycles	1 Second
Greater than 144Volts	Greater than 120%	10 Cycles	0.16 Seconds

\* "Maximum Trip time" refers to the time between the onset of the abnormal condition and the Generating Facility ceasing to energize MVU's Distribution System. Protective Function sensing equipment and circuits may remain connected to MVU's Distribution System to allow sensing of electrical conditions for use by the "reconnect" feature. The purpose of the allowed time delay is to allow a Generating Facility to "ride through" short-term disturbances to avoid nuisance tripping. Set points shall not be user adjustable (though they may be field adjustable by qualified personnel). For Generating Facilities with a Gross Nameplate Rating greater than 30 kVA, set points shall be field adjustable and different voltage set points and trip times from those in Table D.1 may be negotiated with MVU.

- c. Paralleling. The Generating Facility shall parallel with MVU's Distribution System without causing a voltage fluctuation at the Point of Common Coupling greater than ±5% of the prevailing voltage level of MVU's Distribution System at the Point of Common Coupling, and meet the flicker requirements of Section D.2.d. Section J provides technology-specific tests for evaluating the paralleling Function. (IEEE1547-4.1.3)
- d. Flicker. The Generating Facility shall not create objectionable flicker for other customers on MVU's Distribution System. To minimize the adverse voltage effects experienced by other customers (IEEE1547-4.3.2), flicker at the Point of Common Coupling caused by the Generating Facility should not exceed the limits defined by the "Maximum Borderline of Irritation Curve" identified in IEEE 519-1992 (IEEE Recommended Practices and Requirements for Harmonic Control in Electric Power Systems, IEEE STD 519-1992). This requirement is necessary to minimize the adverse voltage affects experienced by other customers on MVU's Distribution System. Generators may be connected and brought up to synchronous speed (as an induction motor) provided these flicker limits are not exceeded.

- e. Integration with MVU’s Distribution System Grounding. The grounding scheme of the Generating Facility interconnection shall not cause over-voltages that exceed the rating of the equipment connected to the MVU’s Distribution System and shall not disrupt the coordination of the ground fault protection on the MVU’s Distribution System (IEEE1547-4.1.2) (See Section I.3.h).
- f. Frequency: MVU controls system frequency, and the Generating Facility shall operate in synchronism with the MVU’s Distribution System. Whenever MVU’s Distribution System frequency at the Point of Common Coupling varies from and remains outside normal (nominally 60 Hz) by the predetermined amounts set forth in Table D.2, the Generating Facility’s Protective Functions shall cease to energize MVU’s Distribution System within the stated maximum trip time.

Table D.2 Frequency Trip Settings

	Frequency Range	Maximum Trip Time [1]
<u>Generating Facility Rating</u>	<u>(Assuming 60Hz Nominal)</u>	<u>(Assuming 60 Cycles per Second)</u>
Less or equal to 30kW	Less than 59.3 Hz Greater than 60.5 Hz	10 Cycles
Greater than 30kW	Less than 57 Hz	10 Cycles
	Less than an adjustable value between 59.8Hz and 57 Hz but greater than 57 Hz. [2]	Adjustable between 10 and 18,000 Cycles. [2, 3]
	Greater than 60.5 Hz	10 Cycles

[1] - "Maximum Trip time" refers to the time between the onset of the abnormal condition and the Generating Facility ceasing to energize MVU’s Distribution System. Protective Function sensing equipment and circuits may remain connected to MVU’s Distribution System to allow sensing of electrical conditions for use by the "reconnect" feature. The purpose of the allowed time delay is to allow a Generating Facility to "ride through" short-term disturbances to avoid nuisance tripping. Set points shall not be user adjustable (though they may be field adjustable by qualified personnel). For Generating Facilities with a Gross Nameplate Rating greater than 30 kVA, set points shall be field adjustable and different voltage set points and trip times from those in Table D.2 may be negotiated with MVU.

[2] - Unless otherwise required by MVU, a trip frequency of 59.3 Hz and a maximum trip time of 10 cycles shall be used.

[3] - When a 10 cycle Maximum trip time is used, a second under frequency trip setting is not required.

- g. **Harmonics.** When the Generating Facility is serving balanced linear loads, harmonic current injection into MVU’s Distribution System at the PCC shall not exceed the limits stated below in Table D.3. The harmonic current injections shall be exclusive of any harmonic currents due to harmonic voltage distortion present in MVU’s Distribution System without the Generating Facility connected (IEEE1547-4.3.3). The harmonic distortion of a Generating Facility located at a Customer's site shall be evaluated using the same criteria as for the Host Loads.

Table D.3 Maximum harmonic current distortion in percent of current (I) [1,2]

Individual harmonic order, h (odd harmonics) [3]	$h < 11$	$11 \leq h < 17$	$17 \leq h < 23$	$23 \leq h < 35$	$35 \leq h$	Total demand distortion (TDD)
Max Distortion (%)	4.0	2.0	1.5	0.6	0.3	5.0

[1] - IEEE1547-4.3.3

[2] - I = the greater of the maximum Host Load current average demand over 15 or 30 minutes without the Generating Facility, or the Generating Facility rated current capacity (transformed to the Point of Common Coupling when a transformer exists between the Generating Facility and the Point of Common Coupling).

[3] - Even harmonics are limited to 25% of the odd harmonic limits above.

- h. **Direct Current Injection.** Generating Facilities should not inject direct current greater than 0.5% of rated output current into MVU’s Distribution System.
- i. **Power Factor.** Each Generator in a Generating Facility shall be capable of operating at some point within a power factor range from 0.9 leading to 0.9 lagging. Operation outside this range is acceptable provided the reactive power of the Generating Facility is used to meet the reactive power needs of the Host Loads or that reactive power is otherwise provided under tariff by MVU. The Producer shall notify MVU if it is using the Generating Facility for power factor correction. Unless otherwise agreed upon by the Producer and MVU, Generating Facilities shall automatically regulate power factor, not voltage, while operating in parallel with MVU’s Distribution System.

3. TECHNOLOGY SPECIFIC REQUIREMENTS

- a. **Three-Phase Synchronous Generators.** For three-phase Generators, the Generating Facility circuit breakers shall be three-phase devices with electronic or electromechanical control. The Producer shall be responsible for properly synchronizing its Generating Facility with MVU’s Distribution System by means of either manual or automatic synchronizing equipment. Automatic synchronizing is required for all



synchronous Generators that have a Short Circuit Contribution Ratio (SCCR) exceeding 0.05. Loss of synchronism protection is not required except as may be necessary to meet Section D.2.d (Flicker) (IEEE1547-4.2.5) . Unless otherwise agreed upon by the Producer and MVU, synchronous Generators shall automatically regulate power factor, not voltage, while operating in parallel with MVU's Distribution System. A power system stabilization function is specifically not required for Generating Facilities under 10 MW Net Nameplate Rating.

- b. Induction Generators. Induction Generators (except self-excited Induction Generators) do not require a synchronizing Function. Starting or rapid load fluctuations on induction generators can adversely impact MVU's Distribution System's voltage. Corrective step-switched capacitors or other techniques may be necessary and may cause undesirable ferro-resonance. When these counter measures (e.g., additional capacitors) are installed on the Producer's side of the Point of Common Coupling, MVU must review these measures. Additional equipment may be required as determined in a Supplemental Review or an Interconnection Study.
- c. Inverters. Utility-interactive inverters do not require separate synchronizing equipment. Non-utility-interactive or "stand-alone" inverters shall not be used for Parallel Operation with MVU's Distribution System.
- d. Single-Phase Generators. For single-phase Generators connected to a shared single-phase secondary system, the maximum Net Nameplate Rating of the Generating Facilities shall be 20 kVA. Generators connected to a center-tapped neutral 240-volt service must be installed such that no more than 6 kVA of imbalanced power is applied to the two "legs" of the 240-volt service. For Dedicated Distribution Transformer services, the maximum Net Nameplate Rating of a single-phase Generating Facility shall be the transformer nameplate rating.

#### 4. SUPPLEMENTAL GENERATING FACILITY REQUIREMENTS

- a. The maximum solar generation capacity that will be approved to be connected to each meter is up to 50% of the meter minimum daytime load. The meter minimum daytime load will be determined by analyzing one year of historic data, while ignoring any extraordinary events (outages, partial lights, etc.), unless there have been recent major changes to the daily demand schedule. In that case, the most recent information will be evaluated.
- b. For 12kV distribution circuits with multiple solar projects connected, the maximum solar generation capacity that will be approved will be up to 50% of the total minimum daytime coincident circuit load, including any solar generation previously approved on the circuit. Capacity will be

approved on a first come and first serve basis. 50% of the minimum daytime coincident circuit load will be determined by analyzing one year of historic data, while ignoring any extraordinary events (outages, partial lights, etc.), unless there have been recent major changes to the daily demand schedule. In that case, the most recent information will be evaluated.

- c. **Fault Detection.** A Generating Facility with a short circuit contribution ratio exceeding 0.1 or one that does not cease to energize MVU's Distribution System within two seconds of the formation of an Unintended Island shall be equipped with Protective Functions designed to detect Distribution System faults, both line-to-line and line-to-ground, and shall cease to energize MVU's Distribution System within two seconds of the initiation of a fault.
- d. **Transfer Trip.** For a Generating Facility that cannot detect Distribution System faults (both line-to-line and line-to-ground) or the formation of an Unintended Island, and cease to energize MVU's Distribution System within two seconds, MVU may require a Transfer Trip system or an equivalent Protective Function.
- e. **Reclose Blocking.** Where the aggregate Generating Facility capacity exceeds 15% of the peak load on any automatic reclosing device, MVU may require additional Protective Functions, including, but not limited to reclose-blocking on some of the automatic reclosing devices.
- f. **The Generating Facility may require additional approvals from other agencies before the Facility is allowed to begin construction.**

## **E. INTERCONNECTION FACILITIES AND DISTRIBUTION SYSTEM MODIFICATIONS**

- 1. **SCOPE AND OWNERSHIP OF INTERCONNECTION FACILITIES AND DISTRIBUTION SYSTEM MODIFICATIONS**
  - a. **Scope.** Parallel Operation of Generating Facilities may require Interconnection Facilities or modifications to MVU's Distribution System ("Distribution System modifications"). The type, extent and costs of Interconnection Facilities and Distribution System modifications shall be consistent with this Rule and determined through the Supplemental Review and/or Interconnection Studies described in Section C.
  - b. **Ownership.** Interconnection Facilities installed on Producer's side of the Point of Common Coupling may be owned, operated and maintained by the Producer or MVU. Interconnection Facilities

installed on MVU's side of the Point of Common Coupling and Distribution System modifications shall be owned, operated and maintained only by MVU.

2. RESPONSIBILITY OF COSTS OF INTERCONNECTING A GENERATING FACILITY

- a. Review, Study, and Additional Commissioning Test Verification (pre-parallel inspections) Costs. A producer shall be responsible for the reasonably incurred costs of the reviews studies, and additional Commissioning Test verifications (pre-parallel inspections) conducted pursuant to Section C of the Rule. If the initial Commissioning Test verification (pre-parallel inspection) is not successful through no fault of MVU, MVU may impose upon the Producer a cost-based charge for subsequent Commissioning Test verifications (pre-parallel inspections). All Costs for additional Commissioning Test verifications (pre-parallel inspections) shall be paid by Producer within thirty days of receipt of MVU's invoice. Additional costs, if any, will be specified on the invoice. If the initial Commissioning test (pre-parallel inspection) is not successful through the fault of the MVU, that visit will not be considered the initial Commissioning Test (pre-parallel inspection).
- b. Facility Costs. A Producer shall be responsible for all costs associated with Interconnection Facilities owned by the Producer. The Producer shall also be responsible for any costs reasonably incurred by MVU in providing, operating, or maintaining the Interconnection Facilities and Distribution System modifications required solely for the Interconnection of the Producer's Generating Facility with MVU's Distribution System. Generating Facilities eligible for Net Energy Metering under California Public Utilities Code Sections 2827, 2827.8, 2827.9, or 2827.10 are exempt from any costs associated with Distribution System modifications.
- c. Separation of Costs. Should MVU combine the installation of Interconnection Facilities or Distribution System modifications required for the Interconnection of a Generating Facility with modifications to MVU's Distribution System to serve other Customers or Producers, MVU shall not include the costs of such separate or incremental facilities in the amounts billed to the Producer.

3. INSTALLATION OF INTERCONNECTION FACILITIES AND DISTRIBUTION SYSTEM MODIFICATIONS

- a. Agreement Required. The costs for Interconnection Facilities and Distribution System modifications shall be paid by the Producer pursuant to the provisions contained in the Interconnection Agreement.
- b. Interconnection Facilities and Distribution System Modifications. Except as provided for in Sections E.2.b. and E.3.c. of this Rule, Interconnection Facilities connected to MVU's side of the Point of Common Coupling and Distribution System modifications shall be provided, installed, owned and maintained by MVU at Producer's expense, or may be installed by a third party upon approval by MVU.
- c. Third-Party Installations. Subject to the approval of MVU, a Producer may at its option employ a qualified contractor to provide and install Interconnection Facilities or Producer paid Distribution System modifications, to be owned and operated by MVU, on MVU's side of the Point of Common Coupling. Such Interconnection Facilities and Distribution System modifications shall be installed in accordance with MVU's design and specifications. Upon final inspection and acceptance by MVU, the Producer shall transfer ownership of such Producer installed Interconnection Facilities or Distribution System modifications to MVU and such facilities shall thereafter be owned and maintained by MVU. The Producer shall pay MVU's reasonable cost of design, administration, and monitoring of the installation for such facilities to ensure compliance with MVU's requirements. The Producer shall also be responsible for all costs associated with the transfer of Producer installed Interconnection Facilities and Distribution System modifications to MVU.

#### **F. METERING, MONITORING AND TELEMETRY**

1. GENERAL REQUIREMENTS: All Generating Facilities shall be metered in accordance with this Section F and shall meet all applicable standards of MVU contained in MVU's applicable rules and published MVU manuals dealing with specifications.
2. METERING BY NON-MVU PARTIES: The ownership, installation, operation, reading and testing of revenue Metering Equipment for Generating Facilities shall be by MVU.
3. NET GENERATION OUTPUT METERING (NGOM): Generating Facilities' customers may be required to install NGOM for evaluation, monitoring and verification purposes, to satisfy applicable CAISO reliability requirements, and for Distribution System planning and operations.

The relevant factors in determining the need for NGOM are as listed below:

- a. Data requirements in proportion to need for information;
- b. Producer's election to install equipment that adequately addresses MVU's operational requirements;
- c. Accuracy and type of required Metering consistent with purposes of collecting data;
- d. Cost of Metering relative to the need for and accuracy of the data;
- e. The Generating Facility's size relative to the cost of the Meter/monitoring;
- f. Other means of obtaining the data (e.g., Generating Facility logs, proxy data etc.);
- g. Requirements under any interconnection Agreement with the Producer.

The requirements in this Section may not apply to Metering of Generating Facilities operating under MVU's Net Energy Metering tariff pursuant to the California Public Utilities Cod Section 2827, et seq. Nothing in this Section F.3 supersedes Section B.4.

4. **POINT OF COMMON COUPLING METERING:** For purposes of assessing MVU charges for retail service, the Producer's PCC Metering shall be a bi-directional meter so that power deliveries to and from the Producer's site can be separately recorded. Alternately, the Producer may, at its sole option and cost, require MVU to install multi-metering equipment to separately record power deliveries to MVU's Distribution System and retail purchases from MVU. Where necessary, such PCC Metering shall be designed to prevent reverse registration.
5. **TELEMETERING:** If the nameplate rating of the Generating Facility is 1 MW or greater, Telemetering equipment at the Net Generator Output Metering location may be required at the Producer's expense. If the Generating Facility is Interconnected to a portion of MVU's Distribution System operating at a voltage below 10 kV, then Telemetering equipment may be required on Generating Facilities 250 kW or greater. MVU shall only require Telemetering to the extent that less intrusive and/or more cost effective options for providing the necessary data in real time are not available.
6. **LOCATION:** Where MVU-owned Metering is located on the Producer's premises, Producer shall provide, at no expense to MVU, a suitable location for all such Metering Equipment.
7. **COSTS OF METERING:** The Producer will bear all costs of the Metering required by this Rule, including the incremental costs of operating and maintaining the Metering Equipment.

## **G. DISPUTE RESOLUTION PROCESS**

The following procedures will apply for disputes arising from this Rule:

1. The City Council shall have jurisdiction to interpret, add, delete or modify any provision of this Rule or of any agreements entered into between MVU and the Producer to implement this tariff ("The Implementing Agreements") and to resolve disputes regarding MVU's performance of its obligations under its rules, the applicable agreements, and requirements related to the Interconnection of the Producer's Generating or Interconnection Facilities pursuant to this Rule.
2. The dispute shall be submitted in writing by the Producer to MVU. Authorized representatives from both Parties shall meet and confer to try to resolve the dispute. If the Parties cannot resolve the dispute, the dispute will be submitted to the City Council for resolution. Their decision shall be final.
3. Pending resolution of any dispute under this Section, the Parties shall proceed diligently with the performance of their respective obligations under this Rule and the Implementing Agreements, unless the Implementing Agreements have been terminated. Disputes as to the application and implementation of this Section shall be subject to resolution pursuant to the procedures set forth in this Section.

## H. DEFINITIONS

The definitions in this Section H are applicable only to this Rule, the Application and Interconnection Agreements.

**Anti-Islanding:** A control scheme installed as part of the Generating Facility or Interconnection Facilities that senses and prevents the formation of an Unintended Island.

**Applicant:** The entity submitting an Application for Interconnection pursuant to this Rule.

**Application:** A Commission-approved standard form submitted to MVU for Interconnection of a Generating Facility.

**Certification Test:** A test pursuant to this Rule that verifies conformance of certain equipment with Commission-approved performance standards in order to be classified as Certified Equipment. Certification Tests are performed by NRTLs.

**Certification; Certified; Certificate:** The documented results of a successful Certification Testing.

**Certified Equipment:** Equipment that has passed all required Certification Tests.

**Commissioning Test:** A test performed during the commissioning of all or part of a Generating Facility to achieve one or more of the following:

- Verify specific aspects of its performance;

- Calibrate its instrumentation; and
- Establish instrument or Protective Function set-points.

**Customer:** The entity that receives or is entitled to receive Distribution Service through the MVU's Distribution System.

**Dedicated Transformer; Dedicated Distribution Transformer:** A transformer that provides electricity service to a single Customer. The Customer may or may not have a Generating Facility.

**Device:** A mechanism or piece of equipment designed to serve a purpose or perform a function. The term may be used interchangeably with the terms "equipment" and "function" without intentional difference in meaning. See also Function and Protective Function.

**Distribution Service:** All services required by, or provided to, a Customer pursuant to the approved rules of MVU other than services directly related to the Interconnection of a Generating Facility under this Rule.

**Distribution System:** All electrical wires, equipment, and other facilities owned or provided by MVU, other than Interconnection Facilities, by which MVU provides Distribution Service to its Customers.

**Emergency:** An actual or imminent condition or situation, which jeopardizes MVU's Distribution System Integrity.

**Field Testing:** Testing performed in the field to determine whether equipment meets MVU's requirements for safe and reliable Interconnection.

**Function:** Some combination of hardware and software designed to provide specific features or capabilities. Its use, as in Protective Function, is intended to encompass a range of implementations from a single-purpose device to a section of software and specific pieces of hardware within a larger piece of equipment to a collection of devices and software.

**Generating Facility:** All Generators, electrical wires, equipment, and other facilities owned or provided by Producer for the purpose of producing electric power.

**Generator:** A device converting mechanical, chemical or solar energy into electrical energy, including all of its protective and control Functions and structural appurtenances. One or more Generators comprise a Generating Facility.

**Gross Nameplate Rating; Gross Nameplate Capacity:** The total gross generating capacity of a Generator or Generating Facility as designated by the manufacturer(s) of the Generator(s).

**Host Load:** The electrical power, less the Generator auxiliary load, consumed by the Customer, to which the Generating Facility is connected.

**Initial Review:** The review by MVU, following receipt of an Application, to determine the following: (a) the Generating Facility qualifies for Simplified Interconnection; or (b) if the Generating Facility can be made to qualify for Interconnection with a Supplemental Review determining any additional requirements.

**In-rush Current:** The current determined by the In-rush Current Test.

**Interconnection Agreement:** An agreement between MVU and the Producer providing for the Interconnection of a Generating Facility that gives certain rights and obligations to effect or end Interconnection. For the purposes of this Rule, Net Energy Metering or Power Purchase Agreements authorized by the Commission are also defined as Interconnection Agreements.

**Interconnection; Interconnected:** The physical connection of a Generating Facility in accordance with the requirements of this Rule so that Parallel Operation with MVU's Distribution System can occur (has occurred).

**Interconnection Facilities:** The electrical wires, switches and related equipment that are required in addition to the facilities required to provide electric Distribution Service to a Customer to allow Interconnection. Interconnection Facilities may be located on either side of the Point of Common Coupling as appropriate to their purpose and design. Interconnection Facilities may be integral to a Generating Facility or provided separately.

**Interconnection Study:** A study to establish the requirements for Interconnection of a Generating Facility with MVU's Distribution System.

**Island; Islanding:** A condition on MVU's Distribution System in which one or more Generating Facilities deliver power to Customers using a portion of MVU's Distribution System that is electrically isolated from the remainder of MVU's Distribution System.

**Line Section:** That portion of MVU's Distribution System connected to a Customer bounded by automatic sectionalizing devices or the end of the distribution line.

**Load Carrying Capability:** The maximum electrical load that may be carried by a section of MVU's Distribution System consistent with reliability and safety under the circumstances being evaluated.

**Metering:** The measurement of electrical power in kW and/or energy in kWh, and, if necessary, reactive power in kVAR at a point, and its display to MVU, as required by this Rule.

**Metering Equipment:** All equipment, hardware, software including meter cabinets, conduit, etc., that are necessary for Metering.

**Momentary Parallel Operation:** The interconnection of a Generating Facility to the Distribution System for one second (60 cycles) or less.



**Nationally Recognized Testing Laboratory (NRTL):** A laboratory accredited to perform the Certification Testing requirements under this Rule.

**Net Energy Metering:** Metering for the receipt and delivery of electricity between the Producer and MVU pursuant to Section 2827, 2827.8, 2827.9, or 2827.10 of the Public Utilities Code.

**Net Generation Output Metering:** Metering of the net electrical power output in kW or energy in kWh, from a given Generating Facility. This may also be the measurement of the difference between the total electrical energy produced by a Generator and the electrical energy consumed by the auxiliary equipment necessary to operate the Generator. For a Generator with no Host Load and/or Public Utilities Code Section 218 Load (Section 218 Load), Metering that is located at the Point of Common Coupling. For a Generator with Host Load and/or Section 218 Load, Metering that is located at the Generator but after the point of auxiliary load(s) and prior to serving Host Load and/or Section 218 Load.

**Net Nameplate Rating:** The Gross Nameplate Rating minus the consumption of electrical power of a Generator or Generating Facility as designated by the manufacturer(s) of the Generator(s).

**Network Service:** More than one electrical feeder providing Distribution Service at a Point of Common Coupling.

**Non-Export; Non-Exporting:** Designed to prevent the transfer of electrical energy from the Generating Facility to MVU's Distribution System.

**Non-Islanding:** Designed to detect and disconnect an Unintended Island with matched load and generation. Reliance solely on under/over voltage and frequency trip is not considered sufficient to qualify as Non-Islanding.

**Parallel Operation:** The simultaneous operation of a Generator with power delivered or received by MVU while Interconnected. For the purpose of this Rule, Parallel Operation includes only those Generating Facilities that are Interconnected with MVU's Distribution System for more than 60 cycles (one second).

**Paralleling Device:** An electrical device, typically a circuit breaker, operating under the control of a synchronization function or by a qualified operator to connect an energized generator to an energized electric power system or two energized power systems to each other.

**Periodic Test:** A test performed on part or all of a Generating Facility/ Interconnection Facilities at pre-determined time or operational intervals to achieve one or more of the following: (1) Verify specific aspects of its performance; (2) Calibrate instrumentation; and (3) Verify and re-establish instrument or Protective Function set-points.

**Point of Common Coupling (PCC):** The transfer point for electricity between the electrical conductors of MVU and the electrical conductors of the Producer.

**Point of Common Coupling Metering:** Metering located at the Point of Common Coupling. This is the same Metering as Net Generation Metering for Generating Facilities with no Host Load and/or Section 218 Load.

**Point of Interconnection:** The electrical transfer point between a Generating Facility and MVU's Distribution System. This may or may not be coincident with the Point of Common Coupling.

**Producer:** The entity that executes an Interconnection Agreement with MVU. The Producer may or may not own or operate the Generating Facility, but is responsible for the rights and obligations related to the Interconnection Agreement.

**Production Test:** A test performed on each device coming off the production line to verify certain aspects of its performance.

**Protective Function(s):** The equipment, hardware and/or software in a Generating Facility (whether discrete or integrated with other functions) whose purpose is to protect against Unsafe Operating Conditions.

**Prudent Electrical Practices:** Those practices, methods, and equipment, as changed from time to time, that are commonly used in prudent electrical engineering and operations to design and operate electric equipment lawfully and with safety, dependability, efficiency and economy.

**Scheduled Operation Date:** The date specified in the Interconnection Agreement when the Generating Facility is, by the Producer's estimate, expected to begin operation pursuant to this Rule.

**Secondary Network:** A network supplied by several primary feeders suitably interlaced through the area in order to achieve acceptable loading of the transformers under emergency conditions and to provide a system of extremely high service reliability. Secondary networks usually operate at 600 V or lower.

**Section 218 Load:** Electrical power that is supplied in compliance with California Public Utilities Code Section 218. Public Utilities Code Section 218 defines an "Electric Corporation" and provides conditions under which a transaction involving a Generating Facility would not classify a Producer as an Electric Corporation. These conditions relate to "over-the-fence" sale of electricity from a Generating Facility without using MVU's Distribution System.

**Short Circuit (Current) Contribution Ratio (SCCR):** The ratio of the Generating Facility's short circuit contribution to the short circuit contribution provided through MVU's Distribution System for a three-phase fault at the high voltage side of the distribution transformer connecting the Generating Facility to MVU's system.

**Simplified Interconnection:** Interconnection conforming to the Initial Review requirements under this Rule, as determined by Section I.

**Single Line Diagram; Single Line Drawing:** A schematic drawing, showing the major electric switchgear, Protective Function devices, wires, Generators, transformers and other devices, providing sufficient detail to communicate to a qualified engineer the essential design and safety of the system being considered.

**Special Facilities:** As defined in MVU's Rules governing Special Facilities.

**Starting Voltage Drop:** The percentage voltage drop at a specified point resulting from In-rush Current. The Starting Voltage Drop can also be expressed in volts on a particular base voltage, (e.g., 6 volts on a 120-volt base, yielding a 5% drop).

**Supplemental Review:** A process wherein MVU further reviews an Application that fails one or more of the Initial Review Process steps. The Supplemental Review may result in one of the following: (a) approval of Interconnection; (b) approval of Interconnection with additional requirements; or (c) cost and schedule for an Interconnection Study.

**System Integrity:** The condition under which MVU's Distribution System is deemed safe and can reliably perform its intended functions in accordance with the safety and reliability rules of MVU.

**Telemetry:** The electrical or electronic transmittal of Metering data in real-time to MVU.

**Transfer Trip:** A Protective Function that trips a Generating Facility remotely by means of an automated communications link controlled by MVU.

**Type Test:** A test performed on a sample of a particular model of a device to verify specific aspects of its design, construction and performance.

**Unintended Island:** The creation of an island, usually following a loss of a portion of MVU's Distribution System, without the approval of MVU.

**Unsafe Operating Conditions:** Conditions that, if left uncorrected, could result in harm to personnel, damage to equipment, loss of System Integrity or operation outside pre-established parameters required by the Interconnection Agreement.

## I. REVIEW PROCESS FOR APPLICATIONS TO INTERCONNECT GENERATION FACILITIES

### 1. INTRODUCTION

This Review Process allows for rapid approval for the interconnection of those Generating Facilities that do not require an Interconnection Study. The review process includes a screening to determine if a Supplemental Review is required.

Note: Failure to pass any step of the review process means only that further review and/or studies are required before the Generating Facility can be approved for Interconnection with MVU's Distribution System. It does not mean that the Generating Facility cannot be Interconnected. Though not explicitly covered in the Initial Review Process the Generating Facility shall be designed to meet all of the applicable requirements in Section D.

## 2. PURPOSE

The review determines the following:

- a. If a Generating Facility qualifies for Simplified Interconnection;
- b. If a Generating Facility can be made to qualify for Interconnection with a Supplemental Review determining any additional requirements; or
- c. If an Interconnection Study is required, the cost estimate and schedule for performing the Interconnection Study.

## 3. REVIEW PROCESS DETAILS

### a. Step 1: Is the PCC on a Networked Secondary System?

- If yes, the Generating Facility does not qualify for Simplified Interconnection. Perform Supplemental Review.
- If No, continue to next step.

Significance: Special considerations must be given to Generating Facilities proposed to be installed on networked secondary Distribution Systems because of the design and operational aspects of network protectors. There are no such considerations for radial Distribution Systems.

### b. Step 2: Will power be exported across the PCC?

- If yes, the Generating Facility does not qualify for Simplified Interconnection. Perform Supplemental Review.
- If No, the Generating Facility must incorporate one of the following four options:

Option 1 ("Reverse Power Protection"): To ensure that power is not exported across the PCC, a reverse power Protective Function may be provided. The default setting for this Protective Function, when used, shall be 0.1% (export) of the service transformer's rating, with a maximum 2.0 second time delay.

Option 2 ("Minimum Power Protection"): To ensure that at least a minimum amount of power is imported across the PCC at all times (and

therefore, that power is not exported), an under-power Protective Function may be provided. The default setting for this Protective Function, when used, shall be 5% (import) of the Generating Facility's total Gross Nameplate Rating, with a maximum 2.0 second time delay.

Option 3 ("Certified Non-Islanding Protection"): To ensure that the incidental export of power across the PCC is limited to acceptable levels, this option, when used, requires that all of the following conditions be met: (a) the total Gross Nameplate Capacity of the Generating Facility must be no more than 25% of the nominal ampere rating of the Producer's service equipment; (b) the total Gross Nameplate Capacity of the Generating Facility must be no more than 50% of the Producer's service transformer capacity rating (this capacity requirement does not apply to customers taking primary service without an intervening transformer); and (c) the Generating Facility must be certified as Non-Islanding.

The ampere rating of the Customer's Service Equipment to be used in this evaluation will be that rating for which the customer's utility service was originally sized or for which an upgrade has been approved. It is not the intent of this provision to allow increased export simply by increasing the size of the customer's service panel, without separate approval for the resize.

Option 4 ("Relative Generating Facility Rating"): This option, when used, requires Net Nameplate Rating of the Generating Facility to be so small in comparison to its host facility's minimum load, that the use of additional Protective Functions is not required to insure that power will not be exported to MVU's Distribution System. This option requires the Generating Facility capacity to be no greater than 50% of the Producer's verifiable minimum Host Load over the past 12 months.

Significance:

- 1) If it can be ensured that the Generating Facility will not export power, MVU's Distribution System does not need to be studied for Load-Carrying Capability or Generating Facility power flow effects on MVU voltage regulators.
- 2) This step permits the use of reverse-power or minimum-power relaying as a Non-Islanding Protective Function (Options 1, 2 and 3).
- 3) This step allows, under certain defined conditions, for Generating Facilities that incorporate Certified Non-Islanding protection to qualify for Simplified

- c. Step 3: Is the Interconnection Facilities Equipment Certified for the application or does the Interconnection Facilities Equipment have interim MVU approval?
- If Yes, continue to next step.
  - If No, the Generating Facility and/or Interconnection Facilities does not qualify for Simplified Interconnection. Perform Supplemental Review.

Interim approval allows the MVU to treat equipment that has not completed the Rule 21 certification requirements as having met the intent of this screen. Interim approval is granted, at MVU's discretion, on a case by case basis, and approval for one Generating Facility does not guarantee approval for any other Generating Facility

Significance: If the Generating Facility and/or Interconnection Facilities has been Certified or previously approved by MVU, MVU does not need to repeat its full review and/or test of the Generating and/or Interconnection Facilities' Protective Functions. Site Commissioning Testing may still be required to insure that the Protective Functions are working properly.

Certification indicates that the criteria in Section J, as appropriate, have been tested and verified.

- d. Step 4: Is the aggregate Generating Facility capacity on the Line Section less than 15% of Line Section peak load?
- If Yes, continue to next step.
  - If No, the Generating Facility does not qualify for Simplified Interconnection. Perform Supplemental Review to determine cumulative impact on Line Section.

Significance:

- 1) Low penetration of Generating Facility installations will have a minimal impact on the operation and load restoration efforts of MVU's Distribution System.
- 2) The operating requirements for a high penetration of Generating Facilities may be different since the impact on MVU's Distribution System will no longer be minimal, therefore requiring additional study or controls.

- e. Step 5: Is the Starting Voltage Drop within acceptable limits?
- If Yes, continue to next step.

- If No, the Generating Facility does not qualify for Simplified Interconnection. Perform Supplemental Review.

Note: This Step only applies to Generating Facilities that start by motoring the Generator(s).

MVU has two options in determining whether Starting Voltage Drop is acceptable. The option to be used is at MVU's discretion:

Option 1: MVU may determine that the Generating Facility's starting In-rush Current is equal to or less than the continuous ampere rating of the customer's service equipment.

Option 2: MVU may determine the impedances of the service distribution transformer (if present) and the secondary conductors to Customer's service equipment and perform a voltage drop calculation. Alternatively, MVU may use tables or nomographs to determine the voltage drop. Voltage drops caused by starting a Generator as a motor must be less than 2.5% for primary interconnections and 5% for secondary interconnections.

Significance:

- 1) This step addresses potential voltage fluctuation problems that may be caused by Generators that start by motoring.
- 2) When starting, Generating Facilities should have minimal impact on the service voltage to other MVU Customers.
- 3) Passing this step does not relieve the Producer from ensuring that its Generating Facility complies with the flicker requirements of this Rule, Section D.2.d.

f. Step 6: Is the Gross Nameplate Rating of the Generating Facility 11 kVA or less?

- If Yes, the Generating Facility qualifies for Simplified Interconnection. Skip remaining steps.
- If No, continue to next step.

Significance:

The Generating Facility will have a minimal impact on fault current levels and any potential line overvoltages from loss of MVU's Distribution System neutral grounding.

g. Step 7: Is the Short Circuit Current Contribution Ratio within acceptable limits?

- If Yes, continue to next step.
- If No, the Generating Facility does not qualify for Simplified Interconnection. Perform Supplemental Review.

The Short Circuit Current Contribution Ratio Screen consists of two criteria; both of which must be met when applicable:

- 1) When measured at primary side (high side) of a Dedicated Distribution Transformer serving a Generating Facility, the sum of the Short Circuit Contribution Ratios of all generating facilities connected to MVU’s Distribution System circuit that serves the Generating Facility must be less than or equal to 0.1, and
- 2) When measured at the secondary side (low side) of a shared distribution transformer, the short circuit contribution of the proposed Generating Facility must be less than or equal to 2.5% of the interrupting rating of the Producer’s Service Equipment.

Significance:

If the Generating Facility passes this screen it can be expected that it will have no significant impact on MVU’s Distribution System’s short circuit duty, fault detection sensitivity, relay coordination or fuse-saving schemes.

- h. Step 8: Is the Line Configuration compatible with the Interconnection type?
  - If Yes, the Generating Facility qualifies for Simplified Interconnection.
  - If No, then the Generating Facility does not qualify for Simplified Interconnection. Perform Supplemental Review. Identify primary distribution line configuration that will serve the Generating Facility. Based on the type of Interconnection to be used for the Generating Facility, determine from the Table I.1 if the proposed Generating Facility passes the step.

Table I.1

Primary Distribution Line Type Configuration	Type of Interconnection to be Made to Primary Distribution Line	Results/Criteria
Three-phase, three wire	Any type	Pass Step
Three-phase, four wire	Single-phase, line-to-neutral	Pass Step



Three-phase, four wire (For any line that has such a section OR mixed three wire and four wire)	All others	To pass, aggregate GF Nameplate Rating must be less than or equal to 10% of Line Section peak load
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Significance: If the primary distribution line serving the Generating Facility is of a “three-wire” configuration, or if the Generating Facility’s distribution transformer is single-phase and connected in a line-to-neutral configuration, then there is no concern about overvoltages to MVU’s, or other Customer’s equipment caused by loss of system neutral grounding during the operating time of the Non-Islanding Protective Function.

**J. CERTIFICATION AND TESTING CRITERIA**

**1. INTRODUCTION**

This Section describes the test procedures and requirements for equipment used for the Interconnection of Generating Facilities to MVU’s Distribution System. Included are Type Testing, Production Testing, Commissioning Testing and Periodic Testing. The procedures listed rely heavily on those described in appropriate Underwriters Laboratory (UL), Institute of Electrical and Electronic Engineers (IEEE), and International Electrotechnical Commission (IEC) documents—most notably UL 1741 and IEEE 929, as well as the testing described in *May 1999 New York State Public Services Commission Standardized Interconnection Requirements*. As noted in Section A, this rule has been revised to be consistent with ANSI/IEEE 1547-2003 *Standard for Interconnecting Distributed Resources with Electric Power Systems*.

The tests described here, together with the technical requirements in Section D of this Rule, are intended to provide assurance that the Generating Facility’s equipment will not adversely affect MVU’s Distribution System and that a Generating Facility will cease providing power to MVU’s Distribution System under abnormal conditions. The tests were developed assuming a low level of Generating Facility penetration or number of connections to MVU’s Distribution System. At high levels of Generating Facility penetration, additional requirements and corresponding test procedures may need to be defined.

Section J also provides criteria for “Certifying” Generators or inverters. Once a Generator or inverter has been Certified per this Rule, it may be considered suitable for Interconnection with MVU’s Distribution System. Subject to the exceptions described in Section J, MVU will not repeat the design review or require retesting of such Certified Equipment. It should be noted that the Certification process is intended to facilitate Generating Facility Interconnections. Certification is not a prerequisite to interconnect a Generating Facility.

The revisions made to this rule relative to IEEE 1547-2003 have resulted in changes in set points, test criteria, test procedures, and other requirements that

will impact previously certified or listed equipment as well as equipment currently under evaluation. These changes were made to provide consistency with IEEE 1547. Equipment that is certified or that has been submitted to a Nationally Recognized Testing Laboratory (NRTL) for testing prior to the adoption of the revised Underwriters Laboratories (UL) 1741 titled Inverters, Converters, Controllers and Interconnection Systems Equipment for use with Distributed Energy Resources and that subsequently meet the provisions Rule 21 certification requirements will continue to be accepted as Certified Equipment for Interconnection Applications submitted through May 7, 2007, the effective date of the revised UL 1741. [this change will be incorporated by Advice Letter in Dec. 2005]

## 2. CERTIFIED AND NON-CERTIFIED INTERCONNECTION EQUIPMENT

### a. Certified Equipment

Equipment tested and approved (e.g., “Listed”) by an accredited NRTL as having met both the Type Testing and Production Testing requirements described in this document is considered to be Certified Equipment for purposes of Interconnection with MVU’s Distribution System. Certification may apply to either a pre-packaged system or an assembly of components that address the necessary functions. Type Testing may be done in the manufactures’ factory or test laboratory, or in the field. At the discretion of the testing laboratory, field-certification may apply only to the particular installation tested. In such cases, some or all of the tests may need to be repeated at other installations.

When equipment is certified by a NRTL, the NRTL shall provide to the manufacturer, at a minimum, a Certificate with the following information for each device:

#### Administrative:

- 1) The effective date of Certification or applicable serial number (range or first in series), and/or other proof that Certification is current;
- 2) Equipment model number(s) of the Certified Equipment;
- 3) The software version utilized in the equipment, if applicable;
- 4) Test procedures specified (including date or revision number); and
- 5) Laboratory accreditation (by whom and to what standard).

#### Technical (as appropriate):

- 1) Device ratings (kW, kVA, Volts, Amps, etc.);

- 2) Maximum available fault current in Amps;
- 3) In-rush Current in Amps;
- 4) Trip points, if factory set (trip value and timing);
- 5) Trip point and timing ranges for adjustable settings;
- 6) Nominal power factor or range if adjustable;
- 7) If the equipment is Certified for Non-Exporting and the method used (reverse power or under power); and
- 8) If the equipment is Certified Non-Islanding.

It is the responsibility of the equipment manufacturer to ensure that Certification information is made publicly available by the manufacturer, the testing laboratory or by a third party.

b. Non-Certified Equipment

For non-Certified Equipment, some or all of the tests described in this Rule may be required by MVU for each Generating Facility and/or Interconnection Facilities. The manufacturer or a laboratory acceptable to MVU may perform these tests. Test results for Non-Certified Equipment must be submitted to MVU for the Supplemental Review. Approval by MVU for equipment used in a particular Generating Facility and/or Interconnection Facilities does not guarantee MVU's approval for use in other Generating Facility and/or Interconnection Facilities.

3. TYPE TESTING

- a. Type Tests and Criteria for Interconnection Equipment Certification. Type Testing provides a basis for determining that equipment meets the specifications for being designated as Certified Equipment under this Rule. The requirements described in this Section cover only issues related to Interconnection and are not intended to address equipment safety or other issues.

Table J.1. defines the test criteria by Generator or inverter technology. While UL 17411 was written specifically for inverters, the requirements are readily adaptable to synchronous Generators, induction Generators, as well as single/multi-function controllers and protection relays. Until a universal test standard is developed, MVU or NRTL shall adapt the procedures referenced in Table J.1 as appropriate and necessary for a Generating Facility and/or Interconnection Facilities or associated equipment performance and its control and Protective Functions. The tests shall be performed in the sequence shown in Table J.2 below.

Table J.1 Type Tests and Requirements for Interconnection Equipment Certification

Type Test	Reference (1)	Inverter	Synchronous Generator	Induction Generator
Utility Interaction	UL 1741 – 39	X	X	X
DC Isolation	UL 1741 – 40.1	X	-	-
Simulated PV Array (Input) Requirements	UL 1741 – 41.2	X	-	-
Dielectric Voltage Withstand	UL 1741 – 44	X	X	X
Power Factor	UL 1741 – 45.2.2	X	X	X
Harmonic Distortion	UL 1741 – 45.4	X	X	X
DC Injection	UL 1741 – 45.5	X	-	-
Utility Voltage and Frequency Variation	UL 1741 – 46.2	X	X	X
Reset Delay	UL 1741 – 46.2.3	X	X	X
Loss of Control Circuit	UL 1741 – 46.4	X	X	X
Short Circuit	UL 1741 – 47.3	X	X	X
Load Transfer	UL 1741 – 47.7	X	X	X
Surge Withstand Capability	J.3.e	X	X	X
Anti-Islanding	J.3.b	(2)	(2)	(2)
Non-Export	J.3.c	(3)	(3)	(3)
In-rush Current	J.3.d	-	-	(4)
Synchronization	J.3.f	(5)	X	(5)

Table Notes: (1) References are to section numbers in either UL 1741 (Inverters, Converters and Charge Controllers for use in Independent Power Systems) or this Rule. References in UL 1741 to “photovoltaics” or “inverter” may have to be adapted to the other technologies by the testing laboratory to appropriately apply in the tests to other technologies.

(2) Required only if Non-Islanding designation

(3) Required only if Non-Export designation is desired.

(4) Required for Generators that use MVU power to motor to speed.

(5) Required for all self-excited induction Generators as well as Inverters that operate as voltage sources when connected to MVU’s Distribution System.

X = Required , - = Not Required

Table J.2 Type Tests Sequence for Interconnection Equipment Certification

Test No.	Type Test
1	Utility Voltage and Frequency Variation
2	Synchronization
3	Surge Withstand Capability
4	Utility Voltage and Frequency Variation
5	Synchronization
6	Other Required and Optional Tests

Tests 1, 2, and 3, must be done first and in the order shown. Tests 4 and on follow in order convenient to the test agency.

b. Anti-Islanding Test

Devices that pass the Anti-Islanding test procedure described in UL 1741 Section 46.3 will be considered Non-Islanding for the purposes of these interconnection requirements. The test is required only for devices for which a Certified Non-Islanding designation is desired.

c. Non-Export Test

Equipment that passes the Non-Export test procedure described in Section J.7.a. will be considered Non-Exporting for the purposes of these Interconnection requirements. This test is required only for equipment for which a Certified Non-Export designation is desired.

d. In-rush Current Test

Generation equipment that utilizes MVU power to motor up to speed will be tested using the procedure defined in Section J.7.b. to determine the maximum current drawn during this startup process. The resulting In-rush Current is used to estimate the Starting Voltage Drop.

e. Surge Withstand Capability Test

The interconnection equipment shall be tested for the surge withstand requirement in D.1.c in all normal operating modes in accordance with IEEE Std C62.45-2002 for equipment rated less than 1000 V to confirm that the surge withstand capability is met by using the selected test level(s) from IEEE Std C62.41.2-2002. Interconnection equipment rated greater than 1000 V shall be tested in accordance with manufacturer or system integrator designated applicable standards. For interconnection equipment signal and control circuits, use IEEE Std C37.90.1-2002. These tests shall confirm the equipment did not fail, did not misoperate, and did not provide misinformation (IEEE1547-5.1.3.2). The location/exposure category for which the equipment has been tested shall be clearly marked on the equipment label or in the equipment documentation. External surge protection may be used to protect the equipment in harsher location/exposure categories.

f. Synchronization Test

This test is applied to synchronous Generators, self-excited induction generators, and inverters capable of operating as voltage-source while connected to MVU's Distribution System. The test is also applied to the resynchronization Function (transition from stand-alone to parallel operation) on equipment that provides such functionality. This test may not need to be performed on both the synchronization and re-synchronization functions if the manufacturers can verify to the satisfaction of the testing organization that monitoring and controls hardware and software are common to both functions. This test is not

necessary for induction generators or current-source inverters. Instead, the In-rush Current test Section J.3.d shall be applied to those generators.

This test shall demonstrate that at the moment of the paralleling-device closure, all three synchronization parameters in Table J.3 are within the stated limits. This test shall also demonstrate that if any of the parameters are outside of the limits stated in the table, the paralleling-device shall not close (IEEE 1547- 5.1.2A). The test will start with only one of the three parameters: (1) voltage difference between Generating Facility and MVU’s Distribution System; (2) frequency difference; or (3) phase angle outside of the synchronization specification. Verify that the Generating Facility is brought within specification prior to synchronization. Repeat the test five times for each of the three parameters. For manual synchronization with synch check or manual control with auto synchronization, the test must verify that paralleling does not occur until the parameters are brought within specifications.

Table J.3. Synchronization Parameter Limits [1]

Aggregate Rating of Generator Units (kVA)	Frequency Difference ( $\Delta f$ , Hz)	Voltage Difference ( $\Delta V$ , %)	Phase Angle Difference ( $\Delta \phi$ , $\square$ )
0-500	0.3	10	20
> 500-1,500	0.2	5	15
> 1,500-10,000	0.1	3	10

[1] – IEEE 1547-5.1.1B

g. Paralleling Device Withstand Test

The di-electric voltage withstand test specified in Section J.1 shall be performed on the paralleling device to ensure compliance with those requirements specified in Section D.1.c (IEEE 1547-5.1.3.3).

4. Production Testing

As a minimum, each interconnection system shall be subjected to the Utility Voltage and Frequency Variation Test procedure described in UL1741 under Manufacturing and Production Tests, Section 68 and the Synchronization test specified in Section J.3.f Interconnection systems with adjustable set points shall be tested at a single set of set points as specified by the manufacturer. This test may be performed in the factory or as part of a Commissioning Test (Section J.5.).

5. Commissioning Testing

- a. Commissioning Testing, where required, will be performed on-site to verify protective settings and functionality. Upon initial Parallel Operation of a Generating Facility, or any time interface hardware or software is changed that may affect the functions listed below, a Commissioning Test must be performed. An individual qualified in testing protective equipment (professional engineer, factory–certified technician, or licensed electrician with experience in testing protective equipment) must perform Commissioning Testing in accordance with the manufacturer’s recommended test procedure to verify the settings and requirements per this Rule.

MVU may require written Commissioning test procedure be submitted to MVE at least 10 working days prior to the performance of the Commissioning Test. MVU has the right to witness Commissioning Test, MVU may also require written certification by the installer describing which tests were performed and their results. Protective Functions to be tested during commissioning, particularly with respect to non-Certified equipment, may consist of the following:

- (1) Over and under voltage
- (2) Over and under frequency
- (3) Anti-Islanding function (if applicable)
- (4) Non-Exporting function (if applicable)
- (5) Inability to energize dead line
- (6) Time delay on restart after utility source is stable
- (7) Utility system fault detection (if used)
- (8) Synchronizing controls (if applicable)
- (9) Other Interconnection Protective Functions that may be required as part of the Interconnection Agreement

Commissioning Test shall include visual inspections of the interconnection equipment and protective settings to confirm compliance with the interconnection requirements.

- b. Other checks and tests that may need to be performed include:

- (1) Verifying final Protective Function settings
- (2) Trip test (J.5.f)
- (3) In-service tests (J.5.g)

- c. Certified Equipment

Generating Facilities qualifying for Simplified Interconnection incorporate Certified Equipment that have, at a minimum, passed the Type Tests and Production Tests described in this Rule and are judged to have little or no potential impact on MVU’s Distribution System. For such Generating Facilities,

it is necessary to perform only the following tests:

- (1) Protective Function settings that have been changed after Production Testing will require field verification. Tests shall be performed using injected secondary frequencies, voltages and currents, applied waveforms, at a test connection using a Generator to simulate abnormal utility voltage or frequency, or varying the set points to show that the device trips at the measured (actual) utility voltage or frequency.
- (2) The Non-Islanding function shall be checked by operating a load break disconnect switch to verify the Interconnection equipment ceases to energize MVU's Distribution System and does not re-energize it for the required time delay after the switch is closed.
- (3) The Non-Exporting function shall be checked using secondary injection techniques. This function may also be tested by adjusting the Generating Facility output and local loads to verify that the applicable Non-Exporting criteria (i.e., reverse power or underpower) are met.

The Supplemental Review or an Interconnection Study may impose additional components or additional testing.

d. Non-Certified Equipment

Non-certified Equipment shall be subjected to the appropriate tests described in Type Testing (Section J.3.) as well as those described in Certified Equipment Commissioning Tests (Section J.5.c.). With MVU's approval, these tests may be performed in the factory, in the field as part of commissioning, or a combination of both. MVU, at its discretion, may also approve a reduced set of tests for a particular Generating Facility or, for example, if it determines it has sufficient experience with the equipment.

e. Verification of Settings

At the completion of Commission testing, the Producer shall confirm all devices are set to MVU-approved settings. Verification shall be documented in the Commissioning Test Certification.

f. Trip Tests

Interconnection Protective Functions and devices (e.g. reverse power relays) that have not previously been tested as part of the Interconnection Facilities with their associated interrupting devices (e.g. contactor or



circuit breaker) shall be trip tested during commissioning. The trip test shall be adequate to prove that the associated interrupting devices open when the protective devices operate. Interlocking circuits between Protective Function devices or between interrupting devices shall be similarly tested unless they are part of a system that has been tested and approved during manufacturing.

g. In-service Tests

Interconnection Protective Functions and devices that have not previously been tested as part of the Interconnection Facilities with their associated instrument transformers or that are wired in the field shall be given an in-service test during commissioning. This test will verify proper wiring, polarity, CT/PT ratios, and proper operation of the measuring circuits. The in-service test shall be made with the power system energized and carrying a known level of current. A measurement shall be made of the magnitude and phase angle of each Alternating Current (AC) voltage and current connected to the protective device and the results compared to expected values. For protective devices with built-in Metering Functions that report current and voltage magnitudes and phase angles, or magnitudes of current, voltage, and real and reactive power, the metered values may be used for in-service testing. Otherwise, portable ammeters, voltmeters, and phase-angle meters shall be used.

6. Periodic Testing

Periodic Testing of Interconnection-related Protective Functions shall be performed as specified by the manufacturer, or at least every four years. All Periodic Tests prescribed by the manufacturer shall be performed. The Producer shall maintain Periodic Test reports or a log for inspection by MVU. Periodic Testing conforming to MVU test intervals for the particular Line Section may be specified by MVU under special circumstances, such as high fire hazard areas. Batteries used to activate any Protective Function shall be checked and logged once per month for proper voltage. Once every four years, the battery must be either replaced or a discharge test performed.

7. Type Testing Procedures Not Defined in Other Standards

This Section describes the additional Type Tests necessary to qualify a device as Certified under this Rule. These Type Tests are not contained in Underwriters Laboratories UL 1741 Standard *Inverters, Converters and Controllers for Use in Independent Power Systems*, or other referenced standards.

a. Non-Exporting Test Procedures

The Non-Exporting test is intended to verify the operation of relays, controllers and inverters designed to limit the export of power and certify the equipment as meeting the requirements of Screen 2, Options 1 and 2, of the review process.

Tests are provided for discrete relay packages and for controllers and inverters with the intended Functions integrated.

(1) Discrete Reverse Power Relay Test

This version of the Non-Exporting test procedure is intended for discrete reverse power and underpower relay packages provided to meet the requirements of Options 1 and 2 of Screen 2. It should be understood that in the reverse power application, the relay will provide a trip output with power flowing in the export (toward MVU's Distribution System) direction.

*Step 1: Power Flow Test at Minimum, Midpoint and Maximum Pickup Level Settings*

Determine the corresponding secondary pickup current for the desired export power flow of 0.5 secondary watts (the minimum pickup setting, assumes 5 amp and 120V CT/PT secondary). Apply nominal voltage with minimum current setting at zero (0) degrees phase angle in the trip direction. Increase the current to pickup level. Observe the relay's (LCD or computer display) indication of power values. Note the indicated power level at which the relay trips. The power indication should be within 2% of the expected power. For relays with adjustable settings, repeat this test at the midpoint, and maximum settings. Repeat at phase angles of 90, 180 and 270 degrees and verify that the relay does not operate (measured watts will be zero or negative).

*Step 2: Leading Power Factor Test*

Apply rated voltage with a minimum pickup current setting (calculated value for system application) and apply a leading power factor load current in the non-trip direction (current lagging voltage by 135 degrees). Increase the current to relay rated current and verify that the relay does not operate. For relays with adjustable settings, this test should be repeated at the minimum, midpoint, and maximum settings.

*Step 3: Minimum Power Factor Test*

At nominal voltage and with the minimum pickup (or ranges) determined in Step 1, adjust the current phase angle to 84 or 276 degrees. Increase the current level to pickup (about 10 times higher than at 0 degrees) and verify that the relay operates. Repeat for phase angles of 90, 180 and 270 degrees and verify that the relay does not operate.

*Step 4: Negative Sequence Voltage Test*

Using the pickup settings determined in Step 1, apply rated relay voltage and current at 180 degrees from tripping direction, to simulate normal load conditions (for three-phase relays, use Ia at 180, Ib at 60 and Ic at 300 degrees). Remove phase-1 voltage and observe that the relay does not operate. Repeat for phases-2 and 3.

*Step 5: Load Current Test*

Using the pickup settings determined in Step 1, apply rated voltage and current at 180 degrees from the tripping direction, to simulate normal load conditions (use Ia at 180, Ib at 300 and Ic at 60 degrees). Observe that the relay does not operate.

*Step 6: Unbalanced Fault Test*

Using the pickup settings determined in Step 1, apply rated voltage and 2 times rated current, to simulate an unbalanced fault in the non-trip direction (use Va at 0 degrees, Vb and Vc at 180 degrees, Ia at 180 degrees, Ib at 0 degrees, and Ic at 180 degrees). Observe that the relay, especially single phase, does operate properly.

*Step 7: Time Delay Settings Test*

Apply Step 1 settings and set time delay to minimum setting. Adjust the current source to the appropriate level to determine operating time, and compare against calculated values. Verify that the timer stops when the relay trips. Repeat at midpoint and maximum delay settings.

*Step 8: Dielectric Test*

Perform the test described in IMVU 414 using 2 kV RMS for 1 minute.

*Step 9: Surge Withstand Test*

Perform the surge withstand test described in IEEE C37.90.1.1989 or the surge withstand capability test described in J.3.e.

(2) *Discrete Underpower Relay Test*

This version of the Non-Exporting test procedure is intended for discrete underpower relay packages and meets the requirements of Option 2 of Screen 2. A trip output will be provided when import power (toward the Producer's load) drops below the specified level.

Note: For an underpower relay, pickup is defined as the highest power level at which the relay indicates that the power is less than the set level.

*Step 1: Power Flow Test at Minimum, Midpoint and Maximum Pickup Level Settings*

Determine the corresponding secondary pickup current for the desired power flow pickup level of 5% of peak load minimum pickup setting. Apply rated voltage and current at 0 (zero) degrees phase angle in the direction of normal load current. Decrease the current to pickup level. Observe the relay's (LCD or computer display) indication of power values. Note the indicated power level at which the relay trips. The power indication should be within 2% of the expected power. For relays with adjustable settings, repeat the test at the midpoint, and maximum settings. Repeat at phase angles of 90, 180 and 270 degrees and verify that the relay operates (measured watts will be zero or negative).

*Step 2: Leading Power Factor Test*

Using the pickup current setting determined in Step 1, apply rated voltage and rated leading power factor load current in the normal load direction (current leading voltage by 45 degrees). Decrease the current to 145% of the pickup level determined in Step 1 and verify that the relay does not operate. For relays with adjustable settings, repeat the test at the minimum, midpoint, and maximum settings.

*Step 3: Minimum Power Factor Test*

At nominal voltage and with the minimum pickup (or ranges) determined in Step 1, adjust the current phase angle to 84 or 276 degrees. Decrease the current level to pickup (about 10% of the value at 0 degrees) and verify that the relay operates. Repeat for phase angles 90, 180 and 270 degrees and verify that the relay operates for any current less than rated current.

*Step 4: Negative Sequence Voltage Test*

Using the pickup settings determined in Step 1, apply rated relay voltage and 25% of rated current in the normal load direction, to simulate light load conditions. Remove phase 1 voltage and observe that the relay does not operate. Repeat for Phases-2 and 3.

*Step 5: Unbalanced Fault Test*

Using the pickup settings determined in Step 1, apply rated voltage and two times rated current, to simulate an unbalanced fault in the normal load direction (use Va at 0 degrees, Vb and Vc at 180 degrees, Ia at 0 degrees, Ib at 180 degrees, and Ic at 0 degrees). Observe that the relay (especially single-phase types) operates properly.

*Step 6: Time Delay Settings Test*

Apply Step 1 settings and set time delay to minimum setting. Adjust the current source to the appropriate level to determine operating time, and compare against calculated values. Verify that the timer stops when the relay trips. Repeat at midpoint and maximum delay settings.

*Step 7: Dielectric Test*

Perform the test described in IEC 414 using 2 kV RMS for 1 minute.

*Step 8: Surge Withstand Test*

Perform the surge withstand test described in IEEE C37.90.1.1989 or the surge withstand test described in Section J.3.e.

## (3) Tests for Inverters and Controllers with Integrated Functions

Inverters and controllers designed to provide reverse or underpower functions shall be tested to certify the intended operation of this function. Two methods are acceptable:

Method 1: If the inverter or controller utilizes external current/voltage measurement to determine the reverse or underpower condition, then the inverter or controller shall be functionally tested by application of appropriate secondary currents and potentials as described in the Discrete Reverse Power Relay Test, Section J.7.a.(1) of this Rule.

Method 2: If external secondary current or voltage signals are not used, then unit-specific tests must be conducted to verify that power cannot be exported across the PCC for a period exceeding two seconds. These may be factory tests, if the measurement and control points are integral to the unit, or they may be performed in the field.

## b. In-rush Current Test Procedures

This test will determine the maximum In-rush Current drawn by the Generator.

(1) Locked-Rotor Method

Use the test procedure defined in NEMA MG-1 (manufacturer's data is acceptable if available).

(2) Start-up Method

Install and setup the Generating Facility equipment as specified by the manufacturer. Using a calibrated oscilloscope or data acquisition equipment with appropriate speed and accuracy, measure the current draw at the Point of Interconnection as the Generating Facility starts up and parallels with MVU's Distribution System. Startup shall follow the normal, manufacturer-specified procedure. Sufficient time and current resolution and accuracy shall be used to capture the maximum current draw within 5%. In-rush Current is defined as the maximum current draw from MVU during the startup process, using a 10-cycle moving average. During the test, the utility source, real or simulated, must be capable of maintaining voltage within +/- 5% of rated at the connection to the unit under test. Repeat this test five times. Report the highest 10-cycle current as the In-rush Current. A graphical representation of the time-current characteristic along with the certified In-rush Current must be included in the test report and made available to MVU.



## CHART OF CHARGES AND FEES

Item	Charge
<b>Service Initiation Charge</b>	
Next Day, Normal Business Hours	\$15.00
<b>Identity Verification Fee</b>	\$5.00
<b>Additional Charge for Same Day Turn On of Service</b>	\$30.00
<b>Additional Charge for Weekends and After Hours Turn On of Service</b>	\$50.00
<b>Deposits</b>	
Residential Service – Single Family	Twice Average Monthly Bill, minimum \$235
Residential Service – Multi-Family	Twice Average Monthly Bill, minimum \$105
Non Residential Service	Twice Maximum Monthly Bill
Reestablishment of Credit	Twice Maximum Monthly Bill
<b>Interest on Deposits</b>	1/12 <sup>th</sup> of the Interest Rate on Commercial Paper (Prime, 3 Months)
<b>Interest on Unauthorized Use Billings</b>	10% Per Annum
<b>Interest on Amortized Repayment Agreements</b>	10% Per Annum
<b>Return Check Charge</b>	\$31.00
<b>Field Notification Charge</b>	\$10.00
<b>Collection Processing Fee</b>	\$30.00
<b>Meter Test Deposit – (Refunded if Meter Registers within Parameters)</b>	
Meter Installed without Current or Potential Transformer	\$20.00
Meter Installed with Current or Potential Transformer	\$100.00
<b>Late Charge</b>	0.9% per Month of Unpaid Balance
<b>Utility Users Tax</b>	5.75%
<b>Reconnection Charge</b>	
Meter Panel – Next Day	\$20.00
Meter Panel – Same Day During Working Hours	\$30.00
Meter Panel – Weekends and After Hours	\$50.00
Pole / Service Structure – Next Day	\$60.00
Pole / Service Structure – Same Day During Working Hours	\$75.00
Pole / Service Structure – Weekends and After Hours	\$90.00
Transformer/Structure Due to Energy Theft	\$150.00
<b>Damaged Steel Lock-ring</b>	\$15.00
<b>Damaged Aluminum Lock-ring</b>	\$5.00
<b>Replaced Damaged Meter</b>	Actual cost (time and material)



## **PLAN CHECKING and INSPECTION/TESTING FEES**

Upon submittal of improvement plan(s) for a project's electrical distribution system, line extension facilities and/or structures for plan review, the submittal shall be accompanied with a deposit of an amount equal to 3.25% of the engineer's estimated construction costs for improvements. Prior to second submittal of improvement plans, the City Engineer will approve a final cost for improvements and a plan review fee will be established. From this final fee, the deposit will be deducted. This fee shall be paid prior to the second submittal of the improvement plan(s).

### **Improvement Plans**

(Total cost of construction)

Off-Site & On-Site 1-3 submittals

First \$20,000.00	4.0%
Next \$80,000.00	3.5%
Over \$100,000.00	3.25%
4 <sup>th</sup> and subsequent submittals per sheet	\$248.00/sheet or as directed by City Engineer

### **Revisions (Improvement Plans)**

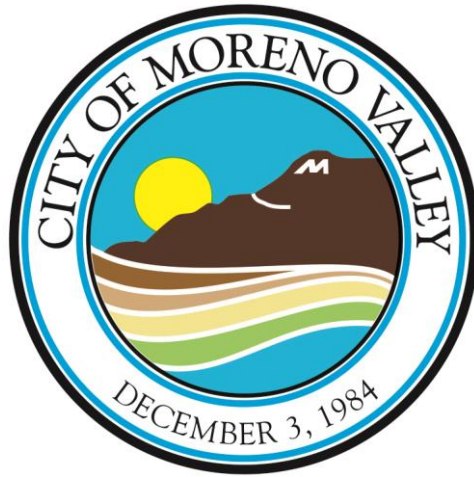
Minor per sheet	\$261.00
Major per sheet (minimum fee)	\$269.00

### **Inspection and Testing**

(Total cost of construction)

Off-Site & On- Site

First \$20,000.00	4.0%
Next \$80,000.00	3.5%
Over \$100,000.00	3.25%



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## Report to City Council

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**TO:** Mayor and City Council

**FROM:** Marshall Eyerman, Chief Financial Officer

**AGENDA DATE:** April 18, 2017

**TITLE:** APPROVE APPROPRIATION OF FUNDS FOR PURCHASED POWER COSTS FOR FISCAL YEAR 2016/2017

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### **RECOMMENDED ACTION**

#### **Recommendation:**

1. Authorize the Chief Financial Officer to appropriate \$1,095,000 in fund 6010 for purchased power costs.

### **SUMMARY**

This report recommends approval of appropriation of funds in the amount of \$1,095,000 for purchased power costs for Fiscal Year 2016/2017 for a total amended budget of \$11,425,354. The budget adjustment is necessary due to increased demands for electricity by Moreno Valley Utility customers, and will not impact current rates.

This item was presented to the Utilities Commission on March 30, 2017.

### **DISCUSSION**

The current budget for purchased power is \$10,330,354. Customer demand for electricity has increased since the budget for fiscal year 2016/2017 was adopted, causing the utility to buy more power to meet customer demand. In fiscal year 2015/2016, there was a 7.75% increase in customer energy use from the previous year. It is anticipated that by June 30, 2017, customer demand for energy will increase another 6%. Based upon the forecast for the increased energy usage and current power prices, the forecast for purchased power expenditures is \$11,425,354, which is less than the \$11,860,074 paid for power costs in fiscal year 2015/2016. The reduction in power costs is a reflection of lower power prices and more favorable contract terms with Tenaska Power Services Company, the firm who performs energy scheduling, trading,

and settlement services for Moreno Valley Utility.

**ALTERNATIVES**

1. Approve the recommended action authorizing the Chief Financial Officer to appropriate \$1,095,000 for purchased power costs. *This will ensure that the utility has sufficient power supply to meet customer demand for electricity.* Staff recommends this alternative.
  
2. Do not approve the recommended action authorizing the Chief Financial Officer to appropriate \$1,095,000 for purchased power costs. *This will not allow the utility to buy enough power to meet customer demand for electricity.* Staff does not recommend this alternative.

**FISCAL IMPACT**

MVU operating funds will be used for purchased power costs.

Fund	GL Account No.	Type (Rev/Exp)	FY 16/17 Budget	Proposed Adjustments	FY16/17 Amended Budget
6010	6010-30-80-45510-710110	Exp	\$10,330,354	\$1,095,000	\$11,425,354

**NOTIFICATION**

Publication of the Agenda.

**PREPARATION OF STAFF REPORT**

Prepared By:  
Jeannette Olko  
Electric Utility Division Manager

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

**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.

**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

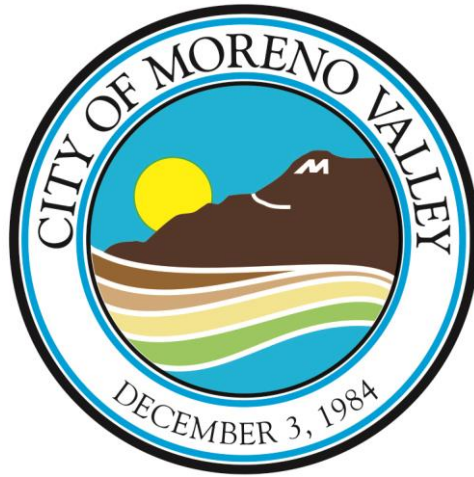
Objective 4.1: Develop a Moreno Valley Utility Strategic Plan to prepare for the 2020 expiration of the ENCO Utility Systems agreement.

**ATTACHMENTS**

None

**APPROVALS**

Budget Officer Approval	<u>✓ Approved</u>	4/03/17 8:02 AM
City Attorney Approval	<u>✓ Approved</u>	
City Manager Approval	<u>✓ Approved</u>	



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## Report to City Council

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**TO:** Mayor and City Council

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

**AGENDA DATE:** April 18, 2017

**TITLE:** AUTHORIZATION TO SUBMIT A GRANT APPLICATION UNDER THE CALIFORNIA NATURAL RESOURCES AGENCY URBAN GREENING PROGRAM AND ADOPT RESOLUTION THEREOF

---

### **RECOMMENDED ACTION**

#### **Recommendations:**

1. Authorize staff to submit an application for a grant under the California Natural Resources Agency's Urban Greening Program.
2. Adopt Resolution No. 2017-21 in support of the grant application as required by the funding agency.

### **SUMMARY**

The Urban Greening Program, funded by the State of California's Cap and Trade Program, seeks to reduce greenhouse gas emissions by encouraging non-motorized travel, with a focus on disadvantaged communities. Applications are due May 1, 2017. Staff recommends submitting an application to design and construct all remaining segments of the Juan Bautista de Anza Trail not currently being built or funded through other means.

### **DISCUSSION**

In 2006, the State of California adopted the Cap and Trade Program via AB 32 to reduce greenhouse gas emissions. Revenues from the program are used to fund projects and activities which help California achieve its goal of reducing greenhouse gas emissions below 1990 levels by 2030.

The Urban Greening Program is part of SB 859, signed into law in September 2016. It allocates \$80 million for competitively selected green infrastructure projects that reduce greenhouse gas emissions and also provide at least one of the following activities:

1. Sequester and store carbon by planting trees;
2. Reduce building energy use by strategically planting trees to shade buildings;
3. Reduce commute vehicle miles traveled by constructing bicycle paths, bicycle lanes, or pedestrian facilities that provide safe routes for travel between residences, workplaces, commercial centers, and schools.

The program plans to spend 75% of the allocated funding for projects that benefit disadvantaged communities. The project area is within a disadvantaged community as defined by the program.

The program does not require matching funds but encourages leveraging other funds. Staff intends to leverage currently funded portions of the trail to maximize competitiveness of the application.

The Juan Bautista de Anza Trail is federally recognized 1200-mile trail of historical significance. Within Moreno Valley, it runs diagonally through the City and generally follows the alignment of the California Aqueduct. A majority of the trail is improved to bike trail standards, with millions in outside funding secured to complete certain key pieces including a connection to Lake Perris. Certain other segments are being improved by active development projects. Staff recommends applying for Urban Greening funds to complete the trail.

Approval of the recommended actions would support Initiative 4.6.1 of Momentum MoVal – “Complete the Juan Bautista De Anza Regional Trail.”

## **ALTERNATIVES**

1. Approve and authorize the recommended actions as presented in this staff report. *This alternative will allow staff to pursue funding to construct needed improvements.*
2. Do not approve and authorize the recommended actions. *This alternative would eliminate a potential funding source for projects.*

## **FISCAL IMPACT**

The Urban Greening Program requires no matching funds. Staff intends to leverage other funded projects to improve the competitiveness of the application. As a result, applying for a grant under the Urban Greening Program would have no impact to the General Fund.



**NOTIFICATION**

N/A

**PREPARATION OF STAFF REPORT**

Prepared By:  
John Kerenyi, P.E.  
Senior Engineer, P.E.

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

Concurred By:  
Eric Lewis, P.E., T.E.  
City Traffic Engineer/Transportation Division Manager

**CITY COUNCIL GOALS**

**Public Facilities and Capital Projects.** Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

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

**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 4.6: Advance the development of a well-connected and balanced citywide transportation network that serves all modes.

**ATTACHMENTS**

- 1. Attachment-4613 greening Grant resolution

**APPROVALS**

Budget Officer Approval	<u>✓ Approved</u>	3/28/17 2:04 PM
City Attorney Approval	<u>✓ Approved</u>	3/28/17 10:33 AM
City Manager Approval	<u>✓ Approved</u>	4/04/17 2:22 PM

## RESOLUTION NO. 2017-21

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, APPROVING THE APPLICATION FOR GRANT FUNDS FOR CALIFORNIA CLIMATE INVESTMENTS URBAN GREENING PROGRAM AND AUTHORIZING THE CITY MANAGER TO EXECUTE AGREEMENTS WITH THE CALIFORNIA NATURAL RESOURCES AGENCY FOR THE JUAN BAUTISTA DE ANZA TRAIL PROJECT

WHEREAS, the Legislature and Governor of the State of California have provided funds for the program shown above; and

WHEREAS, the California Natural Resources Agency has been delegated the responsibility for the administration of this grant program, establishing necessary procedures; and

WHEREAS, said procedures established by the California Natural Resources Agency require a resolution certifying the approval of application(s) by the Applicants governing board before submission of said application(s) to the State; and

WHEREAS, the applicant, if selected, will enter into an agreement with the State of California to carry out the Project

NOW, THEREFORE, BE IT RESOLVED that the City of Moreno Valley

1. Approves the filing of an application for the Juan Bautista De Anza Trail Project;
2. Certifies that applicant understands the assurances and certification in the application, and
3. Certifies that applicant or title holder will have sufficient funds to operate and maintain the project consistent with the land tenure requirements; or will secure the resources to do so, and
4. Certifies that it will comply with the provisions of Section 1771.5 of the State Labor Code, and
5. If applicable, certifies that the project will comply with any laws and regulations including, but not limited to, legal requirements for building codes, health and safety codes, disabled access laws, environmental laws and, that prior to commencement of construction, all applicable permits will have been obtained, and
6. Certifies that applicant will work towards the Governor's State Planning Priorities intended to promote equity, strengthen the economy, protect the environment, and promote public health and safety as included in Government Code Section 65041.1, and
7. Appoints the City Manager, or designee, as agent to conduct all negotiations, execute and submit all documents including, but not limited to applications, agreements, payment

1

Resolution No. YYYY-  
Date Adopted: Month DD, YYYY

requests and so on, which may be necessary for the completion of the aforementioned project(s).

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS: It does hereby authorize the City Manager to execute agreements and any amendments thereto with the California Natural Resources Agency for California Climate Investments Urban Greening Grants, if awarded to the City.

APPROVED AND ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Mayor of the City of Moreno Valley

ATTEST:

\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney

Resolution No. YYYY-  
Date Adopted: Month DD, YYYY

**RESOLUTION JURAT**

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

I, Patricia Jacquez-Nare, City Clerk of the City of Moreno Valley, California, do hereby certify that Resolution No.        -        was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the \_\_\_\_ day of \_\_\_\_\_, 2017 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

\_\_\_\_\_  
CITY CLERK

(SEAL)

Resolution No. YYYY-  
Date Adopted: Month DD, YYYY



## Report to City Council

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**TO:** Mayor and City Council

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

**AGENDA DATE:** April 18, 2017

**TITLE:** PURSUANT TO A LANDOWNER PETITION, ANNEX CERTAIN PARCELS INTO COMMUNITY FACILITIES DISTRICT NO. 2014-01 (MAINTENANCE SERVICES) - AS AMENDMENT NO. 12

---

### **RECOMMENDED ACTION**

#### **Recommendation:**

1. Acting as the legislative body of Community Facilities District No. 2014-01 (Maintenance Services), adopt Resolution No. 2017-22, a Resolution of the City Council of the City of Moreno Valley, California, ordering the annexation of territories to City of Moreno Valley Community Facilities District No. 2014-01 (Maintenance Services) and approving the amended map for said district.

### **SUMMARY**

Approval of the proposed resolution will certify annexation of four parcels into Community Facilities District (CFD) No. 2014-01 (Maintenance Services) ("District"). This action affects one property owner, not the general citizens or taxpayers of the City.

The City requires property owners of new development projects to mitigate the cost of certain impacts created by the proposed development (i.e. the ongoing cost for operation and maintenance of public landscaping and/or street lights installed by the development). As a condition of approval, the property owners are required to provide an ongoing funding source to maintain those improvements. The City created CFD No. 2014-01 to provide the development community with a financing mechanism to assist in satisfying the requirement. After a property owner elects to annex their property into the District, the City can levy a special tax on the property tax bill(s) of the annexed parcel(s). Revenue generated by the District provides a funding source to operate and maintain only those improvements within the District.

As a condition of approval of its development project, Riverview Partners, L.P. (“Property Owner”) has elected to annex the parcels of the project into the District. Annexing into the District will satisfy the condition to provide a funding source for the ongoing maintenance and operation of public improvements (street lighting). The Property Owner submitted a Landowner Petition approving the annexation. The City Clerk has confirmed the petition is valid.

## **DISCUSSION**

### *District Formation*

The District was formed by adoption of Resolution No. 2014-25 to provide an alternative financing tool for the development community. It provides a mechanism to fund the operation and maintenance of street lighting services and maintenance of public landscaping. After a landowner approves annexation of their property into the District and the applicable special tax rate area(s), the City is authorized to levy a special tax onto the annual property tax bill(s). Residential Tract 31618 (southwest corner of Moreno Beach Dr. and Bay Ave.) formed the original boundaries of the District. Since formation of the District, 18 additional landowners have authorized annexation of their properties into the District.

The Rate and Method of Apportionment of Special Tax (RMA) for the District describes the different special tax rate areas, services provided, and the formula to calculate the special tax rate for each of the tax rate areas. Several special tax rate layers were created to accommodate a variety of scenarios to ensure costs are fairly shared between property owners. For example, there is a tax rate layer for “single-family residential street lighting” and one for “street lighting for property other than single-family residential” (e.g. commercial, industrial, or multifamily projects). Different tax rate layers are needed for street lighting because the spacing and size/type of lights differ based on the type of development. Likewise, there are several tax rate areas for maintenance of public landscaping. A property owner’s proportionate share of landscape maintenance costs will vary depending upon the total square footage of landscaping to be maintained for that development and the number of properties sharing in the cost.

### *Annexation to the District*

On February 10, 2015, the City Council adopted Ordinance No. 889, which designated the entire territory of the City as a future annexation area for the District. Adoption of the Ordinance provides a simplified process for the development community to annex into the District. Annexations can occur without an additional public hearing as long as the annexing landowner provides unanimous consent. Once annexed, parcels are subject to the annual special tax to fund the service(s) they are receiving.

Riverview Partners, L.P. is approved to develop 266 multi-family residential dwelling units as part of Tentative Tract 35414. As a condition of approval, the project is required to provide an ongoing funding source for maintenance of street lights installed as part of

the development. Information for the parcels under development (“Subject Property”) is shown in the following table:

Property Owner/Project	Assessor's Parcel Number(s)	Location	Amendment No.
Riverview Partners, L.P. Tentative Tract 35414 PA15-0002 266 multi-family residential dwelling units	291-050-003, 291-050-004, 291-050-012, 291-050-013.	southeast corner of Box Springs Rd. and Clark St.	12

The Property Owner has two options to satisfy the condition of approval:

- 1) Submit a Landowner Petition approving annexation of the Subject Property into the District. Approval of the petition and special tax rate allows the City to annually levy the special tax on the property tax bill(s) of the Subject Property. This option is only available if there are fewer than 12 registered voters living within the proposed annexation area. The Office of the Riverside County Registrar of Voters confirmed there were no registered voters residing at the Subject Property allowing for a special election of the landowner to be conducted; or
- 2) Establish a homeowner or property owner association to provide the ongoing maintenance and operation of the improvements.

The Property Owner elected to annex the Subject Property into CFD No. 2014-01 and have the special tax applied to the annual property tax bill. The City Clerk received and reviewed the Property Owner's Landowner Petition and confirmed the Property Owner unanimously approved the annexation of the Subject Property into the District (Attachment 3). Adoption of the attached resolution (Attachment 1) adds the Subject Property to the tax rate area(s) identified in the table in the Fiscal Impact section of this report and directs the recordation of the boundary map (Attachment 2) and amended notice of special tax lien for Amendment No. 12.

Successful completion of the annexation process satisfies the project's condition of approval to provide an ongoing funding source for street lighting.

### **ALTERNATIVES**

1. Adopt the proposed resolution. *Staff recommends this alternative as it will annex the Subject Property into CFD No. 2014-01 at the request of the Property Owner and satisfies the condition of approval for the proposed development.*
2. Do not adopt the proposed resolution. *Staff does not recommend this alternative as it is contrary to the Property Owner's request, will not satisfy the condition of approval, and may delay development of the project.*
3. Do not adopt the proposed resolution but rather continue the item to a future City Council meeting. *Staff does not recommend this alternative as it will delay the*

*Property Owner from satisfying the condition of approval and may delay development of the project.*

## **FISCAL IMPACT**

Revenue received from the special tax is restricted and can only be used to fund the services for each tax rate area. If the revenue received from the maximum special tax will exceed what is necessary to fund the services within each tax rate area, a lower amount will be applied to the property tax bills for all properties within the affected tax rate area. The special tax can only be applied to a property tax bill of a parcel wherein the property owner has previously provided approval. The maximum estimated special tax revenue which can be generated from this project is detailed below:

<b>Property Owner</b>	<b>Service/ Tax Rate Area</b>	<b>Front Linear Footage<sup>1</sup></b>	<b>FY 2016/17 Maximum Special Tax</b>	<b>Estimated FY 2016/17 Maximum Special Tax for the Project<sup>2</sup></b>
Riverview Partners, L.P.	Street Lighting for Property Other than Single-Family Residential (SL-02)	1,025	\$3.58/ Front Linear Foot	\$3,669.50
<sup>1</sup> Based on proposed parcel configuration. The special tax calculation will be based on final development of the project. <sup>2</sup> The special tax applied to the property tax bill will be based on the needs of the District; it may be lower, but cannot exceed the maximum special tax.				

The maximum special tax rates are subject to an annual inflation adjustment based on the change in the Consumer Price Index (CPI) or five percent (5%), whichever is greater. Each year, the City Council must authorize any proposed CPI adjustment prior to the levy of the special tax onto the property tax bills. The increase to the maximum special tax rate cannot exceed the annual inflationary adjustment without a 2/3<sup>rd</sup>s approval of the qualified electors (landowners or registered voters depending upon the number of registered voters) within the affected tax rate area.

## **NOTIFICATION**

Annexation materials were mailed to the Property Owner on February 28, 2017. A cover letter, Landowner Petition, RMA, and an envelope to return the completed petition were included

## **PREPARATION OF STAFF REPORT**

Prepared by:  
Candace E. Cassel  
Special Districts Division Manager

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

## **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.

**ATTACHMENTS**

- 1. Resolution Ordering Annexation
- 2. Boundary Map
- 3. Certification of Election Official

**APPROVALS**

Budget Officer Approval	<u>✓ Approved</u>	3/27/17 1:58 PM
City Attorney Approval	<u>✓ Approved</u>	3/27/17 2:12 PM
City Manager Approval	<u>✓ Approved</u>	4/04/17 2:23 PM

## RESOLUTION NO. 2017-22

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, ORDERING THE ANNEXATION OF TERRITORIES TO CITY OF MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 2014-01 (MAINTENANCE SERVICES) AND APPROVING THE AMENDED MAP FOR SAID DISTRICT

WHEREAS, by its Resolution No. 2014-25, the City Council established the 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, in order to permit landowners to efficiently annex developing parcels to the CFD, the City Council, by its Ordinance No. 889 designated the entire territory of the City as a future annexation area for the CFD and approved the second amended and restated rate and method of apportionment for the Special Tax; and

WHEREAS, the landowner of the parcels listed on Exhibit A to this Resolution, which is attached hereto and incorporated herein by reference, has submitted to the City a petition requesting and approving annexation of the listed parcels (the "Annexation Parcels") to the CFD; and

WHEREAS, the Annexation Parcels are comprised of the territories shown on the boundary map (the "Boundary Map") "Amendment No. 12 to Boundaries of City of Moreno Valley Community Facilities District No. 2014-01 (Maintenance Services), City of Moreno Valley, County of Riverside, State of California" which is included as Exhibit B to this Resolution, and incorporated herein by this reference; and

WHEREAS, the City Council desires to annex the Annexation Parcels to the CFD.

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 and are herein incorporated.

2. Annexation Approved. The Annexation Parcels are hereby added to and part of the CFD with full legal effect. The Annexation Parcels are subject to the Special Tax associated with the Tax Rate Area(s) indicated on Exhibit A to this Resolution.

1

Resolution No. 2017-        
Date Adopted: April 18, 2017

3. Description of Services. The following is a general description of all services (the "Services") provided in the CFD:

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.

The Annexation Parcels will only be provided with the services indicated on Exhibit A.

4. Amended Boundary Map. The Boundary Map attached hereto as Exhibit B is hereby approved. This map amends, and does not supersede, the existing maps of the CFD. The City Council directs that said map be filed with the Riverside County Recorder pursuant to Section 3113 of the Streets and Highways Code.

5. Notice of Special Tax Lien. The City Council directs that a revised notice of special tax lien be recorded pursuant to Section 3117.5 of the Streets and Highways Code with respect to the Annexation Parcels associated with the Boundary Map.

6. This Resolution shall be effective immediately upon adoption.

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

8. Severability. That the City Council declares 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

2

Resolution No. 2017-          
Date Adopted: April 18, 2017

preemptive legislation, the remaining provisions, sections, paragraphs, sentences or words of this Resolution as hereby adopted shall remain in full force and effect.

9. 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.

APPROVED AND ADOPTED this 18<sup>th</sup> day of April, 2017.

\_\_\_\_\_  
Mayor of the City of Moreno Valley

ATTEST:

\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney

Resolution No. 2017-<sup>3</sup>  
Date Adopted: April 18, 2017

Attachment: Resolution Ordering Annexation [Revision 1] (2537 : PURSUANT TO A LANDOWNER PETITION, ANNEX CERTAIN PARCELS INTO

**RESOLUTION JURAT**

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

I, Patricia Jacquez-Nares, City Clerk of the City of Moreno Valley, California, do hereby certify that Resolution No. 2017-\_\_\_ was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the 18<sup>th</sup> day of April, 2017 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

\_\_\_\_\_  
CITY CLERK

(SEAL)

4  
Resolution No. 2017-\_\_\_\_\_  
Date Adopted: April 18, 2017

Attachment: Resolution Ordering Annexation [Revision 1] (2537 : PURSUANT TO A LANDOWNER PETITION, ANNEX CERTAIN PARCELS INTO

**EXHIBIT A**

Amendment No. 12	291-050-003	Street Lighting Services	SL-02
	291-050-004	Street Lighting Services	SL-02
	291-050-012	Street Lighting Services	SL-02
	291-050-013	Street Lighting Services	SL-02

Based on current development plans, it is anticipated that the Annexation Group will be in the Maintenance Category listed above; however all taxes will be calculated as set forth in the Rate and Method of Apportionment.

The parcels associated with a boundary map constitute a separate Annexation Group for purpose of calculating the applicable Maintenance Category (where applicable) for each Tax Rate Area. The anticipated Maintenance Category (where applicable) is shown in parenthesis following the Tax Rate Area. All capitalized terms in this paragraph have the meanings set forth in the Rate and Method of Apportionment.

5  
 Resolution No. 2017-          
 Date Adopted: April 18, 2017

Attachment: Resolution Ordering Annexation [Revision 1] (2537 : PURSUANT TO A LANDOWNER PETITION, ANNEX CERTAIN PARCELS INTO

EXHIBIT B

SHEET 1 OF 1

**AMENDMENT NO. 12 TO BOUNDARIES  
OF CITY OF MORENO VALLEY COMMUNITY  
FACILITIES DISTRICT NO. 2014-01 (MAINTENANCE SERVICES)**  
CITY OF MORENO VALLEY  
COUNTY OF RIVERSIDE  
STATE OF CALIFORNIA

(This map amends, by adding the additional territory shown hereon, the boundary map for City of Moreno Valley Community Facilities District No. 2014-01 (Maintenance Services), City of Moreno Valley, Riverside County, State of California, prior recorded at Book 76 of Maps of Assessment and Community Facilities Districts at page 69, in the office of the County Recorder for the County of Riverside, State of California.)

FILED IN THE OFFICE OF THE CITY CLERK THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2017  
CITY CLERK  
CITY OF MORENO VALLEY

I HEREBY CERTIFY THAT THE WITHIN MAP SHOWING AMENDED BOUNDARIES OF CITY OF MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 2014-01 (MAINTENANCE SERVICES), CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF MORENO VALLEY AT A REGULAR MEETING THEREOF HELD ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2017, BY ITS RESOLUTION NO. \_\_\_\_\_

CITY CLERK  
CITY OF MORENO VALLEY

FILED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2017  
AT THE HOUR OF \_\_\_\_\_ O'CLOCK \_\_\_\_\_ M. IN BOOK \_\_\_\_\_ (PAGE(S)) \_\_\_\_\_ OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICT AND INSTRUMENT NO. \_\_\_\_\_ IN THE OFFICE OF THE COUNTY RECORDER IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA.

COUNTY RECORDER  
COUNTY OF RIVERSIDE  
STATE OF CALIFORNIA

REFERENCE IS MADE TO THAT BOUNDARY MAP OF THE COMMUNITY FACILITIES DISTRICT NO. 2014-01 (MAINTENANCE SERVICES) OF THE CITY OF MORENO VALLEY BY RECORDED WITH THE RIVERSIDE COUNTY RECORDER'S OFFICE ON FEBRUARY 20, 2014 IN BOOK 76 OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS, PAGE 69 AS INSTRUMENT NO. 2014-006614.

REFERENCE IS FURTHER MADE TO ANNEXATION MAP NO. 2 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) RECORDED WITH THE RIVERSIDE COUNTY RECORDER'S OFFICE ON DECEMBER 17, 2014 IN BOOK 77, PAGE 70 OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS AS INSTRUMENT NO. 2014-0481134, WHICH DESIGNATED THE TERRITORY SHOWN HEREIN AS TERRITORY FOR FUTURE ANNEXATION TO THE COMMUNITY FACILITIES DISTRICT REFERENCED THEREON.

THE LINES AND DIMENSIONS OF EACH LOT OR PARCEL SHOWN ON THIS DIAGRAM SHALL BE THOSE LINES AND DIMENSIONS AS SHOWN ON THE RIVERSIDE COUNTY ASSESSOR'S MAPS FOR THOSE PARCELS LISTED.

THE RIVERSIDE COUNTY ASSESSOR'S MAPS SHALL GOVERN FOR ALL DETAILS CONCERNING THE LINES AND DIMENSIONS OF SUCH LOTS OR PARCELS.

MAP REFERENCE NUMBER	ASSESSOR'S PARCEL NUMBER
1	29L-060-003
2	29L-060-004
3	29L-060-002
4	29L-060-003

**Legend**  
 Map Reference Number  
 Additional area to QFD 2014-01  
 1 inch = 100 feet

**WILLDAN**  
Financial Services  
 2000 Main Street, Suite 200  
 Riverside, CA 92501  
 Tel: 951-514-1000

**VELOCITY MAP**

**Box Springs Rd**

**Clark Street**

**Hwy 60**

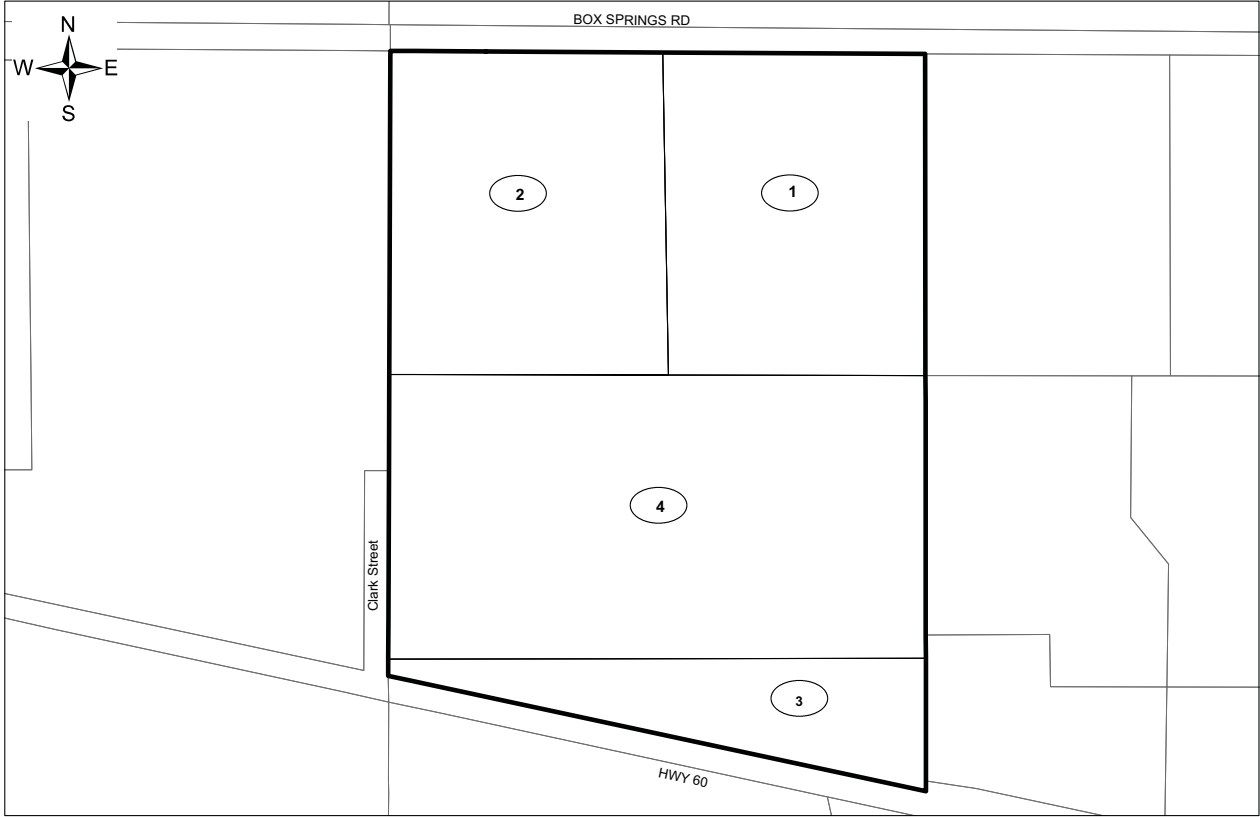
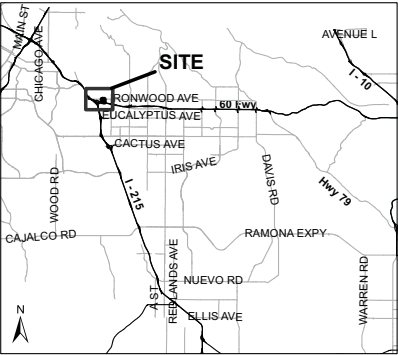
Attachment: Resolution Ordering Annexation [Revision 1] (2537 : PURSUANT TO A LANDOWNER PETITION, ANNEX CERTAIN PARCELS INTO

**AMENDMENT NO. 12 TO BOUNDARIES  
OF CITY OF MORENO VALLEY COMMUNITY  
FACILITIES DISTRICT NO. 2014-01 (MAINTENANCE SERVICES)**

CITY OF MORENO VALLEY  
COUNTY OF RIVERSIDE  
STATE OF CALIFORNIA

(This map amends, by adding the additional territory shown hereon, the boundary map for City of Moreno Valley Community Facilities District No. 2014-01 (Maintenance Services), City of Moreno Valley, Riverside County, State of California, prior recorded at Book 76 of Maps of Assessment and Community Facilities Districts at page 69, in the office of the County Recorder for the County of Riverside, State of California.)

VICINITY MAP



FILED IN THE OFFICE OF THE CITY CLERK THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 201\_\_.

CITY CLERK  
CITY OF MORENO VALLEY

I HEREBY CERTIFY THAT THE WITHIN MAP SHOWING AMENDED BOUNDARIES OF CITY OF MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 2014-01 (MAINTENANCE SERVICES), CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, WAS APPROVED BY THE CITY COUNCIL OF THE CITY OF MORENO VALLEY AT A REGULAR MEETING THEREOF, HELD ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 201\_\_, BY ITS RESOLUTION NO. \_\_\_\_\_

CITY CLERK  
CITY OF MORENO VALLEY

FILED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 201\_\_, AT THE HOUR OF \_\_\_\_\_ O'CLOCK \_\_\_\_\_, M. IN BOOK \_\_\_\_\_ PAGE(S) \_\_\_\_\_ OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICT AND INSTRUMENT NO. \_\_\_\_\_ IN THE OFFICE OF THE COUNTY RECORDER IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA.

COUNTY RECORDER  
COUNTY OF RIVERSIDE  
STATE OF CALIFORNIA

REFERENCE IS MADE TO THAT BOUNDARY MAP OF THE COMMUNITY FACILITIES DISTRICT NO. 2014-01 (MAINTENANCE SERVICES) OF THE CITY OF MORENO VALLEY RECORDED WITH THE RIVERSIDE COUNTY RECORDER'S OFFICE ON FEBRUARY 20, 2014 IN BOOK 76 OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS, PAGE 69 AS INSTRUMENT NO. 2014-0066114.

REFERENCE IS FURTHER MADE TO ANNEXATION MAP NO. 2 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) RECORDED WITH THE RIVERSIDE COUNTY RECORDER'S OFFICE ON DECEMBER 17, 2014 IN BOOK 77, PAGE 78 OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS AS INSTRUMENT NO. 2014-0481134, WHICH DESIGNATED THE TERRITORY SHOWN HEREIN AS TERRITORY FOR FUTURE ANNEXATION TO THE COMMUNITY FACILITIES DISTRICT REFERENCED THEREON.

THE LINES AND DIMENSIONS OF EACH LOT OR PARCEL SHOWN ON THIS DIAGRAM SHALL BE THOSE LINES AND DIMENSIONS AS SHOWN ON THE RIVERSIDE COUNTY ASSESSOR'S MAPS FOR THOSE PARCELS LISTED.

THE RIVERSIDE COUNTY ASSESSOR'S MAPS SHALL GOVERN FOR ALL DETAILS CONCERNING THE LINES AND DIMENSIONS OF SUCH LOTS OR PARCELS.

MAP REFERENCE NUMBER	ASSESSOR'S PARCEL NUMBER
1	291-050-003
2	291-050-004
3	291-050-012
4	291-050-013

**Legend**

- Map Reference Number
  - Additional area to CFD 2014-01
- 1 inch = 100 feet





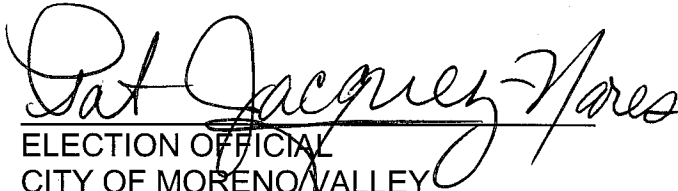
**CERTIFICATE OF ELECTION OFFICIAL  
AND CONFIRMATION OF LANDOWNER PETITION**

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

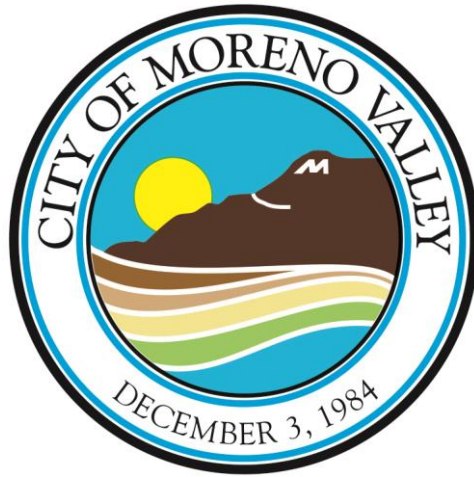
The undersigned, Election Official of the City of Moreno Valley, County of Riverside, State of California, Does Hereby Certify that on March 14, 2017, I did verify the completeness of the Landowner Petition for the annexation of property into

CITY OF MORENO VALLEY COMMUNITY FACILITIES DISTRICT NO. 2014-01  
(MAINTENANCE SERVICES) – AMENDMENT NO. 12

WITNESS my hand this 14<sup>th</sup> day of March, 2017.

  
ELECTION OFFICIAL  
CITY OF MORENO VALLEY  
STATE OF CALIFORNIA

Attachment: Certification of Election Official (2537 : PURSUANT TO A LANDOWNER PETITION, ANNEX CERTAIN PARCELS INTO COMMUNITY



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## Report to City Council

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**TO:** Mayor and City Council

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

**AGENDA DATE:** April 18, 2017

**TITLE:** APPROVE THE CITY OF MORENO VALLEY'S MEASURE A LOCAL STREETS AND ROADS CAPITAL IMPROVEMENT PLAN FOR FISCAL YEARS 2017/18 – 2021/22 AND MAINTENANCE OF EFFORT CERTIFICATION FOR FISCAL YEAR 2017/18

---

### **RECOMMENDED ACTION**

#### **Recommendations:**

1. Approve the City of Moreno Valley's Measure A Local Streets and Roads Five-Year Capital Improvement Plan for Fiscal Years 2017/18 – 2021/22 and Maintenance of Effort Certification for Fiscal Year 2017/18.
2. Authorize submittal of the Measure A Local Streets and Roads Five-Year Capital Improvement Plan for Fiscal Years 2017/18 – 2021/22 and Maintenance of Effort Certification for Fiscal Year 2017/18 to the Riverside County Transportation Commission.
3. Authorize staff to submit an amended five year plan to the Riverside County Transportation Commission if changes are made by City Council to the listed Measure A projects as part of the upcoming FY 2017/18 – 2018/19 budget approval process.

### **SUMMARY**

This report recommends approval of the City of Moreno Valley's Measure A Local Streets and Roads Five-Year Capital Improvement Plan (CIP) for Fiscal Years 2017/18 – 2021/22 and Maintenance of Effort (MOE) Certification for FY 2017/18. Annual submittal of the Measure A CIP and MOE to the Riverside County Transportation Commission (RCTC) is required for continued receipt of Measure A funds.

## **DISCUSSION**

Measure A is a major funding source for transportation infrastructure improvements. The City is scheduled to receive \$3,703,000 in Measure A revenue by Fiscal Year (FY) 2016/17 year-end and \$3,829,000 in funding for FY 2017/18.

RCTC requires all local jurisdictions to submit an annual five-year CIP for continued receipt of Measure A Local Streets and Roads funds. The attached tables include proposed projects for FY 2017/18 and planned transportation related operating budgets and debt service payments for FY 2018/19 through FY 2021/22. The listed projects are consistent with the City's Capital Improvement Plan. All identified projects meet the criteria for Measure A funding. As required by RCTC, the attached tables include a Project Status Report for FY 2016/17 Council approved CIP projects. The purpose of this report is to document progress to date on engineering, right-of-way acquisition, construction, and anticipated project completion date. The operating budgets and annual debt service obligations in the Measure A Fund eliminate the availability of this revenue source for construction of new CIP projects in future years.

The projects are included in the Measure A Five-Year CIP to satisfy RCTC Ordinance No. 02-001. Although RCTC requires this information by May 8, 2017, the City Council may make any changes to the list of projects as part of the City's CIP budget approval process. City staff can forward the amended Measure A project list to RCTC once the City's budget is approved.

RCTC Ordinance No. 02-001 also requires the City to provide an executed MOE Certification Statement indicating that Measure A funds will not replace local discretionary funds used for the City's transportation issues, but will be in addition to the City's funds for transportation purposes. The MOE base year amount, approved by the RCTC at its July 2011 meeting, is \$1,459,153. The MOE requirement is met by the Public Works Department General Fund operating budgets and by a contribution from the General Fund to the Gas Tax Fund.

Approval of the recommended actions would support Objective 4 of the *Momentum MoVal* Strategic Plan: "Manage and maximize Moreno Valley's public infrastructure to ensure an excellent quality of life, develop and implement innovative, cost effective infrastructure maintenance programs, public facilities management strategies, and capital improvement programming and project delivery."

## **ALTERNATIVES**

1. Staff recommends approval and authorization of the recommended actions as presented in this staff report. RCTC requires all cities within its jurisdiction to submit a plan by May 8, 2017. *This alternative allows the City to continue receiving Measure A revenue annually to fund significant roadway and other transportation related infrastructure improvements.* The approval of this plan does not in any way affect the City Council's deliberation and decisions on the approval of the City's overall CIP budget in June 2017.

2. Do not approve and authorize the recommended actions as presented in this staff report. RCTC requires all cities within its jurisdiction to submit a plan by May 8, 2017. *This alternative jeopardizes the Measure A revenue funding stream for the City, significantly affecting the ability to deliver critical CIP projects.* Staff does not recommend this action.

## **FISCAL IMPACT**

The timely approval and submittal of the Measure A Five-Year CIP by May 8, 2017 ensures continued receipt of Measure A funds for FY 2017/18. City staff will forward an amended Measure A project list to RCTC once City Council approves the FY 2017/18 and 2018/19 City budget. Measure A funds can only be used for transportation related purposes.

## **PREPARATION OF STAFF REPORT**

Prepared By:  
Launa Jimenez  
Senior Management Analyst

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

Concurred By:  
Henry Ngo, P.E.  
Capital Projects Division Manager

## **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

## **ATTACHMENTS**

1. FY 2017/18 MOE Certification Statement
2. Measure A Local Streets and Roads CIP FY 2018-2022 and FY 2016/17 Project Status Report

## **APPROVALS**

Budget Officer Approval	<u>✓ Approved</u>	3/31/17 8:52 AM
City Attorney Approval	<u>✓ Approved</u>	3/29/17 4:17 PM
City Manager Approval	<u>✓ Approved</u>	4/04/17 2:26 PM

**FY 2017/18 MAINTENANCE OF EFFORT  
CERTIFICATION STATEMENT**

The undersigned agrees and certifies for the City of Moreno Valley (the "Agency") that sales tax transportation funds received pursuant to Ordinance No. 02-001 of the Riverside County Transportation Commission ("Measure A") shall be used in compliance with the Commission's Maintenance of Effort Guidelines and a base year amount of \$1,459,153, approved by the Commission at its July 13, 2011 meeting, and that the Agency shall not use such funds to replace discretionary local funds previously expended by the Agency for local transportation purposes. The Agency hereby acknowledges that the failure of the Agency to continue such local expenditure shall result in a reduction or loss of Measure A funds. Additionally, the Agency commits to expending Measure A Local Streets and Roads funds for projects listed in the Five Year Capital Improvement Plan as approved by Riverside County Transportation Commission.

Dated: \_\_\_\_\_, 2017

\_\_\_\_\_  
CITY MANAGER

ATTEST:

\_\_\_\_\_  
CITY CLERK

Attachment: FY 2017/18 MOE Certification Statement (2555 : APPROVE THE CITY OF MORENO VALLEY'S MEASURE A LOCAL STREETS AND

**RIVERSIDE COUNTY TRANSPORTATION COMMISSION  
MEASURE A LOCAL FUNDS PROGRAM**

**A.8.b**

**FY 2017 - 2018**

**Agency:** City of Moreno Valley  
**Prepared by:** Launa Jimenez  
**Phone #:** (951) 413-3128  
**Date:** April 18, 2017

**FY 2015-16 Audited Measure A Balance:** \$7,716,366  
**FY 2016-17 Measure A Revenue:** \$3,703,000  
**FY 2016-17 Project Status report expenses:** (\$8,716,493)  
**Estimated Prior Year Measure A Balance:** \$2,702,873  
**Estimated FY 2017-2018 Measure A Allocation:** \$3,829,000  
**Estimated Measure A Available for FY 2017-2018 Projects:** \$6,531,873

Item No.	Project Name / Limits	Project Type	Total Cost	Measure A Funds
<b>2017-2018</b>				
	Measure A Program Budget			
	Provide cost effective administrative functions for essential transportation projects and services; annual update of the Five-Year CIP, revisions to Standard Plans, Disadvantaged Business Enterprise (DBE) Program Management, Pavement Management Program, preparation of grant applications, quarterly utility coordination, and project engineering and			
1	right of way services for unfunded new projects	Program Budget	232,945	232,945
2	Public Works - Sign/Striping	Operating Budget	1,151,878	1,151,878
3	Public Works - Tree Trimming	Operating Budget	476,313	476,313
4	Indirect Cost Rate (Including Leave Buyouts)	Overhead Costs	306,320	306,320
5	Transfers to 2005 Lease Revenue Bonds	Debt Service	1,064,000	1,064,000
6	Transfers to TRIP Debt Service	Debt Service	1,489,000	1,489,000
7	Alessandro Blvd / Elsworth Street Intersection Imprv	Street Improvements	578,400	53,017
8	Annual ADA Compliant Curb Ramp Upgrades	Street Improvements	115,895	115,895
9	Bike Lane Improvements	Street Improvements	80,241	80,241
10	Citywide Annual Pavement Resurfacing	Street Improvements	166,721	166,721
11	Cycle 1 ATP Citywide SRTS Pedestrian Facility Improvements	Street Improvements	1,491,204	11,204
12	Heacock St / Perris Valley Storm Drain Lateral A to Cactus Ave	Street Improvements	850,000	50,000
13	Pavement Rehabilitation Program	Street Improvements	64,623	64,623
14	Property Acquisition for Street Purposes	Street Improvements	1,061	1,061
15	Reche Vista Dr Realignment / Perris Blvd / Heacock St to NCL	Street Improvements	5,000	5,000
16	Residential Traffic Management Program ( Speed Hump)	Street Improvements	51,058	51,058
17	SR-60 / Theodore Street Interchange	Street Improvements	392,677	100,452
18	Street Improvement Program	Street Improvements	3,860,090	226,592
19	Heacock Street Channel Improvements	Drainage	238,783	94,322
20	San Timoteo Foothill Storm Drain K-1 and K-4 (ADP)	Drainage	2,119,585	260,618
21	Dynamic Traveler Alert Message Boards	Traffic Enhancements	395,000	10,000
22	Pedestrian Hybrid Beacon on Cactus Ave at Woodland Park	Traffic Signals	189,000	189,000
23	Traffic Signal Equipment/ Upgrades	Traffic Signals	37,215	37,215
		<b>TOTALS</b>	<b>15,357,009</b>	<b>6,237,475</b>

**Attachment: Measure A Local Streets and Roads CIP FY 2018-2022 and FY 2016/17 Project Status Report (2555 : APPROVE THE CITY OF**





## Report to City Council

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**TO:** Mayor and City Council

**FROM:** Thomas M. DeSantis, Assistant City Manager

**AGENDA DATE:** April 18, 2017

**TITLE:** REVISION TO POLICY 1.7 - GUIDELINES FOR COUNCILMEMBERS AT SCENES OF EMERGENCIES

---

### **RECOMMENDED ACTION**

#### **Recommendation:**

1. Approve proposed amendments to Administrative Policy 1.7 to address the definition, purpose and access to Crime Scenes.

### **DISCUSSION**

This report recommends amendments to Administrative Policy 1.7 which provides guidelines to Council Members who arrive at emergency scenes.

The Council's Public Safety Sub-Committee recently reviewed the Policy, adopted in 1993, to consider potential revisions to ensure that the Policy reflects current situations. The Sub-Committee requested that staff return with revisions that reflect the unique aspects of Crime Scenes, which differ significantly from other emergency incidents.

On March 21, 2017 the Public Safety Sub-Committee approved the recommended revisions and voted to forward the amended Policy for adoption by the City Council.

The following section is recommended for inclusion in Policy 1.7:

#### **II. Crime Scenes – Definition, purpose, access**

A Crime Scene is any location where access is restricted at the authority of the investigating law enforcement agency. In most cases, crime scenes within the city of Moreno Valley will be managed by the Moreno Valley Police Department. The decision to restrict access is for the purpose of conducting a sterile criminal investigation, thus reducing the possibility of contamination of the crime scene by unauthorized persons. Crime scenes may or may not have

a physical barrier, such as crime scene tape, personnel (including volunteers), or other methods of notice identifying the boundaries of a crime scene.

Access to crime scenes is limited to only essential law enforcement personnel directly involved in the criminal investigation. Authorized access is granted only at the discretion of the lead law enforcement agent responsible for the criminal investigation. Access may be granted to the following personnel classifications only, and only on an as needed basis:

- Law enforcement officers in the direct performance of their duty in relation to the incident
- Forensic Technicians to assist in processing the crime scene
- Coroner (if relevant)
- Professional Standards Bureau (if relevant)
- Representative of the District Attorney's Office (if relevant)
- Outside law enforcement agents at the request/discretion of the lead law enforcement agent

Questions or concerns about a crime scene should be directed to the Chief of Police or his/her designee.

## **ALTERNATIVES**

1. Approve proposed amendments to Administrative Policy 1.7 as recommended to address the definition, purpose and access to Crime Scenes. This action is recommended to update Policy 1.7 consistent with discussion by the Public Safety Sub-Committee.
2. Do not approve proposed amendments to Administrative Policy 1.7. *Staff does not recommend this alternative because the Policy, as adopted in 1993, does not address how Crime Scenes are distinguished from other emergency incidents.*

## **FISCAL IMPACT**

There is no fiscal impact associated with the recommended amendments to Policy 1.7.

## **NOTIFICATION**

As indicated in this report, revisions were considered by the Public Safety Sub-Committee, with active participation by key staff. Both meetings have been posted in accordance with the Brown Act.

## **CITY COUNCIL STRATEGIC PRIORITIES**

**Public Safety:** Provide effective public safety services to enhance the Quality of Life for Moreno Valley families and to attract businesses to our community.

## **PREPARATION OF STAFF REPORT**

Department Head Approval:  
Thomas M. DeSantis  
Assistant City Manager

Concurred By:  
Joel Ontiveros  
Police 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. Policy 1.7 Revisions

## **APPROVALS**

Budget Officer Approval	<u>✓ Approved</u>	3/27/17 2:00 PM
City Attorney Approval	<u>✓ Approved</u>	3/24/17 12:20 PM
City Manager Approval	<u>✓ Approved</u>	4/04/17 2:27 PM

**GUIDELINES FOR COUNCILMEMBERS AT SCENES OF EMERGENCIES**

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**PURPOSE:** The purpose of this policy is to establish guidelines for appropriate conduct of Councilmembers at the scene of emergencies.

**POLICY:**

**I. Arriving at an emergency, Councilmembers should follow the suggested guidelines below:**

- A. Identify yourself upon first contact with staff.
- B. Exhibit some form of identification, preferably an identification card, and wear it so it is visible, if possible.
- C. Request to be put in contact with the individual who is in charge, the Incident Commander or other individual.
- D. Anticipate nervousness on the part of the line personnel as they may feel intimidated by your position.
- E. When put in contact with the Incident Commander, please again identify yourself and state what you want (i.e., to observe, to be briefed, to be of assistance, to contact other uninvolved parties).
- F. Observe directions from the Incident Commander or other officials conducting emergency operations and avoid giving directions to staff.
- G. If you have complaints, critiques, or inquiries, follow protocol. Report such items to the Incident Commander, or if possible, later through appropriate channels, i.e., the City Manager or the Department Head. Be discreet wherever possible; avoid any confrontations at the scene of emergencies.
- H. At all times maintain your Councilmember role as a policy maker and avoid disrupting the existing command structure. If there are urgent concerns, contact the City Manager or Department Head immediately.

---

Approved by: City Council  
~~November 9, 1993~~  
April 18, 2017

## II. Crime Scenes – Definition, purpose, access

A Crime Scene is any location where access is restricted at the authority of the investigating law enforcement agency. In most cases, crime scenes within the city of Moreno Valley will be managed by the Moreno Valley Police Department. The decision to restrict access is for the purpose of conducting a sterile criminal investigation, thus reducing the possibility of contamination of the crime scene by unauthorized persons. Crime scenes may or may not have a physical barrier, such as crime scene tape, personnel (including volunteers), or other methods of notice identifying the boundaries of a crime scene.

Access to crime scenes is limited to only essential law enforcement personnel directly involved in the criminal investigation. Authorized access is granted only at the discretion of the lead law enforcement agent responsible for the criminal investigation. Access may be granted to the following personnel classifications only, and only on an as needed basis:

- Law enforcement officers in the direct performance of their duty in relation to the incident
- Forensic Technicians to assist in processing the crime scene
- Coroner (if relevant)
- Professional Standards Bureau (if relevant)
- Representative of the District Attorney's Office (if relevant)
- Outside law enforcement agents at the request/discretion of the lead law enforcement agent

Questions or concerns about a crime scene should be directed to the Chief of Police or his/her designee.



## Report to City Council

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**TO:** Mayor and City Council

**FROM:** Steve Fries, Animal Services Division Manager

**AGENDA DATE:** April 18, 2017

**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 are 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:  
Terrie Stevens  
Administrative Services Director

Department Head Approval:  
Terrie Stevens  
Administrative Services 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. Personnel Changes 4.18.17

**APPROVALS**

Budget Officer Approval	<u>✓ Approved</u>	4/03/17 7:20 AM
City Attorney Approval	<u>✓ Approved</u>	4/03/17 7:18 AM
City Manager Approval	<u>✓ Approved</u>	4/04/17 2:27 PM

**City of Moreno Valley  
Personnel Changes  
April 18, 2017**

**New Hires**

Steven Sutton  
Maintenance Worker I  
Public Works/Maintenance & Operations

**Promotions**

None

**Transfers**

None

**Separations**

John Parker  
Parking Control Officer  
CDD/Code & Neighborhood Services

Timothy Marquez  
Lead Parks Maintenance Worker  
Parks & Community Services/Parks Maintenance





## Report to City Council

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

**AGENDA DATE:** April 18, 2017

**TITLE:** PURSUANT TO A LANDOWNER PETITION, ANNEX FOUR PARCELS INTO COMMUNITY FACILITIES DISTRICT NO. 1 (PARK MAINTENANCE) — AS ANNEXATION NO. 2016-40

---

### **RECOMMENDED ACTION**

#### **Recommendation:**

1. That the Community Services District (CSD) of the City of Moreno Valley acting as the legislative body of Community Facilities District No. 1 (Park Maintenance) approve and adopt Resolution No. CSD 2017-04, a Resolution of the Board of Directors of the Moreno Valley Community Services District of the City of Moreno Valley, California, ordering the annexation of territory for Annexation No. 2016-40 to its Community Facilities District No. 1 and approving the amended map for said district.

### **SUMMARY**

Approval of the proposed resolution will certify the annexation of four parcels into Community Facilities District (CFD) No. 1 (Park Maintenance) ("District"). This action affects one property owner, not the general citizens or taxpayers of the City.

The City requires new development to mitigate the cost of certain impacts created by the proposed development, such as the increase in demand on parks created by residential development. As a condition of approval for a residential development, the property owner is required to provide an ongoing funding source for the cost of maintaining parks. The City created CFD No. 1 to provide the development community with a financing

mechanism to assist in satisfying the funding requirement. After the property owner elects to annex their property into the District, the City can levy a special tax on the property tax bill(s) of the annexed parcel(s). Revenue generated by the District supports the ongoing maintenance and/or repair of parks, trails, park improvements, and all efforts by Park Rangers for facilities associated with the District.

As a condition of approval of its development project, Riverview Partners, L.P. (“Property Owner”) has elected to annex the parcels of the project into the District. The Property Owner submitted a Landowner Petition approving the annexation. The City Clerk has confirmed the petition is valid.

## **DISCUSSION**

### *History*

The CSD established zones to fund and account for the costs of specific public services provided by the City to properties receiving benefit from those services. CSD Zone A revenue funds the maintenance of parks, park facilities, and multi-use trails constructed prior to July 3, 2003, as well as recreation program services, which serve the residents of Moreno Valley. CSD Zone A’s annual parcel tax has remained fixed at \$87.50 per parcel/dwelling unit (for multifamily parcels) since FY 1992/93. Zone A’s parcel tax alone is insufficient to fund expenses for the operation and maintenance of both existing and future parks and community services.

On July 8, 2003, the CSD formed CFD No. 1. CFD No. 1 was established to fund the maintenance and/or repair of parks, trails, park improvements, and all efforts by Park Rangers within CFD No. 1, for those park facilities constructed after the date of its formation. New residential development projects are required to provide an ongoing funding source to support CFD No. 1 as a condition of approval for the project.

Residential housing Tracts 30924, 30998, and 31050 formed the original boundaries of CFD No. 1. Since formation of CFD No. 1, the CSD Board has certified and approved an additional 72 landowner’s requests to annex their residential developments into the District.

### *Annexation to CFD No. 1*

At the time CFD No. 1 was formed, the CSD Board authorized a future annexation area boundary to provide a simplified process to annex into the District. Annexations can occur without additional public hearing as long as the annexing landowner provides unanimous consent. Once annexed, parcels are subject to the annual special tax to fund the benefits they are receiving.

Riverview Partners, L.P. is approved to construct 266 multi-family residential dwelling unit project as part of Tentative Tract 35414. As a condition of approval, the project is required to provide a funding source for park maintenance. Information for the parcels under development (“Subject Property”) is shown in the following table:

Property Owner/Project	APNs	Proposed Number of DU <sup>1</sup>	Location
Riverview Partners, L.P. Tentative Tract 35414 PA15-0002	291-050-003, 291-050-004, 291-050-012, 291-050-013	266	southeast corner of Box Springs Rd. and Clark St.
<sup>1</sup> DU = Dwelling Units (single family residential lot or dwelling unit for multifamily)			

The property owner has two options to satisfy the condition of approval:

- 1) Submit a landowner petition approving annexation of the Subject Property into the District. Approval of the petition and special tax rate allows the City to annually levy the special tax on the property tax bill(s) of the Subject Property. This option is only available if there are fewer than 12 registered voters living within the proposed annexation area. On January 17, 2017, the Office of the Riverside County Registrar of Voters confirmed there were no registered voters residing at the Subject Property, allowing for a special election of the landowners to be conducted; or
- 2) Fund an endowment to satisfy the annual requirement.

The Property Owner elected to annex the Subject Property into CFD No. 1 and have the special tax applied to the annual property tax bill. The City Clerk received and reviewed the Property Owner's Landowner Petition and confirmed the Property Owner unanimously approved annexation of the Subject Property into the District. Adoption of the attached resolution (Attachment 1) adds the Subject Property into CFD No. 1 and directs the recordation of the boundary map (Attachment 2) and amended notice of special tax lien for Annexation No. 2016-40.

Successful completion of the annexation satisfies the project's condition of approval to provide an ongoing funding source for park maintenance.

### **ALTERNATIVES**

1. Adopt the proposed resolution. *Staff recommends this alternative as it will annex the Subject Property into CFD No. 1 at the Request of the Property Owner and satisfies the condition of approval for the proposed development.*
2. Do not adopt the proposed resolution. *Staff does not recommend this alternative as it is contrary to the Property Owner's request, will not satisfy the condition of approval, and may delay development of the project.*
3. Do not adopt the proposed resolution but rather continue the item to a future regular CSD Board (City Council) meeting. *Staff does not recommend this alternative as it will delay the Property Owner from satisfying the condition of approval and may delay development of the project.*

**FISCAL IMPACT**

Revenue received from the special tax is restricted and can only be used to fund the maintenance and operation of CFD No. 1 park facilities and services. The special tax can only be applied to the property tax bill of a parcel wherein the property owner has previously provided approval. The maximum estimated special tax revenue which can be generated from this project is detailed below:

Property Owner/ Project Name	Proposed Number of DU <sup>1,2</sup>	FY 2016/17 Maximum Special Tax <sup>3</sup>	Total
Riverview Partners, L.P. Tentative Tract 35414 PA15-0002	266	\$161.66/DU	\$43,001.56
<sup>1</sup> DU = Dwelling Unit (single-family residential lot or dwelling unit for multi-family). <sup>2</sup> The special tax will be calculated based on the final development of the project. <sup>3</sup> The applied special tax may be lower than the maximum special tax.			

The maximum special tax rate is subject to an annual inflation adjustment based on the change in Consumer Price Index (CPI) or by two percent (2%), whichever is greater. Each year, the CSD Board must authorize any proposed CPI adjustment prior to the levy of the special tax on the property tax bills. The increase to the maximum special tax rate cannot exceed the annual inflationary adjustment without approval of the qualified electors (landowners or registered voters depending upon the number of registered voters) within the District.

**NOTIFICATION**

Annexation materials were mailed to the Property Owner on February 28, 2017. A cover letter, Landowner Petition, Rates and Method of Apportionment of Special Tax, and an envelope to return the completed petition were included.

**PREPARATION OF STAFF REPORT**

Prepared by:  
Jennifer Terry,  
Senior Management Analyst

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

Concurred by:  
Candace E. Cassel,  
Special Districts Division Manager

Concurred by:  
Betsy Adams  
Interim Parks & Community Services Director

**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 Facilities and Capital Projects.** Ensure that needed public facilities, roadway improvements, and other infrastructure improvements are constructed and maintained.

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

**Community Image, Neighborhood Pride and Cleanliness.** Promote a sense of community pride and foster an excellent image about our City by developing and executing programs which will result in quality development, enhanced neighborhood preservation efforts, including home rehabilitation and neighborhood restoration.

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

**ATTACHMENTS**

- 1. Resolution Ordering Annexation
- 2. Boundary Map
- 3. Certification of Election Official

**APPROVALS**

Budget Officer Approval	<u>✓ Approved</u>	3/27/17 1:57 PM
City Attorney Approval	<u>✓ Approved</u>	3/27/17 2:15 PM
City Manager Approval	<u>✓ Approved</u>	4/04/17 2:20 PM

## RESOLUTION NO. CSD 2017-04

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, ORDERING THE ANNEXATION OF TERRITORY FOR ANNEXATION NO. 2016-40 TO ITS COMMUNITY FACILITIES DISTRICT NO. 1 AND APPROVING THE AMENDED MAP FOR SAID DISTRICT

WHEREAS, by its Resolution No. CSD 2003-23, the Board of Directors of the Moreno Valley Community Services District (the "CSD") established the CSD's Community Facilities District No. 1 (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. 41, the Board of Directors levied an annual special tax against all non-exempt parcels of real property within the CFD (the "Special Tax") to fund parks and park improvements; and

WHEREAS, by its Resolution No. CSD 2003-26, the Board of Directors designated all territory within the City of Moreno Valley to be a Future Annexation Area for the CFD; and

WHEREAS, pursuant to Resolution No. CSD 2003-26 territory located within the Future Annexation Area may be annexed to the CFD upon the unanimous approval of the owner or owners of each parcel or parcels at the time that the parcel or parcels are annexed, without additional hearings; and

WHEREAS, the landowner of Assessor's Parcel Numbers 291-050-003, 291-050-004, 291-050-012, and 291-050-013 has submitted to the City a petition requesting and approving annexation of the parcels (the "Annexation Parcels") to the CFD; and

WHEREAS, the boundary map entitled "Annexation Map No. 2016-40 of Community Facilities District No. 1 of the Moreno Valley Community Services District City of Moreno Valley, County of Riverside, State of California", showing the extent of the proposed annexation is included as Exhibit A to this Resolution and incorporated herein by reference (the "Boundary Map"); and

WHEREAS, the Board of Directors desires to annex the Annexation Parcels to the CFD.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT OF THE CITY OF MORENO VALLEY, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

1. Recitals. The above recitals are all true and correct and are herein incorporated.

1  
Resolution No. CSD 2017-  
Date Adopted: April 18, 2017

2. Annexation Ordered. The Annexation Parcels are hereby added to and part of the CFD with full legal effect. The Annexation Parcels are subject to the Special Tax levied in connection with the CFD.

3. Description of Services. The following is a general description of the services provided in the CFD:

The maintenance and/or repair of Parks and Park Improvements including, but not limited to, the planting, replanting, mowing, trimming, irrigation and fertilization of grass, trees, shrubs, and other ornamental plants and vegetation, the operation, maintenance, repair, and replacement of irrigation systems associated with Parks and Park Improvements, and all the effort by Park Rangers that is devoted to the maintenance of the Parks and Park Improvements and public safety. "Parks and Park Improvement" means parks and park improvements which are to be developed, constructed, installed, and maintained within and in the area of the CSD and which will be owned and operated by the CSD for the benefit of the residents of the CFD.

Such maintenance shall include, but not be limited to, the provision of all labor, material, administration, personnel, equipment and utilities necessary to maintain such Parks and Park Improvements.

It is the intention of the Board of Directors to finance all direct, administrative and incidental annual costs and expenses necessary to provide the authorized maintenance and services.

4. Amended Boundary Map. The Boundary Map attached hereto as Exhibit A is hereby approved. This map amends, and does not supersede, the existing map of the CFD. The City Council directs that said map be filed with the Riverside County Recorder pursuant to Section 3113 of the Streets and Highways Code.

5. Notice of Special Tax Lien. The City Council directs that a revised notice of special tax lien be recorded pursuant to Section 3117.5 of the Streets and Highways Code with respect to the Annexation Parcels associated with the Boundary Map.

6. 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.

7. This Resolution shall be effective immediately upon adoption.

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

2  
Resolution No. CSD 2017-      
Date Adopted: April 18, 2017

APPROVED AND ADOPTED this 18<sup>th</sup> day of April, 2017.

\_\_\_\_\_  
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

Attachment: Resolution Ordering Annexation [Revision 1] (2451 : PURSUANT TO A LANDOWNER PETITION; ANNEX FOUR PARCELS INTO

Resolution No. CSD 2017-<sup>3</sup>  
Date Adopted: April 18, 2017



**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 2017-\_\_\_\_ was duly and regularly adopted by the Board of Directors of the Moreno Valley Community Services District at a regular meeting held on the 18<sup>th</sup> day of April, 2017, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Boardmembers, Vice-President and President)

\_\_\_\_\_  
SECRETARY

(SEAL)

Resolution No. CSD 2017-\_\_\_\_  
Date Adopted: April 18, 2017

# EXHIBIT A

## Annexation Map No. 2016-40

SHEET 1 OF 1

VICINITY MAP

**ANNEXATION MAP NO. 2016-40 OF  
COMMUNITY FACILITIES DISTRICT NO. 1**

OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT  
CITY OF MORENO VALLEY  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

MAP REFERENCE NUMBER	ASSESSOR'S PARCEL NUMBER
1	291-050-003
2	291-050-004
3	291-050-012
4	291-050-013

FILED IN THE OFFICE OF THE CITY CLERK THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 201\_\_

CITY CLERK  
CITY OF MORENO VALLEY

I HEREBY CERTIFY THAT THE WITHIN MAP SHOWING PROPOSED BOUNDARIES OF ANNEXATION NO. 2016-40 TO COMMUNITY FACILITIES DISTRICT NO. 1 OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT, CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA WAS APPROVED BY THE BOARD OF DIRECTORS OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT AT A REGULAR MEETING THEREOF, HELD ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 201\_\_ BY ITS RESOLUTION NO. \_\_\_\_\_

CITY CLERK  
CITY OF MORENO VALLEY

FILED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 201\_\_  
AT THE HOUR OF \_\_\_\_\_ O'CLOCK \_\_\_\_\_ M. IN BOOK \_\_\_\_\_ PAGE(S) \_\_\_\_\_ OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICT AND INSTRUMENT NO. \_\_\_\_\_ IN THE OFFICE OF THE COUNTY RECORDER IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA.

COUNTY RECORDER  
COUNTY OF RIVERSIDE  
STATE OF CALIFORNIA

REFERENCE IS MADE TO THAT BOUNDARY MAP OF THE COMMUNITY FACILITIES DISTRICT NO. 1 OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT, CITY OF MORENO VALLEY RECORDED WITH THE RIVERSIDE COUNTY RECORDER'S OFFICE ON JULY 17, 2003 IN BOOK 03 OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS, PAGES 46 THROUGH 48 AS INSTRUMENT NO. 2003-534249.

THE LINES AND DIMENSIONS OF EACH LOT OR PARCEL SHOWN ON THIS DIAGRAM SHALL BE THOSE LINES AND DIMENSIONS AS SHOWN ON THE RIVERSIDE COUNTY ASSESSOR'S MAPS FOR THOSE PARCELS LISTED.

THE RIVERSIDE COUNTY ASSESSOR'S MAPS SHALL GOVERN FOR ALL DETAILS CONCERNING THE LINES AND DIMENSIONS OF SUCH LOTS OR PARCELS.

BOX SPRINGS RD

HWY 60

CHINA STREET

**Legend**

CSD No. 1 Instrument 2016-40

Map Reference Number

1 inch = 100 Feet

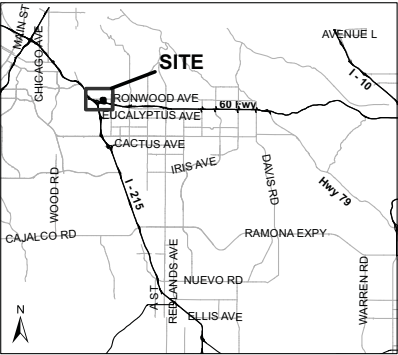
WILLDAN Financial Services  
2244 W. Indio, Suite 200  
Indio, CA 92201  
(951) 767-1000

Attachment: Resolution Ordering Annexation [Revision 1] (2451 : PURSUANT TO A LANDOWNER PETITION; ANNEX FOUR PARCELS INTO

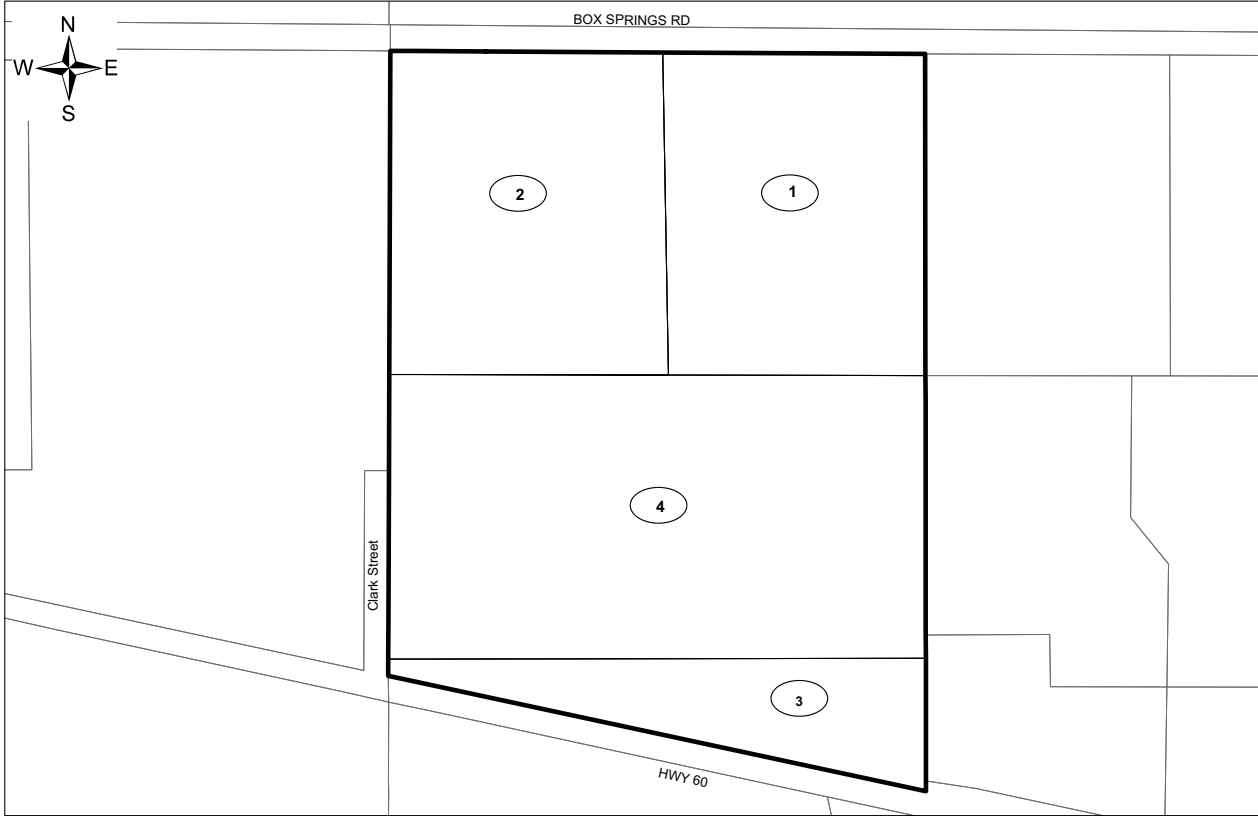
**ANNEXATION MAP NO. 2016-40 OF  
COMMUNITY FACILITIES DISTRICT NO. 1**

OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT  
CITY OF MORENO VALLEY  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

VICINITY MAP



MAP REFERENCE NUMBER	ASSESSOR'S PARCEL NUMBER
1	291-050-003
2	291-050-004
3	291-050-012
4	291-050-013



FILED IN THE OFFICE OF THE CITY CLERK THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 201\_\_\_\_.

CITY CLERK  
CITY OF MORENO VALLEY

I HEREBY CERTIFY THAT THE WITHIN MAP SHOWING PROPOSED BOUNDARIES OF ANNEXATION NO. 2016-40 TO COMMUNITY FACILITIES DISTRICT NO. 1 OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT, CITY OF MORENO VALLEY, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA WAS APPROVED BY THE BOARD OF DIRECTORS OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT AT A REGULAR MEETING THEREOF, HELD ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 201\_\_\_\_, BY ITS RESOLUTION NO. \_\_\_\_\_.

CITY CLERK  
CITY OF MORENO VALLEY

FILED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 201\_\_\_\_,  
AT THE HOUR OF \_\_\_\_\_ O'CLOCK \_\_\_\_\_, M. IN BOOK \_\_\_\_\_  
PAGE(S) \_\_\_\_\_ OF MAPS OF ASSESSMENT  
AND COMMUNITY FACILITIES DISTRICT AND INSTRUMENT  
NO. \_\_\_\_\_ IN THE OFFICE OF THE COUNTY RECORDER  
IN THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA.

COUNTY RECORDER  
COUNTY OF RIVERSIDE  
STATE OF CALIFORNIA

REFERENCE IS MADE TO THAT BOUNDARY MAP OF THE COMMUNITY FACILITIES DISTRICT NO. 1 OF THE MORENO VALLEY COMMUNITY SERVICES DISTRICT, CITY OF MORENO VALLEY RECORDED WITH THE RIVERSIDE COUNTY RECORDER'S OFFICE ON JULY 17, 2003 IN BOOK 53 OF MAPS OF ASSESSMENT AND COMMUNITY FACILITIES DISTRICTS, PAGES 46 THROUGH 48 AS INSTRUMENT NO. 2003-534249.

THE LINES AND DIMENSIONS OF EACH LOT OR PARCEL SHOWN ON THIS DIAGRAM SHALL BE THOSE LINES AND DIMENSIONS AS SHOWN ON THE RIVERSIDE COUNTY ASSESSOR'S MAPS FOR THOSE PARCELS LISTED.

THE RIVERSIDE COUNTY ASSESSOR'S MAPS SHALL GOVERN FOR ALL DETAILS CONCERNING THE LINES AND DIMENSIONS OF SUCH LOTS OR PARCELS.

**Legend**  
 CFD No.1 annexation 2016-40  
 Map Reference Number  
 1 inch = 100 feet



**CERTIFICATE OF ELECTION OFFICIAL  
AND STATEMENT OF VOTES CAST**

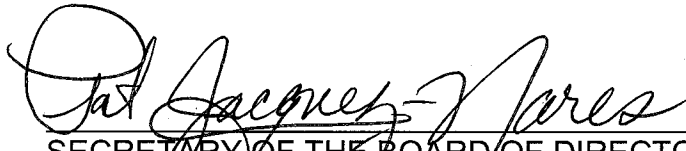
STATE OF CALIFORNIA            )  
COUNTY OF RIVERSIDE        ) ss.  
CITY OF MORENO VALLEY        )

The undersigned, Election Official of the City of Moreno Valley, County of Riverside, State of California, Does Hereby Certify that on March 14, 2017, I did verify the completeness of the Landowner Petition for the annexation of property into

COMMUNITY FACILITIES DISTRICT NO. 1 OF THE  
MORENO VALLEY COMMUNITY SERVICES DISTRICT  
OF THE CITY OF MORENO VALLEY

ANNEXATION NO. 2016-40

WITNESS my hand this 14<sup>th</sup> day of March, 2017.



SECRETARY OF THE BOARD OF DIRECTORS  
ELECTION OFFICIAL  
MORENO VALLEY COMMUNITY SERVICES  
DISTRICT OF THE CITY OF MORENO VALLEY  
STATE OF CALIFORNIA

Attachment: Certification of Election Official (2451 : PURSUANT TO A LANDOWNER PETITION, ANNEX FOUR PARCELS INTO COMMUNITY



## Report to City Council

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**TO:** Mayor and City Council

**FROM:** Abdul Ahmad, Fire Chief

**AGENDA DATE:** April 18, 2017

**TITLE:** PUBLIC HEARING FOR DELINQUENT NUISANCE ABATEMENT

---

### **RECOMMENDED ACTION**

#### **Recommendations:**

1. Conduct a public hearing and accept public testimony on delinquent nuisance abatement account.
2. Adopt Resolution No. 2017-23. A Resolution of the City Council of the City of Moreno Valley, California, confirming Statements of Costs against real property located in the City of Moreno Valley, for abatements of public nuisances and direction that said Statement of Costs constitute a Lien upon said properties.
3. Approve placing the submitted Property Assessment List of delinquent nuisance abatement accounts on the Fiscal Year (FY) 2017/2018 Riverside County property tax roll for collection.
4. Direct the City Clerk to file with the Riverside County Assessor's office a certified copy of Resolution No. 2017-23 and the Property Assessment List as required by Section 6.04.120 of the City of Moreno Valley Municipal Code.

### **SUMMARY**

In 2016, the Fire Prevention Bureau performed public nuisance abatements to remove hazardous and other nuisance conditions from vacant parcels in the City. After having been served with a "Notice to Abate" and given a reasonable time for compliance, the property owners failed to voluntarily abate the conditions.

This report recommends that the City Council convene a public hearing to consider staff recommendations to adopt the proposed resolution of the City of Moreno Valley,

confirming assessments on certain real properties and approve placing the submitted Property Assessment List of delinquent nuisance abatement accounts on the Fiscal Year 2017/2018 Riverside County property tax roll for collection.

## **DISCUSSION**

In February of each year, the Fire Prevention Division sends each vacant parcel owner, as identified by the last equalized assessment roll, a Notice to Abate. This letter states that all weeds, dry vegetation, rubble, junk, trash, debris, objects, discarded auto bodies, parts and other waste matter upon the premises is a public nuisance and must be abated per Moreno Valley Municipal Code 6.04 by April 1.

All vacant parcels in Moreno Valley are inspected on or after April 1 to determine if the property owner voluntarily complied with the Notice to Abate mailed in February. Shortly after inspection, non-compliant property owners receive a Notice of Violation and up to 10 days to comply with the necessary abatement. After a second reinspection, should the vacant parcel still require the removal of all weeds, dry vegetation, rubble, junk, trash, debris, objects, discarded auto bodies, parts and other waste matter, a Final Notice of Violation is mailed to the property owner allowing a final seven days to become compliant before the Fire Prevention Division proceeds with the abatement process.

Once the period of time has passed as identified in the final notice, per Municipal Code 6.04, the property is scheduled for abatement by City contractor. This section of the municipal code also allows for recovery of costs associated with said abatements.

The Property Assessment List for general nuisance and weed abatements is hereby submitted for review and consideration by the City Council. A statement of costs was mailed to the legal owner of record for each property requiring abatement action. The County of Riverside equalized tax assessment roll was utilized to determine property ownership. A summary of each abatement is included in the Statement of Costs, along with the owner's name(s), property description, and the cost for the abatement action. A copy of the Statement of Costs shall remain on file in the Fire Prevention Division.

The Property Assessment List is a current listing of unpaid abatement costs incurred during 2016. Costs approved by the City Council Resolution will result in a special assessment and will become a levy on the FY 2017/2018 tax bill if not paid directly to the City by July 1, 2017. The Notices of Special Assessment will be recorded at the Riverside County Recorder's Office following approval by the City Council.

## **ALTERNATIVES**

1. Approve and authorize the recommended action as presented in this staff report. *Staff recommends this alternative as it will facilitate cost recovery for those costs incurred by the City for the abatement of public nuisance and hazard reduction work performed as outlined in the attached Property Assessment List.*

- 2. Do not approve and authorize the recommended actions as presented in this staff report. *Staff does not recommend this alternative as it will result in the cost for contract abatement work to be absorbed by the City for all costs that remain unpaid by the property owners.*

**FISCAL IMPACT**

Adoption of the resolution would facilitate cost recovery for those costs incurred by the City for public nuisance and hazard reduction work performed as outlined in the Property Assessment List that is attached to the resolution as Exhibit A.

As detailed in the Property Assessment List, the costs incurred by the City for contractual abatements are outlined below. An additional \$13.98 Special Districts Administration (S.D.A.) fixed charge will be added for each parcel at the time the assessment is placed on the County of Riverside Tax Roll for FY 2017/2018.

**Fire Prevention Bureau**

Contractual, Inspection, and Administrative	\$55,044.43
S.D.A. Fixed Charge Fee: (85 @ \$13.98 each)	<u>\$1,188.30</u>
Total:	\$56,232.73

The Property Assessment List, as approved by City Council, is subject to amendment as necessary to reflect any payments subsequently received from property owners. Costs not paid in full by July 1, 2017, will be processed as special assessments and cost recovery will occur through the payment of taxes. The Statements of Costs and Notices of Special Assessment for each property shall remain on file in the Fire Prevention Division. If payment, or partial payment, is received from property owners, that portion of the Exhibit(s) will be revised as appropriate.

**NOTIFICATION**

Moreno Valley Municipal Code Section 6.04.060 – Notification of Nuisance provides that written notice of nuisance conditions **may** be given to property owners in the following manner:

By regular mail addressed to the owner or person in charge and control of the property; at the address shown on the last available equalized assessment roll of the County of Riverside; or as otherwise known, by posting a “Notice to Abate” on the property where the nuisance condition(s) exists thereby allowing ten days to comply.

Notification of weed abatement conditions was specifically met by:

- 1. Mailing a “Notice to Abate” to property owners by regular mail.
- 2. Mailing a “Notice of Violation” to property owners by regular mail.

3. Telephone contact with property owners, when possible (i.e., phone number on file).

Furthermore, the Fire Prevention Division mailed a Statement of Cost to each property owner in March 2017 indicating the amount owed for the nuisance abatement services performed by the City as well as the date of the City Council meeting at which this Public Hearing would occur. An official list of the submitted delinquent accounts was submitted to Special Districts and indicates the maximum charges which can be placed on the property tax roll for FY 2017/2018.

## **PREPARATION OF STAFF REPORT**

Prepared By:  
Adria Reinertson  
Fire Marshal

Department Head Approval:  
Abdul R. Ahmad  
Fire Chief

## **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.

**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. Resolution 2017-23
2. 2016 Property Assessment List



**APPROVALS**

Budget Officer Approval	<u>✓ Approved</u>	3/27/17 2:00 PM
City Attorney Approval	<u>✓ Approved</u>	3/24/17 12:17 PM
City Manager Approval	<u>✓ Approved</u>	4/04/17 2:26 PM

## RESOLUTION NO. 2017 -23

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MORENO VALLEY, CALIFORNIA, CONFIRMING STATEMENTS OF COSTS AGAINST REAL PROPERTY LOCATED IN THE CITY OF MORENO VALLEY, FOR ABATEMENTS OF PUBLIC NUISANCES AND DIRECTION THAT SAID STATEMENTS OF COSTS CONSTITUTE A LIEN UPON SAID PROPERTIES

WHEREAS, pursuant to the provisions of the City of Moreno Valley Municipal Code Chapter 6.04, the City of Moreno Valley, State of California, in order to protect and preserve the public health, safety and general welfare, has conducted and completed the abatement of certain public nuisances on real properties located within the City of Moreno Valley, State of California, which were not abated by the property owners upon reasonable notice by the City; and

WHEREAS, all of the procedural steps have been complied with by the City in accordance with the requirements of City of Moreno Valley Municipal Code Chapter 6.04; and

WHEREAS, in compliance with the provisions of the City of Moreno Valley Municipal Code Section 6.04.120, Statements of Costs and notices of this hearing have been served on the property owners and/or other responsible parties; and

WHEREAS, having received and considered said Statements of Costs and having conducted the required hearing for protests and objections by those property owners.

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

1. That the Statements of Costs, Notice of City Council Meeting, and Notices of Special Assessments, copies of which are on file with the Fire Prevention Division, and incorporated herein by this reference, are confirmed.
2. That the Property Assessment List and respective amounts of costs contained therein, attached hereto as Exhibit A and incorporated by this reference, is also confirmed.
3. That the Notices of Special Assessments shall be recorded with the Riverside County Recorder's Office and copies transmitted to the Assessor and Tax Collector of the County of Riverside and after recordation shall constitute special assessments against the property to which they relate, and shall constitute liens on the property in the amount of the assessment to be added

1

Resolution No. 2017 -      
Date Adopted: April 18, 2017

to the tax bill next levied against the property.

APPROVED AND ADOPTED this 18<sup>th</sup> day of April, 2017

\_\_\_\_\_  
Mayor of the City of Moreno Valley

ATTEST:

\_\_\_\_\_  
City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney

Attachment: Resolution 2017-23 [Revision 2] (2548 : PUBLIC HEARING FOR DELINQUENT NUISANCE ABATEMENT)

Resolution No. 2017 - 2  
Date Adopted: April 18, 2017

**RESOLUTION JURAT**

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

I, \_\_\_\_\_, City Clerk of the City of Moreno Valley, California, do hereby certify that Resolution No. 2017-\_\_ was duly and regularly adopted by the City Council of the City of Moreno Valley at a regular meeting thereof held on the 18<sup>th</sup> day of April, 2017 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(Council Members, Mayor Pro Tem and Mayor)

\_\_\_\_\_  
CITY CLERK

(SEAL)

Attachment: Resolution 2017-23 [Revision 2] (2548 : PUBLIC HEARING FOR DELINQUENT NUISANCE ABATEMENT)

Resolution No. 2017 - <sup>3</sup>  
Date Adopted: April 18, 2017

**START DATE:** 04/01/2016  
**END DATE:** 06/30/2016

Property Abatement List (PAL)  
 FY 17/18 Tax Year

Pacel	Owner	Address	Summary of Work	Date of Abate	Contractor Fees	Re-Inspection Fees	Admin Fees	S.D. Fees	Total Due
256182048	WILDFLOWER RIVERSIDE HOMEOWNER ASSN	2232 SE BRISTOL STE 203 SANTA ANA CA, 92707	Weeds have not been properly abated according to the lot size requirements. Tree branches have not been cleared 8 feet from ground.	7/18/2016	282.00	151.00	240.00	13.98	686.98
263132031	NGUYEN, THANG	1565 GRAPEVINE LN VISTA CA, 92083	Weeds have not been properly abated according to the lot size requirements. Handwork/cleanup required along perimeter of property. Insufficient firebreak(s). Junk, trash, debris, and/or rubble has not been removed.	7/6/2016	126.00	151.00	240.00	13.98	530.98
263160002	SLCW INV	29217 LAKEVIEW LN HIGHLAND CA, 92346	Weeds have not been properly abated according to the lot size requirements. Handwork/cleanup required along perimeter of property. Insufficient firebreak(s). Tree branches have not been cleared 8 feet from ground.	6/14/2016	405.00	151.00	240.00	13.98	809.98
263160008	SLCW INV	29217 LAKEVIEW LN HIGHLAND CA, 92346	Weeds have not been properly abated according to the lot size requirements. Handwork/cleanup required along perimeter of property. Insufficient firebreak(s). Junk, trash, debris, and/or rubble has not been removed. Tree branches have not been cleared 8 feet from ground.	6/10/2016	2,642.43	151.00	240.00	13.98	3,047.41
263160015	INDIO SECURITY STORAGE INC	45800 FLOWER ST INDIO CA, 92201	Weeds have not been properly abated according to the lot size requirements. Handwork/cleanup required along perimeter of property. Insufficient firebreak(s). Tree branches have not been cleared 8 feet from ground.	6/14/2016	125.00	151.00	240.00	13.98	529.98
263160028	SLCW INV	29217 LAKEVIEW LN HIGHLAND CA, 92346	Weeds have not been properly abated according to the lot size requirements. Handwork/cleanup required along perimeter of property. Insufficient firebreak(s). Tree branches have not been cleared 8 feet from ground.	7/6/2016	346.00	151.00	240.00	13.98	750.98
263230020	ESCONDIDO PLAZA INC	5804 BACK BAY LN AUSTIN TX, 78739	Weeds have not been properly abated according to the lot size requirements. Handwork/cleanup required along perimeter of property. Junk, trash, debris, and/or rubble has not been removed.	6/14/2016	125.00	151.00	240.00	13.98	529.98
263230022	ESCONDIDO PLAZA INC	5804 BACK BAY LN AUSTIN TX, 78739	Weeds have not been properly abated according to the lot size requirements. Handwork/cleanup required along perimeter of property.	6/14/2016	110.50	151.00	240.00	13.98	515.48

Attachment: 2016 Property Assessment List (2548) : PUBLIC HEARING FOR DELINQUENT NUISANCE

291130016	SUWIGHT FAMILY LTD PARTNERSHIP	4020 TYLER ST NO 525 RIVERSIDE CA, 92503	Weeds have not been properly abated according to the lot size requirements. Handwork/cleanup required along perimeter of property. Junk, trash, debris, and/or rubble has not been removed. Tree branches have not been cleared 8 feet from ground.	6/9/2016	588.50	151.00	240.00	13.98	993.48
291140001	KACHOEFF, SADIE	10305 LUDENE DR WHITTIER CA, 90601	Weeds have not been properly abated according to the lot size requirements. Handwork/cleanup required along perimeter of property. Insufficient firebreak(s). Tree branches have not been cleared 8 feet from ground.	6/9/2016	315.50	151.00	240.00	13.98	720.48
291140002	KACHOEFF ARTHUR ESTATE OF	10305 LUNDENE DR WHITTIER CA, 90601	Weeds have not been properly abated according to the lot size requirements. Handwork/cleanup required along perimeter of property.	6/9/2016	96.00	151.00	240.00	13.98	500.98
291291003	BUSHNELL	12106 SEVERN WAY RIVERSIDE CA, 92503	Weeds have not been properly abated according to the lot size requirements. Handwork/cleanup required along perimeter of property.	6/14/2016	125.00	151.00	240.00	13.98	529.98
292022011	HEERS, WILLIAM R	8028 PARK HILL DR FORT COLLINS CO, 80528	Weeds have not been properly abated according to the lot size requirements. Junk, trash, debris, and/or rubble has not been removed. Tree branches have not been cleared 8 feet from ground.	7/18/2016	250.00	151.00	240.00	13.98	654.98
292032011	JURUPA LAND & INV INC	6865 AIRPORT DR RIVERSIDE CA, 92504	Weeds have not been properly abated according to the lot size requirements. Tree branches have not been cleared 8 feet from ground.	7/18/2016	218.00	151.00	240.00	13.98	622.98
292191021	ONTIVEROS, LUIS A	4415 CAMINITO TECERA DEL MAR CA, 92014	Weeds have not been properly abated according to the lot size requirements. Tree branches have not been cleared 8 feet from ground.	6/16/2016	303.00	151.00	240.00	13.98	707.98
292191022	ONTIVEROS, LUIS A	4415 CAMINITO TECERA DEL MAR CA, 92014	Weeds have not been properly abated according to the lot size requirements. Tree branches have not been cleared 8 feet from ground.	6/16/2016	329.50	151.00	240.00	13.98	734.48
292191023	ONTIVEROS, LUIS A	4415 CAMINITO TECERA DEL MAR CA, 92014	Weeds have not been properly abated according to the lot size requirements.	6/16/2016	125.00	151.00	240.00	13.98	529.98
292280018	NOVAL, VICTORINO	12032 VISTA DE CERR PMB278 MORENO VALLEY CA, 92557	Handwork/cleanup required along perimeter of property.	7/13/2016	239.00	151.00	240.00	13.98	643.98
297100006	NOA ASSOCIATES	8121 VAN NUYS BLV STE 300 PANORAMA CITY CA, 91402	Weeds have not been properly abated according to the lot size requirements. Handwork/cleanup required along perimeter of property. Insufficient firebreak(s). Junk, trash, debris, and/or rubble has not been removed. Tree branches have not been cleared 8 feet from ground.	6/9/2016	546.00	151.00	240.00	13.98	950.98
297130043	DOWNS DONALD R TRUST	333 W PASEO DE CRISTOBAL SAN CLEMENTE CA, 92672	Weeds have not been properly abated according to the lot size requirements. Handwork/cleanup required along perimeter of property.	6/9/2016	189.00	151.00	240.00	13.98	593.98

Attachment: 2016 Property Assessment List (2548) : PUBLIC HEARING FOR DELINQUENT NUISANCE

297150031	R&H HOTEL DEV	16278 MENAHPA RD APPLE VALLEY CA, 92307	Weeds have not been properly abated according to the lot size requirements. Handwork/cleanup required along perimeter of property. Insufficient firebreak(s). Tree branches have not been cleared 8 feet from ground.	6/9/2016	418.00	151.00	240.00	13.98	822.98
297180006	SAMBRAY, AMEET Y	P O BOX 77094 CORONA CA, 92877	Weeds have not been properly abated according to the lot size requirements. Handwork/cleanup required along perimeter of property. Insufficient firebreak(s). Total abatement Required	6/9/2016	558.50	151.00	240.00	13.98	963.48
297220001	MORENO VALLEY GATEWAY	31351 RANCHO VIEJO RD STE 202 SAN JUAN CAPISTRANO, CA, 92675	Weeds have not been properly abated according to the lot size requirements. Handwork/cleanup required along perimeter of property.	6/9/2016	158.00	151.00	240.00	13.98	562.98
297220010	GARFIELD LOGAN	30448 RANCHO VIEJO RD STE 110 SAN JUAN CAPISTRANO CA, 92765	Weeds have not been properly abated according to the lot size requirements. Handwork/cleanup required along perimeter of property.	6/9/2016	158.00	151.00	240.00	13.98	562.98
308453012	K HOVNIANIAN FORECAST HOMES INC	400 EXCHANGE STE 200 IRVINE CA, 92602	Weeds have not been properly abated according to the lot size requirements. Handwork/cleanup required along perimeter of property.	7/6/2016	94.00	151.00	240.00	13.98	498.98
308453013	K HOVNIANIAN FORECAST HOMES INC	400 EXCHANGE STE 200 IRVINE CA, 92602	Weeds have not been properly abated according to the lot size requirements.	7/6/2016	105.00	151.00	240.00	13.98	509.98
308470050	K HOVNIANIAN FORECAST HOMES INC	400 EXCHANGE STE 200 IRVINE CA, 92602	Weeds have not been properly abated according to the lot size requirements. Handwork/cleanup required along perimeter of property.	7/6/2016	96.00	151.00	240.00	13.98	500.98
308470051	K HOVNIANIAN FORECAST HOMES INC	400 EXCHANGE STE 200 IRVINE CA, 92602	Weeds have not been properly abated according to the lot size requirements.	7/6/2016	182.75	151.00	240.00	13.98	587.73
308520016	EMPIRE LAND	1809 EXCISE AVE STE 208 ONTARIO CA, 91761	Weeds have not been properly abated according to the lot size requirements. Tree branches have not been cleared 8 feet from ground. Weeds must be 2-6 inches	7/6/2016	96.00	151.00	240.00	13.98	500.98
308530026	EMPIRE LAND; C/O JONATHAN CRAIG CURTIS	1809 EXCISE AVE STE 208 ONTARIO CA, 91761	Weeds have not been properly abated according to the lot size requirements. Weeds must be 2-6 inches	7/6/2016	182.00	151.00	240.00	13.98	586.98
316030014	UNITED FAMILY LTD PARTNERSHIP	46 PENINSULA CENTER NO#366 ROLLING HILLS EST, CA 90274	Weeds have not been properly abated according to the lot size requirements. Handwork/cleanup required along perimeter of property. Insufficient firebreak(s). Tree branches have not been cleared 8 feet from ground.	6/9/2016	569.75	151.00	240.00	13.98	974.73
316030018	APOSTOLIC ASSEMBLY FAITH CHRIST JESUS INC	P O BOX 8092 MORENO VALLEY CA, 92552	Weeds have not been properly abated according to the lot size requirements. Handwork/cleanup required along perimeter of property. Insufficient firebreak(s). Tree branches have not been cleared 8 feet from ground.	6/9/2016	263.50	151.00	240.00	13.98	668.48
316030019	APOSTOLIC ASSEM FAITH IN CHRIST JESUS INC	P O BOX 8092 MORENO VALLEY CA, 92552	Weeds have not been properly abated according to the lot size requirements. Handwork/cleanup required along perimeter of property. Insufficient firebreak(s).	6/9/2016	265.50	151.00	240.00	13.98	670.48

Attachment: 2016 Property Assessment List (2548) : PUBLIC HEARING FOR DELINQUENT NUISANCE

316210014	FIRST INDUSTRIAL	898 N SEPULVEDA BLVD STE 1 EL SEGUNDO CA, 90245	Weeds have not been properly abated according to the lot size requirements.	6/10/2016	158.00	151.00	240.00	13.98	562.98
316210015	FIRST INDUSTRIAL	898 N SEPULVEDA BLVD STE 1 EL SEGUNDO CA, 90245	Weeds have not been properly abated according to the lot size requirements.	6/10/2016	220.00	151.00	240.00	13.98	624.98
316210016	FIRST INDUSTRIAL	898 N SEPULVEDA BLVD STE 1 EL SEGUNDO CA, 90245	Weeds have not been properly abated according to the lot size requirements.	6/10/2016	220.00	151.00	240.00	13.98	624.98
316210017	FIRST INDUSTRIAL	898 N SEPULVEDA BLVD STE 1 EL SEGUNDO CA, 90245	Weeds have not been properly abated according to the lot size requirements.	6/10/2016	220.00	151.00	240.00	13.98	624.98
316210018	FIRST INDUSTRIAL	898 N SEPULVEDA BLV NO 750 EL SEGUNDO CA, 90245	Weeds have not been properly abated according to the lot size requirements. Handwork/cleanup required along perimeter of property. Insufficient firebreak(s).	6/10/2016	472.00	151.00	240.00	13.98	876.98
422110001	HF PROP	14225 CORPORATE WAY MORENO VALLEY CA, 92553	Handwork/cleanup required along perimeter of property. Weeds along west side of parcel	7/8/2016	233.00	151.00	240.00	13.98	637.98
473150011	CALIFORNIA HIGHLAND ENTERPRISE INC	1000 DOVE ST STE 300 NEWPORT BEACH CA, 92660	Weeds have not been properly abated according to the lot size requirements.	7/8/2016	374.00	151.00	240.00	13.98	778.98
473150012	CALIFORNIA HIGHLAND ENTERPRISE INC	1000 DOVE ST STE 300 NEWPORT BEACH CA, 92660	Weeds have not been properly abated according to the lot size requirements.	7/12/2016	101.00	151.00	240.00	13.98	505.98
473150013	CALIFORNIA HIGHLAND ENTERPRISE INC	1000 DOVE ST STE 300 NEWPORT BEACH CA, 92660	Weeds have not been properly abated according to the lot size requirements.	7/12/2016	101.00	151.00	240.00	13.98	505.98
473150014	CALIFORNIA HIGHLAND ENTERPRISE INC	1000 DOVE ST STE 300 NEWPORT BEACH CA, 92660	Weeds have not been properly abated according to the lot size requirements.	7/12/2016	233.00	151.00	240.00	13.98	637.98
473150015	CALIFORNIA HIGHLAND ENTERPRISE INC	1000 DOVE ST STE 300 NEWPORT BEACH CA, 92660	Weeds have not been properly abated according to the lot size requirements. Insufficient firebreak(s). Guidelines for parcels >5 acres	7/12/2016	296.00	151.00	240.00	13.98	700.98
473150016	CALIFORNIA HIGHLAND ENTERPRISE INC	1000 DOVE ST STE 300 NEWPORT BEACH CA, 92660	Weeds have not been properly abated according to the lot size requirements.	7/12/2016	164.00	151.00	240.00	13.98	568.98
473150017	CALIFORNIA HIGHLAND ENTERPRISE INC	1000 DOVE ST STE 300 NEWPORT BEACH CA, 92660	Weeds have not been properly abated according to the lot size requirements.	7/12/2016	231.00	151.00	240.00	13.98	635.98
473220009	CHADO, RICHARD	408 E 25TH ST UPLAND CA, 91784	Weeds have not been properly abated according to the lot size requirements.	7/8/2016	170.00	151.00	240.00	13.98	574.98
473220010	CHADO, RICHARD	408 E 25TH ST UPLAND CA, 91784	Weeds have not been properly abated according to the lot size requirements.	7/8/2016	282.00	151.00	240.00	13.98	686.98
473290003	WICKERD, GAYLE W	28701 KALMIA AVE MORENO VALLEY CA, 92555	Weeds have not been properly abated according to the lot size requirements. Substantial re-growth of weeds or other vegetation has occurred making necessary to repeat the abatement/cleaning of premises.	7/7/2016	164.00	151.00	240.00	13.98	568.98
473300001	USASIA INTERNATIONAL	9580 GARDEN GROVE BLV 300 GARDEN GROVE CA, 92844	Weeds have not been properly abated according to the lot size requirements. Insufficient firebreak(s).	7/12/2016	405.00	151.00	240.00	13.98	809.98

Attachment: 2016 Property Assessment List (2548) : PUBLIC HEARING FOR DELINQUENT NUISANCE



473300010	USASIA INTERNATIONAL	9580 GARDEN GROVE BLV 300 GARDEN GROVE CA, 92844	Weeds have not been properly abated according to the lot size requirements. Handwork/cleanup required along perimeter of property. Insufficient firebreak(s).	7/12/2016	406.00	151.00	240.00	13.98	810.98
474180012	COLEMAN, STEVEN	25580 OVERLOOK CIR MORENO VALLEY CA, 92557	Weeds have not been properly abated according to the lot size requirements. Tree branches have not been cleared 8 feet from ground.	7/11/2016	199.00	151.00	240.00	13.98	603.98
474500017	SUNNYMEAD RANCH PLANNED COMMUNITY ASSN	23600 SUNNYMEAD RANCH PKY MORENO VALLEY CA, 92557	Weeds have not been properly abated according to the lot size requirements. Tree branches have not been cleared 8 feet from ground.	7/11/2016	391.00	151.00	240.00	13.98	795.98
475160056	CAMPUS REALTY	28391 AVD LA MANCHA SAN JUAN CAPO CA, 92675	Weeds have not been properly abated according to the lot size requirements.	7/11/2016	97.00	151.00	240.00	13.98	501.98
475160065	CAMPUS REALTY	28391 AVD LA MANCHA SAN JUAN CAPO CA, 92675	Weeds have not been properly abated according to the lot size requirements.	7/11/2016	166.00	151.00	240.00	13.98	570.98
478040028	DOAN, QUANG THANH	13671 YOCKEY ST GARDEN GROVE CA, 92844	Weeds have not been properly abated according to the lot size requirements.	7/7/2016	114.00	151.00	240.00	13.98	518.98
478174020	KAYMAZ, JANET	1603 BROOKSIDE AVE REDLANDS CA, 92373	Weeds have not been properly abated according to the lot size requirements.	7/7/2016	101.00	151.00	240.00	13.98	505.98
478174021	KAYMAZ, JANET	1603 BROOKSIDE AVE REDLANDS CA, 92373	Weeds have not been properly abated according to the lot size requirements.	7/7/2016	99.00	151.00	240.00	13.98	503.98
478240015	GRANITE CAPITAL	11370 MORENO BEACH DR MORENO VALLEY CA, 92555	Weeds have not been properly abated according to the lot size requirements. Insufficient firebreak(s). Requires total abatement	7/7/2016	359.00	151.00	240.00	13.98	763.98
479090019	PAYTON, LAVERNE	13075 BIRCHWOOD DR MORENO VALLEY CA, 92553	Weeds have not been properly abated according to the lot size requirements. Handwork/cleanup required along perimeter of property. Insufficient firebreak(s). Tree branches have not been cleared 8 feet from ground.	6/15/2016	125.00	151.00	240.00	13.98	529.98
479090021	AHDOLALI BAZARGAN HOSSEIN	25161 VIA TERRACINA LAGUNA NIGUEL, CA, 92677	Weeds have not been properly abated according to the lot size requirements. Handwork/cleanup required along perimeter of property. Insufficient firebreak(s). Tree branches have not been cleared 8 feet from ground.	8/8/2016	201.00	151.00	240.00	13.98	605.98
479230018	LAI, PAUL CH	512 PUUIKENA DR HONOLULU HI, 96821	Weeds have not been properly abated according to the lot size requirements. Handwork/cleanup required along perimeter of property. Insufficient firebreak(s). Tree branches have not been cleared 8 feet from ground.	6/16/2016	406.00	151.00	240.00	13.98	810.98
481171050	MIGUEL A SOTO	P O BOX 77372 CORONA CA, 92877	Weeds have not been properly abated according to the lot size requirements. Tree branches have not been cleared 8 feet from ground.	6/15/2016	100.00	151.00	240.00	13.98	504.98
482060041	MANSELL, HARNETHIA	10947 OAK RUN CIR MORENO VALLEY CA, 92557	Weeds have not been properly abated according to the lot size requirements. Tree branches have not been cleared 8 feet from ground.	6/15/2016	583.00	151.00	240.00	13.98	987.98
482080024	CO, MARCELO	25164 ATWOOD AVE MORENO VALLEY CA, 92553	Tree branches have not been cleared 8 feet from ground.	6/15/2016	125.00	151.00	240.00	13.98	529.98

Attachment: 2016 Property Assessment List (2548) : PUBLIC HEARING FOR DELINQUENT NUISANCE

482170009	BURRAGE, CHARLES E	PO BOX 90579 PASADENA CA, 91109	Weeds have not been properly abated according to the lot size requirements.	7/1/2016	125.00	151.00	240.00	13.98	529.98
482170014	NEWTON, JEFFERY P	420 LAKE ST UNIT 104 HUNTINGTON BEACH CA, 92648	Weeds have not been properly abated according to the lot size requirements. Handwork/cleanup required along perimeter of property. Insufficient firebreak(s). Tree branches have not been cleared 8 feet from ground.	7/11/2016	99.00	151.00	240.00	13.98	503.98
482170016	BURRAGE, CHARLES E	PO BOX 90579 PASADENA CA, 91109	Weeds have not been properly abated according to the lot size requirements. Tree branches have not been cleared 8 feet from ground.	7/11/2016	97.00	151.00	240.00	13.98	501.98
482170049	BURRAGE, CHARLES E	PO BOX 90579 PASADENA CA, 91109	Weeds have not been properly abated according to the lot size requirements. Tree branches have not been cleared 8 feet from ground.	7/11/2016	97.00	151.00	240.00	13.98	501.98
485230014	RADOS PROP CALIF LAND	2002 E MCFADDEN STE 200 SANTA ANA CA, 92705	Weeds have not been properly abated according to the lot size requirements.	6/2/2016	110.50	151.00	240.00	13.98	515.48
485230015	RADOS PROP CALIF LAND	2002 E MCFADDEN STE 200 SANTA ANA CA, 92705	Weeds have not been properly abated according to the lot size requirements.	6/2/2016	110.50	151.00	240.00	13.98	515.48
485230016	RADOS PROP CALIF LAND	2002 E MCFADDEN STE 200 SANTA ANA CA, 92705	Weeds have not been properly abated according to the lot size requirements.	6/2/2016	184.75	151.00	240.00	13.98	589.73
485230017	RADOS PROP CALIF LAND	2002 E MCFADDEN STE 200 SANTA ANA CA, 92705	Weeds have not been properly abated according to the lot size requirements.	6/2/2016	129.50	151.00	240.00	13.98	534.48
485230018	RADOS PROP CALIF LAND	2002 E MCFADDEN STE 200 SANTA ANA CA, 92705	Weeds have not been properly abated according to the lot size requirements.	6/2/2016	198.00	151.00	240.00	13.98	602.98
485230019	RADOS PROP CALIF LAND	2002 E MCFADDEN STE 200 SANTA ANA CA, 92705	Weeds have not been properly abated according to the lot size requirements.	6/2/2016	114.50	151.00	240.00	13.98	519.48
485230020	RADOS PROP CALIF LAND	2002 E MCFADDEN STE 200 SANTA ANA CA, 92705	Weeds have not been properly abated according to the lot size requirements.	6/2/2016	148.50	151.00	240.00	13.98	553.48
485230021	RADOS PROP CALIF LAND	2002 E MCFADDEN STE 200 SANTA ANA CA, 92705	Weeds have not been properly abated according to the lot size requirements.	6/2/2016	293.25	151.00	240.00	13.98	698.23
485230022	RADOS PROP CALIF LAND	2002 E MCFADDEN STE 200 SANTA ANA CA, 92705	Weeds have not been properly abated according to the lot size requirements.	6/2/2016	293.25	151.00	240.00	13.98	698.23
485230023	RADOS PROP CALIF LAND	2002 E MCFADDEN STE 200 SANTA ANA CA, 92705	Weeds have not been properly abated according to the lot size requirements.	6/2/2016	293.25	151.00	240.00	13.98	698.23
485230024	RADOS PROP CALIF LAND	2002 E MCFADDEN STE 200 SANTA ANA CA, 92705	Weeds have not been properly abated according to the lot size requirements.	6/2/2016	530.00	151.00	240.00	13.98	934.98
486091002	QUINTANILLA, AMERICA	5534 AGRA ST BELL GARDENS CA, 90201	Weeds have not been properly abated according to the lot size requirements. Handwork/cleanup required along perimeter of property. Insufficient firebreak(s). Junk, trash, debris, and/or rubble has not been removed. Tree branches have not been cleared 8 feet from ground.	7/6/2016	197.00	151.00	240.00	13.98	601.98

Attachment: 2016 Property Assessment List (2548) : PUBLIC HEARING FOR DELINQUENT NUISANCE

487150001	FANOUS, MICHAEL	11606 VALLEY FORGE WAY BAKERSFIELD CA, 93312	Weeds have not been properly abated according to the lot size requirements. Junk, trash, debris, and/or rubble has not been removed.	8/3/2016	96.00	151.00	240.00	13.98	500.98
487470014	LAI, PAUL	512 PUUIKENA DR HONOLULU HI, 96821	Weeds have not been properly abated according to the lot size requirements. Handwork/cleanup required along perimeter of property. Insufficient firebreak(s). Parcel considered individually	7/7/2016	227.00	151.00	240.00	13.98	631.98
488200012	COBRA 28 NO 5 LTD PARTNERSHIP	4900 SANTA ANITA NO 2C EL MONTE CA, 91731	Weeds have not been properly abated according to the lot size requirements. Tree branches have not been cleared 8 feet from ground. Fenced in area	7/7/2016	190.00	151.00	240.00	13.98	594.98
488260028	OSULLIVAN, DOLORES	4280 LEISURE LN PLACERVILLE CA, 95667	Weeds have not been properly abated according to the lot size requirements. Remove Tweeds	7/13/2016	126.00	151.00	240.00	13.98	530.98
					\$21,809.43	\$12,835.00	\$20,400.00	\$1,188.30	\$56,232.73